



Executive

Monday 12 November 2012 at 7.00 pm

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

Membership:

Lead Member Councillors:

Portfolio

Butt (Chair)	Leader/Lead Member for Corporate Strategy & Policy Co-ordination
R Moher (Vice-Chair)	Deputy Leader/Lead Member for Finance and Corporate Resources
Arnold	Lead Member for Children and Families
Beswick	Lead Member for Crime and Public Safety
Crane	Lead Member for Regeneration and Major Projects
Hirani	Lead Member for Adults and Health
Jones	Lead Member for Customers and Citizens
Long	Lead Member for Housing
J Moher	Lead Member for Highways and Transportation
Powney	Lead Member for Environment and Neighbourhoods

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

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The press and public are welcome to attend this meeting

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members.

Item	Page
1 Declarations of pecuniary interests	
Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.	
2 Minutes of the previous meeting	1 - 10
3 Matters arising (if any)	
4 Deputations (if any)	

Children and Families reports

5 Renewal of existing contracts for the delivery of Speech and Language Therapy Service to Key Stage 1&2 and Key Stage 3&4 for pupils in mainstream Brent schools	11 - 16
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The purpose of this report is to seek Executive authority for the renewal of two contracts supplying speech and language therapy to pupils in Brent schools at Key Stages 1&2 and Key Stages 3&4. The service is commissioned by Brent Council and supports the Council in meeting its statutory responsibilities to deliver Speech and Language Therapy (SALT) to Brent pupils with statements of Special Educational Needs.

Ward Affected:
All Wards

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

Adult and Social Care reports

6 Local Account	17 - 68
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The purpose of Brent's Local Account is to communicate priorities and to provide Members, residents and other stakeholders with an accountability mechanism by which self-regulation and improvement activities can be systematically monitored and reported.

Ward Affected:

Lead Member: Councillor Hirani

All Wards

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

7 Carers Services Hub Model

69 - 78

This report requests authority to award a contract as required by Contract Standing Order No 88. This report summarises the process undertaken in tendering this contract and, following the completion of the evaluation of the tenders, recommends an organisation to be awarded the contract.
(Appendix referred to below)

Ward Affected:
All Wards

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

8 Authority to enter into a Partnership Arrangement under Section 75 National Health Services Act 2006 in respect of Brent's Integrated Community Equipment Service

79 - 82

This report requests approval to develop and implement an agreement under Section 75 National Health Services Act 2006 and a pooled budget between Brent Teaching Primary Care Trust (Brent PCT) and the Council in respect of Brent's Integrated Community Equipment Service (BiCES).

Ward Affected:
All Wards

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

9 Framework Agreement for Supporting People Services

83 - 102

This report requests authority to award a Framework Agreement as required by Contract Standing Order No 88. This report summarises the process undertaken in tendering this Framework Agreement and, following the completion of the evaluation of the tenders, recommends providers to be appointed onto the Framework Agreement and the award of five (5) call-off contracts to the proposed Framework Providers. This report further requests authority to renew a number of existing contracts for 5 - 9 weeks to ensure planned implementation for the five call-off contracts referred to in Paragraph 1.1.
(Appendix referred to below)

Ward Affected:
All Wards

Lead Member: Councillors Hirani and Long
Contact Officer: Alison Elliott, Director of Adult Social Services, Perry Singh, Housing Needs/Private Sector

Tel: 020 8937 4230, Tel: 020 8937 2332
alison.elliott@brent.gov.uk,
perry.singh@brent.gov.uk

Environment and Neighbourhood Services reports

- 10 Authority to tender for the sale of dry recycle** 103 -
110

This report requests approval to invite tenders for the re-processing and subsequent sale of recyclable materials collected through the council's dry recycling service (blue bin + bring banks).

Ward Affected:
All Wards

Lead Member: Councillor Powney
Contact Officer: Chris Whyte, Environment
Management
Tel: 020 8937 5342 chris.whyte@brent.gov.uk

- 11 Local Nature Reserve Declaration at Masons Field, Fryent Country Park** 111 -
126

This report provides a brief overview of Masons Field and Fryent Country Park, details the advantages of declaring Masons Field a Local Nature Reserve and summarises consultation undertaken on the proposal. The report also outlines the improvement programme currently being implemented at Masons Field through Heritage Lottery funding.

Ward Affected:
Barnhill

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

Regeneration and Major Projects reports

- 12 Dynamic Purchasing System (DPS) for the procurement and management of temporary accommodation** 127 -
168

This report seeks authority pursuant to the Council's Contract Standing Orders 88 and 89 to invite tenders for Dynamic Purchasing System (DPS) for the Procurement and Management of Temporary Accommodation pursuant to the Council's Private Sector Accommodation Scheme (PSA). This procurement exercise is designed to provide a sufficient supply of accommodation in the right places to adequately respond to the changes being made to the benefit system in 2013. The report also updates members on other actions being taken to mitigate the impact of these changes. The proposed DPS will commence in April 2013 for the duration of two years with an option to extend for up to two years.

Ward Affected:
All Wards

Lead Member: Councillor Long
Contact Officer: Perry Singh, Housing

13 Olympic Way 169 -
182

The council has disputed the ownership and status of Olympic Way with Quintain Estates (QED) for a number of years. In recent years QED has carried out much of the maintenance and has derived income from advertising along it. Olympic Way needs long term capital investment to bring it to a standard worthy of a key route in the borough and to maintain the route in excellent condition. This report proposes an agreement between the council and Quintain that fairly apportions maintenance costs and income from advertising and other uses and guarantees the long term significant improvement of the route.

(Appendix referred to below)

Ward Affected:
Tokyngton

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

Central Reports

14 The structure of Public Health Services in Brent 183 -
192

This paper sets out the proposed structure for public health in Brent and how staff will be integrated into the current officer structure once the transfer to Brent Council from NHS Brent takes place.

Ward Affected:
All Wards

Lead Member: Councillor Hirani
Contact Officer: Alison Elliott, Director of Adult
Social Services, Phil Newby, Director of
Strategy, Partnerships and Improvement
Tel: 020 8937 4230, Tel: 020 8937 1032
alison.elliott@brent.gov.uk,
phil.newby@brent.gov.uk

15 The future administration and governance of Barham Park Trust 193 -
198

This report recommends the further separation of the Council's role as Trustee for Barham Park Trust from its statutory role and functions as a London borough council, and the development of specific policies and procedures for the effective management and use of the Trust's assets in order to fulfil its charitable purposes. It also recommends changes to the financial management of the Trust funds. The review of governance issues is part of the major review of the Trust which started in 2009 and has been more actively pursued since the beginning of 2012. It also takes into account matters raised by the Charity Commission.

Ward Affected:
Sudbury

Lead Member: Councillor Jones
Contact Officer: Fiona Ledden, Director of
Legal and Procurement
Tel: 020 8937 1292 fiona.ledden@brent.gov.uk

16 London 2012

199 -
216

This report outlines the successful delivery of the London 2012 Games events and associated activities within Brent. It outlines the learning from hosting this type of event and highlights the legacy of improvements that will result.

Ward Affected:
All Wards

Lead Member: Councillor Butt
Contact Officer: Gillian Spry, Neighbourhood
Services
Tel: 020 8937 3603 gillian.spry@brent.gov.uk

17 Mid-Year Treasury Report 2012/13

217 -
224

This report updates members on recent treasury activity.

Ward Affected:
All Wards

Lead Member: Councillor R Moher
Contact Officer: Mick Bowden, Deputy Director
of Finance
Tel: 020 8937 1460 mick.bowden@brent.gov.uk

18 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.

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

20 Exclusion of Press and Public

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

- Carers Services Hub model
- Framework agreement supporting people services
- Olympic Way

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

(Reports above refer)

Date of the next meeting: Monday 10 December 2012



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

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LONDON BOROUGH OF BRENT

MINUTES OF THE EXECUTIVE Monday 15 October 2012 at 7.00 pm

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

Also present: Councillors Al-Ebadi, Cheese, Chohan, S Choudhary, Hashmi and Mitchell Murray

Apologies for absence were received from: Councillors J Moher

1. **Declarations of interests**

None made.

2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 19 September 2012 be approved as an accurate record of the meeting.

3. **Matters arising**

None.

4. **Deputations**

None.

5. **Authority to award framework agreement for provision of carer related short break, home based support and respite services for adult social services and children and families - Addendum**

Councillor Hirani (Lead Member, Adults and Health) advised the Executive that since the approval of the award framework agreement at the previous meeting on 19 September 2012, a number of anomalies in the original award detail and rankings had come to light. Members now had before them an addendum to the original report which provided an explanation for the anomalies in the original award recommendation and recommended the organisations that should be appointed onto the Framework Agreement now that data had been reassessed. Councillor Hirani advised that the start date for the framework agreement would be put back.

The Executive also had before them appendices to the report which were not for publication as they contained the following category of exempt information as specified in paragraph 3 of Schedule 12A to the Local Government Act 1972, namely:

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

RESOLVED:-

- (i) that approval be given to the appointment to the seven Lots of the Framework Agreement for four years, for the provision of carer related short break, home based support and respite services for Adult Social Services and Children and Families of those providers stated in paragraph 4.1, Table 1 which now replaced Table 2 at 3.15 in the report from the Director of Adult Social Services dated 19 September 2012;
- (ii) that it be noted that officers anticipate putting back the date that the Framework Agreement goes live by approximately four weeks from 22 October to 19 November 2012 to allow sufficient time for award letters to be dispatched and for observation of the 10 day ‘standstill’ period which would apply to the award of this contract.

6. Adoption Annual Report April 2011 to March 2012

The purpose of the report from the Director of Children and Families was to provide general information about Brent’s Adoption Service and to update members following the Ofsted inspection in February 2012 and Department for Education (DfE) Diagnostic assessment in July 2012. Councillor Arnold (Lead Member, Children and Families) reminded the Executive that following the Ofsted inspection, two judgement areas were judged to be good and two adequate. The overall judgement was adequate. Councillor Arnold drew attention to arrangements now in place to address the concerns regarding the timeliness of adoptive placements including the appointment of a head of service, improved tracking and increased recruitment activity. She was pleased to report that the adoption figures for 2012 indicated improvements in the timeliness of children going through the system and onto adoption, to now being above the national average.

RESOLVED:

that the contents of the report and of the Action Plan contained in Appendix A to the report from the Director of Children and Families be noted.

7. Managing Brent's Public Realm

Councillor Powney (Lead Member, Environment and Neighbourhoods) introduced the report which set out proposals for a new contract to manage ‘public realm’ services (namely waste, recycling, street cleaning and grounds maintenance) the current contract due to end on 31 March 2014. Councillor Powney explained that by having a number of activities in one contract and collaborating with other boroughs, significant savings could be achieved. Members heard that since the publication of the original report from the Director of Environment and

Neighbourhood Services one of the boroughs due to be involved in the partnership arrangement had decided that the timing of the contract meant it would not be in their interests to participate in the joint procurement. A supplementary report circulated in advance of the meeting provided an update and advised that the business case for proceeding with Barnet and Hounslow remained robust. Three options were set out in the Director's report: Option 1, a Brent Council and Brent Housing Partnership (BHP) public realm contract; Option 2, a full collaborative approach and on-going management across the boroughs of Brent, Barnet, Richmond and Hounslow and BHP; and Option 3, joint procurement only across the four boroughs. Members were being recommended to adopt Option 2. Councillor Powney outlined the recommendations in the report which included the authorisation of an amendment to the capital programme to procure a new depot should a suitable site be identified.

During questions members raised the possible impact on the parks service and heard that the contract specification would in time set out individual council's requirements. It was noted that the comparisons would be between the bidders based on the current situation.

The Executive agreed the recommendations in the Director's report.

RESOLVED:-

- (i) that approval be given to the Council participating in a collaborative procurement and service delivery exercise known as 'Managing the Public Realm' for the provision of waste, recycling, street cleaning and grounds maintenance services;
- (ii) that it be noted that Brent will act as the Lead Authority for the procurement exercise;
- (iii) that officers invite tenders for the Managing the Public Realm Services contract in accordance with paragraphs 2.4 and 2.5 of the report from the Director of Environment and Neighbourhood Services;
- (iv) that approval be given to an exemption from Contract Standing Order 88 to allow an advert to be placed and a pre-qualification process to be run without the approval of evaluation criteria and certain other pre-tender considerations, subject to approval of such matters at a future Executive;
- (v) that approval be given to certain pre-tender considerations for the proposed Managing the Public Realm Services contract as set out in paragraph 3.8.5 of the Director's report as amended;
- (vi) that the proposed interim governance arrangements set out in paragraph 3.7.1 be noted and officers report back to the Executive for approval to final governance arrangements once developed further;
- (vii) that agreement be given to an amendment of £6.2m to the Council's capital budget for 2012/13 to procure a new depot as set out in section 3.6 of the report. If a suitable site is identified, due to the reasons set out in paragraph 3.6.6 of the Director's report, that the final terms of any acquisition including

the purchase price be delegated to the Director of Regeneration and Major Projects and the Deputy Director of Finance in consultation with their respective Lead Members. Such purchase price to be contained within the amendment to the Council's capital budget as set out within this report.

8. **South Kilburn redevelopment**

The report from the Director of Regeneration and Major Projects set out the progress made on the regeneration of South Kilburn and set out the approvals required by the Executive to further progress Phases 2 and 3 of the regeneration programme. Councillor Crane (Lead Member, Regeneration and Major Projects) advised that the project was due to provide 208 new homes by 2014 approximately half of which would be affordable. The South Kilburn Masterplan was delivering. Councillor Crane referred to the intention to procure a developer partner for aspects of the redevelopment and it was hoped that a new healthy living centre could be brought forward as part of Phase 3 of the programme.

Councillor Arnold (Lead Member, Children and Families), as ward councillor, welcomed the progress that was being made and, in response to her question, heard that active consideration would be given to nursery provision for the area.

The Executive also had before them an appendix to the report which was not for publication as it contained the following category of exempt information as specified in paragraph 3 of Schedule 12A to the Local Government Act 1972, namely:

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

RESOLVED:-

General Recommendations

- (i) that the progress made on the South Kilburn Regeneration Project as set out in the report from the Director of Regeneration and Major Projects be noted;

Phase 2 Recommendations

- (ii) that approval be given to the Director of Regeneration and Major Projects undertaking a mini-competition under the South Kilburn Developer Framework to identify a developer partner for the disposal of Bronte House and Fielding House;
- (iii) that rent levels for the affordable units at Bronte House and Fielding House once completed, be set at a rent equivalent to Homes and Community Agency's Target Rent Levels ('HCA Target Rent Levels');
- (iv) that officers begin an OJEU Procurement process for a developer partner for the disposal of Site 11b;
- (v) that officers' intentions to procure a design team to take proposals through to full planning application (RIBA Stage C or D) for Gloucester House and

Durham Court as shown edged red on Plan A at Appendix 1 be noted and reported back following award of contract;

- (vi) that officers' intentions to enter into discussions with the landowner of 5-9 Chippenham Gardens and the Post Office site to ascertain if it is possible to bring forward the comprehensive redevelopment of the Post Office Plus Site as shown edged red on Plan B at Appendix 1 be noted;
- (vii) that officers' intentions to procure a design team (if applicable) to take proposals through to full planning application (RIBA Stage C or D) for the Post Office Plus Site be noted;
- (viii) that approval be given to proceed with securing vacant possession of the properties within Phase 2b through negotiation and private treaty and then, if necessary, via possession proceedings based on Ground 10A in relation to the secure tenants and then CPO for all other interests;
- (ix) that approval be given the acquisition by agreement pursuant to section 227 of the Town and Country Planning Act 1990 and the making of a compulsory purchase order (CPO) pursuant to section 226 Town and Country Planning Act 1990 to acquire all non-Council interests (excluding secure tenancies) in the area as shown edged red ('the CPO Land') on Plan C attached at Appendix 1 to the Director's report being at and adjacent to Bronte House and Fielding House together with any new rights which may be required for the development of the CPO Land under section 13 Local Government (Miscellaneous) Provisions Act 1976;
- (x) that the following be authorised:
 - (a) Submissions of the CPO, once made in respect of the CPO Land to the Secretary of State for confirmation whilst at the same time seeking to acquire the CPO Land by private negotiated treaty on such terms as may be agreed by the Director of Regeneration and Major Projects;
 - (b) Director of Regeneration and Major Projects to enter into agreements and make undertakings on behalf of the Council with the holders of interests in the CPO Land or parties otherwise affected by the scheme setting out the terms for the withdrawal of their objections to the confirmation of the CPO and including the offering back of any part of the CPO Land not required by the Council after the completion of the development or the acquisition of rights over the CPO Land in place of freehold acquisition, where such agreements are appropriate;
 - (c) Making of one or more general vesting declarations or service of Notices to Treat and Notices of Entry (as appropriate) pursuant to the Compulsory Purchase (Vesting Declarations) Act 1981 and the Compulsory Purchase Act 1965 respectively should the CPO be confirmed by the Secretary of State or otherwise;
 - (d) Serving of all requisite notices on the holders of the CPO Land relating to the making and confirmation of the CPO;

- (e) Director of Regeneration and Major Projects to remove from the CPO in respect of any plot (or interest therein) no longer required to be acquired compulsorily for the scheme to proceed and to amend the interest scheduled in the CPO (if so advised) and to alter the nature of the proposed acquisition from an acquisition of existing property interests to an acquisition of new rights (if so advised);
- (f) Director of Regeneration and Major Projects within the defined boundary of the CPO Land, to acquire land and/or new rights by agreement either in advance of the confirmation of compulsory purchase powers, if so advised, or following the confirmation of compulsory powers by the Secretary of State;
- (g) Director of Regeneration and Major Projects, if so advised, to seek to acquire for the Council by agreement any interest in land wholly or partly within the limits of the CPO Land for which a blight notice has been validly served.
- (xi) that the Director of Regeneration and Major Projects, where necessary, seek the Secretary of State's consent to the appropriation for planning purposes under section 19 Housing Act 1985 of all Council interests in Site 11b, Bronte House, Fielding House and Phase 2b and to the disposal and redevelopment of Site 11b, Bronte House, Fielding House and Phase 2b, and securing possession of such land and property using whatever powers are available;
- (xii) that the Director of Regeneration and Major Project review the strategy for securing vacant possession from secure tenants on Phase 2b and all subsequent phases (which is presently based on using Ground 10A Housing Act 1985), including considering the use of CPO powers, and to undertake any consultation legally required in the event that the Director of Regeneration and Major Project is considering recommending a change in strategy to the Executive;
- (xiii) that in the event that, after having reviewed the strategy for securing vacant possession from secure tenants on Phase 2b and all subsequent phases, the Director of Regeneration and Major Project does not wish to recommend a change in strategy to the Executive, agreement be given to commence any statutory consultation required with secure tenants residing in blocks earmarked for redevelopment within Phase 2b in order to rely on Ground 10A Housing Act 1985;
- (xiv) that the Director of Regeneration and Major Projects develop a draft allocation policy for allocating homes to residents living within Phase 2b and to undertake any consultation legally required in relation to this draft policy.

Phase 3 Recommendations

- (xv) that approval be given to proceed with securing vacant possession of the properties within 113 -136 and 97 -112 Carlton House, Peel Precinct (together defined as 'Peel') as identified edged red on Plan D at Appendix 1 and Hereford House and Exeter Court as identified edged red on Plan E at

Appendix 1 to the Director's report (together with Peel defined as 'Phase 3') through negotiation and private treaty and then, if necessary, via possession proceedings based on Ground 10A in relation to the secure tenants and then CPO for all other interests;

- (xvi) that in the event that, after having reviewed the strategy for securing vacant possession from secure tenants on Phase 2b and all subsequent phases, the Director of Regeneration and Major Project does not wish to recommend a change in strategy to the Executive, that the Executive agrees to commence any statutory consultation required with secure tenants residing in blocks earmarked for redevelopment within Phase 3 in order to rely on Ground 10A Housing Act 1985;
- (xvii) that the Director of Regeneration and Major Projects be authorised, where necessary, to seek the Secretary of State's consent to the appropriation for planning purposes under section 19 Housing Act 1985 of all Council interests in Phase 3 and to the disposal and redevelopment of Phase 3, and securing possession of such land and property using whatever powers are available;
- (xviii) that the Director of Regeneration and Major Projects be authorised to cease long term lettings on Phase 3 and continues to prioritise all new development site lettings in South Kilburn to tenants within sites on the next phase of development;
- (xix) that approval be given to the serving of demolition notices and the suspension of tenants' Rights to Buy in relation to secure tenancies on Phase 3 which are all on the South Kilburn estate, and authorise the Director of Regeneration and Major Projects to issue all and any notices required to be issued in connection with such demolition;
- (xx) that officers' intention to procure a design team to take proposals through to full planning application (RIBA Stage C or D) for the redevelopment of Peel to include the provision of a Healthy Living Centre and report back to the Executive following award of contract, be noted.

9. **Outcomes of consultation and recommendations for a localised Council Tax Support (CTS) Scheme**

The report from the Deputy Director of Finance set out the findings and outcomes of the consultation arrangements for the proposed local Council Tax Support Scheme carried out over a nine week period between 11 June and 10 August 2012. It also recommended a scheme for a new local Council Tax Support (CTS) scheme based upon the outcomes of the consultation process and achieving, as far as reasonably practicable, a financially neutral position in 2013/14 (the first year of operation).

Councillor R Moher (Lead Member, Finance and Corporate Resources) referred to the anticipated deficit of up to £54.1M in 2013/14 and regretted that the council did not have the resources to retain the existing scheme. In line with the outcome of the consultation, it was proposed to apply the principle of 'everyone paying something' which would include young working adults and efforts were being made to minimise the impact and to protect pensioners and other vulnerable members of the community. Councillor Moher drew attention to the consultation set out in the

appendices to the report and expressed concern that it appeared as though many people who would be affected by the changes had not engaged in the consultation exercise. The Executive noted that the statutory provisions for the CTS scheme were not anticipated to be passed until at least early November 2012 and a special council meeting would need to be held in December to enable the scheme to be considered. The Deputy Director of Finance advised that minor changes to the proposed scheme may be required prior to submission to the Special Full Council, in the light of the statutory provisions.

Councillor Butt (Chair, Leader of the Council) expressed regret that the council had to implement the new Council Tax Support scheme, which would have implications for many residents, while also being required to make further budget reductions. He urged members to highlight the forthcoming changes to residents.

RESOLVED:-

- (i) that the likely financial implications arising from the recommended scheme for the Council's local Council Tax Support (CTS) scheme with effect from 1 April 2013 and the risks and assumptions attached to these as set out in section 12 of the report from the Deputy Director of Finance be noted;
- (ii) that the findings and outcomes from the CTS consultation carried out with residents and other stakeholders as set out in sections 6 and 7 of this report and the Consultation Report attached as Appendix A to the report be noted;
- (iii) that the findings on equalities and other impacts arising from the proposed CTS scheme as set out in section 5 of the report be noted;
- (iv) that the intention to submit a report to Full Council in November 2012 or at subsequent ordinary or special Full Council meeting to approve the local Council Tax Support Scheme as proposed within this report subject to the timely passing of relevant statutory provisions be noted.

10. Public Health Transfer - proposed structure and the role of the Director of Public Health

Consideration of this report was deferred in the light of the recommendations from the Health Partnerships Overview and Scrutiny Committee held on 9 October 2012.

11. Authority to invite tenders for the leaseholder property insurance services contracts

Councillor R Moher (Lead Member, Finance and Corporate Resources) introduced the report relating to the future provision of the Council's Leaseholder Property Insurance Service contract which requested approval to invite tenders in respect of the proposed Insurance Service contract to start 1 November 2013, as required by Contract Standing orders 88 and 89. Councillor Moher advised that the current contract expired during the following year and market testing showed that efficiencies were achievable. She drew members' attention to the legal implications set out in the report and it was noted that the tender would be subject to the full application of the EU Regulations.

RESOLVED:-

- (i) that approval be given to the pre - tender considerations and the criteria to be used to evaluate tenders for the Council's Leaseholder Property Insurance Services as set out in paragraph 3.10 of the report from the Deputy Director of Finance;
- (ii) that approval be given to officers inviting expressions of interests, agreeing shortlists, inviting tenders in respect of the Council's Leaseholder Property Insurance Services contract and their evaluation in accordance with the approved evaluation criteria referred to in (i) above.

12. National non domestic rate relief

The report from the Deputy Director of Finance advised that the Council had the discretion to award rate relief to charities or non-profit making bodies. It also had the discretion to remit an individual National Non-Domestic Rate (NNDR) liability in whole or in part on the grounds of hardship. Members considered applications received for discretionary rate relief since the last considered in July 2012. In addition one application for hardship relief had been received which it was recommended to be refused. Councillor R Moher (Lead Member, Finance and Corporate Resources), in introducing the report, reminded the Executive that the total 2012/13 budget available for discretionary spending was £91,000 which was already committed.

The Executive also had before an appendix to the report which was not for publication as it contained the following category of exempt information as specified in paragraph 3 of Schedule 12A to the Local Government Act 1972, namely:

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

RESOLVED:

that agreement be given to the discretionary rate relief applications in Appendix 2 to the report from the Deputy Director of Finance and to the rejection of the hardship application in Appendix 3.

13. Any Other Urgent Business

None.


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

None.

The meeting ended at 7.30 pm

M BUTT
Chair

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	<p style="text-align: center;">Executive 12 November 2012</p> <p style="text-align: center;">Report from the Director of Children and Families</p>
<p style="text-align: right;">Wards Affected: ALL</p>	
<p>Renewal of existing contracts for the delivery of Speech and Language Therapy Service to Key Stage 1&2 and Key Stage 3&4 for pupils in mainstream Brent schools</p>	

1.0 Summary

- 1.1 The purpose of this report is to seek Executive authority for the renewal of two contracts supplying speech and language therapy to pupils in Brent schools at Key Stages 1&2 and Key Stages 3&4. The service is commissioned by Brent Council and supports the Council in meeting its statutory responsibilities to deliver Speech and Language Therapy (SALT) to Brent pupils with statements of Special Educational Needs.
- 1.2 The Service for Key Stages 1&2 is currently delivered by Brent Community Services (part of Ealing Community Health, and hereafter referred to as BCS) at a cost of £255,148 per annum. The Service for Key Stages 3&4 is delivered by North West London Hospital Trust at a cost of £103,060. The current contracts are due to expire on 31 March 2013.
- 1.3 Children and Families commissioners are seeking approval from the Executive for an exemption to the usual tendering / quotation requirements of Contract Standing Orders requirements to renew the aforementioned contracts for 12 months from 1 April 2013 to 31 March 2014 at existing terms and conditions. There are good business reasons for doing so as the current review of the local authority and health commissioning may lead to joint commissioning arrangements which could impact significantly on the tendering of SALT services.

2.0 Recommendations

- 2.1 That the Executive approve an exemption from the tendering requirements of Contract Standing Orders to allow the renewal of the current Speech and Language Therapy contract for Key Stages 1&2 with Brent Community Services from 1 April 2013 to 31 March 2014 at a total cost of £255,148 at existing terms and conditions, on the basis that there are good operational and financial reasons for doing so as set out in section 3 of the report.

2.2 That the Executive approve an exemption from the tendering requirements of Contract Standing Orders to allow the renewal of the current Speech and Language Therapy contract for Key Stages 3&4 with North West London Hospitals Trust from 1 April 2013 to 31 March 2014 at a total cost of £103,060 at existing terms and conditions, on the basis that there are good operational and financial reasons for doing so as set out in section 3 of the report.

3.0 Detail

3.1 A Statement of Special Education Needs (SEN) sets out the special needs of a particular child and outlines the special education provision that a child will receive to meet those needs. Speech and Language Therapy (SaLT) can be specified in either Part 3 (educational provision) or Part 6 (non-educational provision) of a Statement.

3.2 The SEN Code of Practice, last amended in 2001, states that 'since communication is so fundamental in learning and progression, addressing speech and language impairment should normally be recorded as educational provision unless there are exceptional reasons for not doing so'.¹

3.3 Primary responsibility for the provision of speech and language therapy services to children rests with the NHS. However, if the provision of SaLT is stated to be educational and included in Part 3 of a child's SEN statement, the Local Authority has an ultimate and statutory responsibility to secure that provision. If the provision of SaLT is regarded as non-educational and specified in Part 6 of the statement, the Local Authority has the power to arrange the provision specified, but is not under a legal duty to do so. This remains the responsibility of NHS Brent.

3.4 As stated at 1.2 above the Service for Brent schools is currently delivered through two contracts and by two different providers; Key Stage 1&2, children aged 5-11 years is delivered by Brent Community Services (part of Ealing Community Health) and Key Stages 3&4, children aged 11-16 years by North West London Hospital Trust. In line with the Council's Standing Orders, a tender was conducted by Children and Families department in March 2010. A one year contract for an SaLT service for Key Stage 1&2 only was offered to the market; two organisations responded to the tender, the existing provider and another NHS Trust. Both applications valued the service at significantly over the allocated budget and as a result the tender was withdrawn and no contract was awarded. Officers are of the view that the short term contract offered without provision for extension plus restricting the service to Key Stage 1&2 passed significant risk to tenderers in terms of staff related costs and contributed to the high tender prices.

3.5 The current contracts with Brent Community Services and North West London Hospital Trust have been extended out of contract by one year from 1 April 2012 currently ending on 31 March 2013.

¹ DfES, (2001) *Special Educational Needs Code of Practice*, p.105.

- 3.6 The current contracts are monitored by commissioning officers on a quarterly basis and both contracts have performed well throughout their terms and to date. Further to this both providers have displayed a proactive and flexible approach in terms of working with officers when seeking more efficient ways of working, and in response to changes to service requirements. Officers are confident that delivery of the service will be sustained against the contract specifications during the course of the additional contract term and whilst arrangements are put in place for a procurement exercise during 2013.
- 3.7 Over the last five years, commissioning officers have noted a steady increase in the number of statements issued by the local authority which has put significant pressure on the service provision and in recent years has caused extreme difficulty in negotiating provision within the available financial envelope. Officers have responded to this difficulty by tightening the specifications for both contracts providing a robust and lean model of delivery, however although this has made some difference officers feel that further efficiencies will not be viable under the existing model of provision.
- 3.8 In light of the work undertaken at 3.5 commissioning officers have worked toward a model of provision whereupon the separate contracts for Key Stages 1&2 and 3&4 would be offered to the market as a single contract. It is anticipated that this model will enable the Council to respond effectively to the need for increasing provision whilst achieving the most efficient use of available budget. Prior to approaching the market however, officers are involved in a further piece of work that could impact significantly upon any commissioning work for this service.
- 3.9 NHS Brent Clinical Commissioning Group (CCG) and Brent Council are currently exploring integration. Exploratory work was undertaken in 2011 and further detailed work was completed in early 2012 to establish the options for commissioning integration and the underpinning economic case. This work was initially targeted at adults services which indicated that a case could be made for integrating adult health and social care if both organisations are to achieve their joint objectives of keeping people out of hospital and re-ablement with reduced budgets in real terms.
- 3.10 The work toward integration undertaken in early 2012 set out three options for working with Brent Council: Option 1 explored the prospect of no integration of CCG and LA Commissioning; Option 2, full integration and Option 3 staged integration. Reference was made to the potential of including children in the final stage of any integration, and it is this piece of work that introduces the possibility of bringing some elements of children and young people into scope. Specifically, the joint commissioning for children and young people with disabilities, SaLT; and Children and Adolescents Mental Health Services (CAMHS).
- 3.11 Officers are aware of the need to complete this review which may lead to jointly commissioned services by Brent Council and CCG before pursuing the renewal of the existing contracts. In light of this and the limited term left on the current SaLT contracted services that renewals are sought to allow sufficient time to approach the market and complete a tender exercise. Officers anticipate that the review will be completed by end of 2012.

4.0 Financial Implications

- 4.1 There are no financial implications arising from this report. The report relates to the service to be provided in 2013/14, for which funding has already been identified and will be drawn from the Dedicated School's Grant (DSG).
- 4.2 Any further contracts beyond April 2014 will be subject to further reports to the Executive.

5.0 Legal Implications

- 5.1 The Council is under an obligation to arrange the delivery of special educational provision as specified in a child's Statement of Special Educational Needs in accordance with section 324(5) of the Education Act 1996, unless a parent has made suitable arrangements. Under the same provision the Council can choose to arrange the delivery of non-educational provision.
- 5.2 All contracts for services exceeding £173,934 and below £500,000 in value are classified as Medium Value contracts under Contract Standing Orders, therefore Contract Standing Orders requires the following of a tender process. This will apply to the contract with Brent Community Services. The contract with North West London Hospital Trust is classified as a Low Value Contract under Contract Standing Orders and so there is a requirement to get 3 quotes. However under CSO 84(a) the Executive is able to approve a departure from these usual where there are good operational and / or financial reasons for doing so. Here the operational and financial reasons for not tendering / seeking 3 quotes are set out in Section 3 of this report.
- 5.3 Looking at the position under the European procurement legislation, speech and Language Therapy services are Part B services under the relevant regulations, and so the contracts are subject only to partial application of the regulations, most notably the duty to ensure fairness and transparency. While these duties can be most easily demonstrated by following some form of competitive process, the risk of challenge in view of (a) the lack of EU-wide interest (b) the specialised nature of the market and (c) the fact that a tender process will be held next year means that the risk of challenge is extremely low. As a Part B service it will still require notification of the contract award to the EU Publications Office. This will be completed by the Senior Category Manager (Children and Families) in liaison with Legal Services.

6.0 Diversity Implications

- 6.1 This contract relates to the delivery of speech and language therapy to those with an identified requirement in their Statement of Special Educational Need. The presence of speech and language difficulties can contribute to poor behaviour, low educational attainment and difficulty communicating in both the classroom and in social situations.

- 6.2 The aim of this provision is to improve and raise awareness of the speech and language therapy needs of pupils attending mainstream schools in Brent. The therapists work with school based staff to identify pupils who are affected by speech, language and communication difficulties and offer appropriate support. The Service aims to improve the educational attainment of these pupils and promote their participation in the curriculum.
- 6.3 The Service will ensure that children in mainstream Brent primary schools will have access to targeted, appropriate and high quality speech and language therapy provision. The Service will ensure effective assessment, treatment and support, for both children and their families. Each child is assessed to ensure that interventions are appropriate to specific individual needs. Current service users are representative of the ethnic and cultural diversity in Brent.
- 6.4 The failure to approve the extension of these two contracts could lead to the withdrawal of services from children with identified need. This could impact on educational attainment and the social wellbeing of these children.

7.0 Staffing Implications

- 7.1 This service is currently provided by external providers and there are no implications for Council staff arising from continuation of the contract.

Background Papers

- a) Report to Executive: 27 January 2011 'Extension of the contract to deliver Speech and Language Therapy Service to KS1&2 pupils in mainstream Brent schools for 2011/12'

Contact Officers


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**KRUTIKA PAU DIRECTOR
CHILDREN AND FAMILIES DEPARTMENT**

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	Executive 12 November 2012 Report from Director of Adult Social Services
Wards Affected: ALL	
Adult Social Care Local Account 2011/12	

1.0 Introduction

Recent changes to the legislative and national performance frameworks represent a radical shift from the past and shifted the emphasis towards sector-led improvement. In response, the Adult Social Care Programme Board was set up to take collective responsibility for the performance of the Adult Social Care sector as a whole.

In an effort to promote transparency, one of the first things the Board recommended was the publication of an annual council 'Local Account', as a means to demonstrate and describe local performance. The Board were purposefully non-prescriptive in terms of the design of the report, but did recommend that it should be short, accessible and produced by December each year.

The concept of producing a local account is not a new idea, rather it builds on work that councils are already doing in relation to local quality assurance and safeguarding. It is also aligned with developments taking place around sector led improvement in children's services. Local accounts are also mentioned in the Department of Health's Transparency in Outcomes framework and are conducive to wider government agendas e.g. localism and transparency.

The purpose of Brent's Local Account is to communicate priorities and to provide Members, residents and other stakeholders with an accountability mechanism by which self-regulation and improvement activities can be systematically monitored and reported.

2.0 Recommendations

The Executive is asked to:

- a. Note the performance and contextual information contained in this report.
- b. Consider the current and future strategic risks associated with the information provided.
- c. Challenge progress with responsible officers as necessary.

3.0 Executive Summary

3.1 There is increasing recognition at the national level of the critical importance of health and wellbeing to people's quality of life and long-term prosperity. National policy and the legislative framework sets out the coalition government's vision for transforming health and social care. This vision sets out two critical goals:

1. To create a more integrated approach to delivering health care services, which reaches beyond the treatment of illness to actually prevent the causes of ill-health and address the underlying social and economic determinants.
2. To provide services which are customer-focussed, personalised and sensitive to each individuals needs.

3.2 In response to this agenda, Adult Social Care has used the introduction of a new Customer Journey pathway in 2009/10 to embark on a programme of continuous improvement to modernise and transform services. The attached report offers detailed insight into the context within which these improvements are taking place. It highlights the department's successes during 2011/12 and the challenges expected over the coming year. Whilst these challenges undoubtedly pose risks, they also offer opportunities and the department is determined to use them to preserve and improve services.

4.0 Financial implications

These are set out in Section 10 of the report. The combined elements of reduced government funding, an ageing population, high cost placements and rising customer demand continue to place the Adult Social Care budget under sustained pressure. However despite these pressures the service delivered its efficiency savings target of £9.8m in 2011/12.

5.0 Legal implications

The provisions enshrined in the Health and Social Care Act 2012 reflect a number of changes to the health and social care sector. These represent a

radical policy shift and will have far reaching implications for how services are designed and delivered within the borough. Full details and the implications are not known at this time but chief officers will continue to work with key partners to ensure the best possible outcomes for the region.

6.0 Diversity implications

This report has been subject to screening by officers and there are no direct diversity implications. However it should be noted that the service improvements achieved in 2011/12 have all undergone Equality Impact Assessments prior to implementation.

7.0 Contact officers

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ALISON ELLIOTT
Director
Adult Social Services

PHIL PORTER
Head of Service
Adult Social Care

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Adult Social Services

Director: Alison Elliott

Local Account 2011/12

Annual report on the services provided by
Brent Adult Social Services department.



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Director's Introduction

Every year Brent's Adult Social Services department produces a Local Account, the purpose of which is to reflect on the work that we do and evaluate the progress made.

There is increasing recognition at the national level of the critical importance of health and wellbeing to people's quality of life and long-term prosperity. The National policy and legislative framework sets out two critical aspirations:

- 1) To create a more integrated approach to delivering health care services, which reaches beyond the treatment of illness to actually preventing the causes of ill-health and addressing the underlying social and economic determinants of health and wellbeing.
- 2) To provide services which are customer-focussed, personalised and sensitive to each individual's needs.

In 2010/11 we embarked on an ambitious journey to modernise and transform our services. The need for change was partly in response to changes at the national level, but we also recognised that our old operating model was unsustainable in a local context of rising service demand and unprecedented budgetary pressures.

Brent's shadow Health and Wellbeing Board brings together senior representatives from Brent Council, Brent Clinical Commissioning Group and Public Health to work in partnership to improve the health of the population of Brent. Our Joint Strategic Needs Assessment articulates the health and wellbeing needs of the local population and serves as a primary evidence base to determine local health and Social Care priorities.

Brent's new Health and Wellbeing strategy 2012-15, which is currently at the consultation phase, is designed to improve health and wellbeing across Brent and reduce health inequalities that exist within the borough. The strategy has 4 key priorities:

- 1) Giving every child the best start in life
- 2) Helping vulnerable families
- 3) Empowering communities to take better care of themselves
- 4) Improving mental wellbeing throughout life

With these in mind, the department is consolidating the changes made to date and refining operational activities to ensure we are well placed to play a key role in helping to deliver this agenda.

We aspire to build a model of excellence in Health and Social Care services and will continue our efforts to deliver:

- Fair access to social care services.
- Responsive services, which are timely and tailored to individual needs.
- High quality customer care, which is sensitive to diverse cultural needs.
- Personalised services, which promote independence and choice and control.
- Improved outcomes for service users and carers alike.
- Efficient and effective services which deliver value for money.

Providing services to customers with increasingly complex needs is both challenging and rewarding. Like many public sector services we are currently locked into a prolonged cycle of change, and whilst some aspects of our work is within our gift to control, many others are not. We will therefore continue to try to deliver the best possible outcomes for the Council, our residents and our customers. We will continue to build on existing partnerships and explore opportunities to widen our networks. We will continue to help customers to help themselves and preserve their independence by applying a person-centred approach.

I am personally grateful to the team for their continued professionalism and dedication in helping to improve the quality of life for our customers. I am also grateful for the on-going feedback from service users and carers who continue to challenge us and make a valuable contribution to our change programme.

Over the coming year we will face a variety of acute challenges - changes to the Health Service, less Council resources and an aging population to name but a few. We will take these changes in our stride, but we recognise that difficult decisions will be required if we are to effectively absorb these changes. Whilst at one level the scale of change could be viewed as a threat, we resolutely believe it offers us a significant opportunity to transform the way we work.

**Alison Elliott,
Director**

Lead Member's Commentary



**Cllr. Krupesh Hirani,
Lead Member**

As Lead Member for Brent's Adult Social Services department it has been a pleasure to support the department over the past year.

The health and social care sector is changing. There are enormous organisational changes occurring within the wider NHS including:

- the reconfiguration of commissioning organisations and hospital providers
- the replacement of many non-acute services in hospitals with better integrated services based closer to patients in the community and within primary care.

These organisational and service changes will bring about real improvements in the quality of care received by the local community.

Increasingly services are moving towards personalised provision, which enables individual needs to be met and facilitates increased choice and control. The majority of our customers tell us they prefer to live independently in their own homes, and the Council's new Self-directed Support policy helps to support and sustain this aspiration.

The imminent introduction of the Adult Social Care Bill 2012 following a 3 year review will signal the biggest reform of adult care law in 60 years. The continuing pressure to provide effective and sustainable services in such a challenging economic climate remains acute, particularly in the context of an aging local population and rising service expectations. Success in absorbing these pressures therefore is both an economic and social imperative.

However changes to the sector also present the Council with opportunities, particularly with regard to the proposed integration of Health and Social Care and transfer of Public Health to local authority control. While we have enjoyed strong working relationships with our

health partners, these changes will serve to consolidate progress with joint working already made to date and enable us to adopt a more integrated and strategically joined up approach to service provision.

Our new Health and Wellbeing Strategy 2012-2015 is a prime example of how a multi-agency approach coupled with shared business intelligence can be used to build a comprehensive, evidence-based picture of local health and social care needs within the borough. Our joint strategic needs assessment, which informed the strategy, helped to develop a shared vision and agree shared priorities. It also helped to highlight the existence of health inequalities which we are determined to redress. We will continue working in partnership to develop and deliver integrated, sustainable solutions.

It is essential we work with our partners to develop services that reflect what local people want and we remain committed to working closely with partners to build a more integrated health and social care service model.

All of this is in the context of an extremely tough funding climate, but regardless of what the future holds, we will strive to protect front line services and continue to critically evaluate what we do in order to deliver the best possible outcomes for the service.

Local Context

A borough of contrasts

Brent is a place of contrasts. Home of the iconic Wembley Stadium, Wembley Arena and the spectacular Swaminarayan Hindu Temple, our borough is the destination for thousands of British and international visitors every year.

Brent is served by some of the best road and rail transport links in London and the area is accustomed to the successful staging of major events such as the Champions League Final in 2011 and Olympic Games events in 2012.

Our population is young, dynamic and growing (311,200 according to the 2011 census). Our long history of ethnic and cultural diversity has created a place that is truly unique and valued by those who live and work here.

Despite these strengths Brent is ranked amongst the top 15% most-deprived areas of the country. This deprivation is characterised by high levels of long-term unemployment, low average incomes and a reliance on benefits and social housing. Children and young people are particularly affected with a third of children in Brent living in a low income household and a fifth in a single-adult household. The proportion of our young people living in acute deprivation is rising.

Living in poverty generally contributes to poorer health, wellbeing and social isolation. The statistics show that people on low incomes are more likely to have a life limiting health condition, take less exercise and have a shorter life.

While overall life expectancy is in line with the rest of London there are significant health inequalities within the borough. For example the gap in life expectancy for men between the most affluent and the most deprived parts of the borough is 8.8 years.

Tackling these issues underpins the ambitions and commitments that are set out in Brent Council's Borough Plan. The Council is committed to leading the physical regeneration of the borough to enable all sec-

tions of the community to participate in, contribute to, and benefit from the future success of Brent.

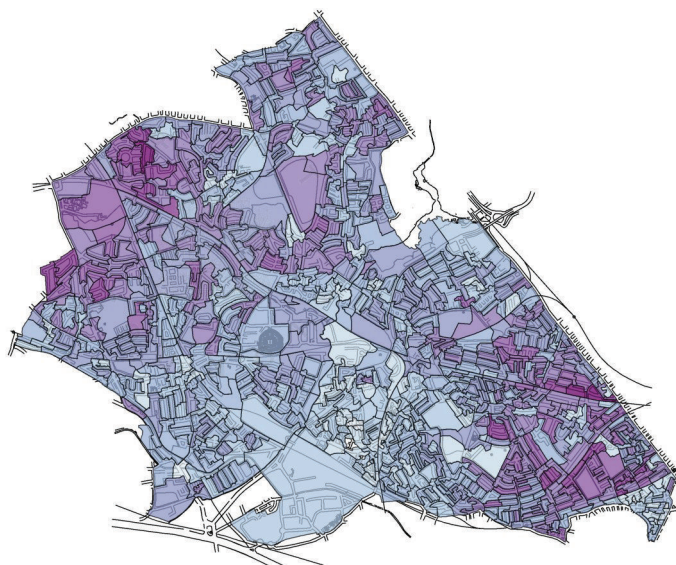
The Borough Plan has three strategic priorities:

1. To create a sustainable built environment that drives economic regeneration and reduces poverty, inequality and exclusion.
2. To provide excellent public services which enable people to achieve their full potential, promote community cohesion, and improve their quality of life.
3. To improve services for residents by working with our partners to deliver local priorities more effectively and achieve greater value for money from public resources.

CACI Median Income data 2011/2012

Dark purple £50,000—£55,000

Light blue—£10,000—£15,000



- ◆ 59% of the local population is from black and ethnic minority backgrounds.
- ◆ 20% of Brent households have an annual income of £15,000 or less.
- ◆ Brent currently has 30,000 residents over the age of 65.

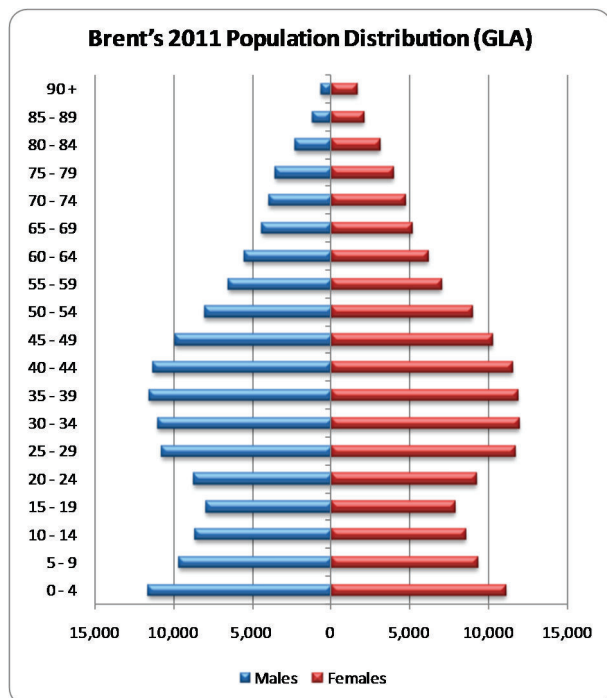
Local Context

Population

Brent is one of only two local authorities serving a population where the majority are from ethnic minorities, and these groups are growing faster than any other.

The 2011 census reveals the local population to be 311,200, making us the fifth largest London borough in population terms.

Like many London boroughs, Brent has experienced sustained population increase in recent years and the trend is expected to continue for the foreseeable future.



Housing

High rents and lower than average incomes mean that housing affordability is a particular issue in Brent, with the affordability gap likely to increase as rents rise faster than incomes. The Localism Act 2011 will also affect tenure within the borough. New rules on succession in social housing tenancies mean that existing rights only remain for tenancies created before 1st April 2012. After this date much stricter conditions apply.

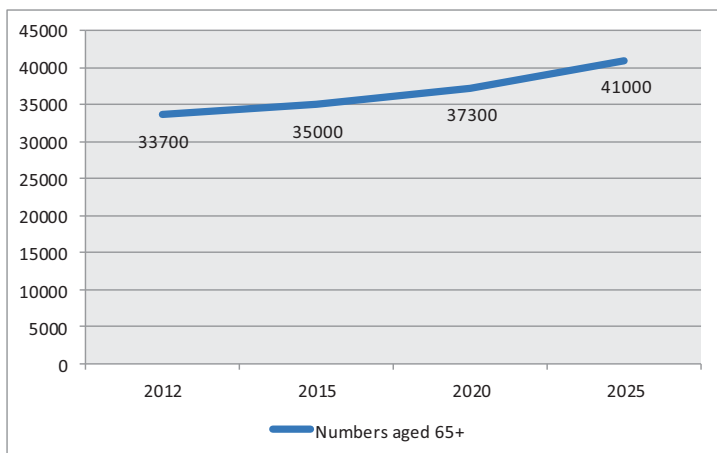
Over the last 10 years Brent has experienced a high level of homelessness compared to our west London partners and London as a whole. Overcrowding is also a key issue for Brent and the West London sub-region as a whole.

The Department for Communities and Local Government (2008) population forecast suggests that number of 65+ households in Brent will grow significantly, which has particular implications for Housing, Health and Adult Social Care.

- ◆ Over 130 languages are now spoken in our schools.
- ◆ 16.8% of households in west London are unsuitably housed with overcrowding being the main cause.
- ◆ Brent has seen a 56% increase in Disabled Facilities Grant applications within the past 5 years.

Population growth estimates 2012—2025

(Source: Office of National Statistics)



Welfare Reform

Welfare reform is already affecting the borough but from April 2013 when the changes take full effect it is anticipated that Brent will be disproportionately affected compared to the rest of London and homelessness levels are expected to increase. However at this juncture the overall impact is not easy to accurately predict.

It is anticipated that approximately 3,000 households in Brent will be affected by the introduction of housing benefit caps and 21,000 households will pay more as a result to changes in the way Council Tax benefits are calculated. Some households within the borough may have capacity to absorb reductions in household income while others may choose to relocate to cheaper areas or approach the Council for assistance.

Local Context

Health

Poor health and wellbeing outcomes are often a reflection of wider social and economic inequalities present in society.

Brent is a borough which has marked health inequalities, which are both a symptom and a cause of wider deprivation. The deprivation experienced within some neighbourhoods in Brent is characterised by high levels of unemployment, low skills levels, low household incomes and dependence on benefits and social housing.

Our evidence base highlights a number of key local health and wellbeing challenges which this strategy will aim to address including:

- Low rates of readiness for school amongst under-fives
- Poor oral health amongst children
- Rising levels of obesity – 12% of under 5s and 22% of 12 year olds are obese. Almost 25% of adults in Brent are estimated to be obese
- Low levels of participation in physical exercise – over 50% of adults do no physical exercise.
- Increasing rates of alcohol-related hospital admissions
- High levels of many long-term chronic conditions which are often related to our poor lifestyles, relative deprivation and in some cases our ethnic make-up. Diabetes is a good example of such a condition and we currently have 18,000 registered diabetic patients in Brent with numbers likely to grow in the future. We need to improve outcomes for these patients by helping more patients take a more active approach to their own care as well as improving the quality of our services in the community.
- The need to increase access to, and to expand, key prevention and screening programmes
- Rising levels of dementia amongst older adults
- Rates of tuberculosis (TB) in Brent are amongst the highest in the country.

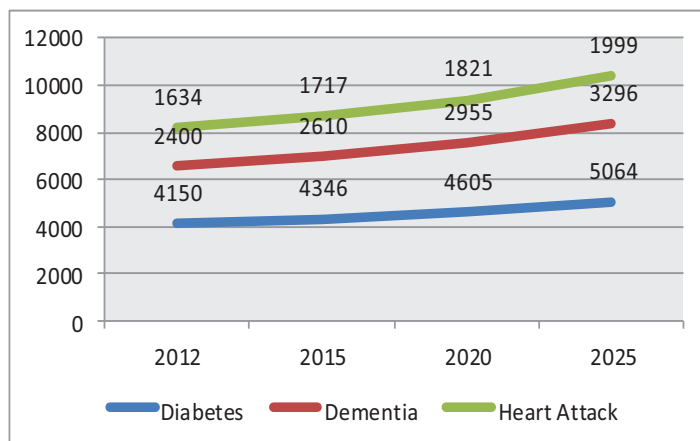
Individual behaviours such as smoking, diet, alcohol intake and physical activity significantly influence how healthy a person is and how long they will live for. Obesity is the second highest cause of ill-health and pre-

ventable disease, and is linked to increased risk of overall mortality, diabetes, heart disease, stroke, breathing difficulties and depression. Supporting people to adopt healthy behaviours is therefore at the heart of Brent's health promotion and preventative agenda.

In general, Brent performs well in many overall measures of health compared to the London and National picture. However despite this, good health is not consistently experienced by all residents. Significant health inequalities exist at neighbourhood level and is closely linked to deprivation levels.

The overarching objective for Brent's Health and Wellbeing Strategy 2012-15 therefore is to work towards achieving a sustained reduction in the inequalities in the health and wellbeing experienced between Brent's most deprived and least deprived neighbourhoods, so that all residents, irrespective of where they live, will be enabled to have long, fulfilling and healthy lives.

Brent Residents aged 65+ predicted to have diabetes, dementia or a long standing illness caused by heart attack. (Source: POPPI)



- ◆ Mental health remains the single largest cause of morbidity within Brent affecting one quarter of all adults at some time in their lives.
- ◆ Cardiovascular disease, chronic respiratory disease and cancers are the biggest killers in Brent and account for much of the inequalities in life expectancy within the borough.
- ◆ Smoking is the single greatest cause of preventable illness and premature death in England.

Our Services



Since 2010/11, Brent has made considerable efforts to modernise and improve adult social care services throughout the borough. We have re-designed our work processes to make them more responsive and person-centred and introduced a policy of Self-directed Support to prolong independence and give service users increased choice and control over the kinds of support they receive.

Single point of contact

Prior to 2010 customers used a variety of channels to access care services in Brent, however this proved to be both inefficient and inconsistent in meeting customers needs at the first point of contact. We have now established a single contact point through which customers are screened and steered towards the most appropriate pathway to access our services and those of our partners.

Hospital Discharge Service

Our Re-ablement Service, which was rolled out in 2011 following a successful pilot, is now firmly embedded and is proving pivotal in our efforts to support individuals to assimilate back into the community following hospital discharge. This joined-up approach with our NHS partners ensures that patients discharged from local hospitals experience a smooth transition back into the community.

Re-ablement Service (intermediate care)

Re-ablement provides planned, short term, intensive homecare support to help individuals restore their self-confidence and independence by focusing on improving their ability to carry out daily living. Eligible customers receive free Re-ablement homecare support for a period of up to 6 weeks to give them the support they

need to recuperate and adjust to their new circumstances as necessary.

Support Planning and Review Service

Customers who require longer term care or who have more complex needs can qualify for self-directed support, which enables them to:

- instruct the Council to manage their care.
- purchase their own care from other providers through direct payments.
- choose a mixture of the above.

Customers' needs are reviewed at least annually to ensure the type and levels of support remain appropriate. Their carers can also receive practical support and guidance.

Commissioning

The service works with key partner organisations to identify local needs and develop co-ordinated responses. Our new integrated commissioning model is proving to be particularly effective not only in terms of improving efficiencies but also in delivering better and more sustainable customer outcomes.

- ◆ On average 2,500 people contact Adult Social Services every month.
- ◆ Brent has made significant improvements to avoid delayed discharges from hospitals.
- ◆ Our Self-directed Support policy gives customers more choice and control about the types of services they receive to prolong independence.

Our Services

Direct Services

Direct Services provides day and residential care services for the local community, particularly older people, those who have physical disabilities and those with learning disabilities. At Brent we are committed to the personalisation agenda and have taken a preventative approach to helping individuals live independent and fulfilling lives.

Day opportunity services have been subject to changes over the course of the past 20 years. Prior to 2010 the majority of day opportunity services in Brent were still traditional building-based services, which meant that services were a barrier to achieving genuine choice, control and social inclusion for vulnerable people.

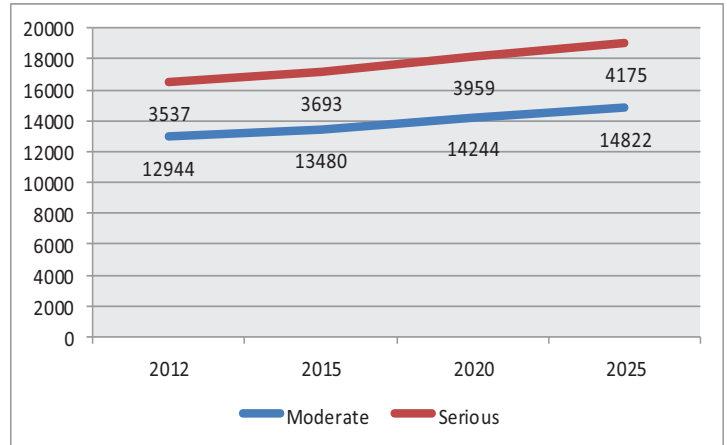
Following national and local consultation on this issue it became clear that two significant changes were needed to improve outcomes for service users and carers alike.

1. People needed a wider range of options to choose from and these options needed to include both specialist (sometimes building-based) and mainstream (in and within the community) services.
2. In order to create this choice, Brent needed to focus more on commissioning and developing new services in the community and less on delivering traditional building-based services themselves.

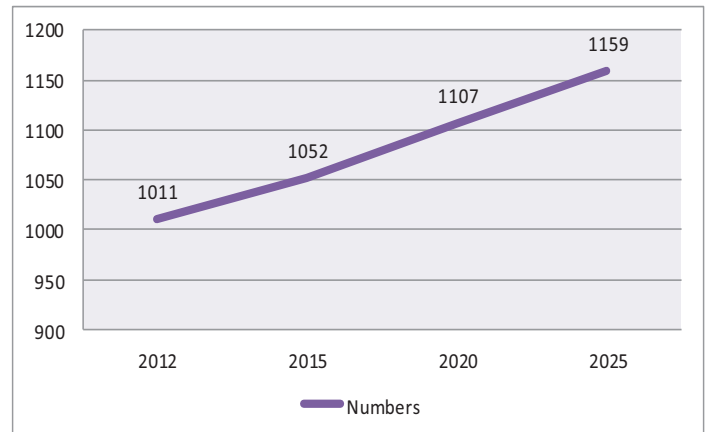
In response to these needs our Direct Services were re-designed to create more personalised and community-based services. The new structure helps to develop independence and to build and enhance individual life skills. Whereas the old service model reflected a 'one size fits all' approach, the new one offers a more flexible range of services using a range of providers and professionals.

- ◆ Direct services give customers increased choice and control over their care.
- ◆ Direct services help our customers to develop the skills to live independently and feel socially included.

Brent moderate or serious physical disability number projections for people aged 18-64 (Source: PANSI)



Brent moderate or severe learning disability number projections for people aged 18-64 (source: PANSI)



Our Services



Safeguarding

Safeguarding helps to reduce the potential for abuse and prevent it from re-occurring. Abuse can take many forms:

Physical abuse: hitting, pushing, shaking, misusing medication, withholding food or drink; force-feeding.

Sexual abuse: rape, sexual assault, or sexual acts to which the person has not or could not have consented.

Psychological or emotional abuse: threats of harm or abandonment, being deprived of social or other form of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse etc.

Financial or material abuse: theft, fraud or exploitation, pressure in connection with wills, property, or inheritance, misuse of property, possessions or benefits.

Institutional abuse: can sometimes happen in residential homes, nursing homes or hospitals when people are mistreated because of poor or inadequate care, neglect and poor practice.

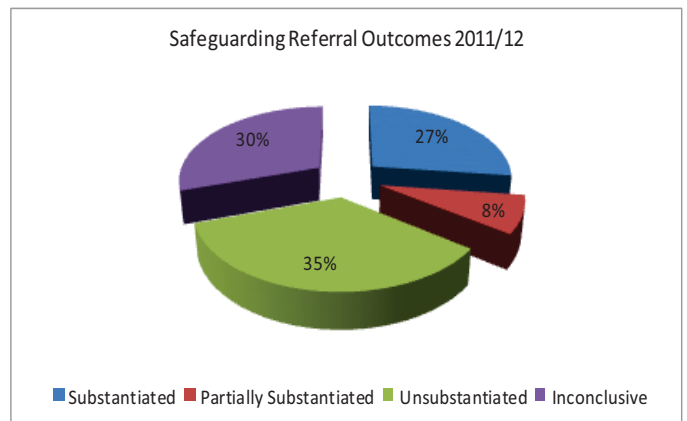
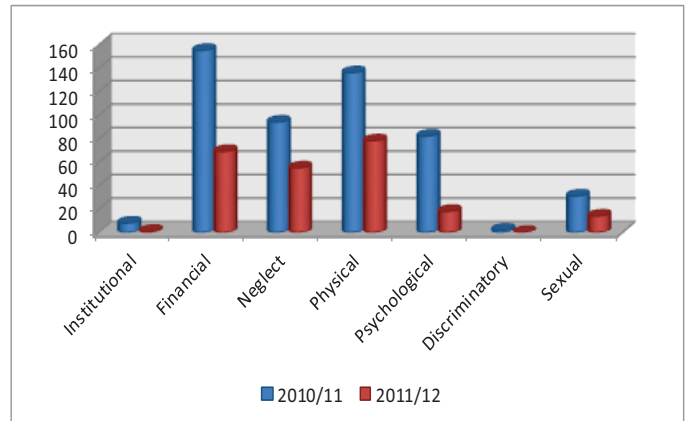
Those who need safeguarding are often elderly and frail, living on their own in the community, or without much family support in care homes. They are often people with physical disabilities, learning difficulties or mental health needs at risk of suffering harm both in institutions and in the community.

Brent takes a multi-agency approach to abuse and adopts preventative strategies through our person-centred services. We also collaborate with customers to empower them to make choices and manage risks, which helps inspire confidence and prevent crises from developing.

In 2010/11 a total of 387 allegations of abuse referrals were made, which represents an increase from 254 in

2009/10. In 2011/12 this figure reduced to 235.

Numbers and types of abuse identified through referrals



Mental Health Service

Brent Mental Health Service provides care services to residents aged 16 and over who have substantial or critical mental health needs. This includes assessment, care management, social care and support services.

Disabled Facilities Grant (DFG)

Aids and adaptations are key to enabling some older households to remain independent in their own home and in recent years Brent has made great progress in this area through the administration of the Disabled Facilities Grant scheme. Although available to all disabled groups, the majority of grants awarded are to pensioner households for adaptations such as handrails, ramps, stair-lifts etc.

Our Partners



Partnership Working

Health and social care are inextricably linked and as such our Adult Social Services are critically dependent upon a variety of key partners. Without the support of a broad and diverse range of providers we would not have the capacity to deliver the range and quality of services to our residents.

Collectively this network of partners provides support to people who find everyday activities difficult to manage. We provide advice and support to:

- Older people who need help because they are having difficulty looking after themselves at home.
- People with a disability who need advice and support.
- People who are unable to look after themselves properly.
- Carers who need assistance with caring for a vulnerable adult.
- Vulnerable adults who need protection because they are frightened or worried by something.
- Vulnerable adults who lack capacity to manage their own affairs.

All partners recognise and support the need to focus upon health and wellbeing if we are to reduce the current burden of preventable health and social care needs that occur within the system, and to address the health inequalities that currently exist in Brent. The work is being undertaken through the Local Strategic Partnership and underpinned by a shared Health and Wellbeing Strategy and Joint Strategic Needs Assessment. This provides a co-ordinated approach and helps to stimulate creativity in our efforts to develop new and innovative ways of working with local communities.

The Local Strategic Partnership draws together representatives from public, private, voluntary and comm

ty sectors across the borough. The partnership aims to improve quality of life for all Brent's residents, promote well-being by tackling discrimination, disadvantage and social exclusion, and deliver accessible, high-quality and efficient services based on local needs.

Brent's Health and Wellbeing Strategy 2012-15 offers a good example of the Council working in partnership with the NHS to evaluate local needs and provide strategic focus for improving health outcomes for the local community.

We are also actively participating in a new multi-agency Integrated Care Pilot, which is designed to improve care pathways for those with high levels of need for diabetes and elderly care.

Joint planning and commissioning will soon be the norm in Brent across the whole range of health and social care services. Inevitably this will deliver efficiency savings by reducing duplication and achieving economies of scale. However most importantly, our collaborative approach is expected to yield improved and more sustainable outcomes for service users and carers alike.

Our Customers



A high proportion of older people who live alone in Brent own their homes and many describe themselves as “equity rich but cash poor”. The effects of low income in old age have direct implications for choices in relation to nutrition, energy use and housing. Many households have no central heating and the take up rates for home improvement grants is historically low.

Although many of Brent’s older people are active, emergencies can often impose complications and hence the need for urgent, reactive support. Hospital admissions and attendance levels at local accident and emergency units are high and have been consistently rising over the past few years.

Older People’s Services

Older people are not a uniform group and can have diverse needs. Broadly they can be split into:

Entering old age: This group can be as young as 50 years or have reached official retirement age. Most are active and independent and remain so for many years.

Transitional phase: This group tend to be in transition between a healthy active life and frailty.

Frail older people: This group are highly vulnerable and can potentially have a range of conditions including falls, stroke, dementia, depression etc.

When asked, older people in Brent are very clear about what independence means to them and what factors help them to maintain it. At the heart of their sense of independence and well-being lies their capacity to make choices and exercise control over their lives. Accepting help with some aspects of their lives enables them to remain independent in others.

Older people are the greatest users of services and their needs can at times be complex and pose considerable challenges to Health and Social Care services. Older people in Brent constitute a significant proportion of people who require critical interventions at the point of contact with services. They often require ongoing care over an extended period to meet physical and mental health needs arising from disability, accident or illnesses. This can be provided in a variety of settings including hospital, nursing home or the individual’s home.

Housing is a major determining factor of health and well-being, and older people’s needs include design, security, comfort and equipment to enable them to continue living independently at home for as long as possible.

Current trends show that many older people are increasingly developing the condition known as dementia - please see page 15 for more information on the local context.

- ◆ Brent’s older people population (aged 65+) is forecast to grow to 37,300 by 2020 and to 45,900 by 2030.
- ◆ Many own their own home but describe themselves as “equity rich and income poor”.
- ◆ Ageing population trends for the borough show a particularly marked increase in the number of individuals aged 90+ by 2030.

Our Customers

Learning Disabilities

Disability can be defined as “A physical or mental impairment, which has substantial and long-term adverse effect on a person’s ability to carry out normal day to day activities” Disability Discrimination Act 1995.

Learning disabilities or learning disorders are an umbrella term for a wide variety of learning problems. A learning disability is not a problem with intelligence or motivation, rather people merely see, hear, and understand things differently. This can lead to difficulties with learning new information and skills, and putting them to use. The most common types of learning disabilities involve problems with reading, writing, maths, reasoning, listening, and speaking.

- ◆ Approximately 9,000 people have a learning disability in Brent.
- ◆ 22% of people with a learning disability also have epilepsy in Brent.
- ◆ Approximately 40% of people with a learning disability also have a hearing impairment.

The number of people with severe physical and learning disabilities is expected to increase further in the future as medical advances mean that more people with a disability survive into adulthood. Approximately 1,000 people in Brent have a severe learning disability and 8,000 have a mild to moderate disability.

Many people in the borough who have mild to moderate learning disabilities may not be known to council services, and may not need very much additional support beyond their immediate family, friends and social networks. However without information about and access to services in times of crisis, needs can quickly escalate to the point where individual support networks break down.

In recent years considerable progress has been made to improve access to information and quality of life for those with learning disabilities. However many report they are often the target of hate crime, that they are dependent on very limited and expensive transport to get around, and that being lonely is one of the things they fear most.

Brent Council is committed to the view that people with learning disabilities and their families have the same

human rights as anyone else. As such, we believe that people with learning disabilities should have choice and control over the way they live and be supported with dignity and respect. Therefore our services are designed to support and enable vulnerable residents to participate in all aspects of community life, including work, education, travel and secure access to local services and social networks.

People with Learning Disabilities have particular health risks:

- The prevalence rate of epilepsy has been reported at 22%, compared to 0.4% - 1.0% for the general population.
- The prevalence rate of schizophrenia is 3% compared 1% for the general population.
- People are more likely to have a vision impairment compared to the general population, and approximately 40% have a hearing impairment.
- People have substantially lower bone density compared to the general population and as such are particularly susceptible to sustain fractures throughout their lifetime.
- People with learning disabilities are much more likely to be either underweight or obese, compared to the general population.



The logo for Brent LINK, with 'Brent' in yellow and 'LINK' in blue with a stylized blue swoosh above the 'L'.

Our Customers



Physical Disabilities

Physical impairment refers to a broad range of disabilities which include orthopaedic, neuromuscular, cardiovascular and pulmonary disorders. People with these disabilities often must rely on wheelchairs, crutches, artificial limbs etc. to obtain mobility. Physical disability can either be congenital or the result of injury, muscular dystrophy, multiple sclerosis, cerebral palsy, heart disease etc. Less visible disabilities include conditions such as pulmonary disease, respiratory disorders, epilepsy.

Although the causes of disability are broad and diverse, many people with physical disabilities face similar difficulties when going about their daily activities:

- Inability to gain access to buildings
- Reduced hand-eye co-ordination
- Impaired verbal communication
- Reduced physical stamina and endurance

Brent Council passionately believes in the value of diversity and the importance of social inclusion. We recognise that the services we provide and the way we provide them impact differently on those with disabilities, and wherever possible we make reasonable adjustments to minimise these effects. We also carry out routine equalities impact assessments to ensure that vulnerable groups are not disproportionately disadvantaged from important council decisions.

There is no single national policy framework that provides the context for planning and provision of services to people with physical and sensory impairments. However there is a range of national legislation and guidance and across the country there are several examples of good practice in this area.

In Brent a variety of service challenges exist for adults with physical disabilities. The pressure on housing costs directly impacts the availability of independent supported living accommodation.

- The difficult economic climate, and resulting reduced government funding and inflationary pressures, negatively impact on the costs of complex and personalised equipment.
- The impact of an aging population places additional pressure on budgets to fund long-term support.

Brent's local policy to provide intermediate care (reablement) is designed to support people with disabilities to remain independent and at home. Routine use of personal budgets and support plans means that care packages are tailored to meet individual needs and regular reviews ensure that levels of support remain appropriate and cost effective.

- ◆ 4.7% of people in Brent define themselves as permanently sick or disabled.
- ◆ 86% of Adult Social Care customers live in the community.
- ◆ Financial and physical abuse are the most common forms of abuse against vulnerable adults in Brent.

Our Customers



Mental Health

Brent Mental Health Service (BMHS) was established in 2001, bringing together mental health services previously provided by the

council's Social Services department and Central and North West London NHS Foundation Trust. The service provides support to residents aged 16 and over who have substantial or critical mental health needs. Those who are eligible for support receive access to assessment, care management, social care support and accommodation services.

In 2010/11 there were 16,574 Brent patients aged 18 and over on GP practice registers with a diagnosis of depression. The aim of primary care teams working with specialist community mental health teams is to provide multi-disciplinary support to individuals with serious mental illness to keep them well at home and to avoid admission to hospital. Other important issues include supporting service users with housing needs, employment and providing support to carers.

Dementia

Dementia is one of the most important health issues we face as the U.K.'s population ages. The number of people who develop Dementia in the U.K. is expected to double in the next 30 years to 1.4 million.

The term 'dementia' is used to describe a number of illnesses which result in the progressive decline of multiple areas of function such as memory, reasoning, communication and skills needed to carry out everyday

- ◆ Mental Health is the single most common cause of morbidity in Brent.
- ◆ Only 40% of people who have Dementia are properly diagnosed.
- ◆ Mental Health problems affect 1 in 6 adults and 1 in 10 children and young people in Brent.

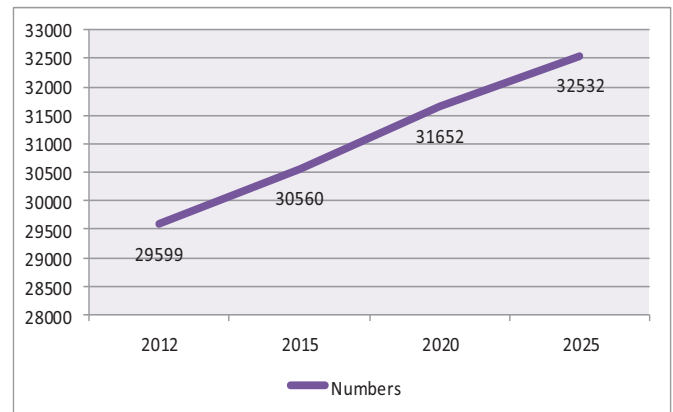
activities. Those who have Dementia may also develop behavioural and psychological symptoms such as depression, psychosis, aggression and wandering. De-

mentia is a terminal condition, but people can live with it for 10-12 years following diagnosis.

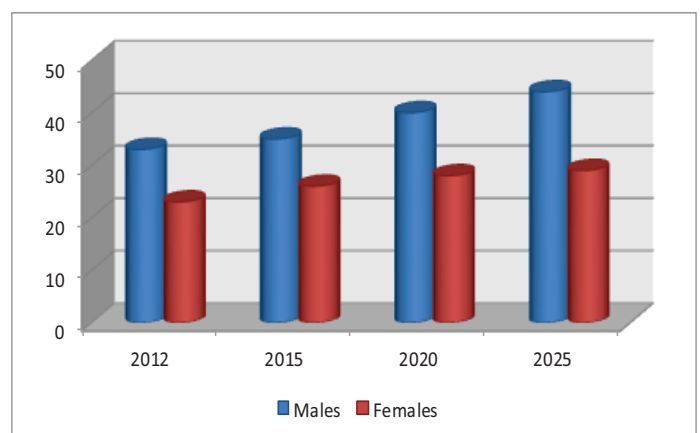
Dementia rates in Brent are consistent with European averages. Our aim is to help those who have Dementia to:

- Enhance their quality of life, health and wellbeing.
- Promote their independence.
- Promote choice and self-direction through personal budgets.
- Promote social inclusion.
- Ensure equality of access to primary care, community and secondary care services.

Brent residents aged 16 to 64 predicted to have a common mental health disorder (source: PANSI).



Brent resident numbers aged 30 to 63 predicted to have early onset Dementia (source: PANSI).



Our Customers

Alcohol and Substance Misuse

Substance misuse treatment services in Brent are commissioned via Brent Drug and Alcohol Action Team (DAAT) to address the complex health and social care needs of those who are directly affected by problematic drug and alcohol misuse.

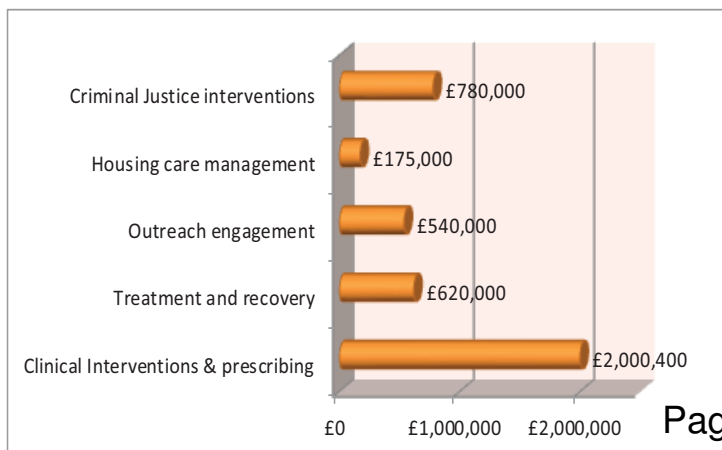
Brent takes an integrated approach to alcohol and substance misuse, because the behaviour is often driven by multiple and complex influences. As such, an integrated approach directly addresses the individual's health and social care needs, but it also addresses the wider social impact on the local community in relation to public health, community safety, offending behaviour, acquisitive crime (robbery, burglary etc.), violence, disorder, anti-social behaviour etc.

Treatment services and interventions in Brent operate 7 days a week supported by a 24/7 helpline. Services are delivered through the Brent Treatment Sector, which is a partnership comprising Brent Adult Social Care, Central & North West London Mental Health NHS Foundation Trust and a variety of third sector charities e.g. Ad-daction, CRI-Brent, EACH-Brent, WDP-Brent and Turning Point.

Treatment is provided across 4 dedicated sites within the borough, including Cobbold Road Treatment and Recovery Service, Junction Service Station Road, Craven Park and Wembley Centre for Health and Care. It is also provided via 37 GP Practices and collectively the service helps to deliver:

- Treatment and Recovery services.
- Clinical interventions and Prescribing Services.
- Abstinence-based structured day programmes.
- Outreach and engagement.
- Criminal Justice interventions.
- Housing and Care Management services.

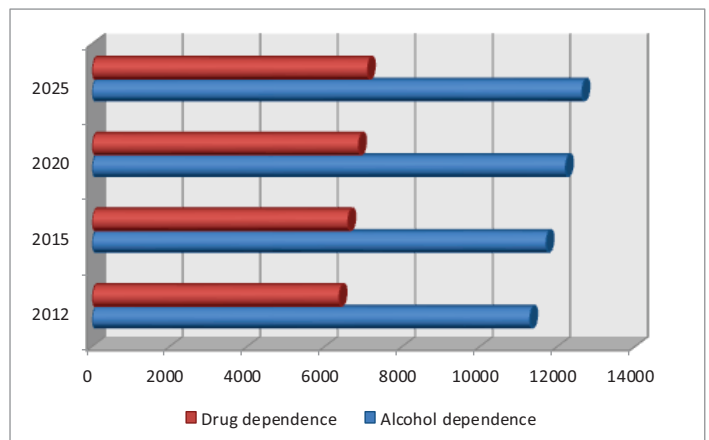
Examples of DAAT Expenditure 2011/12



- ◆ In Brent more than 1 in 10 of all adults who drink are estimated to be high-risk drinkers (males who consume 50+ units or females who consume 35+ units per week).
- ◆ Alcohol attributed hospital admissions are increasing for men and women; the rate of men is significantly higher than the London and England averages.
- ◆ Brent is one of the worst performing local authorities in England for measures of alcohol-related crime.

- Brent has the highest number of successful completions compared to other London DAAT partnerships.
- Nationally, Brent is amongst the top 20% for the volume successful drug treatment completions.
- As a proportion of the total number of exits from treatment, 60% are successful completions, compared to the national average of 47%.
- As a proportion of the total numbers in treatment, 25% are successful completions, compared to the national average 15%.
- Brent has seen a 6% growth in successful completions from the baseline year.

Number of people in Brent aged 18—64 predicted to have a drug or alcohol problem (source: PANSI)



Our Customers

Sensory Impairment

Sensory impairment is when one of our senses - sight, hearing, smell, touch, taste and spatial awareness - is no longer functioning normally.

Vision Impairment

There are between one and a half and two million visually impaired people in the UK. The term 'visual impairment' refers to people with irretrievable sight loss and covers a wide spectrum of different impairments. It does not include those whose sight problems can be corrected by spectacles or contact lenses, though it does include those whose sight might be improved by medical intervention.

Only about one in five registered blind people can be described as seeing nothing at all. Many technically blind people have some useful perception of light and shape. The level of a person's visual impairment may vary according to lighting conditions and from one day to the next. It may be an unchanging condition or it could be one that is gradually deteriorating. A leading cause of vision impairment and blindness is age-related eye disease, macular degeneration, cataract and glaucoma. Other eye disorders, eye injuries and birth defects can also cause vision loss.

Hearing Impairment

Hearing impairment refers to both complete and partial loss of the ability to hear. Common causes include exposure to excessive noise, head or ear injury, ageing, as well as a variety of infectious diseases such as meningitis, measles, mumps and chronic ear infections.

Dual Sensory Impairment

Dual sensory impairment or 'deafblindness' is the combination of both hearing and sight impairment. It is not necessarily a total loss of both senses, in fact the majority of dual sensory impaired people do have some degree of sight and/or hearing.

With a single sensory loss, the person normally relies on the other sense to compensate. However, with both senses lost a unique disability emerges which requires specialist support. Dual sensory impairment is an extremely complex disability that often requires specialist communication methods and systems being introduced to the person and those around them to enable communication to take place.

Impairments often mean that a person may have to re-organize their life and learn new ways of doing things.

Many devices like hearing or visual aids can help people to adapt and cope. However if the condition deteriorates, everyday tasks such as reading mail, going to the shops or answering the door can become a challenge. Gradually work, hobbies and leisure pursuits are abandoned and a cycle of economic burden and social isolation can begin.

Departmental referrals can either come through the council's contact centre or directly from specialist eye hospitals.

Brent Social Services does not categorise people by their disability, rather we focus on their abilities and seek to meet their individual needs. The range of needs can be both broad and diverse, and relate to access, mobility, social care, housing or other aspects of daily living. As such, we do not have a standard procedure for people who have a vision, hearing or dual impairments, but prefer to tailor our response to individual circumstances.

The department employs dedicated specialists to support individuals which broadly includes:

- **Concessionary Transport Schemes** - Blue Badge, Freedom Pass and Taxicard, for which all blind or partially sighted and profoundly deaf people qualify.
- **Prioritising Needs Assessment** - to identify support needs for those struggling to meet the demands of daily living.
- **Drop-in Sessions** - we run weekly drop-in sessions for anyone with a profound hearing impairment. This service provides advice and information, sign posting, telephone communication support as well as specialist equipment such as 'minicom' to assist those with communication difficulties.



Our Customers

Carer Support

A carer is someone who spends a significant portion of their time providing unpaid support to family members or friends who are ill, frail, disabled, have poor mental health or substance misuse problems.

- ◆ 12% or 22,900 of Brent residents are known carers.
- ◆ 1,023 young carers aged between 10 and 17 years provide between 1 and 50 plus hours care per week to a parent, sibling or relative.

Carers help people they care for to deal with and manage problems in a practical way and also offer emotional support. Their responsibilities may be for short periods of time or in many cases over the course of a lifetime. The condition of the person they care for can often be susceptible to change regularly or periodically, and as such it can be difficult to predict the demands on the carer.

People can find themselves in a carer role without warning as a result of an accident or sudden illness or the role can slowly evolve as the condition of the person they care for progressively deteriorates over time. Carers can also be much less directly involved in care by merely supervising someone they care for from a distance to help keep them safe and independent.

Carers provide care and support to a diverse range of people including older people, adults and children with physical and/or sensory disabilities, learning disabilities, mental health and substance misuse issues. While caring can be rewarding, it can also be exhausting both emotionally and physically.

Caring responsibilities can involve all or a variety of the following, depending upon individual needs:

- **Physical care**—bathing, washing, dressing and toileting.
- **Physical help**—getting in and out of bed, walking, getting up and down the stairs.
- **Practical help**—administering medicines, shopping, preparing meals.

Carers are usually unpaid and the job may be 24 hours per day, 365 days per year. As such carers can face multiple disadvantages including social isolation, mental stress and ill health. They can also have long-term poverty resulting from the high costs associated with caring and reduced income deriving from the need to come full or part-time carers. Many often need addition-

- ◆ 3,402 carers aged between 65 and 90+ years provide between 1 and 50 plus hours care per week.
- ◆ Carers UK found that those caring 50 plus hours per week are twice as likely to be in poor health, compared to non-carers.

al support to enable them to balance their caring responsibilities with other commitments and responsibilities such as work, education, training and family life.

Carers needs can vary, hence the need to carry out individual assessments. Support includes:

- Services which are tailored to individual needs.
- Opportunities to take flexible breaks from caring.
- Relief cover to enable carers to fulfil other responsibilities.
- Practical advice and support to enable them to cope with their caring responsibilities.
- Involvement in planning services.
- Periodic review of needs.

Brent's health and social care services recognise and value the contribution that carers make, particularly as they frequently provide the best care for those they support. As key partners therefore our support services aim to create and sustain an environment which enables carers to feel supported in their role for as long as is practically possible.

We make every effort to promote the rights of carers to enable them to have the same opportunities and aspirations to take part in society as individuals.

We also seek to identify carers at the earliest opportunity, particularly young carers, so that they can receive the requisite support to enjoy their childhood years and stay mentally and physically well.



Community Engagement

Consultations

At Brent public consultation is integral to service planning and we routinely consult with a variety of stakeholders, including service users, carers, voluntary and community organisations. Consultation exercises reveal that residents want:

Residents tell us that 'good health services' is one of the most important factors in making an area a good place to live.

- Better quality and access to services, particularly GP and out of hours services.
- Better communication between service providers.
- More information to support people's choices and control over their health care arrangements.
- More advice about how to be healthy, including details about the range of activities available in the local area.
- A more holistic approach to service provision and design.
- More culturally appropriate services, particularly for black and minority ethnic communities, people with disabilities and other hard to reach groups.

Residents tell us they want a greater emphasis on prevention and raising awareness of the causes of ill-health, particularly at an early age.

This postal survey sampled our Carer community and received a response rate of 37%.

65% said their caring responsibilities had caused some or a lot of financial difficulties.

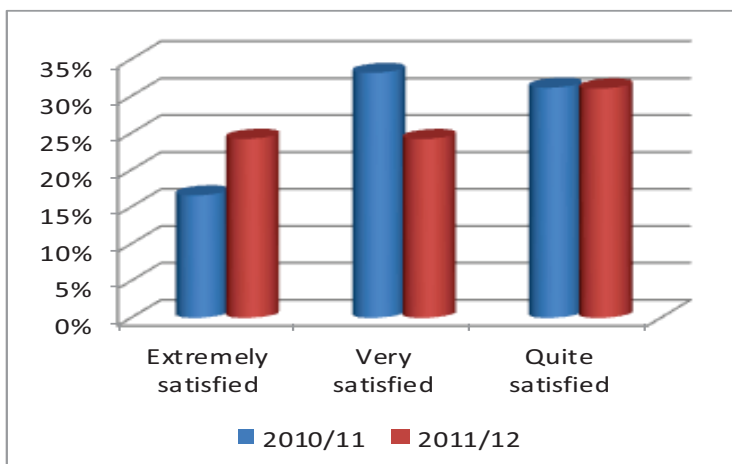
- 55% were very or fairly satisfied with the service and support they received within the previous 12 months.
- 34% had used support services to take a break from caring which lasted more than 24 hours.
- 43% said it was very or fairly easy to find information about support, services or benefits.
- 25% of carers felt they have as much control as they want over their lives. 58% felt they have only some control and 17% felt they have no control.
- 40% said they have sufficient time to take care of themselves as well as the person they care for. 35% said they sometimes have sufficient time and 25% felt they were neglecting their own caring needs.
- 66% felt they did not need any carer skills training, while 25% said they would like some.

Occupational Therapy Equipment Survey 2010/11

This survey sampled service users who had minor adaptations to their home or received enabling equipment (handrails etc.) in the previous 12 months to help them live independently. The response rate was 41%.

30% said that as a result of receiving equipment or adaptations they now need less help from others.

Service User Satisfaction Survey



- 62% said they were extremely or very satisfied with the adaptation or equipment received.
- 93% said they were very or fairly happy with the way their individual needs were discussed.
- 98% said they were very or fairly happy with the way the person installing the equipment/minor adaptation treated them.
- 78% said they feel safe all the time as a result of the equipment/adaptations, while 18% feel safe sometimes.
- 95% said their quality of life is much better or a little better as a result of the equipment/adaptations.
- 73% said their home meets all or most of their needs.

Community Engagement

Adult Social Care Survey 2012

This postal survey sampled 1,013 clients from all client groups as part of the NHS Information Centre Adult Social Care annual survey and the response rate was 23%. Clients receiving community based services, residential care and nursing care services were included in this survey.

81% said that services provided improved their quality of life.

- 78% said that services helped them to maintain control in their daily lives.
- 89% said the services they receive help them feel safe or adequately safe.

Customer feedback

In 2011 our review process was amended to systematically obtain feedback on whether our revised work processes improved outcomes. A random sample of 1,100 customer feedback forms taken over a 6 month period revealed the following:

96% of the sample said they were very satisfied or quite satisfied with the services they received.

- 29% felt having a personal budget improved their quality of life.
- 19% felt having a personal budget improved the choice and control they had.
- 26% felt having a personal budget improved their ability to get the support they wanted.

Community Engagement Mechanisms

Brent has a broad and diverse range of community engagement forums to facilitate access and dialogue with the local community:

Area Consultative Forums

There are currently 5 forums which provide an important opportunity for members of the public to access, participate in and influence the council's decision-making process and those of partner organisations. These are chaired by a local councillor and assisted by a lead manager.

Brent Disabled User Forum

This group provides a focal point for disabled people and mental health service users, their carers, advocates, service providers, advisors, council officers and members as well as representatives from voluntary organisations and community groups to meet regularly

and exchange viewpoints as well as learn from others experience.

Brent Pensioners Forum

This group provides a focal point for older people, their carers and other stakeholders to regularly meet and discuss council policy and local issues which may affect older people in the borough. The group is also used as a formal point for consultations and offers the opportunity to raise awareness and identify concerns.

Learning Disability Partnership Board

The Department of Health's three year strategy Valuing People Now (2009) advocated the setting up of a local Partnership Board in order to take a strategic approach to:

- Help decide what services are needed for people with learning disabilities in the local area.
- Regularly evaluate how well these services are working.

This group meets every two months to talk about opportunities and the local support mechanisms in place. Its purpose is to work in partnership with carers, people with learning disabilities and local agencies to improve their quality of life within the borough.

Focus Groups

As part of our service modernisation programme we have held a number of focus groups to help plan the changes. These meetings offer a valuable opportunity to explain the rationale behind proposed service changes and enable users and carers to understand and discuss the implications. The feedback is then used as a basis for reviewing and refining final decisions.



Our Achievements 2011/12

Project Management Programme

The Direct Services project was initiated to review day-care provision and develop more sustainable solutions for our customers with learning disabilities. This project was designed with the expressed intention of moving service provision away from institutional settings and towards a more personalised service which increases independence. The phased transition from existing provision started at the beginning of 2011 and is now complete with the opening of the purpose built, state of the art John Billam Centre in September 2012.

Supporting People project

Supporting People is a national preventative programme administered by local government which aims to enable vulnerable people to live independently in the community, through providing housing-related support services. Housing support workers, sheltered housing managers, women's refuge workers, etc. support vulnerable adults to prevent hospital admissions, evictions, mental ill health, homelessness, anti-social behaviour.

In 2011 the department initiated this project which comprises a variety of key work-streams including re-negotiating with existing providers, procurement of new services, developing alternative funding models, re-configuration of the pathway management process, and planning for the future.

In addition, the department has pro-actively supported the successful implementation of a variety of cross-council improvement projects including Structure and Staffing Review, Finance Modernisation, Fundamental Review of Council Services. Successful delivery of all these projects has proved pivotal in helping to preserve as many front-line services as possible in the context of a reduced resource base.

Public Health

Key achievements in 2011/12 include steady increases in the numbers of people using Brent's Smoking Cessation service. However, significant challenges remain, not least to get Brent's communities to undertake more physical exercise, to improve childhood immunisation rates (which are below London and national averages)

and to better manage and diagnose conditions such as diabetes and cardio-vascular disease. Following a recent pilot in Harlesden, NHS Health Checks designed to facilitate early diagnosis will be rolled out across the borough.

A variety of complementary projects are either up and running or in the early stages of development in response to the provisions enshrined in the Health and Social Care Act 2012. These include preparations in anticipation of the transfer of Public Health to the Council as well as greater integration between Health and Social Care provision.

Commissioning

In collaboration with colleagues from the West London Partnership, a Home Care Framework was set up in 2010/11. The project is designed to facilitate a more co-ordinated approach to commissioning services at a regional level, and is expected to deliver an estimated £2.5m in efficiency savings. The project has offered a unique opportunity to re-negotiate residential care, nursing care, 24 hour care and placement costs with suppliers.

It is also helping to enhance overall commissioning capacity through more effective supplier and local market management. For the first time Brent is now in a strong position to transition from established block contracts to spot purchasing of day care services. This has increased scope to provide more flexible services which are better tailored to suit individual needs.

Carers Hub

2011/12 also saw the department lay the groundwork to develop a Carers Services Hub, which will be the first point of contact for unpaid carers of all ages seeking information and advice about the support available in the London Borough of Brent. The Service will provide a pathway for carers to access the support they need and which is available to them. This project is designed to address a critical outcome of the Standing Commission on Carers visit, which emphasised the need for improved access to the support services available to carers in the borough. We also expect that the service will ensure that Carers:

- Enjoy better health and a better quality of life through flexibility, choice and control of services and support
- Have a voice in the local community.

Strategic priorities for 2011/12

A new vision for health and social care

At the national level the implementation of the Health and Social Care Act 2012 and the imminent transfer of Public Health to local authority control will usher in unprecedented changes to the way health and social care services are managed and delivered.

These changes represent a radical policy shift and will have far reaching implications for all of us involved in health and social care. However they also represent a considerable opportunity to deliver greater integration across health and social care and, crucially, to enable us to shift strategic emphasis towards joint commissioning and preventive strategies, which are widely acknowledged as being more cost effective and sustainable.

Managing the implementation of these changes and ensuring they become embedded will remain a challenge. A key priority for the coming year therefore is to continue to work with our partners to ensure that our collective influence secures the best possible outcomes for the region. Ultimately we will work towards achieving a model which provides a seamless service between health and social care.

The move towards strategic commissioning will enable us to use our evidence base to assess local needs and identify priority spending areas. A key priority for the coming year therefore will be to continue building our evidence base and ensure we have access to the very latest intelligence in relation to the current health and social care characteristics of the borough. This will enable all partners to place more emphasis on analysis of trends and use objective evidence to target expenditure more effectively.

Mental Health

Over the coming year it will be timely to review our Mental Health offer and develop a strategic platform upon which to build closer alignment between all health and social care services. For example, to complement our community-based approach a key priority will be to simplify and communicate pathways to GPs as well as improve access to a broader range of psychological therapies. We will also seek to develop processes to improve overall service-user responsiveness.

Finance

The depressed economic outlook is undoubtedly a cause for concern, not least because it is widely pre-

dicted to be prolonged. Therefore a key priority for the coming year will be to continue to maximise the use of our limited resources and work collaboratively to ensure efficiency across the complete range of services. Maintaining a balanced budget will be a challenge, particularly in the context of rising demand for services, but the success of our modernisation programme to date enables us to feel confident that we can 'live within our means' and safeguard front-line services.

Service Modernisation Programme

Commissioning Project: The purpose of this project is to develop a more co-ordinated and strategic approach towards commissioning activities, with a view to optimising value for money and improving efficiency. 50% of the estimated savings have already been achieved in 2010/11 and the challenge will be to successfully complete the project in 2011/12.

Transitions into Adult Life: The purpose of this project is to build a care pathway over the life course to ensure smooth transition from childhood into adult life. The challenge going forward will be to complete this project by finalising the care pathway and structuring services around it, whilst ensuring appropriate safeguards are in place throughout.

Integration of Health and Social Care: The purpose of this project is to implement the provisions of the Health and Social Care Bill 2011. The challenge for 2011/12 will be to collaborate with key health partners in order to agree a new operating model that meets the needs of the local community, and to ensure that this is delivered within the designated timescales.



Challenges for 2011/12

General

All future service planning will need to take account of the following:

- The need to develop preventive strategies to tackle long-term conditions and manage service demand more effectively.
- The need to structure services to enable people to help themselves.
- The need to continue to promote choice, control and independence and to encourage service users to take control of their own care packages.
- The need to facilitate safe and early discharge from hospital and use reablement for short-term care to help people develop the confidence to live independently.
- The need to prevent hospital and residential care admissions through intensive intervention initiatives.
- The need to improve the way we identify vulnerable people and ensure they have access to advice and information on how to stay healthy and well.
- The need to build a consistent approach to long-term care through personal budgets and tailor support plans to meet individual needs.
- The need to regularly and systematically review care packages to ensure they remain fit for purpose and adequately address user needs.
- The need to manage rising customer expectations in a context of depleted resources, because there will inevitably be occasions when customer demands cannot be realistically met.
- The need to closely monitor inflationary pressures as they negatively impact on the costs of care packages and equipment.

Older People

- A growing and ageing local population means that service demands are likely to increase in the future.
- A growing population will also mean a higher risk of people developing diabetes and having strokes or falls.

- Supporting people to live independently means that service user needs are becoming increasingly diverse and complex.

Physical and Learning Disabilities

- Changes to the Housing Benefits system from 2011 onwards and the move towards Universal Credits will have a direct and potentially negative impact and further disadvantage those who have physical and/or learning disabilities.
- Pressure on housing costs will negatively impact on the availability of independent supported living accommodation in the borough.
- Sustained budgetary pressures could potentially negatively impact on plans to develop Independent Living and Resource Centre facilities in the borough.
- Current travel arrangements for adults with disabilities are not sustainable and are in urgent need of review.

Mental Health

- The high rates of hospital admissions are costly and will need to be reduced, for example by improving the range of community-based support services.
- Historically we have not made the best use of 'talking' therapies in the community and early intervention initiatives, which needs to change going forward.
- A clearer pathway to care needs to be developed so that service users and partner organisations know what to expect and how to be involved.
- A more focussed remit should be developed for community mental health teams in order to enable them to be more responsive to service user needs.
- The need to develop community-based opportunities for people to make the best use of their personal budgets.

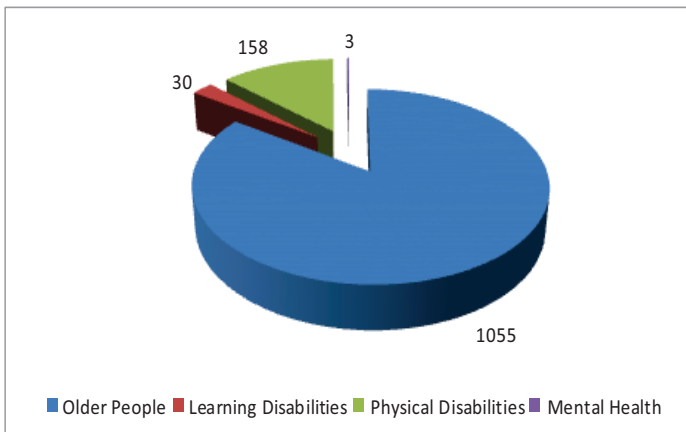
Our Performance—Services

Brent Our Future 2010-2014

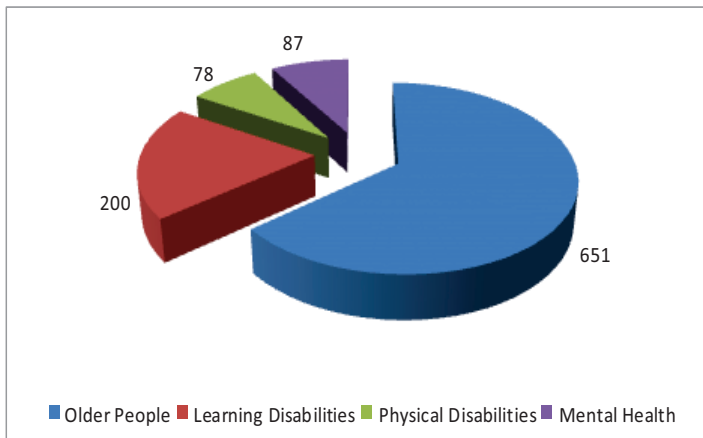
Brent's Borough Plan sets out three overarching strategic objectives:

1. To create a sustainable built environment that drives economic regeneration and reduces poverty, inequality and exclusion.
2. To provide excellent public services which enable people to achieve their full potential, promote community cohesion and improve our quality of life.
3. To improve services for residents by working with our partners to deliver local priorities more effectively and achieve greater value for money from public resources.

Domiciliary Care Clients 2011/12



Residential and Nursing Care Clients 2011/12



Strongly performing areas during the past year include:

1. Helping a greater number of customers, particularly those with Learning Disabilities, to achieve

independent living.

2. Improving the number of customers who are now receiving direct payments, which gives them increased choice and control over the types of services they receive.
3. Successfully identifying areas of internal systemic weakness has enabled the department to develop a structured and planned approach to redressing them.

- ◆ 32% of customers now receive self-directed support, compared to the national target of 30%.
- ◆ Delayed transfers from hospital to community-based care improved from 8.3 days in 2008-09 to 3 days in 2011-12.

Areas in need of improvement include:

1. More focus needs to be placed on identifying carers and ensuring they are aware of the wealth of support that is available to them.
2. Broadening the range of community-based services available to optimise the choice of service providers available to customers who have personal budgets.
3. Systematically developing more preventative strategies through health and social care in order to empower people to help themselves and make good lifestyle choices.

National Indicator Set

For some time now national data collections have lagged behind the changes that have taken place in social care policy and local service delivery. However in anticipation of the Health & Social Care Act 2012 the Department of Health have are actively consulting in their efforts to stop data collections that are no longer fit for purpose and replace them with a new set which is more outcomes focussed.

However in the meantime the performance information provided is based on the Council's NASCIS annual returns (National Adult Social Care Information System). Some indicators have already been phased out, hence no data for 2011/12 has been provided.

Our Performance—Finance

Over the last 2 years the London Borough of Brent's Adult Social Services budget has been under sustained pressure. This trend is shared across other London Boroughs. The two main reasons behind the pressure are:

- increased demand for services due to a growing and ageing local population
- Increased demand from customers with an identified learning disability
- increased cost of care due to market fluctuation (despite keeping inflationary increases at zero rate)
- Reduced public sector funding following the comprehensive spending review (October 2010)

Despite these pressures, in 2011/12 Brent Adult Social Services underspent by £0.5m on a net budget of £88.9m which, when compared to previous years, demonstrates significantly improved performance.

End of year out-turns	2009/10	2010/11	2011/12
Variance	£1.91m	£1.27m	(£0.05m) underspend

This marked improvement in financial performance year on year is particularly noteworthy because it was achieved against the backdrop of a challenging efficiency savings target of £9.8m. A significant portion of this (£5.72m) was achieved through successful renegotiations with external providers, improved commissioning and procurement practices and collaborating with other boroughs through the West London Alliance. Internal efficiency savings were achieved through:

- Embedding the new Customer Journey care pathway and improving workflow processes.
- Introducing a new model for Day Care services.
- Refining the Reablement Service to enhance scope for customers to live independently in their own homes.

Budget variance comparisons 2010/11 and 2011/12

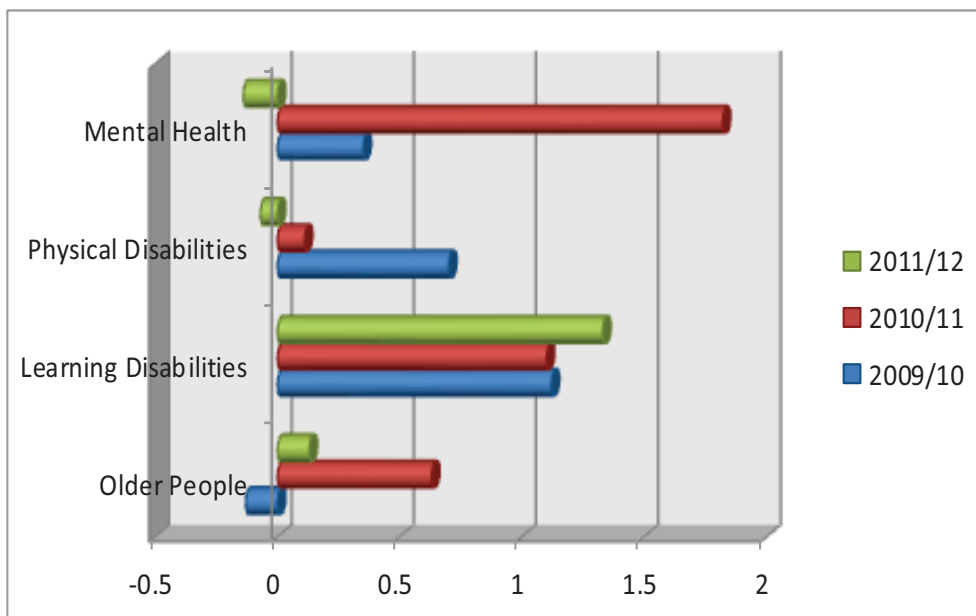
Variance by customer group	2010/11 £'m	2011/12 £'m	Year on Year Movement
Older People	0.63	0.13	-0.50
Learning Disabilities	1.10	1.33	0.23
Physical Disabilities	0.11	-0.07	-0.18
Mental Health	1.82	-0.14	-1.96
Directorate	-2.39	-1.30	1.09
TOTAL	1.28	-0.05	-1.32

Our Performance—Finance

The main areas of budget pressures were:

- Increased demand for services for Older People and nursing care in particular.
- The high volume of young people transitioning from Children’s Social Care to the Learning Disabilities services with high cost packages of care. A perennial financial burden for the department is the cost of children’s transitions, whereby the cost of care packages transfers to Adult Social Care from the Children’s budget for all young people aged 18 years. In order to mitigate this growth area of spend the department restructured the Transitions Service in 2011/12, to a better planned and more effective transition into adulthood.
- The department has focused on front line services and has worked hard to ensure that backroom functions are as streamlined as possible to ensure that value for money is being delivered. Service improvements and efficiencies from the service modernisation programme have played a decisive role in managing demand better during 2011/12 and alleviating budget pressures through cost avoidance. However the on-going impact of increased demand pressures is expected to continue. Therefore successful delivery of the service modernisation programme and the realisation of related benefits will be vital going forward if budget pressures are to be managed within tolerance levels.

Budget Variance Trends for the past 3 years — £’m



Our Performance—Finance

RESIDENTIAL AND NURSING CARE PLACEMENTS

Expenditure Trends

From 2010/11 to 2011/12, demand from customers requiring either Residential or Nursing care increased by 2.8% (an additional 28 customers). This compares favourably to the increase of 24% (192 customer) between 2009/10 to 2010/11 and is evidence of the success of the council's Reablement Service, which meets many of our customers' preferred desire to remain living in their own homes. It is also notable that this years 2.8% increase year was matched by a lower rate of expenditure increase of 0.02%, which yielded an efficiency saving of £0.1m.

Given the uncertain economic outlook, it is difficult to predict future pressures with absolute accuracy, however based on current financial modelling we can reasonably expect a 6.7% reduction in expenditure, which equates to £2.9m.

Item	2010/11	2011/12	Projections for 2012/13
Residential and Nursing Care costs	£42.8m	£42.9m	£40.0m
Residential and Nursing Care customer numbers	991	1,019	1,011

The following table highlights efficiencies being made across all client groups since 2010/11, with the average weekly costs reducing across the board. The predicted reduction in Mental Health and Learning Disability customers in 2012/13 highlights the department's focus on trying to support adults to remain living in the community through the development of more innovative packages of care.

Nursing and Residential Care Placements						
	2010/11		2011/12		2012/13	
Customer group	Number of customers	Average weekly cost	Number of customers	Average weekly cost	Projected number of customers	Projected average weekly cost
Older People	643	£607	651	£597	689	£567
Learning Disabilities	187	£1522	200	£1490	181	£1402
Physical Disabilities	73	£869	78	£838	73	£790
Mental Health	88	£961	87	£840	68	£848
Total	991	£830	1,005	£812	1,011	£751

Our Performance—Finance

DOMICILIARY CARE

Expenditure Trends

From 2010/11 to 2011/12, demand from customers requiring either Domiciliary Care remained broadly stable, with a modest increase of 1.2% (an additional 15 customers). This compares favourably to the increase of 17% (247 customer) between 2009/10 to 2010/11 and is evidence of the success of the department's drive to manage service demand more effectively by consistently applying FACs eligibility criteria (Fair Access to Care) and signposting appropriately to other community providers when criteria have not been met. It is also notable that this years reduced demand was matched by a reduced expenditure rate of 16%, which yielded an efficiency saving of £2.2m. Demand for Domiciliary Care is also being managed via the Reablement Service, which provides short-term intensive support, which enables customers to remain living independently in their own homes.

Given the uncertain economic outlook, it is difficult to predict future pressures with absolute accuracy, however based on current financial modelling we can reasonably expect a 12% reduction in expenditure, which equates to £1.4m.

Item	2010/11	2011/12	Projections for 2012/13
Domiciliary Care costs	£13.6m	£11.4m	£10.0m
Domiciliary Care customer numbers	1,231	1,246	1,156

The following table highlights efficiencies being made across all customer groups since 2010/11, with average weekly costs reducing across the board. The figures provide evidence of the council's efforts to support Learning Disability and Physical Disability customers with greater needs to remain in community-based settings, rather than being moved into residential care.

Domiciliary Care						
	2010/11		2011/12		2012/13	
Customer group	Number of customers	Average weekly cost	Number of customers	Average weekly cost	Projected number of customers	Projected average weekly cost
Older People	1050	£205	1055	£175	974	£157
Learning Disabilities	31	£440	30	£328	33	£349
Physical Disabilities	146	£224	158	£158	146	£184
Mental Health	4	£125	3	£109	3	£77
Total	1,231	£213	1,249	£176	1,156	£166

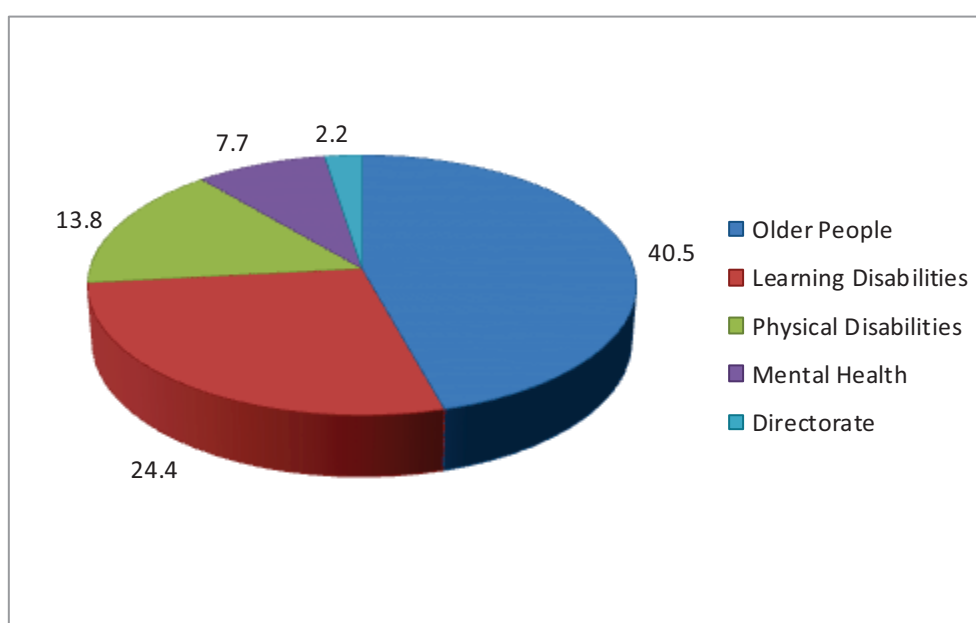
Our Performance—Finance

Customer Group Expenditure

During 2011/12, the department focused on preserving front-line services to a growing local population. We have worked hard to ensure that back-office support functions are as efficient as possible in order to deliver value for money. The following table illustrates a 63% reduction in support function expenditure as well as an overall reduction for Mental Health services. The latter reduction is attributed mainly through adopting a more pro-active approach to reviewing high-cost placements. Provider costs were also renegotiated as part of a wider strategy to improve commissioning and procurement activities across the department.

Year End Out-turn Customer Groups	2010/11	2011/12	Movement	%
Older People	£38,698,612	£40,547,289	£1,848,677	4.7%
Learning Disabilities	£21,200,636	£24,491,971	£3,291,335	15.5%
Physical Disabilities	£13,800,226	£13,816,028	£15,802	0.11%
Mental Health	£11,598,725	£7,753,053	£-3,845,672	-33.1%
Directorate	£6,259,118	£2,289,463	£-3,969,655	-63.4%
Total	£91,557,317	£88,897,804	£-2,659,513	-2.9%

Year End Expenditure Breakdown for 2011/12 £'m

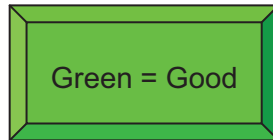


2012/13 and beyond

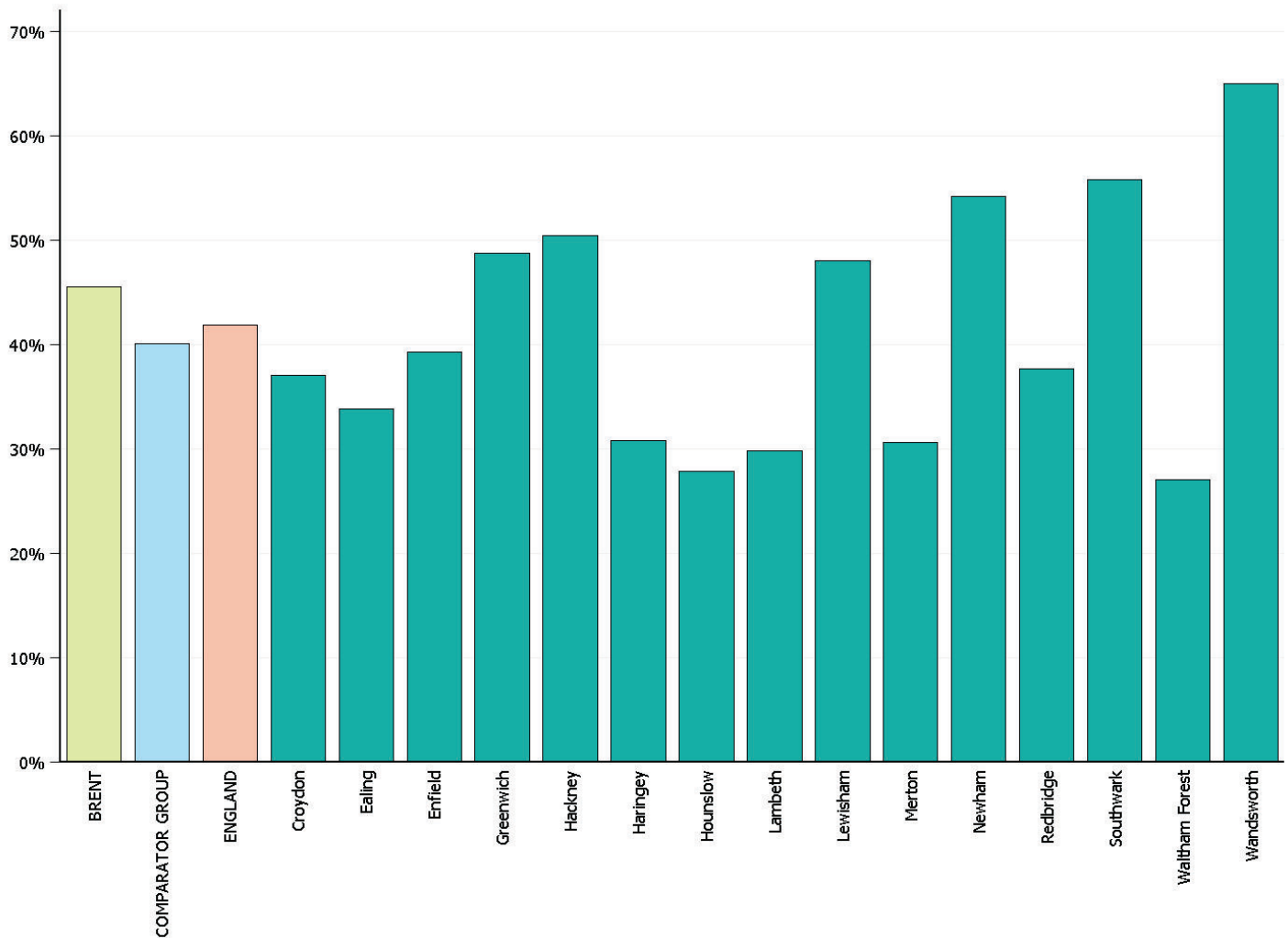
In 2011/12 and beyond, the pressure to deliver high-quality services in a demand-led environment remains acute in the context of a bleak economic outlook and reducing resources. In the short-term the prospect of a second government comprehensive spending review will have an overall impact on public finances. In the medium-term the planned integration of Health and Social Care and the transfer of Public Health to local authority control from April 2013 will all have a direct impact on how we plan to organise the service.

Our Performance—Data

National Social Care Intelligence Services (NASCIS) Adult Social Care Outcomes Framework.



Number of clients receiving **home care** as a percentage of clients receiving council funded community based services during the year 2011/12.



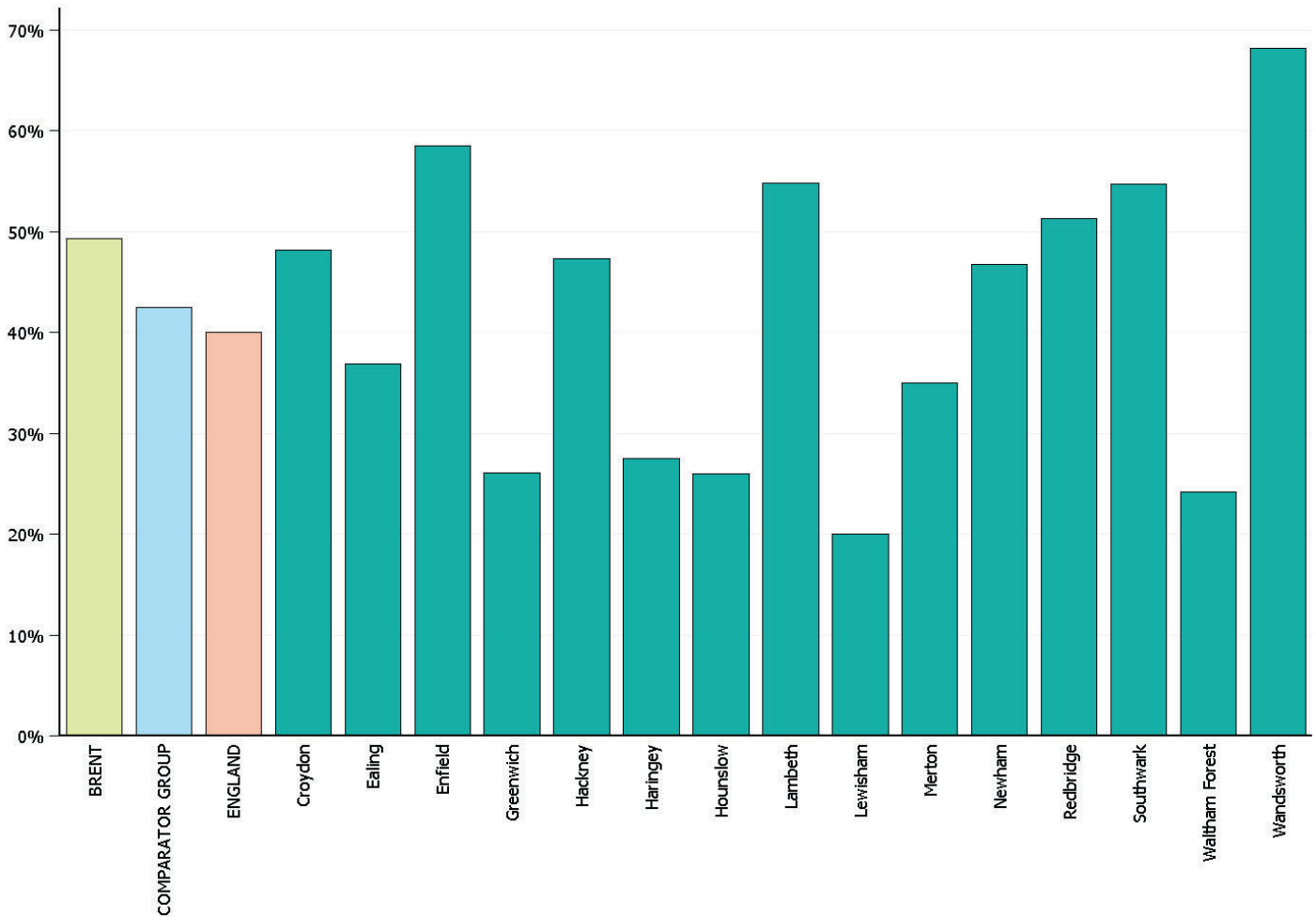
Comparator group councils are based on the CIPFA Statistical Nearest Neighbours (post April 2009) model.

Our Performance—Data

National Social Care Intelligence Services (NASCIS) Adult Social Care Outcomes Framework.



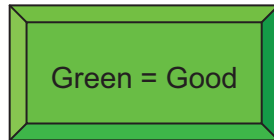
Number of clients receiving a **personal budget** as a percentage of those receiving community based services by or on behalf of the council, 2011/12



Comparator group councils are based on the CIPFA Statistical Nearest Neighbours (post April 2009) model.

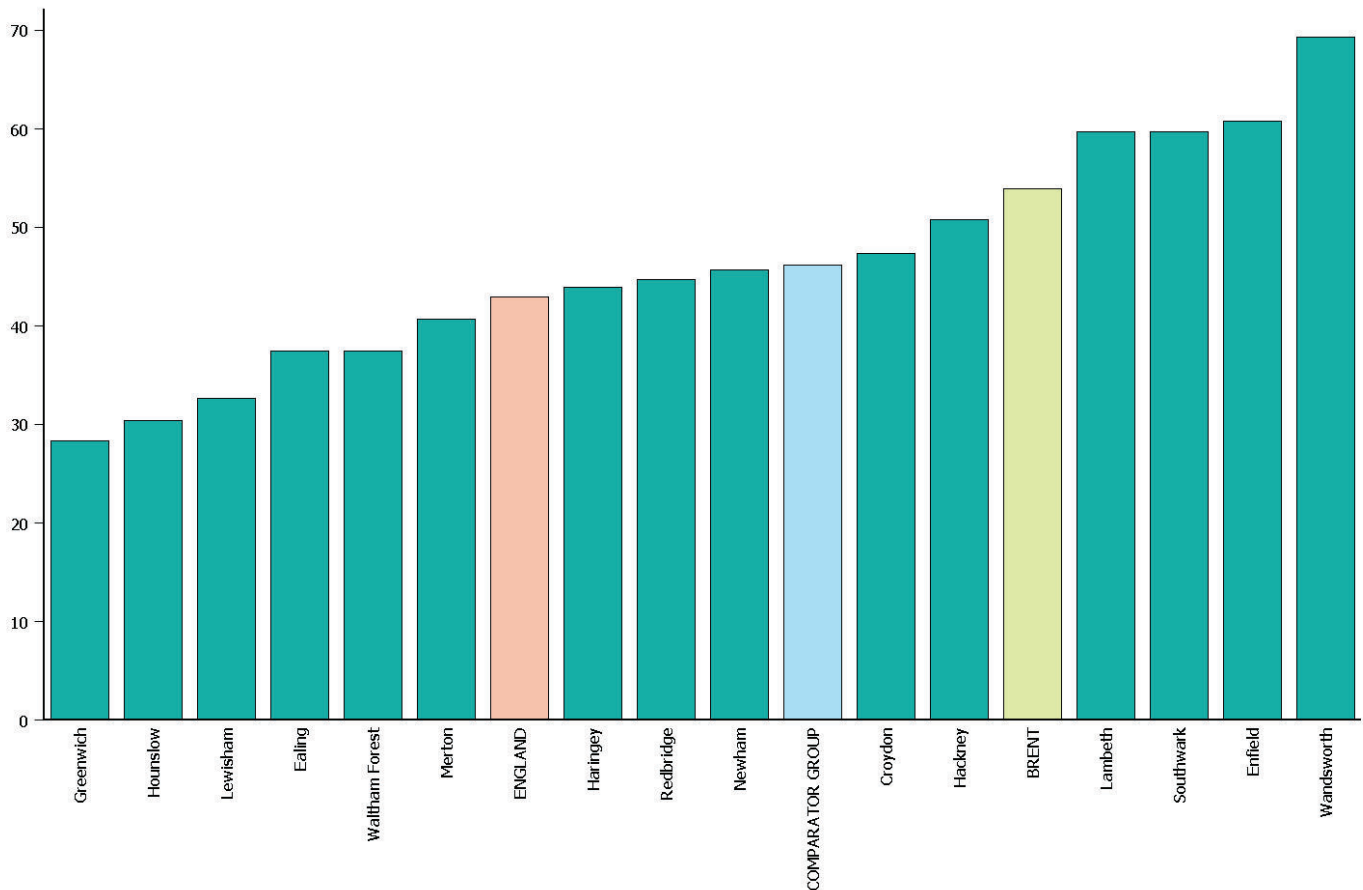
Our Performance—Data

National Social Care Intelligence Services (NASCIS) Adult Social Care Outcomes Framework.



Number of adults, older people & carers receiving **self-directed support** in the year to 31st March as a percentage of all clients receiving community based services and carers receiving carer-specific services 2011/12.

(Research indicates that personal budgets have a positive impact on well-being, choice and control and cost implications. Direct payments are also thought to be the purest form of personalisation and make people happier with the services they receive).



Comparator group councils are based on the CIPFA Statistical Nearest Neighbours (post April 2009) model.

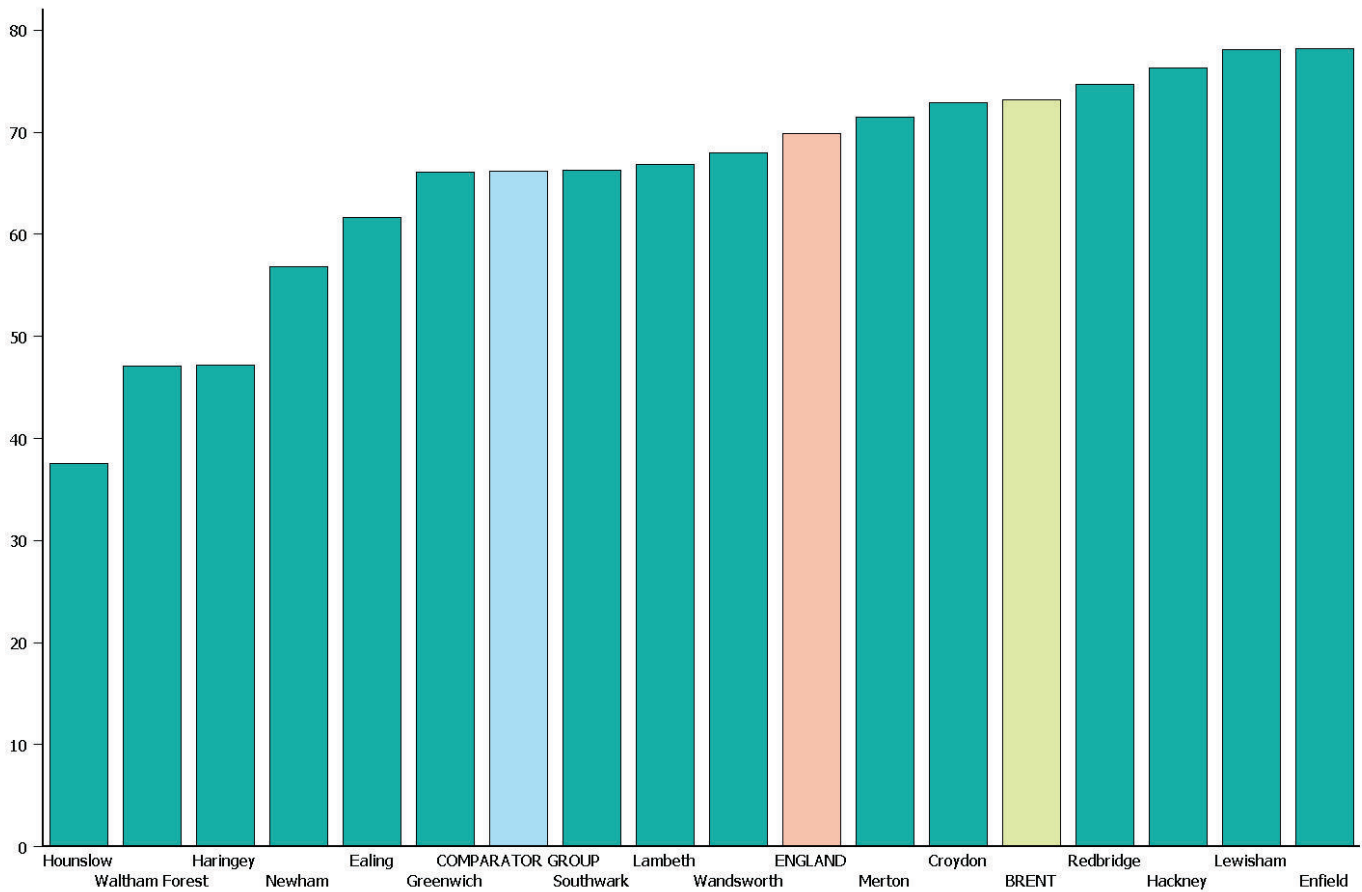
Our Performance—Data

National Social Care Intelligence Services (NASCIS) Adult Social Care Outcomes Framework.



Adults with learning disabilities who live in their own home or with family (expressed as a percentage), 2011-12.

(Improved outcomes for adults with Learning Difficulties can be demonstrated by the proportion in stable and suitable accommodation).



Comparator group councils are based on the CIPFA Statistical Nearest Neighbours (post April 2009) model.

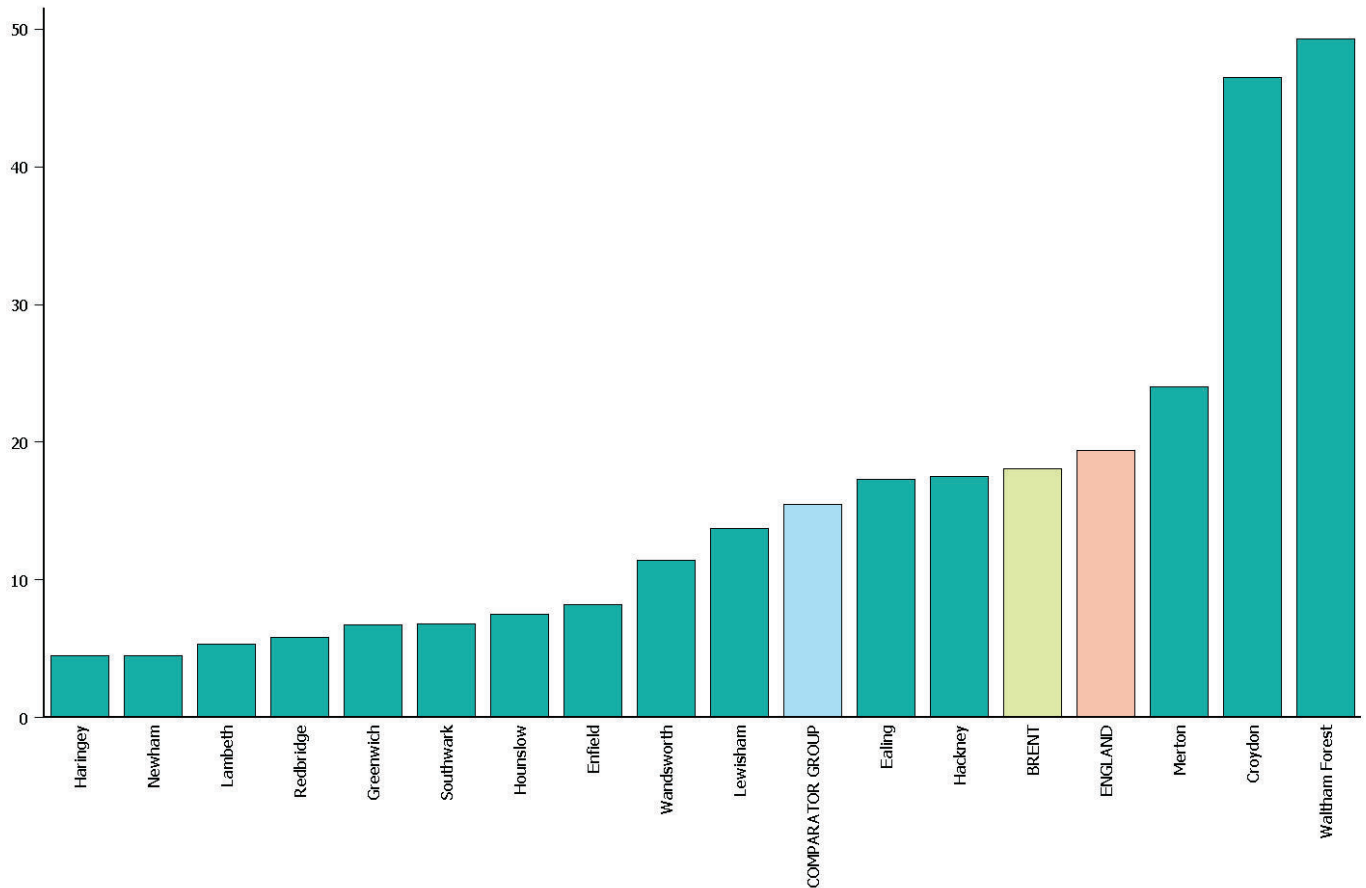
Our Performance—Data

National Social Care Intelligence Services (NASCIS) Adult Social Care Outcomes Framework.



Permanent admissions to residential and nursing care homes for **younger people (18-64), per 100,000 population 2011-12.**

(Measuring avoidance levels of permanent placements is a good indication of delaying dependency, local health and care)



Comparator group councils are based on the CIPFA Statistical Nearest Neighbours (post April 2009) model.

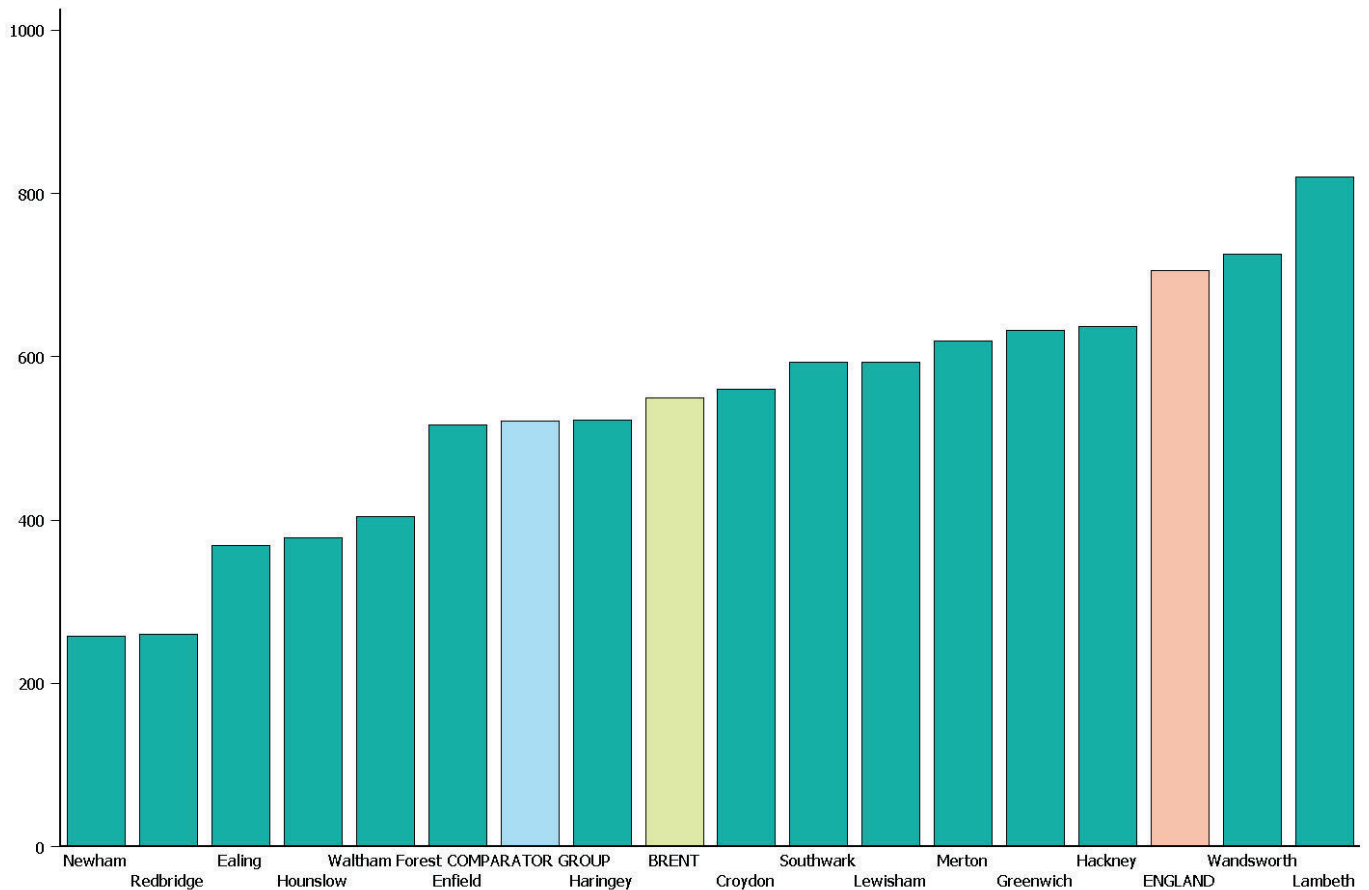
Our Performance—Data

National Social Care Intelligence Services (NASCIS) Adult Social Care Outcomes Framework.



Permanent admissions to residential and nursing care homes for **older people** (65 and over), per 100,000 population 2011-12 .

(Measuring avoidance levels of permanent placements is a good indication of delaying dependency, local health and care services will work together to reduce avoidable admissions).



Comparator group councils are based on the CIPFA Statistical Nearest Neighbours (post April 2009) model.

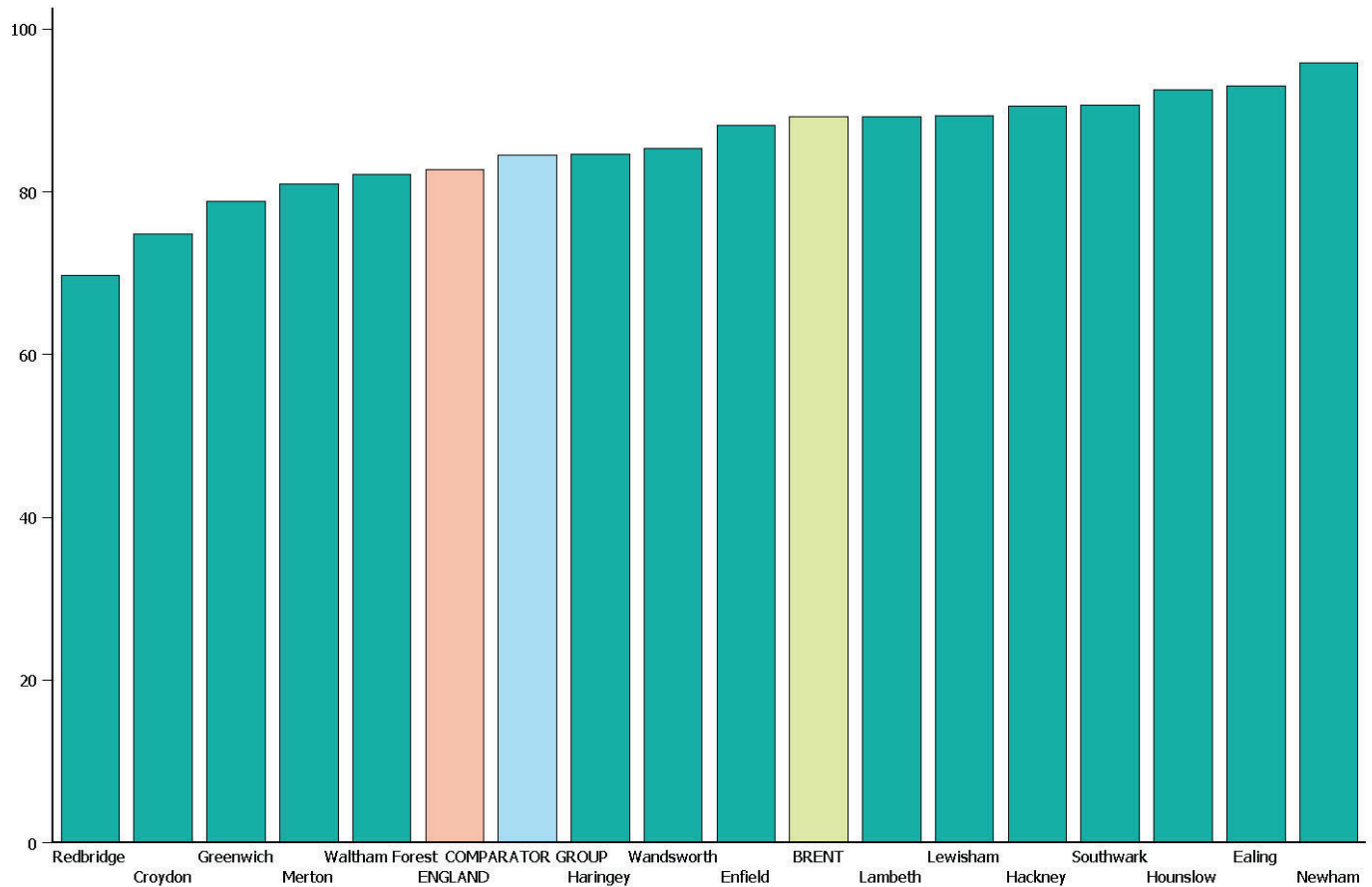
Our Performance—Data

National Social Care Intelligence Services (NASCIS) Adult Social Care Outcomes Framework.



Older people (65 and over) who were still at home 91 days after discharge from hospital into reablement/ rehabilitation services (expressed as a percentage), 2011-12.

(Measures the benefit to individuals from reablement, intermediate care and rehab following a hospital episode and whether they remain at home after 91 days).



Comparator group councils are based on the CIPFA Statistical Nearest Neighbours (post April 2009) model.

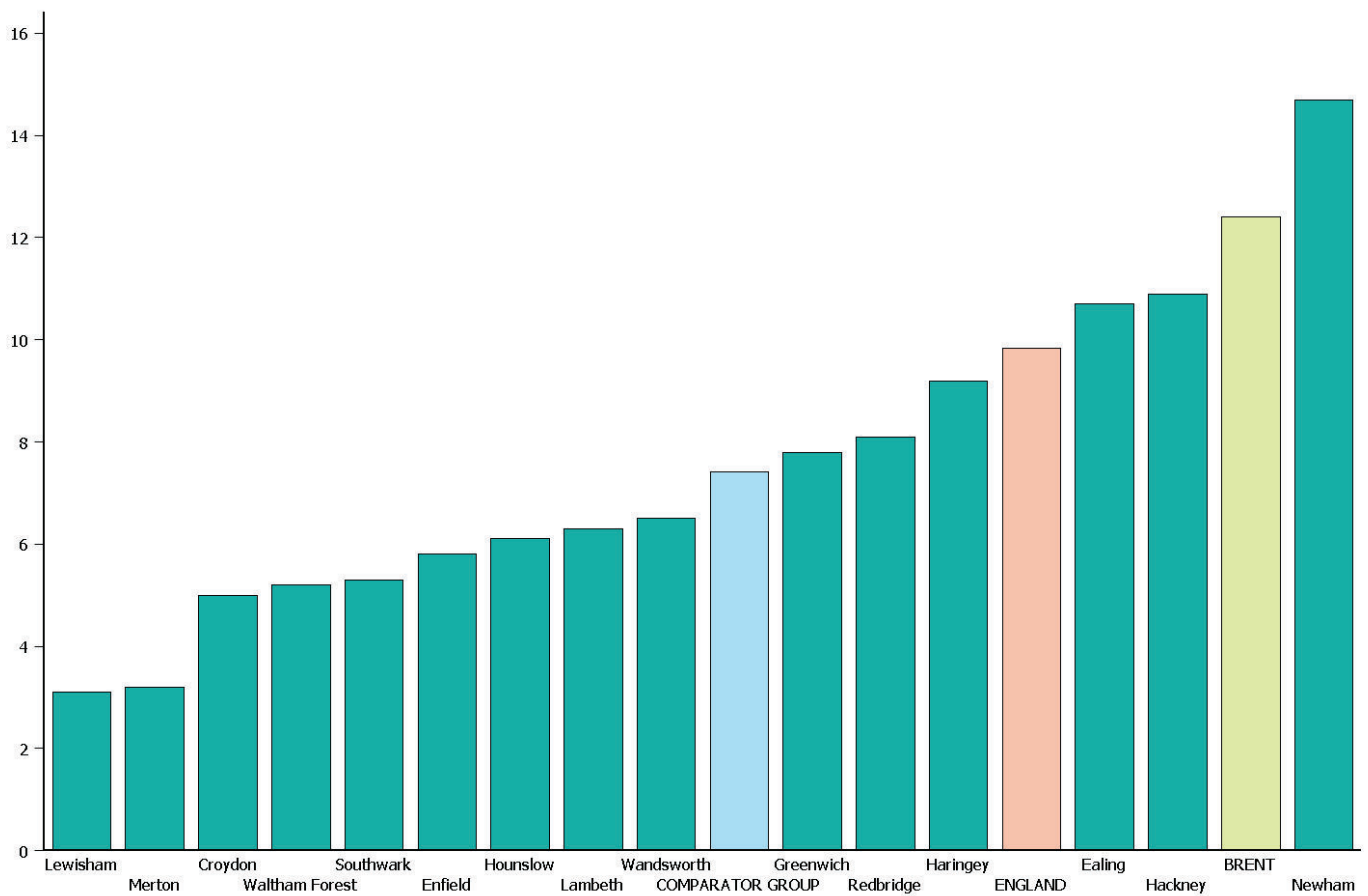
Our Performance—Data

National Social Care Intelligence Services (NASCIS) Adult Social Care Outcomes Framework.



Delayed transfers of care from hospital, per 100,000 population 2011-12.

(Measures the impact of hospital services and community based care in facilitating timely and appropriate transfer from all hospitals for all adults).



Comparator group councils are based on the CIPFA Statistical Nearest Neighbours (post April 2009) model.

Our Performance—Data

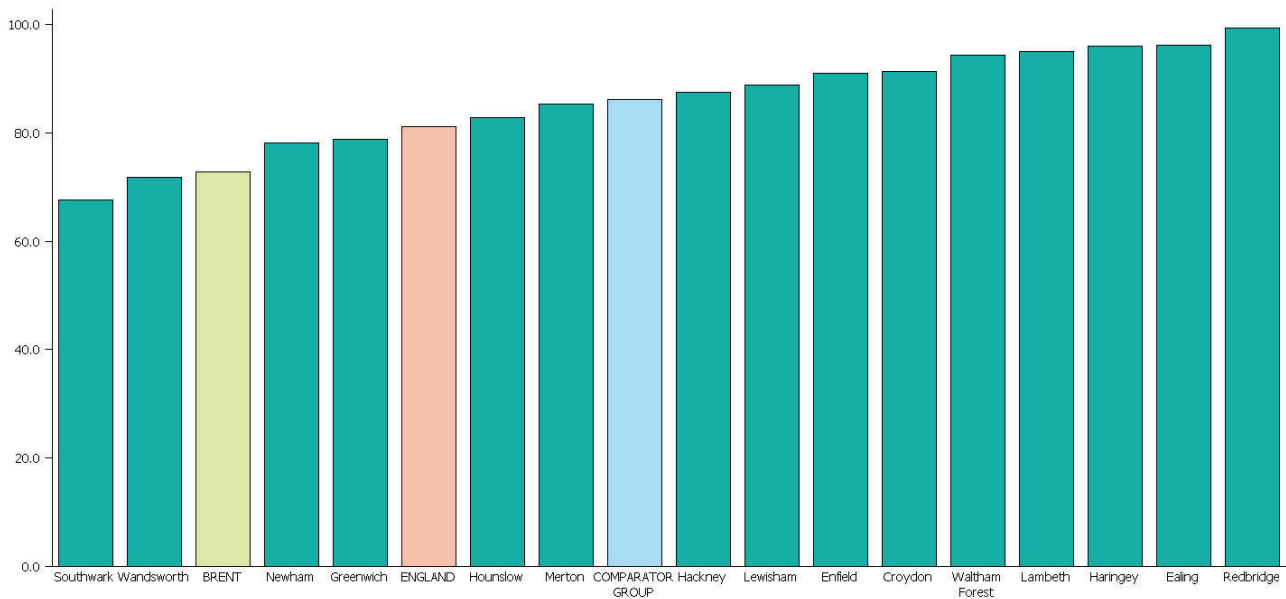
National Social Care Intelligence Services (NASCIS) national indicator comparison trends.

Timeliness of Responses

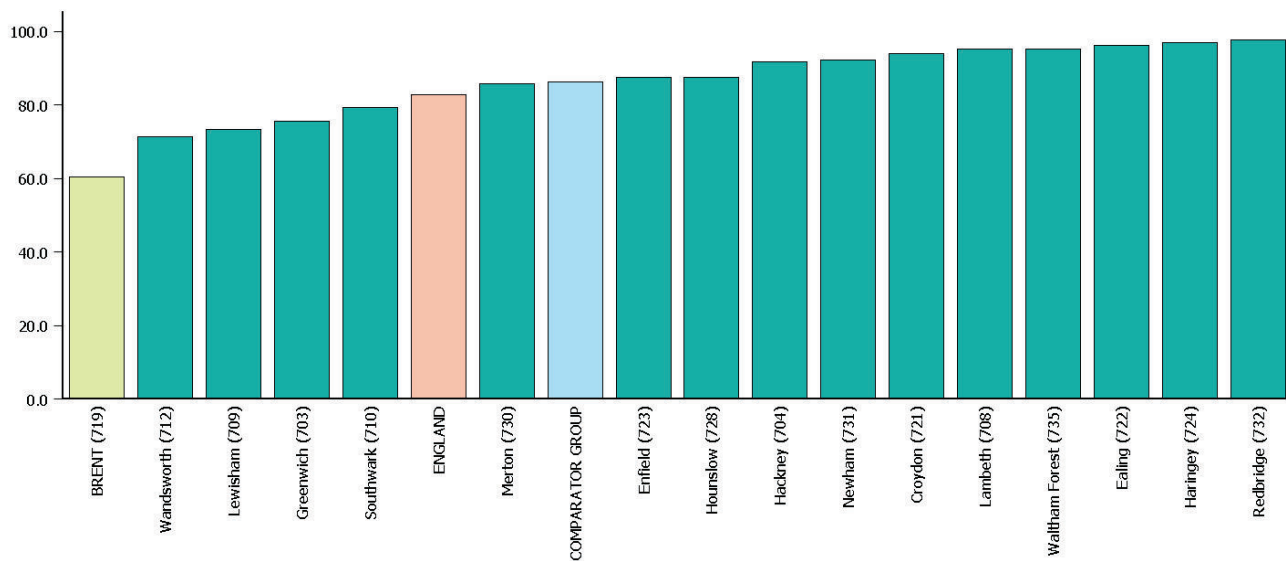


NI 132: Timeliness of Social Care Assessments

2008/09



2009/10



Our Performance—Data

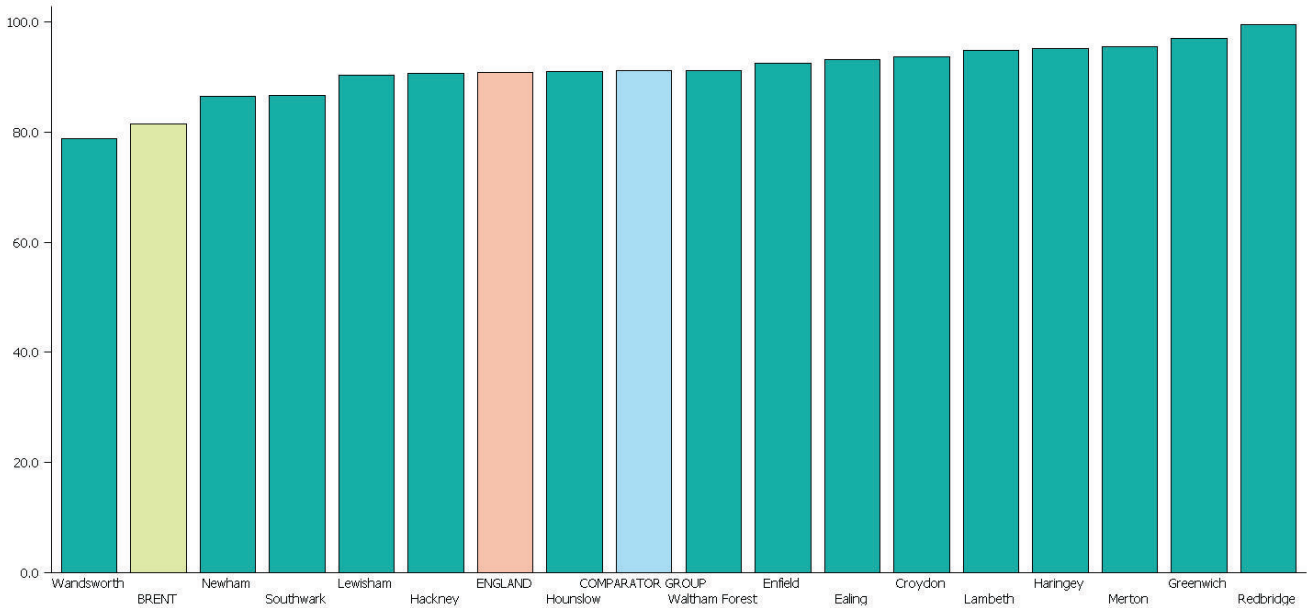
National Social Care Intelligence Services (NASCIS) national indicator comparison trends.

Timeliness of Responses

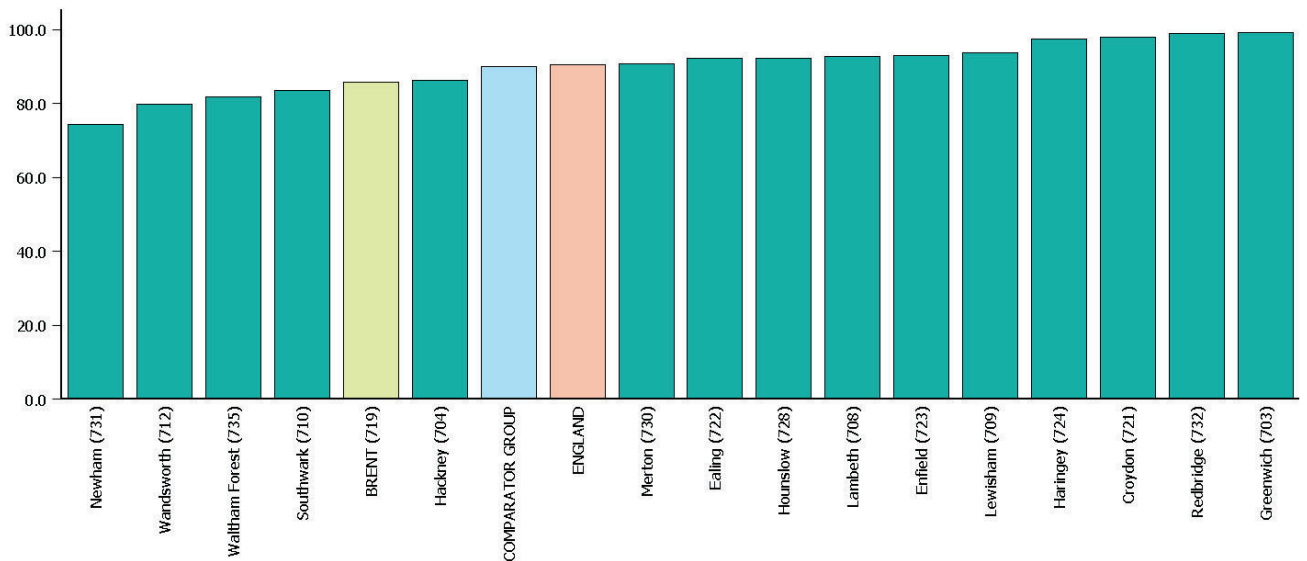
Green = Good

NI 133: Timeliness of Social Care Packages

2008/09



2009/10



2009/10

Our Performance—Data

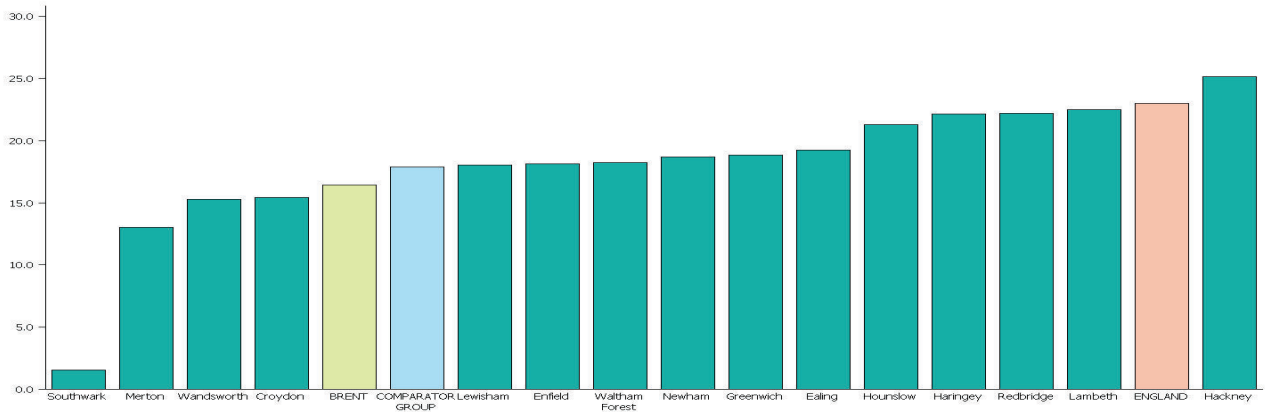
National Social Care Intelligence Services (NASCIS) national indicator comparison trends.

Timeliness of Responses

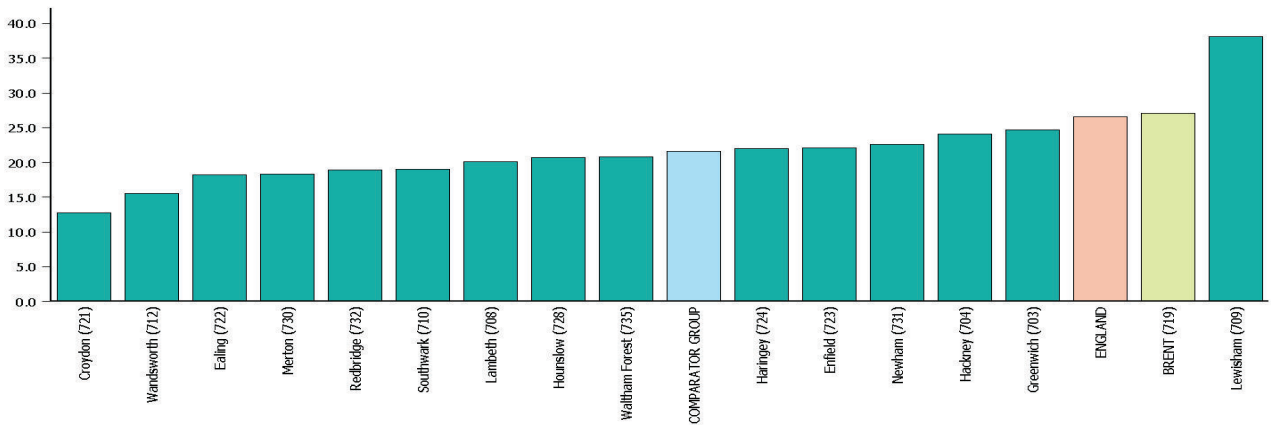
NI 135: Carers receiving needs assessment, review, advice or information



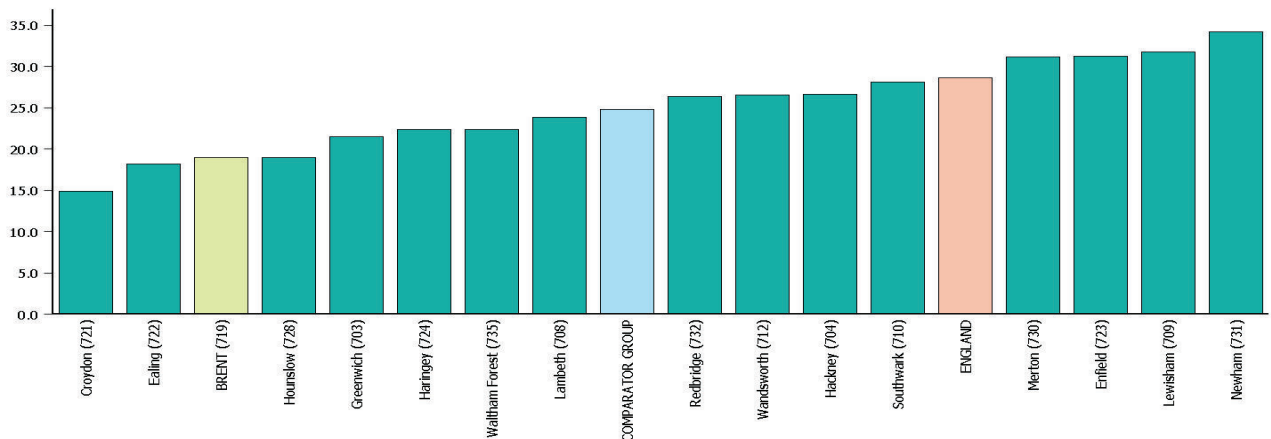
2008/09



2009/10



2010/11

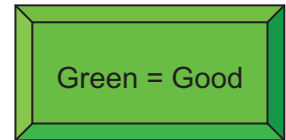


Our Performance—Data

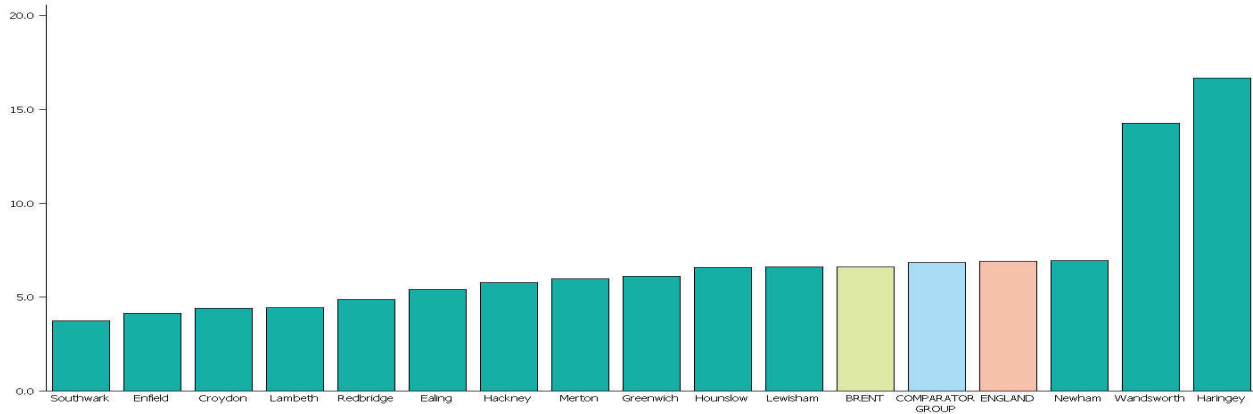
National Social Care Intelligence Services (NASCIS) national indicator comparison trends.

Long-term Care Provision

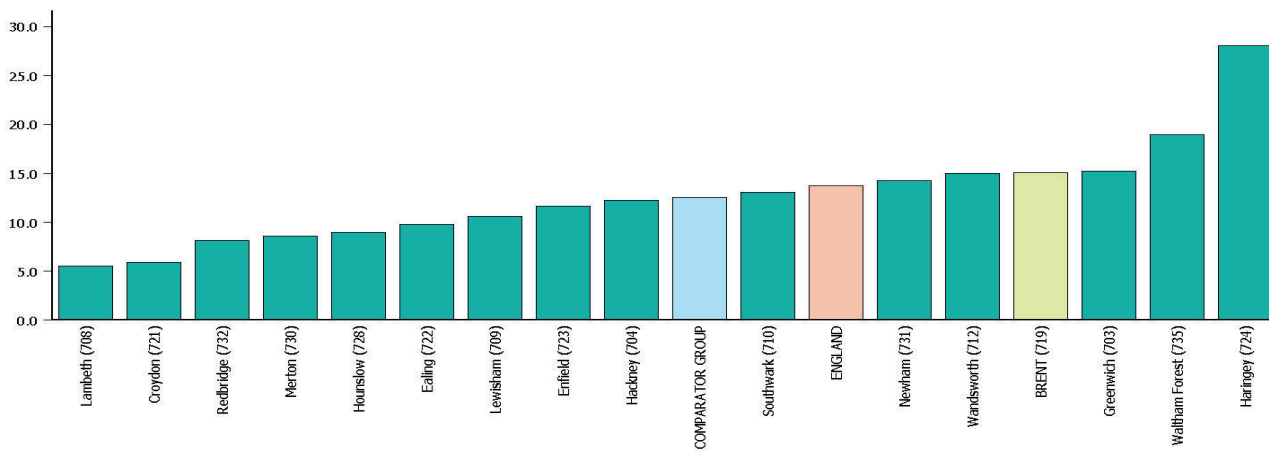
NI 130: Clients receiving self directed support (direct payments, individual budgets)



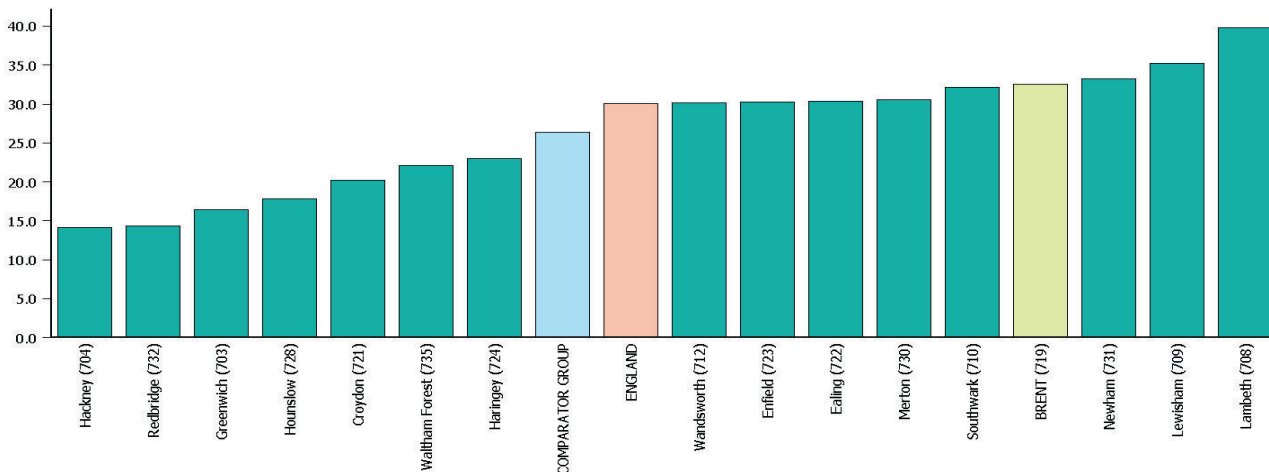
2008/09



2009/10



2010/11



Our Performance—Data

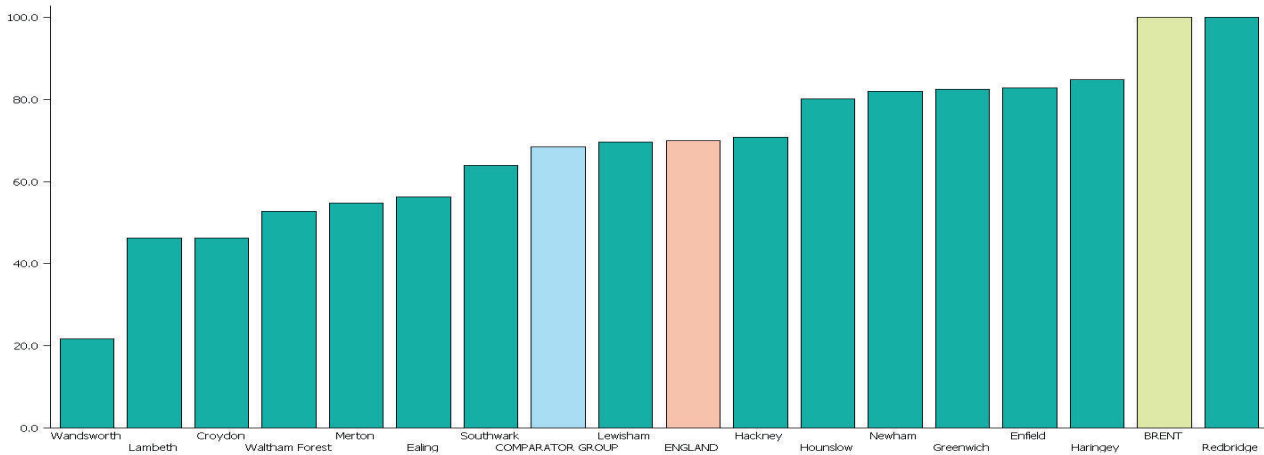
National Social Care Intelligence Services (NASCIS) national indicator comparison trends.

Long-term Care Provision

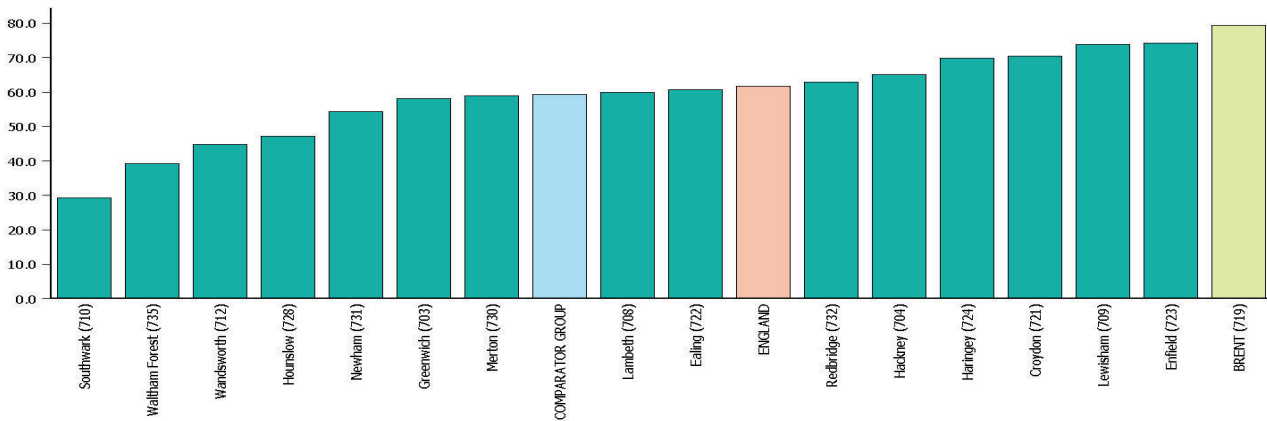
NI 145: Adults with Learning Disabilities in settled accommodation

Amber = Average

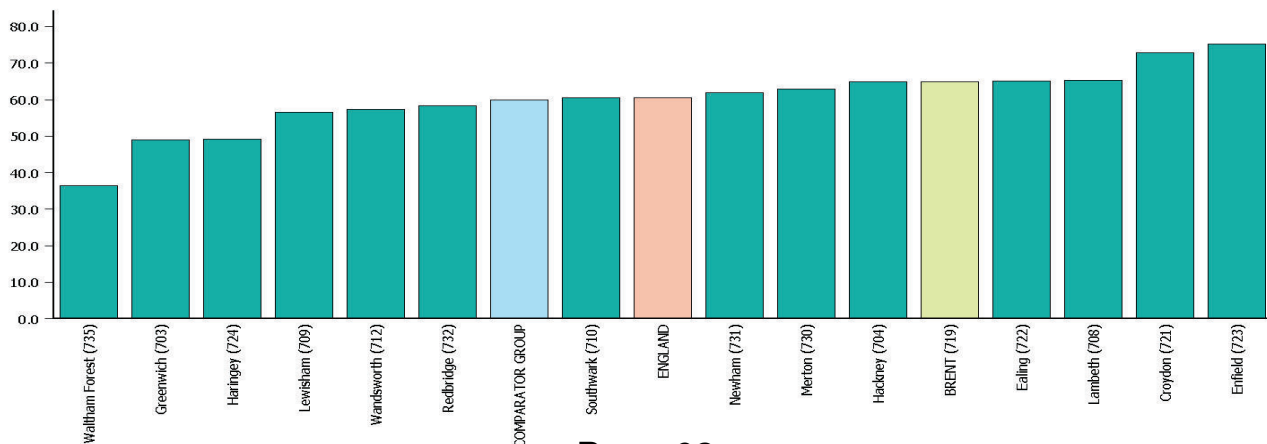
2008/09



2009/10



2010/11



Our Performance—Data

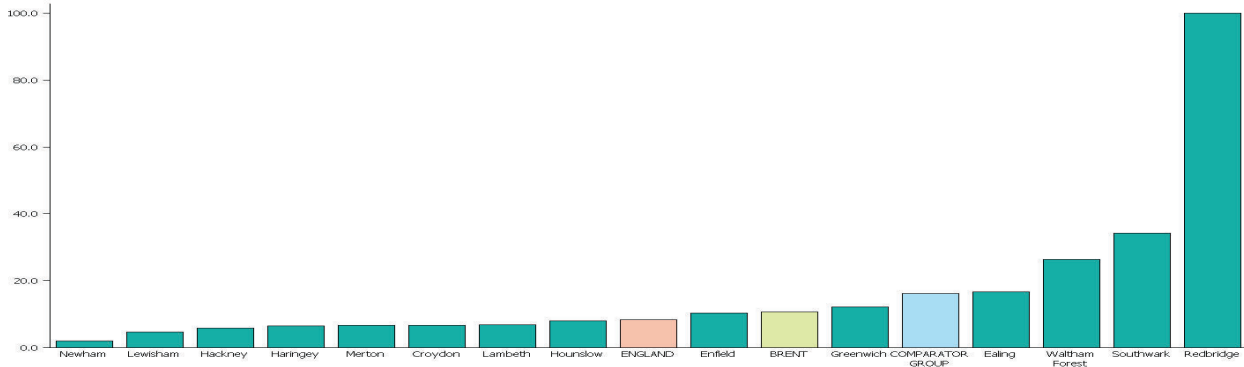
National Social Care Intelligence Services (NASIS) national indicator comparison trends.

Long-term Care Provision

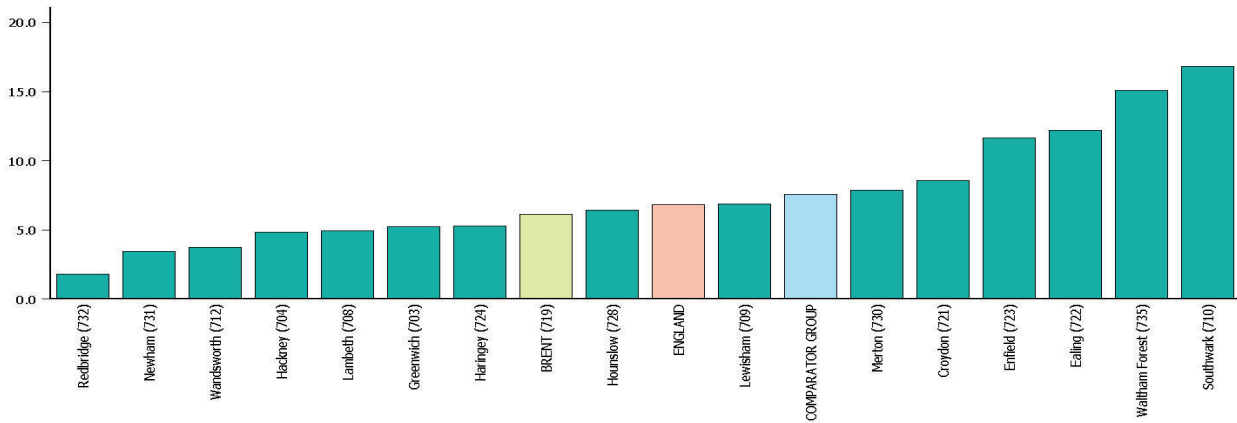
NI 146: Adults with Learning Disabilities in employment



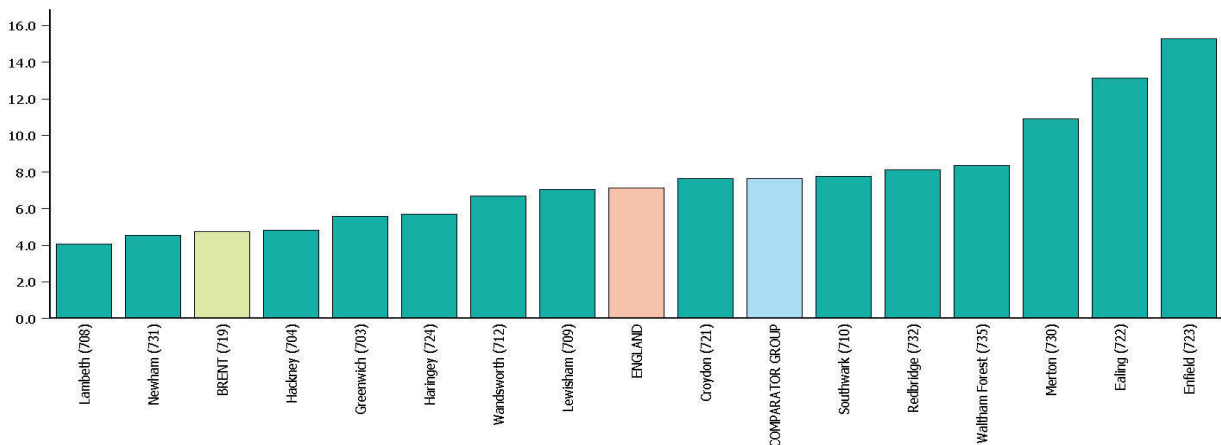
2008/09



2009/10



2010/11

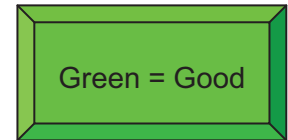


Our Performance—Data

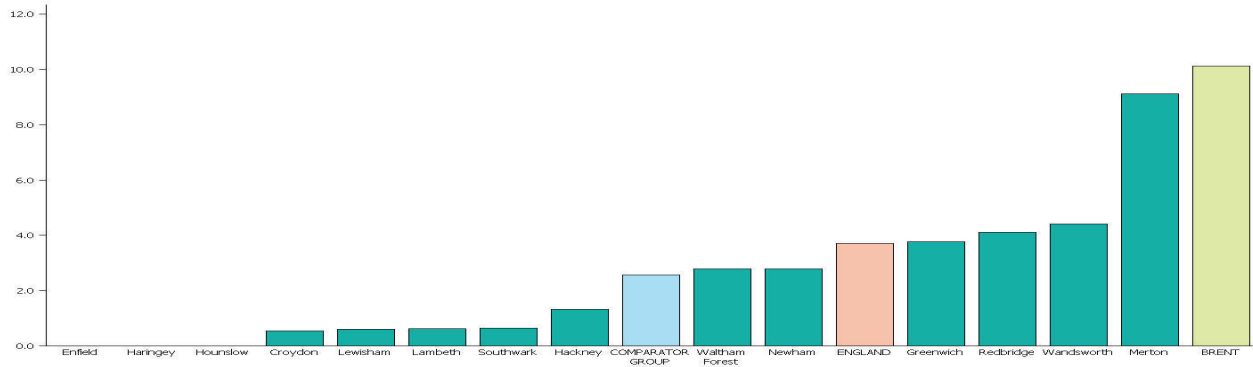
National Social Care Intelligence Services (NASCIS) national indicator comparison trends.

Long-term Care Provision

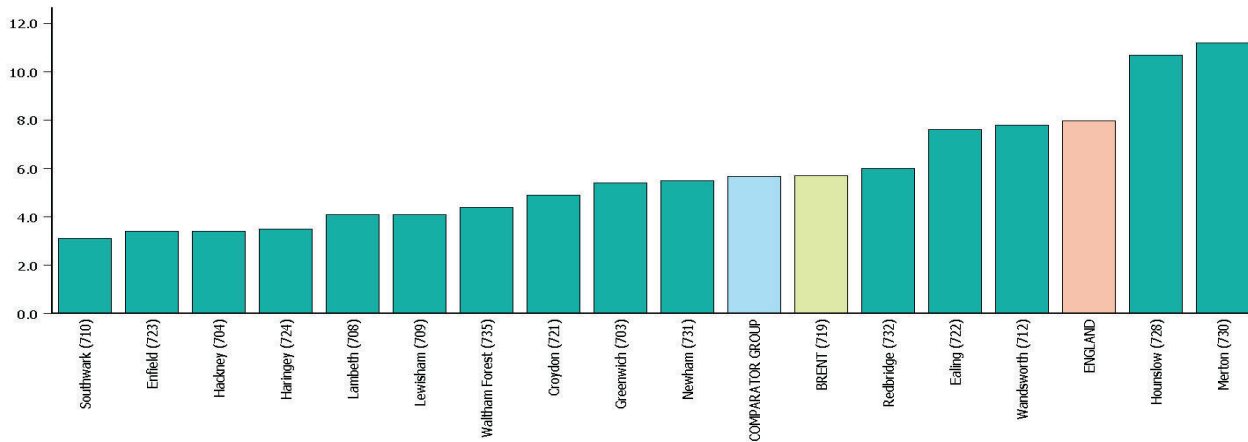
NI 150: Adults receiving secondary mental health services in employment



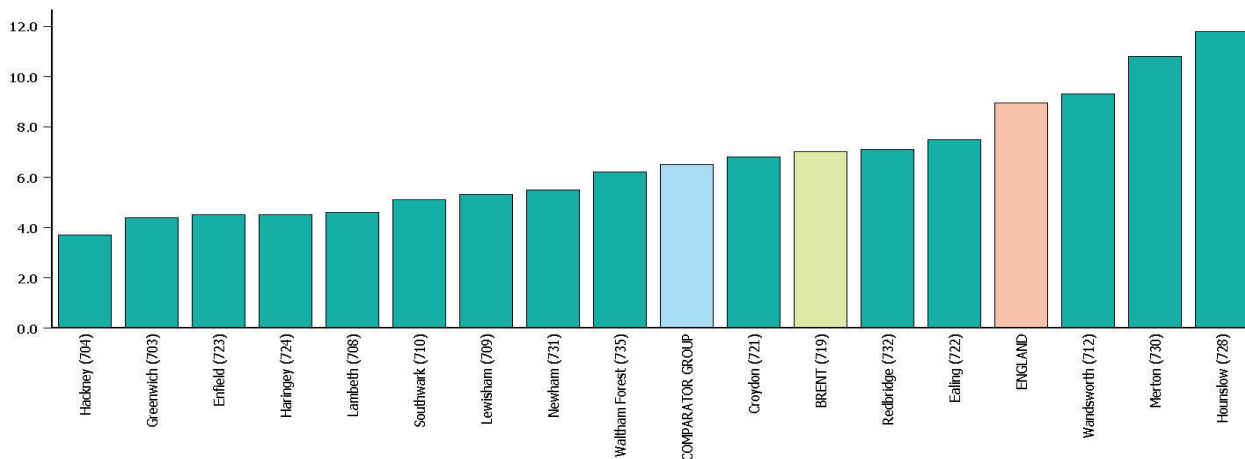
2008/09



2009/10



2010/11

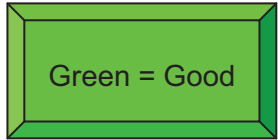


Our Performance—Data

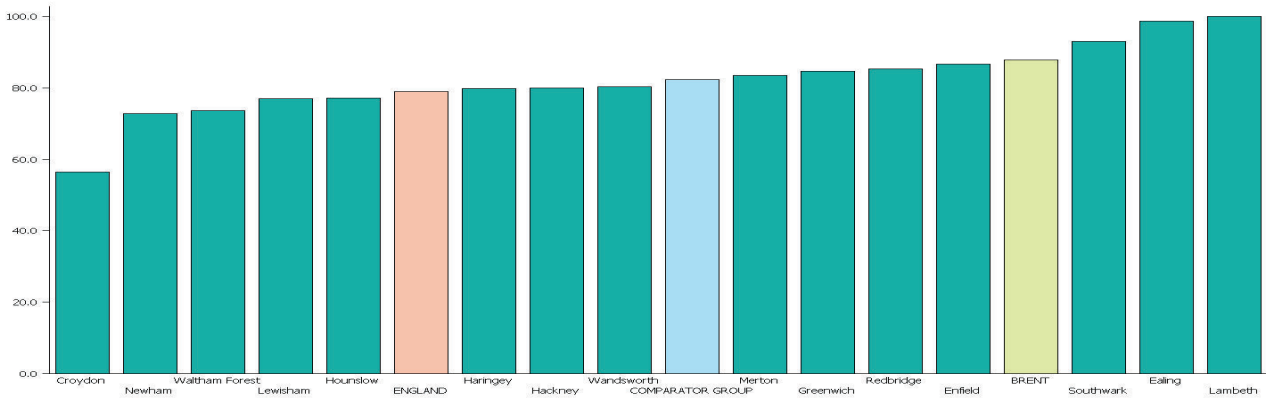
National Social Care Intelligence Services (NASCIS) national indicator comparison trends.

Achieving Independent Living

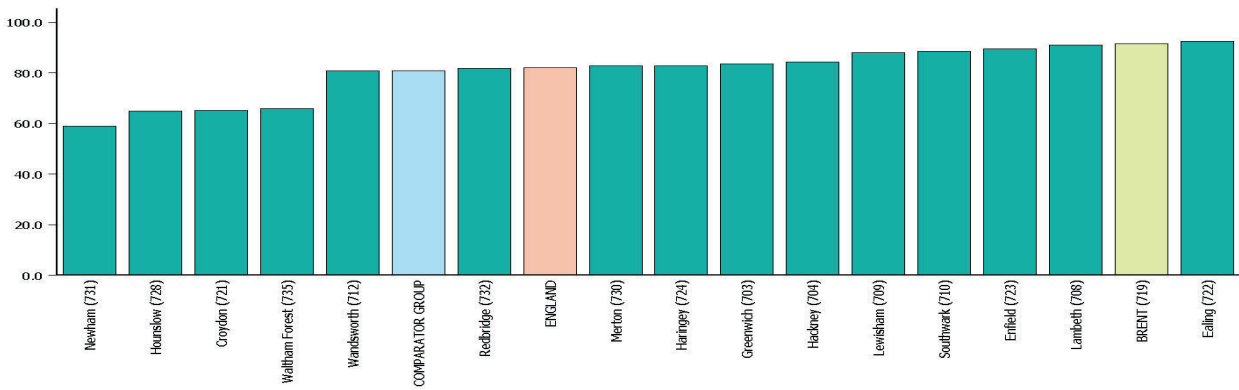
NI 125: Achieving independence for older people through reablement (intermediate care)



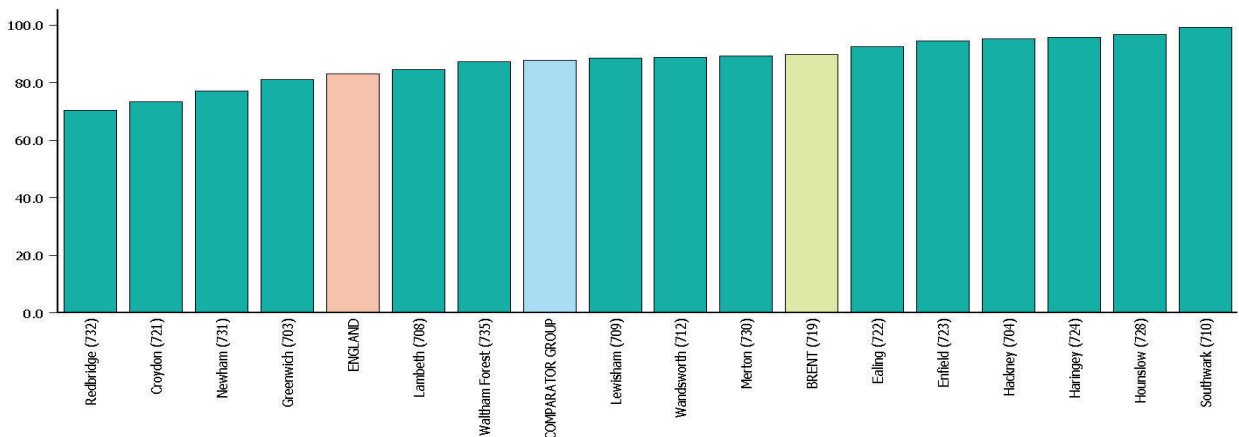
2008/09



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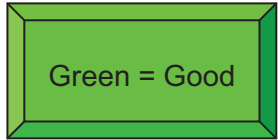


Our Performance—Data

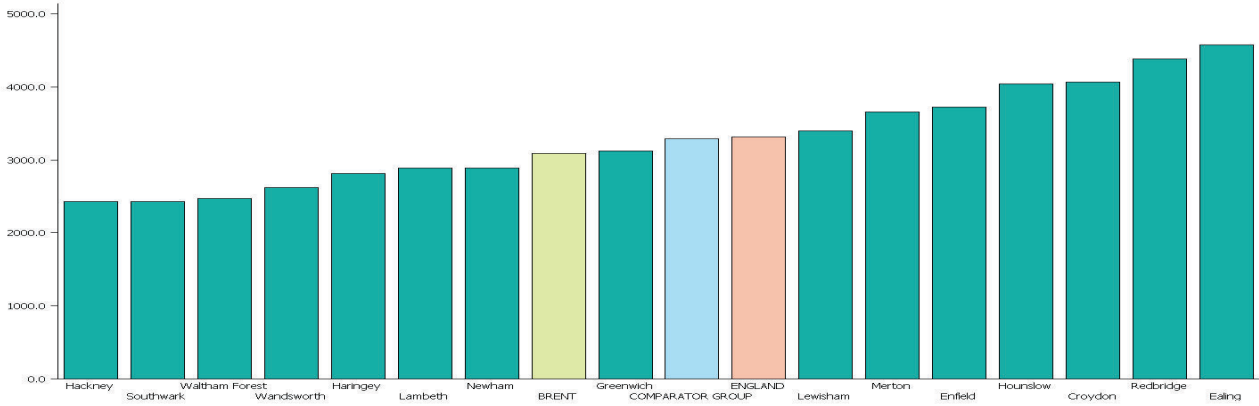
National Social Care Intelligence Services (NASCIS) national indicator comparison trends.

Achieving Independent Living

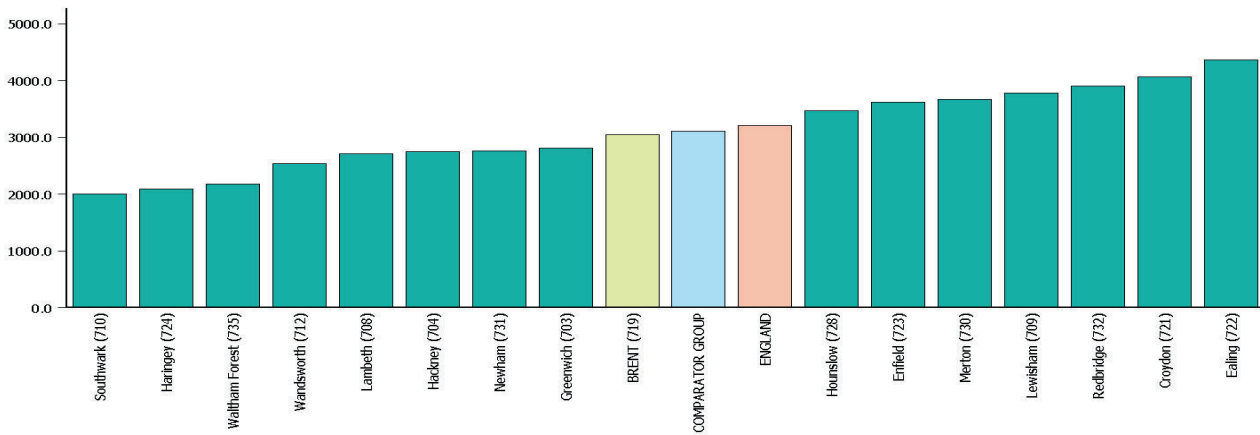
NI 136: People supported to live independently through social services.



2008/09



2009/10






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	<p style="text-align: center;">Executive 12 November 2012</p> <p style="text-align: center;">Report from the Director Adult Social Services</p>
<p style="text-align: right;">Wards Affected: ALL</p>	
<p>Authority to award a contract for a Carer Services Hub model</p>	

Appendix 2 of this report is “Not for Publication”.

1.0 Summary

- 1.1 This report requests authority to award a contract as required by Contract Standing Order No 88. This report summarises the process undertaken in tendering this contract and, following the completion of the evaluation of the tenders, recommends an organisation to be awarded the contract.

2.0 Recommendations

- 2.1 That the Executive agrees to award a contract to Brent Carers Centre for a carer services hub advice and support service for a period of three years followed by discretionary extensions of 1 year plus 1 year (up to 5 years).

3.0 Detail

Background

- 3.1 Prior to embarking upon a competitive tender process, officers were aware that carers experience inconsistency in their journey when accessing carers services in Brent. This was also highlighted by the Standing Commission on Carers during their visit to Brent in October

2011. Officers subsequently began a consultation process, first announced at Carers Rights Day in December 2011, which continued until March 2012. A survey questionnaire about the role of a Carers Hub, and the preferred priorities was made available in paper and online formats. It was distributed throughout January and at both of the public meetings until the 9th March.

3.2 Council officers also ran a number of public events throughout February and March 2012, including two meetings with current providers of carers' services in Brent, and two public meetings with carers. Officers from Brent Council and NHS Brent attended these events, discussing proposals for a Carers Services Hub, and the vision for the future of carers services in Brent. Carers and others who attended the events were invited to take part in an exercise rating the importance of priorities to be delivered by the Carers Services Hub. The top seven priorities identified through the consultation process are now the mandatory priorities to be delivered as part of this contract. They are:

- 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

3.3 The full detail of the consultation outcomes and the priorities is available in Appendix A of the Executive Report dated 21st May 2012.

3.4 On 21st May 2012, officers sought and obtained approval from the Executive for pre-tender considerations and the criteria to be used to evaluate tenders. Approval was also given to officers to invite expressions of interest, agree shortlists and invite tenders in accordance with the procurement timetable and evaluate them in accordance with the approved evaluation criteria.

The tender process

3.5 The contract is proposed to be awarded using the London Borough of Brent's terms and conditions of contract for a carers service hub for a period of three years followed by discretionary extensions of 1 year plus 1 year (up to 5 years).

3.6 Advertisements were placed on the London Borough of Brent's website, the trade press and the local paper week commencing the 11th June 2012 to seek initial expressions of interest from, which elicited 6 initial enquires.

- 3.7 A Pre Qualification Questionnaire (PQQ), Memorandum of Information (MOI) containing an outline of the specifications and the Evaluation Methodology were available for interested organisations to download direct from the Brent website and subsequently 4 providers returned completed PQQ's:
- Brent Carers Centre
 - Brent Mencap Limited
 - Crossroads Care West London
 - St Luke's Hospice (Harrow & Brent) Ltd
- 3.8 The PQQ's were evaluated in accordance with the evaluation methodology provided to providers. The evaluation assessed providers professional conduct, financial viability, technical ability and experience.
- 3.9 In accordance with the evaluation methodology, providers must score a minimum of 2 out of 4 possible marks for all scored questions.

Following the evaluation the following organisations passed the requirements of the PQQ process, were shortlisted and invited to tender for the proposed Contract as follows:

- Brent Carers Centre
- Brent Mencap Limited
- St Luke's Hospice (Harrow & Brent) Ltd

All providers were informed of the outcome of the PQQ stage and successful providers were issued with Invitation to Tender (ITT) documentation.

- 3.10 The ITT stated that the contract would be awarded on the basis of the most economically advantageous offer based upon price and quality, with 60% of weighted marks allocated to price on a formula driven proportionately marked basis, and 40% against quality.
- 3.10.1 The quality evaluation was split over a two stage shortlisting process, as described below.

Stage 1 of the quality evaluation consisted of 35% of the evaluation weightings. Method statement questions were issued with the ITT using the following criteria and weightings:

- Proven ability to meet the outcomes of the Service Specification for this procurement (weighting 10%)
- Approach to the delivery of the service (weighting 7%)
- Resource mobilisation and start up commitment plans if awarded a contract and on-going management of the hub in relation to how carers can develop the hub model (weighting 6%)
- Approach to ensuring standards are achieved (weighting 4%)

- Development of good working relationship with the Council and its partners (weighting 3%)
 - Proposed plans for ensuring continuity of service (weighting 5%)
- 3.10.2 Providers were notified that the top 4 ranked providers would be invited to stage 2, unless there are 4 Bidders meeting the requirement, then that number will be shortlisted to stage 2.
- 3.10.3 **Stage 2** of the quality evaluation consisted of 5% of the evaluation weightings. Providers were informed that shortlisted providers would be invited to an interview with carers who would ask questions which they had chosen on how bidders propose to provide a single point of access to services for carers in Brent. The carers would be responsible for evaluation of Stage 2.
- 3.10.4 Carers were invited to be part of the evaluation panel for the tender process during the launch of Carers Rights Week in June 2012. Twelve volunteers expressed an interest in participating and subsequently attended a training and information event. Carers who attended this event were informed of the process and were provided with a confidentiality and conflict of interest documentation to sign and return. Officers received 4 completed sets of documentation and invited those carers to two training days. During the training days carers identified 4 questions relating to the theme and established evaluation criteria in order to evaluate provider's responses to the questions during the interview.

Evaluation process

- 3.11 The tender evaluation was carried out by a panel of officers from Adult Social Services, Procurement and two carers.
- 3.12 All tenders had to be submitted no later than noon on the 31st August 2012. Tenders were opened on the 31st August 2012 and 2 valid tenders were received. The ITT advised that all questions in the tender documents must be answered and supporting documentation, where required, must be evidenced and if not provided could result in an application not being considered. The evaluation panel carried out a preliminary compliance review to ensure that the full evaluation was only carried out on compliant tenders. Both submissions passed this stage of the ITT.
- 3.12.1 Sufficient hard and electronic copies of each tender were available for each member of the evaluation panel. Each question was marked by two officers to eliminate bias.
- 3.12.2 Providers were required to score at least 2 marks out of the available 4 for each of the marked questions and a minimum total score of 50% for quality.
- 3.12.3 Upon completion of the evaluation a moderation exercise was carried

out and final scores agreed. This ensured that average scores were not influenced by disparate marks from any member of the evaluation panel.

3.12.4 Members of the panel awarded scores of 0-4 depending upon the quality of the statements tenderers provided for method statements. The definition of awarded scores is as follows in Table 1:

Table 1.

Assessment	Score
Deficient – Response to the question (or an implicit requirement) significantly deficient or no response received.	0
Limited – Limited information provided, or a response that is inadequate or only partially addresses the question.	1
Acceptable – An acceptable response submitted in terms of the level of detail, accuracy and relevance.	2
Comprehensive – A comprehensive response submitted in terms of detail and relevance.	3
Superior – As Comprehensive, but to a significantly better degree.	4

3.13 The above marks for each method statement were presented in an evaluation matrix and then applied to the relative weightings outlined in paragraph 3.9 above to give a score which when compiled gave an overall score for each provider for quality. The scores for stage 1 are presented in appendix 1.

3.14 The two providers met the requirements of the method statement scoring and were subsequently invited to stage 2, an interview with carers. There was a marginal difference between the scores at stage 1 of the process. As a result the carers' interviews (stage 2) as outlined in paragraph 3.10.3 would significantly influence the outcome of the tendering process. Prior to the interview the providers were given the questions and evaluation criteria for the interview with the time allocated for them to respond to the questions.

3.14.1 Both providers attended the interview and the carers scored their interviews using the scoring detailed in Table 1. Council officers attended the interview to provide an introduction to the interviews and as observers.

3.14.2 Upon completion of the interview and scoring a moderation exercise was carried out and final scores agreed. This ensured that average

scores were not influenced by disparate marks from any member of the evaluation panel.

- 3.15 The score for price was calculated by a formula that would award scores proportionately by awarding 60% to the lowest and the second being calculated proportionately to the lowest. This was presented in an evaluation matrix along with the quality scores for stages 1 and 2. The process ranked Brent Carers Centre first; a summary of the scores and prices are presented in **Appendix 2**.
- 3.16 Having completed the evaluation officers recommend the contract is awarded to Brent Carers Centre.
- 3.17 It is anticipated that the contract will commence on 1st February 2013 subject to the Council's observation of the requirements of the voluntary standstill period noted in paragraph 5.4 below.
- 3.18 Upon award of contract, officers from the Council and NHS Brent will meet with the provider to discuss the initial implementation plan. The implementation plan is a contractual requirement, outlining how the provider will deliver the mandatory priorities set out in the service specification, as well as their plans for meeting the developmental priorities throughout the lifetime of the contract. The implementation plan will be renewed annually. The initial implementation plan will be drawn up by the provider following the first meeting. The provider and officers from the Council and NHS Brent must agree and sign off the plan within the first two months of the contract.

4.0 Financial Implications

- 4.1 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
- 4.2 To deliver the key priorities 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.

5.0 Legal Implications

- 5.1 The National Health Services Act 2006 ("the NHS Act") requires local authorities and NHS bodies to work together to improve health and social care, which is facilitated under section 75 of the NHS Act. The

NHS Act permits NHS Bodies to form joint committees with local authorities to manage pooled budgets and undertake delegated decisions via lead commissioning arrangements. These arrangements are commonly referred to as 'Section 75 Agreements'. Pooled funding between the Local Authority and the NHS Body are provided for only under a Section 75 Agreement, which provides the ability for each partner organisation to make contributions to a common fund, to be spent on agreed projects or delivery of specific services or delegated functions in an integrated manner. The continuation of the pooled budget under the Section 75 Agreement is yet to be determined and Officers must ensure they meet with NHS Brent to agree on the status of this arrangement post-March 2013, especially in light of legislative changes to the commissioning of health services under the Health and Social Care Act 2012.

- 5.2 The provision of a carer's hub advice and support model service is classified as a Part B Service under the Public Contract Regulations 2006 (the "EU Regulations") and as such is not subject to the full application of the regulations (save that there must be a technical specification contained in the contract documents and on award of contract the Council must issue a Contract Award Notice in the OJEU). The proposed Contract is not therefore subject to the full tendering requirements of the EU Regulations, although it is subject to the overriding EU principles of equality of treatment, fairness and transparency in the award process.
- 5.3 The estimated value of the proposed Contract over its lifetime (including any extensions) is in excess of £500, 000, which is higher than the EU threshold for Services and the award of the contracts is consequently subject to the Council's Contracts Standing Orders in respect of High Value contracts and Financial Regulations. As a result Executive approval is required for the award of the contract.
- 5.4 Although classified as a Part B Services Contract, Officers have determined that the award of the carer's hub advice and support contract will be subject to a voluntary minimum 10 calendar day standstill period before the proposed Contract can be entered into. Therefore subject to Executive approval, all tenderers will be issued with written notification of the award decision. A minimum 10 calendar day standstill period will then be observed before the contract is awarded – this period will begin the day after all Tenderers are sent notification of the award decision – and additional debrief information will be provided to the unsuccessful tenderer in accordance with the EU Regulations. The standstill period provides unsuccessful tenderers with an opportunity to challenge the Council's award decision if such challenge is justifiable. However, if no such challenge or successful challenge is brought during the period, then as soon as possible after the standstill period ends, the successful tenderer will be issued with a letter of acceptance notifying them of their appointment.

5.5 Following award of the proposed Contract, the Council will be required to publish a contract award notice in the Official Journal of the European Community within 48 days of award.

6.0 Diversity Implications

6.1 An Equalities Impact Assessment (EIA) has been undertaken in accordance with the Equality Act 2012. A copy of the EIA is attached to Executive Report dated 21st May 2012.

7.0 Staffing/Accommodation Implications (if appropriate)

7.1 There will be TUPE implications arising from the award of the contract. The assumption is that TUPE is likely to apply to those staff currently providing services that are included in the tender process. As such, protection shall be afforded under the TUPE regulations to such staff where assigned to the service immediately prior to the contract start date and who do not object to transferring so that they will transfer to the organisation awarded the contract on their existing terms and conditions.

8.0 Other Implications

8.1 There are no other known implications that may impact upon the award of this contract.

9.0 Background Papers

9.1 Report to Executive dated 21st May 2012 'Authority to invite tenders for the procurement of carers service in a hub model to provide a central point for coordinating and/or delivering a wide range of services.

Contact Officers


ALISON ELLIOTT
Director of Adult Social Services,

Appendix 1.

Scored for stage 1 of the ITT evaluation:

ITT 1				
<u>Quality</u>			Average Score	Average Weighted Score
<u>ITT Question</u>	Weightings	Max Score Available		
Method Statement Section 2.1				
Question 1	1%	4	2.00	0.5%
Question 2	1%	4	2.50	0.6%
Question 3	2%	4	2.50	1.3%
Question 4	2%	4	2.50	1.3%
Question 5	2%	4	2.50	1.3%
Question 6	1%	4	2.50	0.6%
Question 7	1%	4	2.00	0.5%
Method Statement Section 2.2				
Question 1	7%	4	2.00	3.5%
Method Statement Section 2.3				
Question 1	3%	4	2.00	1.5%
Question 2	3%	4	2.00	1.5%
Method Statement Section 2.4				
Question 1	4%	4	3.00	3.0%
Method Statement Section 2.5				
Question 1	3%	4	2.00	1.5%
Method Statement Section 2.6				
Question 1	5%	4	2.50	3.1%
			Stage 1 Total Weighted Score	20.1%

ITT 2				
Quality			Average Score	Average Weighted Score
ITT Question	Weightings	Max Score Available		
Method Statement Section 2.1				
Question 1	1%	4	2.00	0.5%
Question 2	1%	4	2.00	0.5%
Question 3	2%	4	2.00	1.0%
Question 4	2%	4	2.00	1.0%
Question 5	2%	4	2.00	1.0%
Question 6	1%	4	2.50	0.6%
Question 7	1%	4	3.00	0.8%
Method Statement Section 2.2				
Question 1	7%	4	2.50	4.4%
Method Statement Section 2.3				
Question 1	3%	4	2.50	1.9%
Question 2	3%	4	2.00	1.5%
Method Statement Section 2.4				
Question 1	4%	4	2.00	2.0%
Method Statement Section 2.5				
Question 1	3%	4	2.50	1.9%
Method Statement Section 2.6				
Question 1	5%	4	2.00	2.5%
			Stage 1 Total Weighted Score	19.5%

	<p>Executive 12 November 2012</p> <p>Report from the Director of Adult Social Services</p>
<p>Wards Affected: ALL</p>	
<p>Authority to enter into a Partnership Arrangement under Section 75 National Health Services Act 2006 in respect of Brent's Integrated Community Equipment Service</p>	

1.0 Summary

- 1.1 This report requests approval to develop and implement an agreement under Section 75 National Health Services Act 2006 and a pooled budget between Brent Teaching Primary Care Trust (Brent PCT) and the Council in respect of Brent's Integrated Community Equipment Service (BiCES).

2.0 Recommendations

That the Executive:

- 2.1 give approval to re-enter into a partnership arrangement to 31 March 2013 for provision of Brent's Integrated Community Equipment Service with the Brent PCT under Section 75 National Health Services Act 2006 as set out in this report. Under this arrangement the Council will be lead agency on behalf of the partners (the Council and Brent PCT) with each partner being financially accountable for the actions and expenditure of each partner's practitioners.
- 2.2 give approval to the setting up of a pooled budget with Brent PCT under the partnership agreement and to the transfer of the Council's pro rata contribution as set out in paragraph 4.1 for the financial year 2012/13 to that budget.
- 2.3 agree that the Council will be the budget holder for the pooled budget.

the benefits detailed in paragraph 3.4 above. Given the considerable changes in Health commissioning at the current time, there is a need to regularise current arrangements with Brent PCT whilst continuing dialogue is held with new Health bodies emerging. For that reason approval is sought to enter into a short term Section 75 Agreement with Brent PCT to 31 March 2013.

- 3.6 Officers have discussed with Brent PCT the proposed arrangements under a Section 75 Agreement. A continuation of existing partnership arrangements is considered the most appropriate way forward, with the Council being the budget holder for a joint budget. For the year 2012-2013 a joint budget of £1.1m has been agreed for the supply of Community Equipment to the population of Brent. The proposed financial arrangements are that the PCT contribute 59% of the pooled budget, with the Council contributing 41%. This is considered by both parties to be the equitable levels of contribution. Any spend over budget, should it occur, would be applied pro rata.
- 3.7 Under the proposed Section 75 Agreement, the Council and Brent PCT will continue to provide BiCES via its contract with Medequip. The Council is a founder member of the London wide framework agreement for the supply of community equipment under which Medequip was appointed. This framework further increases the Council's purchasing power and reduces administration costs for BiCES. The Executive on 15 November 2010 approved the award of a call-off contract from the framework for the period from 1 July 2011 to 31 March 2015, with provision for extensions to be agreed annually to April 2017. Officers expected to use the full term of the contract and for Brent to be involved in the writing of the next framework agreement for the Supply of Community Equipment across London Boroughs.
- 3.8 Given the changes in Health and the emergence of new Health bodies, Officers would intend reviewing options post 31 March 2013 and will revert to the Executive with proposals as to future arrangements for BiCES.

4.0 Financial Implications

- 4.1 The pooled budget is agreed at £1.1m. The contribution by the PCT equates to 59%, with the council contributing 41%. This is in line with current spend patterns. Any over / underspend will be allocated on this basis.
- 4.2 The projected outturn for 2012/13 is currently projecting an overspend of £0.214m, This has put a pressure on the department of £0.088m. Work is being undertaken by the department to bring this back into line by year end.
- 4.3 This contract will end in March 2013, as the PCT ceases to exist as at that date.

5.0 Legal Implications

- 5.1 Pursuant to Sections 74 and Section 75 of the National Health Service Act 2006, local authorities and NHS bodies are required to work together to improve health and health care and provision is made for flexible funding and working arrangements to establish this. This includes, but is not limited to a pooled budget arrangement as is proposed by Officers.
- 5.2 As detailed in paragraph 3.1, the Council and Brent PCT have for some years operated a pooled budget under a partnership arrangement. This arrangement has recently lapsed and Officers wish to enter into a Section 75 Agreement in order to regularise arrangements with Brent PCT
- 5.3 Officers intention is to enter into a Section 75 Agreement that largely mirrors the previous partnership agreement. Such Section 75 Agreement will need to address those matters required by regulations under the National Health Service Act 2006.
- 5.4 As detailed in paragraph 3.7, the intention is for the Council and Brent PCT to continue to provide BiCES via an existing contract with Medequip. There are therefore no new procurement implications as a result of the proposed Section 75 Agreement.

6.0 Diversity Implications

- 6.1 The proposals in this report have been subject to screening and officers believe that there are no diversity implications.

7.0 Staffing/Accommodation Implications

- 7.1 The proposals in this report have been subject to screening and officers believe that there are no staffing / accommodation implications.

8.0 Background Papers

- 8.1 There are no background papers.


Contact Officers

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ALISON ELLIOTT
Director of Adult Social Services

	<p>Executive 12 November 2012</p> <p>Report from the Director of Adult Social Services and Regeneration and Major Projects</p>
<p>Wards Affected: ALL</p>	
<p>Authority to award a framework agreement for Supporting People Services</p>	

Appendices 1, 2, 3, 4 and 5 of this report are “Not for Publication”.

1.0 Summary

- 1.1 This report requests authority to award a Framework Agreement as required by Contract Standing Order No 88. This report summarises the process undertaken in tendering this Framework Agreement and, following the completion of the evaluation of the tenders, recommends providers to be appointed onto the Framework Agreement and the award of five (5) call-off contracts to the proposed Framework Providers.
- 1.2. This report further requests authority to renew a number of existing contracts for 5 - 9 weeks to ensure planned implementation for the five call-off contracts referred to in Paragraph 1.1.

2.0 Recommendations

- 2.1 That the Executive agrees to appoint to the Framework the providers listed in paragraph 3.27 for Supporting People services for a period of four (4) years.
- 2.2. That the Executives approves to award five (5) call-off contracts to the providers detailed in paragraph 3.32 for a period of two (2) years

followed by discretionary extensions of 1 year plus 1 year (up to a maximum of four [4] years).

- 2.3. The Executive to give approval to an exemption in accordance with Contract Standing Order 84(a) from the usual tendering requirements of Contract Standing Orders to renew the existing 26 Supporting People contracts referred to in paragraph 3.9 for 5 weeks and 9 weeks on the basis of good operational and financial reasons as set out in paragraph 3.9 of this report.

3.0 Detail

Background

- 3.1 Supporting People is a national preventative programme administered by local government which aims to enable vulnerable people to live independently in the community through providing housing-related support services. Housing support workers, sheltered housing managers, women's refuge workers, etc. support vulnerable adults to prevent hospital admissions, evictions, mental ill health, homelessness and anti-social behaviour. The budget is additionally utilised to provide a range of non-statutory welfare services including handyperson, accident prevention, and hospital discharge support. The programme provides support to over 3,500 people at any time, through 62 separate contracts, held across 38 providers.
- 3.2 Responsibility for the commissioning of services to provide local housing-related support sits with Brent Council's Adult Social Care (ASC) department. Governance of this service area is maintained jointly by the ASC Departmental Management Team and the Supporting People Commissioning Body.
- 3.3 In Brent, the budget for local Supporting People services in 2012-13 is £9.9m; having been reduced by £1.8m when compared to the 2010-11 budget. These savings of £1.8m have been achieved primarily through negotiations with existing service providers which resulted in reductions to the hourly rate for support in line with benchmarked rates paid across the West London sub-region.
- 3.4 This service area and associated budget are currently subject to the One Council Supporting People Project, which is tasked with delivering further savings of £900k in 2013-14 which is dependent on the successful re-procurement of existing contracts.
- 3.5 On 12th March 2012, approval for arrangements to procure Supporting People services for existing contracts terminating in 2012 was granted by the Executive. The Executive authorised Council Officers to extend current contracts to enable the Council to utilise the West London Alliance Supporting People Framework, which at the time of report was

planned to be available from June 2012.

- 3.6 The WLA Framework Agreement, however, was not awarded until September 2012, and the technical facility for boroughs to commence calling contracts off of the WLA Framework is at the time of this report still not yet available to member boroughs.
- 3.7 Having established that the WLA Framework Agreement would not be available to the Council in time to re-procure contracts with imminent expiry dates, officers commenced work to procure a local Framework Agreement in line with approval received from Executive on 12th March 2012 to do so. Approval was also given to officers to invite expressions of interest, agree shortlists and invite tenders in accordance with the procurement timetable and evaluate them in accordance with the approved evaluation criteria.
- 3.8 The estimated timescales for calling off contracts under the WLA Framework was four (4) months, in comparison with the time required to implement the new wave 1 contracts before existing contracts begin to expire (estimated time is 2 months); therefore, re-procurement of the contracts detailed in Appendix 1 through the WLA Framework is no longer a viable option.
- 3.9 To allow sufficient time for implementation of new contracts through the local framework agreement, officers seek approval of a short extension to 26 contracts; 18 for up to 9 weeks and 8 for up to 5 weeks. Details of the contracts are presented in Appendix 1.

The tender process

- 3.10 The proposed Framework Agreement is proposed to be awarded using the London Borough of Brent's Framework Agreement terms and call-off terms and conditions for Supporting People services for a period of four (4) years. The Framework Agreement procurement documentation detailed that it would be created with the following Lots:
- Lot 1 - Accommodation based services
 - Lot 2 – Floating support based services
 - Lot 3 - Accident prevention and handyperson services (Single Provider Framework)
 - Lot 4 - Social activity co-ordination services (Single Provider Framework)

Furthermore Lot 1 and 2 would include the following Service Types

- Mental Health
- Learning Disability
- Physical Disability + Sensory Impairment

- Older People (includes community alarm and Hospital Discharge)
- Offenders (including ex-offenders)
- Substance Misuse (including recovering substance misuse)
- Domestic Violence
- Families
- Teenage Parents
- HIV
- Single Homeless and single homeless with complex needs

3.11 Advertisements were placed on the London Borough of Brent's website, the trade press and the local paper, the week commencing 11th June 2012 to seek initial expressions of interest from, which elicited 60 initial enquires.

3.12 A Pre Qualification Questionnaire (PQQ), Memorandum of Information (MOI) containing an outline of the specifications and the Evaluation Methodology were available for interested providers to download direct from the Brent website and subsequently 33 submissions were returned completed. One provider submitted their PQQ after the submission time; officers did not accept this submission to proceed to evaluation and informed the provider of this decision.

3.13 Appendix 2 details all submissions received on time including which Lot or Lots the providers applied for including any consortia and subcontracting information.

3.14 An evaluation panel consisting of representation from Adult Social Services, Procurement, Finance and Service Users was established to undertake the tender evaluation process. The PQQ's were evaluated in accordance with the evaluation methodology sent to providers. The evaluation process consisted of the following 3 stages:

- Stage 1 - A preliminary compliance review to ensure all PQQ's received were compliant.
- Stage 2 – Full evaluation, assessed provider's professional conduct, financial viability, technical ability and experience. Providers were required, (in accordance with the evaluation methodology), to pass all questions which have a pass/fail criteria, score a minimum of 1 out of 4 possible marks for all scored questions and achieve 50% for the overall quality score to be considered eligible for progressing to the shortlisting stage. Scored questions were evaluated using the score parameters detailed in table 1 below:

Table 1.

Assessment	Score
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Assessment	Score
Deficient – Response to the question (or an implicit requirement) significantly deficient or no response received.	0
Limited – Limited information provided, or a response that is inadequate or only partially addresses the question.	1
Acceptable – An acceptable response submitted in terms of the level of detail, accuracy and relevance.	2
Comprehensive – A comprehensive response submitted in terms of detail and relevance.	3
Superior – As Comprehensive, but to a significantly better degree.	4

Upon completion of the evaluation a moderation exercise was carried out and final scores agreed. This ensured that average scores were not influenced by disparate marks from any member of the evaluation panel.

- Stage 3 – Shortlisting providers to Invitation to Tender (ITT) stage

3.15 The following providers (referred to by their PQQ IDs) failed stage 1:

- Provider with PQQ ID 7 by not responding to Section L1 where providers were required to response to L1.1, L1.2 and L1.3 if they were applying for Lot 1 or Lot 2.

3.16 The following providers failed stage 2:

- PQQ ID 24 by failing a pass or fail criteria within section H as part of the full evaluation stage.
- PQQ ID 23 by scoring less than 50% for the overall quality score and by scoring less than 1 mark for questions G5, L1.1, L1.3 and L3.1.
- PQQ ID 6 by scoring less than 50% for the overall quality score.
- PQQ ID 3a (Consortia Lead) by scoring less than 50% for the overall quality score.
- PQQ ID 15 for Lot 4 by scoring less than 50% for the overall quality scores for their submission as part of the full evaluation stage.

3.17 The following providers passed the requirements of stage 1 and 2 and proceeded to stage 3 of the PQQ process:

- The Riverside Group Limited
- Broadway Homelessness and Support

- Royal Mencap Society
- Thames Reach Housing Association (Consortia - lead)
- Hestia Housing & Support
- Notting Hill Housing Trust
- Elders Voice (Sole)
- Innisfree Housing Association (Sole)
- Apna Ghar Housing Association (Sub-contracting)
- Apna Ghar Housing Association (Sole)
- Metropolitan Support Trust
- Cricklewood Homeless Concern (only Lot 1 and 2)
- Central & North West London NHS Foundation Trust
- Look Ahead Housing and Care Ltd (sub-contracting)
- Sanctuary Support Living
- The Salvation Army Trustee Company
- Support for Living (Consortia Lead)
- Single Homeless project (SHP)
- St Mungo Community Housing Association Ltd
- Salvation Army housing Association
- Willow Housing and Care
- Action on Hearing Loss
- Genesis (sole)
- Origin Housing
- Equinox
- Brent Mencap
- Genesis Housing Association (sub contracting)
- Elders Voice (sub-contracting)

- 3.18 In accordance with the evaluation Methodology the top 15 ranked providers would be invited to tender for Lot 1 and Lot 2, subject to a minimum of 5 of those providers identifying in their PQQ submission that they can provide services in a particular service type(s), and the top 4 ranked providers would be invited to tender for Lot 3 and Lot 4.
- 3.19 The ranking for all Lots is presented in Appendix 3 and 6, the top ranked providers are highlighted in green. Officers reviewed the top 15 providers for Lot 1 and Lot 2 and concluded there was a minimum of 5 providers identified in the PQQ submission that can provide services to service types, therefore no additional providers were required to be shortlisted to ITT stage.
- 3.20 All providers were informed of the outcome of the PQQ stage and successful providers were issued with Invitation to Tender (ITT) documentation.
- 3.21 The ITT stated that the Framework Agreement would be awarded on the basis of the most economically advantageous offer based upon price and quality, with 60% of weighted marks allocated to price on a formula driven proportionately marked basis, and 40% against quality.

3.22 The quality evaluation process consisted of 3 stages:

- Stage 1 - A preliminary compliance review to ensure all ITT's received were compliant, including if all the required method statement questions had been answered
- Stage 2 - Full evaluation for Lot 1 and lot 2 consisted of following 3 steps.

a) Step 1: This stage assessed provider's responses to method statement questions with the following criteria and weightings:

For Lot 1

- Achieving outcomes (weighting 10%)
- Working together (weighting 4%)
- Giving individuals choice and control (weighting 5%)
- Creating a positive environment (weighting 8%)
- Providing a flexible and efficient night support services (weighting 4%)
- Ensuring evictions/abandonments and unplanned moves are reduced to a minimum (weighting 5%)
- Engaging with the local community (weighting 4%)

For Lot 2

- Achieving outcomes (weighting 17%)
- Working together (weighting 6%)
- Giving individuals choice and control (weighting 12%)
- Creating a positive environment (weighting 5%)

Questions were scored using the scoring parameters detailed in Table 1. Providers were required to, in accordance with the evaluation methodology, score a minimum of 1 out of 4 possible marks for all scored questions and achieve 50% for the overall quality score to be considered eligible for progressing to the shortlisting step.

b) Step 2

Consisted of a price evaluation where the service type price submitted by each Provider was entered into a price evaluation matrix. The price evaluation matrix was used to calculate an average price across all service types for each Provider. The lowest single price for each service type was then automatically selected to be invited to the ranking stage for each service type in each lot. The price evaluation matrix then ranked Providers by average price, per service type, per Lot, ranking the lowest average price as 1 and so forth. The five lowest ranked Providers, following the price ranking were excluded from the process and not invited to the ranking stage. The Evaluation Panel reviewed the outcome of this

stage of the process to confirm that each service type had a minimum of 4 Providers from the list of shortlisted Providers. Providers who passed step 2 of the ITT shortlisting stage were progressed to the ranking stage.

- Stage 2 – Full evaluation for Lot 3 and lot 4 consisted of assessing providers responses to method statement questions with the following criteria and weightings:
 - Achieving outcomes (weighting 25%)
 - Working together (weighting 5%)
 - Giving individuals choice and control (weighting 5%)
 - Creating a positive environment (weighting 5%)

Questions were scored using the scoring parameters detailed in Table 1. Providers were required to, in accordance with the evaluation methodology, score a minimum of 1 out of 4 possible marks for all scored questions and achieve 50% (20% or more of the overall 40%) for the overall quality score to be considered eligible for progressing to the ranking stage. Subject to meeting this requirement providers scores for quality is added to the price score. The price score is calculated by formula that awards scores proportionate to the competitiveness of the price submitted.

- Stage 3 – Selection of providers to be awarded onto the Framework Agreement for lots 1 to 4. In accordance with the evaluation methodology, award onto the framework will be compliant with paragraph 3.22b for Lots 1 and 2. The top ranking provider is to be appointed onto the Framework for both lots 3 and 4.

Evaluation process

3.23 The tender evaluation was carried out by a panel of officers from Adult Social Services and two service users.

3.24 All tenders had to be submitted no later than 11am on the 21st September 2012. Tenders were opened on the 21st September 2012 with 16 submissions being received on time and 1 submission being received at 12:30pm on the 21st September 2012 resulting in this submission being rejected and not progressing to the evaluation stage, the provider has been informed.

3.25 For all lots, all providers satisfied the requirements of Stage 1.

3.26 For lots 1, the following providers failed Step 1 of Stage 2:

- ITT 7

For lots 2, the following providers failed Step 1 of Stage 2:

- ITT 12
- ITT 4

3.27 For lots 1, the following providers failed Step 2 of Stage 2:

- ITT 13
- ITT 5
- ITT 14
- ITT 4
- ITT 8

For lots 2, the following providers failed Step 2 of Stage 2:

- ITT 16
- ITT 13
- ITT 14
- ITT 15
- ITT 8

3.28 For lots 3, the following providers failed Stage 2:

- ITT 8

For lots 4, the following providers failed Stage 2:

- ITT 12

3.29 For all lots, moderation was undertaken during Stage 2 and final scores were agreed. This ensured that average scores were not influenced by disparate marks from any member of the evaluation panel.

3.30 Having completed the evaluation, officers recommend the Framework Agreement is awarded to the following providers:

Lot 1:

- Sanctuary Support for Living (ITT no: 10) for the following Service Types:
 - Mental Health
 - Learning Disability
 - Physical Disability + Sensory Impairment
 - Older People (includes community alarm and Hospital

- Discharge)
 - Offenders (including ex-offenders)
 - Substance Misuse (including recovering substance misuse)
 - Domestic Violence
 - Families
 - Teenage Parents
 - HIV
 - Single Homeless and single homeless with complex needs
- Look Ahead Housing and Care Ltd (ITT no: 1) for the following Service Types:
 - Mental Health
 - Learning Disability
 - Physical Disability + Sensory Impairment
 - Older People (includes community alarm and Hospital Discharge)
 - Offenders (including ex-offenders)
 - Substance Misuse (including recovering substance misuse)
 - Domestic Violence
 - Families
 - Teenage Parents
 - HIV
 - Single Homeless and single homeless with complex needs
- Riverside Group Ltd (ITT no: 2) for the following Service Types:
 - Mental Health
 - Learning Disability
 - Physical Disability + Sensory Impairment
 - Older People (includes community alarm and Hospital Discharge)
 - Offenders (including ex-offenders)
 - Substance Misuse (including recovering substance misuse)
 - Domestic Violence
 - Families
 - Teenage Parents
 - Single Homeless and single homeless with complex needs
- Hestia Housing and Support (ITT no: 11) for the following Service Types:
 - Mental Health
 - Learning Disability
 - Physical Disability + Sensory Impairment
 - Offenders (including ex-offenders)
 - Substance Misuse (including recovering substance misuse)
 - Domestic Violence
 - Families
 - Teenage Parents
 - HIV
 - Single Homeless and single homeless with complex needs

- Thames Reach Housing Association (Consortia) (ITT No: 9) for the following Service Types:
 - Older People (includes community alarm and Hospital Discharge)
 - HIV

Lot 2:

- Sanctuary Support for Living (ITT no: 10) for the following Service Types:
 - Mental Health
 - Learning Disability
 - Physical Disability + Sensory Impairment
 - Older People (includes community alarm and Hospital Discharge)
 - Offenders (including ex-offenders)
 - Substance Misuse (including recovering substance misuse)
 - Domestic Violence
 - Families
 - Teenage Parents
 - HIV
 - Single Homeless and single homeless with complex needs
- Riverside Group Ltd (ITT no: 2) for the following Service Types:
 - Mental Health
 - Learning Disability
 - Physical Disability + Sensory Impairment
 - Older People (includes community alarm and Hospital Discharge)
 - Offenders (including ex-offenders)
 - Substance Misuse (including recovering substance misuse)
 - Domestic Violence
 - Families
 - Teenage Parents
 - Single Homeless and single homeless with complex needs
- Look Ahead Housing and Care Ltd (ITT no:1) for the following Service Types:
 - Mental Health
 - Learning Disability
 - Physical Disability + Sensory Impairment
 - Older People (includes community alarm and Hospital Discharge)
 - Offenders (including ex-offenders)
 - Substance Misuse (including recovering substance misuse)
 - Domestic Violence
 - Families
 - Teenage Parents
 - HIV
 - Single Homeless and single homeless with complex needs

- Thames Reach Housing Association (Consortia) (ITT no: 9) for the following Service Types:
 - Mental Health
 - Learning Disability
 - Physical Disability + Sensory Impairment
 - Older People (includes community alarm and Hospital Discharge)
 - Offenders (including ex-offenders)
 - Substance Misuse (including recovering substance misuse)
 - Domestic Violence
 - Families
 - Teenage Parents
 - HIV
 - Single Homeless and single homeless with complex needs
- St Mungo Community Housing (ITT no: 5) for the following Service Types:
 - Offenders (including ex-offenders)
- Hestia Housing and Support (ITT no: 11) for the following Service Types:
 - HIV

Lot 3:

- Origin Housing (ITT no: 17)

Lot 4:

- Thames Reach Housing Association (consortia) (ITT no: 9)

3.31 The providers detailed at 3.30 Lot 1 did not satisfy the requirement for 4 providers per service type as detailed at 3.22b for Older People Services and HIV, therefore Thames Reach Housing Association (consortia) (ITT no: 9) was also shortlisted for these client groups.

The providers detailed at 3.30 Lot 2 did not satisfy the requirement of 4 providers per service type as detailed at 3.22b for HIV, therefore Hestia Housing and Support (ITT no: 11) was also shortlisted for these client groups.

A summary of the ITT evaluation is presented in Appendix 4 and 6.

Wave 1 Call - off contracts

3.32 As part of the process to create the Framework Agreement, officers issued information (including TUPE) to providers regarding 5 contracts to be called off the framework agreement.

3.33 The 5 contracts to be called off the framework agreement include:

From Lot 1

- Contract 1: Mental Health Accommodation
- Contract 2: Learning Disability/ Physical Disability (including Sensory Impairment) Accommodation
- Contract 3: Multiple Needs Accommodation (including Offenders, Single Homeless, Substance Misuse).

From Lot 2

- Contract 4: Learning Disability/ Physical Disability (including Sensory Impairment) Floating Support
- Contract 5: Socially Excluded Groups Floating Support (including Mental Health, HIV, Substance Misuse, Offenders)

3.34 These services are in accordance with the service specifications which formed part of the ITT and therefore enabled direct call off with TUPE to take place. In accordance with the call of protocol issued with the ITT, providers wishing to apply for any of the 5 contracts, subject to their appointment to the Framework Agreement under the relevant service type(s), were required to submit TUPE pricing schedules as part of their ITT submission.

3.35 In accordance with the call off protocol, officers have evaluated provider submissions based upon price quality with 90% weighted marks allocated to price and 10% proportionally allocated to quality, for the above named contracts, the outcome of which is detailed in Appendix 5. Officers, therefore, recommend the following providers to be awarded the 5 call off contracts:

- Contract 1: Award recommended to ITT 2: The Riverside Group Limited (with sub-contactors)
- Contract 2: Award recommended to ITT 2: The Riverside Group Limited (with sub-contactors)
- Contract 3: Award recommended to ITT 1: Look Ahead Housing and Care Ltd (with sub-contactors)
- Contract 4: Award recommended to ITT 2: The Riverside Group Limited (with sub-contactors)
- Contract 5: Award recommended to ITT 9: Thames Reach Housing Association (Consortia)

3.36 Officers have carried out a market analysis of the impact of the award of the contracts referred to in paragraph 3.35. The findings are

summarised below:

- **Market Current State**
 - 26 contracts are currently held across 19 different providers
 - There are currently an average of 5 providers associated with each area of service delivery

- **Market Future State**
 - The number of contracts will be reduced from 26 to 5
 - The number of organisations associated with the delivery of these services will be reduced from 19 to 9.
 - The average number of providers associated with each area of service delivery will reduce from 5 to 3
 - Table 2 provides an overview of the 5 contracts, the current providers, recommended new providers and their consortia/subcontracting intensions.

Table 2

Contract	Current Providers	Number of Providers	New Provider	Consortia Members/ Subcontractors	Number of Providers
Contract 1: Mental Health Accommodation	1. Riverside ECHG 2. Sanctuary Carr Gomm 3. St Mungos 4. CNWL 5. Brent Mind	5	Riverside	Brent Mind CNWL	3
Contract 2: LD/ PD Accommodation	1. Support for Living 2. Network Stadium 3. Salvation Army 4. RNID	4	Riverside	Apna Ghar ASRA Lift	4
Contract 3: Multiple Needs Accommodation	1. St Mungos 2. Cricklewood Homeless Concern 3. Hestia 4. Single Homeless Project	4	Look Ahead Housing and Care Ltd	N/A	1

Contract 4: LD/ PD Floating Support	1. Brent Mencap 2. Middlesex Association for the Blind 3. Genesis 4. Muslims with Disabilities 5. Apna Ghar	5	Riverside	Apna Ghar ASRA Lift	4
Contract 5: Socially Excluded Adults Floating Support	1. Cricklewood Homeless Concern 2. Hestia 3. CNWL 4. Metropolitan 5. Broadway 6. St Mungos 7. Genesis 8. Thames Reach	8	Thames Reach	Apna Ghar Innisfree Lift	4

3.34 It is anticipated that the framework agreement will commence on the 1st December 2012 and that the 5 call off contracts will commence on 1st February 2013. This allows for a 2 month implementation period for the 5 contracts to take place, subject to the Council's observation of the requirements of the voluntary standstill period noted in paragraph 5.7 below.

4.0 Financial Implications

- 4.1. The Supporting People programme budget for 2012-13 is £9.9m. It is anticipated that the budget for the programme will reduce by £0.9m in 2013-14 to £9.0m.r.
- 4.2. This report sets out proposals to award contracts in accordance with local procurement arrangements and the council's contract standing orders. The Council's Contract Standing Orders state that contracts for supplies and services exceeding £500k or works contracts exceeding £1million shall be referred to the Executive for approval to approve the award of the Framework and call off contracts in respect of other matters identified in Standing Order 89.
- 4.3. Current investment associated with the services which are being re-procured through the 5 call contracts is £4.614m (per annum). Through the framework agreement the annual value of these contracts is estimated to be £3.005m (per annum). This re-procurement will therefore release savings of £1.609m for 2013-14 from the Supporting People budget. This saving over achieves the £900k saving target identified for 2013-14 by £700k. The Supporting People Project Board

agreed that the additional savings to be continued to be reported through the Supporting People One Council project, however the additional saving of £700k will be applied against the Procurement One Council project.

- 4.4. These new SP contracts will be funded through the existing Supporting People budget.
- 4.5. Officers have carried out an analysis of the average prices received on the WLA framework agreement and our local framework agreement, which we seek approval for in this report. The average price (excluding TUPE) of services for the 5 call-off contracts on the WLA framework agreement is 12% more expensive than Brent's. A further 5 contracts were expected to be called off the WLA framework agreement in December 2012. The average price (excluding TUPE) of services for the 5 contracts on the WLA framework agreement is 11% more expensive than Brent's.

Furthermore, the WLA framework agreement does not incorporate the option to withdraw investment of up to 25% from 18 months into call-off contracts, please refer to paragraph 4.7 for further information. Therefore officers intend to use our local framework agreement to call-off the additional 5 contracts. Officers will award these contracts in accordance with standing orders.

- 4.6. There will be costs incurred in the contract process for professional advice, in particular legal. These will be funded from existing resources.
- 4.7. As part of the One council Project associated with the procurement of these contracts, a review of the degree to which it can be evidenced that these service prevent homelessness and/or access to higher threshold public services is concurrently being undertaken. The option to withdraw investment of up to 25% from 18 months into contracts commencing has been built into the framework agreement terms which allows for the findings of the Investment Review to be implemented on all call-off contracts.

5.0 Legal Implications

- 5.1 The Council has the powers to enter into Supporting People services contracts under s21, s26 and s29 of the National Assistance Act 1948, s45 of the Health Services and Public Health Act 1968, s2 of the Chronically Sick and Disabled Persons Act 1970, and s2 of the Local Government Act 2000. In addition, the Council must comply with any conditions imposed on the Supporting People Grant it receives from Central Government.

- 5.2 The estimated values of the call-off contracts under this Framework

over its lifetime are higher than the EU threshold for Services and in excess of the Council's threshold for services (£500,000). The provision of Supporting People services are classified as a Part B Service under the Public Contract Regulations 2006 (as amended) (the "EU Regulations") and as such are not subject to its full application (save that there must be a technical specification contained in the contract documents and on award of the Framework Agreement the Council must issue a Contract Award Notice in the OJEU). Part B services are however, subject to the overriding Treaty of the European Union Principles ("the TFEU Principles") of *transparency, proportionality, mutual recognition, fairness, equal treatment and non-discrimination* and the service must be advertised widely so as to ensure sufficient competition. Officers have undertaken this procurement process in accordance with the TFEU Principles and Contract Standing Orders.

- 5.3 The establishment of the Framework and subsequent five (5) wave 1 call-off contracts are subject to the Council's own Contract Standing Orders in respect of High Value Contracts and Financial Regulations. As a result Executive approval is required for appointment to the Framework and subsequent call-off contracts to the tenderers recommended at paragraph 3.30 and 3.33 respectively.
- 5.4 Individual call-off contracts may be awarded, subject to Executive approval to appoint the recommended tenderers to the Framework, without the need for them to be separately advertised and procured through a full tender process. The Framework includes a prescriptive call-off protocol ("the Protocol") that Officers must adhere to when calling off services under the Framework; the use of the Protocol will ensure fairness and transparency. Executive approval will only be required for High Value Contracts called off under the Framework.
- 5.5 Officers are seeking a short renewal to the existing Supporting People contracts so as to ensure an adequate implementation period can take place following award of the Proposed five (5) wave 1 call-off contracts referred to at paragraph 3.33. However, a Contracting Authority that makes a direct award of a Part B service without adequately advertising the contract could potentially be in breach of the TFEU Principles. However, the extensions sought are for a brief duration and are unlikely to be of interest to the relevant market.
- 5.6 Where approval is being sought to award interim contracts to current providers, an exemption from the usual tendering requirements of Contract Standing Orders is required. The Executive can only grant such an exemption where it is satisfied that there are good operational and/or financial reasons and that there would be no breach of the EU Regulations.
- 5.7 Although Supporting People services are Part B, Officers have

determined that the award of this Framework Agreement will be subject to a voluntary minimum 10 calendar day standstill period before the Framework Agreement can be awarded. Therefore subject to Executive approval, all tenderers will be issued with written notification of the award decision. A minimum 10 calendar day standstill period will then be observed before the Framework Agreement is concluded – this period will begin the day after all Tenderers are sent notification of the award decision – and additional debrief information will be provided to unsuccessful tenderers in accordance with the EU Regulations. The standstill period provides unsuccessful tenderers with an opportunity to challenge the Council's award decision if such challenge is justifiable. However, if no such challenge is brought during the period, then as soon as possible after the standstill period ends, the successful tenderers will be issued with a letter of acceptance notifying them of appointment to the Framework Agreement and its commencement date, which will enable the Officers to enter into the call-off contracts.

- 5.8 Following award of the Framework Agreement, the Council will be required to publish a contract award notice in the Official Journal of the European Community within 48 days of award.

6.0 Diversity Implications

- 6.1 An Equalities Impact Assessment (EIA) has been undertaken in accordance with the Equality Act 2012. A copy of the EIA is attached under appendix 5 of this Executive Report. This EIA has been approved by the Customer and Community Engagement Team.

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 There will be TUPE implications arising from the award of call-off contracts under the Framework Agreements. The assumption is that TUPE is likely to apply to incumbent Provider's staff currently providing services that are included in the tender process. As such, protection shall be afforded under the TUPE regulations to such staff where assigned to the service immediately prior to the contract start date and who do not object to transferring so that they will transfer to the organisation awarded the contract on their existing terms and conditions.

8.0 Other Implications

- 8.1 There are no other known implications that may impact upon the award of this contract.

9.0 Background Papers

- 9.1 Report to Executive dated 12th March 2012 'Approval for arrangements to procure Supporting People services for existing contracts terminating in 2012 to 2014'.

Contact Officers

Alison Elliott
Director of Adult Social Services

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Executive
12 November 2012

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

Wards Affected:
ALL

Authority to invite tenders for the re-processing and subsequent sale of recyclable waste materials collected through the council's dry recycling collection service.

1.0 Summary

- 1.1 This report requests approval to invite tenders for the re-processing and subsequent sale of recyclable materials collected through the council's dry recycling service (blue bin + bring banks).

2.0 Recommendations

- 2.1 That the Executive agrees to the procurement of a Service Provider for the re-processing and subsequent sale of recyclable materials collected through the dry recycling service.
- 2.2 That the Executive approves the pre-tender considerations and the criteria to be used to evaluate tenders for this service as set out in paragraph 3.20 of the report.
- 2.3 That the Executive gives approval to the Director of the Environment & Neighbourhood Services to invite expressions of interest, agree shortlists, invite tenders in respect of this service and evaluate them in accordance with the approved evaluation criteria referred to in 2.2 above.

3.0 Detail

- 3.1 The Council's primary objective for the dry recycling service is to increase material recycling levels so they contribute to an overall diversion rate of 60%. This will also serve to reduce the overall cost of waste treatment and disposal. The council currently pays £22 per tonne for the processing of dry recyclable material. The landfill fee is £93 per tonne.

- 3.2 The current arrangements for the re-processing of dry recyclable materials collected through the blue bin service are provided by Veolia as an element of the waste services contract. This arrangement was agreed to help facilitate the switch from source-separated (green box) collections to the mixed waste collections (blue bin) collections at October 2011. This switch has served to increase the overall recycling rate from 31% to 46% at September 2012.
- 3.3 Currently, Veolia make collections from all participating households and then deposit the dry recyclable waste at their depot at Alperton. The waste is bulked and then transferred to their Materials Recovery Facility (MRF) at Southwark, where it is subjected to further sorting. Veolia then sell the separated materials to the recycling market as feed stock and retain the income.
- 3.4 For this service, the council pays Veolia a 'gate fee' of £22 per tonne. This accounts for the costs incurred by Veolia in bulking and transporting the waste, and the cost of access to the MRF.
- 3.5 Some local authorities, who operate similar collection systems but who retain control ownership of the material collected, have been able to secure contracts directly with the recycling market. These provide them with revenue through the direct sale of the material collected.
- 3.6 The London Borough of Harrow has recently negotiated such an arrangement. This sees them receive £39 per tonne of waste processed.
- 3.7 Officers consider the Harrow model to be very attractive. However, Brent is unlikely to be able to achieve financial outcomes as good as Harrow, because Harrow's local circumstances give them particular advantages. Their collections are made 'in-house' and the waste is transferred to their own depot and handled by their own operatives. Although they incur costs in doing this which must be offset from the income received, they do not rely on the intervention of a 'middle-man' as Brent must do through Veolia. Veolia's costs of handling the collected waste at their depot must still be met. Veolia have previously indicated this accounts for the greater part of the present gate fee. Nevertheless, each £1 reduction in this fee this represents a betterment to the Council of between £18,000 and £21,000 before any further benefit is generated from the sale of the material.
- 3.8 To enable this, officers must extract the processing element of the service from Veolia, i.e. make a switch from their MRF at Southwark and reach agreement with a separate third party for the receipt and processing of the waste they collect. Veolia have previously indicated they would not resist this approach, but this must be confirmed through consultation.
- 3.9 The council expects to collect a minimum of 18,500 tonnes of dry recyclable waste in 2012/13, rising to around 21,000 tonnes in 2013/14. At the present level of gate fee this will cost £407,000 rising to £462,000. The objective of this procurement exercise is to reduce that cost significantly.
- 3.10 To enable this, officers must extract the processing element of the service from Veolia, i.e. make a switch from their MRF at Southwark and reach agreement with a separate third party for the receipt and processing of the waste they collect. Veolia have previously indicated they would not resist this approach, but this must be confirmed through new negotiation.

- 3.11 The council expects to collect in the region of 18,500 of dry recyclable waste in 2012/13, and a similar amount in 2013/14. At the current rate this will cost the council £407,000.
- 3.12. The objective of this procurement exercise is to reduce that cost significantly.
- 3.13 Officers, therefore, seek to secure appropriate services in order to take better, and direct, advantage of current market conditions for the processing and sale of the material.
- 3.14 The Service Provider must either collect waste deposited at Veolia's depot or make arrangements to receive waste directly delivered by Veolia. Following collection, or receipt, the Service Provider must manage the material and process it for recycling and resale. To meet Council objectives for this Contract, the Service Provider will be required to understand, and remain aligned with the end market for such material, so that it is processed in accordance with market requirements and so that secure and stable sales channels are established for the Contract term.
- 3.15 In order to allow for the maximum number of participants to respond to this invitation to tender, it is intended to issue a contract for 1 year from April 2013 and to make provision for an extension of a further 12 months. This will enable officers to consider any opportunity to include the service as part of the separate Public Realm contract, due to commence in April 2014.
- 3.16 The procurement route will be subject to the Council's Contract Standing Orders and EU procurement duties of fairness and transparency. In view of the specialist market for this type of service and being a service concession contract officers consider that the most appropriate procurement route is the one stage open procedure under the Council's Contract Standing Orders.
- 3.18 Procurement and Legal Services will assist with the tender process and identify any other associated areas where further savings and improvements can be made. Consultation must also take place with Veolia.
- 3.19 Following evaluation of tenders, it is proposed that a further report will be brought before members in February 2013 to seek approval for the award of the contract.
- 3.20 In accordance with Contract Standing Orders 88 and 89, pre-tender considerations have been set out below for the approval of the Executive.

Ref.	Requirement	Response
(i)	The nature of the service.	The re-processing and subsequent sale of materials collected through the dry recycling collection service.
(ii)	The estimated value.	The income generated will depend on waste volume and tendered price but is anticipated to be between £250k and £750k.
(iii)	The contract term.	1 year - with an option to extend for 12 months.
(iv)	The tender procedure to be adopted including	One stage procedure under the Contract Standing Orders

	whether any part of the procedure will be conducted by electronic means and whether there will be an e-auction.		
v)	The procurement timetable.	Indicative dates are:	
		Adverts placed seeking expressions of interest and tenders	30th November 2012
		Deadline for return of tender submissions	22 nd January 2013
		Evaluation and decision	23 rd January 2013
		Report recommending Contract award circulated internally for comment	February 2013
		Executive approval	11 March 2013
		Contract start date	1 April 2013
		Tenderers will be asked to complete the Council's a qualification questionnaire to ensure they meet the Council's financial standing requirements, technical capacity and technical expertise. The panel will then evaluate the tenders against the following criteria: (1) Price 70% (2) Quality 30%	
(vi)	The evaluation criteria and process.	<p>QUALITY 30% as follows:</p> <p>Logistics 10% Collection & haulage including</p> <ul style="list-style-type: none"> • Vehicle type • Weighing of material • Bulk haulage schedule <p>Processing 15%</p> <ul style="list-style-type: none"> • Maximising recycled material • Processing Capacity • Material Sales • Markets Portfolio • Added Value & efficiencies optimisation 	

		<p>Performance Data 5%</p> <ul style="list-style-type: none"> • Providing monthly Input Analysis report including: <ul style="list-style-type: none"> ○ Details of loads collected and weight ○ Material split (%) ○ Contamination levels ○ Price tracker • Material destination report <p>PRICE 70%</p>
(vii)	Any business risks associated with entering the contract.	<p>No specific business risks are considered to be associated with entering into the proposed contract.</p> <p>However the Council will be entering into an agreed fixed price with the Service Provider with respect to the sale of the recyclable waste materials.</p> <p>The Council will also need to reach agreement with Veolia to be able to progress the proposals in this report.</p>
(viii)	The Council's Best Value duties.	The Corporate Best Value Strategy is to provide best value services and to serve our community. A competitive tender for this service will ensure value for money.
(ix)	Any staffing implications, including TUPE and pensions.	There are no staffing implications for the Council.
(x)	The relevant financial, legal and other considerations.	The proposed procurement satisfies and delivers better value for the Council as shown in the table of sliding scale of income in 4.3

4.0 Financial Implications

- 4.1 The Council's waste disposal budgets are under considerable pressure. Although the new dry recycling collection arrangements are performing well, the budgets set anticipated a 7% reduction overall in waste arisings and the actual reduction has been around 3%. This initiative has considerable potential for assisting in reducing future waste disposal costs.
- 4.2 The council expects to collect in the region of 18,500 tonnes of dry recyclable waste in 2012/13, and this is anticipated to rise to around 21,000 tonnes in 2013/14, the first year of the proposed contract. At the current gate fee this will cost the council £462,000.
- 4.3 For each £1 by which Veolia's handling costs are less than this gate fee the net benefit to the Council will be £21,000, so if the Veolia handling fee were £15 per tonne, the benefit would be £147,000.

- 4.4 It was indicated in the body of the report that it is considered unlikely that Brent will be able to achieve income equivalent to Harrow's for the sale of dry recyclates for a number of reasons. The price the market will be prepared to pay is uncertain but the benefits to the Council could be significant which is why this tendering exercise is proposed. For each £1 per tonne the market will give, the Council would benefit by a further £21,000. So a tendered rate of £10 per tonne could give benefit of £210,000.
- 4.5 Until consultation with Veolia is complete and tenders are received, it would not be prudent to forecast whether benefits are realisable from this initiative, or what the scale of those benefits might be.

5.0 Legal Implications

- 5.1 The estimated cost of the proposed contract over its lifetime is in excess of £500,000 and therefore the procurement and award of the contract is subject to the Council's Contract Standing Orders and Financial Regulations in respect of High Value Contracts.
- 5.2 As detailed in paragraph 3.14 of the report, the proposal is that the Service Provider must either collect waste deposited at Veolia's depot or make arrangements to receive waste directly delivered by Veolia. Following collection or receipt, the service provider must manage the material and process it for recycling and resale. This proposal implies a service concession contract with the Service Provider as defined by the EU Public Sector Directive 2004/18.
- 5.3 A service concession is a contract of the same type as a service contract except for the fact that the consideration for the provision of services consists either solely in the right to exploit the service or in this right together with payment. The proposal by the Council involves the right of the Service Provider to exploit the service by managing and processing the waste material for recycling and subsequently selling the materials on an agreed fixed price to third parties for an income which will accrue to the Service Provider and the Council.
- 5.4 The Council by virtue of Clause 45 (9) of the Environment Act 1990 is the waste authority and retains ownership of the waste to be recycled, managed and processed for sale by the Service Provider. Service concessions by virtue of clause 6 of the Public Procurement Regulations 2006 are exempt from the EU procurement regulations, therefore procurement of the Service Provider can be a choice of a one stage tender or two stage tender as provided by the Council's standing orders. Even though exempt from EU procurement regulations, it is still a requirement for the Council to observe the EU treaty principles of Transparency, Equal treatment, and Non discrimination in its procurement of a service concession.

6.0 Diversity Implications

- 6.1 The proposals in this report have been subject to screening and officers believe that there are no diversity implications.

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 This service is currently provided by an external third party and there are no implications for Council staff arising from tendering the contract.

8.0 Background Papers

There are no background papers associated with this report.


Contact Officer(s)

Chris Whyte
Head of Recycling and Waste

Michael Read
Assistant Director, Environment and Protection

Sue Harper
Director of Environment and Neighbourhood Service

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	<p>Executive 12 November 2012</p> <p>Report from the Director of Environment and Neighbourhood Services</p>
<p>Wards Affected: FRYENT</p>	
<p>Local Nature Reserve Declaration at Masons Field, Fryent Country Park</p>	

1.0 Summary

- 1.1 This report provides a brief overview of Masons Field and Fryent Country Park, details the advantages of declaring Masons Field a Local Nature Reserve and summarises consultation undertaken on the proposal. The report also outlines the improvement programme currently being implemented at Masons Field through Heritage Lottery funding.

2.0 Recommendations

That the Executive:

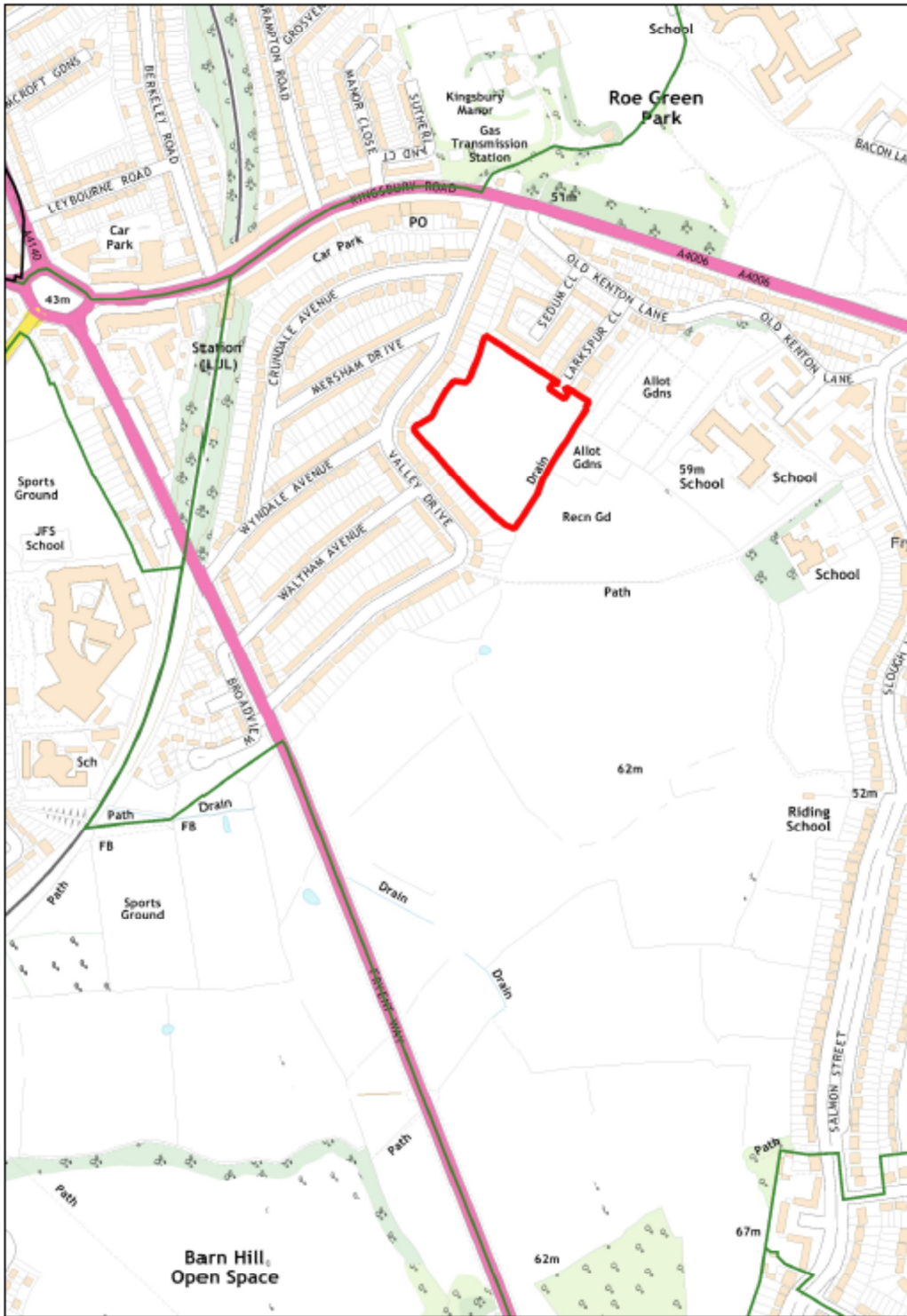
- 2.1 Agree the Declaration of Masons Field as a Local Nature Reserve.
- 2.2 Agree for officers to complete the remaining stages of the Declaration and Public Notice (as outlined in paragraphs 3.14-3.15).

3.0 Detail

Background

- 3.1 Masons Field (see map overleaf) is a 2.78 hectare field in the north-east of Fryent Country Park. It is bounded by housing on three sides and shares a boundary with another field of the Country Park on the south-east side.

Masons Field, Fryent Country Park



© Crown copyright and database rights 2012 Ordnance Survey 100025260

25 September 2012

1:6800

0 50 100 metres



Brent

- 3.2 Masons Field, in common with the other fields of Fryent Country Park, had been partially cleared of woodland probably several centuries prior to the first reliable map of 1597. Pasture for hay and grazing was the main form of agriculture until the early 20th century when Masons Field was acquired by London Transport as a sports field for staff use. London Transport sold part of the field for housing development in the 1990s with the condition that the remainder of the field should become public open space. In 1995 the title to the 2.78 hectare field was transferred to Brent Council on a 125 year lease.
- 3.3 In 2011 a Heritage Lottery Fund grant of up to £47,000 was received for a three-year project together with £60,000 of Section 106 matched funding. This will enable the restoration of field habitats, improved access, installation of interpretation boards and a range of linked activities. A ramp access has been installed linking an adjacent field of Fryent Country Park providing access for both visitors and machinery to manage the field. This will improve the access between the Country Park and the Kingsbury Road area. Habitat improvements are also underway to a remnant section of a green lane (a former agricultural lane that ran from what is now Old Kenton Lane and served fields westwards including Masons Field). Improvements will also be made at the meadow, to the entrance from Larkspur Close.
- 3.4 Fryent Country Park is a Site of Importance for Nature Conservation (SINC); it is in the top Metropolitan category of London SINC's and is considered to be of high importance to London as a whole. Masons Field has been assessed as having the same Metropolitan SINC status by the London Wildlife Sites Board.
- 3.5 Local Nature Reserves are declared by local authorities under the National Parks and Access to the Countryside Act 1949 (as amended). The main part of Fryent Country Park was declared in 1991.
- 3.6 Declaring the Local Nature Reserve at Masons Field will provide advantages consistent with improving the quality of the environment by:
- Increasing the area of Local Nature Reserve space in the borough for enjoyment, recreation and education.
 - Providing consistency with the remainder of Fryent Country Park.
 - Contributing towards the objectives of the Brent Green Charter.
- 3.7 Additionally the declaration will complement the package of improvements of the Heritage Lottery Fund award to restore habitats and landscape, improve access and public participation. These will facilitate the conservation of an increased area of restored habitats as part of Fryent Country Park and enable easier access for machinery to undertake management works.
- 3.8 Declaration of the Local Nature Reserve by the local authority is evidence the
- land is being managed as a nature reserve. Nature Reserves can be either: land managed solely for a conservation purpose
 - not only for a conservation purpose but also for a recreational purpose, if the management of the land for the recreational purpose does not compromise its management for the conservation purpose.

- 3.9 Land managed for a conservation purpose preserves the flora, fauna and physical features of interest in the area and/or provides opportunities for the study of the wildlife and physical features. Land is managed for a recreational purpose if it is managed to provide opportunities for the enjoyment of nature or for open-air recreation. Masons Field is part of Fryent Country Park, and is Public Open Space. The Country Park and the field can be visited at all times.
- 3.10 The same powers are also available to the local authority to subsequently declare the Nature Reserve should this be necessary.

Consultation

- 3.11 Declarations can only be made following statutory consultation with Natural England. Officers have undertaken this consultation and received a letter from Natural England formally welcoming the proposal (see Appendix 1).
- 3.12 Public consultation was undertaken locally, via a questionnaire available on the Brent Council Consultation Portal between 2 May and 15 June 2012. Twenty-five responses were received and a further four sets of comments were received by email.
- 3.13 100% of respondents were in favour of the declaration of Masons Field as a Local Nature Reserve, as were all four of the individuals who emailed their comments. Reasons given in support of the declaration included the benefits that this would bring for wildlife, amenity, open space, environmental education and providing consistency with the main part of Fryent Country Park.

Declaration

- 3.14 Declaration is completed by the local authority under its standard procedures for executing legal documents. If the proposed declaration is approved by Executive, a notice of declaration is prepared, sealed, and published in the local press. A notice may be posted at the site entrance(s). Certified copies of any declaration may also be kept for public inspection at the local authority office.
- 3.15 Upon declaration, Natural England will add Masons Field to a national database and Local Nature Reserve website. The information should also be entered on the council's Planning maps as relevant.

4.0 Financial Implications

- 4.1 The Heritage Lottery Fund will fund 44% of the total cost of the scheme up to a maximum of £47,000. The total cost of the scheme is £104,000 so it is within this envelope. Section 106 matched funding of £60,000 includes a budget of £3,000 for the costs of declaring the Local Nature Reserve. The Local Nature Reserve declaration itself will not involve any on-going costs. The grant and section 106 funding also covers the other costs of field and habitat restoration and creation, improved access, interpretation and public participatory events

(in total up to £104,000). The post project costs of field maintenance, overall, are expected to be not more than the current field maintenance costs on the basis that access for machinery will be improved and more efficient.

- 4.2 The overall project should reduce the costs of maintaining the field. There will be some new features that will require maintenance, for example a hedge to be trimmed near to the Larkspur Close entrance. However the improved access for machinery will enable better and lower cost maintenance of the meadow, grassland areas and the mown paths, where previously access was either restricted or possible only with a detour by road.
- 4.3 The Council continues to work with local conservation and community groups who have contributed much volunteer work to the restoration of Fryent Country Park. As at early October 2012, there had been 117 volunteer sessions on the Masons Field project including a number of half-days by Barn Hill Conservation Group and additional survey work. Other sessions had been organised by the Earn Your Travel Card back scheme.

5.0 Legal Implications

- 5.1 Local Nature Reserves are declared by local authorities under Section 19 and 21 of the National Parks and Access to the Countryside Act 1949 (as amended).
- 5.2 Declaration is made by a process that includes the publication of a Declaration and a Public Notice.
- 5.3 Section 21 of the National Parks and Access to the Countryside Act 1949 gives principal local authorities the power to select, acquire, declare and manage nature reserves. Although in the 1949 Act these are referred to as 'Nature Reserves managed by Local Authorities' they have by common usage become generally known as Local Nature Reserves (or LNRs). English Nature must be consulted in the process of declaring the Local Nature Reserve.
- 5.4 A Nature Reserve is defined in Section 15 of the 1949 Act as land managed for the purposes of providing, under special conditions and control, special opportunities for the study, and research into, matters relating to the flora and fauna of Great Britain, and the physical conditions in which they live, and for the study of geological and physiographical features of special interest in the area; or for both these purposes.
- 5.5 To establish a Local Nature Reserve the local authority must have jurisdiction over the area in which the proposed nature reserve lies.
- 5.6 It will be necessary for the Council to execute a declaration in order for the land to be declared a LNR.
- 5.7 The relevant sections of the National Parks and Access to the Countryside Act 1949 are Sections 19 and 21.

- 5.8 Schedule 11 (12) of the Natural Environments and Rural Communities Act 2006 which replaced Section 15 of the National Parks and Access to the Countryside Act 1949 describes a 'nature reserve'. In the case of Masons Field the description is 'land managed not only for a conservation purpose but also for a recreational purpose, if the management of the land for the recreational purpose does not compromise its management for the conservation purpose.'
- 5.9 While Declaration under Section 19 of the 1949 Act gives local authorities powers to introduce nature reserve byelaws, there are no current plans to introduce specific byelaws for Masons Field. Masons Field, and the existing Local Nature Reserve at Fryent Country Park, are already covered by Brent Council's park byelaws; and only one set of byelaws can be applied to any one piece of land. No need to change has been identified.

6.0 Diversity Implications

- 6.1 The s149 duty in the Equality Act 2010 provides that when a council exercises its functions, it must have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations. An Equalities Impact Assessment has been undertaken (see appendix 2) and no evidence has been found to suggest that the declaration of the Local Nature Reserve would have any negative impact on any of the protected groups. Improvements to the field include easier access for visitors and interpretation boards.

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 None

Background Papers

Appendix 1: Natural England welcoming letter Masons Field 23 07 2012.

Appendix 2: Equality Impact Assessment Masons Field 27 09 2012.

Contact Officers

Leslie Williams

Strategy and Service Development Officer, Sports and Parks

Sue Harper

Director of Environment and Neighbourhood Services

that we can ensure our records are up to date and return it to me as soon as possible.

If you are unsure about any part of the declaration process, please refer to the guidance booklet from our website (<http://publications.naturalengland.org.uk/publication/31039?category=15005>) or contact me using the details below.

Yours sincerely

A handwritten signature in black ink that reads "N. Harper". The signature is written in a cursive style with a large initial "N" and a period following it.

Nicola Harper

People and Access – Local Delivery Team
nicola.harper@naturalengland.org.uk

Impact Needs/Requirement Assessment Completion Form

Department: Environment and Neighbourhoods	Person Responsible: Leslie Williams
Service Area: Sports and Parks	Timescale for Equality Impact Assessment :
Date: 04.10.2012	Completion date: 04.10.2012
Name of service/policy/procedure/project etc:	Is the service/policy/procedure/project etc: New <input checked="" type="checkbox"/> Old
Predictive: <input checked="" type="checkbox"/> Retrospective	Adverse impact Not found Found Service/policy/procedure/project etc, amended to stop or reduce adverse impact Yes No <input checked="" type="checkbox"/>
Is there likely to be a differential impact on any group? Yes 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 No <input checked="" type="checkbox"/>	2. Grounds of gender: Sex, marital status, transgendered people and people with caring responsibilities Yes No <input checked="" type="checkbox"/>
3. Grounds of disability: Physical or sensory impairment, mental disability or learning disability Yes No <input checked="" type="checkbox"/>	4. Grounds of faith or belief: Religion/faith including people who do not have a religion Yes No <input checked="" type="checkbox"/>
5. Grounds of sexual orientation: Lesbian, Gay and bisexual Yes No <input checked="" type="checkbox"/>	6. Grounds of age: Older people, children and young People Yes No <input checked="" type="checkbox"/>
Consultation conducted Yes <input checked="" type="checkbox"/> No	
Person responsible for arranging the review: Leslie Williams	Person responsible for publishing results of Equality Impact Assessment: Neil Davies

Impact Needs/Requirement Assessment Completion Form

Person responsible for monitoring: Neil Davies	Date results due to be published and where: Consultation portal from 15 October
Signed:	Date:

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

Local Nature Reserve Declaration at Masons Field, Fryent Country Park.

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

Masons Field is a 2.78 hectare field in the north-east of Fryent Country Park. It is bounded by housing on three sides and shares a boundary with another field of the Country Park on the south side. Fryent Country Park is a Site of Importance for Nature Conservation (SINC); it is in the top Metropolitan category of London SINC's and is considered to be of high importance to London as a whole. Masons Field has been assessed as having the same Metropolitan SINC status by the London Wildlife Sites Board.

In 2011 a Heritage Lottery Fund grant of up to £47,000 was received for a three-year project which together with £60,000 of Section 106 matched funding, will enable the restoration of field habitats, improved access, installation of interpretation boards and a range of linked activities. A ramp access has been installed linking an adjacent field of Fryent Country Park, thus providing access for both visitors; and machinery to manage the field. This will improve the access between the Country Park and the Kingsbury Road area. Habitat improvements to a remnant section of a green lane, to the meadow, and to other features are already underway. Improvements will also be made at the entrance from Larkspur Close.

Local Nature Reserves are declared by local authorities under the National Parks and Access to the Countryside Act 1949 (as amended). The main part of Fryent Country Park was declared in 1991.

Declaring the Local Nature Reserve will provide advantages consistent with improving the quality of the environment by

- Increasing the area of Local Nature Reserve space in the borough for enjoyment, recreation and education.
- Providing consistency with the remainder of Fryent Country Park.
- Contributing towards the Brent Green Charter.

Additionally the declaration will contribute to the package of improvements of the Heritage Lottery Fund award to improve restore habitats and landscape, improve access and public participation. These will facilitate the conservation of an increased area of restored habitats as part of Fryent Country Park; and enable easier access for machinery to undertake management works.

Declaration of the Local Nature Reserve by the local authority is proof the land is being managed as a nature reserve. Nature Reserves can be either land managed solely for a conservation purpose or not only for a conservation purpose but also for a recreational purpose, if the management of the land for the recreational purpose does not compromise its

Impact Needs/Requirement Assessment Completion Form

management for the conservation purpose. Land managed for a conservation purpose preserves the flora, fauna and physical features of interest in the area and/or provides opportunities for the study of the wildlife and physical features. Land is managed for a recreational purpose if it is managed for the purpose of providing opportunities for the enjoyment of nature or for open-air recreation.

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

This policy has been considered within the aims of Brent's Equality Policy, in particular our aim is to create an environment where:

Borough

We work with local partners from the statutory, voluntary and community-led organisations e.g. Barnhill Conservation Group, Friends of Fryent Country Park and the Barnhill Walkers to develop and deliver services that meet the needs of our diverse community.

We will embed equality considerations into our planning and delivery of services.

Community

We continuously improve the services that we deliver by adhering to the Public Sector Equality Duties as defined within the Equality Act 2010.

We will ensure that our services meet the diverse needs of the community.

We will provide opportunities to promote a cohesive and well integrated community.

We will work to ensure that all members of the community are able to access our services and participate in public life.

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 declaration of Masons Field will have a positive impact on all users and potential users of Fryent Country Park.

Two schools are located within a few hundred metres of Masons Field. The field can also be visited by school groups as part of the Brent School Without Walls programme (<http://www.brentschoolwithoutwalls.btck.co.uk/>) and by other educational organisations.

The field is surrounded by residential housing on three sides, and there are links for the suburban and urban populations of surrounding Kingsbury, Brent (population c. 311,000) and indeed for London. Conservation projects, wildlife surveys and other activities are held on the Country Park.

Fryent Country Park is a Site of Importance for Nature Conservation (SINC); it is in the top Metropolitan category of London SINCS and is considered to be of high importance to London as a whole. Masons Field has been assessed as having the same Metropolitan SINC status by the London Wildlife Sites Board. There are no other areas of countryside within Brent (though the Welsh Harp reservoir area presents a different landscape). Similarly, the meadow and hedgerow habitats have largely been lost from the surrounding urban areas.

There are no identified adverse impacts; the declaration will contribute to the package of improvements of the Heritage Lottery Fund award to improve restore habitats and landscape, improve public access and participation. These will facilitate the conservation of an increased area of restored habitats as part of Fryent Country Park; and enable easier access for machinery to undertake management works.

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

We used feedback from the public consultation on the proposals. Twenty-five responses were received; and an additional four responses were received by email. Twenty-four of the 25 responses on the Consultation Tracker commented on the proposal and all 24 (100%) were in favour of the declaration of Masons Field as a Local Nature Reserve. Additionally, two responses mentioned issues related to the management of the site or other local open spaces.

All four of the emailed responses were in favour of the proposals to declare Masons Field as a Local Nature Reserve.

Reasons given as part of the comments for the support were the benefits that this would bring for wildlife, amenity, open space, consistency with the rest of Fryent Country Park and for environmental education.

In addition data on users of Fryent Country Park were extrapolated from the Annual Parks Survey database and they were reflective of both the ward and borough profile as outlined below. This in essence identifies the users who are going to benefit from this project.

GLA estimated resident population for 2011 for the Kingsbury locality (Fryent, Barnhill, Queensbury and Kenton) is approximately 51,900. The locality has a large population of younger people aged between 10 and 14. There are proportionately more people aged over 45 in the locality than in the Borough. The proportion of the population aged under 15 (19.5%) is just over the England and London values, (19%) but lower than the Brent value, (20%). Just over 17% of the population is at pensionable age in the locality compared to 14% in the borough.

Brent is an ethnically diverse borough. Barnhill and Fryent have similar proportions of the various ethnic groups that make up their population. Queensbury has the largest proportion of Asian or Asian British population. 16% of the locality population identified as having a disability as defined by The Disability Rights Commission (DRCI). The (DRCI) defines Disability as "A physical or mental impairment which has substantial and long term adverse effect on a person's ability to carry out normal day to day activities"

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)

There are no unmet needs that can be identified that affect specific groups. The aim of the declaration is to conserve biodiversity and to maintain opportunities for study, research and enjoyment of nature and facilitate educational use and interpretation for all communities.

Additionally the declaration will contribute to the package of improvements of the Heritage Lottery Fund award to improve restore habitats and landscape, improve access and public participation. Within the resources available and the countryside setting, these improvements will increase the access for residents with a physical impairment.

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?

Consultation was undertaken on the Brent Council Consultation Portal between 2 May and 15

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June 2012. Twenty-five responses were received; and an additional four responses were received by email.

Twenty-five of the respondents listed the park or open space that they visited most frequently. Fryent Country Park including Barn Hill was mentioned by 44% of stated respondents; Roe Green Park and Roe Green Walled Garden by 16%, the Welsh Harp by 8%, Gladstone Park by 4%, while 12% listed other Brent Council parks, and 16% parks outside of the Borough and/or managed by other organisations including Queens Park, and the London Wetland Centre at Barn Elms. The geographic spread of the parks visited suggested that most respondents were local: 76% of respondents mentioned either Fryent Country Park or a park in an adjacent Ward.

Four responses were received directly by email as a result of the Brent Council consultation. Demographic information from these responses was not provided, though two of the responses were from females and two from males.

Twenty-four of the 25 responses on the Consultation Portal commented on the proposal and all 24 (100%) were in favour of the declaration of Masons Field as a Local Nature Reserve. Additionally, two responses mentioned issues related to the management of the site or other local open spaces.

All four of the emailed responses were in favour of the proposals to declare Masons Field as a Local Nature Reserve.

Reasons given as part of the comments for the support were the benefits that this would bring for wildlife, amenity, open space, consistency with the rest of Fryent Country Park and for environmental education.

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

The results will be published on the consultation portal <http://brent-consult.objective.co.uk/portal>

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

There is no public concern in the media that this function or policy is 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.

This project will have a positive impact. The Local Nature Reserve declaration is for the benefit of all communities, while improvements to physical access should enable access to more disabled and hard to reach groups than at present. Improved accessibility of the field should increase the potential for access by traditionally hard to reach groups.

The emphasis of the declaration is to conserve biodiversity and to maintain opportunities for study, research or enjoyment of nature and facilitate educational use and interpretation. The purpose of Local Nature Reserves – and of the local project, is to improve opportunities for people to engage with nature and wildlife. It enhances a resource for all age ranges and cultural backgrounds, and promotes health and well-being. The project also contributes to

Impact Needs/Requirement Assessment Completion Form

corporate objectives in increasing accessible green space and biodiversity; and thus reducing inequality and improving quality of life.

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?

Declaring the Local Nature Reserve will provide advantages consistent with improving the quality of the environment by

- Increasing the area of Local Nature Reserve space in the borough for enjoyment, recreation and education.
- Providing consistency with the remainder of Fryent Country Park.
- Contributing towards the Brent Green Charter.

Additionally the declaration will contribute to the package of improvements of the Heritage Lottery Fund award to improve restore habitats and landscape, improve access and public participation. These will facilitate the conservation of an increased area of restored habitats as part of Fryent Country Park; and enable easier access for machinery to undertake management works

There will be benefits towards the three Corporate Priorities; and towards the key actions of the Sports and Parks Service Performance Plan.

13. What is the justification for taking these measures?

As part of Fryent Country Park, Masons Field is part of the same Metropolitan Open Land, and Site of Importance for Nature Conservation, and is also managed to the Soil Association Organic Standard. The purpose of declaration as a Local Nature Reserve is to manage Masons Field for nature conservation and for public access. Declaration will also provide consistency with the already declared areas of Fryent Country Park and will contribute towards the area of Local Nature Reserve available for the population

Local Nature Reserves are declared under the National Parks and Access to the Countryside Act 1949. The emphasis is to conserve biodiversity and to maintain opportunities for study, research and enjoyment of nature, facilitate educational use and interpretation. Brent has one other Local Nature Reserve, at the Brent Reservoir / Welsh Harp which was declared in 2005.

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.

Satisfaction with individual parks including Fryent Country Park will be monitored through the Cultural Services questionnaire and the Green Flag monitoring process. The Green Flag Award is the benchmark national standard for parks and green spaces in the United Kingdom. The scheme was set up in 1996 to recognise and reward green spaces in England and Wales that met the laid down high standards. It is also seen as a way of encouraging others to achieve the same high environmental standards, creating a benchmark of excellence in recreational green areas.

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

Should you:

Impact Needs/Requirement Assessment Completion Form

1. Take any immediate action? 2. Develop equality objectives and targets based on the conclusions? 3. Carry out further research? N/A
16. If equality objectives and targets need to be developed, please list them here. N/A
17. What will your resource allocation for action comprise of? 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:

Full name (in capitals please):

Date:


Service Area and position in the council:

Details of others involved in the assessment -

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

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

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 <p>The logo of Brent Council, featuring a central coat of arms with a shield, a crown, and two lions, surrounded by the words 'BRENT' and 'COUNCIL' in a circular arrangement.</p>	<p>Executive 12 November 2012</p> <p>Report from the Director of Regeneration and Major Projects</p>
<p>Wards Affected: [ALL]</p>	
<p>Authority to invite tenders for the Procurement and Management of Temporary Accommodation</p>	

1.0 Summary

- 1.1 This report seeks authority pursuant to the Council's Contract Standing Orders 88 and 89 to invite tenders for Dynamic Purchasing System (DPS) for the Procurement and Management of Temporary Accommodation pursuant to the Council's Private Sector Accommodation Scheme (PSA). This procurement exercise is designed to provide a sufficient supply of accommodation in the right places to adequately respond to the changes being made to the benefit system in 2013. The report also updates members on other actions being taken to mitigate the impact of these changes. The proposed DPS will commence in April 2013 for the duration of two years with an option to extend for up to two years.

2.0 Recommendations

- 2.1 The Executive is asked to give approval to the pre-tender considerations and the criteria to be used to evaluate tenders for a DPS for the Procurement and Management of Temporary Accommodation as set out in paragraph 3.7 of the report.
- 2.2 The Executive to give approval to officers to invite expressions of interest, agree shortlists, invite Tenders for a DPS for the Procurement and Management of Temporary Accommodation and evaluate them in accordance with the approved evaluation criteria referred to in 2.1 above.
- 2.3 The Executive to note the content of the Council's temporary accommodation placement policy as set out in Appendix 1 and to delegate authority to the Director of Regeneration and Major Projects

to finalise and approve any minor amendments to the temporary accommodation placement policy.

3.0 Detail

- 3.1 The Council has a statutory duty to provide suitable temporary accommodation to homeless persons who are eligible and have a priority need for accommodation under part VII of the Housing Act 1996(as amended by the Homelessness Act 2002). There are currently just fewer than 3,200 homeless households in various Temporary Accommodation (TA) schemes. Private Sector Leasing (PSL) schemes involve the Council leasing properties from the private sector and letting them to homeless households as temporary accommodation and the Council has a number of these. The proposed Private Sector Accommodation scheme is a type of Private Sector Leasing Scheme.

3.2 The Overall Benefit Cap

With the introduction of the Overall Benefit Cap (OBC) in April 2013, benefits are to be capped at £500 a week – this includes all benefits including housing benefit. The Department for Work and Pensions (DWP) states that approximately 3000¹ families will be affected in Brent and for these, rents will no longer be affordable. For example, a couple with three children, under Universal Credit, will have a personal allowance of £332.10. With benefits capped at £500, their maximum rent allowance will be £167.90. The local housing allowance rent for a three bed property in South of the Borough is £340.00 per week, leaving a weekly shortfall of £172.10. In this example the household will lose nearly £9,000 per year. The largest households could lose substantially more.

- 3.3 The National Audit Office's report 'Managing the impact of Housing Benefit reform'² states:

1.8 A large number of households are expected to experience small reductions in their current entitlements. Around 85 per cent of reductions resulting from changes to Local Housing Allowance will be of £15 or less. Figure 4 overleaf shows that most households will lose less than 10 per cent of their total rental cost.

1.9 A small number of households could experience very large reductions in their entitlements. These include large families living in high rent areas who could be subject to the overall benefit cap or caps on the rates of Local Housing Allowance.

¹ The number of families will change as families move on and off benefits, and move boroughs.

² NAO, 1 November 2012, http://www.nao.org.uk/publications/1213/housing_benefit_reform.aspx

The Department estimates that up to 13,000 households could experience a weekly fall in benefits of £100 or more.

As a borough the second paragraph far more accurately describes the situation in Brent, with larger families, on low incomes, with high rents. Current information from DWP indicates that more than 1,200 households in Brent will be losing more than £100 per week.

- 3.4 The national pot for Discretionary Housing Payments (DHP) has been substantially increased to £390m. However as the NAO report goes on to state:

2.15 It is not clear how the current level of funding for Discretionary Housing Payments has been determined or whether it is likely to be sufficient for local authorities in tackling the impacts of reforms. The £390 million of funding over the Spending Review period represents around six per cent of the total £6.4 billion savings expected from Housing Benefit reforms during this period. This works out at around £200 per household affected.

2.16 There is also no established process for reviewing the level of funding for Discretionary Housing Payments over time. For example there is no mechanism to assess whether the overall funding amount should change to reflect higher claimant numbers. Uncertainty about the basis for future funding in part reflects the fact that the Department is still reviewing how to provide support for housing as a result of broader welfare reforms.

Clearly additional DHP funding is welcome, although this is far from a panacea, and will only help to assist a small number of the most vulnerable households.

3.5 Employment

The benefit cap is intended to act as an incentive to work. The benefit cap does not affect households who are in employment for 16 hours (lone parents) or 24 hours (couples). The Council has put in place significant resources to assist getting families into employment, alongside this we are working closely with Job Centre Plus and the work programme providers.

3.6 Navigators

Following the Employment Review this summer and as part of Brent's Employment Offer we have begun work on recruiting a team of 6 'Navigators' who will start in January 2013. Essentially, the team will trial an approach to engage with the most excluded individuals and

families in Brent and will start by working closely with housing teams and those hardest hit by the benefit caps. The Navigator will carry a caseload of families drawn from the group of residents most at risk of homelessness/displacement to mitigate the impact and support families who are likely to have multiple, highly complex needs. Success will be measured by the number of families enabled to stay in their homes, through achievement of employment enhanced engagement and effectiveness with other services.

3.7 BACES review

The review of the BACES services is focused on getting greater alignment between training and employment. A feasibility study is also being commissioned into the set up of three vocational training centres.

3.8 Brent in2Work

Brent in2work has continued to deliver advice and guidance to local residents seeking employment and training opportunities from the Wembley Works office. Over 100 local unemployed residents found work with Brent in2work since April 2012. This includes 59 jobs with the Hilton Hotel. This is as a result of the successful collaborative working of Brent in2work, JCP and CNWL and Wembley City.

We are also continuing work with construction contractors such as Skanska and Wilmot Dixon to ensure S106 agreements are adhered to so that local residents' access opportunities made available through their supply chains, such as jobs, training and apprenticeships. Partnership working with Denne contractors continue to create positive outcomes for the local residents in South Kilburn, with further work being developed with Catalyst Housing as Phase 2 of the regeneration project in the area unfolds.

3.9 Finding affordable accommodation within the cap

We have a strong focus on assisting families into employment. However, we need to be realistic in the assumptions that we make on what is achievable before the caps are applied in April 2013. Part of our planning needs to focus on finding accommodation that will be affordable within the cap levels, so that families can sustain themselves within the income available. We also need to manage the financial impact on the Council.

The council has identified suitable areas of procurement based on a favourable relationship between the LHA rate and the market rents. Other areas of research included ethnic composition of areas; economic deprivation, education levels, local support agencies and

travel back to Brent (please see background paper 1 – Creating Procurement bands out of London). This research indicates that there are some areas that are clearly unaffordable within the cap. There is also a clear relationship between what is affordable and family size.

- 3.10 The PSA scheme will provide the council with a supply of units that will be needed to house homeless households that can no longer be provided for under the Housing Association Leasing Scheme (HALS) and PSL schemes. This particularly applies to larger households that require 4 and 5 bed properties.
- 3.11 The PSA scheme will utilise Housing Benefit subsidy to fund the lease and management costs of the scheme. The specification for the contract will incorporate improved property procurement and management standards agreed by the West London Alliance.
 - 3.11.1 The scope of services will include a full property management service to include property acquisition, viewings and lettings processes, tenancy management, property inspections, administering decants, void periods and property handbacks and performance management.
 - 3.11.2 The services under the proposed DPS will be provided by multiple providers. The Council will be the lead authority for the operation of the DPS. There will be provision for members of the West London Housing Partnership and Haringay to call off services from the proposed DPS. The major advantage of this for the Council is that a competitive price for the services can be achieved as a result of the potential combined buying power of the West London Housing Partnership. The other members of the West London Housing Partnership are Hammersmith & Fulham, Kensington & Chelsea, Ealing, Hillingdon and Hounslow.
 - 3.11.3 There are many potential benefits of the DPS especially the flexibility of adding new suppliers throughout its period of operation provided they meet the set criteria. This potentially increases the supply base for the provision of the service. Suppliers are also able to improve their tenders at any time which would make it easier for them to improve their tender offer (possibly by reducing their management fee or improving service delivery).
- 3.12 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.	To procure and manage temporary accommodation properties, let to homeless persons as nominated by the council through a Dynamic Purchasing System (DPS) operated by multiple providers.
(ii)	The estimated value.	£3,120,000 based on an average of 500 properties in management across a four year contract.
(iii)	The contract term.	4 th April 2013 for 2 years with the option to extend by up to a further 2 years.
(iv)	The tender procedure to be adopted including whether any part of the procedure will be conducted by electronic means and whether there will be an e-auction. Brent is about to move to an electronic process and whilst the procurement is being delivered consideration will be given to the use of e-tendering.	<p>Formal tender by way of a single stage process in accordance with the Council's Standing Order 96(b). Stage 2 – Issuance of invitations to tender.</p> <p>Brent is about to move to an electronic process and whilst the procurement is being delivered consideration will be given to the use of e-tendering.</p> <p>It is anticipated that this procurement will be of interest to the wider market so it will voluntarily be advertised through the Official Journal of the European Union (OJEU). Part 6 of the Council's Constitution – Financial Regulations – Paragraph 5.4 states that regard must be had to the Council's Contract Procurement and Management Guidelines (the "Blue Book"). Section 4 (c) Paragraph 7.3.4 of the Blue Book states that once a voluntary choice has been made to advertise in the OJEU then the EU Regulations (as enacted in the Public Contracts Regulations 2006 [as amended]) must be followed in their entirety; however officers are recommending to adjust the DPS process for this particular procurement due to the nature of the proposed contracts. Additionally, in order to attract local providers, the procurement will be advertised in the local press and on the Councils web site.</p>

v)	Executive	Date of action	Date of completion
	Exec meeting Approval to proceed	12/11/2012	12/11/2012
	Dispatch of OJEU notice	30/11/12	30/11/12
	Issue invitation to tender	30/11/12	30/11/12
	Tender close date	15/01/13	15/01/13
	Tender Evaluation/ Tender Appraisal	16/01/13	08/02/13
	Leaders Briefing	26/02/2013	26/02/2013
	Final Report to Democratic Services for dispatch to Executive Meeting	27/2/2013	27/02/2013
	Brent Cabinet/ Executive meeting decision	11/03/2013	11/03/2013
	Conclusion of Dynamic Purchasing System and notices to successful and unsuccessful tenderers	12/3/2013	12/3/2013
	Standstill period (period of time that the Council will not be able to enter into any formal contractual arrangement with the successful tenderer[s])	13/3/2013	25/03/2013
	Contract start date	26/03/2013	26/03/2013

(vi)	The evaluation criteria and process.	<p>Shortlists are to be drawn up in accordance with the Council's Contract Procurement and Management Guidelines namely the pre qualification questionnaire and thereby meeting the Council's minimum requirements in relation to financial standing requirements, technical capacity, technical expertise and compliance with statutory requirements such as health and safety. Candidates who meet the Council's minimum requirements will be selected to tender and issued with invitations to tender.</p> <p>The DPS will be concluded on the basis of the most advantageous offer, with the tenders received to be evaluated against this this evaluation criteria :</p> <table border="1" data-bbox="826 837 1433 1028"> <tr> <td>Procurement</td> <td>40%</td> </tr> <tr> <td>Repairs and maintenance</td> <td>25%</td> </tr> <tr> <td>Complaints and management</td> <td>15%</td> </tr> <tr> <td>Resettlement</td> <td>15%</td> </tr> <tr> <td>Anti-social behaviour</td> <td>5%</td> </tr> </table> <p>Financial and legal considerations on tenders returned are to be given by the Housing Finance Team and representatives from the Council's Legal and Financial services respectively. Where required, these representatives will participate in the evaluation panel.</p> <p>A further report will be presented to the Executive seeking approval of the award recommendation.</p>	Procurement	40%	Repairs and maintenance	25%	Complaints and management	15%	Resettlement	15%	Anti-social behaviour	5%
Procurement	40%											
Repairs and maintenance	25%											
Complaints and management	15%											
Resettlement	15%											
Anti-social behaviour	5%											
(vii)	Any business risks associated with entering the contract.	No specific business risks are considered to be associated with entering into the proposed contract. Financial Services have been consulted concerning this contract.										
(viii)	The Council's Best Value duties.	The voluntary advertising of the procurement on the OJEU will attract competition from the wider market. Also, the conclusion of the DPS based on the most economically advantageous tender by way of a one-Stage Tender process as detailed above. These will assist the Council in achieving best value for the proposed service.										
(ix)	Any staffing	None										

	implications, including TUPE and pensions.	
(x)	The relevant financial, legal and other considerations.	See paragraphs 4.0 to 6.0 below

The Executive is asked to give its approval to these proposals as set out in the recommendations and in accordance with the Council's Contract Standing Order 88.

4.0 Financial Implications

- 4.1 Part 4, section 2.5 of the Council's Constitution states that contracts for supplies and services exceeding £500k or works contracts exceeding £1million shall be referred to the Executive for approval to invite expressions of interest, agree shortlists and invite tenders.
- 4.2 The total agreed budget for expenditure on Temporary Accommodation for 2012/13 is £3,440,000. This includes a growth of £1,134,000 in order to assist in managing the cost pressures and increased service demand. The growth figure has taken into consideration an efficiency savings target of £500k in relation to a planned One Council project in relation to the commissioning of temporary accommodation across the entire Council.
- 4.3 Based on current projections officers expect to break even against this budget. However, there continues to be significant risks attached to the Council's ability to control demand led pressures relating to this particular service whilst ensuring that statutory duties are met. It should also be noted that this remains an area of pressure, and officers will closely monitor the impact of both the LHA changes and the wider welfare reform agenda on the service budget.
- 4.4 The estimated value of this 4 year contract is £3.12m.
- 4.5 The PSA scheme will utilise Housing Benefit subsidy to fund the lease and management costs of the scheme.
- 4.6 Officers had previously forecasted an optimistic overspend of between £3m-£4m million as the impact of growth against the not yet agreed Temporary Accommodation budget in 2013/14 as a result of the proposed financial impact of the welfare reforms. There is also a projected figure of around £7.25m annual reduction in subsidy as a result of the welfare reforms. Grossing these figures gives a budget gap of between £3m and £10.25m which is definitely not sustainable with the reductions made and planned to the revenue support grant.
- 4.7 This forecast took into account both the expected increase in homeless approaches as a result of changes to the Local Housing Allowance, and the impact of changes to the Housing Benefit subsidy regime for

temporary accommodation and the Overall Benefit cap.

- 4.8 These assumptions are heavily reliant on our capacity to find accommodation that will be sustainable within the overall benefit cap. Inevitably this will mean procuring properties in areas where the rents are lower, elsewhere in the country. Although for some households this is not a viable option, and for the largest households there is nowhere in the country that is affordable within the caps.
- 4.9 If out of borough placements can be achieved within the revised housing benefit allowances, there would be a net saving to the council of approximately £150 per unit per week. This would be offset by any increases in temporary accommodation costs due to increasing numbers of people presenting themselves as homeless.
- 4.10 The Department for Work and Pensions (DWP) has recently reviewed the TA subsidy regime and have confirmed this will continue to be based on current arrangements. That is, in most cases, 90 per cent of the appropriate January 2011 LHA rate for the property (not the household size), that the local authority places the claimant into; plus £40 (for London authorities) or £60 (for non-London authorities).

5.0 Staffing Implications

- 5.1 None

6.0 Legal Implications

- 6.1 Homeless legislation places duties, powers and obligations on housing authorities towards people who are homeless or at risk of homelessness. Under the legislation certain categories of households, such as families with children and households that include someone who is vulnerable, have a priority need for accommodation. The requirement to provide accommodation to persons who are homeless and satisfy the qualifying criteria for assistance arises under Part VII of the Housing Act 1996 ("the 1996 Act") as amended by Homelessness Act 2002. The Council has a statutory duty pursuant to section 193 of the 1996 Act to provide temporary accommodation to homeless applicants who satisfy the following criteria: they are homeless; they are eligible for assistance; they are in priority need of accommodation; and, they are not intentionally homeless. The Council also has a duty to secure interim or emergency accommodation, pursuant to section 188 of the 1996 Act, to those persons it has reason to believe may be homeless, eligible for assistance, and have a priority need pending a decision to the section 193 duty, (if any) owed to the applicant.
- 6.2 The properties will be offered either as emergency accommodation under the Council's duty under section 188 of the 1996 Act or as temporary accommodation under section 193 of the 1996 Act.

- 6.3 Section 206 of the 1996 Act provides that where a housing authority discharges its functions to secure that accommodation is available for an applicant, the accommodation must be suitable. Suitability must be in relation to the applicant and to all members of his/her household who normally reside with him/her, or who might reasonably be expected to reside with him/her.
- 6.4 So far as reasonably practicable the Council shall, in discharging its housing function under Part VII of the 1996 Act, secure that accommodation is available for the occupation of the applicant in its district, pursuant to section 208 of the 1996 Act. Households who have no overriding need to be in Brent may be offered accommodation outside of the borough in a location which has been identified. Selection of areas will be based upon a number of socioeconomic factors including access to employment, education and affordability. Proximity and transport links to Brent will also be considered. In addition to the obligations under s208 of the 1996 Act, the Homelessness Code of Guidance for Local Authorities, of which the local policy would have regard, advises that housing authorities should aim to secure accommodation within their own district wherever possible. The guidance for Local Authorities clearly sets out key factors to consider which include:
- *Proximity to schools, public transport, primary care services, local services in the area in which the accommodation is located*
 - *Space and arrangement*
 - *medical and/or physical needs of the household*
 - *Health and safety and social considerations*
 - *Affordability*
 - *Location.*
 - *Availability of alternative suitable accommodation in the local authority area.*
 - *Size and location of alternative equivalent accommodation available outside of the borough and the availability of support networks in the area.*
- 6.5 There is the right of review of the suitability of accommodation offered under section 193 of the 1996 Act and an applicant may increasingly exercise this right to assert their need to remain in the borough. If the decision to place out of borough is upheld on review then applicants can challenge the decision through the courts on a point of law, which may be costly to defend. Case law has held that the cost of providing accommodation can be a factor a Council could take into account in deciding how to discharge its duty to provide temporary accommodation. Brent Legal Department has provided advice and assistance on an out of borough placement policy in respect of the provision of temporary accommodation (please see Appendix 1 – Temporary Accommodation Placement Policy). Officers are currently

considering whether there should be further amendments made to the out of borough placement policy which is set out in Appendix 1.

- 6.6 The Procurement of Private Managed Temporary Accommodation is considered to be a part B service under the Public Contracts Regulations 2006 (as amended) (the “PCR”) and as such the application of the PCR to this procurement is limited. However, Officers are intending to issue a voluntary OJEU Contract Notice that will ensure the service requirements are sufficiently advertised, thereby satisfying the PCRs and Contract Standing Orders. The procurement of Part B services however is still subject to the underlying EC treaty principles of equal treatment (of economic operators), fairness and transparency which must govern all public procurement. In addition, there are obligations relating to ensuring that technical specifications are prepared relating to the subject matter in a non-discriminate manner and there are obligations to submit post-award information.
- 6.7 Officers recommend setting up a Dynamic Purchasing System using the Open Procedure under the PCR. A Dynamic Purchasing System is a completely electronic system which may be established by the Council to purchase commonly used services, such as the procurement and management of private temporary accommodation. As the services are deemed a Part B service for the purposes of the PCR, Officers are proposing to alter the tender process prescribed by the PCR slightly, in relation to procuring contracts under the Dynamic Purchasing System, once it is set up. The advantage of using such a system, which is akin to a Framework Agreement, is that unlike a framework agreement, it allows for new providers in the market to apply for admittance onto the Dynamic Purchasing System throughout the life of the system, which cannot exceed four (4) years unless there are exceptional circumstances.
- 6.8 The estimated value of the procurement over the lifetime of the Dynamic Purchasing System is deemed a High Value Contract as defined by the Council’s Contract Standing Orders. Further, as the service being procured is a Part B service, the Council’s Contract Standing Order 96 states that a formal tendering process must be conducted. In addition, the approval of the Executive is required to invite tenders.

Public Sector Equality Duty

- 6.9 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.

6.10 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.

6.11 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.

6.12 The previous public sector equalities duties only covered race, disability and gender.

6.13 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.

- 6.14 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.
- 6.15 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 set out in Appendix 2 to this report and its content is discussed further below in the Diversity Implications of this report.
- 6.16 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.

7.0 Diversity Implications

An Equalities Impact Assessment has been completed and is attached (please see Appendix 2)

- 7.1 There are variations within the population of Brent in those applying for assistance as homeless persons.
- 7.2 Through pre-selected providers, this scheme is designed to ensure an on-going supply of privately sourced accommodation. Certain types of properties can be specifically sourced, for example, some BAME households tend to have larger households and require larger properties. Households with certain disabilities require ground floor level access. Properties are to be sourced in areas where there is access to support and resettlement. Consideration will be given to transport links to Brent.

- 7.3 Households, of which BAME households are over represented, will spend less time in emergency accommodation which compromises quality of life, educational attainment, and social inclusion and integration.
- 7.4 Homeless families will be integrated into communities and not stigmatized as homeless households. Accommodation providers are asked to demonstrate how they would deal with harassment/ anti social behaviour in order to be successful and will submit performance statistics on monthly basis. The following actions have been identified to ensure that affected groups continue to obtain a fair and equitable service as a result of the policy:
- 7.4.1 The Council will be directly responsible for nominating applicants to the scheme in line with temporary accommodation policy and procedure and will be able to monitor take up by affected groups Providers are asked to demonstrate how they would implement equalities and deal with harassment/ anti social behaviour in order to be successful. These requirements form part of the contractual obligations.
- 7.5 The Housing Act 1996 code of Guidance makes reference to criteria in the 'suitability of accommodation' order which takes into account education, welfare and medical needs. These criteria will be used to make decisions about whether to place out of borough. The council will adopt a policy using the criteria above to ensure that certain vulnerable groups remain in borough. There will be continuing monitoring and review of provider's commitment to provide an equitable service to homeless applicants.

8.0 Background Papers

- Background paper 1 – Creating procurement bands out of London

Appendices

- Appendix 1 - Brent TA Placement Policy
- Appendix 2 - Equalities Impact Assessment & Consultation Analysis

Any person wishing to inspect the above papers should contact:

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Appendix 1

London Borough of Brent

Temporary Accommodation Placement Policy

1 Introduction

- 1.1 This document sets out Brent Council's policy for the placement of households in temporary accommodation, both inside and outside the Borough. It covers both *interim* placements made under Section 188 Housing Act 1996 ("HA96"), while homelessness enquires are undertaken, and *longer-term* temporary accommodation placements for households accepted as homeless under Section 193 HA96.
- 1.2 The policy takes into account the statutory requirements on local authorities in respect of suitability of accommodation, including Suitability Orders, and the Homelessness Code of Guidance 2006.
- 1.3 As per section 208 HA96, and paragraph 16.7 of the Homelessness Code of Guidance, so far as reasonably practicable, the Council seeks to accommodate homeless households in Brent and always considers the suitability of the accommodation, taking into account the circumstances of the individual household. However, due to an acute shortage of affordable housing locally, and rising rental costs, an increasing number of households are likely to be placed outside the borough, as it will not be reasonably practicable to provide accommodation within Brent. The application of housing benefit caps, and introduction of the overall benefit cap from April 2013, has further restricted the number of properties that will be affordable to homeless households in Brent, and particularly larger families.
- 1.4 When determining whether it is reasonably practicable to secure accommodation in Brent, as opposed to simply what is reasonable, the cost of the accommodation is a relevant and proper consideration, due to the intensive pressures on housing stock in Brent, coupled with a high demand for a range of suitable accommodation with a limited budget.
- 1.5 The Local Housing Allowance (LHA) is used to work out how much Housing Benefit a tenant will receive to pay their rent. LHA rates depend on who lives in the household, and the area they are making their claim in. These areas are called Broad Rental Market Areas (BRMA).
- 1.6 The LB Brent is divided into three Broad Rental Market Areas, which are used to calculate LHA rates in Brent. Inner North London BRMA, North West London BRMA and Inner West London BRMA.

- 1.7 The tables in Appendix 1 illustrate the costs savings to be made by utilising accommodation in areas outside of the three BRMA's in Brent.
- 1.8 The policy therefore details how applicants will be prioritised for housing in Brent, and outside of London.

2 Temporary Accommodation Offers and Refusals

- 2.1 Due to the shortage of suitable accommodation in Brent, homeless applicants who are housed under the Council's interim duty to accommodate pursuant to Section 188 HA96 may initially be placed in emergency accommodation, including bed and breakfast and short-term self-contained accommodation, such as annexes, while enquires are carried out. This accommodation may be outside of the borough. If the Council decides it has a duty to house the household, they will be moved to longer-term accommodation as soon as a suitable property becomes available.
- 2.2 Wherever possible, the Council will avoid placing: families with dependent children; pregnant women; and, young people aged 16/17 in bed and breakfast accommodation. Where no other suitable accommodation exists and such placements are necessary, the Council will move these households to more suitable self-contained accommodation within six weeks.
- 2.3 Where the Council decides that applicants housed under Section 188 HA96 are not owed the main homelessness duty, they will be asked to leave, usually within fourteen days of receiving a homelessness decision letter.
- 2.4 Applicants will be given one offer of suitable interim or longer term temporary accommodation and they will be asked to accept it straight away. There is no obligation upon the Council to enable applicants to view the accommodation prior to acceptance. In making the offer, the household's individual circumstances will be considered, taking into account the factors set out in section 3 of this policy and Council's criteria on out of borough placements (section 4).
- 2.5 If an applicant rejects an offer, they will be asked to provide their reasons for refusal. This applies to new applicants to whom the Council has an interim duty to accommodate under Section 188 HA96, as well as those seeking a transfer from existing Temporary Accommodation (TA) or those in TA who are required to move by the Council whom the Council has accepted a rehousing duty towards under Section 193 HA96. The Council will consider the reasons given and undertake further enquires as necessary. If the Council accepts the reasons for refusal and agree the offer is unsuitable, the offer will be withdrawn and a further offer will be made.

- 2.6 Where applicants refuse suitable emergency accommodation (which may include out of borough placements) and the Council does not accept their reasons for refusal, and considers that the offer is suitable, applicants will not be offered further accommodation and will be required to make their own arrangements. There is no right of appeal against the suitability of accommodation offered to applicants under Section 188 HA96 (although they can apply for judicial review through the courts). For applicants where the Council has accepted a rehousing duty under Section 193 HA96, (s193 duty) there is a right to request a review of the suitability decision, pursuant to Section 202 HA96.
- 2.7 In cases where the applicant still refuses a suitable offer of accommodation, the homelessness duty will be discharged. If the applicant is resident in emergency accommodation, they will usually be asked to vacate the property within 7 days and advised that no further assistance will be provided. If they are already in longer-term temporary accommodation, the current housing provider should be advised that the duty has been discharged.
- 2.8 Where Applicants, whom the Council has accepted a s193 duty refuse a suitable offer and submit a review request, they will only continue to be accommodated during the review period in exceptional circumstances. Each case will be considered on an individual basis, taking into account the overall merits of the review request, any new information or evidence that may affect the original decision, and the personal circumstances of the applicant and the potential impact of the loss of accommodation.

3 Suitability of accommodation – factors to consider

- 3.1 In offering temporary accommodation, the Council will consider the suitability of the offer, taking into account the following factors:
- 3.1.1 **The temporary accommodation available in the borough** – if suitable accommodation is available in the local authority area, applicants will be housed in Brent, allowing them to maintain any established links with services and social/support networks. However, when there is a lack of suitable accommodation or there are higher priority households awaiting accommodation in the borough, out of borough placements will be used to meet the Council’s housing duty (see section 4 on priority for local accommodation below). Given the shortage of accommodation locally, bed and breakfast in/outside of the borough may be considered suitable for short-term interim placements.
- 3.1.2 **Size and location of the property and the availability of support networks in the area** – accommodation must provide adequate space and room standards for the household and be fit to inhabit. In deciding on the fitness

of the property, consideration should be given to the length of time needed to complete any necessary repairs and whether it is reasonable to complete these while the property is occupied. The quality of the decoration/furniture, the layout/type of accommodation, provision of parking and lack of access to a garden are unlikely to be acceptable reasons for a refusal.

- 3.1.3 **Health factors** – the Council will consider health factors, such as ability to get up the stairs, care and support provided by other statutory agencies or the need to access any specialist medical services that are only available in Brent. If the applicant or a member of the resident household is citing medical grounds that were not identified during the initial assessment, the applicant must submit a medical form with 24 hours. The key test in determining the impact of medical issues is whether the condition itself makes the housing offered unsuitable. Problems such as depression, asthma, diabetes or back pain would not normally make a property unsuitable, as the problems would persist in any sort of accommodation.
- 3.1.4 **Education** - attendance at local schools will not be considered a reason to refuse accommodation, though some priority will be given to special educational needs and students who are close to taking public examinations in determining priority for in-borough placements (see Section 4).
- 3.1.5 **Employment** –the Council will consider the need of applicants who are in paid employment to reach their normal workplace from the accommodation that is secured (see Section 4)
- 3.1.6 **Proximity to schools and Services** - The council will consider the proximity to schools, public transport, primary care services, and local services in the area in which the accommodation is located.
- 3.1.7 **Any special circumstance** - The Council will consider any other reasons for refusal put forward by the applicant and come to an overall view about whether the offer is suitable.

4 Criteria for prioritising placements inside/outside of Brent

- 4.1 As the borough faces pressure to house applicants outside the area, it will increasingly be necessary to make decisions about the suitability of out of London/Greater London placements for individual households and balance these against the type and location of temporary accommodation that can be offered. In many cases housing outside of the borough will be more sustainable for the household in the long-term, with lower rents allowing them to better meet their subsistence and household costs and avoid rent arrears.
- 4.2 In placing households in temporary accommodation, there will be a general presumption that placements outside of London will be used to discharge

housing duties where suitable, affordable accommodation is not available locally. However, priority for in-borough accommodation will be given to certain households whose circumstances indicate that they would best be housed locally. These include:

- 4.2.1 Applicants with a severe and enduring health condition requiring intensive and specialist medical treatment that is only available in Brent.
- 4.2.2 Applicants who are in receipt of a significant package and range of health care options that cannot be easily transferred.
- 4.2.3 Applicants with a severe and enduring mental health problem who are receiving psychiatric treatment and aftercare provided by community mental health services and have an established support network where a transfer of care would severely impact on their well being.
- 4.2.4 Households with children registered on the Child Protection register in Brent, or families who have high social needs who are linked into local health services and where it is confirmed that a transfer to another area would impact on their welfare.
- 4.2.5 Households containing a child with special educational needs who is receiving education or educational support in Brent, where change would be detrimental to their well-being.
- 4.2.6 Applicants who have a longstanding arrangement to provide care and support to another family member in Brent who is not part of the resident household and would be likely to require statutory health and social support if the care ceased.
- 4.2.7 Any other special circumstance will also be taken into account

4.3 **Priority for placements in Greater London will be given to:**

- 4.3.1 Applicants who have been continuously employed in Greater London for a period of six months, and for 24 hours or more per week. Women who are on maternity leave from employment and meet the above criteria would also be prioritised for placements in Greater London.
- 4.3.2 Applicants who have as part of their household, a child or children who are enrolled in public examination courses in Brent, with exams to be taken within the next six months. Wherever practicable we will seek to place such households within 60 minutes travelling distance of their school or college.
- 4.3.3 Wherever practicable, any applicant who works for more than 24 hours per week and has been employed continuously for more than six months will not be placed more than 90 minutes travelling distance by public transport, from their place of employment.
- 4.3.4 Applicants who meet none of the above criteria will be offered properties out of London when no suitable property is available.
- 4.3.5 Any other special circumstance will be taken into account.

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Appendix 2 - Equalities Impact Assessment

Department: Regeneration and Major Projects	Person Responsible: Saleema Nuraney
Service Area : Housing Needs Service <hr/>	Timescale for Equality Impact Assessment : Four weeks
Date: 22.10.12 <hr/>	Completion date: 23.10.12
Name of service/policy/procedure/project etc: Private Sector Accommodation (PSA) Scheme	Is the service/policy/procedure/project etc: New <input checked="" type="checkbox"/> Old <input type="checkbox"/>
Predictive <input checked="" type="checkbox"/> Retrospective <input type="checkbox"/>	Adverse impact <input checked="" type="checkbox"/> Not found <input type="checkbox"/> Found <input checked="" type="checkbox"/> Service/policy/procedure/project etc, amended to stop or reduce adverse impact Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Is there likely to be a differential impact on any group? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Please state below:

<p>1.</p> <p>2. Grounds of race: Ethnicity, nationality or national origin e.g. people of different ethnic backgrounds including Gypsies and Travellers and Refugees/ Asylum Seekers</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p>3. Grounds of gender: Sex, marital status, transgendered people and people with caring responsibilities</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>
<p>3. Grounds of disability: Physical or sensory impairment, mental disability or learning disability</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>4. Grounds of faith or belief: Religion/faith including people who do not have a religion</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>
<p>5. Grounds of sexual orientation: Lesbian, Gay and bisexual</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>6. Grounds of age: Older people, children and young People</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p>Consultation conducted</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	
<p>Person responsible for arranging the review: Zaheer Iqbal, Services Manager, Accommodation</p>	<p>Person responsible for publishing results of Equality Impact Assessment: Saleema Nuraney and Amanda Lee</p>
<p>Person responsible for monitoring: Complaints Team</p>	<p>Date results due to be published and where: 30.11.12</p>
<p>Signed: S.Nuraney</p>	<p>Date: 22.10.12</p>

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?

This predictive Equalities Impact Assessment considers the impact of changes brought about by the Welfare Reforms and Universal Credit caps which will affect how temporary accommodation (TA) is allocated and managed. Brent has responded to these changes by inviting tenders from Contractors (Housing Providers) to procure affordable accommodation under the Private Sector Accommodation (PSA) scheme for those households who will be directly affected by the benefit caps. This applies mainly to larger households that require three, four and five bed properties.

The Council has a statutory duty to provide suitable temporary accommodation to homeless persons who are eligible and have a priority need for accommodation under part VII of the Housing Act 1996(as amended by the Homelessness Act 2002). There are currently just fewer than 3,200 homeless households in various Temporary Accommodation (TA) schemes. Private Sector Leasing (PSL) schemes involve the Council leasing properties from the private sector and letting them to homeless households as temporary accommodation and the Council has a number of these. The proposed Private Sector Accommodation (PSA) scheme is a type of Private Sector Leasing Scheme.

With the introduction of universal credit in April 2013, benefits are to be capped at £500 a week – this includes all benefits including housing benefit. The DWP states that approximately 3000 families will be affected in Brent and for these, rents will no longer be affordable. For example, a couple with three children, under Universal Credit, will have a personal allowance of 332.10. With benefits capped at £500, their maximum rent allowance will be £167.90. The local housing allowance rent for a three bed property in South of the Borough is £340.00 per week, leaving a weekly shortfall of £172.10. The PSA scheme offers an alternative option which will be a greater choice of self contained good quality accommodation outside of London in areas where rent levels remain affordable.

The PSA scheme will provide the council with a supply of units needed to house homeless households that can no longer be provided for under the current Housing Association Leasing Scheme (HALS) scheme. This particularly applies to larger households that require three, four and five bed properties.

The scope of services, which will be provided by multiple Contractors who are selected during the tendering process, will include a full property management service to include property acquisition, viewings and lettings processes, tenancy management, property inspections, administering decants, void periods and property handbacks and performance management.

It is important to note that these changes will affect new households for whom we have accepted a statutory duty to provide TA under part VII of the Housing Act 1996(as amended by the Homelessness Act 2002) as well as those households who are currently in TA.

This tender is subject to executive approval and members are asked to agree that the PSA scheme be implemented with effect from April 2013.

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

The principal aim of the PSA scheme is to:

- Continue to meet the housing need for eligible, homeless persons with a priority need for whom the Council has a statutory duty to provide suitable TA under part VII of the Housing Act 1996(as amended by the Homelessness Act 2002).
- Meet housing need through provision of appropriate affordable housing
- Make best use of leased accommodation to meet housing need
- To specify the affordability thresholds to be complied with by Contractors when setting rents
- Encourage Housing providers to pay full regard to the affordability of TA
- Promote a consistent approach to the letting and management of TA in the borough

The intention of the PSA scheme is to meet the gap between the need for housing and the supply of affordable temporary accommodation especially for larger households who require three, four and five bed properties who are affected by the Universal Credit caps.

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

Yes, the results are consistent with the Council's policy. A key aim of the PSA scheme is to ensure that services meet the housing needs of service users irrespective of their race, age, disability, sex, sexual orientation, gender reassignment, faith, marriage or civil partnership.

The Council's TA Placement Policy details how applicants will be prioritised for housing in Brent, and outside of London. This includes temporary accommodation placements for households accepted as homeless under S193 of the Housing Act 1996 (these are households where we have accepted a duty to assist).

The policy outlined here will aim to mitigate any potential impacts of the Welfare Reforms and Universal Credit caps and is balanced towards ensuring that housing need is met in a fair, consistent and non discriminatory manner.

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?

Due to a high level of demand for all types of housing, and rising rental costs, an increasing number of households are likely to be placed outside the borough. The application of housing benefit caps, and introduction of the universal credit from April 2013, will further restrict the number of

properties that will be affordable to homeless households, and particularly larger families, people from the Somali community, lone households headed by women and Muslims.

This is further evidenced by the following information, obtained from Brent's Housing Benefit department who calculated each family's entitlement based on their family size:

*Figures based estimates assuming income of:

IS/JSA £111.00/£71.00 (couple or single), CTC £58.00 each child, CB £20.30 1st child,£13.40 each child

Household size	Total Income (IS/JSA,CTC,CB Approx.) *	Maximum HB from April 2013	Size of accommodation
2 adults, 2 children	£260	239.30	2 bed
2 adults, 3 children	£332.10	£167.90	3 bed
2 adults, 4 children	£403.50	£96.50	4 bed
2 adults, 5 children	£474.90	£25.10	4 bed
2 adults, 6 children	£546.30	£0	5 bed

The local housing allowance rent for a three bed property in South of the Borough is £340.00 per week, leaving a weekly shortfall of £172.10.

DWP figures indicate that approximately 3000 households in Brent are affected by the benefit cap. Of these, 831 are in TA. Part of our consultation included sending a questionnaire to these households in TA who will be affected by the overall benefit cap in 2013.

This is discussed further in the consultation analysis attached.

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.).

As part of our consultation, 831 questionnaires were sent to affected households in TA. We have thus far received 191 responses. Analysis indicates that the worst affected groups are lone households headed by women, Muslims and people from the Somali community. For more information, please see the consultation analysis attached.

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)

Yes. The council endeavours to mitigate the full impacts of welfare reforms and overall benefit caps through TA placement policies and suitability reviews. However, larger, unemployed, homeless households which on the whole are from Black African (Somalian) communities will be disadvantaged due to changes, made by central government, in welfare benefits, universal credit cap, housing benefits and the local housing allowance.

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?

As part of our consultation, 831 questionnaires were sent to affected households in TA. We have thus far received 191 responses. For more information, please see the consultation analysis attached.

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

We will publish the results on Brent's intranet and internet site.

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

There is no specific public concern about the delivery of Brent's Housing Need services. However there is concern regarding the impact on larger households who tend to be from Black African (Somali) communities.

The significant shortage in supply coupled with pressures of temporary accommodation costs mean that the council has little choice but to pursue the PSA scheme. The forthcoming universal credit caps mean that it is extremely difficult to find affordable temporary accommodation in Brent. The council will, therefore, be required to find affordable accommodation outside of the borough boundaries, including outside of London.

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.

Yes the action is justified. As previously stated there is a significant shortage of affordable TA in Brent to meet current demand. Furthermore changes in Housing Benefits and Local Housing Allowance have swiftly resulted in an increase in the number of households approaching and being accepted by Brent as homeless (since April alone we have accepted a duty to assist 300 households). The council will, therefore, be required to find affordable accommodation outside of Brent as well as outside of London.

However, the council will endeavour to mitigate the full impacts of welfare reforms and overall benefit caps by ensuring Contractors provide a comprehensive welcome pack for every family. Each welcome pack will include the following:

The Contractor's name, address, telephone number and office opening hours
Contact details for repairs and maintenance (including emergency repairs service)

Information on local facilities and amenities including:

GPs and how to register

Hospitals

Schools and how to apply

Local transport links

Shops and supermarkets

Post Offices and banks

Job Centre plus
Faith and other community groups
Places of worship
Local authority offices

Furthermore, Contractors will also carry out an initial 7 day visit followed by visits once a month for the first six months on all households who are placed outside of London. This will be reinforced by the employment of two TA Support officers who will carry out a similar function. The aim is to provide a tailored support package for household to ensure each household is treated fairly and that their needs are fully met.

36% of households who responded to the survey stated that they would be willing to find employment. Brentin2Work also work extensively with partners who provide employment advice to Brent residents and are able to tailor training programs designed to equip clients with the necessary skills that can eventually lead to employment over 24 hours.

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

The impact can be justified however at this stage it is worth documenting the activities which Brent is undertaking to mitigate the effects of the impact of the overall benefit caps:

- The council has utilised the services of a consultancy to identify suitable areas of procurement based on a favourable relationship between the LHA rate and the market rents. Other areas of research included ethnic composition of area, economic deprivation, education levels, local support agencies and travel back to Brent. It is also worth mentioning that some of the preferred areas cited in the responses to our questionnaire include: Luton, Watford, Birmingham, Manchester, Sheffield, Brighton, Leicester, Slough, Surrey, Dunstable, Stevenage, Hitchin, Leagrave, Grimsby and Lincolnshire.
- Brent has successfully procured smaller 1 & 2 bed units within Brent however, due to affordability the council will seek to procure larger properties outside London.
- The council will allocate TA in line with Brent's TA Placement Policy which will ensure that everyone's housing need is met in a fair, consistent and non discriminatory manner.
- The specifications of the PSA contract will ensure that properties procured by Contractors will meet rigorous standards, including adhering to the "minimum property standard" as defined in the PSA specification. This specifies the standards each property must meet before they can be accepted for the PSA scheme. The Contractor should ensure (amongst other things) that all safety certificates are valid for the property, that the property has buildings insurance that the property adheres to current fire regulations.
- Advice and assistance will be provided by both Brent Council and the Contractors to aid the smooth transfer of households into TA which is located out of the borough.
- Two TA Support officers will be employed to conduct monthly visits for those clients placed outside of London. This to ensure a seamless transition into the household's new TA. This will be reviewed as more household are placed outside of London.
- Brent is also conducting a poster campaign to increase awareness of the welfare reforms to residents in the borough by using live case studies. Coverage will include posters and the

Brent magazine.

- Brentin2Work which is jointly run with the College of North West London are a partnership hub providing one stop advice and guidance on employment. Thus far over 100 unemployed people have been supported into work. The Navigator initiative is at an early stage and will be introduced in January 2013. However, it is anticipated that a key element will involve development of tailored programmes which will enable 300 of the worst affected households move into employment of at least 24 hours.

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

With regard to statutory homelessness - this is a demand led service which is governed by legislation and therefore there is little reason to attempt to increase uptake. Nevertheless the council will review the advice and assistance provided to these households who are affected by the benefits caps. A review will be conducted in a year's time, headed by the Service Manager, Accommodation.

13. What is the justification for taking these measures?

Whilst 90% of those consulted have indicated they are aware of the changes, 10% of households are still not fully aware of these changes. Providing appropriate advice and assistance will enable them to make fully informed decisions regarding their housing futures. Currently this work is undertaken by the Housing Options team who assess clients who are threatened with homelessness and who will ensure that advice and assistance is tailored to meet changing demand for this service. The TA Support team also conduct home visits for affected clients in TA to offer advice and discuss their options. In addition, Colleagues from Housing Benefits have also given presentations to some community groups to explain fully the impact of these changes.

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 Manager, Accommodation will be responsible for the review and monitoring of the PSA Scheme. Monitoring of TA contracts and complaints made by households in TA is already in place. However this will need to be revisited in order to ensure that information regarding the impacts of the PSA scheme is fully captured. Furthermore, once implemented, the council intends to undertake a full review of the PSA scheme and a retrospective equalities impact assessment will form part of this process.

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

None specific however changes and recommendations may arise once the PSA scheme is in operation and a review has taken place. Part of our review will include analysing employment outcomes for clients in TA who indicated they are willing to work to mitigate the impact of the benefit caps.

Should you:

1. Take any immediate action?

Not at this stage however once the PSA scheme is in place there may be a requirement to undertake future actions depend upon outcomes arising.

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

Not at this stage. However this may be reviewed once the PSA scheme is in place.

3. Carry out further research?

Not at this stage – on-going monitoring and analysis will enable the council to identify impacts as they arise.

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

At this stage no equality objectives need to be developed

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

none

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): Zaheer Iqbal Date: 23 October 2012

Service Area and position in the council: Service Manager, Accommodation, Housing Needs Service.

Details of others involved in the assessment – Saleema Nuraney, TA Strategy & Contracts Officer.

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

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Appendix 2 cont'd

Brent Private Sector Accommodation (PSA) scheme – Equalities Impact Assessment Analysis.

Introduction

This document provides an equalities impact analysis of Brent’s PSA scheme in response to questions 4, 5 and 7 of the Equalities Impact Assessment.

DWP figures indicate that approximately 3000 households in Brent are affected by the benefit cap. Of these, 831 are in temporary accommodation (TA). These are clients for whom we have accepted a homeless duty under section 193 of the Housing Act 1996 and for whom we have a statutory duty to provide suitable accommodation.

With the introduction of universal credit in April 2013, the most acute impacts will be experienced by households who are either in employment of less than 24 hours or are unemployed and subject to the overall benefit cap which limits benefit income to £350 per week for a single household and £500 per week for all other households.

As highlighted in the example below, the impact of this change will be felt most by larger households and therefore households from certain BAME groups.

*Figures based estimates assuming income of:

IS/JSA £111.00/£71.00 (couple or single), CTC £58.00 each child, CB £20.30 1st child, £13.40 each child

Household size	Total Income (IS/JSA,CTC,CB Approx.) *	Maximum HB from April 2013	Size of accommodation
2 adults, 2 children	£260	239.30	2 bed
2 adults, 3 children	£332.10	£167.90	3 bed
2 adults, 4 children	£403.50	£96.50	4 bed
2 adults, 5 children	£474.90	£25.10	4 bed
2 adults, 6 children	£546.30	£0	5 bed

The local housing allowance rent for a three bed property in South of the Borough is £340.00 per week, leaving a weekly shortfall of £172.10.

Given the current financial climate, significant housing pressures in London, changes to the Local Housing Allowance (LHA) and imposition of Universal Credit caps, Brent will need to procure a substantial number of properties but will face real difficulties in acquiring them especially within London.

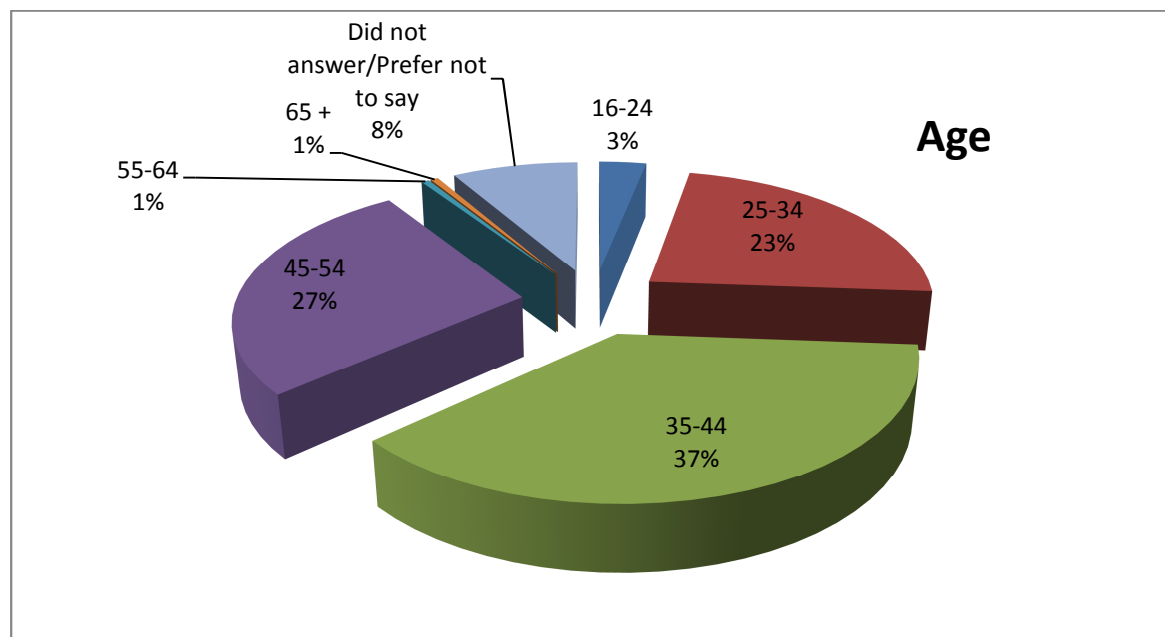
The council recognises that the most effective way to mitigate the impact of welfare changes is for households to move into work and Brent is working with partners to provide opportunities for households to find employment and lift themselves out of the benefits cap. Brent in2 Work provides employment support services to local employers and Brent's unemployed residents and delivers the service in partnership with several organisations.

Part of our consultation included sending a questionnaire to the 831 affected households in TA who will be affected by the overall benefit cap in 2013.

831 questionnaires were sent out. At the time of writing we have received 191 responses and these form the basis of our analysis. We will however continue to collect responses.

Equalities Impact

1. Age Equality

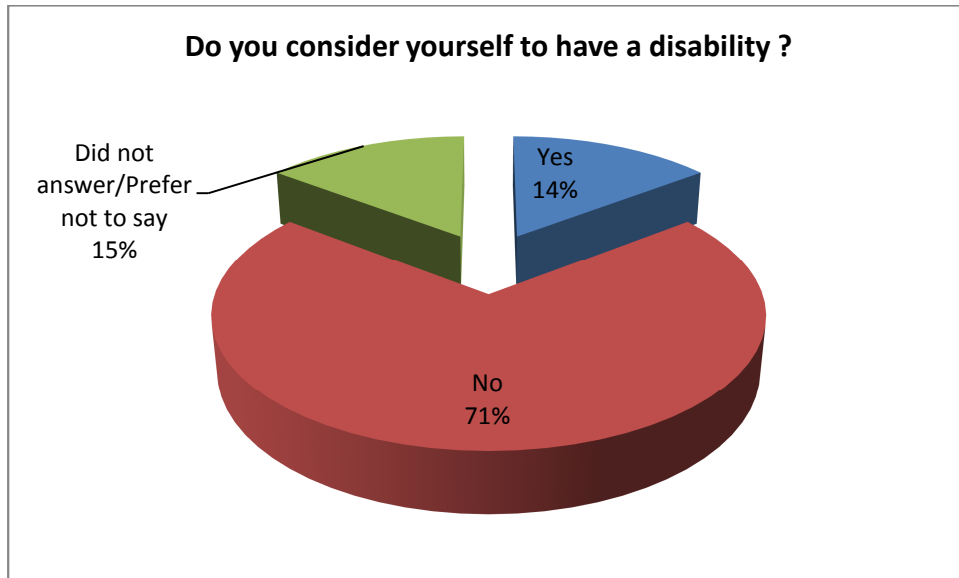


- The majority of people affected who have thus far responded are 35-44 as the cap only applies to working age benefits.
- Out of the 71 households in this category 54 are unemployed or in receipt of full benefits.
- 35 of these households require a three bedroom property or above.
- Out of 35 households requiring larger properties, 13 are from the Somali community compared with 7 African or Caribbean, 2 Asian households, 5 from White

British/Irish/European backgrounds and 6 from Other Ethnic groups including Arabs, Algerians and Eastern Europeans.

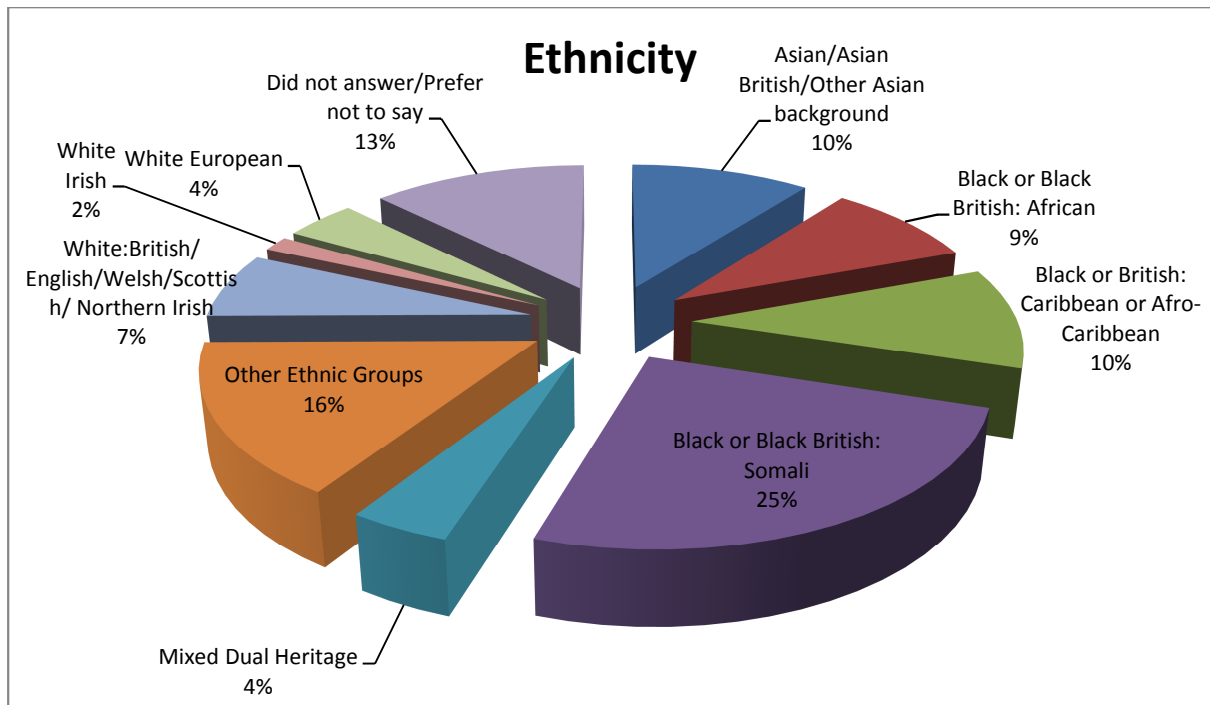
- The age group least likely to be affected are those over 55 years.

2. Disability



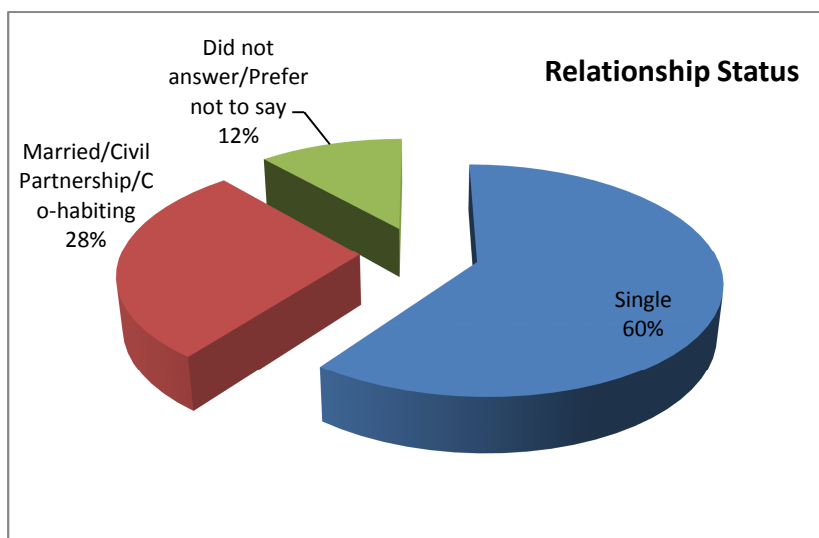
Analysis indicates that out of 28 households which include someone with a disability, 23 require properties which are 3 bedrooms or above. It is also important to note that households in receipt of Disability Benefits will be exempt from the overall benefit cap.

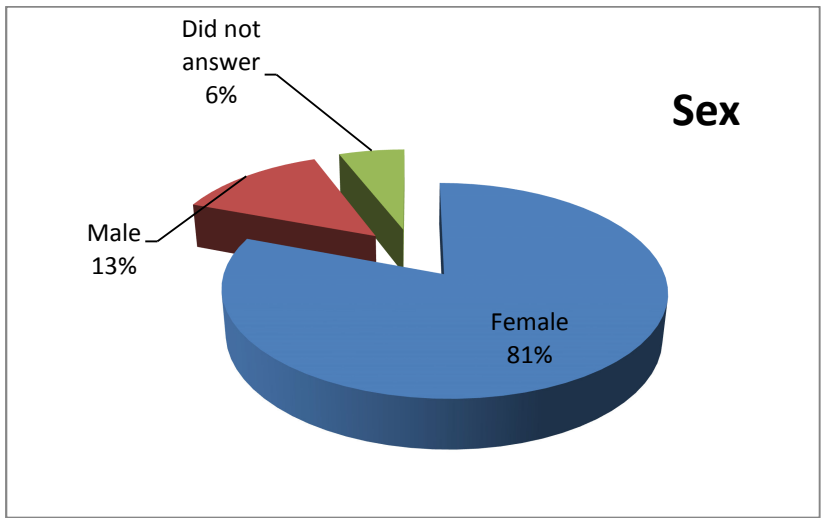
3. Ethnicity



- The majority of households affected are from the Somali community.
- 36 out of 48 households affected are either unemployed or in receipt of benefits. Of these, 28 require a three bedroom property or above.
- This is compared to the following community groups who are also affected: 9 Asian households, 16 African and Caribbean households, 9 White British/Irish/European households and 17 belonging to Other Ethnic groups.

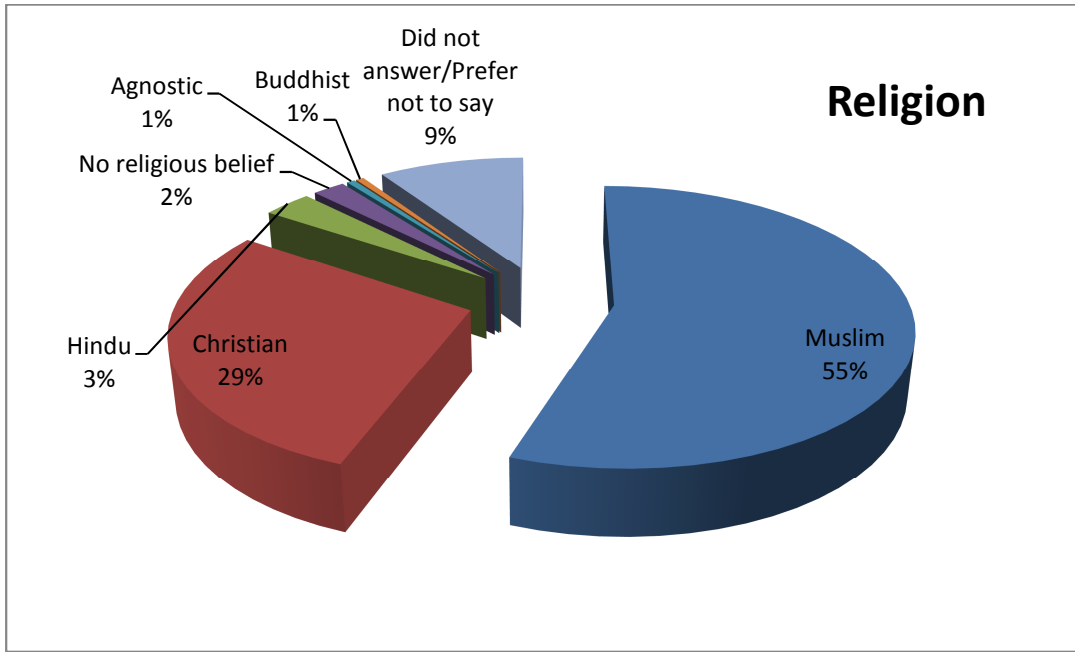
4. Marriage & Civil Partnership and Gender





- Lone parent households make up the majority of client groups affected.
- Out of 114 households, 90 are unemployed or in receipt of benefits.
- 86 out of these 90 cases are headed by single women.
- 53 out of 86 households require a three bedroom property or above indicating that this protected group will be heavily impacted by the benefit caps.

5. Religion

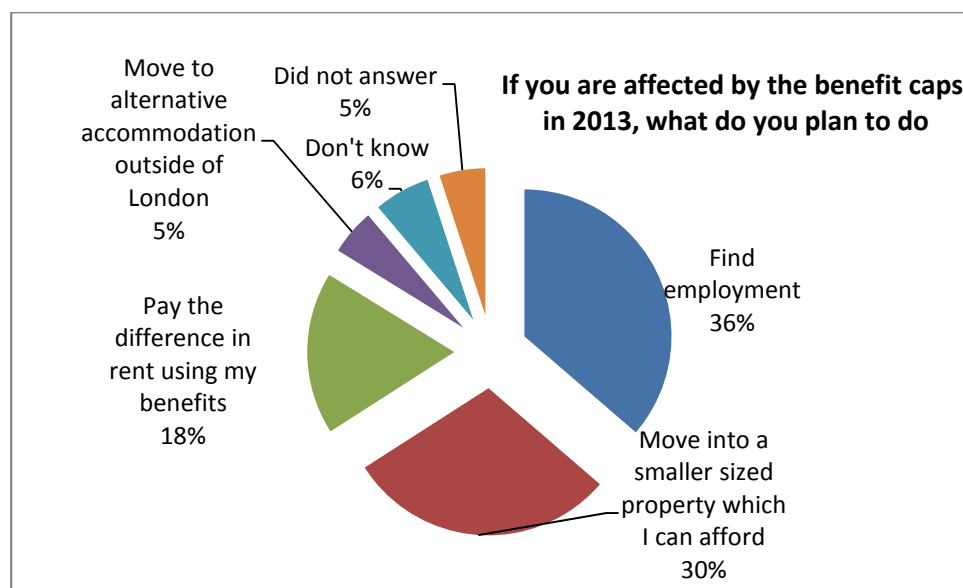


Results indicate that the main religious group affected by the benefit caps will be Muslims. 81 out of 106 households are unemployed or in receipt of benefits. Part of the PSA specification stipulates that Contractors must provide welcome packs for all new tenants which will include (amongst other things) information on places of worship and community groups in the areas.

7. Sexual Orientation and Gender Identity

Of the people who are at risk, under 5% are from the Lesbian, Bisexual, gay and transgender community.

8. Employment

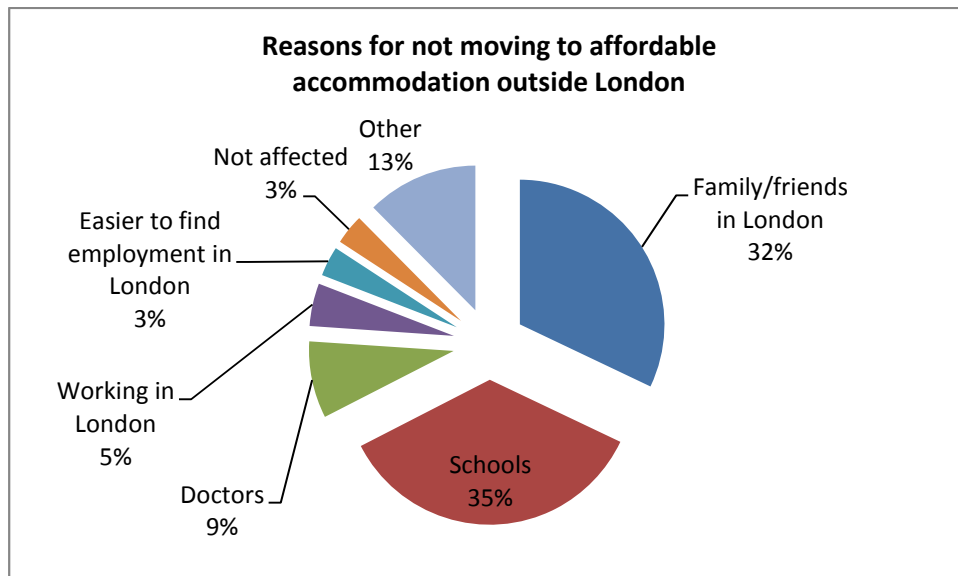


The Council recognises that there are households who are willing to find employment to mitigate the impact of the benefit cap and is developing an initiative designed to assist unemployed residents into work. The Navigator initiative is at an early stage and will be introduced in January 2013. However, it is anticipated that a key element will involve development of tailored programmes which will enable 300 of the worst affected households move into employment of at least 24 hours.

Brentin2Work also work extensively with partners who provide employment advice to Brent residents and are able to tailor training programs designed to equip clients with the necessary skills that can eventually lead to employment.

5% of households who responded to the survey stated that they would be willing to move to areas outside of London including Luton, Birmingham and Manchester.

9. Reasons for not moving outside of London



Housing Options will be limited for larger families due to high levels of unemployment and the introduction of the benefit caps. Unemployed households requiring a 3 bedrooms plus property are unlikely to be accommodated in London.

Whilst the Council's ability to mitigate the impact of the benefit caps that drive out of London procurement is limited, the criteria for out of London placements is detailed extensively in Brent's TA Placement Policy. The council has also utilised the services of a consultancy to identify suitable areas of procurement outside of London. Their research took various factors into account such as affordability, ethnic composition of area, economic deprivation, education levels, local support agencies and travel back to Brent. In addition, Contractors will provide Welcome Packs which will give an overview of the area, amenities, schools and doctors.

This aims to mitigate any potential impacts of the Welfare Reforms and Universal Credit caps and is balanced towards ensuring that housing need is met in a fair, consistent and non discriminatory manner.

Private Sector Accommodation Tender - Equalities Impact Assessment.

Results of Survey

Q1. Are you aware of the welfare reforms?		Q5. How much is your rent per week?	
Yes	172	£0-£299	30
No	19	£300-£349	49
Q2. How concerned are you about the welfare reforms and overall benefit caps?		£350-£399	28
Very Concerned	146	£400-£449	40
Partially Concerned	11	£450-£500	9
Not concerned as not affected	7	£500 +	22
Don't know	20	Q6. Do you contribute towards your rent?	
Did not answer	7	Yes	30
Q3. If you are affected by the benefit caps in 2013, what do you plan to do?		No	154
Find employment	65	Did not answer	7
Move into a smaller sized property which I can afford	53	Q7. Does anyone in your household work over 24 hours?	
Pay the difference in rent using my benefits	32	Yes	10
Move to alternative accommodation outside of London	9	No	176
Don't know/Did not answer	20	Did not answer	5
Other	27		
Q4. How many bedrooms are there in your accommodation?			
One bedroom	3		
Two bedrooms	60		
Three bedrooms	84		
Four bedrooms	28		
Five + bedrooms	13		
Did not answer	3		


Q8. If you are unable to pay your rent due to the benefit caps and need to move to an affordable property outside of London, please state your preferred areas outside of London		Q8a. I would not be willing to move to an affordable property outside London because :	
None	120	Family/friends in London	67
Did not answer	40	Schools	74
Luton , St Albans, Watford, Birmingham. Birmingham, Manchester, Sheffield, Brighton, Leicester, Hemel Hempstead, Slough, Hillingdon, Surrey, Dunstable, Stevenage, Hitchin, Leagrave, Grimsby, Lincolnshire.	15	Doctors	18
		Working in London	10
		Easier to find employment in London	7
		Not affected	7
		Other	26
		Did not answer	26

Equality Monitoring Form

Q1. What is your age?		Q6. Have you been pregnant within the last 6 months or are you breastfeeding?	
16-24	6	Yes	26
25-34	44	No	144
35-44	71	Did not answer/Prefer not to say	21
45-54	52	Q7. What is your sexual orientation?	
55-64	1	Bisexual	5
65 +	1	Gay Man	1
Did not answer/Prefer not to say	16	Heterosexual	125
Q2. Do you consider yourself to have a disability?		Did not answer/Prefer not to say	60
Yes	28	Q8. What is your relationship status	
No	135	Civil Partnership	2
Did not answer/Prefer not to say	28	Co-habiting	2
Q3. Please indicate your sex		Married	50
Female	151	Single	114
Male	25	Did not answer/Prefer not to say	23
Did not answer	15	Q9. Do you have caring responsibilities?	
Q4. Is your gender identity the same as you were assigned at birth?		Yes	68
Yes	154	No	91
No	3	Did not answer/Prefer not to say	32
Did not answer	29	Do you have parenting responsibilities?	
Q5. What is your religion?		Yes	146
Agnostic	1	No	20

Buddhist	1	Did not answer/Prefer not to say	25
Christian	55	Q10. Socio-economic factors?	
Hindu	6	Student	17
Muslim	106	Employed	12
No religious belief	4	Unemployed/ In receipt of benefits	148
		Did not answer/Prefer not to say	14

Q11. Please state your ethnicity.			
Asian/Asian British/Other Asian background	20		
Black or Black British: African	17		
Black or British: Caribbean or Afro-Caribbean	20		
Black or Black British: Somali	48		
Mixed Dual Heritage	8		
Other Ethnic Groups	30		
White:British/ English/Welsh/Scottish/Northern Irish	13		
White Irish	3		
White European	8		
Did not answer/Prefer not to say	24		
Asian/Asian British/Other Asian background	20		

	<p style="text-align: center;">Executive 12 November 2012</p> <p style="text-align: center;">Report from the Director of Regeneration and Major Projects</p>
<p style="text-align: right;">Wards affected: Tokyngton</p>	
<p>Olympic Way</p>	

1.0 Summary

The council has disputed the ownership and status of Olympic Way with Quintain Estates (QED) for a number of years. In recent years QED has carried out much of the maintenance and has derived income from advertising along it. Olympic Way needs long term capital investment to bring it to a standard worthy of a key route in the borough and to maintain the route in excellent condition. This report proposes an agreement between the council and Quintain that fairly apportions maintenance costs and income from advertising and other uses and guarantees the long term significant improvement of the route.

2.0 Recommendations

That Executive:

- 2.1 Approve the drawing up of a legal agreement with Quintain Estates on the future maintenance of Olympic Way and share of income from advertising and other activities; and
- 2.2 Instruct officers to prepare, subject to further legal advice, legal documents for the Olympic Way agreement based on the principles set out in paragraph 3.13 of this report; and
- 2.3 Delegate the exact terms of that agreement to the Director of Regeneration Major Projects/ Assistant Director, Property and Asset Management

3.0 Background

- 3.1 Olympic Way is the main processional route from Wembley Park to Wembley Stadium. Its current role is as a clear route to move crowds and it performs this well. Although it has been improved it now looks tired and in need of a significant capital investment. However in the future development will face directly on to it in the form of cafes restaurants and bars in particular. It will be more dramatic and perform more than just the 'route to the stadium' function in that it will be a route to the shops, a place to linger and a route of real character.
- 3.2 The ownership of Olympic Way is the subject of a dispute between Brent Council and Quintain Estates (QED). While the Council consider it to be public adopted highway as derived from when the Council resolved to adopt Olympic Way in 1983 post original improvements and subsequently when the route was punched through the Bobby Moore Bridge as part of a major pedestrianisation scheme, it is the view of Quintain that the land was a private road that transferred into their ownership upon their acquisition of the Palace of Industry land. Appendix 1 sets out the complex history in terms of management, land transfers, rights and responsibilities.
- 3.3 Since their purchase of the freehold interest of Olympic Way as part of the purchase of Wembley London Ltd in 2002, Quintain has undertaken general maintenance on Olympic Way in respect of street lighting (including the electricity bills); trees and clearing the street post major events. The council's current maintenance functions relate to highway inspections, safety repairs and enforcement of the highway.
- 3.4 The key issue is that the 'owner' of the land will be entitled to secure revenue from advertising and other activities. The owner would of course also have to pay for maintenance and repair liabilities and fund the costs of capital improvements. In cases of dispute of this nature the council and Quintain would need to undertake costly and lengthy legal action as this dispute would need ultimately to be settled by the courts. However in view of the regeneration benefits and building long term partnerships with major landowners, your officers propose a negotiated settlement that reasonably apportions both costs and revenues.
- 3.5 The council now has three options.

Option 1

The council maintains that Olympic way is a publicly adopted highway.. It will need to assume the maintenance costs currently met by QED and put in place a strategy to secure income from advertising and other uses. It will also most likely need to secure the disputed status through the courts from QED.

Option 2

The council secures an agreement with QED on the long term status, ownership, maintenance, income distribution and capital improvements required for Olympic Way. This would then need to be discussed with other

adjoining landowners and interested parties such as the stadium and metropolitan police to ensure that the scheme worked for event days.

Option 3

The third option is to maintain the ad-hoc arrangements and to leave the question of status and ownership unresolved. This uncertainty will delay the investment needed along Olympic Way and raises questions about the Issues of liability which may arise re the legitimacy of enforcement by the Council, the various statutory orders in place and those that might be forthcoming through the NEW development proposals and the risks attached to situations such as a serious personal injury accident occurring on Olympic Way. This option is therefore not recommended.

Best Option

- 3.6 The council has tried for some years to reach agreement with QED over the status and ownership of Olympic Way and therefore maintenance liabilities and rights to income. The council appears to have a reasonable case in the matter and this would support the case for option 1. Nevertheless QED have carried out a number of maintenance and improvement projects in recent years and Quintain use this as an argument to justify its own claim on Olympic Way. Even if the council legally established status of Olympic way as a publicly adopted highway then it would need to find funds to undertake maintenance of the public realm and also to finance longer term improvements and for which no budget exists. Establishing ownership would however allow the council to derive income from advertising and other uses. But this pushes the risks of ensuring income from advertising and the like covered the costs of maintenance works whereas under option 2 these risks are shared and the council benefit from QED's commercial acumen. It is also clear that QED would contest Option1 and this inevitably will only be resolved in court.
- 3.7 Your officers have undertaken negotiations with QED to establish the basis of an agreement and this option2 is the recommended option. The basis of the proposed agreement is set out below.

The Olympic Way Agreement

- 3.8 The nature of the agreement is to look at the costs of maintaining and improving Olympic Way. The main costs are highway maintenance, lighting maintenance and costs of operating, street cleaning, highway inspection, tree maintenance and media costs (for banner and lamppost advertising). The second part is to estimate income from Olympic way, notably Advertising (Banner and lamp post), outdoor seating from future cafes etc, commercial hire and filming rights hire. The final part of the agreement is to agree what upgrades could be made as a consequence of this agreement and these include new lampposts and new trees and some cosmetic surface improvements (note that under the terms of the S106 QED are committed to undertaking £4m of capital improvement works plus a tree planting strategy to the southern section of Olympic Way (between Engineers Way and Fulton

Road) as part of the NWL development proposals). They do not have to start these works until they have built out two of the three blocks on Olympic Way. This means that any improvement works may be at least five, and more likely fifteen years away. The £4m sum would in all probability pay for repaving works only. If the council secure an agreement this could bring forward some of these works, particularly to trees and lampposts.

3.9 Summary of Possible maintenance costs on OW

Your officers estimate that it costs about £65k per year to keep OW running in good repair and maintained to an appropriately high standard although the council costs set out in Appendix 2 are estimates often based on borough 'per head' costs. Clearly new capital investment may lower potential maintenance costs. Conversely if we do not get agreements that allow for capital upgrades, the maintenance bills may well be higher in the future because of the condition of existing highway, trees and lamp posts etc.

3.10 Summary of Possible income from Olympic way

It is estimated that income from advertising, café seating and commercial hire of OW (for filming and promotional activity) will initially be between £86-£101k per year and rise to between £107-£143k per year when café seating is provided along OW. The details of the income and the assumptions to estimate this is contained in Appendix 2.

3.11 Capital Improvements

Under the terms of the agreement, QED will commit to providing over £500k's worth of capital investment on new lampposts, trees, hedges along OW and a new replacement toilet for the closed toilet on OW (including match day temporary toilets). QED would meet these up-front costs but would be allowed to defray any income for five years (or until the costs are met). Thereafter the council would share any income on a 50;50 basis after maintenance costs are met.

3.12 Summary of costs and incomes

Under option 3, the council would have limited annual costs related to maintenance but no income as that is currently kept by QED. Under this scenario there would be little capital investment because there is no certainty over ownership going forward. If the council assume that the whole of OW is in the council's responsibility then we would secure an annual income of between £20-£40k (£86-£106 income and £65k's worth of costs). The council would of course have to find the £500k capital costs if it wanted to improve OW to the same standard as in Option 2. The caution in this option is that the council will in all probability foot legal bills if QED chose to dispute status. QED may also not chose to provide outdoor space for café's on OW if it received no benefit. Under Option 2, the preferred option, the council get very limited income over costs in the first five years but it does share both costs and incomes with QED thus reducing any risk on costs. This option does

encourage QED to make the long term capital improvements to OW of around £500k with little cash contribution from the council. QED can write off some of these costs against income for the first five years, thereafter any income will be shared after agreed maintenance and management costs. It is estimated that the council's income will increase annually to £30-47k a year assuming a limited amount of outdoor café seating. The £30k is estimated to be a minimum which will grow over time as new development comes forward and the quality of OW improves and makes the space more marketable for advertising and other commercial activity.

	No Change (option 3)	LBB total Ownership (option 1)	Agreement-first 5 years- Option2	Agreement Next 5 years-option 2
Annual income	£0	£86-106,000	£15,000	53,000-£73,500
Annual costs	£9000	£65,400	£13300	£23,330
Income-costs	-£9000	£20,600-£40,600	£1,700	£29,680-£46660
Capital costs Paid by LBB	£0	£500,000	£10,000	£0
Total Capital Investment	£37,000	£500,000	£500,000	£0

3.12 A further consequence of the agreement is that it encourages QED to undertake a range of short term improvements, the capital improvements set out below and to plan for the longer term, such as replacing static kiosks with mobile ones. It also allows an agreement on community events and the council can plan for up to 12 community events per year. The council can also instigate a proper traffic management plan with signage and lining.

3.13 Set out below is a summary of the draft Heads of Terms of any legal agreement. The more detailed Heads of Terms are set out in Appendix 3.

Heads of Terms of the possible agreement

1. Council adopt a 20m strip down centre of Olympic Way (OW) that is kept clear during match-days
2. The 5M strip either side is QED's but must be traffic free (Pedestrian Zone) & may contain café seating
3. The council will maintain OW as a publicly adopted pedestrianised route apart from service vehicles, coaches and disabled access (on central 20m strip) plus currently permitted access rights
4. The council will put on signs and road markings and enforce
5. The council continue to inspect highway
6. The council allow an 8m strip either side to be used for seating on non-event days
7. The council will have responsibility to maintain the 20m strip and QED the 5m either side (can be same maintenance contract)
8. The vending huts are QED's and deal with Stadium remains but if moved will allow expansion of 20m highway
9. Vending huts revenue is historic-QED's-best endeavours clause to improve, replace with non-static kiosks
10. Trees and lamppost improvements agreed and costs set against income for the first five years-thereafter QED meet costs

11. Range of other short term (pavement marking, Bobby Moore bridge improvements) and long term improvements (walk of fame) at QED's expense.
12. QED & the council share commercial revenues on advertising, filming rights, commercial hire on a 50:50 basis & a share of outdoor seating revenue.
13. QED re-instate toilets on Wembley Retail park - both permanent and temporary for match-days. Toilet block used by QED for land train storage.
14. Each side meets own legal costs up to £50K which can be offset against income
15. Capital Improvements of over £500k are triggered at no upfront cost to council but are set off against first five year income from commercial revenues-these include new lamp posts, new hedging and trees along OW.

3.14 Summary of Legal and Highway Issues to be resolved

Should the Council maintain its conviction that Olympic Way is a highway adopted and maintained at public expense, there are several issues that will require resolution. Earlier advice from Legal Services highlighted the complexities and risk involved, including the validity of the earlier S52 Agreement and the Council's liabilities. Legal Services advised at the time that Counsel's advice may be required on the following matters:

- Whether the terms of the section 52 Agreement are enforceable and if so on what basis.
- The true legal status of Olympic Way.
- Whether the Council should proceed down the route of an s.38 Agreement as opposed to entering into a management Agreement regarding the maintenance of Olympic Way using its powers under section 111 of the Local Government Act 1972 as aforesaid.
- The best course of action the Council should take in all of the circumstances of the case having assessed the strengths and weaknesses.

If the Council maintain its current stance, QED may mount a legal challenge against the Council to resolve the situation. This will not only prove very costly and time-consuming but potentially the courts may find in favour of QED. Under such circumstances, the Council would lose control of Olympic Way which would revert to a private road status which will have significant consequences in terms of enforcement, use, operation and implications for event day control.

It is not considered a viable approach to leave matters as they are with the various ad hoc arrangements in place by the Council and QED. Issues of liability may arise re the legitimacy of enforcement by the Council, the various statutory orders in place and the risks attached to situations such as a serious personal injury accident occurring on Olympic Way.

3.15 Possible Legal obstacles to the Agreement

It is likely that any agreement on OW will be contested by some of the other land owners on OW as QED would receive the benefit of, for example, outdoor café seating along both sides of OW and not just on the side they own (this benefit of course is shared with the council). What has to be remembered of course is that QED are also putting in significant capital benefit to improving OW. It may be that other land owners would wish to take advantage of similar arrangements. We can only test this out but drafting an agreement and consulting with local land owners. If problems arise these would be reported back to Executive.

3.16 Conclusions

OW is one of the most important 'streets' in the borough- it is one of our most visited and is a key entry into our key regeneration area, yet it is not the world class entry we would like it to be. The Agreement attempts to give some certainty to allow future capital investment, and to provide a limited income to the council while reducing any significant risks. The alternatives are to do little that encourages any positive change or to risk the council going it alone. Not only does this face significant legal challenges but it may be better to leave commercial organisations to exploit the potential of OW rather than the council, noting that the council would get a reasonable share. Your officers have tried to estimate possible incomes from advertising and commercial activity (taking industry advice) but it is important not to overstate possible revenues nor understate the risks in trying to achieve revenue growth. The council has not secured an agreement with QED for many years but the proposed agreement Heads of terms are supported by QED and offers a way of regenerating OW at little risk and cost to the council.

4.0 Financial Implications

- 4.1 The council do not incur significant costs from the current arrangements but receive no income. A consequence of the current arrangement is that no party is prepared to invest on OW when the ownership of it is so unclear. The value of revenues from advertising, café seating and commercial hire for filming etc. has been speculated on. A more sober assessment using industry advice is that the returns are in all probability much lower than some estimates and they are more uncertain than some have made a case for.
- 4.2 What is clear however is they will significantly improve as the QED and other developments come forward, but it is difficult to assess accurately what they may be. The agreement proposed with QED allows the council to secure half of all those revenues while at the same time limiting council risks and securing some much needed capital investment, which the council will not have to pay for directly.
- 4.3 It remains open to the council to confirm that OW is a publicly adopted highway in order to secure long term revenues but it should expect that action to be challenged in the courts. It also means that the council would need to

make the significant capital investments required in upgrading OW ahead of revenue generation. Such capital funding has not been identified from current budgets.

- 4.4 The council's will incur legal costs, estimated to be £20k and this is budgeted for in Regeneration and Major Projects budget for 2012/13 financial year. Any costs incurred will be offset from any income made from Olympic way in the next five years.

5.0 Legal Implications

- 5.1 Should the Council decide that the best approach is to reach an agreement on the future use of Olympic Way in the manner covered by the draft Heads of Terms produced in consultation with QED, the following broad legal issues require resolution:

- The requirement to enter into a formal adoption agreement under Section 38 of the 1980 Highways Act with QED for those parts of Olympic Way which would remain as public highway and the manner in which it proceeds
- The requirement to consider the validity of existing statutory orders and the need for amendment, revocation or, as will be deemed necessary in later years, new statutory orders and the process to be taken forward
- The prospect of legal challenge by frontage owners for any statutory change to Olympic Way which they may deem disbenefits their interests particularly if parts of the Olympic Way frontages revert entirely to QED's control

- 5.2 It is recommended that the council take further expert legal advice from Counsel on the OW agreement and any implications arising from it being contested by third parties.

- 5.3 The council will then need to formalise the OW agreement with QED after consideration of the issues set out above , including consultation with adjoining landowners.

6.0 Diversity Implications

There are no specific diversity implications arising from this report.

7.0 Staffing/Accommodation Implications (if appropriate)

There are no specific staffing or accommodation implications arising from this report.

Appendices

A1. Site Map and Proposals

A2. Olympic Way-Summary Background on Status and Land Ownership Issues.

A3.Draft Heads of Terms

Background Papers

Background papers are not for publication as they contain the following category of exempt information in paragraph 3 Schedule 12(A) of the Local Government Act 1972 namely: information relating to the financial or business affairs of any particular person (including the Authority holding the information)]

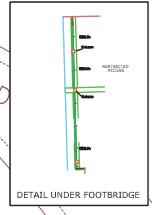
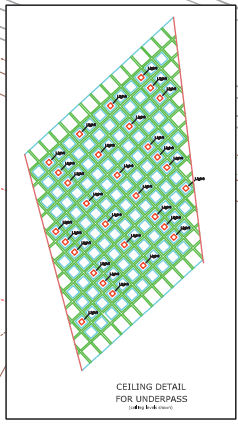
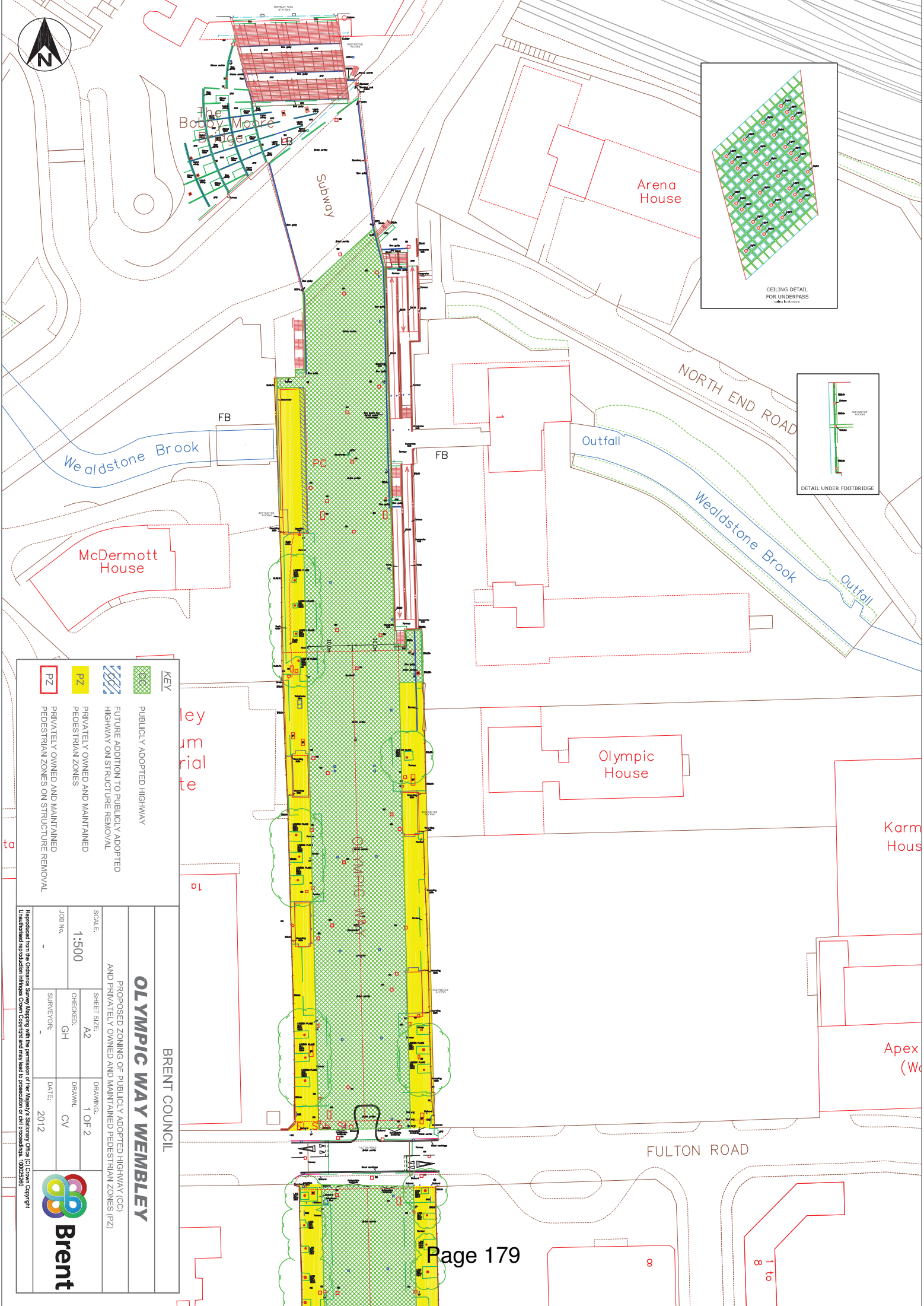
Olympic Way Concept Paper
Olympic Way Business Case

Contact Officers

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Head of New Initiatives

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KEY

- PUBLICLY ADOPTED HIGHWAY
- FUTURE ADDITION TO PUBLICLY ADOPTED HIGHWAY ON STRUCTURE REMOVAL
- PRIVATELY OWNED AND MAINTAINED PEDESTRIAN ZONES
- PRIVATELY OWNED AND MAINTAINED PEDESTRIAN ZONES ON STRUCTURE REMOVAL

BRENT COUNCIL

OLYMPIC WAY WEMBLEY

PROPOSED ZONING OF PUBLICLY ADOPTED HIGHWAY (C1) AND PRIVATELY OWNED AND MAINTAINED PEDESTRIAN ZONES (PZ)

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	SUPERVISOR:	DATE:		
		2012		

Brent

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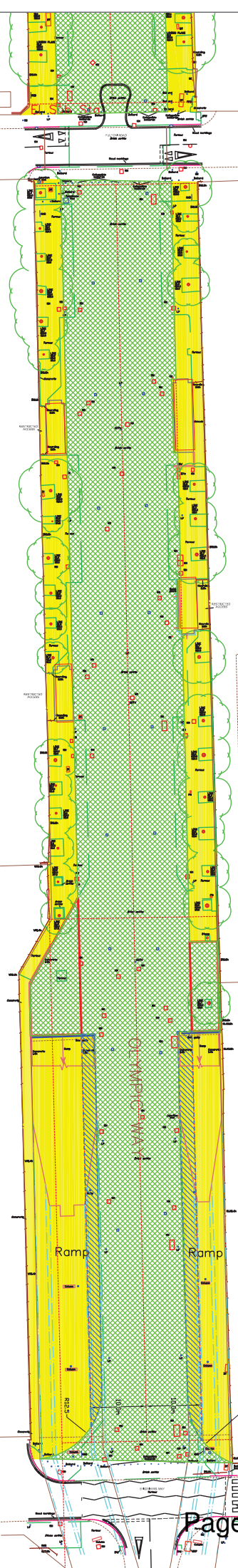
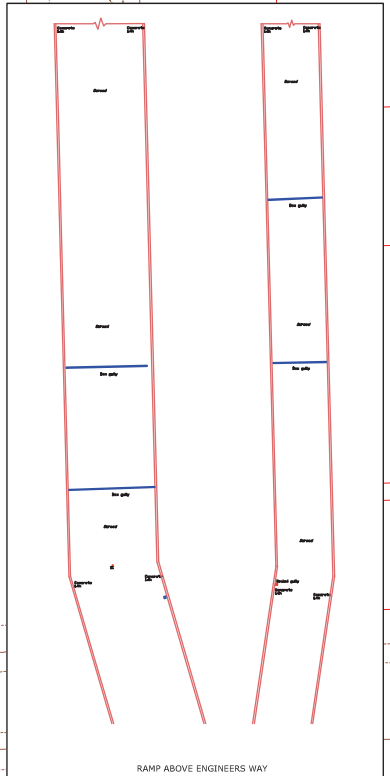
FULTON ROAD






RUTHERFORD WAY

Wembley Stadium Industrial Estate

ENGINEERS WAY

Works



<p>KEY</p> <ul style="list-style-type: none">  PUBLICLY ADOPTED HIGHWAY  FUTURE ADDITION TO PUBLICLY ADOPTED HIGHWAY ON STRUCTURE REMOVAL  PRIVATELY OWNED AND MAINTAINED PEDESTRIAN ZONES  PRIVATELY OWNED AND MAINTAINED PEDESTRIAN ZONES ON STRUCTURE REMOVAL 		
<p>BRENT COUNCIL</p> <p>OLYMPIC WAY WEMBLEY</p> <p>PROPOSED ZONING OF PUBLICLY ADOPTED HIGHWAY (CO) AND PRIVATELY OWNED AND MAINTAINED PEDESTRIAN ZONES (PZ)</p>		
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**Executive
12 November 2012**

**Report from the Director of
Strategy, Partnerships and Improvement
and the Director of Adult Social Care**

Wards Affected:
ALL

The structure of Public Health Services in Brent

1. Summary

1.1 The passing of the Health and Social Care Act has confirmed that from 1st April 2013 local government will take on responsibility for health improvement and with it many of the services currently delivered by public health teams based in PCTs. Already local government fulfils its new duty of health improvement in a number of ways, such as through the provision of leisure services, through the planning system, and in providing services such as housing. Ensuring the health needs of disadvantaged communities are addressed will be central to the new responsibilities.

1.2 Rather than a wholesale transfer of public health to local government, the public health system is to be split into four separate parts. Local government will be responsible for a range of new services including:

- **The National Child Measurement Programme**
- **NHS Health Check assessments**
- **Comprehensive sexual health services (including testing and treatment for sexually transmitted infections, contraception outside of the GP contract and sexual health promotion and disease prevention)**
- **The local authority role in dealing with health protection incidents, outbreaks and emergencies – council's will be mandated to ensure plans are in place to protect the local population. CCG will have a duty of cooperation with local government on health protection**
- **Provide population level healthcare advice to CCGs and the NHS**
- Tobacco control and smoking cessation services
- Alcohol and drug misuse services
- Public health services for children and young people aged 5-19 (including Healthy Child Programme 5-19) (and in the longer term all public health services for children and young people)
- Interventions to tackle obesity such as community lifestyle and weight management services
- Local initiatives that reduce public health impacts of environmental risks.

- 1.3 Those services in bold will be mandatory – the council will have to provide them. It should also be noted that this is not a complete list of responsibilities.
- 1.4 There are three other elements of the new public health system. A number of public health services are to remain an NHS responsibility. The NHS Commissioning Board will be responsible for some public health services such as HIV treatment services, screening services and immunisation services. A new, national public health body, Public Health England, is to be established which will take on the responsibilities of a number of agencies that are to close, such as the Health Protection Agency and Drug Treatment Agency and will provide specialist health protection services including, coordination of outbreak control, and access to national expert infrastructure as and when necessary and provide national public health leadership. The Department of Health will also retain a budget for and manage national public health “campaigns”.
- 1.5 The total budget for the public health system is likely to be around £5.2bn, but local government as a whole will receive £2.2bn, less than 50% of the total public health budget. Despite being publicised as a transfer to local government, the reality is that this is only a partial transfer of public health to councils.
- 1.6 That said the transfer of services that are coming to local government gives Brent an opportunity to mainstream health improvement work across the council and make health improvement the authority’s core business. Brent intends to embrace this vision by integrating public health within existing council teams and not “lifting and shifting” the current public health team. This will help reinforce the message that health improvement is the responsibility of the whole council and its partners, not just public health staff.
- 1.7 This paper sets out the proposed structure for public health in Brent and how staff will be integrated into the current officer structure once the transfer to Brent Council from NHS Brent takes place.

2. Recommendations

- 2.1 The Executive is recommended to approve the proposed integrated structure for the public health service in Brent as set out in this report.

3. Report

3.1 A vision for Public Health services in Brent

- 3.2 Local authorities will take on a number of public health requirements from the 1st April 2013, which have been addressed in developing a model for public health in Brent. Local authorities will have statutory responsibilities for the following key domains of public health

- Health improvement
- Health protection
- Healthcare public health
- Improving the wider determinates of health

- 3.3 Council’s will also have to commission (or provide) the following mandatory services:

- The National Child Measurement Programme

- NHS Health Check assessments
 - Comprehensive sexual health services, including testing and treatment for sexually transmitted infections
 - Plans to protect the local population in the case of a health related emergency
 - Population level healthcare advice to CCGs and the NHS
- 3.4 A new National Public Health Outcomes Framework has been developed with the intention of refocusing the whole system around the achievement of positive health outcomes for the population and reducing health inequalities. The framework is focused on the following two overarching health outcomes to be achieved across the public health system:
- Increased healthy life expectancy
 - Reduced differences in life expectancy and healthy life expectancy between communities
- 3.5 The supporting public health indicators are grouped into four domains:
- Domain 1 – Improving the wider determinates of health
 - Domain 2 – Health improvement
 - Domain 3 – Health protection
 - Domain 4 – Healthcare public health and preventing premature mortality
- 3.6 Brent has developed a vision for public health which has informed the proposed structures and expected outcomes from the public health service.
- 3.7 Brent Council believes:
- There is logic in bringing the key elements of public health back into local government. The function can be reconnected with the core health improvement work carried out by local authorities and there will be greater co-ordination of health improvement activity once services are transferred to local government.
 - That public health is not just the responsibility of a Public Health Team or the Director of Public Health, but that it is a council wide responsibility and that all service areas should contribute to improving the health and wellbeing of local people.
 - That in order to mainstream public health, officers from the existing Public Health Teams should be integrated in council teams and departments to make best use of the additional resources and expertise available to local authorities.
 - That public health spending should be realigned to focus more on the wider determinants of health, tackling health inequalities and preventing ill health rather than treating ill health. Resources will be re-orientated away from the treatment of ill health to preventative services.
 - That every contact with customers should count, and that all frontline officers (not just those in public health) should be deliverers of health improvement services or advice, either directly or through sign posting to the right service.
 - That the council should work with communities to help them to make healthy choices to prevent the onset of ill health.
- 3.8 In order to deliver the vision for public health it is important that the structure and support around the Director of Public Health is in place. Brent's ideas around the

role, the integrated public health service and the resources available to support the DPH are set out below.

3.9 The Director of Public Health – A new role for new times

- 3.10 Brent intends to develop a new role for the DPH that fits local government's requirements. The transfer of public health should not be viewed as a continuation of the existing public health service within the council, but as a chance to take a fresh look at the service and its staff. Brent shouldn't look to recreate the NHS model. The DPH's key function will be to understand and work with the council and partners to enhance the health of people in Brent. They will be clear on the link between economic success and good health and develop a clear, targeted, long term strategy that ensures health and social care, education, housing, employment and economic policies and infrastructure are shaped in ways which deliver maximum improvements in health and wellbeing.
- 3.11 The DPH will be central to the promotion of health improvement, tackling health inequalities and focussing the council and health services on ill health prevention activities. The DPH will be the borough's advocate for health and wellbeing, using their influence to persuade service providers to contribute to the health improvement agenda. The public health budget in Brent will be around £16m, a significant amount of money. But this is dwarfed when compared to the council's overall budget and the NHS budget in Brent – combined this is close to £1bn. A successful Director of Public Health will work with decision makers in the health service and the council to use this resource on health improvement and ill health prevention activities. This will have a far greater impact than the use of public health resources alone. The DPH's ability to influence other organisations to deliver health improvement services will be central to the success of the person appointed to the role.
- 3.12 The Director of Public Health's role will be one of influence and strategic leadership rather than the traditional line management and budget responsibility. Although the Director of Public Health won't be line manage public health staff, they will have an important role to play in the management and performance of public health activity. The Director of Public Health will be responsible for the professional development and management of the public health staff. They will have strong ties to those staff and important working relationships. The council has no desire to have a remote DPH who has little interaction with the rest of the public health team. But, most importantly, Brent wants the DPH to have a crucial influence over council policy, ensuring that it fully reflects the health challenges the borough faces and that the council as a whole is taking steps to address these.
- 3.13 There will be a number of ways in which the DPH will be able to effectively carry out their influencing role:
- 3.14 **Advice to Brent CCG and Brent Council** - The Director of Public Health will provide advice and guidance to the Brent Clinical Commissioning Group and the council's service directors on health improvement and tackling health inequalities. They will be supported to do this work by the council's public health intelligence team – in Brent we plan to have two public health consultants and a public health analyst to support the DPH deliver their advice and guidance role. A memorandum of understanding has been developed between the council and CCG setting out how the relationship

between the two will work and what each organisation can expect from the other. It has been proposed that:

3.15 Brent Council will:

- Provide specialist public health advice to the CCG
- Make public health intelligence resources available in support of clinical commissioning activities.
- Assess the health needs of the local population, and how they can best be met using evidence-based interventions (via the production and updating of the JSNA)
- Ensure the reduction of health inequalities are prioritised in the commissioning of services
- Provide specialist public health advice to the emerging Joint Health and Social Care Commissioning Vehicle.

3.16 Brent CCG will:

- Consider how to incorporate specialist public health advice into decision making processes, in order that public health skills and expertise can inform key commissioning decisions.
- Utilise specialist public health skills to target services at greatest population need and towards a reduction of health inequalities
- Contribute intelligence and capacity to updating the JSNA

3.17 The Director of Public Health will be responsible for this element of the MOU and working with the CCG to embed public health advice and guidance in commissioning decisions. The council will require an individual who is able to bring their professional authority and influencing skills to the fore in order to work with the CCG effectively.

3.18 **Statutory member of the Brent Health and Wellbeing Board** - The NHS Operating Framework for 2012/13 says that Health and Wellbeing Boards should provide local system-wide leadership across health, social care and public health. The Director of Public Health will be a statutory member of the Health and Wellbeing Board, working with Executive councillors, council directors and Clinical Commissioning Group colleagues to set the strategic direction for health and wellbeing in Brent. As a public health specialist the DPH's advice will be particularly important as links are made between the council and NHS's efforts to tackle health inequalities. The DPH will have an overview of services in Brent and be well placed to advise on changes that can be made to improve the borough's health.

3.19 **Voting Board Member of the Health and Social Care Commissioning Joint Venture** – Brent Council with Brent Clinical Commissioning Group has ambitions to set up a joint commissioning vehicle, to lead the commissioning of health, adult social care, children's social care and public health commissioning in Brent. Whilst this organisation won't be established by the time public health transfers to the council, we are already preparing for this by realigning commissioning functions. Public health commissioning will transfer into adult social care, as commissioning activity is concentrated in one place within the council.

- 3.20 The Director of Public Health will be based in our Adult Social Care Department, reporting to Brent's Director of Adult Social Services. In time, as plans for the joint commissioning vehicle are realised, the DPH will become a voting board member of the joint venture board. It is possible that in time the head of the joint venture could be the statutory Director of Public Health. By putting the DPH at the heart of commissioning activity they will be well placed to ensure that public health aims and objectives are delivered across the range of health and social care services in Brent and that every opportunity is taken to design in health improvement to service specifications. This is one of the central aims that the council was looking to achieve when designing the structure for public health.
- 3.21 **Director of Public Health's Annual Report** - The Health and Social Care Act makes it a statutory requirement for the Director of Public Health to produce an annual report on the health of the local population, and for the local authority to publish it. The DPH's annual report will give them an opportunity to promote the public health agenda and highlight issues of concern if they feel that the council, CCG or any other healthcare provider is not fulfilling their health improvement responsibilities. The annual report should become an important milestone, highlighting as it will areas where health improvement work is succeeding and areas where it is not. Brent wants this report to become required reading for members and officers working on the health improvement agenda. The independence of the DPH to be able to criticise or praise is crucial, and one of the reasons that the DPH will not be directly responsible for service management.
- 3.22 **Influence beyond the council and Clinical Commissioning Group** - The DPH, through the Health and Wellbeing Board and joint commissioning vehicle, will be well placed to influence the actions of the council and Clinical Commissioning Group to ensure that they are delivering the borough's health and wellbeing priorities and addressing identified health needs. However, it is just as important that the DPH is able to use their authority and professional skills to influence the work of health service providers (such as North West London Hospitals NHS Trust), voluntary sector organisations and community groups. The final membership of the Health and Wellbeing Board is not yet settled but it is likely that the voluntary sector and health service providers will be represented, which will open up channels for the DPH. But, again, the DPH's ability to network and influence others will be crucial.
- 3.23 The DPH will need to be able to build effective relationships with organisations, both formal and informal, in order to convince them of the need to deliver health improvement services. For example, greater integration of public health interventions such as referral to smoking cessation teams from North West London Hospitals would help to deliver health improvement benefits and lessen the burden on acute trusts in the longer term. Brent is aiming to deliver an integrated health and social care service – the DPH will be crucial in persuading other organisations to sign up to this and deliver services which contribute to tackling health inequalities.
- 3.24 Brent already has an officer level governance structure to implement the borough's health and wellbeing strategy - the Health and Wellbeing Steering Group, which has representation from acute service providers and the voluntary sector. Whilst officers will need to work to improve the added value of the group, relationships are already

there. But, the onus will be on the DPH to build relationships to promote the benefits to organisations of tackling health inequalities, using their abilities to influence informally as well as ensure health improvement activity is part of the normal commissioning cycle so that services are tailored to help tackle Brent' health inequalities. The DPHs professional standing will help them "in" to organisations with the backing of the Health and Wellbeing Board, but the DPH will have to ensure organisations sign up to our ambitions for health improvement.

3.25 Future of Public Health Services – the new Public Health Structure

- 3.26 Brent has considered the statutory requirements that will be placed on councils and feel that the best way to improve the public health offer is to integrate public health functions within existing teams in the local authority – the council does not intend to "lift and drop" the existing public health team and create a "Department of Public Health". In order to deliver improvements to health inequalities and deliver the Government's vision for health improvement, removing the silos between public health and local government are key. Integrating functions and activity in the most appropriate teams within the local authority should help to mainstream public health activity and deliver health improvement.
- 3.27 Brent's model for public health splits the service into three main areas – Health Intelligence, Public Health Commissioning and Health Improvement. The structure in the council is smaller than that which has been in place in NHS Brent. This is partly to do with concerns about future funding. But it is primarily a reflection of the fact that the council already has a number of staff in post working on health improvement activity. Integrating public health staff means that the council can take the opportunity to reduce duplication of roles and reduce management posts, as public health will be line managed within existing teams.
- 3.28 Services currently delivered by public health staff will be reviewed and possibly re-commissioned. The council is also taking the opportunity to look again at commissioning intentions, and redesign services. A report on contracts and commissioning will be presented to the Executive in December 2012.
- 3.29 The three public health areas will focus on the following activity –
- **Health intelligence** – A small team working on health intelligence will be integrated in the council's Corporate Policy Team. The main responsibilities of this team will be to support the DPH to provide population level healthcare advice to the CCG and council commissioners, lead on the council's JSNA and Health and Wellbeing Strategy and any other health needs assessments. The team will complement the council's existing data and intelligence functions.
 - **Public Health Commissioning** – Public Health Commissioning will be integrated into the council's Adult Social Care Department. This will be a temporary measure, as the council in partnership with NHS Brent and the Brent CCG is working towards the establishment of a Brent Commissioning Joint Venture, which will be responsible for commissioning health, social care and children's services in the borough. Public health commissioning will be included in the joint venture as commissioning expertise is pooled in one place to help secure

integrated services where possible. Public health officers in the council's Adult Social Care Department will commission services such as drug and alcohol treatment services and sexual health services. The Director of Public Health will be included in this part of the structure, reporting to the Director of Adult Social Care. In time, as plans for the joint venture are realised the DPH will be a voting member of the JV board.

- **Health Improvement** – Health Improvement will be integrated into the council's Environment and Neighbourhood Services Department where staff will work with services such as our Sports Service, Trading Standards and Environmental Health on programmes to address health and wellbeing issues such as obesity, improving uptake of physical activity, and tobacco control. The team will also support GPs and pharmacists to deliver smoking cessation services and GPs to deliver Health Checks. The public health staff will bring with them expertise that complements our existing service offer.

3.30 Line management of public health staff in Brent will be carried out by service managers in the departments where staff are located and not by the DPH. We want the DPH to focus on their influencing role and retain their independence from service management. However work plans and priorities will be set in collaboration with the DPH to ensure staff are working on priority areas as defined by the borough's Health and Wellbeing Strategy. As mentioned above, the DPH will also be responsible for the professional development and management of the public health staff. The DPH will have strong ties to those staff and important working relationships. The council has no desire to have a remote DPH who has little interaction with the rest of the public health team and through jointly setting public health staff objectives with service managers the DPH will be able to ensure health improvement is mainstreamed within council teams.

3.31 Governance of public health

3.32 It is important that public health activity within the council is joined up and co-ordinated, and that the public health outcomes framework and priorities in the Health and Wellbeing Strategy taken forward. The Director of Public Health will have a strategic leadership role and will be expected to ensure that the three arms of public health – Health Intelligence, Health Improvement and Public Health Commissioning – are working together effectively. They will also need to reinforce health messages across the council.

3.33 A governance structure will need to be set up so that the DPH is able to carry out this role properly, building on the existing Health and Wellbeing Steering Group and reporting to the Health and Wellbeing Board. Additional working groups maybe required, based around the priority areas in the Health and Wellbeing Strategy, or the domain areas in the Public Health Outcomes Framework. Building an effective governance structure for public health is one of the activities in the public health transition plan. Arrangements will be put in place before the transfer on 1st April 2013 to enable the DPH to take forward the health improvement agenda.

3.34 Conclusion

3.35 The transfer of public health from the NHS to local government gives councils a once in a generation opportunity to think about how it wants to deliver health improvement services. Brent Council is committed developing a new model for Public Health and a new role for the Director of Public Health. We want to take advantage of the benefits that are to be gained from integrating public health objectives into mainstream service provision within the council. The council also believes that the new role, as proposed, for the Director of Public Health can help to harness the support of our partners to make a real difference to the health of people in the borough. Most importantly, the DPH should be able to take a radical approach to public health, to reinvigorate the function, transforming it from a “Cinderella” service in the NHS to one that is front and centre of the council’s activity

4. Legal Implications

4.1 Pursuant to s30 of the Health and Social Care Act 2012 each Local Authority must appoint, jointly with Secretary of State, a Director of Public Health who will have responsibility for the exercise by the authority of its functions relating to public health. The Director of Public Health will be required to prepare an annual report on the health of the people in the area of the Local Authority and the Local Authority will be required to publish that report. Section 300 and Schedules 22 and 23 of the Health and Social Care Act 2012 make provision for rights and liabilities with regard to property and staff respectively to be transferred between the relevant bodies. Regulations as to the exercise by Local Authorities of certain Public Health functions are yet to be issued by the Government.

4.2 In any event transferring staff from NHS to the council would have the right to retain their contractual terms and conditions and the Council would also have to make appropriate pension provision, the precise nature of which has yet to be decided. The costs involved in the transfer will be met by the transfer of the public health budget from the NHS to the Council.

5. Finance Implications

5.1 The budget transfer as at 1st April 2013 remains uncertain but is projected to be in line with the PCT return to the Government in February 2012 suggesting spending of around £16m based on 2010/11 baseline estimates.

5.2 NHS Brent’s public health allocation for 2012/13 is £17.3m, which leaves a gap of around £1.3m in funding. In planning for 2013/14, this degree of uncertainty and lack of clarity is unhelpful and will introduce ambiguity in the budgets.

5.3 To further complicate matters, the government has set up an advisory committee to look at the resource allocation (ACRA) and they have developed a formula for calculating allocations which, if implemented, could lead to a further reduction in funding for Brent of around 16% to around £13.5m

5.4 ACRA’s formula for allocating public health resources is based on the standardised mortality ratio for those under 75 years of age. Analysis work has shown that the proposed formula is fundamentally flawed, as it will reduce spending in the country’s most deprived areas and increase it in the least deprived areas.

- 5.5 Historic levels of spending on public health are higher in more deprived areas because the level of need is greater, a flaw that has been recognised by PCTs and which has been advised to Government. Authorities in those areas, which include Brent, consider that they should not be penalised due to previous spending patterns in preventative services in the past.
- 5.6 The population figure used in calculating the ACRA formula is 252,105, where as the first results from the 2011 census have been published and they show that Brent's population has increased to 311,200, a difference of 59,000. This would suggest underfunding of approximately £3.2m.
- 5.7 Taking all the above into account, budgets are currently being developed, together with staffing structures based on the £16m allocation figure but mindful that should the ACRA view prevail, the service will need to be managed within the lower sum. Confirmation of funding is due from Government in October 2012 and proposal will be presented to Executive in December 2012 for ratification.
- 5.8 It should also be noted that within this £16m total, two services (sexual health and health checks) are entirely demand-led and account for 41% of the total budget. This introduces a significant risk factor which is being managed through the establishment of a reserve of £500,000 per annum set aside from the £16m.
- 5.9 There are not expected to be any capital requirements arising from this transfer.

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**Executive
12 November 2012**

**Report from the Director of
Legal and Procurement**

**The Future Administration and
Governance of Barham Park Trust**

1.0 Summary

- 1.1 This report recommends the further separation of the Council's role as Trustee for Barham Park Trust from its statutory role and functions as a London borough council, and the development of specific policies and procedures for the effective management and use of the Trust's assets in order to fulfil its charitable purposes. It also recommends changes to the financial management of the Trust funds. The review of governance issues is part of the major review of the Trust which started in 2009 and has been more actively pursued since the beginning of 2012. It also takes into account matters raised by the Charity Commission.

2.0 Recommendations

- 2.1 That officers agree that the Executive carrying out the functions of trustee of Barham Park Trust be advised to
- i) note the Barham Park Trust status as a charitable trust
 - ii) arrange for the trustee functions in relation to Barham Park Trust to be discharged by a sub-committee of 5 members of the Executive to be known as 'Barham Park Trust Committee'
 - iii) agree the membership and terms of reference of the Barham Trust Committee of the Executive as set out in paragraph 3.7 below
 - iv) delegate the day to day trustee functions and decision making to the Assistant Director Neighbourhood Services in consultation with the Assistant Director Regeneration and Major Projects and the Deputy Director Finance and Corporate Services who shall collectively be known as the 'Barham Park Trust Management Team'
 - v) the officers in iv) above are delegated such executive powers relating to their service areas as are necessary to carry out the day to day trustee functions and, in so far as they relate to Barham Park Trust

- matters, these powers are the same as those delegated to Directors in those service areas under Part 4 of the Constitution
- vi) recommend to Full Council that the Director of Legal and Procurement be requested to amend the Constitution accordingly
 - vii) Note the Director of Legal and Procurement will provide specific guidance to members and officers in their role as trustee, and provide training
 - viii) Note that changes to the Trust accounts will be undertaken.

3.0 Detail

- 3.1 The land (which includes various buildings) known as Barham Park was given by George Titus Barham on trust to the Council in 1938. The terms of the trust are ‘to preserve the same for the recreation of the public in such manner and subject to such regulations in all respects as the Council may from time to time think proper’. It was registered with the Charity Commission in June 1963 and is regulated by that body.
- 3.2 The Council as a corporate body is the trustee (rather than individual members) and accordingly it is for the Council to make decisions about the trust in its role as Trustee. The Local Government Act 2000, The Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) and the Council’s Constitution provide that all functions of the Council, which are not the preserve of others, are ‘executive’ functions. In the case of the Trust function, no restriction exists and accordingly it falls to the Council’s Executive to make decisions. Under the Constitution functions are also delegated to officers. The Executive has made all major decisions concerning the Trust as and when they arise, most particularly the sale of 776 and 778 Harrow Road, and deciding to undertake a feasibility study of future use of the buildings and improvements to the park.
- 3.3 Day to day management of the Trust assets has been undertaken by a group of officers; the Assistant Director Regeneration and Major Projects, the Assistant Director Neighbourhood Services and the Deputy Director Finance and Corporate Resources.
- 3.4 When deciding matters concerning the Trust the Council as Trustee is required by law to decide matters based on the best interests of the Trust and to put aside any Council interests. The duties include fiduciary responsibilities and use of the assets in furtherance of the charitable purposes. The Charity Commission document ‘*Councillor’s guide; A Council’s role as Charity Trustee*’ provides useful advice on how Councils should fulfil the role of trustee in accordance with the charity law and how to avoid financial and reputational pitfalls when they arise. One of the main issues highlighted in the document is the need for the charitable trust to be independent, namely to operate solely for its charitable purposes. To that end the management of the charity must be kept separate, as far as possible, from the business of the Council.
- 3.5 The Charity Commission contacted the Council regarding the Council’s dealings as trustee for Barham Park following complaints it had received. The matters raised by the Charity Commission concerned the governance structures, the discharge of the duties and responsibilities as trustees and

annual returns to the Charity Commission. The Council responded that it was satisfied that it had acted properly as a Trustee for Barham Park but there were areas in which improvements could be made. The Charity Commission has confirmed, having received the information from the Council, that it is satisfied that the Council as the trustee of the Charity has a good grasp of its responsibilities and duties in connection with the charity and it does not propose to examine the concerns raised further. It offered advice on avoiding any future pitfalls and this has been taken into account when recommending these changes to members.

3.6 While the governance and structure of the Council's decision making in relation to the Trust is clear, defined and on the whole in practice, distinct from its decision making regarding the Council's statutory functions, there are advantages to creating a separate Executive committee to decide Trust matters and recording in detail the delegation of functions to officers. It is recommended that functions of the Council as the Barham Park trustee be undertaken by a specially constituted Executive committee, which should meet not less than once per year, whose terms of reference include acting in the best interests of the Trust, and that those members be advised by the senior officers who are delegated day to day management of the Trust. This formal arrangement would provide a clear and apparent separation of the Council's roles (thereby avoiding conflicts of interest which may arise if the roles are confused). It will ensure that decisions are made on the basis of the interests of the Trust and by doing so protect the public reputation of the charitable trust and the Council as Trustee. It will enhance public confidence in the trusts dealings. It is particularly important at this point in time that the governance arrangements are robust since the Council as trustee is shortly to make major decisions regarding the future use of the buildings and improvements to the park.

3.7 The following Terms of Reference are recommended

Barham Park Trust Committee

Membership

The sub-committee is comprised of 5 members of the Executive appointed by the Executive

Chair and Vice Chair

To be appointed by the Barham Park Trust Committee

Quorum

3 Executive members

Terms of Reference

The Executive has agreed to delegate the following executive functions to the sub committee:-

- (1) *the trustee functions in relation to Barham Park Trust including decisions to dispose of land, vary or cease the charitable purpose, or change the trustee, except those functions it has delegated to officers*
- (2) *an annual review of how the trust is carrying out its charitable purposes and a review of the Trust's finances*
- (3) *any other matter which the Assistant Director Neighbourhood Services considers ought to be referred to the committee for a decision*

The Committee shall meet not less than once per year.

- 3.8 The reports to the Executive on Trust matters include detailed advice on the financial and legal duties of the trustee, and the officers involved in the Trust are aware of the need to deal separately and in the best interests of the charity. However, as a matter of good practice and in accordance with the advice from the Charity Commission specific guidelines and training about roles and responsibilities and how to identify and deal with conflict of interests would be useful. It is recommended that this be provided by the Director of Legal and Procurement.
- 3.9 The Council as trustee is required to submit annual returns to the Charity Commission regarding the Trust's finances. The Charity Commission guidance stresses the need to keep the finances of the Council separate from the trust with the use of discreet cost centres.
- 3.10 With regard to the previous years the Council will need to complete all remaining accounts and ensure that the 2011/12 accounts are submitted by the deadline 31st January 2013. These will be brought to the Barham Park Management Team and Barham Park Trust Committee for approval. This will address the issues around completeness of the accounts and the basis of charges to and from the Council.
- 3.11 With regard to the accounts for future years it is proposed that:
- the accounts are produced using distinct cost centres held centrally, outside of individual departments
 - Quarterly monitoring reports and annual accounts will be based on returns from Regeneration and Major Projects and Environment and Neighbourhood Services signed off by the relevant Assistant Director. These reports will be compiled by the central finance team.
 - The quarterly financial reports will be reported to the Barham Park Trust Management Team
 - The annual accounts approved by Barham Park Trust Management Team and Barham Park Trust Committee

4.0 Financial Implications

- 4.1 The proposals in section 3 do not change the financial position of the charity, whereby the expenditure by the Council exceeds the income currently generated.

4.2 There is also no change to the treatment of the receipt from the sale of 776 and 778 Harrow, which continues to be ring-fenced for use by the Trust.

5.0 Legal Implications

5.1 Any legal implications are set out in the body of the report

6.0 Diversity Implications

6.1 None

7.0 Staffing/Accommodation Implications (if appropriate)

7.1 None

Background Papers

Charity Commission Guidance
Brent Council Constitution

Contact Officers

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Director of Legal and Procurement

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**Executive
12 November 2012**

Report from the Acting Chief Executive

Wards Affected:
ALL

London 2012: Evaluation

1.0 Summary

- 1.1 This report outlines the successful delivery of the London 2012 Games events and associated activities within Brent. It outlines the learning from hosting this type of event and highlights the legacy of improvements that will result.

2.0 Recommendations

- 2.1 To note the report and the successful delivery of London 2012 activities in Brent.
- 2.2 To note the legacy implications for Brent of the London 2012 Games.

3.0 Detail

Background

- 3.1 The London 2012 Games were very well received throughout London from the Olympic Torch Relay in July through to the Athletes Parade celebrating the success of the British Olympic and Paralympic Teams in September. Brent has always been committed to the Games coming to London and was a proud partner of a full programme of sporting, cultural and family activities which marked the build up to the 2012 Games since winning the right to host the 2012 Games.
- 3.2 Between 28 July and the 12 August 2012 Wembley Stadium hosted women's and men's football Olympic semi finals and finals whilst Wembley Arena was used as the venue for Olympic badminton and rhythmic gymnastics. As a 'host borough' for London 2012 Brent worked closely with the London Organising Committee of the Olympic and Paralympic Games (LOCOG), the Olympic Delivery Authority (ODA), the Government Olympic Executive (GOE) and the Greater London Authority (GLA) to ensure the safe and successful

delivery of the Games as well as encouraging community participation throughout the summer and creating a Games legacy.

- 3.3 In February 2010 Brent Council released 'Inspiring Brent', its action plan for the London 2012 Games. The plan is split into five key areas:
- Young Learners
 - Business and Skills
 - Culture and Events
 - Sports and Health
 - City Operations and Sustainability
- 3.4 The following is an overall summary of the London 2012 activities and work in Brent. Appendix 1 details the Council's achievements against each of the actions under the headings above, outlines the learning where applicable and how this feeds into the legacy for Brent.

Young Learners

- 3.5 'Get Set' was the official London 2012 education programme for schools, colleges and universities across the UK. 70 schools in Brent (22 secondary/colleges and 48 Primary) registered with Get Set and in total 3250 tickets were received to allow Brent Students to the Olympic and Paralympic Games for free.
- 3.6 Brent schools were also involved in the Games themselves. Pupils were chosen as flag bearers and mascots at Olympic football events, lined the route between the stadium and athletes village during the Opening Ceremony and entertained members of the public at the Olympic Park during the Paralympic Games.
- 3.7 Local programmes also included the Brent Inspires Awards, a virtual competition aimed at young people in school, college or clubs who participated in activities linked to the Olympic and Paralympic values. The programme ran for three years and saw a total of 1,468 projects being organised across the borough.
- 3.8 22 Brent schools have received Sportability equipment to inspire engagement in disability sport from September 2012 onwards and 33 schools have received funding to increase physical activity of pupils with SEN and/or physical disabilities. This sets an important long term legacy for Brent helping to ensure young disabled people can take a greater participation in sport and physical activity in the future.

Business and Skills

- 3.9 CompeteFor was the free service that enabled businesses to compete for contract opportunities linked to the London 2012 Games and to other major public and private sector buying organisations, such as Transport for London, Crossrail and the Metropolitan Police Service. A total of 28 contracts were awarded to businesses in Brent although it is not possible to ascertain the value of these contracts. There is an aspiration that CompeteFor will continue

as a means to publicise contract opportunities and that Brent businesses will continue to benefit from this procurement activity.

- 3.10 'Flavours of Brent' and 'Kensal Kitchens' were Inspire Mark projects which targeted food stall holders and other micro caterers to secure relevant qualifications and skills to benefit from opportunities during the Games and beyond. A total of 22 businesses in Brent successfully completed training and some went on to work at the Council's 2012 related events.

Culture and Events

- 3.11 Brent embraced the Cultural Olympiad from its inception and held annual count down days to the London 2012 Games featuring sports, arts and cultural activities for young people in order to enthuse them about the forthcoming Olympics. These events took place at local venues including Wembley Arena and Willesden Sports Centre.
- 3.12 12 Young Inspiring Brent Ambassadors were recruited as part of the Inspiring Brent campaign. The Ambassadors organised two successful Open Weekend events in the lead up to 2012 and were involved in the development and staffing at two major events this summer. The Young Ambassador programme will continue through a similar 'Cultural Ambassador' programme to build on the skills gained and links made and ensure a lasting legacy of work with young people in the arts and events service.
- 3.13 Brent organised two major community events to commemorate the Olympics. *Brent Celebrates the Flame* took place on the 25th July at King Edward VII Park, Wembley. 8,000 people attended the event which included content from Brent Dance Month and the Mayor of London's ShowTime programme. This event also hosted Jeremy Deller's 'Sacrilege' a life sized bouncy castle in the shape of Stonehenge. Sports activities were also provided by local coaches and sports clubs and included tennis, football, badminton, cycling and basketball. A range of local groups and organisations also took part in the event.
- 3.14 *Brent Celebrates a Golden Summer* focused on music and took place on the 9th September at Gladstone Park. An all day event it linked into the national Bandstand Marathon programme which encouraged as many bands and variety of music to be played in one day across the country. 10,000 people attended this event which also included giant inflatable Olympic mascots. Both summer events had a selection of stalls of council services, food and other goods. There was also a wide variety of sports and arts activities available for young people encouraging them to sign up to clubs.
- 3.15 Brent Museum curated their first outdoor exhibition at Wembley Central Square during the summer. 'Stadium Full of Dreams' displayed 11 portraits of people connected with the 1948 Olympics and looking forward to the 2012 Olympics including images of original 1948 Team GB, residents who attended or worked at the 1948 Olympics and young people who are aspiring athletes or volunteering during 2012. The exhibition was complemented by a full public programme of talks and activities and an interactive online exhibition which had 3,868 views. In addition, 912 pupils took part in Brent Museum's Olympic school sessions.

- 3.16 'Story Lab' was the Cultural Olympiad Summer Reading Challenge and ran across all Brent libraries during the summer. In Brent a total of 4,344 children signed up to read six or more library books over the summer and 2,314 achieved or exceeded this target. This is the highest number of finishers in four years.

Sports and Health

- 3.17 Brent Council aimed to use the power of the 2012 Games to improve participation in sports and make Brent a healthier borough. Throughout the summer and in the years leading to the Games, a full programme of sports activities for young people including every Olympic sport (except shooting) and the Paralympic disciplines of boccia, seated volleyball, athletics, goal ball, tennis and swimming were available. Kayaking and archery were very popular and over subscribed, extra courses were provided. These activities will be offered again in Summer 2013. There were a total of 1,433 visits to the 2012 summer sports programme. 35 young people who competed in the Mini London Marathon secured tickets to see athletics events at the Olympic Stadium. Brent Council will continue to build on these programmes and their offer during the school holidays including the promotion of 'Give It A Go' a London wide programme of free taster sessions in October and November giving people of all ages the opportunity to try out different sports and join a local sports club.
- 3.18 Brent Council worked in partnership with the NHS who have funded several projects to increase sport and physical activity such as:
- Part funding of Multi Use Games Areas at Neasden Rec and Alperton
 - Five outdoor gyms at King Edwards, Wembley, Gladstone Park, Roe Green Park, Gibbons Rec and Tiverton Green
 - Discount vouchers for use of Brent's sports centres for targeted groups
 - British Cycling – Sky Rides – an national initiative to get more people cycling
 - Bikeability – cycle training for schools
- 3.19 Furthermore Brent has also aimed to increase and improve facilities for recreational and informal participation via the following projects:
- Multi Use Games Areas installed within the last 18 months at: King Edwards Park, Wembley; Eton Grove, One Tree Hill; Woodcock Park; Gibbons Recreation Ground;
 - Tennis court improvements in last 18 months at: Gladstone park (including new junior tennis courts), Woodcock Park (including new junior tennis courts), Eton Grove and Roe Green Park.
 - Football pitch improvements at Vale Farm and Silver Jubilee Park.
 - Artificial turf pitch at Woodcock Park/St Gregory's Science College
 - Football Foundation Funding to provide new 3G football surface at artificial turf pitch at Vale Farm
 - 50+ Going for Gold project developed to encourage residents to become more active and inspired by London 2012. Offered weekly sessions in Boccia, Tennis, Badminton, Table Tennis and Archery. This project was awarded a London 2012 Inspire Mark.

- Ongoing promotion of initiatives such as Sky Rides, walks, jogging and outdoor aerobics, zumba and circuit sessions.

City Operations and Sustainability

C3 Issues and BGSU

- 3.20 All London local authorities had a role to play in Command, Coordination and Communications (C3) as information on key public services needed to be coordinated across borough boundaries and fed into the Local Authority Olympic Coordination Centre (LAOCC) and the London Operations Centre (LOC). To achieve this, boroughs were split into borough groupings/zones. Each zone was led by a 'host venue' and Brent Council was the lead for the North Zone (Harrow, Ealing, Hillingdon, Hounslow, Barnet, Enfield, Hammersmith & Fulham, Brent).
- 3.21 Brent's responsibilities included daily information gathering on the status of services internally and across the boroughs in the zone, facilitating any mutual aid requirements capable of resolution within the group and bringing any issues likely to impact on Olympic arrangements to the notice of the LAOCC. The Borough Group Support Unit (BGSU) was located was operational from the 25th June to the 12th September. It was based at Brent House and overseen by the Brent Emergency Planning Team.
- 3.22 BGSU reporting procedures worked well and as planned and there was no need to call on other boroughs for mutual aid. The partnership of eight boroughs worked well and the shared staffing of the BGSU contact point proved very effective. Positive lessons were learnt from the daily service reporting and these will be implemented into reporting procedures during severe weather situations and other emergencies in Brent in the future.

Transport & Olympic Route Network

- 3.23 LOCOG and officers from Transportation worked on the local area traffic management plans for Wembley. The plans consisted of two key areas; the Traffic Management Area and the Residents and Business Parking Protection Area. This involved the closure of Engineers Way to allow events to happen at the Arena and implementing the Wembley protective parking scheme during Stadium events. Both areas of work proved effective with minimum disruption.
- 3.24 Roads in Brent between the North Circular Road and Wembley Stadium were designated as Olympic Route Network (ORN) and contained 'Games Lanes' meaning that they were reserved for the Games family (athletes, officials and operational staff). The roads were carefully monitored and at times the ORN restrictions were relaxed when demand from the Games family was light.
- 3.25 Brent Council was responsible for enforcing traffic and parking restrictions on the ORN. The emphasis was on information and asking vehicles to leave the lane and only one fine was issued for contravening the ORN restrictions in Brent.
- 3.26 The London 2012 Games were hailed as the 'Public Transport Games' and all ticket holders were issued with a Zone 1-9 travel card. During Olympic events

at Wembley Stadium 60,000+ spectators travelled via public transport. As a result of low car usage during the Games, traffic management plans such as the contra-flow system for cars leaving the stadium area was not implemented.

- 3.27 The Games were the most significant test of London's transport system in peacetime. TfL ran an extensive campaign encouraging commuters to rethink the way and times they travelled to ease congestion as well as providing the business and freight sectors with specialist online planning tools, drop in sessions and on site advice on the lead up to and during the Games. Throughout the summer London kept working and businesses and public sector organisations continued to function. Much of the credit for this goes to London's businesses and local authorities who enabled and encouraged different travel patterns from their staff, their suppliers and their customers.

Regulatory Services, Waste Management and Street Cleaning

- 3.28 Brent Council worked in close partnership with LOCOG and satisfactorily provided a range of regulatory services during the Games including:
- advice and regulation on safety at sports grounds/fire safety provisions for host venues.
 - advice and regulation on licensing act for provision of entertainments and alcohol sales
 - advice and regulation under the Health & Safety at Work legislation
 - trading standards and implementation of the new advertising regulations
- 3.29 The Council was responsible for ensuring that standards of street cleanliness in the period up to and including the Olympic Games was maintained to a consistently high standard. The Recycling and Waste Service together with contractors Veolia delivered an effective operational plan during Games time which included a full cleanse of all areas affected by Olympic events, removal of tipped waste and fly-posters and the tidying up of vegetation in the Wembley area. They also increased call outs for litter picking and cleaning of facilities in response to the large, sell out crowds on stadium event days.

Communications

- 3.30 Brent worked closely with LOCOG and GLA to ensure a consistency of messages and that information was made readily available to the public. The main forms of dissemination were via The Brent Magazine and the Brent Council website. From early 2012 the magazine contained monthly articles featuring stories on school activities, parking and transport information, events and sports programmes and how Council services were preparing for the Games. The information both in the magazine and website were well received by members of the public and attracted positive feedback. In July and August the London 2012 Council web pages received over 3,500 hits.
- 3.31 Brent Council worked very closely with the London 2012 Communications Team at TfL to develop a Communications Plan around transportation issues and promoting key messages to Brent businesses. TfL led on the messages and provision of collateral, Brent Council was a key partner in its dissemination as follows:

- Circulated information about TfL's freight and small business workshops to our Employer Partnership, the Park Royal Partnership, the Culture, Sport & Learning Forum and sign posted businesses to TfL's planning tools via the 2012 Business pages on our website
- In April/May TfL Comms Team presented at several of our Area Consultative Forums information on the ORN and how to best prepare for the Games
- In July TfL Comms Team ran information stalls handing out leaflets to residents in Wembley making them aware of the ORN.
- Brent Council displayed leaflets and posters in local libraries, sports centres and customer service points as well as covering the subject in The Brent Magazine
- Assisted LOCOG Transportation Team in their ORN consultations in February (inc letter and map delivery to all businesses and residents in the immediate vicinity of the Stadium and Arena) by publicising it on the website
- TfL conducted additional engagement via door knocking and offering face to face advice to businesses in the Wembley area.

Borough Dressing

- 3.32 All London boroughs were awarded £50k 'Look & Feel' grant from the GLA to dress and animate their borough. Lamp post banners were erected along Wembley High Road, Harrow Road, Forty Lane, Craven Park Road/High Street in Harlesden, Kingsbury High Road, Willesden High Road/Walm Lane. Glass graphics and fence scrim was erected at all libraries as well as Bridge Park, Vale Farm and Willesden Sports Centres. Special floor graphics were installed at Barham, Roundwood and King Edward Park, Wembley and a London 2012 flag flew over the Town Hall. The lamp post banners have now been removed and offered to schools to decorate their sports halls and entrances.
- 3.33 Brent was successful in securing a temporary art installation entitled 'Gift from the Ancient Gods'. A set of golden arrows and a bow were erected in the new landscaped area opposite York House on Empire Way, Wembley.

Torch Relays

- 3.34 Brent hosted two torch relays during the London 2012 Games. By signing the torch relay agreement with LOCOG, Brent agreed to provide a number of key services such as waste & recycling, traffic management, parking, stewarding, health & safety, control room/CCTV facilities, communications and general management for the relays for the period they were in the borough.
- 3.35 The Olympic Torch Relay arrived in Brent on the 25th July. Just two days before the opening ceremony and during the first week of the school holidays it attracted large crowds with a total estimated at 95-100,000 people lining the route. A West London arts project with schools also saw children in carnival dress welcoming the torch. The torch travelled via Wembley Stadium where the bearers included Gordon Banks (footballer) and Nathan Roberts (badminton Olympic Medal winner). The relay attracted very positive coverage from both national and local media and enabled the Council to explore the power of

Twitter to keep the public informed of the progress of the relay through Brent. The hashtag 'brenttorch' trended worldwide for an hour and the Brent Council Olympic Torch Relay page was the most visited page in July with over 13,000 unique views in a month. A video and photo montage of the relay through Brent has attracted nearly 700 views - the largest number to date for a Brent Council video.

- 3.36 The Paralympic Torch Relay was a 24hr event travelling from Stoke Mandeville to the Olympic Park in Stratford and it reached Brent in the very early morning of the 29th August. The torch received a spectacular welcome at the BAPS Shri Swaminarayan Mandir where it was re-lit at the temple steps and proceeded to Willesden Sports Centre where local sports clubs and members of the public were waiting to see it. A total of 6,600 people saw the Paralympic Torch Relay through Brent. Again there was good media coverage especially from the breakfast news services and local papers. Twitter was again used and proved effective for informing the public on delays. Once the relay had left Willesden Sports Centre hosted a Disability Sports Open Day where disabled and able bodied young people could try out a selection of sports.
- 3.37 The Olympic Torch Relay was stewarded by 145 Brent Council staff volunteers who were trained for the purpose and 30 of them volunteered again for the Paralympic Torch Relay. The staff capacity, pride and willingness to assist in these major events must be acknowledged.

Training Camps

- 3.38 Vale Farm was used as a Games-time training camp by the Japanese Olympic Badminton team due to the proximity to Wembley Arena. The team agreed for members of the public to see them train from the gallery above the courts. Leisure Connection, the contractor at Vale Farm, was very proactive in accommodating the needs of the Japanese team. The team were very happy with the venue and sent this message:
*On behalf of the Japanese badminton team, I would like to say a big THANK YOU for all the support you have shown during the Olympics. The Japanese team had never won any medals at the Olympic Games before but they exceeded their expectations and took home a silver medal!
Thank you so much for all your help whilst they were training at Vale Farm.
We couldn't have won this medal if it wasn't for your team's support.*

London Ambassador Pod

- 3.39 The London Ambassador Volunteer programme was led by the GLA. Up to 8,000 volunteers were active during Games time to welcome visitors into the capital. At Wembley a 'pod' was located on the new landscaped area on Empire Way where volunteers offered information to visitors on the local area and further afield. The GLA propose to continue the London Ambassador Volunteer programme running and make volunteers available for major sporting and cultural events. They are currently in discussions with Wembley City researching the possibility of using Ambassadors during 2013 events in Wembley.

4.0 Financial Implications

4.1 Brent Council was secured £700k for the delivery of operational services which were additional to usual service operations and critical to operating a safe and effective Olympic Games in Brent. It also received £50k towards borough dressing and artistic content during the Games. Both these grants were restricted to the agreed eligible actions as stated in the contracts and where claimed in full.

5.0 Legal Implications

None

6.0 Diversity Implications

6.1 The London 2012 Games brought disabilities to the fore. Brent continues to promote its Sportability Club at Willesden Sports Centre, free swimming for disabled people and aims to increase its range of sports to include wheelchair basketball and sitting volleyball and promote sports for disabled pupils via schools. The Council is also keen to continue exploring cultural activities with disabled people such as via arts and dance projects.

7.0 Staffing Implications

7.1 The role of the Brent Manager for London 2012 was created to lead on and manage the on-going development and delivery of the Brent 2012 action plan. The role was responsible for managing and co-ordinating the governance arrangements for London 2012 across the council as a whole, act as lead officer and contact for the council for London 2012 including establishing key partnerships and leading on the hosting of the torch relays. This role came to an end in October 2012. This approach to managing such a large event was very successful and should be considered for any future similar activity where co-ordination of a complicated partnership arrangement is needed.

Background Papers

Executive Report, 12th March 2012 - London 2012: update on Brent's Action Plan for the Games period

Executive Report, 15th November 2010 - Inspiring Brent: Brent Council's Programme for the London 2012 Games.

Executive Report, 18th January 2010 - Inspiring Brent: Brent Council Action Plan for the London 2012 Games.

Contact Officers

Gillian Spry
Brent Manager for London 2012

SUE HARPER
Director of Environment and Neighbourhood Services

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APPENDIX 1

Young Learners

Key Areas of Work	Achievements
<p>Using the Brent Inspires Award to promote awareness of the Olympic and Paralympic values through sporting competitions, cultural events and informal creative learning to all young people</p> <p>Working with Brent Youth Parliament to promote the voice of young people</p>	<ul style="list-style-type: none"> • 52 Organisations representing young people signed up to the Brent Inspires Award • Bent Inspires ran for 3 years and inspired schools and other organisations to get involved in Olympic and Paralympic events and activities • A total of 1,468 projects were organised for young people through Brent Inspires – 346 (Gold – long term projects), 522 (silver – short term projects), 600 (Bronze – one-off projects) • Each Year different schools and/or organisations won the top awards at The PE and Sport Awards evening • We also presented awards to the most innovative projects year on year • 12 Young Inspiring Brent Ambassadors were recruited as part of the Inspiring Brent Campaign. The Ambassadors organised two successful Open Weekend events in the lead up to 2012 and were involved in the two major events this summer. The Young Ambassador programme will continue through a similar 'Cultural Ambassador' programme to build on the work and links made by these young people and to ensure a lasting legacy of work with young people.
<p>Supporting and promoting the Get Set Education programme to schools and colleges across the borough. Get Set is the official London 2012 education programme which provides resources for schools</p>	<ul style="list-style-type: none"> • 70 schools in Brent (22 secondary/colleges and 48 Primary) registered with Get Set and received 3250 tickets. • Pupils from two Brent schools (Furness Primary School and St Andrew & St Francis CE) acted as mascots and flag bearers at Olympic Football • Three schools secured funding through the Plan Your 2012 Programme and worked with partner schools to deliver outcomes • Three schools were part of the Guard of Honour at The Opening Ceremony – lining the route from the athletes village to the stadium on this very special evening • One school has been entertaining the public with sporting and other activities in the Great British Garden at the Olympic Park throughout the Paralympics

<p>Promoting citizenship in a diverse community by ensuring the Olympic and Paralympic Games ethos and values are reflected in schools' curriculum</p>	<ul style="list-style-type: none"> • Get Set programme embraced by schools in Brent and included across the curriculum and in whole school initiatives across the borough. Many schools completely revised their curriculums to reflect the Olympic and Paralympic values. • All schools had an Olympic themed sports day • Two conferences for teachers, supporting adults and health professionals were held with Olympic and Paralympic workshops during 2011-12
<p>Opportunities to participate in 2012 learning activities through cross-borough leagues and school sports partnerships</p>	<ul style="list-style-type: none"> • Both School Sport Partnerships re-badged all competitive opportunities and festivals as Olympic themed events – 22 events in 2011-2012 • Most schools planned activities during National Schools Sports Week – June 2012 • Schools participated in 23 different competitive sports during the academic year 2011-12 • 12 Olympic School Sports festivals, including Dance were also organised during 2011-12
<p>Inviting local and national sports and arts personalities to Brent schools (from various sporting and ethnic backgrounds) as role models to inspire young people</p>	<ul style="list-style-type: none"> • Schools had various sporting ambassadors attend to inspire the young people. • Sports Awards had Lesley Owusu, Tim Prendergast, Larry Achike
<p>Supporting vulnerable groups to achieve through Olympic and Paralympic inspired learning and activities.</p>	<ul style="list-style-type: none"> • Disability sports calendar has been produced to fit in with the West London offer for disability sports competition framework • 22 schools have received Sportsability equipment and will receive training on 24th September to inspire engagement in disability sport • 33 Schools have received funding to increase the physical activity of pupils with SEN and/or Physical disability. • Support for pupils on FSM to attend out of school Olympic clubs has been provided through the School Sport Partnerships • Pupils that have been identified as overweight or obese have attended 12 weeks weekend sports classes as part of the on-going graduate programme of MEND

Business & Skills

Key Areas of Work	Achievements
Working with the Employer Partnership, London Business Network and Supply London to support local businesses to secure tenders through the Competefor process	<ul style="list-style-type: none"> • 19.9% of businesses based in Brent registered with CompeteFor • 28 contracts were awarded to business in the borough
Building the capacity of the catering industry to trade at festivals and events for 2012 and beyond	22 businesses took part in Aspire projects 'Flavours of Brent' and 'Kensal Rise Kitchens' in 2010/2011.
Animating the Wembley area with sporting and cultural activities	<ul style="list-style-type: none"> • Brent Celebrates the Flame event • Olympic Torch Relay • Brent Dance Month events • Stadium Full of Dreams exhibition
<p>Working with Brent business support agencies to develop the capacity of the voluntary sector and raise awareness of 2012 Games</p> <p>Together with the third sector, develop a pool of volunteers which reflects the diversity of the borough and direct to 2012 inspired opportunities.</p>	<ul style="list-style-type: none"> • Brent Council did not pursue a local volunteer programme but promoted official London 2012 opportunities instead – LOCOG's Games Makers, GLA's London Ambassadors and Team Heathrow. • 12 Young Inspiring Brent Ambassadors were recruited as part of the Inspiring Brent Campaign. The Ambassadors organised two successful Open Weekend events in the lead up to 2012 and were involved in the two major events this summer. The Young Ambassador programme will continue through a similar 'Cultural Ambassador' programme to build on the work and links made by these young people and to ensure a lasting legacy of work with young people.

Culture & Events

Key Areas of Work	Achievements
Securing a cultural legacy and build lasting partnerships nationally and internationally from engagement with the Cultural Olympiad	<ul style="list-style-type: none"> • Brent Dance Month bigger this year through linking with the Cultrual Olympiad with 60 activities taking place across Brent in July. Will continue to build to ensure a lasting legacy. • New partnerships developed with Brent Arts in Health, English National Ballet, and Waterman's Art Centre that will continue.
<p>Maximising the potential of our unique diversity to develop West London Story – a wide ranging programme of cultural activities celebrating the London 2012 Games</p> <p>Supporting and mentoring artists to realise their potential through the West London Story</p>	Project 7- Scruffbag Productions a new local film company received a West London Story grant, allowing them to develop as an organisation and deliver a successful young people engagement project. This project has allowed them to grow as an organisation.

<p>Developing our festivals programme to include Olympic and Paralympic inspired themes</p>	<p>Two major events incorporating Cultural Olympiad acts and programming: Brent Celebrates the Flame (25th July – att 8,000) Brent Celebrates a Golden Summer (9th Sept – att 10,000)</p>
<p>Developing a programme of activities across Brent library services inspired by the London 2012 games</p>	<p>‘Story Lab’ Cultural Olympiad Summer Reading Challenge programme: Joiners Target 4328, Actual 4344 Finishers Target 2013, Actual 2314</p>
<p>Using the power of Paralympic Games to engage and inspire the disabled community to participate in arts and culture across the borough</p>	<ul style="list-style-type: none"> • Light Tag project delivered by Waterman’s Art Centre in partnership with Brent Arts Therapies Team and art work displayed at WGLC • Brent Dance Month featured workshops for young people with profound learning difficulties and a performance and talk from the Asian People’s Disability Alliance
<p>Developing our museum and archive to celebrate Brent’s heritage and involvement in the 1948 and 2012 Games</p>	<ul style="list-style-type: none"> • Aspire project ‘Stadium Full of Dreams’ exhibition took place at Wembley Central Square (2/7/12 – 26/8/12) • Online exhibition – 3868 page views (July and August) • 1948 Olympic Torch on display at local events • 1,400 people engaged with Games related museum and archives activities at summer events • Olympic inspired public programme throughout the summer (att 115) • Schools resource and session well received (5 schools, 912 pupils took part, 80 teachers/supporting staff)
<p>Working with our West London borough partners to deliver joint events allowing residents to celebrate the London 2012 Games</p>	<ul style="list-style-type: none"> • Torch relay project – Local carnival company Mahogany worked with seven Brent schools to produce torches, head pieces and costumes to welcome the Olympic Flame • Project 7 - Supported Scruffbag productions to deliver script writing and film making workshops. Three minute film to be uploaded to London 2012 Film Nation Website and screened at 2012 events. • Outside the Box project in partnership with Hillingdon Council
<p>Animating our civic spaces for the enjoyment and use of all our communities</p>	<ul style="list-style-type: none"> • London 2012 lamp post banner along torch relay route, Willesden Green and Harlesden • Enhanced dressing in Wembley • Gift from the Gods art installation on new

	landscaped area
Developing the capacity of artists to showcase their talent to secure a legacy from the 2012 Games	<ul style="list-style-type: none"> • Opportunity for local artists to showcase their talent at the two major events. • Screening of 'Project 7' film to a wide audience • Light Graffiti exhibition in Willesden Green Library Centre. This exhibition will continue to tour to other locations across London

Sports & Health

Key Areas of Work	Achievements
Reducing the percentage of people in Brent that are inactive through sporting and physical activity opportunities	The percentage of Brent's population undertaking 3 x 30 has increased from 15.9% (Oct 2009 - Oct 2011) to 16.1% (Apr 2010 - Apr 2012).
Providing opportunities for young people to take part in a wide variety of sports activities and increase school based sports opportunities and sports competitions within and between schools	Opportunities for young people to take part in Olympic sports during term time and throughout the holidays. All Olympic Sports except shooting were offered. 1433 visits to the summer sports programme.
Increasing community access to all facilities suitable for sports use, in particular facilities on education sites	Community access is a planning requirement for new sports facilities e.g. Preston Manor school.
Exploring opportunities to provide a third pool that serves the north of the Borough	<p>Planning permission has been granted for a development on the site of Dexion House, Empire Way, Wembley. This will provide retail units and student accommodation. In addition there will be health and fitness facilities and a swimming pool. Through negotiations, part of the Section 106 agreement will provide public access to the 6 lane 25m swimming pool at times and prices comparable to other Council owned / run sports and leisure centres in the Borough plus acceptance of the Council's Leisure Discount Card. Planning permission requires the developer to commence building out the facility by 13th June 2014</p> <p>A detailed feasibility study into a swimming pool at Kingsbury has been completed by consultants. The financial costs to the Council is unaffordable in the current economic climate and there will be no further progress on the provision of a swimming pool in Kingsbury until the economic position improves.</p>
Working with NHS Brent to increase the role of sport and physical activity as a means to address and prevent poor health	<p>NHS have funded several projects to increase sport and physical activity in Brent:</p> <ul style="list-style-type: none"> • Part funding of Multi Use Games Areas at


	<p>Neasden Rec and Alperton</p> <ul style="list-style-type: none"> • 5 outdoor gyms at King Edwards, Wembley, Gladstone Park, Roe Green Park, Gibbons Rec and Tiverton Green • Discount vouchers for use of Brent's sports centres for targeted groups 										
Developing an active workplaces scheme in partnership with NHS Brent to encourage employees to lead more active lifestyles	<ul style="list-style-type: none"> • Employees encouraged to take part in 5k your way event. • Other initiatives promoted heavily include Sky Rides, Walks programme, jogging sessions, aerobics and other classes. 										
Increasing and improving facilities for recreational and informal participation in sport	<ul style="list-style-type: none"> • Multi Use Games Areas installed within the last 18 months at: King Edwards Park, Wembley; Eton Grove, One Tree Hill; Woodcock park; Gibbons Recreation Ground; • Tennis court improvements in last 18 months at: Gladstone park (including new junior tennis courts), Woodcock Park (including new junior tennis courts), Eton Grove and Roe Green Park. • Football pitch improvements at Vale Farm and Silver Jubilee Park. • Artificial turf pitch at Woodcock Park/St Gregory's Science College • Football Foundation Funding to provide new 3G football surface at artificial turf pitch at Vale Farm 										
Working with local sports clubs and groups to develop volunteering, coaching and leadership opportunities	<ul style="list-style-type: none"> • Coach education programme developed offering a variety of courses. Over 350 people gone through coach education courses through us. • Offer bursary scheme to support people with costs. 										
Developing the Brent Fun Run and Walk as a local mass participation event to encourage family participation in physical activity	<p>Annual event since 2008. No. of participants:</p> <table> <tr> <td>2008</td> <td>117</td> </tr> <tr> <td>2009</td> <td>161</td> </tr> <tr> <td>2010</td> <td>270</td> </tr> <tr> <td>2011</td> <td>207</td> </tr> <tr> <td>2012</td> <td>258</td> </tr> </table>	2008	117	2009	161	2010	270	2011	207	2012	258
2008	117										
2009	161										
2010	270										
2011	207										
2012	258										
Using the Paralympic Games as a catalyst for engaging the disabled community through providing disability sports opportunities	<p>Sportability club at Willesden Sports Centre – weekly multi sports activity club for young people with disabilities. Looking at introducing wheelchair basketball, sitting volleyball and other activities.</p>										
Implementing the actions within Brent's Sports and Physical Activity Strategy.	<p>Continue to offer free swimming for over 60's, under 5's and disabled people. Also for under 16s during schools holidays.</p> <p>Various actions implemented under the seven</p>										

	<p>key themes:</p> <ol style="list-style-type: none"> 1. Increase provision of appropriate facilities 2. Increase knowledge of the wider benefits of an active lifestyle 3. Get more people active 4. Develop local sports providers 5. Increase sports opportunities for young people 6. Make the most of London 2012 and 7. Wembley as a major sporting venue 8. Improve partnership working
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City Operations & Sustainability

Key Areas of Work	Achievements
Working with LOCOG, the Olympic delivery authority, the Greater London Authority and London Councils to ensure that events in the Wembley area cause minimal disruption to Brent residents	<ul style="list-style-type: none"> • Events at Wembley Stadium and Wembley Arena delivered successfully
Providing regular updates on traffic and security zone restrictions to all residents and businesses to allow them to move around the borough	<ul style="list-style-type: none"> • Implementation of communications programme with TfL and LOCOG
Developing a sub regional and pan London city volunteering programme to enhance the visitor experience to Brent	<ul style="list-style-type: none"> • Brent Council did not pursue a local volunteer programme but promoted official London 2012 opportunities instead – LOCOG's Games Makers, GLA's London Ambassadors and Team Heathrow • London Ambassador Mobile Pod and local ambassadors to be used by Wembley City for major stadium events
Encouraging the use of public transport, cycling and walking in order to reduce congestion and carbon dioxide emissions	<ul style="list-style-type: none"> • London 2012 known as the public transport games • Some events saw 60,000 spectators travelling via Wembley Park • Brent Council benefitted from site specific advice from TfL. Offered advice to staff to re-mode and re-time transport options to minimise congestion and keep Council services running
<p>Promoting recycling, composting and reusing materials as alternative methods of waste disposal</p> <p>Using the London 2012 Games to promote environmental best practice to residents and businesses</p>	<ul style="list-style-type: none"> • Recycling waste at events • Street dressing to be offered to schools and community centres

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	<p>Executive 12 November 2012</p> <p>Report from the Deputy Director of Finance</p>
<p>Wards Affected: ALL</p>	
<p>2012/13 Mid-Year Treasury Report</p>	

1. SUMMARY

1.1 This report updates members on recent treasury activity.

2. RECOMMENDATION

2.1 The Executive is asked to note the 2012/13 mid-year Treasury report as also submitted to the Council and Audit Committee.

3. DETAIL

BACKGROUND

3.1 The Council's Treasury Management Strategy has been underpinned by the adoption of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management 2009, which includes the requirement for determining a treasury strategy on the likely financing and investment activity for the forthcoming financial year.

3.2 The Code also recommends that members are informed of Treasury Management activities at least twice a year. This report therefore ensures this authority is embracing Best Practice in accordance with CIPFA's recommendations.

3.3 Treasury Management is defined as: "The management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks."

ECONOMIC BACKGROUND

3.4 Growth rates have fallen across the world in the last six months. The US and Germany continue to grow slowly, but the UK and most European economies

have returned to or entered recession. Even the higher performing economies of the Far East and South America are experiencing reduced growth. This global slowdown has kept inflation largely under control, and it is falling quite rapidly in the UK as many of last year's price rises pass through the figures.

- 3.5 Gilt yields fell sharply raising the prospect that very short-dated yields could turn negative. 2-year yields fell to 0.06%, 5-year yields to 0.48% and 10-year yields to 1.45%. Despite the likelihood the Debt Management Office would revise up its gilt issuance for 2012/13, there were several gilt-supportive factors: the Bank of England's continued purchases of gilts under an extended Quantitative Easing (QE) programme; investors preferring the safer haven of UK government bonds to those of European sovereigns; the coalition's commitment to fiscal discipline by sticking to its "plan A" for deficit reduction; large scale purchases by banks to comply with the Financial Services Authority's liquidity buffer requirements; and general risk aversion against a weak economic backdrop. Borrowing rates offered by the Public Works Loans Board (PWLB) to councils fell commensurately.
- 3.6 Money market rates fell over the six month period by between 0.2% and 0.6% for 1-12 month maturities.

DEBT MANAGEMENT

- 3.7 The PWLB remains an attractive source of borrowing for the Council as it offers flexibility and control. In August HM Treasury announced details of the "Certainty Rate" which will enable "eligible authorities" to access cheaper PWLB funding, with a 20 basis point reduction on the standard PWLB borrowing rate. Initially announced in the March 2012 Budget, HM Treasury have introduced this initiative to incentivise local authorities to provide robust forecasts on borrowing plans. This rate will be introduced in November 2012, and Brent has been accepted to receive it.
- 3.8 Alternative borrowing sources: Alternative sources of long term funding to long-dated PWLB borrowing are available, but the Council will continue to adopt a cautious and considered approach to funding from the capital markets as the simplicity and ease of dealing with the PWLB represents a strong advantage. Two long term loans of £10m each have been raised so far this year as is shown in the table below:

	Balance on 01/04/2012 £m	Debt Repaid £m	New Borrowing £m	Balance on 30/09/2012 £m
Short Term Borrowing	26.3	44.3	18.0	0.0
Long Term Borrowing	405.5	1.2	20.0	424.3
TOTAL BORROWING	431.8	45.5	38.0	424.3
Average Rate %	4.45			4.71

- 3.9 No debt rescheduling has been considered in the last half year as present discount rates make the premia involved unattractive.

INVESTMENT ACTIVITY

- 3.10 The Council gives priority to security and liquidity and aims to achieve a yield commensurate with these principles.

	Balance on 01/04/2012 £m	Investments Made £m	Investments Repaid £m	Balance on 30/09/2012 £m
Short Term Investments	43.8	1,520.7	1,495.1	69.4

- 3.11 Security of capital has been maintained by following the Council's counterparty policy as set out in its Treasury Management Strategy Statement for 2012/13. New investments were made with the following institutions:

Other Local Authorities;
AA- rated banks;
AAA rated Money Market Funds;
The UK Debt Management Office.

- 3.12 Counterparty credit quality was assessed and monitored with reference to Credit Ratings (the Council's minimum long-term counterparty rating of AA- (or equivalent) across rating agencies Fitch, Standard & Poors and Moody's); credit default swaps; GDP of the country in which the institution operates; the country's net debt as a percentage of GDP; sovereign support mechanisms; potential support from a well-resourced parent institution; share price.

BUDGETED INCOME AND OUTTURN

- 3.13 The Council's budgeted investment income for the year has been estimated at £0.1m. The average cash balances, representing the Council's reserves and working balances, were £95m during the period. At present, the Council appears likely to achieve this figure.
- 3.14 The UK Bank Rate has been maintained at 0.5% since March 2009 and is not expected to rise until 2015/2016. Short-term money market rates have remained at very low levels.

ICELANDIC BANK INVESTMENT UPDATE

- 3.15 The following has now been resolved in relation to Icelandic deposits:

Iceland-Domiciled Banks

- 3.16 On 28 October 2011 the Icelandic Supreme Court ruled that UK local authority claims in the administrations of Glitnir and Landsbanki qualified as priority claims under Icelandic bankruptcy legislation, confirming the earlier decision of the Reykjavik District Court.
- 3.17 This means that the values of local authorities' claims in the Icelandic administrations qualifying for priority settlement are now final and will, at the very least, be equal to the value of the original deposit plus interest accrued to the maturity date. After the decision of the Icelandic Supreme Court had been

delivered, the Winding Up Board of Glitnir made a distribution to priority creditors, which included local authorities. This was accepted by all UK local authorities and implemented on 16 March 2012. The distribution currencies were Icelandic kroner, Euros, US dollars, pounds sterling, and Norwegian krona. The Icelandic kroner are held in an interest bearing account in Iceland pending the lifting of exchange controls. This means that, of the £5m which Brent deposited with Glitnir, £4m has now been recovered.

Non-Iceland-Domiciled Banks

- 3.18 It is expected that over £9m of the original £10m deposit will be recovered. Almost £7.5m has been recovered to date, and a further £0.5m-£0.8m is expected by 31 March 2013.

COMPLIANCE WITH PRUDENTIAL INDICATORS

- 3.19 The Council can confirm that it has complied with its Prudential Indicators for 2012/13, which were set in February 2012 as part of the Council's Treasury Management Strategy Statement. Details can be found in Appendix 1.

OUTLOOK

- 3.20 At the time of writing this activity report in October 2012, economic growth remains elusive. Tight credit conditions and weak earnings growth are constraining consumer and corporate spending. The outlook is for official interest rates to remain low for an extended period, as shown below.

	Dec-12	Mar-13	Jun-13	Sep-13	Dec-13	Mar-14	Jun-14	Sep-14	Dec-14	Mar-15	Jun-15	Sep-15	Dec-15
Official Bank Rate													
Upside risk				0.25	0.25	0.25	0.25	0.50	0.50	0.50	0.50	0.50	0.50
Central case	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50
Downside risk	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25

SUMMARY

- 3.21 In compliance with the requirements of the CIPFA Code of Practice this report provides members with a summary report of the treasury management activity during the first half of 2012/13. As indicated in this report none of the Prudential Indicators have been breached and a prudent approach has been taking in relation to investment activity with priority being given to security and liquidity over yield.

4. FINANCIAL IMPLICATIONS

These are covered in the report.

5. DIVERSITY IMPLICATIONS

The proposals in this report have been subject to screening and officers believe that there are no diversity implications arising from it.

6 STAFFING IMPLICATIONS

None

7 LEGAL IMPLICATIONS

There are no legal implications arising from the report.

8 BACKGROUND

Annual Treasury Strategy – Report to Full Council (and the Audit Committee) as part of the Budget Report – February 2012.

Persons wishing to discuss the above should contact the Exchequer and Investment Section, Finance and Corporate Resources, on 020 8937 1472/74 at Brent Town Hall.

MICK BOWDEN
Deputy Director of Finance

ANTHONY DODRIDGE
Head of Exchequer and Investment

Appendix 1

Capital Financing Requirement

Estimates of the Council's cumulative maximum external borrowing requirement for 2012/13 to 2014/15 are shown in the table below:

	31/03/2012 Actual £m	31/03/2013 Estimate £m	31/03/2014 Estimate £m	31/03/2015 Estimate £m
CFR	537	598	594	591

Usable Reserves

Estimates of the Council's level of Usable Reserves for 2012/13 to 2014/15 are as follows:

	31/03/2012 Actual £m	31/03/2013 Estimate £m	31/03/2014 Estimate £m	31/03/2015 Estimate £m
Usable Reserves	58	37	30	24

Prudential Indicator Compliance

Authorised Limit and Operational Boundary for External Debt

The Local Government Act 2003 requires the Council to set an Authorised Borrowing Limit. This is a statutory limit which should not be breached. The Council's Authorised Borrowing Limit was set at £823m for 2012/13. The Operational Boundary is based on the same estimates as the Authorised Limit but reflects the most likely, prudent but not worst case scenario without the additional headroom included within the Authorised Limit. The Operational Boundary for 2012/13 was set at £723m. The Deputy Director of Finance confirms that there were no breaches to the Authorised Limit and the Operational Boundary during the year; borrowing at its peak was £432m.

Upper Limits for Fixed Interest Rate and Variable Interest Rate Exposure

These indicators allow the Council to manage the extent to which it is exposed to changes in interest rates. The upper limit for variable rate exposure allows for the use of variable rate debt to offset exposure to changes in short-term rates on our portfolio of investments.

	Limits for 2012/13
Upper Limit for Fixed Rate Exposure	100%
Compliance with Limits:	Yes
Upper Limit for Variable Rate Exposure	40%
Compliance with Limits:	Yes

Interest Rate Exposures	Level at 31/03/12	2012/13 Approved	Actual 30/09/12
Fixed			
Upper Limit for Fixed Interest Rate Exposure on Debt	89%	100%	89%
Variable			
Upper Limit for Variable Interest Rate Exposure on Debt	11%	40%	11%

Maturity Structure of Fixed Rate Borrowing

This indicator is to limit large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates.

Maturity Structure of Fixed Rate Borrowing	Upper Limit %	Lower Limit %	Actual Fixed Rate Borrowing as at 30/09/12 £m	% Fixed Rate Borrowing as at 30/09/12	Compliance with Set Limits?
Under 12 months	40	0	3.9	1	Yes
12 months and within 24 months	20	0	3.9	1	Yes
24 months and within 5 years	20	0	11.8	3	Yes
5 years and within 10 years	60	0	25.3	6	Yes
10 years and above	100	0	379.4	89	Yes

Gross and Net Debt

The purpose of this treasury indicator is to highlight a situation where the Authority is planning to borrow in advance of need.

Upper Limit on Net Debt compared to Gross Debt	31/3/12 Actual £m	31/3/13 Estimate £m	Limit
Outstanding Borrowing (at nominal value)	405.5	490	823
Less: Investments	43.8	20	0
Net Debt	361.7	470	823

Net Debt and the CFR

This is a key indicator of prudence. In order to ensure that over the medium term net borrowing will only be for a capital purpose, the Authority should ensure that the net external borrowing does not exceed the total of the CFR in the preceding year plus the estimates of any additional increases to the CFR for the current and next two financial years.

The Authority had no difficulty meeting this requirement so far in 2012/13, nor are there any difficulties envisaged for future years. This view takes into account current commitments, existing plans and the proposals in the approved budget.

Total principal sums invested for periods longer than 364 days

This indicator allows the Council to manage the risk inherent in investments longer than 364 days.

The limit for 2012/13 was set at £20m.

The Council's practice since the onset of the credit crunch in 2007 has been to keep investment maturities to a maximum of 12 months. No investments were made for a period greater than 364 days during this period.

Credit Risk

This indicator has been incorporated to review the Council's approach to credit risk. The Council confirms it considers security, liquidity and yield, in that order, when making investment decisions.

Credit ratings remain an important element of assessing credit risk, but they are not the sole feature in the Authority's assessment of counterparty credit risk. The authority considers the following tools to assess credit risk:

Published credit ratings of the financial institution and its sovereign;
Sovereign support mechanisms;
Credit default swaps (where quoted);
Share prices (where available);
Economic fundamentals, such as a country's net debt as a percentage of its GDP;
Corporate developments, news, articles, markets sentiment and momentum.

The Council can confirm that all investments were made in line with a minimum long term credit rating of AA- or equivalent, as set in the 2012/13 TMSS.

HRA Limit on Indebtedness

This purpose of this indicator is for the Council to report on the level of the limit imposed at the time of implementation of self-financing by the Department for Communities and Local Government.

HRA Limit on Indebtedness	31/03/2012 Actual £m	31/03/2013 Estimate £m	31/03/2014 Estimate £m	31/03/2015 Estimate £m
HRA CFR	137	141	141	141
HRA Debt Cap (as prescribed by CLG)	199	199	199	199
Difference	62	60	60	60