



Executive

Monday 13 January 2014 at 7.00 pm

Boardroom - Brent Civic Centre, Engineers Way,
Wembley, HA9 0FJ

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
A Choudry	Lead Member for Crime Prevention and Public Safety
Crane	Lead Member for Regeneration and Major Projects
Denselow	Lead Member for Customers and Citizens
Hirani	Lead Member for Adults and Health
Mashari	Lead Member for Environment and Neighbourhoods
McLennan	Lead Member for Housing
J Moher	Lead Member for Highways and Transportation
Pavey	Lead Member for Children and Families

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

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minutes of this meeting have been published visit:

democracy.brent.gov.uk

The press and public are welcome to attend this meeting

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members.

Item	Page
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1	Declarations of personal and prejudicial interests	
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Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.

2	Minutes of the previous meeting	1 - 10
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3	Matters arising	
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Adult and Social Care reports

4	Update on Public Health Contracts	11 - 24
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This report provides an update to the Executive report of 19 August 2013 on future arrangements for public health contracts that the Council inherited from the NHS. It seeks an exemption from Contract Standing Orders and extensions to current service provision in accordance with Contract Standing Order 84 (a) and direct of award of GUM services contracts.

Ward Affected:
All Wards

Lead Member: Councillor Hirani
Contact Officer: Melanie Smith, Director Public Health
Tel: 0208 937 6227 melanie.smith@brent.gov.uk

Children and Families reports

5	Award of tender for Connexions Service	25 - 40
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This report requests authority to award a contract for the provision of education, employment, and training and careers Connexions services to the Council 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 to whom the contract should be awarded.

Ward Affected:
All Wards

Lead Member: Councillor Pavey
Contact Officer: Sara Williams, Acting Director, Children and Families
Tel: 020 8937 3510 sara.williams@brent.gov.uk

6 Determination proposal to permanently expand Princess Frederica CE Primary School by September 2014. 41 - 106

This report informs the Executive of the outcome of the statutory proposal to alter Princess Frederica Church of England Primary School through permanent expansion from September 2014 and recommends that it be approved.

Ward Affected:
All Wards

Lead Member: Councillors Crane and Pavey
Contact Officer: Sara Williams, Acting Director,
Children and Families
Tel: 020 8937 3510 sara.williams@brent.gov.uk

7 Tender Award for Information Advice and Guidance in Children's Centres. 107 - 142

This report requests authority to award a contract for the provision of information, advice and guidance services for families of children attending children's centres in Brent aged 0-5 to the Council 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 to whom the contract should be awarded.

Ward Affected:
All Wards

Lead Member: Councillor Pavey
Contact Officer: Sara Williams, Acting Director,
Children and Families
Tel: 020 8937 3510 sara.williams@brent.gov.uk

8 Award of tenders for Speech and Language Therapies 143 - 184

This report requests authority to award 2 individual contracts for the provision of Speech, Language and Therapy services ("SLT") for children's centres and mainstream education for the Council as required by Contract Standing Order No 88. This report summarises the process undertaken in tendering these contracts and, following the completion of the evaluation of the tenders, recommends to whom the contracts should be awarded.

Appendix referred to below

Ward Affected:
All Wards

Lead Member: Councillor Pavey
Contact Officer: Sara Williams, Acting Director,
Children and Families
Tel: 020 8937 3510 sara.williams@brent.gov.uk

9 Authority to participate in a collaborative procurement for construction professional services 185 - 190

Accordingly this report requests approval, as required by Contract Standing Order 85, to participate in a collaborative procurement to set up a framework for construction professional services for use by the Department for Regeneration & Growth. The report also requests associated approvals and exemptions under Contract Standing Orders to maximise the ease of use of the framework in view of the high number of possible call-offs for similar services over distinct projects.

Ward Affected:
All Wards

Lead Member: Councillor Crane
Contact Officer: Sarah Chaudhry, Head of Strategic Property
Tel: 020 8937 1705
sarah.chaudhry@brent.gov.uk

10 Burnt Oak, Colindale and The Hyde Placemaking Plan 191 - 202

This report provides a summary of the Placemaking Plan, which is attached as Appendix 3, its objectives, the transport and planning context, public consultation and the delivery mechanism.

Appendix circulated separately

Ward Affected:
Fryent;
Queensbury

Lead Member: Councillor Crane
Contact Officer: Joyce Ip, Major Projects Team
Tel: 020 8937 2274 joyce.ip@brent.gov.uk

11 West London Waste Plan 203 - 216

This report presents a revised draft of the proposed submission version of the Joint West London Waste Plan to be agreed for statutory public consultation across west London. It asks Executive to agree the Plan for publication and public consultation in March / April 2014 and, subject to representations made, asks Full Council to agree that it be submitted for Examination.

Appendix circulated separately

Ward Affected:
All Wards

Lead Member: Councillor Crane
Contact Officer: Ken Hullock, Policy and Research Team
Tel: 020 8937 5309 ken.hullock@brent.gov.uk

12 NNDR Discretionary Rate Relief 217 - 224

The Council has the discretion to award rate relief to charities or non-profit making bodies. It also has the discretion to remit an individual National Non-Domestic Rate (NNDR) liability in whole or in part on the

grounds of hardship. The award of relief is based on policy and criteria agreed by the Executive in September 2013. New applications for relief have to be approved by the Executive. The report details new applications for relief received since the Executive last considered such applications in September 2013.

Ward Affected:
All Wards

Lead Member: Councillor R Moher
Contact Officer: Richard Vallis, Revenue and Benefits
Tel: 020 8937 1503 richard.vallis@brent.gov.uk

Central Reports

13 London Councils Grants Scheme 2014/2015 225 - 252

This report seeks agreement to London Councils Grants Committee budget for 2014/15 and the associated level of contribution by Brent Council to the London Borough Grants Scheme. It recommends reinvesting the small one off payment to Brent from London Councils Grants Committee reserves to support work with CVS delivering further capacity building for the voluntary sector in Brent.

Ward Affected:
All Wards

Lead Member: Councillor R Moher
Contact Officer: Joanna McCormick, Partnership co-ordinator
Tel: 020 8937 1608
joanna.mccormick@brent.gov.uk

Environment and Neighbourhood Services reports - none

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

15 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.

16 Exclusion of Press and Public

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

Appendix:

Award of tenders for Speech and Language Therapies

Date of the next meeting: Monday 17 February 2014



- 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 on a first come, first served basis.



LONDON BOROUGH OF BRENT

MINUTES OF THE EXECUTIVE Monday 9 December 2013 at 7.00 pm

PRESENT: Councillor Butt (Chair), Councillor R Moher (Vice-Chair) and Councillors A Choudry, Crane, Denselow, Hirani, Mashari, McLennan, J Moher and Pavey

Also present: Councillors Cheese, Chohan, S Choudhary and Hashmi

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

None made.

2. **Minutes of the previous meeting**

RESOLVED:

that the minutes of the previous meeting held on 11 November 2013 be approved as an accurate record of the meeting subject to the deletion of reference to the Councillor Pavey and the substitution therefor of Sue Harper (Strategic Director, Environment and Neighbourhoods) in Clause 12 – Appointment of Bailiffs for the collection of penalty charge notice debts.

3. **Matters arising**

None.

4. **Order of business**

The Executive resolved to change the order of business to take earlier in the meeting those items for which members of the public were present.

5. **Deputation - review of Child and Adolescent Mental Health Service Contract**

The Executive heard from Jackie Shaw (Service Director, Central and North West London Child and Adolescent Mental Health Services, Brent) who referred to the proposals in the report from the Acting Director of Children and Families to decommission the existing CAMHS provided by CNWL and to commission an alternative reduced service from April 2014 onwards on the expiration of the existing contract.

Whilst acknowledging the financial constraints placed on the council, Ms Shaw expressed sadness at the impact of the reduction stating that the council was making a false economy. She also expressed concern at the absence of notification and lack of consultation over the proposals. Ms Shaw felt that the partnership had until now, been valued, with specialist staff dealing with complex needs and the relationship

was now at risk. She questioned the premise that responsibility for provision of targeted dedicated services for Looked After Children lay with clinical commissioning groups (formerly Primary Care Trusts) and pointed to national guidance which stated that it lay with local authorities and commissioners. Ms Shaw also questioned the assertion that disruption to service users would be minimal and also the rationale for changing the current service which had always received good feedback. She acknowledged that the opportunity had not been taken for a proper discussion on outcomes but that the service would be happy to provide monitoring reports and keen to highlight improvements that could be made. Ms Shaw urged the Executive to defer a decision until full discussions had taken place.

Members thanked Ms Shaw for her submission.

6. Review of Child and Adolescent Mental Health Service (CAMHS) Contract

Sara Williams (Acting Director, Children and Families) introduced her report which sought approval to decommission the existing Child and Adolescent Mental Health Service (CAMHS) in its entirety and to commission an alternative, reduced service from April 2014 onwards. The current contractual arrangement had been in place with Central and North West London NHS Foundation Trust (CNWL) since 2007 and was intended to supplement the NHS core service commissioned by Brent Clinical Commissioning Group (CCG) (formerly NHS Brent). The current contract was due to expire on 31 March 2014, and consideration had been given to the service model beyond 2014.

In response to the deputation earlier in the evening from the CNWL CAMHS Sara Williams explained that while some communication had taken place with colleagues over future commissioning, she had apologised that CNWL had not had sight of the report prior to it being in the public domain. Efforts had been made to establish the best approach and the significant reduction would have to be tendered in line with procurement rules. Given the size of the financial envelope, a large swathe of services would be involved and there would be extensive discussions with the CCG over what was commissioned as a core service and what the council commissioned. The proposal now before members included an extension to the existing contract to allow more time for consideration. Sara Williams acknowledged that Looked After Children were a high need, priority group and that the proposals would have an adverse impact. She stated that the proposals in the report had not been arrived at lightly.

Councillor Pavey (Lead Member, Children and Families) acknowledged the concerns expressed by CNWL earlier in the evening but put the view that CAMHS was the responsibility of the NHS through the CCG and the council could not afford to supplement funding to the same extent as it had in the past. He assured that consultation would be comprehensive.

The Chair (Councillor Butt, Leader of the Council) was assured that CNWL would be eligible to bid and also questioned whether both quantitative and qualitative data would be used for monitoring. Sara Williams added that meetings were taking place with a further one scheduled for 18 December 2014 and Councillor Pavey confirmed that he was prepared to consider all data necessary for the assessment of statutory provision. Councillor Hirani sought and obtained re-confirmation that the CCG would be party to discussions.

Jackie Shaw speaking on behalf of CNWL CAMHS welcomed the meeting scheduled for 18 December but clarified that the funding received from the CCG amounted to £1.7m.

RESOLVED:

- (i) that a 3 month extension on the existing CAMHS contract from 1 April 2014 – 30 June 2014 to allow efficient commissioning processes to be undertaken be approved;
- (ii) that the proposed decommissioning of the current CAMHS service at the end of the extension on 30 June 2014 be approved;
- (iii) that approval be given to officers to proceed with the commissioning of a new, revised service to commence from 1 July 2014, and note that a pre-tender report will be presented for this shortly;
- (iv) that it be noted that these changes would bring the council into line with other local authorities and would continue to ensure that statutory obligations were met;
- (v) that it be noted that officers would ensure that there was a smooth transition to the new arrangements.

7. Authority to invite tenders for the procurement of Advocacy Services

In accordance with Contract Standing Orders 88 and 89 the purpose of the report from the Acting Director of Adult Social Services was to seek Executive authority to invite tenders for a 2 + 1 year Advocacy contract valued at £395,700. Councillor Hirani (Lead Member, Adults and Health) in introducing the report reminded the Executive that these specialist advocacy services supported people the most vulnerable people in the community including young people with visual impairments. The new process would help iron out any gaps in provision and Councillor Hirani drew attention to the provision of crisis advocacy including at a benefit tribunal particularly important in the light of recent Department of Work and Pensions changes. It was noted that there may be TUPE implications for staff transferring to the new provider.

RESOLVED:

- (i) that the pre-tender considerations and criteria to be used to evaluate tenders for the Adult Social Care (ASC) advocacy services as set out in paragraph 3.10 of the report from the Acting Director, Adult Social Services, be approved;
- (ii) that officers invite tenders and evaluate them in accordance with the approved evaluation criteria;
- (iii) that it be noted that the short term extensions for four existing Advocacy contracts would be agreed with current providers. Their collective value would not exceed £29,054 and each will end when the new contract went live on the 1st June 2014.

8. Adult Social Care Local Account 2012/13

Councillor Hirani (Lead Member, Adults and Health) introduced the Local Account report from the Acting Director of Adult Social Services, a new single dataset for local government and the development of outcomes frameworks for Health and Adult Social Care replacing the Annual Performance Assessment. The Local Account set out local performance, communicated priorities and provided a key accountability mechanism by which self-regulation and improvement activities could be systematically monitored and reported. In terms of projections, Councillor Hirani acknowledged that it would be difficult to identify any further savings however it was hoped that some could, through avoiding duplication. Regarding carers, the Carers Hub would continue to be strengthened working with the Brent Clinical Commissioning Group to deliver improvements and support. Councillor Hirani referred to priorities for 2013/14 which included an increase in the number of people who took up Direct Payments and supporting the Pioneer initiative designed to boost integrated care. Additionally, it was anticipated that the local authorities would have additional responsibilities arising from the Care and Support Bill due to become statute in April 2015. The Executive noted that a summary of the Local Account would be available in January 2014.

RESOLVED:

- (i) that the performance and contextual information contained in the report from the Acting Director, Adult Social Services, be noted;
- (ii) that the priorities and risks associated with the information provided and the strategic priorities identified be noted.

9. School Budget Proposals - 2014/15

Following the introduction of the changes to the local Schools Fair Funding formula in April 2013 the report from the Acting Director of Children and Families set out the proposals for the second year of the new formula for 2014/15. The Executive had the statutory responsibility to approve and set the Fair Funding Formula following consultation with the Schools Forum and the report sought approval to the changes for 2014/15.

Councillor Pavey (Lead Member, Children and Families) referred to the consultation process on the formula which involved work by a sub group of representatives from schools, the Schools Forum and individual schools on the proposals and the implications for each school's budget and pointed to the generous distribution in favour of primary schools compared to the national average.

RESOLVED:

- (i) that approval be given to the proposed change in the funding ratio between primary and secondary sectors from 1: 1.09 to 1: 1.27 for 2014/15 thereby also addressing the excessively high level of Minimum Funding Guarantee;
- (ii) that the proposed schools budget for 2014/15 be approved.

10. **High Needs Students Eligibility Policy**

The report from the Acting Director of Children and Families sought approval for a High Needs Eligibility Policy which provided clear criteria for deciding on educational provision for young people between 16 and 25. It included criteria both for writing a learning difficulty assessment and the decision making about the provision the young person will receive. The policy aimed to get the best outcome for each learner and ensure that the learning the young person undertook both met their needs and was going to benefit them in later life, and proposed a policy to manage the Learning Disability Assessment (LDA) and applications for placements.

Councillor Pavey (Lead Member, Children and Families) advised that the new national funding arrangements made local authorities (via the Direct Schools Grant) financially responsible for education and training up to aged 25 for young people identified as high needs. Prior to this the funding was managed by the Education Funding Agency and was demand led. Councillor Pavey stated that it was hoped to support as many young people as possible however there was a need to be realistic and, in the current financial climate, there remained a need to control costs where possible and promote value for money. He referred members to the aims of the policy and the compliance with the statutory guidance.

RESOLVED:

- (i) that the High Needs Students Eligibility Policy for the education and training needs for post 16 high needs students be approved and published on the council's website;
- (ii) that the approach underpinning the policy, namely that each learner should have their education and training needs met in local, cost effective local provision wherever possible based on the needs identified in the learning difficulty assessment, be endorsed.

11. **Amalgamation of the Pupil Referral Units**

Following the recent restructure of the council's alternative education, behaviour and attendance services in the Children and Families Department, the report before the Executive asked for formal approval of the amalgamation of the Council's Key Stage 3 (Stag Lane) and Key Stage 4 (Poplar Grove) Pupil Referral Units as part of the restructure. Councillor Pavey (Lead Member, Children and Families) stated that the proposals were essential to the Children and Families offer and to meet the need for a strategy of high quality interventions. He assured that neither the Stag Lane nor Poplar Grove premises would close however there would be a net loss of nine staff members. The Trade Unions had been involved in the process. The proposals would bring about closer partnership working and involve more preventative work.

Councillor Mashari (Lead Member, Environment and Neighbourhoods) sought assurance that measures would be in place on the Poplar Grove site to protect staff and students from the influence of gangs in the area. The Acting Director Children and Families acknowledged that this was an ever present issue under active consideration which required sensitive handling. Dealing with challenging behaviour was fundamental to staff training and the staff pupil ratio would still be good following the proposed staffing reductions.

RESOLVED:

that the formal amalgamation of the Council's Key Stage 3 and Key Stage 4 Pupil Referral Units (PRUs) as part of the restructuring of the borough's alternative education provision be agreed.

12. Brent and Barnet Registration and Nationality Service

The report from the Strategic Director, Environment and Neighbourhoods set out proposals for formalising the current arrangements for shared management of Registration and Nationality services between the London Boroughs of Brent and Barnet through a merger of the two services involving the TUPE transfer of Barnet's staff to Brent, and Brent then providing Barnet with its registration services. The report set out details of the proposed model, and recommended that members agree to establish such a shared service, initially for a five year period.

Councillor Mashari (Lead Member, Environment and Neighbourhoods) reminded the Executive that the current arrangements had been in place since 2010 and outlined the funding arrangements that had been negotiated between the boroughs.

RESOLVED:

- (i) that the proposal for the operation of a shared Registration and Nationality service between Brent and Barnet and the financial and non financial benefits and risks identified be noted;
- (ii) that it be noted that Barnet, through its Cabinet Resources Committee has already agreed in principle to proceed with this proposal subject to Brent's agreement;
- (iii) that the shared service proposal by Brent delivering services to Barnet, for an initial period of five years proceed from 1 April 2014;
- (iv) that the terms of the Inter Authority Agreement governing the shared service be delegated to the Strategic Director of Environment and Neighbourhoods in consultation with the Chief Finance Officer and the Director of Legal and Procurement, to include deciding on whether the shared service will take the form of Barnet delegating its registration function to Brent or Barnet awarding a contract for services.

13. Brent House - proposed disposal on a subject to planning basis

Councillor Crane (Lead Member, Regeneration and Major Projects) reminded the Executive that in December 2010 consideration had been given to options for the future use of the Brent House site in Wembley High Road, following it being declared as surplus to requirements and agreement given in principle to the marketing of the site. The report now before members proposed that the council enter into a 'subject to planning' contract for the disposal of a long leasehold interest in Brent House, 349-357 High Road, Wembley, London HA9 6BZ, as shown in Appendix 1 of the report to Stoford Ltd, keeping in reserve the bid from Henley Homes Ltd.

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

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

RESOLVED:

- (i) that the disposal of a long leasehold interest in Brent House on a subject to planning basis to Stoford Ltd for a capital receipt upon the grant of planning consent be approved;
- (ii) that, as a reserve, subject to satisfactory resolution of matters highlighted in the confidential appendix, in the event that the above offer does not proceed satisfactorily, that the offer from Henley Homes Ltd be approved;
- (iii) that delegated authority be granted to the Operational Director Property and Projects to agree the terms of the transaction in consultation with the Chief Finance Officer.

14. Annual Audit Letter 2012/13

Councillor R Moher (Deputy Leader, Lead Member, Resources) introduced the report which presented the Annual Audit Letter for 2012/13, which was produced by the Council's external auditors KPMG. She drew attention to the headlines in the report which were overall good news for the council with satisfactory financial arrangements being seen to be in place. The Chair (Councillor Butt, Leader of the Council) drew attention to the Auditor's opinion that the council was working efficiently and asked members to note the contents of the report.

RESOLVED:

that the contents of the Annual Audit Letter be noted.

15. Collection Fund Report

As part of the Council Tax setting process for 2014/2015 the council is required to estimate the amount of any surplus or deficit on the Collection Fund as at 31 March 2014. This must be done by 15 January 2014 and this report asked members to approve the estimated balance.

Councillor R Moher (Lead Member, Resources) drew attention to the consistent effective collection of amounts due to the council and that it was now possible to return the benefits of this as a one-off contribution to support the 2014/15 budget. Councillor Moher referred to a new requirement to make a similar calculation of surplus or deficit for NNDR following changes to business rates (NNDR) legislation.

RESOLVED:

- (i) that the estimated Collection Fund balance relating to Council Tax at 31 March 2014 as a surplus of £3.2m be agreed;

- (ii) that the estimated Collection Fund balance relating to NNDR at 31 March 2014 as zero (no surplus or deficit) be agreed;
- (iii) that authority be delegated to Chief Finance Officer to amend these figures should material new information, such as debt collection performance, come to light in the intervening period.

16. Performance and Finance 2013/14 Quarter 2

The Chair (Councillor Butt, Leader of the Council) introduced the performance report which provided members with a corporate overview of Finance and Performance information, to support informed decision-making, and to manage performance effectively. He was pleased to report that the council's quarter 2 position indicated the current forecast to be in line with the revised budget.

RESOLVED:

- (i) that the Finance and Performance information contained in the report from the Assistant Chief Executive and Chief Finance Officer be noted and remedial actions as necessary be agreed;
- (ii) that the current and future strategic risks associated with the information provided and agree remedial actions as appropriate be noted;
- (iii) that the progress be noted;
- (iv) that the budget virements as set out within the appendix to this report be agreed;
- (v) that the write off of bad debts contained within this report be noted.

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

None.

18. Any other urgent business

None.

The meeting ended at 7.45 pm

M BUTT
Chair

 Brent	<p>Executive 13 January 2014</p> <p>Report from the Director of Public Health</p>
<p>For Action</p>	<p>Wards affected: ALL</p>
<p>Update on Public Health Service Contracts</p>	

1.0 Summary

- 1.1 This report provides an update to the Executive report of 19th August 2013 on future arrangements for public health contracts that the Council inherited from the NHS. It seeks an exemption from Contract Standing Orders and extensions to current service provision in accordance with Contract Standing Order 84 (a) and direct of award of GUM services contracts.
- 1.2 The current contracts have a combined value of £12.742 million. Public health contracts in 14/15 will be a call upon the ring fenced public health grant of £18.848 million.
- 1.3 The previous report to the Executive proposed that public health services should be procured during 2014/15 using a framework agreement consisting of four lots: substance misuse, sexual health services, children's services and community services. The Executive also noted officers' intention to collaborate with the West London Alliance (WLA) on sexual health services and on children's services. For services provided by GPs and community pharmacists (CPs) two alternative approaches were proposed: spot purchasing and / or working collaboratively with the WLA.
- 1.4 Exploration of the proposed approach has shown, for a variety of reasons, that the framework approach was an overly simplistic approach to a heterogeneous set of services.

- 1.5 Discussions within the WLA have expanded the scope of potential collaboration and have revealed the timetables proposed in the August report to be very ambitious. WLA collaboration has also indicated that for some services, for example school nursing, the market is immature. For sexual health services, local and pan London needs assessment have recently reported which should be reflected in future procurement. Further investigation of the nature of the inherited contracts has shown that extending and harmonising extension periods will place contracts on a firmer legal footing. In some instances, the Department of Health (DH) has issued guidance which would support a revision of the proposed approach. For example, DH has announced that it will issue a new model specification for school nursing during 2014/15.
- 1.6 Therefore this report proposes amendments to the previous paper, for good operational and financial reasons. These are laid out in the recommendations and involve a variety of approaches, depending on the nature of the service to be procured, the nature of the market (if any) and the potential for collaboration with the WLA.
- 1.7 The report considers in turn: substance misuse services, sexual health services, children's services, community services and services provided by GPs and community pharmacists. For each section, the paper considers the previous Executive position, any grounds for revisiting this and, if so, revised proposals.
- 1.8 It should be noted that during the period of contract extensions, officers will undertake a procurement process for contracts for 2015/16 onwards. This is an ambitious timetable but achievable provided there are no delays external to the authority, for example, in the DH issuing revised service specifications later than currently anticipated.

2.0 Recommendations

That the Executive:

- 2.1 Notes the progress made in developing options for the future commissioning and procurement of public health services.
- 2.2 Gives approval to an exemption in accordance with Contract Standing Order 84(a) from the usual tendering requirements of Standing Orders to extend the existing Public Health services contracts inherited from the NHS for the contract periods set out in paragraph 8.1, on the basis of good operational and/or financial reasons as stated within this report.
- 2.3 Notes that residential rehabilitation and inpatient detoxification for substance misuse are currently spot purchased and that these arrangements will continue while officers explore the possibility of collaboratively procuring through the WLA, as set out in Para. 3.9.
- 2.4 Delegates authority to the Director of Public Health, in consultation with the Director of Legal & Procurement and Chief Finance Officer, to participate in the WLA negotiation of 2014/15 Genito-Urinary Medicine ("GUM") contracts and to

award direct contract(s) to existing GUM health providers, on behalf of Brent Council, and to develop arrangements to support the collaborative management of these contracts, as set out in Para. 4.6.

- 2.5 Notes the decision of Leaders Committee London Councils, in consultation with the Director of Public Health, to fund pan London HIV prevention activity procured by Lambeth Council on behalf of all London boroughs, as set out in para. 4.11.
- 2.6 Delegates authority to the Director of Public Health, in consultation with the Director of Legal & Procurement and the Chief Finance Officer, to establish, appoint and monitor a providers' list comprising GP practices, local community pharmacies, and potentially private sector providers, for the continued commissioning of community-based services (previously referred to as "Local Enhanced Services") as set out in Para 7.4 of this report.

3.0 Substance Misuse Services

- 3.1 The table below lists current services with current values:

Table 1: Substance misuse services

	Service	Current Provider	Annual Value
1	Substance misuse: Cobbold Road treatment and recovery	Addaction	£620,000
2	Substance misuse: outreach and engagement	CRI	£540,000
3	Substance misuse: clinical prescribing	CNWL NHS FT	£2,000,000
4	Substance misuse: counselling and day programme	EACH	£270,000
5	Substance misuse: criminal justice work	WDP	£780,000
6	Substance misuse and sexual health young people's services	A range of contracts with Addaction, SHOC. African child	£472,537
	Total		£4,682,537

- 3.2 The Executive has previously agreed to the extension of the contracts in Table 1 for a period of up to 6 months from 1st April 2014. However, rather than approaching these services as a single lot as originally planned, Officers propose different approaches for treatment and recovery services (lines 1 to 5) than for young people's services (line 6).

- 3.3 Subsequent to the previous report, the WLA has established a programme to explore the potential for collaborative public health procurement including for substance misuse.
- 3.4 Exploration of possible WLA collaboration on substance misuse has shown this would be possible with Barnet and Harrow. Ealing and Hounslow have recently entered into long term contracts for their substance misuse services. Collaboration with Barnet and Harrow may offer efficiencies and economies of scale and the potential to address cross border issues, for example, in the criminal justice system where the three authorities share magistrates' courts and custody suites.
- 3.5 Officers therefore recommend an additional extension, for good operational and financial reasons, of 6 months from October 2014 to March 2015 for treatment and recovery services (contracts 1 to 5). This will allow sufficient time to complete joint procurement with Barnet and Harrow, should this be found to be able to deliver efficiencies while maintaining quality. Officers will report back to Members should the collaborative arrangement not proceed, seeking approval to re-tender the services as a Brent only tender.
- 3.6 It should be noted that Brent treatment and recovery services currently outstrip London and National performance in terms of access to, and successful completion of, drug and alcohol treatment. Brent services have been cited by Public Health England as examples of good practice. Future commissioning will need to protect and build upon this performance and minimise potential disruption. Any future collaboration would need to ensure at least some services were delivered within Brent as well as maintain and build upon the current integrated model of provision with strong service user involvement and influence.
- 3.7 Officers intend to move to the above-mentioned services onto the new model community services contract terms and conditions produced by DH for local government public health services for all commissioning from 2015/16
- 3.8 The Council has inherited from the NHS separate service provision for young people for substance misuse and for sexual health services (Table 1 line 6). A sexual health needs assessment for Brent has recently reported. Based upon this, officers recommend that re-procurement is undertaken to secure an *integrated* young people's service covering both sexual health and substance misuse. Officers therefore recommend an additional extension of 6 months from October 2014 to March 2015 of the current sexual health and substance misuse young people's services in order to allow the procurement of the new service model. Officers intend to seek approval from Members on the pre-tender considerations and evaluation criteria for this service, once finalised. Officers intend to move to the new model contract terms and conditions produced by DH for local government public health services for this commissioning.
- 3.9 In addition to the services in Table 1, residential rehabilitation and inpatient detoxification are currently spot purchased. There is interest in the WLA to explore the potential for collaboration on a framework agreement basis for these services and Members should note officers' intention to explore Brent's participation in discussions with officers in the WLA

4.0 Sexual health services

4.1 The table below lists current services with current values:

Table 2. Sexual Health Services

	Service[1]	Current Provider	Annual Value
7	Genitourinary Medicine (GUM)	Various NHS Trusts [2]	£4,350,000
8	Community contraceptive services (CaSH)	CNWL NHS FT	£712,000
9	Chlamydia screening: programme management	NWL Hospitals	£169,000
10	Chlamydia screening: testing of samples	The Doctors Laboratory	£80,000
11	Local HIV prevention	CHAT	£100,373
12	Web based condom ordering and distribution	Therapy Audit	£4,700
13	Pan London HIV Prevention Programme	Various providers commissioned via Lambeth Council	£28,288
	Total		£5,444,361

⁽¹⁾ Young people's sexual health promotion services are included in Table 1 for consistency with presentation in previous Executive paper

⁽²⁾ As these are open access services where cost is demand driven this is an estimate of cost

4.2 The Executive has previously agreed the extension of the contracts in Table 2 for a period of up to 10 months from 1st April 2014. However, rather than approaching these services as a single lot as originally planned, officers propose different approaches for GUM services (line 7); local contraceptive, chlamydia screening and sexual health promotion services (lines 8 to 12); and pan London HIV prevention services (line 13).

4.3 There is a tension between the requirement that GUM and CaSH services must be open access, i.e. Brent residents can chose to attend a GUM or CaSH service anywhere, and competitive procurement processes. The approach recommended by officers seeks to allow open access services to operate under contract while managing financial and clinical risk.

4.4 The requirement for GUM and CaSH services to be provided on an open access basis is stipulated in the *Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2013* ("the

Regulations”). The DH best practice guidance for local authorities *Commissioning Sexual Health services and interventions* explains that the local authorities’ ring fenced budgets for these services are based on their resident population, and do not therefore cover any services provided to residents of other local authority areas under the requirement to provide open access services. The DH supports the recommendation, within its guidance, that local authorities ought to establish a system of “cross charging”, which is essential for fair and transparent payment systems, although it would be for local authorities themselves to decide on whether they wished to use a system of cross charging.

- 4.5 For the future commissioning of public health services, all commissioning bodies (including local authorities in the exercise of their public health functions), will be required by law (by virtue of the *Health Act 2009* and the *Health and Social Care Act 2012*) to have regard to the NHS Constitution in their decisions and actions, including those in relation to sexual health services. (The NHS Constitution also applies to providers of sexual health services, whether NHS trusts, Foundation Trusts, GPs or other primary care providers, or private providers). The latest NHS Constitution can be accessed via this link for information:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/170656/NHS_Constitution.pdf

- 4.6 For GUM services, 11 boroughs (WLA plus the Tri-borough, Camden, Islington and Haringey) propose to negotiate 2014/15 contracts together with all of the major providers. Doing so strengthens the contract negotiating position in terms of price and data requirements, has the potential to reduce transaction costs and to strengthen our ability to assure clinical quality and patient safety. Officers recommend that Brent takes an active part in the collaborative negotiation and management of GUM contracts for 2014/15. The collaboration would seek to move services to the new model contract terms and conditions produced by DH for local government public health services.
- 4.7 Currently, the other WLA boroughs are not in a position to enter into collaborative arrangements for CaSH for 2014/15 as identified at Para. 4.6 above. Officers therefore recommend an additional extension, for good operational and financial reasons, to the 10 months granted by Members at the 19th August 2013 Executive meeting, of current Brent CaSH contracts by up to two (2) further months from February 2015 to March 2015. This will allow sufficient time to further explore WLA collaboration for 2015/16.
- 4.8 Officers also recommend an additional extension, to the 10 months granted by Members at the 19th August 2013 Executive meeting, of current Chlamydia screening contracts of a further two (2) months from February 2015 to March 2015. This will bring these contracts in line with the timeline for other sexual health services.
- 4.9 London Councils and London DsPH have commissioned an HIV prevention needs assessment, which has recently reported. Officers recommend an additional extension to the 10 months granted by Members at the 19th August 2013 Executive meeting, of a further two (2) months from February 2015 to 31 March 2015, for current local HIV prevention and condom distribution services. This will

allow time to consider the preferred local model of HIV prevention services in the light of the London needs assessment and to carry out a local procurement.

- 4.10 Officers intend to move the above-mentioned services onto the new model contract terms and conditions produced by DH for local government public health services for all commissioning from 2015/16
- 4.11 Leaders Committee of London Councils (being a Joint Committee) have agreed (at the 12/11/13 meeting) to the continuation of a reshaped pan London HIV prevention activity, on the recommendation of the London DsPH. Lambeth Council will procure pan-London communications, condom distribution and outreach behavioural change services on behalf of all London Boroughs. Brent Council's financial contribution will be £28,190 in 2014/15 and up to £32,816 in 2015/16 and 2016/17.

5.0 Children's services

- 5.1 The table below lists current services with current values

Table 3. Children's services

Service	Current Provider	Current commissioner	Annual value	Comments
School nursing	Ealing Hospitals Trust	Contract held by CCG on behalf of Council [1]	£1,490,754	
Health visiting	Ealing Hospitals Trust	NHS England	£3,747,403	Not currently funded by the council, 2015/16 funding will transfer with responsibility
Family Nurse Partnership	Ealing Hospitals Trust	NHS England	£0	
Total			£5,238,157	

[1] This is the actual agreed contract value. The August report contained an estimated value of £1,474,000.

- 5.2 The previous Executive report proposed that children's services should be procured as a single lot within a framework agreement. This is no longer thought to be appropriate. Health visiting is currently commissioned by NHS England, as will be the Family Nurse Partnership. DH current plans are to transfer the commissioning of both services to local authorities for 2015/16, along with funding. A process of contract transfer / novation (dependent on awaited DH guidance) rather than procurement will therefore be required during 2014/15.
- 5.3 The Executive has previously agreed the extension of school nursing contracts for up to 10 months. However officers have recently learnt that DH proposes to issue a national service specification for school nursing during 2014/15. Officers therefore recommend an additional extension of the current school nursing arrangements for 2 months from February to 31 March 2015.
- 5.4 The Council currently commissions school nursing services through the Brent CCG contract with the provider, Ealing Hospital NHS Trust. The Council's contractual arrangement with the Brent CCG is via a section 76 agreement (under the NHS Act 2006) with the CCG. This arrangement allows the Council to avail itself of the CCG / Commissioning Support Unit (CSU) contract monitoring and clinical governance arrangements. The CCG have indicated their willingness to continue to act on behalf of the Council for 2014/15.

6.0 Community services

- 6.1 The table below lists current services with current values

Table 4: Community services

Service		Current Provider	Annual Value
Intensive lifestyle intervention		Ealing Hospital Trust (Contract held by CCG)	£150,000
Community weight management		Slimming World	£76,000
Total			£226,000

- 6.2 The Executive have previously the extension of the contracts in Table 4 for a period of up to 6 months from 1st April 2014. The Council currently commissions intensive lifestyle intervention by the same arrangement specified in Para. 5.4 above, via a section 76 agreement with the Brent CCG. This arrangement allows the Council to avail itself of the CCG / CSU contract monitoring and clinical governance arrangements. The CCG have indicated their willingness to continue to act on behalf of the Council for the financial and NHS contractual year 2014/15. Officers therefore recommend an additional extension of the current intensive lifestyle support arrangements for 6 months from October 2014 to March 2015
- 6.3 The action plan under development to support the delivery of the Health and Well Being Strategy involves a review of weight management services. Officers

therefore recommend an additional 6 month extension of the current community weight management services from October 2014 to March 2015.

- 6.4 Officers intend to move to the above-mentioned services onto the new model community services contract terms and conditions produced by DH for local government public health services for all commissioning from 2015/16.

7.0 Services provided by GP and Community Pharmacists

- 7.1 The Council has inherited a number of Local Enhanced Services (LES). These are agreements with GPs and / or Community Pharmacists (CPs) to provide services which are outside the scope of their core, nationally agreed, contract with NHS England. From April 2014 Councils will not be able to use the LES contractual route to commission services from GPs and CPs.

Table 5. Services currently provided under LES arrangements

Service	Provider	Value of the 2013/14 contract
Health checks	GPs	£275,000
Chlamydia screening	GPs	£48,561
IUCD fitting	GPs	£91,759
Emergency hormonal contraception (EHC)	CPs	£9,570
Smoking cessation	GPs and CPs	£368,000
Breast feeding (data collection)	GPs	£106,000
Total		£898,890

1[1] Note LES agreements are price and activity based, therefore these are estimated contract values

- 7.2 The Executive has previously noted officers' intention to explore the possibility of collaborative procurement of LES services through the WLA, with the exception of the breast feeding LES where it was not intended to continue to commission data collection through primary care in 2014/15.
- 7.3 The WLA will not be in a position to collaboratively procure these services for 2014/15. However officers will continue to collaborate, for example on shared service models and management of clinical risk.
- 7.4 As it will not be possible to use the LES route for 2014/15 and there is a limited market for these services, officers recommend the adoption of a providers' list in Brent to provide health checks, chlamydia screening, IUCD fitting, EHC and

smoking cessation services. Qualification for the providers' list will be dependent on clinical requirements.

- 7.5 At present the provision of LES services by CPs is reliant on Sonar, a system which supports the validation of activity, the generation of information for payment and the safe transfer of information between CPs and GPs while being compliant with data protection legislation and NHS information governance requirements. In order to support the continued delivery of services from CPs, Officers recommend an additional extension of 6 months from October 2014 to March 2015 of the two current contracts (value £20,000 and £4,700) for good operational and financial reasons.

8.0 Summary of proposed contract extensions

8.1 Table 6 Summary of the proposed contract extensions

Service	Agreed extension on contracts	Proposed additional contract extension
Substance misuse services		
Substance misuse: Cobbold Road treatment and recovery	Up to 6 months from 31 March 14	6 months (October 14 to March 14)
Substance misuse: outreach and engagement		
Substance misuse: clinical prescribing		
Substance misuse: counselling and day programme		
Substance misuse: criminal justice work		
Substance misuse and sexual health young people's services		
Sexual health services		
Community contraceptive services (CaSH)	Up to 10 months from 31 March 2013	2 months (February to March 2015)
Chlamydia screening: programme management		
Chlamydia screening: testing of samples		
Local HIV prevention		
Web based condom ordering and distribution		

Children's services		
School nursing	Up to 10 months from 31 March 2014	2 months (February to March 2015)
Community services		
Intensive lifestyle intervention	Up to 6 months from 31 March 2014	6 months (October 2014 to March 2015)
Community weight management		

9.0 Next steps

- 9.1 During the period of current contracts and their extension, officers will develop the Council's approach to public health commissioning. Officers will look to develop future commissioning options through collaboration with other local authorities including, but not necessarily limited, to the WLA. Market engagement and testing will be undertaken both in collaboration with other local authorities, for example the WLA will host a supplier event for GUM providers, and individually. Officers intend to work with a voluntary organisation in order to ensure that the Council's procurement process is well understood by potential third sector providers of public health services and to support market development.

10.0 Financial Implications

- 10.1 In 2014/15 the Council will receive a ring fenced public health grant of £18.848m. The value of current contracts for which the council has current responsibility and funding is £12.742m. The grant remains ring fenced in 2015/16, although its value is not yet known.

Services	Annual Value
Substance Misuse Services	£4,682,537
Sexual Health Services	£5,444,361
Children's Services	£5,238,157
Community Services	£226,000
Services provided under a LES arrangement	£898,890
Total	£16,489,945
Less contracts not currently funded by the council - funding will transfer with responsibility	-£3,747,403
Total	£12,742,542

- 10.2 The financial implications of awarding public health contracts are that some services, such as GUM and LES services, are demand led and therefore difficult to forecast which could result in expenditure being incurred over and above the allocated grant. These risks will be mitigated through regular reporting and monitoring of expenditure.

11.0 Legal Implications

- 11.1 The *2012 Health and Social Care Act* ("the Act") introduced changes by a series of amendments to the *National Health Service Act 2006*. The Act gives local authorities a duty to take such steps as it considers appropriate to improve the health of the people in its area. In general terms, the Act confers on local authorities the function of improving public health and gives local authorities considerable scope to determine what actions it will take in pursuit of that general function.
- 11.2 Secondary legislative provision, such as the *Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2013* require local authorities to provide certain public health services. The public health services which local authorities must provide are:
1. The National Child Measurement Programme
 2. Health checks
 3. Open access sexual health services
 4. Public health advice service to CCGs
- 11.3 Currently the provision of public health services are classified as Part B Services under the Public Contracts Regulations 2006 ("the EU Procurement Regulations") and as such are not subject to the full application of the EU Procurement 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 within 48 days of award). The public health services are however, subject to the overriding EU Treaty principles of equality of treatment, fairness and transparency in the award of contracts.
- 11.4 In the previous August 2013 report to Members, it was reported that the council would re-commission public health services by way of a Framework Agreement for the reasons set out within the body of the report including, progression of partnering arrangement opportunities with other West London Alliance boroughs. Officers have determined that the Framework Agreement route is not the preferred method of re-procuring services and wish to explore the public health market and commissioning options prior to tendering and/or making a direct award (as the case may be) of the services. Therefore, officers are seeking extensions of existing services contracts with providers of public health in Brent for a maximum duration of 12 months as stated within the table at Para. 8.1.

- 11.5 For the reasons detailed in paragraphs 3.1 to 6.4 the recommended approach is to seek further extensions in addition to the periods granted by Members in the August 2013 report for the periods specified in the table at paragraph 8.1. Contracts to be extended are currently subject to the NHS terms and conditions of contract. It is proposed by officers that these extended contracts will remain on the same NHS terms and conditions and the intention is for all future public health services to be contracted on the DH template contract specifically drafted for local authority use. Officers will report back to Members in connection with procurement proposals to obtain approval for any pre-tender considerations.
- 11.6 For the commissioning of GUM service contracts, officers have already obtained Member approval to participate in a WLA collaboration of these sexual health services and children's public health services. However, the GUM 2014/15 collaborative arrangements have progressed since the August report and it transpires that the extent of the WLA collaboration for GUM services comprises, primarily of negotiating with existing local authority health providers a locally set tariff and agreeing new terms and conditions, without undertaking a competitive tender exercise; due in part to the open access nature of these services, the data protection issues surrounding patient confidentiality and the limited market. For these reasons officers are seeking Member approval to award direct contracts to the council's existing health providers for the period 2014/15. Under Contract Standing Orders 88(c) and 96 such award of these contracts need to be tendered in accordance with Brent Standing Orders and Financial Regulations, unless the Executive grants an exemption in accordance with Standing Order 84(a). A request for an exemption under Standing Order 84(a) can be approved by the Executive where there are good operational and / or financial reasons. Members are referred to paragraphs 4.1 – 4.8.
- 11.7 In relation to the future commissioning of community-based services (previously known as Local Enhanced Services), officers wish to establish a providers' list comprised primarily of GPs and Community Pharmacies (although where the market exists and clinical requirements permit, the list could include organisations from the private and voluntary sectors) to provide the services set out in Table 5 above. The providers' list will enable patients to choose their care from a list of providers that meet the necessary pre-determined quality standards and are willing to deliver the service for a locally set tariff.
- 11.8 For future commissioning of public health services, Members should be aware of one other significant change in relation to the duty now placed on local authorities to, in respect of their health functions, have regard to the NHS Constitution. Local authorities will need to ensure that they remember to include the NHS Constitution (together with any statutory guidance issued by the Secretary of State) to the list of matters requiring consideration when exercising their public health functions.

12.0 Diversity Implications

- 12.1 The Council will need to comply with the Equality Act 2010 in the provision of Public Health Services and the NHS Constitution when making decisions affecting the delivery of public health in its area. Where it is proposed to change any service

then an Equalities Assessment will be carried out to identify the impact on any particular group and the mitigating steps that need to be taken before a final decision is made on implementation.

13.0 Staffing/Accommodation Implications

- 13.1 The Public Health services are currently provided by a number of external contractors and there are no implications for Council staff or accommodation arising from the extensions of the contracts, arrangements with GPs and CPs or re-tendering of the identified services in Table 1, row 6.
- 13.2 On a re-tender of any the Services referred to in this report, where an incumbent provider is not successfully awarded a new contract, then the Transfer of Employment (Protection of Employment) Regulations 2006, ("TUPE") is likely to apply so as to transfer from the current to the new provider those employees of the current provider who spend all or most of their working time on the activities taken over by the new provider.

14. Public Services (Social Value) Act 2012

- 14.1 Since 31st January 2013, the council, in common with all public authorities subject to the EU Regulations, has been under a duty pursuant to the Public Services (Social Value) Act 2012 to consider how the services being procured might improve the economic, social and environmental well-being of its area; and how, in conducting the procurement process, the Council might act with a view to securing that improvement; and whether the council should undertake consultation. This duty applies to the procurement of the proposed contract as Part B Services over the threshold for application of the EU Regulations are subject to the requirements of the Public Services (Social Value) Act 2012.
- 14.2 The services being procured have as their primary aim improving the social and economic well being of some of the most disadvantaged groups in Brent. Users are regularly consulted to ensure the services meet their needs and the views of users will be taken into account in procuring services.
- 14.3 There is a limited market (for some services, very limited) for the delivery of these services; however, officers will endeavour to describe the scope of service in such a way as to further meet the requirements of the Act during the procurement process


15.0 Background Papers

- Authority to Tender – Public Health Contracts 19 August 2013.

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Executive
13th January 2014

 Brent	<p>Executive</p> <p>13 January 2014</p> <p>Report from the Acting Director of Children and Families</p>
<p>Wards Affected: ALL</p>	
<p>Authority to award a contract for Connexions Services</p>	

1.0 Summary

- 1.1 This report requests authority to award a contract for the provision of education, employment, and training and careers Connexions services to the Council 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 to whom the contract should be awarded.

2.0 Recommendations

- 2.1 That the Executive award the contract for the provision of education, employment, training and careers Connexions services to Prospects Services Limited for an initial contract period of three years from 1st April 2014 to 31st March 2017 with an option for the Council to extend by any number of periods up to an aggregate of 2 years.

3.0 Detail

Background

- 3.1 The Connexions service provides a range of information, advice, guidance and support to young people aged from 13-19 (up to 25 for young people with learning difficulties and disabilities). This contract relates to the education, employment, and training and careers aspects of the Connexions service.

3.2 Currently, Brent Connexions, as part of Brent Youth Support Services, provides information, advice, guidance and support for young people to make informed choices about learning and work options and to make effective transitions to adult and working life. This includes providing additional support to those vulnerable to becoming unemployed or at risk of disengaging from learning and supporting young people to access employment, education and training opportunities. The service is available to young people aged 13 to 19, (up to age 25 for young people with special needs/learning difficulties and disabilities). The Services key performance indicators are:

- % of 16-18 year olds not in Education, Employment or Training (NEET)
- Participation of 17 year-olds in education or training
- 16-18 year olds current activity status not known

3.3 In 2012/ 2013 Brent was the joint 3rd best performing local authority nationally against the indicator of minimising the proportion of young people in the NEET (young people Not in Education or Training) group. Brent's performance ranked 2nd in West London. The 2012/13 figures for minimising young people not in Education, Employment or training show the Brent provision in a positive light:

National average 5.6%

London average 4.5%

Brent performance 2.9%

3.4 The Service contributes to the Council's objectives as outlined in the Borough and Corporate Plan for 2012-14, specifically under:

Strategic Priorities:

BOROUGH PRIORITY 2: JOBS, GROWTH AND FAIR PAY

Priority 2.2 Support local people into jobs

BOROUGH PRIORITY 5: BETTER LIVES FOR CHILDREN AND FAMILIES

Priority 5.1 Make sure that all Brent schools are good quality and that all pupils achieve well..

3.5 The Education Act 2011 sets out a range of changes to the duties of schools and local authorities in relation to careers advice. From September 2012 the Education Act 2011 placed a duty on schools to secure and fund through the Dedicated Schools Grant access to independent, impartial careers guidance for their students in years 9-11. The Department for Education announced that from September 2013 it will extend the statutory duty on schools to deliver independent impartial careers guidance to Year 8 and to all 16-18 year

olds in schools and further education institutions. Local authorities retain their statutory duty to encourage, enable or assist young people's participation in education and training.

- 3.6 The main local authority responsibilities delivered through the current contractual arrangements with Prospects Services Ltd. comprise:
- Information, Advice and Guidance (IAG) for young people in the NEET group or at risk of becoming NEET.
 - Ensuring that all 16 and 17 year olds receive suitable offers to continue in education or training (previously known as the September Guarantee). Achieving the delivery of the September Guarantee involves extensive contact and follow-up of young people, and recording of their offer status on the Client Caseload Information System (CCIS) database.
 - Maintenance of the Integrated Youth Support database, including CCIS, maintained by Ealing Council on behalf of the West London Boroughs and the Pan-London database maintained by Central London Connexions.
 - Tracking and recording young people's participation post-16 on the CCIS database in order to ensure there is reliable data available centrally on young people at risk of being NEET. Currently, a substantial resource is allocated to contact and follow up work across the service. Whilst much information is provided by schools and colleges, at least 80% of the effort on keeping in contact with young people is in maintaining the contact and support for the 10% of the cohort that it is most challenging for us to reach.
 - Maintenance of close links with Job Centre Plus to ensure young people in the NEET group are given appropriate support.
 - Supporting young people with learning difficulties and disabilities who are in special schools or out of borough education including completion of S139 assessments.
- 3.7 Prospects Services Limited have held this contract in Brent since 1 August 2006 and they have retained this in subsequent competitive tendering exercises, the last being August 2009.
- 3.8 Following a report to the Executive on 22 April 2013, Officers were authorised to invite tenders for a contract for Connexions services and evaluate them in accordance with the approved evaluation criteria.
- The tender process***
- 3.9 As a high value contract, the contract was tendered in accordance with Council Standing Orders 88 and 89.
- 3.10 A two stage or restricted tender process was followed. Advertisements inviting initial expressions of interest were placed in the local press, trade journals and

on the Council's E-procurement system, Due North. The organisations that responded were sent the Council's standard pre qualification questionnaire. Thirteen organisations completed pre qualification questionnaires. The five highest scoring organisations that they were able to demonstrate that they were able to meet the Council's required standards in relation to business probity, economic and financial standing and technical capacity were short listed to move forward to the tender stage. All five organisations were invited to tender.

- 3.11 The tendering instructions stated that the tender would be evaluated to identify the most economically advantageous tender having regard to price and quality. The following high level criteria were approved by the Executive:

Quality

The Quality criteria listed below formed 40% of the evaluation weightings:

- Proposed business models.
- Proposed plans for ensuring effective quality management of the Services and maintenance of the Contract Standard, including self-monitoring and evaluation.
- Proposals for ensuring that the requirements of Child Protection legislation are fully applied in the delivery of the service
- Proposed approach for working in partnership with the Council and its partners.
- Proposals with regard to information systems to be used by bidders to monitor service(s) required by the Specification.

Price

Price consisted of 60% of the evaluation weightings.

Attached at Appendix 1 is a copy of the evaluation methodology detailing the criteria, the weighting attributable to each criterion and how the method statements forming part of the tender fed into the evaluation criteria.

- 3.12 Notwithstanding inviting five organisations to bid, only one organisation submitted a tender by the deadline for tender submissions on 28th October 2013, namely Prospects Services Limited. Potential suppliers provided feedback on their reasons for declining to bid, including the financial risks owing to TUPE and pensions issues and the uncertainties of the provision of careers information, advice and guidance in schools, which is negotiated by the successful supplier year on year. Some providers stated that they were

unable to deliver on all aspects of the contract. Despite receiving only one bid Officers carried out a full evaluation of the said bid to ensure that the bid could meet all Council requirements and offered value for money and could therefore be recommended for award.

Evaluation process

- 3.13 Evaluation of the tender was carried out by a core panel consisting of three managers from the service area (including the Head of Service). Feeding in to the evaluation and assisting with the scoring of elements of the bid were three young people from Claremont High School, Alperton Community School, and St Gregory's Catholic Science College who represented potential users of the service. The Head teacher of Queen's Park Community also assisted with the evaluation, representing schools. Officers from Procurement, Legal and Central Finance provided support to the evaluation panel.
- 3.14 All panel members read through the tender areas allocated to them using evaluation sheets and noted down comments on how well each of the award criteria were addressed by the tenderer.
- 3.15 The tenderer was invited to make a presentation to the evaluation panel. This took place at the Civic Centre on Thursday November 7th 2013 and covered a number of areas considered important to the contract. The presentation scores awarded were incorporated into the quality evaluation score.
- 3.15 The core panel then met to agree scoring. It will be noted from Appendix 2 that for the quality criteria the tenderer scored 33.2% out of a possible 40%, consisting of one score of "satisfactory", ten of "good" and two of "outstanding" for the different elements of the tender.
- 3.16 Officers evaluated the financial aspects of the tender rigorously to ensure it represents value for money. Tenderers had been asked to submit fixed prices for each of the first three years of the contract. Prospects Services Limited's tender indicated a total price for this period of £1,220,000. Based on the current spend of £438,000 per annum or £1,314,000 over three years, this equates to a saving of £94,000 on the current price paid. In addition to the evaluated aspects of the tender, Prospects Services Ltd provide added value in Brent through further contracts and funding which they bring to the Borough. Examples include the Youth Contract programme, the Big Lottery funded Fixed 4 for your Future (F4F) project working with young people who are care leavers or who are leaving Young Offender Institutions and through their work as the commissioned provider for the National Careers Service.
- 3.17 The non statutory schools element of the contract work varies from year to year depending on school take up and it was not possible to identify any savings here.

Evaluation Conclusions

- 3.18 Having evaluated and scored the tender, Officers consider that the tender from Prospects Services Limited indicates that it will be able to provide the relevant services to a high standard and deliver savings to the Council. Whilst not part of the evaluation, it should be mentioned that as the current supplier, Prospects Services Ltd have consistently met all targets set within the contract, including a performance against the target for the percentage of young people in the NEET group that saw Brent placed as the third best performing local Authority in England against this indicator in 2012 2013. Officers would therefore recommend that Prospects Services Limited should be awarded the contract for the provision of education, employment, training and careers Connexions services

4.0 Financial Implications

- 4.1 The Council's Contract Standing Orders state that contracts for supplies and services exceeding £250k or works contracts exceeding £500k shall be referred to the Executive for approval of the award of the contract.
- 4.2 The proposed contract award to Prospects Services Limited for the financial years April 2014 to March 2017 has a contract price for the Council's core element the service of £1,220,000 Brent has the option to extend the contract with Prospect Services Limited for a maximum of 2 years up to 31st March 2019 and will renegotiate a new contract price for the extended period.
- 4.3 The existing contract is funded from the Councils core funding stream.
- 4.4 Last financial year schools bought in £220k worth of services from the contract. There is no indication of future levels of spend from schools, it will be up to the to the successful tenderer to market their services to them in order to drive more business.
- 4.5 The table below shows a summary of how the £94,000 savings has been calculated against the current contract value over the initial contract term.

	Year 1 (01/04/2014- 31/03/2015	Year 2 (01/04/15- 31/03/2016)	Year 3 (01/04/16- 31/03/2017)
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Current contract value

438,000

438,000

438,000

NEW contract value	406,667	406,667	406,666
Savings	31,333	31,333	31,334
Cumulative savings	31,333	62,666	94,000
Cumulative Current contract value	438,000	876,000	1,314,000
Cumulative new contract value	406,667	813,334	1,220,000

- 5.5 Although the savings through this retendering exercise amounts to £94,000 which represents a reduction of just over 7%, the total percentage of funding being reduced overall in 2015/16 currently stands at 28% across the Connexions services.

	2013/14 Budget	2014/15 Savings	Revised 2014/15 Budget	2014/15 % Budget savings
TOTAL	693,497	191,000	502,497	-28%

5.0 Legal Implications

- 5.1 The estimated value of the contract for the provision of education, employment, training and careers Connexions services exceeds the Public Contracts Regulations 2006 (the “EU Regulations”) threshold for Services. The provision of education, employment, training and careers Connexions services are however classed as Part B Services for the purposes of the EU Regulations and as such are subject to partial application of the EU Regulations, including:

- (i). Non-discrimination in the technical specification.
- (ii). Notification of the contract award to the EU Publications Office.

The contract is not therefore subject to the full tendering requirements of EU Regulations.

- 5.2 The estimated value of this contract is above the Council’s Standing Orders threshold for High Value Service Contracts of £250,000, and the award of the contract is consequently subject to the Council’s own Standing Orders and Financial Regulations in respect of High Value contracts. As a result, Executive approval is required for the award of the contract.

- 5.3 As a result of changes introduced by the Education Act 2011, schools are now under a statutory duty to secure and fund careers guidance to certain groups of students. In addition to the core element of the services under the proposed contract, there is also the ability for the council to purchase additional services on behalf of schools. Should a school wish to purchase such services through the council's contract, it will therefore enter into an agreement with the council to purchase such services and the council will then vary the level of service to be delivered under the proposed contract.
- 5.4 As the recommendation is to award the contract to Prospects Services Limited who are the current supplier, there are no implications relating to the Transfer of Employment (Protection of Employment) Regulations 2006 ("TUPE.")

6.0 Diversity Implications

- 6.1 The proposals in this report have been subject to screening and Members are referred to the Equalities Impact Assessment at Appendix 3. It will be noted that no negative impact on protected groups has been identified.
- 6.2 Equalities issues are a core requirement for this contract and formed an important part of the evaluation of the tendering organisations' technical capacity through the assessment of the PQQ and in the assessment of the quality of service both in the written tenders and questions from the panel during the tenderer's presentation.
- 6.3 Brent Connexions service monitors usage of its services, and the progress and achievement that young people make, across a variety of parameters. Specific management information exists by gender, ethnicity and disability.
- 6.4 Consultation on the service is provided by annual surveys such as 'tell us what you think', daily feedback following interventions with young people, pre- and post project evaluation, case studies, feedback from partners in written and verbal form, complaints and compliments.

7.0 Staffing/Accommodation Implications

- 7.1 This service is currently provided by an external contractor, Prospects Services Limited. There are no implications for Council staff arising from retendering the contract and staff delivering the current contract will continue their employment with the existing contractor.
- 7.2 The current contractor operates a Connexions centre accessible to young people and parents and which provides an important service delivery location, particularly for those young people who are not in education. This centre is

based in Willesden. There are also a number of outreach service delivery locations within the Borough which will continue.

8.0 Background Papers

- 8.1 Executive Report of 22 April 2013: Authority to invite tenders for the provision of education, employment, training and careers Connexions services in Brent.

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SARA WILLIAMS
Acting Director of Children and Families

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Appendix 1

Evaluation Methodology (Document K)

Evaluation of bids

Bids will be evaluated in accordance with the methodology set out below.

Overall evaluation criteria

Tenders will be evaluated to identify the economically most advantageous tender having regard to price and quality elements.

Price will carry 60% of the evaluation weightings, quality 40 per cent.

Evaluation of Price

Price will consist of 60% of the evaluation weightings.

Price will be evaluated based on the Council's core element of the Contract.

Price will be evaluated based on the deviation from the mean. The following methodology will be used:

- 1 Calculate the mean price by adding all tenderers' prices together and dividing by the number of tenderers
- 2 Mean price minus Tenderer A's price = x
- 3 x divided by the mean price = y
- 4 y multiplied by 100 = z
- 5 z add 50 = Tenderer A's raw score
- 6 Tenderer A's raw score multiplied by relevant weighting for the criterion = Tenderer A's weighted score

Tenderers scores will be rounded up or down as appropriate to one decimal point. For example, 92.55 would be rounded up to 92.6 whereas 92.54 will be rounded down to 92.5.

Evaluation of Quality

The overall Quality weighting is 40%.

The criteria and their relative weightings¹ used to evaluate Quality are detailed in the table below.

Bidders are required to complete Method Statements detailed in Appendix 1. The Method Statements and their relative weightings are detailed in the table below.

Criteria Number	Criteria	Weighting	Method Statement	Method Statement Weighting
EC1	Bidders' proposed business models.	23%	MS 1	15%
			MS 11	2%
			MS 13	6%
EC2	Bidders' proposed plans for ensuring effective quality management of the Services and maintenance of the Contract Standard, including self-monitoring and evaluation.	35%	MS 4	5%
			MS 5	4%
			MS 8	12%
			MS 9	12%
			MS 10	2%
EC3	Bidders' proposals for ensuring that the requirements of Child Protection legislation are fully applied in the delivery of the service	5%	MS 12	5%
EC4	Bidders' proposed approach for working in partnership with the Council and its partners.	25%	MS 2	12%
			MS 3	8%
			MS 6	5%
EC5	Bidders' proposals with regard to information systems to be used to monitor service(s) required by the Specification.	12%	MS 7	12%

¹ Weightings detailed are a percentage of the Quality criterion

Scoring System

The scoring system for Quality criteria to be used will be as follows:

Score	Acceptability	Bidder Response Demonstrates
0	Unacceptable	Information is either omitted or fundamentally unacceptable and/or there is insufficient evidence to support the proposal to allow the Authority to properly evaluate
1	Major Reservations	The information submitted has insufficient evidence that the specified requirements can be met and/or there are significant omissions, serious and/or many concerns
2	Some Reservations	The information submitted has some minor omissions against the specified requirements. The solution achieves basic minimum standard in some respects but is unsatisfactory in others and raises some concerns
3	Satisfactory	The information submitted meets the Authority's requirements and is acceptable in most respects, and there are no major concerns
4	Good	The information submitted provides good evidence that the specified requirements can be met. It is a full and robust response, and any concerns are addressed so that the proposal gives confidence
5	Outstanding	The information submitted provides strong evidence that the specified requirements will be exceeded, and provides full confidence with no concerns

A score of "0" for any question will preclude further consideration of the tender.

Should a Tenderer fail to achieve a score of 55% for Quality criteria, this will preclude further consideration of the tender.


Evaluation panel

Tenderers responses will be evaluated by a team of Council officers, stakeholders and advisers drawn together by the Council with expertise in the delivery of these services.

Appendix 2

Criteria Ref	Criteria	Criteria Weighting	Method Statements	Method Statement Weighting	Score	Total Weighted Score
EC1	Bidders' proposed business models.	23%	MS 1	15%	4	12
			MS 11	2%	4	1.6
			MS 13	6%	4	4.8
EC2	Bidders' proposed plans for ensuring effective quality management of the Services and maintenance of the Contract Standard, including self-monitoring and evaluation.	35%	MS 4	5%	5	5
			MS 5	4%	4	3.2
			MS 8	12%	4	9.6
			MS 9	12%	4	9.6
			MS 10	2%	3	1.2
EC3	Bidders' proposals for ensuring that the requirements of Child Protection legislation are fully applied in the delivery of the service	5%	MS 12	5%	4	4

EC4	Bidders' proposed approach for working in partnership with the Council and its partners.	25%	MS2	12%	4	9.6
			MS3	8%	4	6.4
			MS6	5%	4	4
EC5	Bidders' proposals with regard to information systems to be used to monitor service(s) required by the Specification.	12%	MS 7	12%	5	12
	Quality score out of 40%					33.2

 <p>Brent</p>	<p>Executive 13 January 2014</p> <p>Report from the Acting Director of Children and Families and the Director of Regeneration and Growth</p>
For Decision	Wards Affected: ALL
<p>Determination proposal to permanently expand Princess Frederica Church of England Primary School by September 2014</p>	

1.0 Summary

- 1.1 This report informs the Executive of the outcome of the statutory proposal to alter Princess Frederica Church of England Primary School through permanent expansion from September 2014 and recommends that it be approved.
- 1.2 The Representation period on the proposals ended on 14 November 2013.
- 1.3 The Governing Body of Princess Frederica Church of England Primary School in agreement with the London Diocesan Board for Schools and in partnership with Brent Local Authority has proposed to alter the school by adding one form of entry. The current capacity of the school is 420 and the proposed capacity will be 630. The current admission number for the school is 60 and the proposed admission number will be 90. The number of children on roll as at October 2013 was 416 with only 4 vacancies in Year 6.
- 1.4 This report also informs the Executive of the responses to the consultation.

2.0 Recommendations

The Executive is recommended to:

- 2.1 Approve the permanent expansion of Princess Frederica Church of England Primary School (Voluntary Aided) by one form of entry from September 2014, conditional upon the grant of full planning permission under the Town and Country Planning Act 1990 by June 2014 or at such date as agreed by the Director of Children and Families and the Strategic Director of Regeneration and Growth.
- 2.2 Note that the reason for approving the alteration of Princess Frederica Church of England Primary School is to provide additional permanent primary places in areas of the borough which have severe current and projected shortages of primary school places.

- 2.3 Agree, if recommendations 2.1 and 2.2 are accepted, that a formal communication in a Frequently Asked Questions (FAQ) format be issued to those who responded to the consultation in the local community addressing the concerns raised.

3.0 Detail

3.1 Background

- 3.1.1 The demand for school places is mainly driven by:
- Housing growth;
 - Increased density of use of existing housing stock;
 - Inward economic and other migration;
 - Decreasing availability of places in neighbouring boroughs;
 - Increased live births and fertility rates
 - Success of Brent schools
- 3.1.2 Brent Council has a general statutory duty to ensure that there are sufficient school places available to meet the needs of the population in its area.
- 3.1.3 According to the GLA projection of school rolls (based on the October 2013 pupil census data), the number of four year olds on roll is expected to rise to 4306 by January 2018 from the current number of 3716 on roll in October 2013. This is an increase of 590 Reception pupils in 5 years. As Members are aware Brent uses the Greater London Authority (GLA) for school roll projections and those are based on the school census data, birth data and housing data. Hitherto the GLA projections have tended to underestimate rather than overestimate the numbers coming through.
- 3.1.4 This pattern of demand exceeding the current supply is a phenomenon across the borough including planning area 5 where Princess Frederica School is situated. GLA projections show that demand from Reception aged children will rise from 1218 for 2013/14 to 1266 by the 2015/2016 academic year. This equates to a requirement for at least two extra classes. The proposal is to create one form of entry at Princess Frederica School and the council is in discussion with another nearby school to expand by one form of entry by 2015/16.
- 3.1.5 These issues are widespread across London authorities, which are experiencing extremely high numbers of applications for Reception, Year 1 and Year 2 places caused by a combination of high birth rates and in-migration.
- 3.1.6 On time Reception applications received for the 2013/14 academic year totalled 3792, a 2% increase on the on time applications for the 2012/13 academic year (3717). 3617 on time applications were received for the 2011/12 academic year. On average approximately 20-25 late reception applications per week were received between the closing date in January and the beginning of term, approximately 50% more than last year. In addition there are demand pressures from in year applications. Princess Frederica has a current waiting list of 52 Reception aged children and 23 children in the other year groups.
- 3.1.7 The report presented to Executive on 20 August 2012 set out the Council's overall programme for school expansion to meet need and the funding which is in place from DfE and other sources to meet the need for additional places. The latest update was provided to Members in the November 2013 Executive Committee. That report indicated that the new roll projections, once analysed, would show a requirement further for primary school places beyond those already planned.
- 3.1.8 In making decisions about the delivery of additional school places, the Council has established a set of planning principles. In June 2011, the Council consulted with the

schools on these planning principles. Subsequently, a short list of schools by planning area was derived from the long list of schools based on the following criteria:

- shortage of school places in a local area;
- physical expansion of a school on a permanent basis deemed to be feasible;
- risk associated with the expansion of the specific schools including likelihood of planning consent;
- availability of funding to expand the school.

- 3.1.9 Subsequently there has been greater focus on educational standards. The council now aims only to expand good and outstanding schools. These educational standards have also been taken into account and the schools' capacity to cope with the expansion, while raising standards. Princess Frederica Church of England School was rated Good by Ofsted following the inspection in January 2012.
- 3.1.10 The plan the Executive approved in August 2012 included the permanent expansion scheme at Princess Frederica Church of England Primary School by 1FE. The statutory consultations commenced on 2 July 2013 and the architects began developing the previously completed feasibility studies into fully designed schemes in June 2013. New places will be available at the schools from September 2014, subject to planning approval for the works required to expand by one form of entry.
- 3.1.11 The Princess Frederica school expansion will be of traditional construction with at least a 60 year design life. The designs are currently being developed to ensure that the school would be built in the most efficient way, with sustainable standards where possible.
- 3.1.12 The Council will complete the permanent building works before the 2015/2016 academic year. Should planning approval be granted and approval to expand the school be granted based on this report, then the school will take the first additional class from September 2014 in existing accommodation. The construction work will be phased to account for the school being occupied during construction and will take place during the 2014 and 2015 (dates to be confirmed based on approvals).

3.2 Proposals to alter the Princess Frederica Church of England Primary School

- 3.2.1 The proposals comply with the Government's guidance on school expansions and their current agenda for raising standards, innovation and transforming education. The internal accommodation and external play areas in the proposed expansion meets the area and design guidance standards as detailed in Building Bulletin 99 and subsequent EFA baseline designs.
- 3.2.2 The expansion of Princess Frederica Church of England Primary School is fully in line with the aim of the guidance and the wish of the Secretary of State that local authorities provide school places where demand is high. The school serves a range of ethnic minority children, both boys and girls, and the proposals will be of benefit to them. As this is an expansion of school places there is no adverse impact to any disadvantaged group.
- 3.2.3 The expansion will increase the choice available to local parents and residents in an area of demand. The proposal will increase diversity of provision and enable the local authority to meet its statutory duty to provide school places to all resident pupils.
- 3.2.4 Princess Frederica is a popular primary school. The local authority is confident that sufficient number of applications will be received for the permanent primary provision.

- 3.2.5 The travel arrangements for existing pupils will not change for pupils at the school. However, the expansion of provision will enable more Brent pupils to be educated in general nearer to where they live. A full traffic assessment is has been carried out, which will inform the planning application and school travel plan.
- 3.2.6 Additional classrooms and facilities will be provided to support the educational standards in both schools for all pupils and staff. The expansion will provide:
- a safe and secure environment
 - a healthy environment with properly ventilated, appropriately sized classrooms with easy access to outside space (where required).
 - spaces to maximise natural day lighting and control sunlight, to maximise thermal comfort, control glare and provide a suitable internal environment.
 - environmentally friendly and efficient spaces
 - minimal loss of 'down-time' i.e. travel to core facilities, toilets, etc. within at least the expanded building.
 - allow a variety of learning experiences - individual, group, class, year group, quiet spaces internal and external in line with the requirements of the EFA baseline designs.
 - Maximised use of existing outdoor playing space and enhancement where possible and required.
 - Enhanced opportunity for the community to become involved in the school and support the children's learning
 - Classrooms to support easy access to ICT provision.
- 3.2.7 Area analysis of the sites has been carried out to ensure the new accommodation would meet the guidelines for new school accommodation. The target of 'very good' is being aimed for, Building Research Establishment Environmental Assessment Method (BREEAM) accreditation subject to planning requirements.
- 3.2.8 Subject to planning application approval and detailed programme review, it is anticipated that, the building works will commence early Summer 2014 and last for approximately one year.
- 3.2.9 No change to the existing SEN provision is being proposed. The proposal will comply with the standards, quality and range of educational provision for children with special educational needs in the proposed expansion of primary provision. The proposal will fully meet the requirements of the SEN Code of Practice and the accessibility standards.

3.3 Princess Frederica Church of England Primary School

- 3.3.1 Princess Frederica Church of England Primary School is located at College Road, London, NW10 5TP. It is a Voluntary Aided school and their own admissions authority. It offers Church of England mixed gender places for students aged 3-11years.
- 3.3.2 The governing body of Princess Frederica in agreement with the London Diocesan Board for Schools and in partnership with Brent Local Authority published a proposal to expand Princess Frederica Church of England Primary School by one form of entry from September 2014.
- 3.3.3 Upon implementation of the proposal, Princess Frederica Church of England Primary School would provide 30 new permanent Reception places from 1 September 2014, subject to planning permission for the full one form of entry due to the building constraints. The expansion will provide an additional class in each year group (210 new primary places in total per school) with an increase of 30 permanent places in

each year group starting at Reception age in September 2014 and rising to Year 6 by September 2020.

- 3.3.4 If the proposals are accepted conditional upon the granting of planning permission under Part 3 of the Town and Country Planning Act 1990, Princess Frederica Church of England Primary School will offer 3FE provision from September 2014. Its admission capacity will increase from 420 to 630 Reception to Year 6 places, which will support the Council to meet its statutory duty to provide sufficient school places. The planning application submission has been delayed, due in part to the need to properly address comments made during the statutory consultation period. A decision on the planning application is not expected before the planning committee meeting in June 2014.
- 3.3.5 The proposed accommodation for the expansion by one form of entry would be of a permanent high quality construction in part linked to the existing school building and in part as a standalone building. The EFA Baseline Designs will be used as a guideline for constructing the new extensions to the existing school with Building Bulletin 99 used where appropriate.
- 3.3.6 The new Reception class is planned to be available from September 2014. All building works are expected to be complete before the start of the next academic year in September 2015, thereby providing the full capacity of 210 new school places required under the statutory proposal.

3.4 Statutory Process

Stage One Consultation

- 3.4.1 Princess Frederica Church of England Primary School
The Governing Body of Princess Frederica Church of England Primary School in agreement with the London Diocesan Board for Schools and in partnership with the Local Authority consulted with key interested parties on the alteration proposals. The consultation document is attached as Appendix 1. Over 1200 copies of the consultation document were distributed through hand delivery, email and/or internal/external post. The school distributed the consultation documents by hand to parents, pupils, staff and other interested parties. In addition, a private company was commissioned to hand deliver approximately 500 copies to homes in the areas surrounding the school.
- 3.4.2 A consultation meeting with parents and the community was held at the school on 11 July 2013, details of which can be found in Appendix 2 (Attachment 2).
- 3.4.3 The statutory consultative stage of the proposal to expand by one form of entry thereby increasing the provision to 630 Reception to Year 6 places, completed on 30 July 2013. All applicable statutory requirements to consult in relation to these proposals have been complied.
- 3.4.4 The Princess Frederica Church of England proposal received 93 on time responses to the consultation. 44 (47%) consultees support the proposal, 41 (44%) consultees expressed concerns and were against the proposal, whilst 8 (9%) remained non-specific. A summary of the responses can be found in Appendix 4

Responses	For	Against	Non Specific	Total	
Local residents	7	14	2	23	25%
Parents	3	22	3	28	30%
Staff	26	1	1	28	30%
Not specified	6	4	0	10	11%

Others	2	0	2	4	4%
Total	44	41	8	93	
	47%	44%	9%		100%

8 responses were received after the deadline. Five responses were against the proposal to expand whilst 3 raised concerns but were not specific about their decision.

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

Publication of Statutory Notice and Representation Period

- 3.4.6 Following the consultation stages outlined above, governing body of Princess Frederica Church of England Primary School with the support of the London Diocesan Board for Schools and in partnership with the Local Authority published the Statutory Notice in two local newspapers on 17 October 2013 for altering the school by one form entry from September 2014. Notices were also displayed on the school gates, on the school website and on the Brent consultation website.
- 3.4.7 The Council is estimating that the planning permission would be granted under Part 3 of the Town and Country Planning Act 1990 from June 2014. Hence, the Executive is requested to approve the expansion of Princess Frederica Church of England School from September 2014, conditional upon the granting of planning permission and in accordance with Schedule 3 Regulation 38 (1) (a) of the School Organisation Regulations.
- 3.4.8 The full statutory proposal is attached as Appendix 2.
- 3.4.9 The statutory notice was followed by a 4 week statutory period (Representation stage), which ended on 14 November 2013, during which representations (i.e. objections or comments) could be made. The representation period is the final opportunity for residents and organisations to express their views about the proposal and ensures that they will be taken into account by the Executive when the proposal is determined.

Responses received during the Representation Stage:

- 3.4.10 In total 224 representations were received during the 4 week statutory period as outlined below. This is a large volume compared to other similar consultations carried out this year.

Responses for the expansion	Responses against the expansion	Total
16	208	224
7%	93%	100%

The majority of the responses were received from residents and parents in the local streets surrounding the school.

- 3.4.11 208 responses objected to the expansion of the school. Quotes include:

“I am writing to ask you to turn down the request for the school expansion of Princess Frederica. The local area and infrastructure will not be able to sustain the added congestion. Already both the pupils and local community are put at risk through the cramming of small pavements and roads. I would suggest a much better use of Brent’s resources would be to turn around the local schools in the area -

specifically Furness Road School. Piling all the resources into one local school which for now is popular, shows no sense of long term planning for the broader community.”

“- the proposal is far too large for the footprint of the site and the access roads in the surrounding areas.
- the works will cause severe disruption to the education and welfare of the children there in 2014 and the dust created by building work will create a health hazard for my daughter who suffers from asthma
- there are better alternative schools sites for building expansion in the vicinity, we have real worries about how the building work - dust, noise, heavy machinery is inevitable - will affect the education of the current children, and also that the pressure on space from the additional classes each year will affect the future education in the widest sense, as well as the logistical issues of safety in delivering and collecting a greater number of children from school each day.”

“College Rd & Purves Rd are narrow & bottle neck at the slightest provocation. How will they & their residents cope with the heavy lorries & construction vehicles that will be needed on top of an already precarious equilibrium? If, as I understand, the admission criteria are not to change to include more children on proximity rather than church attendance, there will be more cars & bicycles at drop off & pick up times. Bicycles are being stolen from the railings outside the school on a regular basis & campaigns for parking them on the school premises have failed for years for reasons of short space!”

“There are many reasons for this but my main concern is that my boys will not be getting the education they deserve due to building works. Having the playground as a building sight will prevent my boys being able to the outdoor clubs they presently attend. They will also not be able to have hot healthy meals - essential if they are to learn properly. My eldest is particularly sensitive to noise and he will not be able to learn when drills and workmen are climbing all over the building. Much research can be found on the effects of building works to schools and the effect it has on children and in all of the research it demonstrates that children's learning goes down, results go down and the quality of teaching is effected.”

“As I am sure you know Princess Frederica is quite a large Primary School - I believe the national average size for a primary school is about 225 pupils - Princess Fred's is nearly double that at 430 pupils - and if the expansion goes ahead it will be half as big again - 640 pupils. 640 Pupils!? In an area that is already crowded? The headmistress has already had to implement a 'one way system' for dropping off kids on a morning - what will it be like when there are another 210 pupils?”

“I have 3 children at princess Frederica and I am NOT in favour of expansion. It is very simple - the school is too small to expand - they barely have enough outside space as it is. If they want more children from the community in the school - simply change the admissions criteria.”

“I believe that the school facilities are already over stretched and the addition of more pupils at the expense of outside space does not serve the educational interests of the pupils. In addition, two years of packed lunches and studying next to a building site will not help the children's education.”

“I write to express my disapproval to the above planned expansion. I feel it will disrupt my child's education at this important time of his development with lack of school dinners, play area, noise, school clubs, and unacceptable pollution.”

3.4.12 The most common objection themes are as outlined below:

Comments raised	Response to comments
The school site is too small for the number of children who will attend.	<p>Design work shows that it is possible to fit the additional buildings/internal space needed for the increased number of children on the existing school site and leave sufficient outside play area to meet guidelines. The additional proposed roof top play area and changes to the surfacing of ground level play areas, mean that based on the government's method for measuring outdoor play areas there is sufficient to meet guidelines for a 3FE school on a confined inner city site.</p> <p>It is accepted that during construction the available outside play space will be reduced but this will be managed to minimise the impact on existing children.</p>
<p>Access to the school is problematic with parking and congestion.</p> <p>The road infrastructure around the school is not suitable to support an increase in traffic</p>	<p>There is no parking on the school site and no facilities to drop off children by car other than on roads immediately surrounding the school. The school travel plan will actively encourage a majority of parents to walk or cycle to school with their children.</p> <p>Cycle and scooter storage will be provided on site to avoid congestion created on the pavement by cycles being chained up outside school.</p> <p>It is proposed to widen the pavement in parts along Purves Road to alleviate pedestrian congestion.</p> <p>A full transport assessment has been undertaken and will be submitted with the planning application. LBB Highways will review the application in detail and make further recommendations if required to minimise the impact of proposed expansion on the existing road network.</p>
Other schools nearby with more space should be expanded first	Members approved a programme of school expansion in August 2012 to address the need to provide 21 forms of entry by 2016-17 across Brent. Princess Frederica formed part of that strategy. Other schools in this planning area are being consulted on expansion. Expansion in more than one school is required to meet demand.
There will be health and safety risks during the construction period	All construction work has inherent health and safety risks. Each site is different and therefore the health and safety risks are assessed and managed according to that site. Appropriately qualified professionals will be responsible for managing health and safety before

	<p>construction begins and should the project be approved, whilst on site. Contractors will be asked to demonstrate experience working in live occupied school sites and describe how they will robustly address health and safety and minimise impact.</p> <p>No significant health and safety issues have arisen in our school expansion programme so far.</p>
The school extension will be a concrete jungle in a residential area	The proposals indicate a two storey new build with roof top play area and an extension to the existing school following partial demolition. The appropriateness of the proposed building in the area will be assessed when a planning application is submitted.
The play area will be too small	Answered above in point 1
The consultation process was not transparent enough	<p>The education consultation i.e. the statutory consultation was launched on 2 July 2013 with a well attended meeting on 11 July 2013. Over 1100 consultation documents were delivered via the pupils at the school or by door to door drop in the local community. A further 200 were emailed further afield. 93 responses were received. The community had a second chance to give comments between 17 October and 14 November. This time 216 responses were received.</p> <p>The Council has held two sessions for local people to find out and make comments about the proposed building before a planning application is submitted. Comments made during those sessions are being reviewed before the application is made. Invitations to those sessions were hand delivered to 1767 households in the area around the school, the invitation was posted on the school gates, letters were sent to the local residents associations and ward councillors and the invitation was distributed through school to all children and posted on the school website. This is in advance of the formal consultation period that will take place on the planning application once submitted.</p>
The school and council have not provided enough information when requested	The Council has provided detailed information to the school governors both pro-actively and in response to detailed questions, some of which reflect concerns from the local community.
No school lunch provision along with no outside play area for over a year is unacceptable	The new kitchen will be built while the old kitchen continues to operate. At an appropriate time all the equipment will be moved from the old kitchen into the new kitchen/building and the old kitchen will then be demolished. There may be a logistical short period of time to switch over but we are not taking the kitchen out of action for the whole construction. Outside play will be restricted during the construction but will exist
The works will cause severe	All work on occupied school sites has to be managed

disruption to the education and welfare of the current pupils	very carefully so as not to cause severe disruption. The council project team and contractors will work closely with the school to ensure all parties understand the forthcoming work and any adjustments to minimise impact can be made. We have succeeded in making this work well at other schools.
The school is putting construction before education	The construction is only necessary to provide additional space to take additional pupils. The school agreed to undertake the consultation process with the council to seek approval from Members to expand the school; therefore necessitating the construction work.
The community would prefer a 2FE school rather than a 3FE school	Brent has 12 successful 3FE primary schools and 6 successful 4FE primary schools. 3FE and larger primary schools are now becoming the norm across London. Larger primary schools have considerable advantages in being able to afford higher levels of expertise, including subject expertise in e.g. MFL. They also offer a wider range of extra curricular and after school activities. Brent also has many primary aged children currently without a school place. The council has a statutory duty to ensure that there are sufficient school places for Brent residents who require a school place.
If you want more school places why not build more new/modern schools and not try to expand old Victorian sites?	New schools require sites and, particularly in the south of the borough, there are very few sites for new schools. Given the latest roll projections it is likely that a new trawl of potential sites will need to be done and additional new schools planned but this will not obviate the need for Princess Frederica to expand.
The current admission system for Princess Frederica should be looked at as well. As the council states that it wants to turn the PF into more of a neighbourhood school, then they should investigate other ways of letting local people in, instead of going by a church attendance record, irrespective of whether or not you live in the area.	Princess Frederica is a voluntary aided school and is its own admissions authority. This means the criteria for entry into the school are set by the school and the London Diocesan Board for Schools. The council has no control over the school's admissions policy.

3.4.13 A selection of representations objecting to the proposal to expand the school can also be found in Appendix 5 of this report.

3.4.14 16 representations in support of the expansion, were received and included comments such as:

“As a local resident and parent, I wanted to email my support for the proposed expansion plans for Princess Frederica School. I hope that

they go ahead and more children are able to attend/benefit from the school.”

“We support the proposed expansion ... Not only is this a tight knit community – with plenty of young families – crying out for more primary school places, but we believe the re-development is a positive one. We believe the designs are sensitively done, are well proportioned and are in keeping with the character of the neighbourhood”

- 3.4.15 A selection of representations in support of the school expansion proposal can be found in Appendix 6.

4.0 Financial Implications

- 4.1 The report submitted to the November 2013 meeting of the Executive detailed the total capital allocation available to spend on new school places as £110.62m from secured resources. From the available resources an initial allocation of £4.8m has been made to the proposed expansion of Princess Frederica Church of England Primary School. It should be noted that this is a provisional budgetary allocation to the scheme which could be amended as more definitive cost forecasts are provided. Any variations to this figure will be contained within overall capital budget provisions. In the event that any eventual planning application is rejected the council will be liable for the abortive costs of preparing it.

- 4.2 The proposed expansion of pupil numbers at the school will result in increased revenue costs associated with the additional provision. These costs will be met from the individual school's budget, which will increase proportionately based on the formula allocation from the DfE. However, the proposed intake of additional pupils from September 2014 will mean that the school will not receive the increased grant until the following academic year as the calculation is based on the previous October's pupil numbers. As such the school will require funding equivalent to 7/12's of the total additional grant to meet the costs of the expanded pupil numbers until the following years allocation is received. This shortfall in funding will be provided from existing Children and Families Dedicated Schools Grant revenue budget as funding has been set aside for additional classes.

5.0 Legal implications

- 5.1 The procedure for the enlargement of Princess Frederica Church of England Primary School is as required by The Education and Inspections Act 2006 (as amended by the Education Act 2011) and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 as amended. The Local Authority is entitled to make prescribed alterations to Princess Frederica Church of England Primary School pursuant to powers granted by The Education and Inspections Act 2006, Sections 18 and 19 and in accordance with Schedule 4 Part 1 and Schedule 5 of the Regulations.
- 5.2 The Authority has the power to consider and determine proposals published under Section 19 of The Education and Inspections Act 2006, pursuant to Section 21 (2) (f) of the Act and in accordance with Regulation 30 of The School Organisation Regulations 2007 as amended.
- 5.3 Under sections 13 and 14 of The Education Act 1996, as amended by The Education and Inspections Act 2006, a local education authority has a general statutory duty to ensure that there are sufficient school places available to meet the needs of the population in its area. LA must promote high educational standards, ensure fair

access to educational opportunity and promote the fulfilment of every child's educational potential. They must also ensure that there are sufficient schools in their area and promote diversity and increase parental choice. To discharge this duty the LA has to undertake a planning function to ensure that the supply of school places balances the demand for them.

- 5.4 The Brent Executive acting on behalf of the Brent Local Authority is the Decision Maker pursuant to The Education and Inspection Act 2006 Section 21 (2) (f) and schedule 3 paragraph 30 of the School Organisation Regulations.
- 5.5 The Executive would need to have regard to Guidance issued by the Secretary of State before making a decision upon this proposal. Paragraphs 4.1 to 4.80 of the Guidance Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form is applicable.
- 5.6 If the Local Authority fail to decide proposals within 2 months of the end of the representation period the Local Authority must forward proposals, and any received representations (i.e. not withdrawn in writing), to the schools adjudicator for decision. They must forward the proposals within one week from the end of the 2 month period.

5.7 Decision Making:

- 5.8 There are 4 key issues which the Decision Maker should consider before judging the respective factors and merits of the statutory proposals:

- Is any information missing? If so, the Decision Maker should write immediately to the proposer specifying a date by which the information should be provided.

All necessary information has been provided.

- Does the published notice comply with statutory requirements?

The statutory notice is complete and in line with the statutory requirements. The four week statutory representation period closed on 14 November 2013.

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

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

- Are the proposals "related" to other published proposals?

5.9 Types of Decision

- 5.10 All decisions must give reasons for the decision, irrespective of whether the proposals were rejected or approved, indicating the main factors/criteria for the decision.
- 5.11 In considering prescribed alteration proposals, the Decision Maker can decide to:
- reject the proposals;
 - approve the proposals;

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

5.12 The following bodies may appeal against an LA decision:

- The local Church of England diocese;
- The Bishop of the local Roman Catholic diocese;
- The governing body of the Community School that is proposed for expansion
- The governors and trustees of a Foundation (including trust) or Voluntary School that is proposed for expansion.

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

5.14 Procurement: The construction contract associated with this expansion will be addressed as part of the wider primary school expansion, with preference to undertake this procurement for Princess Frederica as a separate construction contract. Appropriate procurement routes are currently being reviewed with LBB Procurement and Legal Services and a further report will be brought to the Executive in accordance with Council Standing Orders for approval to procure and approval to award any contract, as necessary.

6.0 Diversity Implications

6.1 The schools proposed for expansion have an ethnically diverse pupil population and catchment of pupils who need places. Expanding Princess Frederica would enable the Council to provide additional new places required for Brent's growing pupil population.

6.2 The expansion will improve choice and diversity. The impact on Equalities will be kept under review and reported as the school expansion programme is reviewed.

6.3 The joint Equality Impact Assessment for the schools has been completed for Princess Frederica Primary School.

7.0 Staffing Issues

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

8.0 Background Papers

- Equality Impact Assessment for all schools consulting during 2013 to change their character
- Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form

- Research Study - A Good School Places for Every Child in Brent, 2008
<http://intranet.brent.gov.uk/consultation.nsf/0/38c39cab7915e95c802573b8003feb74?OpenDocument>

9.0 Appendices

Appendix 1	Princess Frederica CE Primary School – consultation document
Appendix 2	Princess Frederica CE Primary School – full statutory proposal document
Appendix 3	Princess Frederica CE Primary School – statutory notice
Appendix 4	Summary of the responses received from the first part of the consultation (Stage 1)
Appendix 5	Examples of the responses received from the Representation stage of the consultation (Stage 3) against the expansion
Appendix 6	Examples of the responses received from the Representation stage of the consultation in favour of the expansion

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A Public Consultation

A Proposed Expansion of Princess Frederica Church of England Primary School

<p>1. Introduction</p>	<p>Princess Frederica Church of England Primary School is a voluntary aided school located in the southern half of the borough. It provides school places to 420 boys and girls between the ages of 4 – 11. There is also a nursery with 30 part time places.</p> <p>Currently, the demand for school places in Brent, as with many outer London boroughs, is increasing. The demand for primary places in the Harlesden area specifically has led to the proposal to expand Princess Frederica Church of England Primary School.</p> <p>Therefore the Governing Body of Princess Frederica Church of England Primary School with the support of the Local Authority and the London Diocesan Board for Schools is consulting with staff, parents and the community on the option to expand the school by one form of entry (1FE). The expansion will provide an additional 30 places in each year group (210 new primary places in total). The increase of 30 places in each year group is intended to start at Reception age in September 2014 and rise to Year 6 by September 2020.</p>
<p>2. The proposal</p>	<p>The Governing Body of Princess Frederica Church of England Primary School, College Road, London, NW10 5TP with the support of the Local Authority and the London Diocesan Board for Schools propose to expand the school by one form of entry (210 additional places), taking the school capacity from 420 places (Year R – Year 6) to 630 (Year R – Year 6). The school will continue to provide a nursery with 30 part time places. There will be no change to existing SEN arrangements at the school.</p>

	<p>The expansion of the school is intended to commence in September 2014 with an increase of 30 places per academic year at Reception age and rise to Year 6 by September 2020.</p> <p>The proposed accommodation for the expansion by one form of entry would be of a permanent high quality construction linked to the main school building. It will be built to optimise educational standards.</p>						
3.	<p>The growing number of primary school pupils</p> <p>The number of children seeking a primary school in Brent is increasing year on year. This is due to several factors e.g. the renewed popularity of Brent schools, the inward migration of families into the borough, the new housing developments throughout the borough attracting new families and the rising birth and fertility rates. As a result, in areas of high demand there are insufficient school places.</p>						
4.	<p>New primary school places</p> <p>In June 2011 the Local Authority consulted with all primary schools in the borough to explore the possibility of increasing the number of school places. It has been evident that the demand for Reception places would be greater than the number of available places. This assessment was based on the number of on-time and ad hoc admissions applications received by the Local Authority, the current forecast of student numbers and local factors such as feedback from schools.</p> <p>Subsequently, the Local Authority reviewed capacity constraints at all primary schools and identified the maximum need for school places in the local areas. Discussions took place with schools which were suitable and willing for expansion. This was followed by an initial feasibility assessment.</p> <p>Since 2005 the Local Authority has analysed the increased demand for school places and created a programme to increase primary places through permanent expansion of schools and temporary classes. The table below demonstrates how many permanent and temporary primary places have been created since September 2006.</p> <table><tr><th>Total number of additional places (Reception to Year 6)</th><th>Permanent places (Reception to Year 6)</th><th>Temporary places (Reception to Year 6)</th></tr><tr><td>4164</td><td>3423</td><td>741</td></tr></table>	Total number of additional places (Reception to Year 6)	Permanent places (Reception to Year 6)	Temporary places (Reception to Year 6)	4164	3423	741
Total number of additional places (Reception to Year 6)	Permanent places (Reception to Year 6)	Temporary places (Reception to Year 6)					
4164	3423	741					

	<p>Despite adding new places, there remains a shortfall of Reception places in the borough. As at 16 May 2013, there were 215 primary aged children without a school place for the 2012/13 academic year. Of which 44 were Reception age (4 years old).</p>
<p>5.</p>	<p>The need for more primary school places in the future</p> <p>In August 2011, Brent Council carried out a review of primary school places which estimated that an additional 15 forms of entry (15FE) will be required in Brent by 2014/15 - an estimate of 450 places in each year group. The pressure of increasing demand is already evident with few places available in Brent's 60 primary schools. Brent Council is supportive of the proposed expansion of Princess Frederica Church of England Primary School to help address the shortage of primary school places.</p> <p>Demand continues to increase in the Harlesden area and a permanent increase from 2 to 3 forms of entry will help satisfy some of that demand. It is also anticipated that the increased demand for primary school places will eventually create a shortage of secondary school places.</p> <p>Brent Council is working closely with local schools and together we are doing everything we can to provide more places for the borough's pupils.</p> <p>Over the next four years, we will be investing around £90 million with aim of offering a primary place to every local child who needs one.</p>
<p>6.</p>	<p>We would like to hear from you</p> <p>The Governors of Princess Frederica Church of England Primary School are at the moment consulting all interested parties including parents and staff at the school, all schools in Brent, Brent Council and neighbouring boroughs with an aim to receive feedback on the proposal.</p> <p>The Governors would welcome your views on the proposal to expand the school by 1FE. If you have any comments that you would like to make in relation to this proposal, you can either use the attached tear-off response form or write to:</p> <p style="text-align: center;">The Headteacher Princess Frederica Church of England Primary School College Road London NW10 5TP</p> <p>Or</p>

	<p>Send an email to: expansion@princessfrederica.brent.sch.uk</p> <p>Copies of this consultation document are also available at the school reception and from Brent Council at Chesterfield House, 9 Park Lane, Wembley, HA9 7RH.</p> <p>Alternatively, this document can be downloaded from:</p> <p>http://brent-consult.limehouse.co.uk/portal/candf/schexpansion</p> <p>A limited translation service can be provided for this document on request to judith.joseph@brent.gov.uk</p> <p>All written comments must be received by: Tuesday 30 July 2013</p>
7.	<p>You can also attend a public meeting for parents, carers and the community which has been arranged to discuss the proposed expansion of Princess Frederica Church of England Primary School.</p> <p>Date: 11 July 2013</p> <p>Time: 3.45pm Staff (Staff Room)</p> <p>7.00pm Parents and Community</p> <p>Venue: The Infant Hall Princess Frederica Church of England Primary School College Road London NW10 5TP</p>
8.	<p>The procedures for reorganisation</p> <p>Princess Frederica Church of England Primary School with the support of the Local Authority intend to meet with staff, parents and the local community, to receive their views.</p> <p>If, after the consultation, the school's Governing Body decides to proceed with the expansion then a statutory proposal will be published in the local papers and will also be placed at public places e.g. the Town Hall and on the main entrances to</p>

	<p>Princess Frederica Church of England Primary School.</p> <p>Thereafter a 4 week representation period will commence during which anybody can write to make formal representations on the proposals. Representations can be in the form of support, suggestions or objections to the proposal. All representations will be presented to Brent Council's Executive Committee which will make a decision on the proposal.</p>
<p>9. Consultees</p>	<p>This document is being sent to:</p> <p>Princess Frederica Church of England Primary School: parents, staff, governors and student council All maintained schools and Academies in Brent Brent Council Westminster Diocesan Education Service London Diocesan Board for Schools London Borough of Ealing London Borough of Barnet London Borough of Camden London Borough of Harrow London Borough of Hammersmith and Fulham London Borough of Westminster Royal Borough of Kensington and Chelsea Local Resident Associations All Councillors Local Member of Parliament All Brent Customer Service Shops All Brent Libraries All Brent Children Centres Sport England Secretary of State, School Organisation Unit Local private nurseries Any trade unions who represent staff of Princess Frederica Primary School Representatives of main trade unions in Brent Early Years and Family Support Service Early Years Quality and Improvement Team Parent and Toddler groups in the area Seventh Day Adventist Portuguese Church</p>

**Princess Frederica Church of England Primary School
Consultation Response Slip**

Please tear off and return by: Tuesday 30 July 2013

**I agree / disagree with the Governors of Princess Frederica Church of
England Primary School to expand the school by one form of entry (1FE).**
Delete as appropriate

Comments:

(Please use the back of this form if you require more space)

Signed

Parent / member of staff / otherplease specify

Please send to:

**The Headteacher
Princess Frederica Church of England Primary School,
College Road,
London, NW10 5TP**

Or email: expansion@princessfrederica.brent.sch.uk

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Comments continued:

About you

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

Gender (please tick one):

Male		Female	
------	--	--------	--

My age group (please tick one):

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

Which one of these groups do you feel you belong to (please tick one)?

Asian Indian		Asian Pakistani	
Asian Bangladeshi		Asian Other	
Black Caribbean		Black African	
Black Other		Chinese	
Mixed White and Black Caribbean		Mixed White and Black African	

Mixed White and Asian		Mixed Other	
White British		White Irish	
White Other		Other Ethnic Group	

Appendix 2

PROPOSALS FOR PRESCRIBED ALTERATIONS OTHER THAN FOUNDATION PROPOSALS: Information to be included in a complete proposal

Extract of Part 1 of Schedule 3 and Part 1 of Schedule 5 to The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended):

In respect of a Governing Body Proposal:

London Borough of Brent, Pupil and Parents Service,
5th Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

DFE School No. 304/4303– Princess Frederica Church of England Primary School Statutory Notice published on 17 October 2013

1. The name, address and category of the school.

Princess Frederica Church of England Primary School (Voluntary Aided) College Road London NW10 5TP

Implementation and any proposed stages for implementation

2. The date on which the proposals are planned to be implemented, and if they are to be implemented in stages, a description of what is planned for each stage, and the number of stages intended and the dates of each stage.

The Governing Body in agreement with the London Diocesan Board for Schools and in partnership with Brent Local Authority is proposing to expand Princess Frederica Church of England Primary School by creating a new one form of entry permanent provision (30 additional children in each year group). If this proposal were accepted Princess Frederica Church of England Primary School would offer a one form of entry permanent provision from 1 September 2014 through yearly progression; this would mean that the school would admit (30 additional children) in Reception class from September 2014 and this cohort would progress to Year 6 by September (2020/21). This means that the school will become a three form of entry provision and its admission capacity will increase from 420 permanent to 630 permanent Reception to Year 6 places. The current admission number for the school is 60 (2

classes in each year group) and the proposed admission number will be 90 (3 classes in each year group). In addition the school has a nursery with 30 part time places. The number of children on roll excluding the nursery according to the May 2013 school census was 408. The school offers mixed sex provision.

The current admission number for the school is 60 (2 classes in each year group) and the proposed admission number will be 90 (3 classes in each year group). In addition the school has a nursery with 30 part time places.

Objections and comments

3. A statement explaining the procedure for making representations, including —
 - i. the date prescribed in accordance with paragraph 29 of Schedule 5 (LA proposals) of The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), by which objections or comments should be sent to the local education authority; and
 - ii. the address of the authority to which objections or comments should be sent.

Within four weeks from the date of publication of this proposal any person may object to or make comments on the proposal in writing by sending them to Judith Joseph, School Place Planning Officer, Children and Families, London Borough of Brent, 5th Floor, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ. Email: judith.joseph@brent.gov.uk.

The proposal was published on Thursday 17 October 2013.

Alteration description

4. A description of the proposed alteration and in the case of special school proposals, a description of the current special needs provision.

The works to expand Princess Frederica CE Primary School by one form entry will be delivered by Brent Council in partnership with the Governing body and the London Diocesan Board for Schools.

The proposed accommodation for the expansion by one form of entry would be of a permanent high quality construction in part linked to the existing school building and in part as a standalone building. The EFA Baseline Designs will be used as a guideline for constructing the new extensions to the existing school with Building Bulletin 99 used where appropriate.

The new Reception class is planned to be available from September 2014. All building works are expected to be complete before the start of the next academic year in September 2015, thereby providing the full capacity of 210 new school places required under the statutory proposal.

The school will remain a voluntary aided school within the trusteeship of the London Diocesan Board for Schools. There will be no change to the existing admissions arrangement at the school.

The Local Authority completed a feasibility study which confirms that the provision of an additional form of entry primary provision is possible within the current school site, subject to planning permission. All applicable statutory requirements to consult in relation to these proposals have been complied with. There will be no change to the existing Special Educational Needs arrangements at the school.

The expanded school will be suitable for all pupils who currently attend Princess Frederica CE Primary School. Every pupil registered at the school on 31 August 2014 who, but for these proposals would have continued their education at Princess Frederica CE Primary School will have a place at the enlarged school. Consequently no pupils will be displaced by the alterations proposed for the school.

School capacity

5. —(1) Where the alteration is an alteration falling within any of paragraphs 1-4, 7, 8, 18, 19 and 21 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), the proposals must also include —
- i. details of the current capacity of the school and, where the proposals will alter the capacity of the school, the proposed capacity of the school after the alteration;

The school capacity will change from 420 places (Reception to Year 6) to 630 places (Reception to Year 6). The nursery capacity will not change under this proposal.

- ii. details of the current number of pupils admitted to the school in each relevant age group, and where this number is to change, the proposed number of pupils to be admitted in each relevant age group in the first school year in which the proposals will have been implemented;

The current admission number for the school is 60 per year group and the proposed admission number will be 90 per year group

As at 10 October 2013 the school had the following pupils on roll:

Year Group	Pupils on roll	Available places by Sept 2014
Reception	60	90
Year 1	60	60
Year 2	60	60
Year 3	60	60

Year 4	60	60
Year 5	58	60
Year 6	52	60

- iii. where it is intended that proposals should be implemented in stages, the number of pupils to be admitted to the school in the first school year in which each stage will have been implemented;

N/A

- iv. where the number of pupils in any relevant age group is lower than the indicated admission number for that relevant age group a statement to this effect and details of the indicated admission number in question.

N/A

- b. Where the alteration is an alteration falling within any of paragraphs 1, 2, 8, 18 and 19 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), a statement of the number of pupils at the school at the time of the publication of the proposals.

The number of pupils in the school at the time of publication was 410.

Implementation

6. Where the proposals relate to a foundation or voluntary controlled school a statement as to whether the proposals are to be implemented by the local education authority or by the governing body, and, if the proposals are to be implemented by both, a statement as to the extent to which they are to be implemented by each body.

The Governing Body in agreement with the London Diocesan Board for Schools and in partnership with Brent Local Authority is proposing to expand Princess Frederica CE Primary School by creating a new one form of entry permanent provision (30 additional children in each year group). If this proposal were accepted Princess Frederica CE Primary School would offer a one form of entry permanent provision from 1 September 2014 through yearly progression.

Additional Site

7. —(1) A statement as to whether any new or additional site will be required if proposals are implemented and if so the location of the site if the school is to occupy a split site.

Additional land is not required for this expansion. All pupils will be accommodated at the College Road site.

(2) Where proposals relate to a foundation or voluntary school a statement as to who will provide any additional site required, together with details of the tenure (freehold or leasehold) on which the site of the school will be held, and if the site is to be held on a lease, details of the proposed lease.

N/A

Changes in boarding arrangements

8. —(1) Where the proposals are for the introduction or removal of boarding provision, or the alteration of existing boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

- i. the number of pupils for whom it is intended that boarding provision will be made if the proposals are approved;

N/A

- ii. the arrangements for safeguarding the welfare of children at the school;

N/A

- iii. the current number of pupils for whom boarding provision can be made and a description of the boarding provision; and

N/A

- iv. except where the proposals are to introduce boarding provision, a description of the existing boarding provision.

N/A

- b. Where the proposals are for the removal of boarding provisions or an alteration to reduce boarding provision such as is mentioned in paragraph 8 or 21 of

Schedule 2 (GB proposals)/7 or 14 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

- i. the number of pupils for whom boarding provision will be removed if the proposals are approved; and

N/A

- ii. a statement as to the use to which the former boarding accommodation will be put if the proposals are approved.

N/A

Transfer to new site

9. Where the proposals are to transfer a school to a new site the following information—
i. the location of the proposed site (including details of whether the school is to occupy a single or split site), and including where appropriate the postal address;

N/A

- ii. the distance between the proposed and current site;

N/A

- iii. the reason for the choice of proposed site;

N/A

- iv. the accessibility of the proposed site or sites;

N/A

- v. the proposed arrangements for transport of pupils to the school on its new site; and

N/A

- vi. a statement about other sustainable transport alternatives where pupils are not using transport provided, and how car use in the school area will be discouraged.

N/A

Objectives

- 10. The objectives of the proposals.

To create more primary school places. Pleases see section 24 for a fuller response.

Consultation

- 11. Evidence of the consultation before the proposals were published including—
 - i. a list of persons who were consulted;
 - ii. minutes of all public consultation meetings;
 - iii. the views of the persons consulted;
 - iv. a statement to the effect that all applicable statutory requirements in relation to the proposals to consult were complied with; and
 - v. made available copies of all consultation documents and a statement on how these documents were

All applicable statutory requirements to consult in relation to this proposal were complied with. The consultation period commenced on 2 July 2013 and ended on 30 July 2013. The statutory notice was issued on 17 October 2013.

- i. The consultation document (Attachment 1) was sent to:

Princess Frederica Church of England Primary School: parents, staff, governors and student council

All maintained schools and Academies in Brent

Brent Council

Westminster Diocesan Education Service

London Diocesan Board for Schools

London Borough of Ealing

London Borough of Barnet

London Borough of Camden

London Borough of Harrow

London Borough of Hammersmith and Fulham

London Borough of Westminster

Royal Borough of Kensington and Chelsea

Local Resident Associations

Local residents in the near vicinity of the school

All Councillors
 Local Member of Parliament
 All Brent Customer Service Shops
 All Brent Libraries
 All Brent Children Centres
 Sport England
 Secretary of State, School Organisation Unit
 Local private nurseries
 Any trade unions who represent staff of Princess Frederica Primary School
 Representatives of main trade unions in Brent
 Early Years and Family Support Service
 Early Years Quality and Improvement Team
 Parent and Toddler groups in the area
 Seventh Day Adventist Portuguese Church

- ii. The minutes of the public consultation meeting can be found in Attachment 2.
- iii. The summary views of all persons consulted are attached in Attachment 3.
- iv. The Consultation document was distributed by email or internal/external post to the stakeholder listed above. The schools also distributed the consultation documents by hand to parents, pupils, staff and other interested parties. 500 local residents in the immediate vicinity were provided a copy through special local distribution, where possible.
- v. Copy of the consultation document can be found in Attachment 1.

Project costs

- 12. A statement of the estimated total capital cost of the proposals and the breakdown of the costs that are to be met by the governing body, the local education authority, and any other party.

The capital costs of the expansion project is estimated at approximately £4.8m including contingency, which is being funded by the local authority from the Council's Main Capital Programme.

- 13. A copy of confirmation from the Secretary of State, local education authority and the Learning and Skills Council for England (as the case may be) that funds will be made available (including costs to cover any necessary site purchase).

Confirmation from LBB that funds have been made available in the London Borough of Brent Executive report, 20 August 2012- see the following link:

<http://democracy.brent.gov.uk/mgConvert2PDF.aspx?ID=9262>

Age range

14. Where the proposals relate to a change in age range, the current age range for the school.

N/A

Early years provision

15. Where the proposals are to alter the lower age limit of a mainstream school so that it provides for pupils aged between 2 and 5—
- details of the early years provision, including the number of full-time and part-time pupils, the number and length of sessions in each week, and the services for disabled children that will be offered;

The school is already operating Early Years provision which will continue to be available.

- how the school will integrate the early years provision with childcare services and how the proposals are consistent with the integration of early years provision for childcare;

N/A

- evidence of parental demand for additional provision of early years provision;

N/A

- assessment of capacity, quality and sustainability of provision in schools and in establishments other than schools who deliver the Early Years Foundation Stage within 3 miles of the school; and

N/A

- reasons why such schools and establishments who have spare capacity cannot make provision for any forecast increase in the number of such provision.

Additional capacity is being created in the school to meet demand for Reception to Year 6 places only.

Changes to sixth form provision

16. (a) Where the proposals are to alter the upper age limit of the school so that the school provides sixth form education or additional sixth form education, a statement of how the proposals will—

- (i) improve the educational or training achievements;
- (ii) increase participation in education or training; and
- (iii) expand the range of educational or training opportunities for 16-19 year olds in the area;

N/A

(b) A statement as to how the new places will fit within the 16-19 organisation in an area;

N/A

(c) Evidence —

- (i) of the local collaboration in drawing up the proposals; and
- (ii) that the proposals are likely to lead to higher standards and better progression at the school;

N/A

(d) The proposed number of sixth form places to be provided.

N/A

17. Where the proposals are to alter the upper age limit of the school so that the school ceases to provide sixth form education, a statement of the effect on the supply of 16-19 places in the area.

N/A

Special educational needs

18. Where the proposals are to establish or change provision for special educational needs—

- i. a description of the proposed types of learning difficulties in respect of which education will be provided and, where provision for special educational needs already exists, the current type of provision;

There will be no change to the existing SEN arrangements at the school.

- ii. any additional specialist features will be provided;

N/A

- iii. the proposed numbers of pupils for which the provision is to be made;

N/A

- iv. details of how the provision will be funded;

N/A

- v. a statement as to whether the education will be provided for children with special educational needs who are not registered pupils at the school to which the proposals relate;

N/A

- vi. a statement as to whether the expenses of the provision will be met from the school's delegated budget;

N/A

- vii. the location of the provision if it is not to be established on the existing site of the school;

N/A

- viii. where the provision will replace existing educational provision for children with special educational needs, a statement as to how the local education authority believes that the new provision is likely to lead to improvement in the standard, quality and range of the educational provision for such children; and

N/A

- ix. the number of places reserved for children with special educational needs, and where this number is to change, the proposed number of such places.

N/A

19. Where the proposals are to discontinue provision for special educational needs—
i. details of alternative provision for pupils for whom the provision is currently made;

N/A

- ii. details of the number of pupils for whom provision is made that is recognised by the local education authority as reserved for children with special educational needs during each of the 4 school years preceding the current school year;

N/A

- iii. details of provision made outside the area of the local education authority for pupils whose needs will not be able to be met in the area of the authority as a result of the discontinuance of the provision; and

N/A

- iv. a statement as to how the proposer believes that the proposals are likely to lead to improvement in the standard, quality and range of the educational provision for such children.

N/A

20. Where the proposals will lead to alternative provision for children with special

educational needs, as a result of the establishment, alteration or discontinuance of existing provision, the specific educational benefits that will flow from the proposals in terms of—

- i. improved access to education and associated services including the curriculum, wider school activities, facilities and equipment with reference to the local education authority's Accessibility Strategy;
- ii. improved access to specialist staff, both educational and other professionals, including any external support and outreach services;
- iii. improved access to suitable accommodation; and
- iv. improved supply of suitable places.

N/A

Sex of pupils

21. Where the proposals are to make an alteration to provide that a school which was an establishment which admitted pupils of one sex only becomes an establishment which admits pupils of both sexes—

- i. details of the likely effect which the alteration will have on the balance of the provision of single sex-education in the area;

N/A

- ii. evidence of local demand for single-sex education; and

N/A

- iii. details of any transitional period which the body making the proposals wishes specified in a transitional exemption order (within the meaning of section 27 of the Sex Discrimination Act 1975).

N/A

22. Where the proposals are to make an alteration to a school to provide that a school which was an establishment which admitted pupils of both sexes becomes an establishment which admits pupils of one sex only—

- i. details of the likely effect which the alteration will have on the balance of the provision of single-sex education in the area; and

N/A

- ii. evidence of local demand for single-sex education.

N/A

Extended services

- 23. If the proposed alterations affect the provision of the school's extended services, details of the current extended services the school is offering and details of any proposed change as a result of the alterations.

Early Years and Extended School Groups operating in the school will remain unaffected.

Need or demand for additional places

- 24. If the proposals involve adding places—
 - i. a statement and supporting evidence of the need or demand for the particular places in the area;

In June 2011 the Local Authority consulted with all primary schools in the borough to explore the possibility of increasing the number of school places. It has been evident that the demand for Reception places would be greater than the number of available places. This assessment was based on the number of on-time and ad hoc admissions applications received by the Local Authority, the current forecast of student numbers and local factors such as feedback from schools.

Subsequently, the Local Authority reviewed capacity constraints at all primary schools and identified the maximum need for school places in the local areas. Discussions took place with schools which were suitable and willing for expansion. This was followed by an initial feasibility assessment.

Since 2005 the Local Authority has analysed the increased demand for school places and created a programme to increase primary places through permanent expansion of schools and temporary classes. The table below demonstrates how many permanent and temporary primary places have been created since September 2006.

Total number of additional places (Reception to Year 6) Sept 2006 to May 2013	Permanent places (Reception to Year 6)	Temporary places (Reception to Year 6)
4784	3438	1346

Despite adding new places, there remains a shortfall of Reception and Year 1 places in the borough. As at 23 September 2013, there were 734 primary aged children without a school place for the 2012/13 academic year in Brent. Of which 353 were Reception age (4 years old). Most of the out of school children are recent arrivals to the borough. More temporary places are being planned for this academic year to accommodate these children in addition to the current vacancies in schools.

Year Group	Out of school children 23/09/13
REC	353
YR 1	72
YR 2	96
YR 3	62
YR 4	61
YR 5	46
YR 6	44
TOTAL	734

The rising demand for primary school places is posing a serious challenge in Brent. Brent Council is working closely with local schools and together we are doing everything we can to provide more places for the borough's pupils.

- ii. where the school has a religious character, a statement and supporting evidence of the demand in the area for education in accordance with the tenets of the religion or religious denomination;

- iii. where the school adheres to a particular philosophy, evidence of the demand for education in accordance with the philosophy in question and any associated change to the admission arrangements for the school.

25. If the proposals involve removing places—

- i. a statement and supporting evidence of the reasons for the removal, including an assessment of the impact on parental choice; and

N/A

- ii. a statement on the local capacity to accommodate displaced pupils.

The expanded school will remain suitable for all pupils who currently attend Princess Frederica CE Primary School. There will be no displaced pupils.

Expansion of successful and popular schools

25A. (1) Proposals must include a statement of whether the proposer considers that the presumption for the expansion of successful and popular schools should apply, and where the governing body consider the presumption applies, evidence to support this.

(2) Sub-paragraph (1) applies to expansion proposals in respect of primary and secondary schools, (except for grammar schools), i.e. falling within:

(a) (for proposals published by the governing body) paragraph 1 of Part 1 to Schedule 2 or paragraph 12 of Part 2 to Schedule 2;

(b) (for proposals published by the LA) paragraph 1 of Part 1 to Schedule 4 or 18 of Part 4 to Schedule 4

of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended).

Please refer to Question 24 for the need to expand Princess Frederica Church of England Primary School.



A Public Consultation

A Proposed Expansion of Princess Frederica Church of England Primary School

**For this document please see Appendix 1 of the main report
above**

Notes from the Princess Frederica Public Consultation Meeting

11 July 2013 at 7pm

Panel:

Andrew Moss, Chair of Governors (Chair of this meeting)

Judith Joseph, Local Authority Representative

Cheryl Painting, Local Authority Representative

Lisa Cummings, Local Authority Representative

- Approximately 40 people attended mainly residents from the local streets, many of which had children in the school. Many had copies of the consultation document with them. Copies were left on each chair.
- Andrew introduced the panel and explained that the school was first approached to expand in November 2012. The school has a confined site but the feasibility study showed that it is possible to expand to 3 forms of entry. After many questions to the LA the governing body vote to commence to the statutory consultation stage and see how the community feel about it.
- Judith explained the need for more school places e.g. increase in birth and fertility rates, migration into the borough, new housing developments and many Brent residents without a school place.
- Judith explained that the council has had a programme of expansion since 2006 and have created over 4000 primary places (temporary and permanent) but still the demand outstrips the supply.
- Judith explained the statutory consultation process.
- Andrew showed the plans and explained how the structure of the school would develop.
- Cheryl described the design process.

Concerns raised were as follows:

- What is the incentive for the school?
- What if Brent pulls out of the deal or goes for the cheapest option?
- The school will be expanding on land that does not belong to the school
- Local residents would like to know what the demand for school places in the immediate area is
- Why is Manor Special School not used more?
- Why does the council not just build a new school?
- Why not have a one way traffic system outside the school so that congestion is reduced?
- The existing access to the school needs improvements
- A full transport assessment is required
- The school will be a building site for too long
- The site is too small for an expansion
- Why can't other schools expand?
- If other schools are expanding then there will be no demand left at this school

- A 2014 expansion is too soon, where is all the information about it?
- The children's education will suffer with all the building work taking place

Princess Frederica CE Primary School Consultation Responses Summary

Agree	44
Disagree	41
Concerned but no firm decision given, undecided etc.	<u>08</u>
Total responses received	93

For this document please see Appendix 4 of the main report below

Statutory Notice

Alteration to Princess Frederica Church of England Primary School

Notice is given in accordance with section 19(3) and 21(2) of the Education and Inspections Act 2006 (as amended by the Education Act 2011) that the Governing Body of Princess Frederica Church of England Primary School intends to make a prescribed alteration to Princess Frederica Church of England Primary School (Voluntary Aided), College Road, London, NW10 5TP. (DfE number 304303).

Princess Frederica Church of England Primary School is a voluntary aided school within the trusteeship of the London Diocesan Board for Schools. The Governing Body in agreement with the London Diocesan Board for Schools and in partnership with Brent Local Authority is proposing to expand Princess Frederica Church of England Primary School by creating a new one form of entry permanent provision (30 additional children in each year group). If this proposal were accepted Princess Frederica Church of England Primary School would offer a one form of entry permanent provision from 1 September 2014 through yearly progression; this would mean that the school would admit (30 additional children) in Reception class from September 2014 and this cohort would progress to Year 6 by September (2020/21). This means that the school will become a three form of entry provision and its admission capacity will increase from 420 permanent to 630 permanent Reception to Year 6 places. The current admission number for the school is 60 (2 classes in each year group) and the proposed admission number will be 90 (3 classes in each year group). In addition the school has a nursery with 30 part time places. The number of children on roll excluding the nursery according to the May 2013 school census was 408.

The proposal will be implemented by the Governing Body of Princess Frederica Church of England Primary School with Local Authority support. Princess Frederica Church of England Primary School will expand to provide one additional class in each year group (210 new permanent primary places in total) from September 2014, subject to planning permission. The enlarged Princess Frederica Church of England Primary School will continue to offer mixed provision for pupils in Reception to Year 6 and the school will remain a voluntary aided school within the trusteeship of the London Diocesan Board for Schools. There will be no change to the existing admissions arrangement at the school.

The Local Authority has completed a feasibility study which confirms that the provision of one additional form of entry primary provision is possible within the current school site, subject to planning permission. All applicable statutory requirements to consult in relation to these proposals have been complied with. There will be no change to the existing Special Educational Needs arrangements at the school.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from: Judith Joseph, School Place Planning Officer, Children and Families, London Borough of Brent, 5th Floor, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ. Email: judith.joseph@brent.gov.uk. Alternatively a copy of the complete proposal can be obtained from:

<http://brent-consult.limehouse.co.uk/portal/candf/schexpansion?tab=files>

A limited translation and interpretation service is available upon request from Judith Joseph on 020 8937 1061.

Within four weeks from the date of publication of this proposal any person may object to or make comments on the proposal in writing by sending them to Judith Joseph, School Place Planning Officer, Children and Families, London Borough of Brent, 5th Floor, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ. Email: judith.joseph@brent.gov.uk. The last date for representations is Thursday 14 November 2013.

Signed: The Governing Body, Princess Frederica Church of England Primary School

Publication Date: Thursday 17 October 2013

Explanatory Notes

- **The proposed accommodation for the expansion by one form of entry would be of a permanent high quality construction linked to the main school building. It will be built to optimise educational standards.**
- **The proposed building works are due to be completed by April 2015**
- **All children currently on roll at Princess Frederica Church of England Primary will remain pupils of Princess Frederica Church of England Primary School.**
- **The nursery will continue to offer 30 part time places.**

Princess Frederica CE Primary School Consultation

Responses Summary

Agree	44
Disagree	41
Concerned but no firm decision given, undecided etc.	<u>08</u>
Total responses received	93

	Comments, questions & concerns raised [disagree and no decision]
	Other Schools
1.	I understand that more places are needed in the borough, but for this other plans should be made by the council - i.e. building a whole new school or use existing buildings (instead of selling those) and modify those to schools i.e. the Gwenneth Rickus Building.
2.	Other schools in Brent who have the space – like Malorees – have flatly said no. Why aren't they being pressurised?
3.	The government needs to find a way to build more schools. Also pressure needs to be put on schools with the space, not those that obviously do not.
4.	Leopold is expanding, College Green Nursery School has been given a derelict site and funding for 2 x reception classes and 1 x Yr 1 class, Kensal Rise is becoming an academy and can only attract. Furness is improving and Capital City Academy is hoping to open a primary school. These schools are all in a much better place to deal with the shortages in places than Princess Frederica. They will all be in direct competition with Princess Frederica.
5.	I believe Brent is cutting corners and should build brand new schools in Harlesden from scratch.
6.	Kensal Rise school is being taken over by an outstanding Academy and Malorees is on a huge site with a popular Headmistress so who is going to want to apply to Freds which will be crowded and you need to go to church to get in. It may become a huge unpleasant white elephant struggling to fill places.
7.	Kensal Rise Primary is another example of a school that skews local data. Kensal Rise is undersubscribed by local families (due to poor Ofsted ratings/performance), however the successful Ark Academy is taking over from September, and it is reasonable to expect that performance will quickly improve, and therefore the school will become a draw for local families, further reducing local need. With these points, as well as other local provision in development (Malorees, Capital City, etc.) the local need for Princess Frederica to expand is debatable.

8.	There has been scant mention that the previously under performing Kensal Rise Primary School will reopen as ARK Franklin Academy, a three-form entry primary school in September 2013. ARK Schools is an education charity and one of the country's top-performing academy operators. If the reason behind the PF expansion is truly to fill the deficit of primary school places in good schools this new ARK school is a huge boon to the community and an incredibly important factor in this debate.
	Keep the school small
9.	My wife and I chose the school for our children based partly on its size. We did not choose a three-form entry school and we don't want one now.
10.	The school may lose its small community feel. I strongly believe children are healthier and happier in a small school.
11.	The community is our soul but a school community is our young heart. How can this school community thrive if this school can never sit together to enjoy each others performances and assemblies, nor sit together to eat, or sit together to pray, or play together, because they are simply too big to beat as one?
	Admissions
12.	I agree kids in the immediate area should have priority. All Miss Netley needs to do is change the admissions policy, WHY does she not do this?
13.	If Princess Frederica really is concerned about not having spaces for children from the local community then the admissions policy would have been altered years ago. While I understand the ethical dilemma of not having space for everybody, the governing body has encouraged children from further afield to come to the school taking priority over children from the local community for many years. This is a separate admissions issue.
14.	Presently Mr Wilson and Mrs Netley are able to 'know/recognise' all of the children in the school making the pastoral care exceptional. Increasing the number of children will mean the Mr Wilson and Mrs Netley will not recognise a third of the children in the school making the quality of pastoral care poor.
15.	I do think the criteria for enrolment in the school should be changed.
	Lack of Indoor Space
16.	The school is already offering 50% less than the recommended space to pupils.
17.	Not being able to fit everyone into the school hall for Assembly or into church at one time I think would be a huge loss to the community feel to the school and should not be underestimated how extremely sad that would be not to be able to get the whole school together at certain key times.
18.	Discounting all the other perfectly valid reasons to oppose the expansion the crux of the matter is that there simply is not enough space for the current number of children let alone more. No amount of dubious calculations will take that away. I hope that legal representation will be able to close this matter down so it can stop here without any more distress for all concerned.

19.	There simply isn't the space. I believe the building disruption would be too great and there will be too little space per pupil however brilliant the design is. The footprint is just too small. There is already very little outside space for the children.
20.	I feel the school is not fit space-wise to accommodate the number of children proposed.
21.	I cannot see how the school can possibly accommodate more children comfortably, or deal with increased parent traffic.
22.	I understand that places are needed in Brent primary schools, which makes sense. But I also think of all the disruption and work going on over several years. I also find it hard to agree whether having yr 6 and nursery in one block separated from the rest of the school is not a good idea.
23.	School fair/assembly/ school shows. There's already not enough space in the main hall, where would you put all the other parents?
24.	I don't want my children to take their studies on a building site.
	Lack of Outdoor Space
25.	Princess Frederica primary school is perfect as it is. The plans would most importantly limit the outdoor space the children have to an absolute minimum. More importantly the children will be herded around and with not enough space to run freely at playtime.
26.	The playground is currently too small and will get even smaller –even though the embankment is being changed (this land belongs to Network Rail and not the school).
27.	The current number of pupils on the PF site is already at a maximum. The human, car, minibus and bike traffic along College Road and Purves Road is critical. On the actual school site the playgrounds are already below the recommended ratio of pupil to recreational space. Modernisation as is proposed to the entrance and exits of the school will have no impact on the above access issues.
28.	As a child I went to a C of E school and had to use a playground on the roof. A playground on a roof is not a playground, they are restricted and anti-play. They are certainly not what I would want for children today.
	Traffic and Parking
29.	There are road rage incidents outside the school on Purves Road on a weekly basis. The pavement along the (College Rd) bridge in the morning is often so busy that children step into the road to walk to school. This is highly dangerous in itself despite the added hazards of illegally parked 'drop off' traffic and no lollipop person in situ anymore. Construction traffic would aggravate this.
30.	The streets around the school are already heavily congested at drop-off and pick-up times as Purves Road is a busy, two-way street close to a tube station. There's a safety issue here too. Already on many mornings the street is blocked by parents' cars leaving no way for emergency vehicles to get through.

31.	The school already takes up a large proportion of the parking around the school, with residents parking permits issued to non-resident teachers and the school vans parked in residents' bays for days on end. Increasing the capacity of the school will lead to more parking problems, greater congestion and increased road safety worries.
32.	Princess Frederica is a busy and lively school that already has detrimental effects on residents in terms of traffic, road safety, noise and disruption. These plans seem to be going ahead without any suggestions as to how these large increases in traffic, pollution, noise and footfall will be managed.
33.	The school is on a residential street and surrounded by small residential streets. The streets cannot handle the additional footfall and traffic flow that will be entailed. Purves Road is first and foremost a residential street - there is no room for the extra pupils, parents and traffic that 210 new pupils would bring.
34.	The pavement is narrow and traffic congestion will increase. There is already difficulty in the negotiation of entrance and exit to the building.
Noise / Behaviour	
35.	As a busy, inner-city school on a very small site in the midst of a residential area St Frederica is necessarily quite noisy. After-school activities and weekend events mean that residents are used to noise from dawn to dusk, five or six days a week. Extensive building works and 210 extra pupils, extra parents and extra activities will bring even more noise and disruption with, as far as the residents can see, no provision to try to minimize the increased volume.
36.	The problem is the lack of street control/discipline during school drop off collection.
37.	Increasing pupil numbers by nearly half would bring this noise and disruption up to unacceptable levels.
Funding	
38.	Can you confirm your funding groups and how much they provide as well as any planned finance opportunities you may be pursuing?
39.	I don't trust the funding will be there. Come a change in government in two years and it might all be thrown out. Look what happened to Queens Park Community School. Promised the world – then nothing. Look at what happened to the library.
40.	I worry that insufficient funds will be allocated to allow the proposal to be completed, so compromises will be made along the line to come into budget.
Decision making	
41.	<p>We parents have never been asked if we were happy for the governors to make such an important decision on our behalf, with or without a consultation process.</p> <p>It isn't acceptable that a decision that will detrimentally affect <u>our</u> two children's school experience could be taken by <u>others</u> and without our views being properly represented.</p>
Lack of information	

42.	I have not seen a comprehensive argument re the educational benefits of expansion, all that has been determined is that in volume terms more children could attend, but with diminished facilities what will the quality of learning be like.
43.	<p>Looking through the consultation document I am very surprised that the school's neighbours, residential and commercial, have not been included in the list of consultees. To the best of my knowledge I have not received any information through my door. Changes to school size will have an impact on us all, affecting traffic and increasing congestion on the narrow pavements which, with young children, must raise the risk of accidents involving children and traffic. It would be good to be part of the flow of information.</p> <p>Please can we be included and have the opportunity to be involved. I do hope you agree this is important.</p>
44.	<p>We understand the consultation period for the expansion has been running for quite some time yet we (residents) were only informed at the beginning of this month, being July 2013.</p> <p>We have talked to our neighbours on the street and it seems that little if any information has been given to them about the new planning proposals. We are all concerned about the large scale of the development and the effect this will have on us, the street we live on and our surrounding community not to mention the light we will lose from our garden which we will address on a separate letter as we are taking planning and legal advice regarding this. We feel surprised and disappointed at the lack of communication and information that has been provided to residents living in such close proximity to what has the potential to cause such major disruption to our lives.</p>
45.	If the statistics are correct that there are only 11 local children without school places, we need to think again very carefully about expansion. If the new places will go to children outside of the local area, this will potentially increase traffic in the area and not serve the local community. I would like to see Brent's statistics on needs of LOCAL children. I would also like assurance that the new places will be open primarily to local children.
46.	The consultation process has not been allowed to be anonymous. I think this is a mistake, particularly for teachers who may feel compromised by expressing their views. It is too late to change this now, but needs considering when looking at the consultation feedback.
47.	<p>More detail is needed about works proposed and guarantees that Brent Council would allow the school/Governing Body significant control over chosen contractors/architects.</p> <ul style="list-style-type: none"> • Guarantees that there was sufficient funding to improve the entire school site, and not just build new classrooms. • Further information to demonstrate that the quality of teaching provision need not be impacted by the size of a school • Further information about how the issue of traffic/site congestion will be dealt with.

48.	<p>I would like an assurance that the expansion of primary schools is not being carried out on an ad-hoc basis but is part of an integrated and planned borough-wide approach. And that that is not only driven by the need to provide additional places but; among other factors, has identified where those places are needed, and is part of a wider drive to improve educational standards across the borough etc...There is mention of a Brent wide education strategy in the consultation; is this publically available?</p> <p>I am assuming demographic data must be available - supporting the case that increased birth rates are a long-term issue and will not be a short (or relatively) short-term issue which were it the case might have different policy implications for school place provision.</p>
49.	<p>I still don't understand why the former Kensal Rise Library is not an option. It would be ideal. I am still not clear why Brent couldn't get behind this idea and make it work. Let's give it a good use and put some classes there.</p>

Examples of the responses received during the Representation stage of the statutory consultation against the proposal to expand Princess Frederica CE Primary School – [personal information has been removed]

I am a local resident and feel that the expansion of the school will be detrimental to the local environment, the quality of life of the residents, the efficiency of the local infrastructure and the experience of the schoolchildren themselves.

The increase of pupils from around 400 to 600 seems extreme. Princess Frederica has a reputation as an excellent school and I suspect that such a significant increase will challenge the quality of the education received by the pupils. Certainly the reduction of their outside playground space and the upheaval of two years building work will not improve the environment for them.

As residents we already have to struggle with clogged streets in the immediate environment, chaos at school opening and closing times and considerable noise created both during the week and at weekends and during school holidays when functions and events continue. The local residents seem to have no influence over the proposals for traffic measures, pavement expansions and possible parking restrictions or removals which will undoubtedly be inflicted on the area to make the absorption of such increased numbers possible. Certainly, without a new one way system designed to incorporate the surrounding streets, including Purves road, College road and Ashburnham road I struggle to see how the traffic will be managed. This idea does not even seem to be considered in the present plans.

The proposed new building does not seem to have much sympathy with the surrounding neighbourhood of low rise terraced houses and will certainly not be an aesthetic enhancement. I have already voiced my objection to the proposed plans but the requirements of Brent Council and the ambition of the board of governors at Princess Frederica seem to trump the rights of the local residents to be seriously considered in this whole project.

I am a parent at Princess Frederica, CE VA Primary School. I am very concerned with the school and Brent Council's expansion proposal for the following reasons:

Firstly and most importantly I am upset with the general safety issues this would create. The roads leading up to the school are already a hazard for parents and children trying to get to school, this will only further endanger our children. I have witnessed on numerous occasions dangerous driving which has resulted in prams being hit and children being almost run over. This is not alas an exaggeration! Apart from the issue of road safety, I am also worried about the physical disruptions that will occur in the school.

These include:

- Cranes on the school premises
- Noise
- Dust
- Fumes
- School run vs the lorries
- No main playground

- No outdoor PE
- No outdoor clubs

And there will be so much more disturbance during the work completion which is expected to last well over a year. I am a supporter of Princess Frederica as are many parents. It provides an excellent standard of education for our children but I am worried this will all be put at risk by the expansion.

I would appreciate acknowledgement of this email and that my concerns, which are from my understanding common concerns amongst the parents will be taken into account when the final decision about the expansion is taken.

I am writing to you to express my opposition to the proposed expansion of Princess Frederica. My reasons are that the school outdoor areas will not be acceptable for the current pupil intake plus an extra 33%, as the proposal states. Furthermore, i feel that rather than putting more pressure on a school which is already oversubscribed, the council should direct their energies towards improving the other schools in the area. These schools are becoming more popular and also have more outside space.

Finally, the current admission system for Princess Frederica should be looked at as well. As the council states that it wants to turn the PF into more of a neighbourhood school, then they should investigate other ways of letting local people in, instead of going by a church attendance record, irrespective of whether or not you live in the area.

I have grave concerns over the proposed expansion of Princess Frederica School. The fact that the expansion would mean no school dinners, no large playground for PE and team sports, noise, dust, fumes and further permanent everyday congestion on an already very congested street and pavement would have a hugely negative impact on our children's school life which would impact on their education and development. Princess Frederica is a small, nurturing school, please keep it that way and do not try and stretch it - making it unworkable. My 9 year old daughter was in tears last night at the mere suggestion that there could be no outdoor PE and lots of noise.

I strongly object the expansion of Princess Frederica School- it will ruin the community feel of the school and in turn the pastoral care given now will be lacking. On top of the two years disruption for the children's already at the school the building proposed is far too large for the school footprint.

We would like to voice our objection to the Princess Frederica School extension. The school will be a building site for 2 years and upon completion will be very small space with little public areas for so many children.

I am aware that any objection seems futile as once the "Brent Council" has decided, it seems that decision has already been made and money has infact exchanged hands. Allowing us, the general public to "voice" our opinions and offer us an option to object is a form of public relation exercise to "entertain" the tax payers to thinking they have a choice. Which infact, they do not. We do not live in a democracy.

I would like to register my strong opposition to the proposed expansion of Princess Frederica School. I have two children at the school and whilst I appreciate Brent's position in that we are short of primary school places, I cannot put that over and above my feelings against the expansion in terms of protecting the school environment the children there currently enjoy and the impact on the local environment.

I have been to various meetings and have not been reassured in any way that the building works will not cause major disruption to the children (lessons, school meals, pre school and after school clubs that are not just beneficial to the children but essential in allowing us working parents to continue working) and that it will change this school for the better. I also think the proposals to try to reduce the impact on the congestion of the area at school times are naïve.

I think a lot of parents oppose the expansion but are afraid to voice their views or have not made the time to voice them to the right people. That doesn't mean they do not care or are in favour.

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We are writing to voice our opposition to the proposed expansion of Princess Frederica School:-

1. We are residents on Purves Road, almost opposite the school.
2. The approach roads in this area are narrow and already heavily congested, especially in the mornings and late afternoons when the school day commences and ends.
3. In addition to the narrowness of College Road and 2-way traffic on Purves Road there is a further parking problem already aggravated by incoming teaching and admin. staff at the school. Residents' parking is becoming increasingly difficult and this, of course, tends to be made worse by the increase in the number of cars per family in the road.
4. At present the general standard of education attained by the pupils is of a high standard. With the expansion of class sizes this is likely to be difficult to maintain. We therefore run the risk that a centre of excellence will not be able to maintain the current standards and be a great loss to the community.
5. We understand that a high percentage of the likely new entrants would come in the category of not having English as their first language. Whilst we appreciate that these children have to be accommodated in the system, is it not better to initially keep them at schools not attaining such high standards and avoiding ruining a good school?

All in all we feel that there must be schools in less congested areas where the spread of the anticipated intake could be more satisfactorily accommodated.

I am writing to object to the proposed plans to expand Princess Frederica Primary School. I am the parent of two boys in the school. My other child also attended the school and is now at secondary school.

The site of Princess Frederica just isn't big enough to cope with another class – the classrooms and playgrounds are already at their limit. I have looked at the proposed plans and, with two active boys, am not at all happy with the proposed provision of outdoor play space. At the

moment parks close at 4.30 so playtime at school is the only chance children have to run around in the daylight hours. This is crucial to their health, wellbeing and learning potential.

Walking my children to school every day I am struck by the chaos of vehicles round the school – traffic is often backed up to Harrow Road and Purves Road is logjammed and unsafe to cross. This will only get worse with extra numbers.

I think three forms is just too big for a primary school and needs to be handled very carefully. One of the best things about Princess Frederica is the family atmosphere and the fact that children know each other across the years. This is because of shared activities – clubs, shows, sports activities – that they do together that just wouldn't be possible in a bigger school. At my own 3 form inner London primary school I don't remember any other children beyond my own class.

Finally I am absolutely opposed to proposal of taking on an extra reception class in September 2014, at the same time as the building work is taking place. This would mean a very disruptive and chaotic Reception year for 90 children – a crucial first year of school.

I wish to register my objection to the planned expansion of Princess Frederica School.

I am a local resident and in no way anything but supportive of what is a good and well liked and championed school. All my immediate neighbours, both below and on both sides, have children attending this school. I know other street residents and other parents in the community who send their children there.

My main objection is twofold. It is clearly evident there is really no available land space for extension. Extending upwards seems to me to be architecturally creative, but inappropriate for small children. An extra form entry, which would expand the school by one third in numbers, with no further land space, is to create what is inevitably overdevelopment. It is cramming and in this day and age should not be permitted. A Victorian Building should not produce a Victorian mind set.

My second objection on this broad principle of lack of space is that the two roads which surround the school - Purves and College, including a bridge, are both narrow, and are already busy during the day. More children means more parents and that means more pedestrians and more vehicles on these narrow roads. More parking will be needed if there are more staff to cater for a third more children. Even though this would be created over several years, the numbers will still expand whilst the space does not.

There is an immediate problem, as there is with all development, which is the management of the building works and traffic management and the inconvenience which this will cause to the local area. I should point out, also, that there is in train a proposal for the redevelopment of Kensal Rise library and its conversion into flats. I don't think both these building works could be managed at once and the residents of surrounding streets Clifford, Bathurst, - narrow and one way - College Road, Purves Road be expected to put up with building chaos and endless parking problems and blocked roads, let alone the noise, and dirt, for two years. This would be wholly intolerable, as well of course highly dangerous as there has to be access for emergency vehicles such as Fire, and Ambulances and police vehicles.

Finally, one of the reasons, I believe, given for this expansion is that there is an urgent need for primary places in Brent. But Brent is a very large borough with some very different demographics. I am not aware how much of this need is really in this local area, or indeed, how this local area is actually and specifically defined and whether it could not be accommodated in the newly refashioned ARK school on Kensal Rise, which has more space. Moreover, if Brent has to take an overall view of school provision, it might look at the use of the Manor School on Salusbury Road. According to its latest Ofsted Report it had 132 pupils. The buildings look rather capacious, though of course much extra space is needed for what is a special school with quite different needs and everyone accepts that. But is this a local school or a borough one? Local Authorities have to deploy their resources effectively on a borough wide basis and this is surely worth considering rather than expansion when there is no real space to do so.

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As a long term resident of Purves Road, I have serious concerns about the expansion of the school. The roads in the area, particularly the one we are on (and on which the school is) are already suffering from the traffic generated by the school, especially the parents - and we frequently cannot park here because of this. Such a large expansion of the school will only make things worse.

The situation is bad enough as it is now, with it being very difficult for residents to find parking spaces in the KR area we pay as residents to park in. There are frequently long queues of traffic at the school dropping and picking up times, which seriously inconveniences residents, not to mention the numerous special events which are held at the school where the entire road is jammed. Already this is not being policed by traffic wardens who turn a blind eye to all the parents taking up residence bays, So in fact there is no enforcement of the existing parking rules.

The idea of making the street one way because of the school would just be an added inconvenience for those of us living here, and will not solve the problems caused by the proposed expansion.

I think this expansion is inappropriate, given the fact that this is a densely populated residential area with small streets, and therefore should not go ahead.

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I oppose the expansion of the school for the following reasons:

School

- There will be more children in less space.
- The school will be turned into a building site for an indefinite period
- The children will suffer from the dust and fumes.
- The noise will cause discomfort and disrupt the children's learning.
- Their playground will be urbanised and lose its green space
- Further buildings will dwarf the children in their perception of the environment.
- The school already struggles with the numbers as they are
- The lunch rota will be even more stretched out so hungry children will have to wait longer before they can eat.
- An increase in pupil numbers will lead the school to lose its sense of friendly intimacy and

cause the teachers to focus on crowd control

Environment

- The streets around the school are already very overcrowded and dangerous (particularly College Road and Purves Road) and this problem will become further exacerbated
- Both people and traffic congestion will increase in the area. Expansion of numbers will mean that more people will be travelling from further afield, leading to more car journeys, increased parking in the limited spaces available and possibly more illegal parking on double yellow lines, etc.

Alternatives

- I think a better solution is to expand another school such as Kensal Rise primary school on Chamberlayne Road.

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I've just viewed the plans in detail and how it could be thought that having a playground on the roof would be considered a reasonable thing for residents to accept is beyond me. The noise would be ridiculous, as well as the idea that being overlooked in ones own home is unacceptable

As for the open staircase right next to the poor people in no128 to the right of the front evaluation, it shows the planners have no regard for the neighbours, and have not even tried to contain their plans towards the centre of the plot and the playground, and are happy to spread the noise and disruption where they please with no regard for residents

The back of the plot is by the rail tracks, away from residents, but this seems to have been ignored! I find these plans unreasonable, selfish, and ill designed, and I will join my fellow residents in fighting this proposal

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I would like to register my vote against the expansion of Princess Frederica Primary School NW10.

I do not believe there is enough space - both in the school such as play ground space and especially PE outdoor space such as football and also space outside the school such as the roads and pavement space. It is a very residential tight area and anymore traffic and people will cause a lot of extra congestion.

I do not believe Brent has thought it through properly and cannot believe their incompetence in approaching the school when there are other ways of doing it. What about free schools - Capital City and Seacole? What about schools with 3 to 4 times the amount of space like Malorees? Why are they not Brents first port of call?

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I am writing to formally lodge my opposition against the proposed expansion of Princess Frederica Primary School.

I have been to most of the consultation meetings, read all the communications, and understand the process. I know it is the school governors who will make the ultimate decision but I want my views also to be lodged with the council and I understand today is the deadline. I am a parent at the school and a local resident very close to the school on Hiley Road.

I have thought long and hard about whether to object as I can see the upsides for the school in terms of better facilities and more robust future funding through the pupil premium. I can see the community benefits in being able to offer more places to local children. However my view is that there is not - and never will be - sufficient access to accommodate more children arriving from and leaving the school. From a personal perspective nor do I want my child and younger children to be going to school during a period of construction at what is a critical stage in their education.

In addition to space, I also feel that the location of the playground, together with the height of the building, will mean that our children will have nearly no sunlight coming into the area during the coldest and wettest months of the year.

I believe this to be unacceptable for children who already have little outside space and contact with nature - often at home as at school.

I believe this will negatively impact on their state of mind and emotional wellbeing, creating a learning environment that will fail to benefit, inspire and promote.

Examples of the responses received during the Representation stage of the statutory consultation in support of the proposal to expand Princess Frederica CE Primary School – [personal information has been removed]

We support the proposed expansion of Princess Frederica Primary School on College Road/ Purves Road. Not only is this tight knit community - with plenty of young families - crying out for more primary school places, but we believe the re-development is a positive one. We believe that the designs are sensitively done, are well proportioned, and are in keeping with the character of the neighbourhood. Please register our support in the planning consultation.

As a local resident and parent, I wanted to email my support for the proposed expansion plans for Princess Frederica School. I hope that they go ahead and more children are able to attend/benefit from the school.

I wanted to email my support for the plans to extend Princess Frederica PS. We live locally and have an infant daughter. I am already very concerned about nursery and school places for her. Although I understand this is a Church of England school, I do object to the preference given to church goers and feel it should provide for the local communities needs. There is a risk that the expansion will increase traffic if people are coming from further afield so think this issue must be addressed as part of the expansion plan.

I am writing just to let you know that my husband and I do support the expansions work at princess Frederica primary school. We do believe that there are lots of family waiting for school places. The design of the expansion is sensible and does not affect the character of the area/neighbourhood. Could you please add our names for the agreement of the planning consultation.

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This is an email in response to the expansion of school. I am very much in favour of this expansion.

I feel it is good for:

- Children to go to school near their homes.
 - More opportunities for teachers and other staff.
 - Extra funding for the betterment of school.
-

My partner and I strongly support the expansion of Princess Frederica Primary School in Kensal Rise. As local residents and parents of a baby we are acutely aware of the need for more school places in the area. Please approve the scheme.

As a concerned local parent to two small children soon to become of school age I would like to register my support to the proposed expansion of Princess Frederica CE VA Primary School in order to meet the rising demand for school places in this area.

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As a member of the teaching staff at Princess Frederica, I would like to express my support for the expansion of the school. I believe we offer a good education, which could be open to a wider number of local children, were the expansion to go ahead.

Having had a meeting with Brent Council, the teaching staff understand the need for further school places in Brent. We have a site which could accommodate the extra children, with sufficient space for outdoor play.

I have seen the posters displayed locally, opposing the expansion, but many of the comments made are not based on evidence. There seems to be a misunderstanding of the effects the building work would have. Although I realise there will be a smaller playground during the reconstruction of the site, the long term benefits of an additional new building do not seem to have been considered by those in opposition to it.

The staff at the school were balloted on their views and came out strongly in favour of the expansion. We can see the advantage of working with a larger group of colleagues, to share expertise and experience. Children are all valued as individuals in the school, which would continue to be the case in a larger school.

I hope the expansion goes ahead, for the benefit of children in the local area.

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I would like to document my support for the proposed expansion of Princess Frederica School. There are so many reasons why it should go ahead here are a few

- Firstly it is unfair that local children are refused places at their local school. The school is at the centre of the community and it is important that children grow up understanding it and respecting the neighbours and the area.
- The expansion will ensure more school places for local children
- The funding will ensure the school is available to children for the next 100 years!
- The funding will ensure a safe and healthy environment for our children
- The expansion will ensure a better work place for the schools teachers, headship and staff and therefore make it a desirable work place enabling the school to retain good staff.
- The school is currently trying to get by on a Victorian collapsing drain system that is making the toilet facilities unsuitable for the children and makes the school smell.
- The school desperately needs the input of cash that would allow for the repair and restructure which would give the school better use of the space they have and easily fit in extra students.
- The area is congested by school run traffic, this expansion should ease it by allowing extra access points and hopefully this will lessen the inconvenience to local people and businesses

So many parents are against this plan but it seems to me they are not looking at the long term benefits for their children and the community and are rather concentrating on the shorter term upheaval and small inconveniences to parents such as packed lunches, not being able to drive to

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school and there will be some inconvenience to the children, but I am confident they will take it their stride and might even find it exciting. I am sure the excellent team of staff and teachers will guide and support the children through the period. These are valid points but not enough to stop the expansion.

I would like to express my support for the proposed expansion for the following reasons:

1. The school is in desperate need of repairs. The Victorian drainage system means that the school children's toilets are blocked every afternoon rendering them unusable. My child complains about this daily.
2. My child did not get a school place at PF at reception stage. We were told there were not enough places despite living 2 minutes away from the school. This meant my child had to go to a temp reception class at another school for a year and still at year 1 my child still didn't have a place and we were forced to keep my child at home rather than to a school further away. My child was finally offered a place during the first term of year 1.

This school needs more places, the lack of spaces will get worse not any better. There is a duty to provide school places for local children.

The expansion plans have been well thought out and although There will be upheaval for the interim, the pros far out way the cons and more children will benefit from the expansion than suffer the upheaval in the long term. And that's my point in a nutshell really these plans have long term benefits for all the children to come. It's not just about the children there now. My child goes to PF now and she will be disrupted by this but to fight the expansion on that basis would be selfish and above all short sighted.

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I would like to express my heartfelt support for the expansion of Princess Frederica School.

It is an establishment that excels in its educational achievements – I know that as a father of two children currently at the school. And I believe that given the right architectural & planning approach, it would be possible to make that academic excellence available to more children in Brent. I believe it is a moral duty for the council to do all it can to proceed with the expansion, as long as there are safeguards in place to ensure that the increased numbers at the school do not negatively impact on the education being offered - in the long term.

In the short term of course, there will be difficulties faced by having a new structure built on the site. But as a father with children at the school I do not consider these will hinder their education, and am happy to put up with some inconvenience if it means that more children can attend the school in the future. I also think the school will need the extra money that it would receive for new facilities – without that the school's infrastructure would not be updated.

There is a lot of deliberate misinformation being spread by certain elements in the local community, and among some of the parents of the school, designed to misrepresent the expansion and its benefits for pupils now – and its benefit for future pupils. I would urge you to give careful consideration as to the real motives of those who are anti-expansion. I believe they are not

motivated by the best interests of the children, but by an irrational fear of change – and man short term, selfish considerations.

Please proceed with the expansion to ensure continued academic excellence at Princess Frederica – and to ensure it can be shared by as many deserving children as possible.

I am writing to offer my personal feedback for the proposed school expansion at Princess Frederica CE VA Primary School in Kensal Green. Having attended the consultation evening, reviewed the plans and supporting documentation online, I would like to offer my overwhelming support for the investment and development, albeit with some clear requests for mitigating the inconvenience of the development.

It is a matter of principle that Brent is legally obliged to provide primary school places, and a matter of fact that there is an imminent local shortfall. It is common sense that the best schools should expand, as long as the quality of education and the school environment is not compromised. I cannot pass comment over the threat to the quality of education from the expansion; for that I must bow to the recommendations of the Board of Governors. If they say that it will not reduce the quality of education, and if they do their job effectively, then the net result is 230 more high quality school places. If the opposite is true - then there are bigger issues to address.

Princess Frederica and its aesthetics is an integral landmark to the local area. The proposed development does not alter the Victorian principal structure, but moreover removes both the connecting 60's built block that is unsightly and out of keeping, and also the seemingly unplanned area at the far end of the site. Building an ordered structure that links the two building with a common fascia of London Stock bricks will only bring harmony to what is currently a school of mixed appearance. If there was an opportunity to acid wash the existing building to bring the bricks back to the same colour spectrum as the new building, then the end result will be an even more beautiful school.

As a local resident, however, I urge you to mitigate the inconvenience of the build in the following ways. The amount of waste material to be removed and building material to be delivered will be extensive, requiring wide heavy goods vehicles with large turning circles. Access to the site should be restricted to Purves Road via Chamberlayne Road, avoiding College road at all times. College road is a single lane road which is congested at peak times. Lorries travelling on this road will only cause wider congestion. Secondly heavy goods vehicles should be prohibited from accessing the site outside the hours of 1000 - 1800hrs. This will further mitigate the natural congestion by traffic. Thirdly, heavy goods vehicles must be required to park on site, and not park on Purves Road. It is commonplace for vehicles to wait on the street just next door to building sites. Purves road is too small for this to be acceptable. Fourthly the digging of pilings will no doubt be a noisy stage in the construction. This should be restricted to weekday office hours.


In terms of the planning of the expansion, I have some concerns that I would also like both Brent and the Governors aware of. The risk of cost and timescale overrun are very real in any civic infrastructure investment. The procurement process should ensure that these risks are shouldered by the contractor or Brent, and the School remains protected. A fixed price build with penalties may be a slightly higher initial price, but with lower risk. The risks of overruns are serious - both to the quality of education and inconvenience to residents, so I urge you to take a conservative approach.

I am aware of a vocal opposition to change in principle. I would strongly argue against this, as I consider the plans an infrequent opportunity for Investment and development. In an age of

austerity, it is far better to secure £5m of funding to improve and expand a school, rather than throw piecemeal amounts of insufficient budget to provide marginal improvements on an annual basis. Schools are all about investing in the future, and I believe that rejecting investment for the protection of the present few is misleading at best, and hypocritical at worst. It is pleasing to see that the Governors are progressive enough to understand that Brent is changing. Government funding sources are changing, and that they need to embrace and capitalise on this change rather than insulate themselves from it.

To respond to the charge of diluting the community, I believe that this is already addressed by the Schools plans for adjusting its catchment area. Having a more local student population will inevitably improve the community feel, reduce the need for car-drop offs and therefore reduce traffic. I hope that the board, staff and pupils would be prepared to celebrate their opening of the expanded school by thanking local residents, especially those on Purves road for their patience through the inconvenience. That would strengthen a community far quicker and wider than the alternative: doing nothing.

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 Brent	<p>Executive</p> <p>13 January 2014</p> <p>Report from the Acting Director of Children and Families</p>
<p>Wards Affected: ALL</p>	
<p>Authority to award a contract for information, advice and guidance for families of children attending children's centres in Brent aged 0 - 5.</p>	

1.0 Summary

- 1.1 This report requests authority to award a contract for the provision of information, advice and guidance services for families of children attending children's centres in Brent aged 0-5 to the Council 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 to whom the contract should be awarded.

2.0 Recommendations

- 2.1 That the Executive award the contract for the provision of Information, Advice and Guidance for families of children attending children's centres in Brent aged 0-5 to the Citizens Advice Bureau (CAB) for the value of £354k (for the first 2 years at fixed prices for each year) for an initial contract period of three (3) years from 1st April 2014 to 31st March 2017 with an option for the Council to extend by any number of periods up to an aggregate of two (2) years.

3.0 Detail

Background

- 3.1 The Council currently provides through its Children's Centres free information and advice on a range of subjects which is confidential, impartial and independent. The aim of the service is to design and deliver a service that recognises and addresses the need to diminish the inequalities suffered by individuals and their families and more specifically to tackle child poverty. The service contributes to meeting the strategic priorities of the Department as outlined in the Children's and Young People Plan and Children's Centres commissioning strategy outcomes:
- Safeguarding health and well being
 - Accelerate the rate of improvement of underachieving groups, narrowing and eliminating gaps
 - Provide access for the most vulnerable groups.
- 3.2 These services are currently provided under contract to the Council by the Citizens Advice Bureau (hereafter referred to as CAB) who have held this contract in Brent since April 2010.
- 3.3 Following a report to the Executive on 17 June 2013, Officers were authorised to invite tenders for a contract for information, advice and guidance ("IAG") for families of children attending children's centres in Brent aged 0-5 and evaluate them in accordance with the approved evaluation criteria.

The tender process

- 3.4 As a high value contract, it was tendered in accordance with Council Standing Orders 88 and 89.
- 3.5 A one stage or open tender process was followed. Advertisements inviting interested companies/organisations to tender were placed in the local press, trade journals and on the Council's E-procurement system, Due North. The organisations that responded were sent a full set of Invitation to Tender documents.
- 3.6 The tendering instructions stated that the tender would be evaluated to identify the most economically advantageous tender having regard to price and quality.

Quality

The Quality criteria listed below formed 40% of the evaluation weightings:

- Tenderers proposals for meeting the requirement of the specification
- Children's safeguarding issues
- Value for money
- Tenderers ability to meet the requirements of the Council's Pre-qualification Questionnaire (PQQ) in terms of financial, economic standing and technical capability.

Price

Price consisted of 60% of the evaluation weightings.

Attached at Appendix 1 is a copy of the evaluation methodology detailing the criteria, the weighting attributable to each criterion and how the method statements forming part of the tender fed into the evaluation criteria.

- 3.7 Despite over 20 organisations downloading the ITT documentation, only one organisation submitted a tender by the deadline date for tender submissions on 19th November 2013, namely the Citizens Advice Bureau (CAB). Notwithstanding, the sole bid received, Officers carried out a full evaluation of the bid to ensure that the bid could meet all Council requirements and offered value for money and could therefore be recommended for award.

Evaluation process

- 3.8 Evaluation of the tender was carried out by a core panel consisting of three managers from the service area (including the Head of Service). Officers from Procurement, Legal and Central Finance provided support to the evaluation panel.
- 3.9 All panel members read through the tender areas allocated to them using evaluation sheets and noted down comments on how well each of the award criteria were addressed by the tenderer.
- 3.10 The core panel then met to agree scoring. Members will note in Appendix 2 that for the quality criteria the tenderer scored 32.4% out of a possible 40%, consisting of ten scores of “good” and one of “outstanding” for the different elements of the tender.
- 3.11. Officers evaluated the financial aspects of the tender rigorously to ensure it represents value for money. Tenderers had been asked to submit fixed prices for each of the first two years of the contract. The CAB tender indicated a total price for this period of £ 354k. Based on the current spend of £176k per annum or £352k over two years, this equates to a small average annual increase of £2k on the current price paid and will be the first price rise since 2010 when the contract was first let. Please see table below.

Citizens Advice Bureau Spend for 3 Years			
Financial Year	2013-14	2012-13	2011-12

	£'000s	£'000s	£'000s
BUDGET	176	176	176
TOTAL SPEND	176	176	176

Evaluation Conclusions

- 3.12 Having evaluated and scored the tender, Officers consider that the tender from the Citizens Advice Bureau indicates that it will be able to provide the relevant services to a high standard with only a small increase in costs to the Council. Officers would therefore recommend that CAB should be awarded the contract for the provision of information, advice and guidance to families of children attending Brent's children's centres from the age of 0-5.

4.0 Financial Implications

- 4.1 The Council's Contract Standing Orders state that contracts for supplies and services exceeding £250k or works contracts exceeding £500k shall be referred to the Executive for approval of the award of the contract.
- 4.2 The proposed contract award to CAB for the financial years April 2014 to March 2016 has a contract price of £354k. Should the contract run for the additional 3 years allowed for then the total spend for the service is an indicative figure of £891k. (The additional three years have been calculated using the price quoted for year two of the contract by the supplier of £179k.)
- 4.3 The average increase in annual contract price of £2k in years 1 and 2 will be absorbed by the service within existing budgets.
- 4.4 The existing contract is funded from the Councils core funding stream.

5.0 Legal Implications

- 5.1 The Council has the necessary powers to enable it to enter into the proposed contract. Under the Children Act 1989 local authorities have various statutory duties in relation to children in need. Specifically, Section 17 of the 1989 Act provides that every local authority has a duty to safeguard and promote the welfare of children within their area who are in need by providing a level of

services appropriate to those children's needs. Disabled children and young people are defined as children in need by virtue of their disability.

- 5.2 In addition, the Council has powers under section 13 of the Childcare Act 2006 to provide independent advice and guidance service to its inhabitants and the general power of competence under section 1 of the Localism Act 2011.
- 5.3 The provision of an Information, Advice and Guidance support service is classified as Part B Services under the Public Contract Regulations 2006 ("the EU Procurement Regulations") and as such is not subject to the full application of the EU Procurement 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 within 48 days of award). The Information, Advice and Guidance support service is however, subject to the overriding EU Treaty principles of equal treatment, fairness and transparency in the award of contracts.
- 5.4 Officers advertised the tender requirements widely in accordance with the Council's Contract Standing Orders, however notwithstanding a number of organisations expressing an interest, only one bid was received; from the incumbent provider. On the basis that all relevant providers in the market that were made aware of the Council's service requirements, could have submitted a bid, but failed to, Officers were minded to evaluate the sole bid so as to ensure the continuation of the services.
- 5.5 The estimated value of the proposed this contract over the initial two year period is above the Council's Contract Standing Orders threshold for High Value Service Contracts (of £250,000), and the award of the contract is consequently subject to the Council's own Standing Orders and Financial Regulations in respect of High Value contracts. As a result, Executive approval is required for the award of the contract stated in Para. 2.1.
- 5.6 As the recommendation is to award the contract to the Citizens Advice Bureau who are the Council's current provider, there are no implications relating to the Transfer of Employment (Protection of Employment) Regulations 2006 ("TUPE.")
- 5.7 Officers must place a Contract Award Notice in the OJEU, no later than 48 days from formal award of these contracts, should Members approve the recommendation.
- 5.8 The contract makes provision for the Council to reduce the scope of the service with due notice to the supplier at any time during its term.

6.0 Diversity Implications

- 6.1 A new Equalities Impact Assessment (EIA) has been completed for the service and is attached.
- 6.2 Equalities issues are a core requirement for this contract and formed an important part of the evaluation of the tendering organisations' technical capacity through the assessment of the PQQ and in the assessment of the quality of service in the written tender.
- 6.3 Brent Early Years and Family Support service monitors usage of its services through regular monitoring and contract management using performance management systems developed with the supplier. Data covering areas such as race, gender and disability is collected on a regular basis.
- 6.4 Consultation on the service is provided by annual surveys such as 'tell us what you think', daily feedback following interventions with children and families and pre- and post project evaluation, case studies, feedback from partners in written and verbal form, complaints and compliments.

7.0 Staffing/Accommodation Implications

- 7.1 This service is currently provided by an external contractor CAB. There are no implications for Council staff arising from retendering the contract and staff delivering the current contract will continue their employment with the existing contractor.

8.0 Background Papers

- 8.1 Executive Report of 17th June 2013: Authority to invite tenders for the provision of information, advice and guidance to families of children attending children's centres in Brent aged 0-5, is attached with this report.

Appendix 3

- Equalities Impact Assessment report (EIA) updated report is attached to this report as Appendix 3.

Contact Officers

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SARA WILLIAMS
Acting Director of Children and Families

IAG evaluation – Document f and k combined

Evaluation of bids

Bids will be evaluated in accordance with the methodology set out below.

Phase 1

This will involve an analysis of tenderers' responses to the Authority's PQQ .To move through to Phase 2 of the tender, bidders must pass all sections of the PQQ.

Phase 2

This will involve analysis of bidders' tender proposals in detail.

Overall evaluation criteria

Tenders will be evaluated to identify the economically most advantageous tender having regard to price and quality elements.

Price will carry 60% of the evaluation weightings, quality 40%.

Evaluation of Price

Price will consist of 60% of the evaluation weightings. The bidder with the lowest evaluated price will receive the highest score; other bidders will receive a proportional score to the lowest evaluated price.

Evaluation of Quality

The overall Quality weighting is 40%.

The criteria and their relative weightings¹ used to evaluate Quality are detailed in the table below.

Bidders are required to complete Method Statements detailed in Appendix 1. The Method Statements and their relative weightings are detailed in the table below.

Criteria Number	Criteria	Weighting	Method Statement	Method Statement Weighting
EC1	Proposed business model	34%	MS 1	23%
			MS 2	3%
			MS 3	5%
			MS 4	3%
EC2	Tenderer's proposed plans for ensuring effective quality management of the Services and maintenance of the Contract Standard, including self-monitoring and evaluation	27%	MS 5	15%
			MS 6	12%
EC3	Tenderer's proposed approach for working in partnership with the Council, Health, Children's Centres and any other relevant providers	25%	MS 7	15%
			MS 8	6%
			MS 9	4%
EC4	Health and Safety	4%	MS 10	4%
EC5	Tenderer's proposals for adhering to Child Protection requirements	10%	MS 11	10%

¹ Weightings detailed are a percentage of the Quality criterion

Scoring system

The scoring system to be used will be as follows.

Score	Acceptability	Bidder Response Demonstrates
0	Unacceptable	Information is either omitted or fundamentally unacceptable and/or there is insufficient evidence to support the proposal to allow the Authority to properly evaluate
1	Major Reservations	The information submitted has insufficient evidence that the specified requirements can be met and/or there are significant omissions, serious and/or many concerns
2	Some Reservations	The information submitted has some minor omissions against the specified requirements. The solution achieves basic minimum standard in some respects but is unsatisfactory in others and raises some concerns
3	Satisfactory	The information submitted meets the Authority's requirements and is acceptable in most respects, and there are no major concerns
4	Good	The information submitted provides good evidence that the specified requirements can be met. It is a full and robust response, and any concerns are addressed so that the proposal gives confidence
5	Outstanding	The information submitted provides strong evidence that the specified requirements will be exceeded, and provides full confidence with no concerns

For each method statement tenderness must score a minimum of 2. In order for the tender to be considered further.

Should a Tenderer fail to achieve a score of 55% for Quality criteria, this will preclude further consideration of the tender.

Evaluation panel

Tenderers responses will be evaluated by a team of Council officers, stakeholders and advisers drawn together by the Council with expertise in the delivery of these services

Appendix 2

Criteria Ref	Criteria	Aspect	Weighting (%)	Sub-Weighting (%)	Bidder 1 Score (0-5)	Bidder 1 Total Weighted Score
EC1	Proposed business model	34%	MS 1	23%	4	0.92
			MS 2	3%	4	0.12
			MS 3	5%	5	0.25
			MS 4	3%	4	0.12
EC2	Tenderer's proposed plans for ensuring effective quality management of the Services and maintenance of the Contract Standard, including self-monitoring and evaluation	27%	MS 5	15%	4	0.60
			MS 6	12%	4	0.48
EC3	Tenderer's proposed approach for working in partnership with the Council, Health, Schools and any other relevant providers	25%	MS 7	15%	4	0.60
			MS 8	6%	4	0.24
			MS 9	4%	4	0.16
EC4	Health and Safety	4%	MS 10	4%	4	0.16
EC5	Tenderer's proposals for adhering to Child Protection requirements	10%	MS 11	10%	4	0.40
Total Quality		100%	100%		4.05	

Pricing costs (Yr1 + Yr2)					354375
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Quality scores (out of 40%)					32.4
Price Score (out of 60%)	least score gets 60%				60.00

Total score					92.40
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2012

Equality Analysis

Guidance and Form



Brent Council Equality Analysis Form

Please contact the Corporate Diversity team before completing this form. The form is to be used for both predictive Equality Analysis and any reviews of existing policies and practices that may be carried out.

Once you have completed this form, please forward to the Corporate Diversity Team for auditing. Make sure you allow sufficient time for this.

1. Roles and Responsibilities: please refer to stage 1 of the guidance	
Directorate: Children and Families Service Area: Early Years and Family Support Service	Person Responsible: Name: Sue Gates Title: Head of Early years and Family Support Service Contact No: X2710 Signed:
Name of policy: The provision of information, advice and guidance for families of children attending children's.	Date analysis started: 1st April 2014 Completion date 31st March 2017 Review date:
Is the policy: New <input type="checkbox"/> Old <input checked="" type="checkbox"/>	Auditing Details: Name: Elizabeth Bryan Title: Partnership Equality Policy Officer Date Contact No: 0208 937 1190 Signed:
Signing Off Manager: responsible for review and monitoring Name: Sue Gates Title: Head of Early years and Family Support Service Date Contact No: X2710 Signed:	Decision Maker: Name individual /group/meeting/ committee: Executive Date:

2. Brief description of the policy. Describe the aim and purpose of the policy, what needs or duties is it designed to meet? How does it differ from any existing policy or practice in this area?

Please refer to stage 2 of the guidance.

The policy is to provide free advice information and guidance to families within the children Centres. The service will remain the same, however we are retendering the contract for this provision.

The Council currently provides through its Children's Centres free information and advice on a range of subjects which is confidential, impartial and independent. The aim of the service is to design and deliver a service that recognises and addresses the need to diminish the inequalities suffered by individuals and their families and more specifically to tackle child poverty. The service contributes to meeting the strategic priorities of the Department as outlined in the Children's and Young People Plan and Children's Centres commissioning strategy outcomes:

- Safeguarding health and well being
- Accelerate the rate of improvement of underachieving groups, narrowing and eliminating gaps
- Provide access for the most vulnerable groups

These services are currently provided under contract to the Council by the Citizens Advice Bureau (hereafter referred to as CAB) They provide information, advice and guidance services for families of children attending children's centres in Brent aged 0-5.

3. Describe how the policy will impact on all of the protected groups:

No adverse impacts have been identified for any of the protected groups which include race/sex/disability/faith/sexual orientation/ gender reassignment / age / pregnancy and maternity and marriage and civil partnership as the service remains the same

Please give details of the evidence you have used:

The development of the service is based on a comprehensive needs analysis of the borough.

Statistics include demographic census, mosaic, and index of multiple deprivations and ward specific data.

Demographic data from the borough shows that we have an extremely diverse population and also a young population, the data also evidences the fact that we have levels of deprivation in Brent.

Monitoring Data incl; - ethnic, equalities and estart data – children centres collate this data on a quarterly basis and it is reviewed against annual data and trends are identified

Both the Children and Young People Plan and the needs analysis identified the need to focus resources on early intervention and prevention services, which is the aim of the service provision.

4. Describe how the policy will impact on the Council's duty to have due regard to the need to:

(a) Eliminate discrimination (including indirect discrimination), harassment and victimisation;

Yes: - the service fully endorses the Council's Equality Policy. The priorities identified in the plan are in line with the Brent Children & Young People's Plan (CYPP) strategic priorities.

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

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

The project will ultimately aim to improve the quality of the service offer to our residents with children aged 0-5.

(b) Advance equality of opportunity;

Same as above

(c) Foster good relations

Same as above

5. What engagement activity did you carry out as part of your assessment? Please refer to stage 3 of the guidance.

i. Who did you engage with?

No consultation has been undertaken as part of the assessment; however the service provision was consulted with key stakeholders during the preparation of the service specification and tender evaluation process and the comments were incorporated .

ii. What methods did you use?

We held several meetings with front line operational managers

iii. What did you find out?

The tender specification met with needs of the children and families in Brent

iv. How have you used the information gathered?

Yes to inform the specification and delivery of services

v. How has it affected your policy?

Not applicable

6. Have you identified a negative impact on any protected group, or identified any unmet needs/requirements that affect specific protected groups? If so, explain what actions you have undertaken, including consideration of any alternative proposals, to lessen or mitigate against this impact.

Please refer to stage 2, 3 & 4 of the guidance.

None have been identified

Please give details of the evidence you have used:

The development of the service is based on a comprehensive needs analysis of the borough.

Statistics include demographic census, mosaic, index of multiple deprivations and ward specific data.

Demographic data from the borough shows that we have an extremely diverse population and also a young population the data also evidences the fact that we have levels of deprivation in Brent.

Monitoring Data incl; - ethnic, equalities and estart data – children centres collate this data on a quarterly basis and it is reviewed against annual data and trends are identified.

Both the CYPP and the needs analysis identified the need to focus resources on early intervention and prevention services, which is the aim of the service provision

7. Analysis summary

Please tick boxes to summarise the findings of your analysis.

Protected Group	Positive impact	Adverse impact	Neutral
Age	✓		
Disability	✓		
Gender re-assignment	✓		
Marriage and civil partnership	✓		
Pregnancy and maternity	✓		
Race	✓		
Religion or belief	✓		
Sex	✓		
Sexual orientation	✓		

8. The Findings of your Analysis

Please complete whichever of the following sections is appropriate (one only).

Please refer to stage 4 of the guidance.

Race:- The tendering process for services requires the provider to demonstrate the steps they will take to ensure equality of access and takes into account differing languages of children and families

Disability: - The information, advice and guidance service will support families with disabilities to maximise their income and ensure they have the correct support to make applications for adjustments to their homes and accessibility to services

Gender :- Boys and girls benefit equally

Age;- The main target for this programme is children aged 0-5 years who access children centres and their families

Sexual orientation:- no impact

Religion& Belief:- no impact

Other Socio-economic status: - the children centre ethos is to diminish inequalities for the most disadvantaged families. This is to be attained by raising the quality of early year's health, social care and education provision. The families with greatest need will be targeted in the first instance

No major change

We are continuing with retendering of the contract for this service

Your analysis demonstrates that:

- *The policy is lawful*
- *The evidence shows no potential for direct or indirect discrimination*
- *You have taken all appropriate opportunities to advance equality and foster good relations between groups.*

Please document below the reasons for your conclusion and the information that you used to make this decision.

Adjust the policy

This may involve making changes to the policy to remove barriers or to better advance equality. It can mean introducing measures to mitigate the potential adverse effect on a particular protected group(s).

Remember that it is lawful under the Equality Act to treat people differently in some circumstances, where there is a need for it. It is both lawful and a requirement of the public sector equality duty to consider if there is a need to treat disabled people differently, including more favourable treatment where necessary.

If you have identified mitigating measures that would remove a negative impact, please detail those measures below.

Please document below the reasons for your conclusion, the information that you used to make this decision and how you plan to adjust the policy.

Continue the policy

This means adopting your proposals, despite any adverse effect or missed opportunities to advance equality, provided you have satisfied yourself that it does not amount to unlawfully discrimination, either direct or indirect discrimination.

In cases where you believe discrimination is not unlawful because it is objectively justified, it is particularly important that you record what the objective justification is for continuing the policy, and how you reached this decision.

Explain the countervailing factors that outweigh any adverse effects on equality as set out above:

Please document below the reasons for your conclusion and the information that you used to make this decision:

Stop and remove the policy

If there are adverse effects that are not justified and cannot be mitigated, and if the policy is not justified by countervailing factors, you should consider stopping the policy altogether. If a policy shows unlawful discrimination it must be removed or changed.

Please document below the reasons for your conclusion and the information that you used to make this decision.

9. Monitoring and review

Please provide details of how you intend to monitor the policy in the future.
Please refer to stage 7 of the guidance.

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

- Current case load – with ethnicity, age, gender breakdown
- Number of new cases per quarter
- Families receiving on going support
- Number of appointments made – with details of attendances/cancellations and reasons for cancellations
- Number of hours support provided
- Number of assessments carried out this quarter
- Annual review meetings attended
- Annual review reports submitted on time
- Referrals – made to other organisations/services
- Referrals – received from other organisations/services
- Complaints/compliments received
- Number of raising awareness sessions in Stay and play session
- Maximisation of benefits or income for families

In addition to the quarterly monitoring, spot visits will be carried out to ensure the consistency and accessibility of the service.

10. Action plan and outcomes

At Brent, we want to make sure that our equality monitoring and analysis results in positive outcomes for our colleagues and customers.

Use the table below to record any actions we plan to take to address inequality, barriers or opportunities identified in this analysis.

Action	By when	Lead officer	Desired outcome	Date completed	Actual outcome
To review quarterly the impact evaluation case studies to ensure equality of access	Quarterly	Tajinder Nijjar	To ensure we are meeting the diverse needs of families from all communities with children 0-5	Quarterly	

Please forward to the Corporate Diversity Team for auditing.

Introduction

The aim of this guidance is to support the Equality Analysis (EA) process and to ensure that Brent Council meets its legal obligations under the Equality Act 2010. Before undertaking the analysis there are three key things to remember:

- It is very important to keep detailed records of every aspect of the process. In particular you must be able to show a clear link between all of your decisions and recommendations and the evidence you have gathered.
- There are other people in the council and in your own department who have done this before and can offer help and support.
- The Diversity and Consultation teams are there to advise you.

The Equality Act 2010

As a Public Authority, Brent Council is required to comply with the Public Sector Equality Duty (PSED) contained in the Equality Act 2010. These duties require Brent Council to have 'due regard' to the need to

- Eliminate discrimination, be it direct or indirect discrimination
- Advance equality of opportunity between persons who share a relevant protected characteristic and others who do not share it; and
- Foster good relations between people who share a protected characteristic and those who do not share it

The equality duty covers:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Marriage and civil partnership (direct discrimination only)
- Race
- Religion or belief
- Sex (formally known as gender)
- Sexual orientation

What is equality analysis?

Equality Analysis is core to policy development and decision making and is an essential tool in providing good services. Its purpose is to allow the decision maker to answer two main questions.

- Could the policy have a negative impact on one or more protected groups and therefore create or increase existing inequalities?
- Could the policy have a positive impact on one or more protected groups by reducing or eliminating existing or anticipated inequalities?

What should be analysed?

Due consideration of the need for an Equality Analysis should be addressed in relation to all policies, practices, projects, activities and decisions, existing and new. There will be some which have no equalities considerations, but many will. Where an EA is undertaken, some policies are considered a higher risk than others and will require more time and resources because of their significance. This would include:

- Policies affecting a vulnerable group such as young people, the elderly and people with a disability
- Policies related to elective services such as Sports Centres or Libraries
- High profile services
- Policies involving the withdrawal of services
- Policies involving significant reductions in funding or services
- Policies that affect large groups of people
- Policies that relate to politically sensitive issues

It can sometimes be difficult to identify which policies are more sensitive. If you are in doubt seek advice from a more senior officer or the Diversity Team.

When should equality analysis be done?

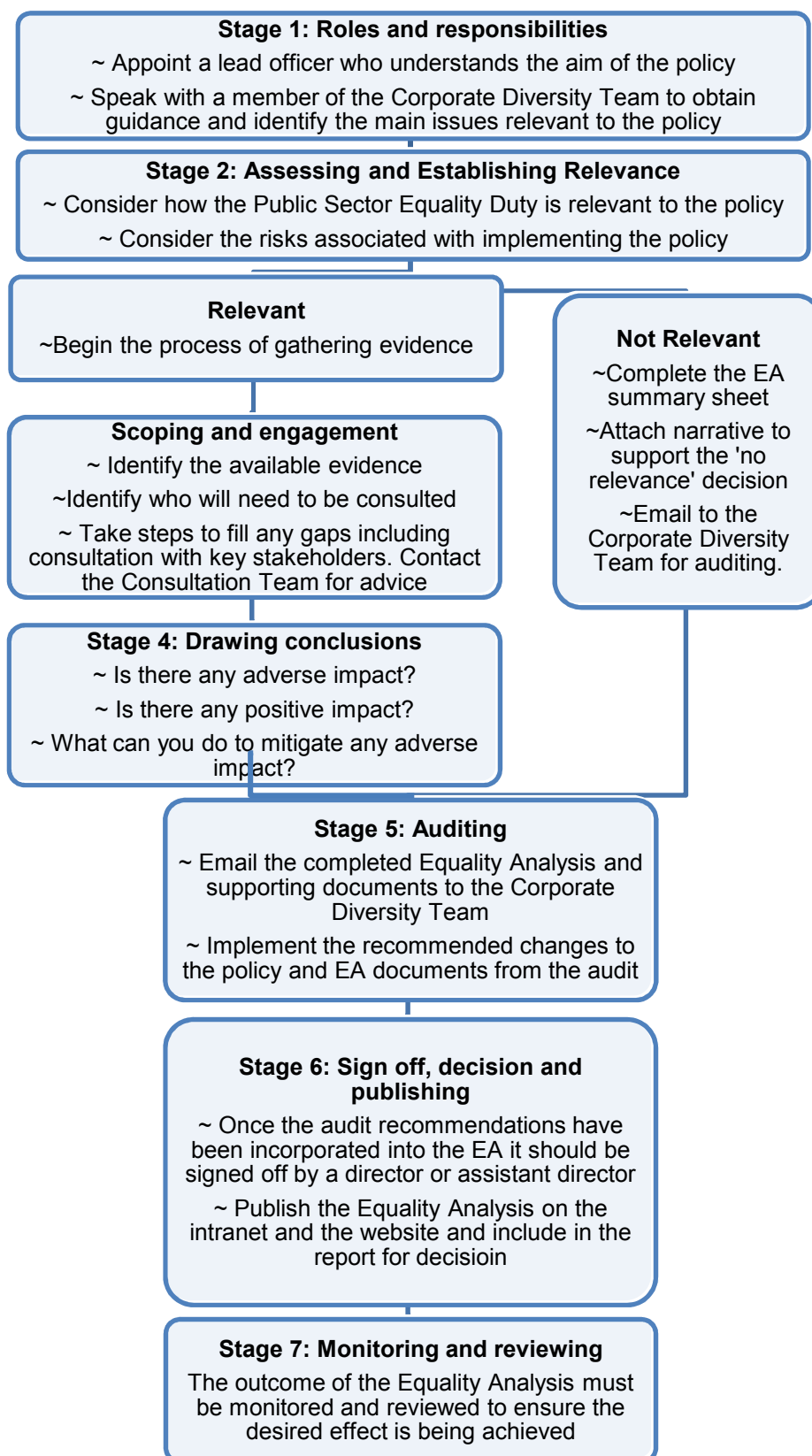
The EA must be completed before the policy is sent to the decision maker but should be carried out at the earliest possible stage. The advantage of starting early is that the equalities data informs and shapes the policy as it develops and progresses and this allows more time to address issues of inequality. You should also bear in mind that several changes may be happening at the same time. This would mean ensuring that there is sufficient relevant information to understand the cumulative effect of all of these decisions.

Positive action

Not all policies can be expected to benefit all groups equally, particularly if they are targeted at addressing particular problems affecting one protected group. (An example would be a policy to improve the access of learning disabled women to cancer screening services.) Policies like this, that are specifically designed to advance equality, will, however, also need to be analysed for their effect on equality across all the protected groups.

Brent Council's Equality Analysis Process

This flow chart sets out the process for carrying out an EA. Details on each stage of the process follow. Please note that it may be necessary to consult the Corporate Diversity team at each stage and that Legal may also need to be involved. This should be factored in to the time scale.



Stage 1: Roles and Responsibilities

The first stage in the process is to allocate the following roles.

Role	Responsibilities and tasks
Decision maker - the person or group making the policy decision (e.g. CMT/Executive/Chief Officer).	<ul style="list-style-type: none">• Check that the analysis has been carried out thoroughly:• Read and be familiar with the EA and any issues arising from it and know, understand and apply the PSED. (The evidence on which recommendations are based must be available to this person.)• Take account of any countervailing factors e.g. budgetary and practical constraints
The officer undertaking the EA	<ul style="list-style-type: none">• Contact the Corporate Diversity and Consultation teams for support and advice• Develop an action plan for the analysis• Carry out research, consultation and engagement if required• Develop recommendations based on the analysis• Submit the EA form to the Diversity team for audit with the evidence and any other relevant documents including the report the EA will be attached to• Incorporate the recommendations of the audit• Include the Equalities Analysis in papers for decision-makers
The Corporate Diversity Team. Usually an individual officer will be assigned at the start of the process	<ul style="list-style-type: none">• Provide support and advice to the responsible officer• Carry out the audit of the EA to monitor quality standards and ensure it is sufficiently rigorous to meet the general and public sector duties.• Return the analysis to the responsible officer for further work if it fails to meet the necessary standard• Consult Legal if necessary (this stage of the process will take at least 5 days)
The council officer responsible for signing off the EA. Usually a senior manager within the relevant directorate	<p>Ensure:</p> <ul style="list-style-type: none">• That the EA form is completed• That any issues raised as part of the auditing process have been fully dealt with• That the EA, the evidence used and any issues arising from the analysis are brought to the attention of the decision maker• Ensure that the findings are used to inform service planning and wider policy development.

Stage 2: Assessing and Establishing Relevance

We need to ensure that all of our policies and key decisions, both current and proposed, have given appropriate consideration to equality. Consideration of the need for an EA needs to be given to all new policies; all revised policies, all key decisions and changes to service delivery need an EA. Those that are more relevant will require more resources and data.

The following questions can help you to determine the degree of relevance, but this is not an exhaustive list:

Key Questions:

- Does the policy have a significant effect in terms of equality on service users, employees or the wider community? Remember that relevance of a policy will depend not only on the number of those affected but also by the significance of the effect on them.
- Is it a major policy, significantly affecting how functions are delivered in terms of equality?
- Will it have a significant effect on how other organisations operate in terms of equality?
- Does the policy relate to functions that previous engagement has identified as being important to particular protected groups?
- Does or could the policy affect different protected groups differently?
- Does it relate to an area with known inequalities (for example, access to public transport for disabled people, racist/homophobic bullying in schools)?
- Does it relate to an area where equality objectives have been set by Brent Council?

If the answer to any of the above is “yes”, you will need to carry out an Equalities Analysis.

“Not relevant”

If you decide that a policy does not impact on any of the equality needs contained in the public sector equality duty, you will need to:

- Document your decision, including the reasons and the information that you used to reach this conclusion. **A simple statement of no relevance to equality without any supporting information is not sufficient, nor is a statement that no information is available.** This could leave you vulnerable to legal challenge so obtaining early advice from the Corporate Diversity team would be helpful.
- Complete the EA Form and send it to the Corporate Diversity Team for auditing. If the Corporate Diversity Team advises that policy is relevant then you will need to continue the EA process (See flowchart). If the Corporate Diversity Team advises that the policy is not relevant then you will need to have it signed off, publish it and put in place monitoring arrangements for the policy.

Stage 3: Scoping

Scoping establishes the focus for the EA and involves carrying out the following steps:

- Identify how the aims of the policy relate to equality and which aspects have particular importance to equality.
- Identify which protected groups and which parts of the general equality duty the policy will, or is likely to, affect.
- Identify what evidence is available for the analysis, what the information gaps are, and establish which stakeholders can usefully be engaged to support the analysis.

Think about:

- The purpose of the policy, and any changes from any existing policy
- The reason for the policy
- The context
- The beneficiaries
- The intended results

At this early stage you should start to think about potential effects on protected groups. This could mean that you decide to change your overall policy aims or particular aspects of the

policy in order to take better account of equality considerations. It is often easier to do this at an earlier stage rather than having to reconsider later on in the process.

Sources of information

It is important to have as much up-to-date and reliable information as possible about the different groups likely to be affected by the existing or proposed policy. The information needed will depend on the nature of the existing or proposed policy, but it will probably include many of the items listed below:

- The Brent Borough profile for demographic data and other statistics
- Census findings; the 2011 census data will be available during 2012
- Equality monitoring data for staff and/or service users
- Reports and recommendations from inspections or audits conducted on service areas
- Previous reports that have been produced either on a similar topic or relating to the same service user group
- Responses to public enquiries on similar topics e.g. Freedom of Information requests
- Comparisons with similar policies in other departments or authorities to help you identify relevant equality issues.
- Analysis of enquiries or complaints from the public to help you understand the needs or experiences of different groups.
- Recent research from a range of national, regional and local sources to help you identify relevant equality issues.
- Results of engagement activities or surveys to help you understand the needs or experiences of different groups.
- Local press and other media. This will tell you whether there is public concern about possible equalities implications and help you to highlight issues for engagement

Many of these sources will be consulted as a matter of course when reviewing or developing a policy. Equalities considerations are one part of the policy process, not an extra.

Service user information

The type of information you need will depend on the nature of the policy. However, information relating to service users is usually essential. Consider:

- The full range of information that you already have about the user group e.g. information contained within service reviews, audit reports, performance reviews, consultation reports
- Who actually uses the service?
- When do they use it?
- How do they use it and what are their experiences?
- Are there alternative sources of provision that could be accessed?
- Who will be using the service in the future?
- Information from groups or agencies who deliver similar services to your target group e.g. survey results from voluntary and community organisations.

Identify your information gaps

If you do not have equality information relating to a particular policy or about some protected groups, you will need to take steps to fill in your information gaps. This could mean doing further research, undertaking a short study, conducting a one off survey or consultation exercise, holding a focus group etc.

Engagement

The Consultation team are available to advise on all aspects of engagement.

You may wish to carry out engagement, which can help you to:

- Gather the views, experiences and ideas of those who are, or will be, affected by your decisions.
- Base your policy on evidence rather than on assumptions
- Check out your ideas
- Find solutions to problems and develop ways to overcome barriers faced by particular groups.
- Design more appropriate services,
- Monitor and evaluate the success of your policies and understand where improvements may be necessary.
- Avoid the costs of remedying and adapting services after their implementation
- Pre-empt complaints, which can be costly and time-consuming.

But remember you don't always have to consult or embark upon engagement if you already have enough information to assess the likely impact of the policy change on the equality needs, and if there is no other legal duty to consult. This engagement can form part of the broader consultation being carried out around service changes. You can also use recent engagement and research activities as a starting point, for example on a related policy or strategy and you can use documentation resulting from other equality analysis that Brent Council (or others) have undertaken.

For your engagement to be effective you will need to:

- Think carefully about who you should engage with. You will need to prioritise those who are most likely to be affected by the policy and those who will experience the greatest impact in terms of equality and good relations.
- In regard to people with a disability, as good practice it is recommended that they should be actively involved in engagement activity which directly affects them or the services that they receive.
- Make sure that the level of engagement is appropriate to the significance of the policy and its impact on equality
- Consider what questions you will need to ask, in order to understand the effect of the policy on equality. If you find it difficult to frame suitable questions you may take advice from the Corporate Diversity and Consultation teams
- Link into existing forums or community groups or to speak with representatives to help you reach less visible groups or those you have not engaged with before.
- Create opportunities for people to participate in supportive and safe environments where they feel their privacy will be protected, or via technology such as the internet
- Think of strategies that address barriers to engagement. Other people in the council have experience of this and can advise, as can the Corporate Diversity team and the Consultation team.

Stage 4: Drawing conclusions

You will need to review all of the information you have gathered in order to make a judgement about what the likely effect of the policy will be on equality, and whether you need to make any changes to the policy.

You may find it useful to ask yourself "What does the evidence (data, consultation outcomes etc.) tell me about the following questions":

- Could the policy outcomes differ between protected groups? If so, is that consistent with the policy aims?

- Is there different take-up of services by different groups?
- Could the policy affect different groups disproportionately?
- Does the policy miss opportunities to advance equality and foster good relations, including, for example, participation in public life?
- Could the policy disadvantage people from a particular group?
- Could any part of the policy discriminate unlawfully?
- Are there other policies that need to change to support the effectiveness of the policy under consideration?

If the answer to any of the above is "yes", you should consider what you can do to mitigate any harmful effects. Advice from the Diversity team will be particularly helpful at this stage.

You will also want to identify positive aspects of the policy by asking yourself:

- Does the policy deliver practical benefits for protected groups?
- Does the policy enable positive action to take place?
- Does the policy help to foster good relations between groups

Having considered the potential or actual effect of your policy on equality, you should be in a position to make an informed judgement about what should be done with your policy.

There are four main steps that you can take:

- **No major change**
- **Adjust the policy**
- **Continue the policy**
- **Stop and remove the policy**

(please see EA form for detailed descriptions of each decision)

Decisions may involve careful balancing between different interests, based on your evidence and engagement. For example, if the analysis suggests the needs of two groups are in conflict, you will need to find an appropriate balance for these groups and for the policy in question. The key point is to make sure the conclusions you reach can be explained and justified. Speak to the Diversity team if you are unsure.

As a result of your analysis you may need to develop new equality objectives and targets. These should be documented on the EA form.

Stage 5: Auditing

Once you have completed the EA you will need to complete the EA Form and send it to the Corporate Diversity Team for auditing. It is important to ensure that the EA Form is completed as fully as possible. Documenting all of your analysis is important to ensure that you can show how the general and specific duties are being met. This aspect of the analysis has been subject to legal challenge so you need to be able to show how you reached your conclusions. The audit process involves the Corporate Diversity Team reviewing the completed form, the information and evidence. Sometimes this may require advice from Legal. You need to bear in mind that this will take at least five days. The team will send you back a feedback form with comments and recommendations which you will need to action prior to the sign off of the form.

Stage 6: Sign Off, Decision and Publishing

Once the EA Form is completed, the document must be signed off and the completed document must be sent to the Corporate Diversity Team to be published on the council website.

Decision-making

In order to have due regard to the aims of the public sector equality duty, decision-making must be based on a clear understanding of the effects on equality. This means that Directors, CMT and others who ultimately decide on the policy are fully aware of the findings of the EA and have due regard to them in making decisions. They are also entitled to take into account countervailing factors such as budgetary and practical constraints.

Stage 7: Monitoring and Reviewing

Your EA, and any engagement associated with it, will have helped you to anticipate and address the policy's likely effects on different groups. However, the actual effect of the policy will only be known once it has been introduced. You may find that you need to revise the policy if, for instance:

- Negative effects do occur
- Area demographics change, leading to different needs,
- Alternative provision becomes available
- New options to reduce an adverse effect become apparent

You will need to identify a date when the policy will be reviewed to check whether or not it is having its intended effects. This does not mean repeating the EA, but using the experience gained through implementation to check the findings and to make any necessary adjustments. Consider:

- How you will measure the effects of the policy?
- When the policy will be reviewed (usually after a year) and what could trigger an early revision (see above)?
- Who will be responsible for monitoring and review?
- What type of information is needed for monitoring and how often it will be analysed?
- How to engage stakeholders in implementation, monitoring and review?

Section 3: Glossary

Civil partnership: Legal recognition of a same-sex couple's relationship. Civil partners must be treated the same as married couples on a range of legal matters.

Direct discrimination: This refers to less favourable treatment of one individual, if, because of that person's protected characteristic, that person is treated less favourably than another. Direct discrimination cannot be justified unless it is discrimination on the grounds of age.

Disability: A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

Equality information: The information that you have (or that you will collect) about people with protected characteristics that will help you to show compliance with the equality duty. This may include the findings of engagement with protected groups and others and evidence about the effect of your policies on protected groups. It includes both qualitative and quantitative information, as well as evidence of analysis you have undertaken.

Gender reassignment: This is the process of transitioning from one sex to another. See also trans, transgender, transsexual.

Harassment: Unwanted conduct related to a protected characteristic that has the purpose or effect of violating a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. It may also involve unwanted conduct of a sexual nature or be related to gender reassignment or sex.

Indirect discrimination: This is when a neutral provision, criterion or practice is applied to everyone, but which is applied in a way that creates disproportionate disadvantage for persons with a protected characteristic as compared to those who do not share that characteristic, and cannot be shown as being a proportionate means of achieving a legitimate aim.

Mitigation: This is when measures are put in place that lessens the negative effects of a policy or policies on protected groups.

Objective justification: Your provision may indirectly discriminate against a particular group if:

- It is a proportionate means to achieve a legitimate end
- The discrimination is significantly outweighed by the benefits
- There is no reasonable alternative to achieve the legitimate end

For example, some employers have policies that link pay and benefits to an employee's length of service, such as additional holiday entitlement for long-serving employees. This may indirectly discriminate against younger people who are less likely to have been employed for that length of time, but in most circumstances it is seen as being a proportionate way of encouraging staff loyalty.

Direct discrimination on the grounds of age can also be objectively justified (no other direct discrimination can be).

Positive action: Lawful actions that seeks to overcome or minimise disadvantages that people who share a protected characteristic have experienced, or to meet their different needs (for example, providing mentoring to encourage staff from under-represented groups to apply for promotion).

Pregnancy and Maternity: Pregnancy is the condition of being pregnant. Maternity is the period after giving birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, including as a result of breastfeeding.

Proportionality: The weight given to equality should be proportionate to its relevance to a particular function. This may mean giving greater consideration and resources to functions or policies that have the most effect on the public or on employees.

Race: This refers to a group of people defined by their colour, nationality (including citizenship), ethnic or national origins.

Reasonable adjustment: Public authorities making adjustments to the way in which they carry out their functions so that disabled people are not disadvantaged by the way in which those functions are carried out. This is with regard to policies, practices or procedures, premises, and the provision of auxiliary aids or services.

Relevance: How far a function or policy affects people, as members of the public, and as employees of the authority. Some functions may be more relevant to some protected groups than to others, and to one or more of the three elements of the general equality duty. The function or policy may still be relevant if the numbers affected by it are very small.

Religion or belief: Religion means any religion, including a reference to a lack of religion. Belief includes religious and philosophical beliefs including lack of belief (for example, Atheism). Generally, a belief should affect your life choices or the way you live for it to be included.

Sexual orientation: This is whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

Trans: The terms 'trans people' and 'transgender people' are both often used as umbrella terms for people whose gender identity and/or gender expression differs from their birth sex, including transsexual people (those who propose to undergo, are undergoing or have undergone a process of gender reassignment to live permanently in their acquired gender), transvestite/cross-dressing people (those who wear clothing traditionally associated with the other gender either occasionally or more regularly), androgyne/polygender people (those who have non-binary gender identities and do not identify as male or female), and others who define as gender variant.

Transgender: An umbrella term for people whose gender identity and/or gender expression differs from their birth sex. They may or may not seek to undergo gender reassignment hormonal treatment/surgery. Often used interchangeably with trans.

Transsexual: A person who intends to undergo, is undergoing or has undergone gender reassignment (which may or may not involve hormone therapy or surgery). Transsexual people feel the deep conviction to present themselves in the appearance of the opposite sex. They may change their name and identity to live in the preferred gender. Some take hormones and have cosmetic treatments to alter their appearance and physical characteristics. Some undergo surgery to change their bodies to approximate more closely to their preferred gender. Transsexual people have the protected characteristic of gender reassignment under the Equality Act 2010. Under the Act, gender reassignment is a personal process rather than a medical one and it does not require someone to undergo medical treatment in order to be protected.

Victimisation: Subjecting a person to a detriment because they have made a complaint of discrimination, or are thought to have done so; or because they have supported someone

else who has made a complaint of discrimination. Victimisation is unlawful under the Equality Act 2010.

A Summary of the Equality Act 2010

The Equality Act 2010 replaces the existing anti-discrimination laws with a single Act. The legislation covers:

- Employment and work
- Goods and services
- The exercise of public functions
- Premises
- Associations
- Transport
- Education

The act prohibits:

- Direct discrimination
- Indirect discrimination
- Discrimination by association
- Discrimination by perception
- Discrimination arising from disability
- Victimisation
- Harassment

The new legislation no longer refers to 'diversity strands' instead it introduces the concept of 'protected characteristics or groups, the protected characteristics are:

- Age
- Disability
- Gender reassignment
- Race
- Religion or belief
- Sex
- Sexual orientation
- Marriage and civil partnership
- Pregnancy and maternity

The Public Sector Equality Duty

The public sector equality duty requires that the council must, in the exercise of its functions, have due regard to the need to:


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

These are generally referred to as the three arms of the duty. In relation to 'fostering' there is a duty to have due regard to the need to tackle prejudice and promote understanding.

Equality of opportunity is expanded by placing a duty on the Council to have due regard to the need to:

- Remove or minimize disadvantages connected to a characteristic of a protected group.
- Take steps to meet the needs of protected groups.
- Encourage participation of protected groups in public life where participation is proportionately low.

There is also a specific requirement that councils must take steps to take account of a person's disability and there is a duty to make reasonable adjustments to remove barriers for disabled people. The duty is 'anticipatory'. For example, Brent Council cannot wait until a disabled person wants to use its services, but must think in advance (and on an ongoing basis) about what people with a range of impairments might reasonably need.

 Brent	<p>Executive</p> <p>13 January 2014</p> <p>Report from the Acting Director of Children and Families</p>
<p>Wards Affected: ALL</p>	
<p>Authority to award contracts for Speech, Language and Therapy services for Children's Centres and Mainstream Education</p>	

Appendix 2a is not for publication

1.0 Summary

- 1.1 This report requests authority to award 2 individual contracts for the provision of Speech, Language and Therapy services ("SLT") for children's centres and mainstream education for the Council as required by Contract Standing Order No 88. This report summarises the process undertaken in tendering these contracts and, following the completion of the evaluation of the tenders, recommends to whom the contracts should be awarded.

2.0 Recommendations

- 2.1 That the Executive award contracts for the provision of Speech and Language Therapy services to
- Central and North West London Health Trust (CNWL) for Children's Centres and to

- North West London Health Trust (NWLHT) for Mainstream Education

for an initial contract period of two (2) years from 1st April 2014 to 31st March 2016 with an option for the Council to extend for up to a further additional one (1) year. The price for the first two years of the Children's Centres contract is £589k The price for the first two years of the Mainstream Education contract is £656k.

3.0 Detail

Background

- 3.1 The Children's Centre service has a focus on improving outcomes for young children and their families, with a particular focus on the most disadvantaged. The aim of Children's Centres is to support children and ensure that they are equipped for life and ready for school. There is a particular emphasis on (a) child development and school readiness (b) improving parental aspirations, self esteem and parenting skills; and (c) improving child and family health and life chances. Pre-school children will not have a Special Educational Needs ("SEN") statement and the need for SLT services is identified through the Common Assessment Framework process in children's centres and multi – agency practitioners working with families with children aged 0-5.
 - 3.1.1 The Mainstream Education contract provides Speech and Language Therapy for reception and Key Stage 1-4 pupils in mainstream Brent schools in the form of assessments and interventions, including both direct and indirect therapy.
- 3.2 These services are currently provided under contract to the Council by CNWL for children's centres. The mainstream education contract is split between Ealing Hospital Trust (Key stage 1&2) and NWLHT (Key Stage 3&4).
- 3.3 Following a report to the Executive on 20 May 2013 Officers were authorised to invite tenders for the Contracts and evaluate them in accordance with the approved evaluation criteria. In the May

Executive report officers also reported that they were exploring the option of establishing a WLA wide procurement. However, following detailed discussions within the WLA membership, it was agreed to pursue a wider procurement involving Health. This larger scale procurement will not be in place until May 2015 at the earliest. To enable Brent to join this arrangement officers have reduced the length of the original contract from three plus two years originally proposed, in the May report, to two (2) years with an option to extend for a further one (1) year.

- 3.4 As high value contracts, the contracts were tendered in accordance with Council Standing Orders 88 and 89.

The tender process

- 3.5 Separate contracts will be awarded as both services fulfil different requirements for the Local Authority. The Children's Centre service fulfils the LA's commitment towards early intervention and prevention, whilst the Mainstream Education service fulfils the statutory responsibility towards children with statements of Special Educational Needs. The new contracts will be let for an initial contract period of 24 months from 1st April 2014 to 31st March 2016.
- 3.6 A two stage, otherwise known as a restricted tender process under EU regulations was followed. Advertisements inviting initial expressions of interest were placed in the local press, trade journals and on the Council's E-procurement system, Due North. The organisations that responded were sent the Council's standard pre qualification questionnaire. 6 organisations completed pre qualification questionnaires for both tenders. Only four organisations were able to demonstrate that they were able to meet the Council's required standards in relation to business probity, economic and financial standing and technical capacity and were short listed to move forward to the tender stage. All four organisations were invited to tender. Only two organisations submitted a tender by the deadline for tender submissions on 25th of October 2013 for Children's centres and three organisations submitted tenders for schools (Mainstream Education). The names of the organisations are attached at Appendix 2.

3.7 The tendering instructions stated that tenders would be evaluated to identify the economically most advantageous tender having regard to price and quality. The following high level criteria were approved by the Executive:

3.8 Quality

The Quality criteria listed below formed 40% of the evaluation weightings for both contracts.

Proposed business model (to include consideration of):

- Meeting the requirements of the specifications
- Method of contribution to improving outcomes for children
- Meeting the requirements and standards as set out in the SEN Code of Practice, the Reform of provision for children and young people with Special Educational Needs, and any other legislation / guidance
- The Tenderer's proposals for the number, qualification, experience, training, supervision and retention of personnel to be engaged in relation to the performance of the Service
- Resource mobilisation and start-up commitment plans if awarded a contract/ including provision to ensure that there would be no discernible break in Service.
- Tenderer's proposed plans for ensuring effective quality management of the Services and maintenance of the Contract Standard, including self-monitoring and evaluation.
- the Tenderer's proposals for adhering to Child Protection requirements
- Tenderer's proposed approach for working in partnership with the Council, Health, Schools and any other relevant providers.
- Health and Safety

3.9 Price

Price evaluation for both contracts consisted of 60% of the evaluation weightings and was based on the service levels indicated in the service specifications.

Evaluation process

- 3.10 Qualitative evaluation of each tender was carried out by 2 panels consisting of three managers from each of the service areas. Officers from Procurement, Legal and Central Finance assisted the teams for each tender.
- 3.11 All panel members read through the tender areas allocated to them using evaluation sheets and noted down comments on how well each of the award criteria, as shown in the Evaluation Methodology at Appendix 1 was addressed by the tendering organisations.
- 3.12 The core panels then met to agree scoring for each tender.

Children's centres

- 3.13 Members will note in Appendix 2 that for the quality criteria the successful tenderer scored 29.44 out of a possible 40%, consisting of five scores of "satisfactory", 7 of "good" for the different elements of the tender. The tenderer as the lowest priced bid was allocated the highest score of 60% thus giving them a total weighted score of 89.44.
- 3.14 Officers evaluated the financial aspects of the proposals rigorously to ensure they represent value for money. Tenderers had been asked to submit fixed prices for each of the first two years of the contract. CNWL's total price for this period equals £589k. Based on the current spend of £307k per annum or £614k over 2 years, this equates to a saving of £25k on the current price paid.

Children's Centres SALT Contract	
2013-14 current contract value	£307k
2013-14 value for 2 years	£614k
Price for 2 years	£589k
Saving	£25k

Mainstream Education

- 3.15 Members will note from Appendix 2 that for the quality criteria the successful tender scored 38.16 out of a possible 40%, consisting of six scores of 'outstanding' and six of 'good' for the different elements of the tender. Although NWLHT submitted the highest

price, when their quality and prices scores are combined they emerge as the tender with the highest evaluated score of 95.33. (See Appendix 2.)

- 3.16 Officers evaluated the financial aspects of the proposals rigorously to ensure they represent value for money. Tenderers had been asked to submit fixed prices for each of the first two years of the contract. NWLHT total price for this period equals £656k. Based on the current spend of £361k per annum or £722k over 2 years, this equates to a saving of £66k on the current price paid.

Mainstream SALT Contract	
2013-14 Contract value	£361k
2013-14 value for 2 years	£722k
Price for 2 years	£656k
Saving	£66k

Evaluation Conclusions

- 3.17 Having evaluated and scored the tenders, officers would recommend that CNWL is awarded the contract for the provision of SALT services for Children's Centres and NWLHT is awarded the contract for the provision of SALT services in schools (mainstream Education). Officers consider that the tenders from both bidders indicate that they will be able to provide the relevant services to a high standard and deliver savings to the Council.

4.0 Financial Implications

- 4.1 The Council's Contract Standing Orders state that contracts for supplies and services exceeding £250k or works contracts exceeding £500k shall be referred to the Executive for approval of the award of the contract.
- 4.2 The tables below shows the total cost to the Council of both the contracts, the expected savings over the 2 year contract periods and the implications of extending both the contracts for a further year.

Savings over 2 Years	Children's Centres (CNWL)	Mainstream Education (NWLHT)
Current annual contract cost	£307k	£361k
Current cost for 2 year contract	£614k	£722k
New contract cost for 2 years	£589k	£656k
Saving to the council over 2 years	£25k	£66k

Savings over 3 Years	Children's Centres (CNWL)	Mainstream Education (NWLHT)
Cost for additional year (half of 2 year contract value)	£295k	£328k
Total cost for 3 years – new contracts	£885k	£984k
Total cost for 3 years (at existing yearly cost)	£921k	£1,083k
Saving to the council over 3 years	£36k	£99k

- 4.3 The above table assumes that the additional year will cost the Council £295k for the Children's Centre Contract and £328k for the Mainstream Contract, i.e. half the cost of the new 2 year contracts.
- 4.4 The Mainstream education contract is funded from the Dedicated Schools Grant (DSG) and all savings will accrue to the DSG.
- 4.5 The Children's Centre contract is fully funded from the General Fund and all savings will accrue to the General Fund.

5.0 Legal Implications

- 5.1 The Council has the necessary powers to enter into the proposed contracts. For the SEN services, Part IV of the Education Act 1996 (as amended by the Special Educational Needs and Disability Act 2001) provides the mandatory obligation on the Council, where a child/young person's SEN statement specifies the provision of SLT services. For discretionary services, under the Children Act 1989 (specifically s.17), the Council has a duty to provide services for children who are in need.
- 5.2 The provision of Speech, Language and Therapy services are classified as Part B Services under the Public Contract Regulations 2006 ("the EU Procurement Regulations") and as such are not

subject to the full application of the EU Procurement 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 within 48 days of award). The Speech, Language and Therapy services are however, subject to the overriding EU Treaty principles of equal treatment, fairness and transparency in the award of contracts.

- 5.3 The values of the proposed contracts over the initial two year period is above the Council's Contract Standing Orders threshold for High Value Service Contracts (£250,000), and the award of the contracts is consequently subject to the Council's own Standing Orders and Financial Regulations in respect of High Value contracts. As a result, Executive approval is required for the award of the contracts stated in Para. 2.1.
- 5.4 As the recommendation by Officers is to award the contracts to the Council's current providers, there are no implications relating to the Transfer of Employment (Protection of Employment) Regulations 2006.
- 5.5 Officers must place a Contract Award Notice in the OJEU, no later than 48 days from formal award of these contracts, should Members approve the recommendation.

6.0 Diversity Implications

- 6.1 New Equalities Impact Assessments have been completed for both services and are attached.
- 6.2 Equalities issues are a core requirement for this contract and formed part of the evaluation of the tendering organisations' technical capacity through the assessment of the PQQ and in the assessment of the quality of service in the written tenders
- 6.3 This contract relates to the delivery of SLT services 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.

- 6.4 The aim of this provision is to improve and raise awareness of the SLT 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.
- 6.5 The failure to approve the award of this contract 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.
- 6.6 Consultation for the provision of the mainstream service has been provided by officers in SENAS who have links with the schools and the service users.

7.0 Staffing/Accommodation Implications

- 7.1 These services are currently delivered by external providers.
- 7.2 There are no implications for Council staff arising from retendering the contracts and staff delivering the current contracts will continue their employment with the existing providers.

8.0 Background Papers

- 8.1 Executive Report of 20 May 2013: Authority to invite tenders for the provision of Speech and Language Therapy services to Brent.
- 8.2 EIA report.

Contact Officers

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SARA WILLIAMS
Acting Director of Children and Families

Appendix 1

Speech and Language Therapy

Children's Centres provision tender evaluation

Evaluation of bids

Bids will be evaluated in accordance with the methodology set out below.

Overall evaluation criteria

Tenders will be evaluated to identify the economically most advantageous tender having regard to price and quality elements.

Price will carry 60% of the evaluation weightings, quality 40%.

Evaluation of Price

Price will consist of 60% of the evaluation weightings. The bidder with the lowest evaluated price will receive the highest score; other bidders will receive a proportional score to the lowest evaluated price.

Evaluation of Quality

The overall Quality weighting is 40%.

The criteria and their relative weightings¹ used to evaluate Quality are detailed in the table below.

Bidders are required to complete Method Statements detailed in Appendix 1. The Method Statements and their relative weightings are detailed in the table below.

Criteria Number	Criteria	Weighting	Method Statement	Method Statement Weighting
EC1	Proposed business model	39%	MS 1	23%
			MS 2	5%
			MS 3	3%
			MS 4	5%
			MS 5	3%
EC2	Tenderer's proposed plans for ensuring effective quality management of the Services and maintenance of the Contract Standard, including self-monitoring and evaluation	27%	MS 6	15%
			MS 7	12%
EC3	Tenderer's proposed approach for working in partnership with the Council, Health, Children's Centres and any other relevant	25%	MS 8	15%
			MS 9	6%
			MS 10	4%

¹ Weightings detailed are a percentage of the Quality criterion

	providers			
EC4	Health and Safety	2%	MS 11	2%
EC5	Tenderer's proposals for adhering to Child Protection requirements	7%	MS 12	7%

Appendix 1

PPP Speech and Language Therapy

Mainstream schools provision tender evaluation

Evaluation of bids

Bids will be evaluated in accordance with the methodology set out below.

Overall evaluation criteria

Tenders will be evaluated to identify the economically most advantageous tender having regard to price and quality elements.

Price will carry 60% of the evaluation weightings, quality 40%.

Evaluation of Price

Price will consist of 60% of the evaluation weightings. The bidder with the lowest evaluated price will receive the highest score; other bidders will receive a proportional score to the lowest evaluated price.

Evaluation of Quality

The overall Quality weighting is 40%.

The criteria and their relative weightings² used to evaluate Quality are detailed in the table below.

Bidders are required to complete Method Statements detailed in Appendix 1. The Method Statements and their relative weightings are detailed in the table below.

Criteria Number	Criteria	Weighting	Method Statement	Method Statement Weighting
EC1	Proposed business model	39%	MS 1	23%
			MS 2	5%
			MS 3	3%
			MS 4	5%
			MS 5	3%

² Weightings detailed are a percentage of the Quality criterion

EC2	Tenderer's proposed plans for ensuring effective quality management of the Services and maintenance of the Contract Standard, including self-monitoring and evaluation	27%	MS 6	15%
			MS 7	12%
EC3	Tenderer's proposed approach for working in partnership with the Council, Health, Schools and any other relevant providers	25%	MS 8	15%
			MS 9	6%
			MS 10	4%
EC4	Health and Safety	2%	MS 11	2%
EC5	Tenderer's proposals for adhering to Child Protection requirements	7%	MS 12	7%

Appendix 2

Children's Centre final scores

Criteria Ref	Criteria	Aspect	Weighting (%)	Sub-Weighting (%)	Bidder 1 Score (0-5)	Bidder 1 Total Weighted Score	Bidder 2 Score (0-5)	Bidder 2 Total Weighted Score
EC1	Proposed business model	39%	MS 1	23%	4	0.92	3	0.69
			MS 2	5%	3	0.15	3	0.15
			MS 3	3%	3	0.09	3	0.09
			MS 4	5%	4	0.20	4	0.20
			MS 5	3%	3	0.09	3	0.09
EC2	Tenderer's proposed plans for ensuring effective quality management of the Services and maintenance of the Contract Standard, including self-monitoring and evaluation	27%	MS 6	15%	4	0.60	4	0.60
			MS 7	12%	4	0.48	3	0.36
EC3	Tenderer's proposed approach for working in partnership with the Council, Health, Schools and any other relevant providers	25%	MS 8	15%	3	0.45	4	0.60
			MS 9	6%	3	0.18	3	0.18
			MS 10	4%	4	0.16	4	0.16
EC4	Health and Safety	2%	MS 11	2%	4	0.08	4	0.08
EC5	Tenderer's proposals for adhering to Child Protection requirements	7%	MS 12	7%	4	0.28	4	0.28
Total Quality			100%	100%		3.68		3.48
Pricing costs (Yr1 + Yr2)						589060		xxxxx

Quality scores (out of 40%)					29.44		27.84
Price Score (out of 60%)	least score gets 60%				60.00		58.91
Total score					89.44		86.75

Mainstream Education final scores

Criteria Ref	Criteria	Aspect	Weighting	Sub-Weighting	Bidder 1 Score	Bidder 1 Total Weighted Score	Bidder 2 Score	Bidder 2 Total Weighted Score	Bidder 3 Score	Bidder 3 Total Weighted Score
			(%)	(%)	(0-5)		(0-5)		(0-4)	
155										
EC1	Proposed business model	39%	MS 1	23%	4	0.92	4	0.92	5	1.15
			MS 2	5%	4	0.20	3	0.15	5	0.25
			MS 3	3%	4	0.12	3	0.09	4	0.12
			MS 4	5%	4	0.20	3	0.15	4	0.20
			MS 5	3%	4	0.12	4	0.12	4	0.12
EC2	Tenderer’s proposed plans for ensuring effective quality management of the Services and maintenance of the Contract Standard, including self-monitoring and evaluation	27%	MS 6	15%	4	0.60	3	0.45	5	0.75
			MS 7	12%	4	0.48	4	0.48	5	0.60
EC3	Tenderer’s proposed approach for working in partnership with the Council, Health, Schools and any other relevant providers	25%	MS 8	15%	4	0.60	3	0.45	5	0.75
			MS 9	6%	3	0.18	2	0.12	4	0.24
			MS 10	4%	4	0.16	3	0.12	4	0.16

EC4	Health and Safety	2%	MS 11	2%	4	0.08	5	0.10	4	0.08
EC5	Tenderer's proposals for adhering to Child Protection requirements	7%	MS 12	7%	5	0.35	4	0.28	5	0.35
Total Quality		100%		100%		4.01		3.43		4.77

Pricing costs (Yr1 + Yr2)					xxxxxx		xxxxxx		656124
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Quality scores (out of 40%)					32.08		27.44		38.16
Price Score (out of 60%)	least score gets 60%				60.00		58.96		57.17

Total score					92.08		86.40		95.33
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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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2012

Equality Analysis

Guidance and Form



Brent Council Equality Analysis Form

Please contact the Corporate Diversity team before completing this form. The form is to be used for both predictive Equality Analysis and any reviews of existing policies and practices that may be carried out.

Once you have completed this form, please forward to the Corporate Diversity Team for auditing. Make sure you allow sufficient time for this.

1. Roles and Responsibilities: please refer to stage 1 of the guidance	
Directorate: Children & Families Service Area: Commissioning	Person Responsible: Name: Ravina Kotecha Title: Commissioning Manager Contact No: 020 8937 3154 Signed:
Name of policy: Speech & Language Therapy service for Key Stage 1-4 pupils attending mainstream Brent schools	Date analysis started: November 2013 Completion date 10 December 2013 Review date:
Is the policy: New <input type="checkbox"/> Old <input checked="" type="checkbox"/>	Auditing Details: Name :Elizabeth Bryan Title: Partnership Equality Policy Officer Date 11.12.13 Contact No: 0208 937 1190 Signed:
Signing Off Manager: responsible for review and monitoring Name: Elzanne Smit Title: Interim Head of Commissioning Date: 10/12/2013 Contact No: Signed:	Decision Maker: Name individual /group/meeting/ committee: Executive Date: 13 January 2014

2. Brief description of the policy. Describe the aim and purpose of the policy, what needs or duties is it designed to meet? How does it differ from any existing policy or practice in this area?

Please refer to stage 2 of the guidance.

This service is being re-commissioned and is for the provision of speech and language therapy services for pupils with Special Educational Needs attending mainstream Brent schools.

The Service Provider will deliver an equitable and inclusive Speech and Language Therapy Service to reception and Key Stage 1 - 4 pupils attending mainstream schools in Brent. This will include high quality support for children who have a need identified and specified in their Individual Pupil Support Agreement (IPSA) or Part 3 of their Statement of Special Educational Needs. The Service Provider will also conduct assessments for those children who have suspected speech, language or communication difficulties and are proceeding through the statutory assessment process.

The aims of the service are to:

- Support the Council in meeting its statutory responsibilities in delivering Speech & Language Therapy to pupils with Special Educational Needs
- Improve or raise awareness of the Speech & Language Therapy needs of young people
- Provide support to young people with a statement of Special Educational Needs
- Provide support to young people without a statement but with speech, language and/or communication difficulties

The service will also contribute to achieving the following objectives and strategic priorities:

- Accelerate the rate of improvement in under achieving groups, narrowing and eliminating gaps
- Ensure all disabled children and young people are able to access the same wide educational and life chances as others
- Support children with special education needs to improve their language and communication needs

3. Describe how the policy will impact on all of the protected groups:

The Speech and Language Therapy Service seeks to improve the communication skills of pupils and identify additional needs and refer those on to specialist services. The service is intended to provide support at the earliest opportunity to reduce opportunities for communication related disabilities to exacerbate, through providing children/young people and their families positive reinforcement and strategies to manage the communication skills; therefore reducing the potential impact of communication related disabilities.

This service is designed to reduce any adverse impact young people with Statements of Special Educational Needs sometimes encounter when accessing mainstream school. The additional support they receive will increase pupils' understanding of their needs, and will equip them with the relevant tools and aids to allow them to realise their potential.

No adverse impacts have been identified for any groups on the grounds of race / gender / disability / faith / sexual orientation / health/ pregnancy and maternity / age / gender reassignment and sex.

Please give details of the evidence you have used:

The development of the service is based on a comprehensive needs analysis of the borough, and is provided in line with the SEN code of practice.

The Corporate Strategy and the needs analysis identified the need to focus resources on early intervention and prevention services, which is the aim of the service provision.

Analysis completed by the West London Alliance has indicated that Brent has a significantly high number of young people with Statements of Special Educational Need, in comparison with other neighbouring boroughs. This service will meet the needs of these young people, and provide them with opportunities to thrive and achieve their best.

4. Describe how the policy will impact on the Council's duty to have due regard to the need to:**(a) Eliminate discrimination (including indirect discrimination), harassment and victimisation;**

This service is designed to reduce any adverse impact young people with Statements of Special Educational Needs sometimes encounter when accessing mainstream school. The additional support they receive will increase pupils' understanding of their needs, and will equip them with the relevant tools and aids to allow them to realise their potential.

(b) Advance equality of opportunity;

This service is designed to reduce any adverse impact young people with Statements of Special Educational Needs sometimes encounter when accessing mainstream school. The additional support they receive will increase pupils' understanding of their needs, and will equip them with the relevant tools and aids to allow them to realise their potential.

(c) Foster good relations

The service has been developed using an inclusive approach designed to ensure that these children receive appropriate support to remain in mainstream school and that they interact with children from a range of backgrounds.

5. What engagement activity did you carry out as part of your assessment?

Please refer to stage 3 of the guidance.

No consultation has been undertaken as part of the assessment; however the service provision was consulted on during the preparation of the service specification and tender evaluation process. Support and input was provided through the Special Education Needs Assessment Team (SENAS) through the entire process.

- i. **Who did you engage with?**
- ii. **What methods did you use?**
- iii. **What did you find out?**
- iv. **How have you used the information gathered?**
- v. **How has it affected your policy?**

6. Have you identified a negative impact on any protected group, or identified any unmet needs/requirements that affect specific protected groups? If so, explain what actions you have undertaken, including consideration of any alternative proposals, to lessen or mitigate against this impact.

Please refer to stage 2, 3 & 4 of the guidance.

No negative impact has been identified. This service is designed to reduce any adverse impact young people with Statements of Special Educational Needs sometimes encounter when accessing mainstream school. The additional support they receive will increase pupils' understanding of their needs, and will equip them with the relevant tools and aids to allow them to realise their potential.

Please give details of the evidence you have used:

7. Analysis summary

Please tick boxes to summarise the findings of your analysis.

Protected Group	Positive impact	Adverse impact	Neutral
Age			✓
Disability	✓		
Gender re-assignment			✓
Marriage and civil partnership			✓
Pregnancy and maternity			✓
Race			✓
Religion or belief			✓
Sex			✓
Sexual orientation			✓

8. The Findings of your Analysis

Please complete whichever of the following sections is appropriate (one only).

Please refer to stage 4 of the guidance.

No major change

Your analysis demonstrates that:

- *The policy is lawful*
- *The evidence shows no potential for direct or indirect discrimination*
- *You have taken all appropriate opportunities to advance equality and foster good relations between groups.*

Please document below the reasons for your conclusion and the information that you used to make this decision.

The service provision will assist in building confidence within young people and supporting them in building better relations with the community and allowing them to realise their potential. This early intervention and prevention service will allow young people the best start in their life.

These measures are necessary to promote equal access to the service and to ensure we do everything we can to remove barriers and eliminate adverse impact on any specific group.

Justification for taking these measures also stems from:

- Brent Corporate Strategy
- Every Child Matters
- Children Act 2004
- Local needs analysis
- SEN Code of Practice

Adjust the policy

This may involve making changes to the policy to remove barriers or to better advance equality. It can mean introducing measures to mitigate the potential adverse effect on a particular protected group(s).

Remember that it is lawful under the Equality Act to treat people differently in some circumstances, where there is a need for it. It is both lawful and a requirement of the public sector equality duty to consider if there is a need to treat disabled people differently, including more favourable treatment where necessary.

If you have identified mitigating measures that would remove a negative impact, please detail those measures below.

Please document below the reasons for your conclusion, the information that you used to make this decision and how you plan to adjust the policy.

Continue the policy

This means adopting your proposals, despite any adverse effect or missed opportunities to advance equality, provided you have satisfied yourself that it does not amount to unlawfully discrimination, either direct or indirect discrimination.

In cases where you believe discrimination is not unlawful because it is objectively justified, it is particularly important that you record what the objective justification is for continuing the policy, and how you reached this decision.

Explain the countervailing factors that outweigh any adverse effects on equality as set out above:

Please document below the reasons for your conclusion and the information that you used to make this decision:

Stop and remove the policy

If there are adverse effects that are not justified and cannot be mitigated, and if the policy is not justified by countervailing factors, you should consider stopping the policy altogether. If a policy shows unlawful discrimination it must be removed or changed.

Please document below the reasons for your conclusion and the information that you used to make this decision.

9. Monitoring and review

Please provide details of how you intend to monitor the policy in the future.
Please refer to stage 7 of the guidance.

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

- Current case load – with ethnicity, age, gender breakdown
- Number of new cases per quarter
- Pupils actively receiving treatment
- Number of appointments made – with details of attendances/cancellations and reasons for cancellations
- Number of hours support provided
- Number of assessments carried out this quarter
- Number of statutory assessment reports delivered within 6 week timescale
- Number of discharges per quarter
- Number of discharges notified to SENAS within 4 weeks
- Reports provided for tribunal (if applicable)
- Tribunal attendance (if applicable)
- Individual educational planning meetings attended
- Annual review meetings attended
- Annual review reports submitted on time
- Referrals – made to other organisations/services
- Referrals – received from other organisations/services
- Complaints/compliments received

In addition to the quarterly monitoring, where feasible, spot visits will be carried out to ensure the consistency and accessibility of the service.

10. Action plan and outcomes

At Brent, we want to make sure that our equality monitoring and analysis results in positive outcomes for our colleagues and customers.

Use the table below to record any actions we plan to take to address inequality, barriers or opportunities identified in this analysis.

Action	By when	Lead officer	Desired outcome	Date completed	Actual outcome

Please forward to the Corporate Diversity Team for auditing.

Introduction

The aim of this guidance is to support the Equality Analysis (EA) process and to ensure that Brent Council meets its legal obligations under the Equality Act 2010. Before undertaking the analysis there are three key things to remember:

- It is very important to keep detailed records of every aspect of the process. In particular you must be able to show a clear link between all of your decisions and recommendations and the evidence you have gathered.
- There are other people in the council and in your own department who have done this before and can offer help and support.
- The Diversity and Consultation teams are there to advise you.

The Equality Act 2010

As a Public Authority, Brent Council is required to comply with the Public Sector Equality Duty (PSED) contained in the Equality Act 2010. These duties require Brent Council to have 'due regard' to the need to

- Eliminate discrimination, be it direct or indirect discrimination
- Advance equality of opportunity between persons who share a relevant protected characteristic and others who do not share it; and
- Foster good relations between people who share a protected characteristic and those who do not share it

The equality duty covers:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Marriage and civil partnership (direct discrimination only)
- Race
- Religion or belief
- Sex (formally known as gender)
- Sexual orientation

What is equality analysis?

Equality Analysis is core to policy development and decision making and is an essential tool in providing good services. Its purpose is to allow the decision maker to answer two main questions.

- Could the policy have a negative impact on one or more protected groups and therefore create or increase existing inequalities?
- Could the policy have a positive impact on one or more protected groups by reducing or eliminating existing or anticipated inequalities?

What should be analysed?

Due consideration of the need for an Equality Analysis should be addressed in relation to all policies, practices, projects, activities and decisions, existing and new. There will be some which have no equalities considerations, but many will. Where an

EA is undertaken, some policies are considered a higher risk than others and will require more time and resources because of their significance. This would include:

- Policies affecting a vulnerable group such as young people, the elderly and people with a disability
- Policies related to elective services such as Sports Centres or Libraries
- High profile services
- Policies involving the withdrawal of services
- Policies involving significant reductions in funding or services
- Policies that affect large groups of people
- Policies that relate to politically sensitive issues

It can sometimes be difficult to identify which policies are more sensitive. If you are in doubt seek advice from a more senior officer or the Diversity Team.

When should equality analysis be done?

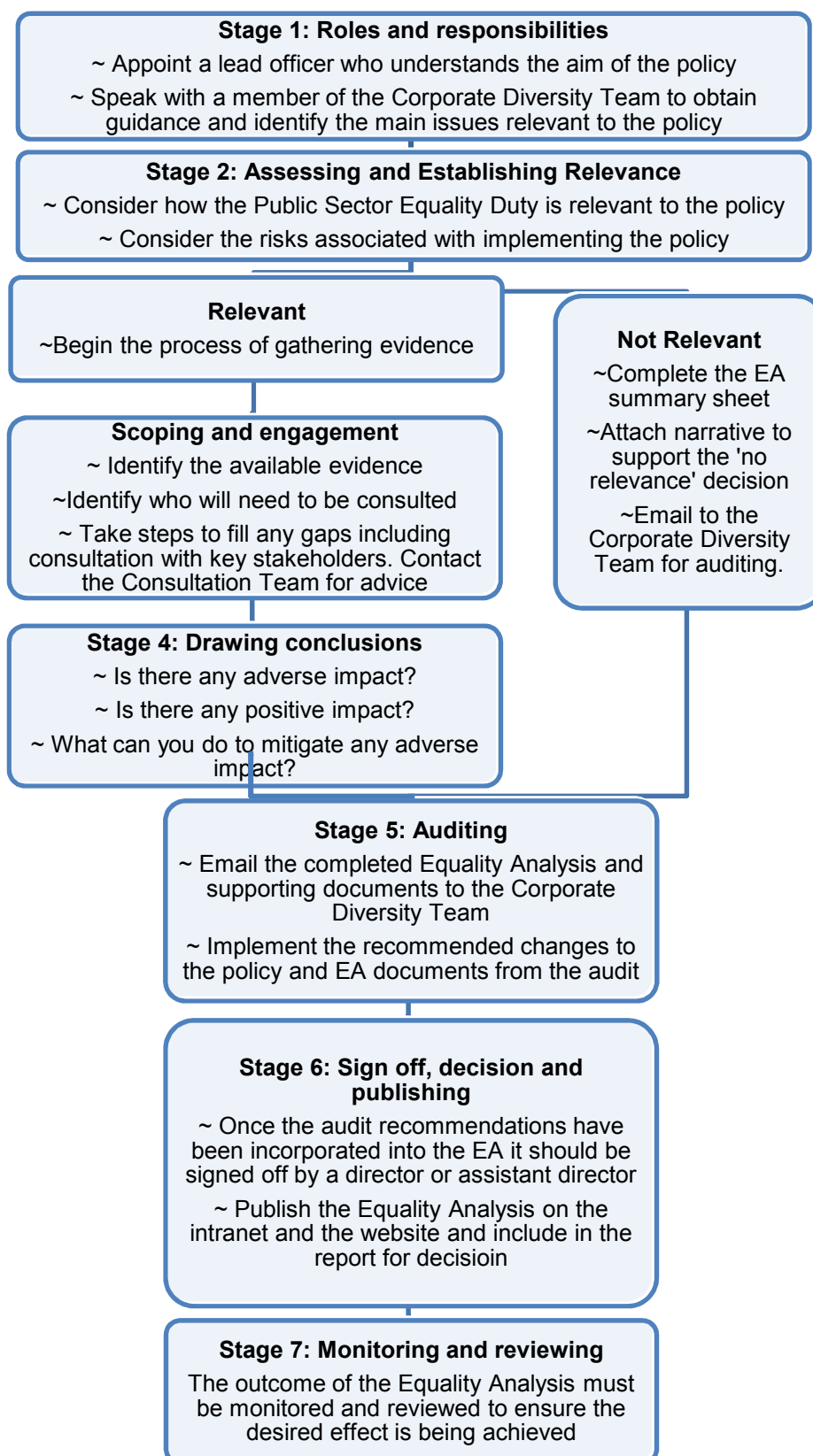
The EA must be completed before the policy is sent to the decision maker but should be carried out at the earliest possible stage. The advantage of starting early is that the equalities data informs and shapes the policy as it develops and progresses and this allows more time to address issues of inequality. You should also bear in mind that several changes may be happening at the same time. This would mean ensuring that there is sufficient relevant information to understand the cumulative effect of all of these decisions.

Positive action

Not all policies can be expected to benefit all groups equally, particularly if they are targeted at addressing particular problems affecting one protected group. (An example would be a policy to improve the access of learning disabled women to cancer screening services.) Policies like this, that are specifically designed to advance equality, will, however, also need to be analysed for their effect on equality across all the protected groups.

Brent Council's Equality Analysis Process

This flow chart sets out the process for carrying out an EA. Details on each stage of the process follow. Please note that it may be necessary to consult the Corporate Diversity team at each stage and that Legal may also need to be involved. This should be factored in to the time scale.



Stage 1: Roles and Responsibilities

The first stage in the process is to allocate the following roles.

Role	Responsibilities and tasks
Decision maker - the person or group making the policy decision (e.g. CMT/Executive/Chief Officer).	<ul style="list-style-type: none"> • Check that the analysis has been carried out thoroughly: • Read and be familiar with the EA and any issues arising from it and know, understand and apply the PSED. (The evidence on which recommendations are based must be available to this person.) • Take account of any countervailing factors e.g. budgetary and practical constraints
The officer undertaking the EA	<ul style="list-style-type: none"> • Contact the Corporate Diversity and Consultation teams for support and advice • Develop an action plan for the analysis • Carry out research, consultation and engagement if required • Develop recommendations based on the analysis • Submit the EA form to the Diversity team for audit with the evidence and any other relevant documents including the report the EA will be attached to • Incorporate the recommendations of the audit • Include the Equalities Analysis in papers for decision-makers
The Corporate Diversity Team. Usually an individual officer will be assigned at the start of the process	<ul style="list-style-type: none"> • Provide support and advice to the responsible officer • Carry out the audit of the EA to monitor quality standards and ensure it is sufficiently rigorous to meet the general and public sector duties. • Return the analysis to the responsible officer for further work if it fails to meet the necessary standard • Consult Legal if necessary (this stage of the process will take at least 5 days)
The council officer responsible for signing off the EA. Usually a senior manager within the relevant directorate	<p>Ensure:</p> <ul style="list-style-type: none"> • That the EA form is completed • That any issues raised as part of the auditing process have been fully dealt with • That the EA, the evidence used and any issues arising from the analysis are brought to the attention of the decision maker • Ensure that the findings are used to inform service planning and wider policy development.

Stage 2: Assessing and Establishing Relevance

We need to ensure that all of our policies and key decisions, both current and proposed, have given appropriate consideration to equality. Consideration of the need for an EA needs to be given to all new policies, all revised policies, all key decisions and changes to service delivery need an EA. Those that are more relevant will require more resources and data.

The following questions can help you to determine the degree of relevance, but this is not an exhaustive list:

Key Questions:

- Does the policy have a significant effect in terms of equality on service users, employees or the wider community? Remember that relevance of a policy will depend not only on the number of those affected but also by the significance of the effect on them.
- Is it a major policy, significantly affecting how functions are delivered in terms of equality?
- Will it have a significant effect on how other organisations operate in terms of equality?
- Does the policy relate to functions that previous engagement has identified as being important to particular protected groups?
- Does or could the policy affect different protected groups differently?
- Does it relate to an area with known inequalities (for example, access to public transport for disabled people, racist/homophobic bullying in schools)?
- Does it relate to an area where equality objectives have been set by Brent Council?

If the answer to any of the above is “yes”, you will need to carry out an Equalities Analysis.

“Not relevant”

If you decide that a policy does not impact on any of the equality needs contained in the public sector equality duty, you will need to:

- Document your decision, including the reasons and the information that you used to reach this conclusion. **A simple statement of no relevance to equality without any supporting information is not sufficient, nor is a statement that no information is available.** This could leave you vulnerable to legal challenge so obtaining early advice from the Corporate Diversity team would be helpful.
- Complete the EA Form and send it to the Corporate Diversity Team for auditing. If the Corporate Diversity Team advises that policy is relevant then you will need to continue the EA process (See flowchart). If the Corporate Diversity Team advises that the policy is not relevant then you will need to have it signed off, publish it and put in place monitoring arrangements for the policy.

Stage 3: Scoping

Scoping establishes the focus for the EA and involves carrying out the following steps:

- Identify how the aims of the policy relate to equality and which aspects have particular importance to equality.
- Identify which protected groups and which parts of the general equality duty the policy will, or is likely to, affect.
- Identify what evidence is available for the analysis, what the information gaps are, and establish which stakeholders can usefully be engaged to support the analysis.

Think about:

- The purpose of the policy, and any changes from any existing policy
- The reason for the policy
- The context
- The beneficiaries
- The intended results

At this early stage you should start to think about potential effects on protected groups. This could mean that you decide to change your overall policy aims or particular aspects of the policy in order to take better account of equality considerations. It is often easier to do this at an earlier stage rather than having to reconsider later on in the process.

Sources of information

It is important to have as much up-to-date and reliable information as possible about the different groups likely to be affected by the existing or proposed policy. The information needed will depend on the nature of the existing or proposed policy, but it will probably include many of the items listed below:

- The Brent Borough profile for demographic data and other statistics
- Census findings; the 2011 census data will be available during 2012
- Equality monitoring data for staff and/or service users
- Reports and recommendations from inspections or audits conducted on service areas
- Previous reports that have been produced either on a similar topic or relating to the same service user group
- Responses to public enquiries on similar topics e.g. Freedom of Information requests
- Comparisons with similar policies in other departments or authorities to help you identify relevant equality issues.
- Analysis of enquiries or complaints from the public to help you understand the needs or experiences of different groups.
- Recent research from a range of national, regional and local sources to help you identify relevant equality issues.
- Results of engagement activities or surveys to help you understand the needs or experiences of different groups.

- Local press and other media. This will tell you whether there is public concern about possible equalities implications and help you to highlight issues for engagement

Many of these sources will be consulted as a matter of course when reviewing or developing a policy. Equalities considerations are one part of the policy process, not an extra.

Service user information

The type of information you need will depend on the nature of the policy. However, information relating to service users is usually essential. Consider:

- The full range of information that you already have about the user group e.g. information contained within service reviews, audit reports, performance reviews, consultation reports
- Who actually uses the service?
- When do they use it?
- How do they use it and what are their experiences?
- Are there alternative sources of provision that could be accessed?
- Who will be using the service in the future?
- Information from groups or agencies who deliver similar services to your target group e.g. survey results from voluntary and community organisations.

Identify your information gaps

If you do not have equality information relating to a particular policy or about some protected groups, you will need to take steps to fill in your information gaps. This could mean doing further research, undertaking a short study, conducting a one off survey or consultation exercise, holding a focus group etc.

Engagement

The Consultation team are available to advise on all aspects of engagement. You may wish to carry out engagement, which can help you to:

- Gather the views, experiences and ideas of those who are, or will be, affected by your decisions.
- Base your policy on evidence rather than on assumptions
- Check out your ideas
- Find solutions to problems and develop ways to overcome barriers faced by particular groups.
- Design more appropriate services,
- Monitor and evaluate the success of your policies and understand where improvements may be necessary.
- Avoid the costs of remedying and adapting services after their implementation
- Pre-empt complaints, which can be costly and time-consuming.

But remember you don't always have to consult or embark upon engagement if you already have enough information to assess the likely impact of the policy change on the equality needs, and if there is no other legal duty to consult. This engagement

can form part of the broader consultation being carried out around service changes. You can also use recent engagement and research activities as a starting point, for example on a related policy or strategy and you can use documentation resulting from other equality analysis that Brent Council (or others) have undertaken.

For your engagement to be effective you will need to:

- Think carefully about who you should engage with. You will need to prioritise those who are most likely to be affected by the policy and those who will experience the greatest impact in terms of equality and good relations.
- In regard to people with a disability, as good practice it is recommended that they should be actively involved in engagement activity which directly affects them or the services that they receive.
- Make sure that the level of engagement is appropriate to the significance of the policy and its impact on equality
- Consider what questions you will need to ask, in order to understand the effect of the policy on equality. If you find it difficult to frame suitable questions you may take advice from the Corporate Diversity and Consultation teams
- Link into existing forums or community groups or to speak with representatives to help you reach less visible groups or those you have not engaged with before.
- Create opportunities for people to participate in supportive and safe environments where they feel their privacy will be protected, or via technology such as the internet
- Think of strategies that address barriers to engagement. Other people in the council have experience of this and can advise, as can the Corporate Diversity team and the Consultation team.

Stage 4: Drawing conclusions

You will need to review all of the information you have gathered in order to make a judgement about what the likely effect of the policy will be on equality, and whether you need to make any changes to the policy.

You may find it useful to ask yourself “What does the evidence (data, consultation outcomes etc.) tell me about the following questions”:

- Could the policy outcomes differ between protected groups? If so, is that consistent with the policy aims?
- Is there different take-up of services by different groups?
- Could the policy affect different groups disproportionately?
- Does the policy miss opportunities to advance equality and foster good relations, including, for example, participation in public life?
- Could the policy disadvantage people from a particular group?
- Could any part of the policy discriminate unlawfully?
- Are there other policies that need to change to support the effectiveness of the policy under consideration?

If the answer to any of the above is "yes", you should consider what you can do to mitigate any harmful effects. Advice from the Diversity team will be particularly helpful at this stage.

You will also want to identify positive aspects of the policy by asking yourself:

- Does the policy deliver practical benefits for protected groups?
- Does the policy enable positive action to take place?
- Does the policy help to foster good relations between groups

Having considered the potential or actual effect of your policy on equality, you should be in a position to make an informed judgement about what should be done with your policy.

There are four main steps that you can take:

- **No major change**
- **Adjust the policy**
- **Continue the policy**
- **Stop and remove the policy**

(please see EA form for detailed descriptions of each decision)

Decisions may involve careful balancing between different interests, based on your evidence and engagement. For example, if the analysis suggests the needs of two groups are in conflict, you will need to find an appropriate balance for these groups and for the policy in question. The key point is to make sure the conclusions you reach can be explained and justified. Speak to the Diversity team if you are unsure. As a result of your analysis you may need to develop new equality objectives and targets. These should be documented on the EA form.

Stage 5: Auditing

Once you have completed the EA you will need to complete the EA Form and send it to the Corporate Diversity Team for auditing. It is important to ensure that the EA Form is completed as fully as possible. Documenting all of your analysis is important to ensure that you can show how the general and specific duties are being met. This aspect of the analysis has been subject to legal challenge so you need to be able to show how you reached your conclusions. The audit process involves the Corporate Diversity Team reviewing the completed form, the information and evidence. Sometimes this may require advice from Legal. You need to bear in mind that this will take at least five days. The team will send you back a feedback form with comments and recommendations which you will need to action prior to the sign off of the form.

Stage 6: Sign Off, Decision and Publishing

Once the EA Form is completed, the document must be signed off and the completed document must be sent to the Corporate Diversity Team to be published on the council website.

Decision-making

In order to have due regard to the aims of the public sector equality duty, decision-making must be based on a clear understanding of the effects on equality. This means that Directors, CMT and others who ultimately decide on the policy are fully aware of the findings of the EA and have due regard to them in making decisions. They are also entitled to take into account countervailing factors such as budgetary and practical constraints.

Stage 7: Monitoring and Reviewing

Your EA, and any engagement associated with it, will have helped you to anticipate and address the policy's likely effects on different groups. However, the actual effect of the policy will only be known once it has been introduced. You may find that you need to revise the policy if, for instance:

- Negative effects do occur
- Area demographics change, leading to different needs,
- Alternative provision becomes available
- New options to reduce an adverse effect become apparent

You will need to identify a date when the policy will be reviewed to check whether or not it is having its intended effects. This does not mean repeating the EA, but using the experience gained through implementation to check the findings and to make any necessary adjustments. Consider:

- How you will measure the effects of the policy?
- When the policy will be reviewed (usually after a year) and what could trigger an early revision (see above)?
- Who will be responsible for monitoring and review?
- What type of information is needed for monitoring and how often it will be analysed?
- How to engage stakeholders in implementation, monitoring and review?

Section 3: Glossary

Civil partnership: Legal recognition of a same-sex couple's relationship. Civil partners must be treated the same as married couples on a range of legal matters.

Direct discrimination: This refers to less favourable treatment of one individual, if, because of that person's protected characteristic, that person is treated less favourably than another. Direct discrimination cannot be justified unless it is discrimination on the grounds of age.

Disability: A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

Equality information: The information that you have (or that you will collect) about people with protected characteristics that will help you to show compliance with the equality duty. This may include the findings of engagement with protected groups and others and evidence about the effect of your policies on protected groups. It includes both qualitative and quantitative information, as well as evidence of analysis you have undertaken.

Gender reassignment: This is the process of transitioning from one sex to another. See also trans, transgender, transsexual.

Harassment: Unwanted conduct related to a protected characteristic that has the purpose or effect of violating a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. It may also involve unwanted conduct of a sexual nature or be related to gender reassignment or sex.

Indirect discrimination: This is when a neutral provision, criterion or practice is applied to everyone, but which is applied in a way that creates disproportionate disadvantage for persons with a protected characteristic as compared to those who do not share that characteristic, and cannot be shown as being a proportionate means of achieving a legitimate aim.

Mitigation: This is when measures are put in place that lessen the negative effects of a policy or policies on protected groups.

Objective justification: Your provision may indirectly discriminate against a particular group if:

- It is a proportionate means to achieve a legitimate end
- The discrimination is significantly outweighed by the benefits
- There is no reasonable alternative to achieve the legitimate end

For example, some employers have policies that link pay and benefits to an employee's length of service, such as additional holiday entitlement for long-serving employees. This may indirectly discriminate against younger people who are less likely to have been employed for that length of time, but in most circumstances it is seen as being a proportionate way of encouraging staff loyalty.

Direct discrimination on the grounds of age can also be objectively justified (no other direct discrimination can be).

Positive action: Lawful actions that seeks to overcome or minimise disadvantages that people who share a protected characteristic have experienced, or to meet their different needs (for example, providing mentoring to encourage staff from under-represented groups to apply for promotion).

Pregnancy and Maternity: Pregnancy is the condition of being pregnant. Maternity is the period after giving birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, including as a result of breastfeeding.

Proportionality: The weight given to equality should be proportionate to its relevance to a particular function. This may mean giving greater consideration and resources to functions or policies that have the most effect on the public or on employees.

Race: This refers to a group of people defined by their colour, nationality (including citizenship), ethnic or national origins.

Reasonable adjustment: Public authorities making adjustments to the way in which they carry out their functions so that disabled people are not disadvantaged by the way in which those functions are carried out. This is with regard to policies, practices or procedures, premises, and the provision of auxiliary aids or services.

Relevance: How far a function or policy affects people, as members of the public, and as employees of the authority. Some functions may be more relevant to some protected groups than to others, and to one or more of the three elements of the general equality duty. The function or policy may still be relevant if the numbers affected by it are very small.

Religion or belief: Religion means any religion, including a reference to a lack of religion. Belief includes religious and philosophical beliefs including lack of belief (for example, Atheism). Generally, a belief should affect your life choices or the way you live for it to be included.

Sexual orientation: This is whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

Trans: The terms 'trans people' and 'transgender people' are both often used as umbrella terms for people whose gender identity and/or gender expression differs from their birth sex, including transsexual people (those who propose to undergo, are undergoing or have undergone a process of gender reassignment to live permanently in their acquired gender), transvestite/cross-dressing people (those who wear clothing traditionally associated with the other gender either occasionally or more regularly), androgyne/polygender people (those who have non-binary gender identities and do not identify as male or female), and others who define as gender variant.

Transgender: An umbrella term for people whose gender identity and/or gender expression differs from their birth sex. They may or may not seek to undergo gender reassignment hormonal treatment/surgery. Often used interchangeably with trans.

Transsexual: A person who intends to undergo, is undergoing or has undergone gender reassignment (which may or may not involve hormone therapy or surgery). Transsexual people feel the deep conviction to present themselves in the appearance of the opposite sex. They may change their name and identity to live in the preferred gender. Some take hormones and have cosmetic treatments to alter their appearance and physical characteristics. Some undergo surgery to change their bodies to approximate more closely to their preferred gender. Transsexual people have the protected characteristic of gender reassignment under the Equality Act 2010. Under the Act, gender reassignment is a personal process rather than a medical one and it does not require someone to undergo medical treatment in order to be protected.

Victimisation: Subjecting a person to a detriment because they have made a complaint of discrimination, or are thought to have done so; or because they have supported someone else who has made a complaint of discrimination. Victimisation is unlawful under the Equality Act 2010.

A Summary of the Equality Act 2010

The Equality Act 2010 replaces the existing anti-discrimination laws with a single Act. The legislation covers:

- Employment and work
- Goods and services
- The exercise of public functions
- Premises
- Associations
- Transport
- Education

The act prohibits:

- Direct discrimination
- Indirect discrimination
- Discrimination by association
- Discrimination by perception
- Discrimination arising from disability
- Victimisation
- Harassment

The new legislation no longer refers to 'diversity strands' instead it introduces the concept of 'protected characteristics or groups, the protected characteristics are:

- Age
- Disability
- Gender reassignment
- Race
- Religion or belief
- Sex
- Sexual orientation
- Marriage and civil partnership
- Pregnancy and maternity

The Public Sector Equality Duty

The public sector equality duty requires that the council must, in the exercise of its functions, have due regard to the need to:

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

These are generally referred to as the three arms of the duty. In relation to 'fostering' there is a duty to have due regard to the need to tackle prejudice and promote understanding.

Equality of opportunity is expanded by placing a duty on the Council to have due regard to the need to:

- Remove or minimize disadvantages connected to a characteristic of a protected group.
- Take steps to meet the needs of protected groups.
- Encourage participation of protected groups in public life where participation is proportionately low.

There is also a specific requirement that councils must take steps to take account of a person's disability and there is a duty to make reasonable adjustments to remove barriers for disabled people. The duty is 'anticipatory'. For example, Brent Council cannot wait until a disabled person wants to use its services, but must think in advance (and on an ongoing basis) about what people with a range of impairments might reasonably need.

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 Brent	<p style="text-align: center;">Executive 13 January 2014</p> <p style="text-align: center;">Report from the Strategic Director of Regeneration and Growth</p>
<p>For Action. Wards Affected: ALL</p>	
<p>Authority to participate in a collaborative procurement for Construction Professional Services and related issues</p>	

1.0 Summary

- 1.1 Brent Housing Partnership (BHP) are currently tendering a framework with three lots for various construction professional services and have agreed that the Council can participate in this exercise.
- 1.2 Accordingly this report requests approval, as required by Contract Standing Order 85, to participate in a collaborative procurement to set up a framework for construction professional services for use by the Department for Regeneration & Growth.
- 1.3 The report also requests associated approvals and exemptions under Contract Standing Orders to maximise the ease of use of the framework in view of the high number of possible call-offs for similar services over distinct projects.

2.0 Recommendations

- 2.1 The Executive give approval to the Council participating in a collaborative procurement exercise being run by Brent Housing Partnership (BHP) which will lead to the establishment of a framework agreement for construction professional services, as listed in paragraph 3.4 of the report.
- 2.2 The Executive give approval to the collaborative procurement exercise described in paragraph 2.1 being exempted from the normal requirements of

Brent's Contract Standing Orders in accordance with Contract Standing Orders 85(c) and 84(a) on the basis that there are good financial and operational reasons as set out in paragraphs 3.1 to 3.3 of the report, due to the procurement being conducted in accordance with BHP's contract standing orders instead.

- 2.3 The Executive give approval so that any call offs from the BHP framework that is the subject of this report and listed in paragraph 3.4 are exempt from the requirement in Contract Standing Order 86(d) to get confirmation prior to each proposed call off from the Director of Legal and Procurement that use of the framework is legally permissible.

3.0 Detail

- 3.1 Now that Brent Housing Partnership are co-located in the Civic Centre with the Council, opportunities for greater collaboration between the two organisations are being actively explored by the new Managing Director at BHP and the Operational Director (Housing and Employment).
- 3.2 The Regeneration and Growth department is responsible for the development and delivery of a wide range of capital projects that regularly require support from a range of external consultants. Often this is done on a project by project basis using a variety of procurement techniques, even though the services required may be broadly similar across the different projects. A particular issue is that nearly all such services are covered by the EU public procurement regime, such that a full EU tender exercise is required for all service requirements exceeding approximately £174,000 in value.
- 3.3 While it is possible to use frameworks set up by other bodies, these are not always set up to best meet the Council's needs and may limit access to appropriate service providers or be cumbersome to use.
- 3.4 BHP have placed an OJEU notice for a multi-lot, multi-supplier framework covering the following disciplines:

Lot 1

Surveying-related consultancy services across a number of general disciplines and specialist services for refurbishment and repair projects and for new build projects. Some architecture-related services may be required. Four consultants will be appointed.

Lot 2

Consultancy services for Mechanical and Electrical projects
One consultant will be appointed

Lot 3

Lift consultants
One consultant will be appointed

It should be noted that the way that the services are being specified under this framework means that they are more suitable for housing refurbishment projects and for smaller new build. Experience relating to other property types will be tested through mini-competition where necessary, however overall the framework will prove useful to widen procurement options available.

- 3.5 The OJEU notice was placed on the basis of the Council's participation in all 3 lots, however Executive approval is now required to allow the Council's participation through the Invitation to Tender stage.
- 3.6 Under Contract Standing Orders, every proposal to use a framework requires approval of the relevant Chief Officer, as well as confirmation from the Borough Solicitor that use of the framework is legally permissible. In this case there is the potential for a high number of call offs from lot 1 of the BHP framework in particular. In view of the fact that the terms of the framework are widely drawn - there is explicit reference to the Council being able to use the framework in the OJEU notice - and the fact that the same legal adviser from Brent Legal Services is advising both parties, there should be no need to check legal permissibility each time. Therefore it is recommended that it would be sensible for a waiver of Contract Standing Orders to be agreed in relation to the usual requirement to confirm that each use of the framework is legally permissible.
- 3.7 The recommended exemption at paragraph 2.3 as explained further in paragraph 3.6 above does not affect the requirement for all such call off contracts to be awarded in accordance with Contract Standing Orders, either by the Strategic Director, or by the Executive for contracts valued at £250,000 or more.
- 3.8 The reason for requesting an exemption from the Council's Contract Standing Orders is because as this is a BHP procurement, BHP need to comply with their own standing orders. The Council's Contract Standing Orders cannot then be complied with as well. However the legal adviser for both these projects has confirmed that BHP's Contract Standing Orders are very similar to the Council's own, and as BHP are subject to the EU Public procurement regime in the same way as the Council, there is no detriment to the Council by the disapplication of the Council's procedures.

4. Key Risks

- 4.1 Collaborative procurements work best if all the participants have common requirements. In this project, Brent officers will have the opportunity to feed into the specification developed by BHP.
- 4.2 There is a risk that the framework doesn't meet Brent's needs at the end of the procurement e.g. the type of firms appointed do not have experience in working on schools projects. While there is no indication at present that this is likely to occur, there is no risk in relation to this approach because the Council is not committed to a certain volume of call offs.

5.0 Financial Implications

- 5.1 There are no direct financial implications flowing from the recommendations set out in this report which is seeking Executive approval to participate in the BHP collaborative procurement.
- 5.2 However, by entering into the proposed arrangement the Council should expect to make savings in the future as it can anticipate lower costs for the specified services when contracts are let. These savings will be quantified as and when contracts are called off the proposed frameworks.
- 5.3 Whenever there is a need for these construction-related services, a budget will be identified from the appropriate capital programme.
- 5.4 The costs of participating in the collaborative procurement comprise officer time and will be contained within existing revenue budgets within the Department.

6.0 Legal Implications

- 6.1 This report is seeking authority to participate in the collaborative procurement with BHP.
- 6.2 The framework is being procured by means of a collaborative procurement exercise. Under Brent Contract Standing Orders (CSOs), paragraph 85(c), such collaborative procurements need to be tendered in accordance with Brent Standing Orders and Financial Regulations, unless the Executive grants an exemption in accordance with Standing Order 84(a). A request for an exemption from the application of Brent CSOs under 84(a) can be approved by the Executive where there are good operational and / or financial reasons, and for this report these reasons are set out in the body of this report.
- 6.3 It will be necessary to ensure that the tender documents meet Brent's requirements as far as possible and clearly set out Brent's rights and responsibilities in view of the fact that BHP will be entering into the main framework agreements, with the right for Brent to enter into call-off contracts.

7.0 Diversity Implications

- 7.1 There is no diversity implications associated with the recommendations set out in this report.

8.0 Staffing/Accommodation Implications

None

9.0 Background Papers - none

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 Brent	<p>Executive 13 January 2014</p> <p>Report from the Director of Regeneration and Growth</p>
<p>For Action</p> <p style="text-align: right;">Wards affected: Fryent and Queensbury</p>	
<p>Burnt Oak, Colindale and The Hyde Placemaking Plan</p>	

1.0 Summary

- 1.1 The Burnt Oak, Colindale and The Hyde Placemaking Plan sets out a vision which aims to maximise the opportunity associated with the area along Edgware Road (A5). It seeks to guide and help catalyse development and investment and seek to shift the character of A5 away from that of a vehicular 'artery' towards that of a vibrant local high street through a suite of co-ordinated public realm interventions and urban design strategies to improve the area for new and existing residents, businesses and visitors. The proposals included in the document could radically transform the area within the next 10-15 years. .
- 1.2 The document has been developed with input from the officers from Brent, Barnet, Harrow, Transport for London and the local community. With the A5 corridor marking the boundary between Brent and Barnet, the endorsement of this document by both Boroughs is a powerful statement of the shared vision for the A5 as a focus for activity and regeneration over the coming years.
- 1.3 The Placemaking Plan was approved by Brent Planning Committee on 4 September 2013 as a material consideration for deciding planning applications locally.
- 1.4 This report provides a summary of the Placemaking Plan, which is attached as Appendix 3, its objectives, the transport and planning context, public consultation and the delivery mechanism.

2.0 Recommendations

The Executive is recommended to:

- 2.1 Endorse the Burnt Oak, Colindale and The Hyde Placemaking Plan as a vision for the Burnt Oak, Colindale and The Hyde area as recommended by Brent Planning Committee.

3.0 Detail

Introduction

- 3.1 Appendix 1 shows the Placemaking Plan study area which includes the whole of Burnt Oak/ Colindale Growth Area, the primary and secondary shopping frontages on Edgware Road (The Hyde/ Colindale Town Centre), the road junctions, informal and formal parking areas, Capitol Industrial Park, Grove Park Sports Ground and a number of community facilities on Stag Lane.
- 3.2 Burnt Oak/Colindale, once home for a very important community focal point, Oriental City/ Yaohan Plaza, is one of the five growth areas in Brent. It is identified as a growth area for around 2,500 homes, on sites arranged along the axis of Edgware Road (A5). South Kilburn, Alperton and Wembley all have adopted masterplans to guide regeneration in those areas. The Council has also started to deliver regeneration initiatives in Church End.
- 3.3 Although the pace of regeneration in Burnt Oak/ Colindale is picking up, this stretch of the A5 currently suffers from a poor quality streetscape environment. The public realm is fragmented, cluttered and often poorly maintained - with a mix of materials used along its length. The highway environment is dominated by vehicle movement and is comparatively hostile to pedestrians and cyclists - difficult to cross and navigate, and with notable safety problems. Existing businesses in Burnt Oak and Colindale Town Centres are struggling. There are local issues including fly-tipping, anti-social behaviour, poor range of local shops, lack of community spirit and identity. It is often a feature of high roads that are split between two or more authorities that they can lack cohesiveness as different boroughs carry out different improvement projects at different times. It is intended that a placemaking plan for this important regeneration area in Brent is therefore needed. Its objective is to see if a plan to improve the whole place can be achieved and to better create neighbourhood centres that have a distinctive character and cohesiveness rather than two sides of a High Road cut by a major arterial road.

Objectives and Scope of the Placemaking Plan

- 3.4 The Plan sets out a proposition for the Council to play an enabling role to improve the area for new and existing residents, businesses and visitors. An adopted plan will support and strengthen funding bids. The proposals set out within the Placemaking Plan seek to transform the quality of the public realm, and wider perceptions of the area, as a means to help catalyse development and investment and seek to shift the character of A5 away from that of a vehicular 'artery' towards that of a vibrant local high street. It also seeks to help revitalise the town centres, boost economic performance, support regeneration, build community pride and improve access to the open spaces and community facilities. The Placemaking Plan also provides a framework for collaboration amongst Brent, Barnet, Transport for London (TfL) and Harrow to improve the A5 and its junctions.

- 3.5 The Placemaking Plan contains list of projects matrix which forms part of the delivery strategy. This list of interventions is intended to guide action over forthcoming years, and assist with funding bids to external bodies and the development of detailed implementation plans. They will be used to 'bid' for s106 and Community Infrastructure Levy funding and measured against other borough priorities.

Key components of the Placemaking Plan

- 3.6
- (a) A recommended streetscape material palette - aiming to achieve a more consistent and coherent public realm along this section of the A5 through the use of simple, elegant and robust materials.
 - (b) Adjusting the configuration of the carriageway and junctions which could help deliver a radically improved streetscape environment.
 - (c) The introduction of street trees which could help develop a stronger landscape character.
 - (d) Development of a family of special street furniture elements - including large-scale signage and advertising hoardings - which respond to, and help better organise, the 'vernacular' of signage which is evident along the A5.
 - (e) Transformation of the public realm environment of the Burnt Oak and Colindale Town Centres (The Hyde), through a combination of junction improvements and wider public realm interventions.
 - (f) Proposals to help manage the process of change within 'Capitol Valley' - the large-scale retail and employment area to the West of the A5 - which represents an on-going focus for large-scale development proposals.
 - (g) A series of 'quick wins' such as alleyway upgrades, meanwhile projects, parks improvements and 'edge projects' which respond directly to issues of local concern and are intended to kick-start the longer term process of change.

Planning Context

- 3.7 The Council's Core Strategy, adopted in 2010, designates Burnt Oak as one of its five growth areas around 2,500 homes to 2026 on sites arranged along the axis of Edgware Road (A5). Kilburn, Alperton and Wembley all have adopted masterplans to guide regeneration in those areas and the attached Placemaking Plan partially fulfils the need in Burnt Oak/ Colindale.
- 3.8 Brent's Core Strategy sets out the infrastructure needed to accompany the extra homes in Burnt Oak/Colindale, and these include new schools, health facilities improved sports and open space facilities and so on. In considering the study area in more detail, it became apparent that the area also has a very poor environment, for the reasons set out above and that producing new homes and community infrastructure would not address these particular environmental issues around the poor quality public realm. The Placemaking Plan is therefore a response to the particular problems and conditions found in the area.
- 3.9 The Burnt Oak/Colindale Growth Area in Brent forms part of the Burnt Oak/Colindale Opportunity Area in the London Plan that spans both Barnet and Brent (There are 33 opportunity areas in London; Wembley and Park Royal/ Willesden Junction are the other two Opportunity areas in Brent). The majority of new development, 10,000 of the 12,500 new homes, will be built in Barnet.

- 3.10 The Colindale Area Action Plan (AAP), adopted in March 2010, is a statutory planning document which forms part of the Barnet Local Development Framework. It provides policies and guidance which are used in the consideration of development proposals in Colindale on the Barnet side, and is a material consideration in the determination of planning applications in the AAP area over the next 10 to 15 years.

Update on the Site Specific Allocations

- 3.11 Appendix 2 sets out the progress made on the development sites identified in the Core Strategy and Site Specific Allocations. These sites generate both S106 contributions and now CIL. The Placemaking Plan sets out those infrastructure projects that could be funded by some of these developer contributions. The value of this infrastructure is that it will help to improve the area and development potential of the remaining potential development sites. This is important as new development creates contributions of CIL, New Homes Bonus and Non Domestic Rates that will assist the council in the future.
- 3.12 However, development proposals have so far been planned for less than half of the site specific allocations. Hence, officers have been speaking to other landowners in the Growth Area and The Hyde to facilitate new mixed use developments since the Placemaking Plan was adopted by Brent Planning Committee.

Growth Area Plots	Progress	Developer	Total
3 Burnt Oak Broadway (11/0403)	Under construction	Catalyst	76
5 Burnt Oak Broadway (03/3436)	Completed	Genesis	53
Capitol Way - Wickes (08/2823)	Under construction	Royal London Asset Management and Kitewood Development Partner Ltd,	460
Oriental City (12/2166)	Commence on site in early 2014		
		Development Securities	183
		Total approved/completed	772
		Core Strategy Target	2,500
		Capacity	1,728

Economic benefits and financial contributions of new developments

- 3.13 All these new developments when complete will improve the area immensely and bring in new jobs. However, they should not be looked at in isolation with the rest of the Burnt Oak and Colindale (The Hyde) Town Centres. The Council should maximise the results of inward investment and ensure the new developments help revitalise and do not threaten the existing town centres.
- 3.14 Section 106 contributions from those 3 major developments (Capitol Way, Oriental City and 3 Burnt Oak Broadway) will be available for improving community/education facilities, sport/openspace, landscape and public realm, public highways, air quality, pedestrian crossings, traffic management, junctions, parking and sustainable transport. Careful co-ordination is therefore required to utilise the existing contributions to maximise the benefits and mitigate the negative impacts resulting from the new developments. The contributions could be used as match funding when bidding for external funding pots.

- 3.15 Brent Community Infrastructure Levy (CIL) was formally introduced from 1 July 2013 that Brent will charge on new developments. There is potential for new developments coming forward in the future to fund some of the projects listed in Placemaking Plan, dependent on strategic priorities.

Boroughs collaboration

- 3.16 Barnet has also received S106 contributions through its new developments. There are potential projects such as median strips (for crossing roads) to be delivered/ funded jointly with Barnet to maximise the benefits. The opportunities for external funding are also widened when support and endorsement from TfL is sought.
- 3.17 The development pace is fast in Barnet's Colindale Area Action Plan area which proposes to deliver 10,000 homes. Some of the development and infrastructure proposals are being delivered through the Barnet's AAP. These developments should be seen as complementary where residents enjoy the new shopping experience/ community facilities on both sides of the A5. However, a lot of pressure has been put on the A5 Corridor. The eight sites identified for redevelopment along the A5 corridor will result in 920 residential units to be completed by 2021 if all implemented. Therefore, careful designs on the junctions on both sides of the A5 require proper co-ordination and collaboration amongst Brent, Barnet, TfL and Harrow to avoid congestion and conflicts.

Transport Background

London Luton Growth Prospectus

- 3.18 The joint GLA, Barnet, Brent, Harrow and Camden London-Luton Growth Prospectus sets out a wider context for North West London particularly in regards to transport challenges. The transport challenges from the strategic level have been considered by this Placemaking Plan:
- Enhance Public Transport - It will be important to ensure that all new developments in North West London enhance public transport connections and facilities. A key principle must be to encourage a reduction in car use and to make public transport more attractive.
 - Address bottle necks - As well as initiatives to reduce local trips by car, through improving access to public transport, it will be important to undertake initiatives such as addressing key bottlenecks in the strategic road network, and identifying capacity problems.
 - Local links - The importance of walking and cycling must be recognised when planning for expansion. Developments must be safe and easy to navigate on foot.

North London Sub Regional Transport Plan

- 3.19 TfL's North London Sub Regional Transport Plan (SRTP) identifies the A5 as an important corridor for North London. The Placemaking Plan also ties in with the objectives for the A5:
- Improve socio-economic opportunities through 'Place-Making' at selected locations along the A5 corridor by improving the public realm for pedestrian activities without undue reductions in journey speed for other road users;

- To pursue increases to capacity on the A5 corridor and parallel routes to enable it to cater for growth and support regeneration without undue impact on journey times;
- To promote a modal shift to public transport and softer mode facilities/measures;
- To continue to pursue measures to smooth traffic and to maintain/ or improve reliability for all highway modes;
- To minimise through movements by freight and promote measures to facilitate access and delivery of goods;
- To promote better vehicular and pedestrian east-west connectivity at selected locations; and
- To pursue a range of measures to improve air quality along the A5 corridor.

The Vision and Direction for London's Streets and Roads

3.20 The Mayor's Roads Task Force (RTF) set out a new vision for the future of London's roads and streets, to ensure the Capital can cope with major population growth, support jobs and thousands of new homes, while remaining one of the most attractive, vibrant, accessible and competitive world cities. The RTF's vision therefore focuses on three core aims:

- To enable people and vehicles to move more efficiently on London's streets and roads;
- To transform the environment for cycling, walking and public transport; and
- To improve the public realm and provide better and safer places for all the activities that take place on the city's streets, and provide an enhanced quality of life.

3.21 The public realm proposals within the study respond to the ambition and strategies set out within the Road Task Force Report - and aim to identify a suite of projects and interventions which offer opportunities for the implementation of 'pilot projects' in response to the Mayoral vision. It will also support applications for TfL funding.

Public Consultation

3.22 In June 2013, a consultation leaflet was distributed to all the residential properties (more than 9,000) in Burnt Oak and Queensbury Wards and some 250 non-residential properties within the Placemaking Plan area. The consultation sessions were publicised on the Council website. A four-hour consultation session took place at Asda Colindale in Queensbury Ward on Sunday 30 June 2013. Graphics explaining the vision for the area and plans with option designs were on display. Most of the consultees were drivers and their passengers as the consultation stall was held by the exit of the car park. Valuable comments written on post-it notes were made by the public from Brent and Barnet.

3.23 The second four-hour consultation session was held at the Hyde (Colindale Town Centre), in Fryent Ward on Thursday 4 July 2013. Those visited the consultation tent on foot were traders, visitors and residents either making the journey specially after receiving the consultation leaflet or passers-by. Both the consultation sessions were co-hosted by all six of the Fryent and Queensbury councillors. Appendix 4 sets out the responses received by the Council on public consultation.

Next Stage

- 3.24 Many of the proposals and recommendations within the Placemaking Plan need further study and work to progress them towards implementation - ranging from detailed traffic modelling and options appraisal, through to the development of specific design proposals and consultation to ensure strong community buy-in and pride in the initiative to assure the space is used as envisaged.
- 3.25 The Delivery section of the Placemaking Plan sets out a series of discrete projects, with identified actions and a phasing plan. As mentioned before, the plan provides not only a long-term vision for the area, but also identifies a range of delivery and implementation opportunities - including 'quick win' projects and initiatives which could help begin the process of transformation in the near term. These need to be assessed against other infrastructure priorities.

4.0 Financial Implications

- 4.1 Detailed cost forecasts and funding proposals are not currently available for the various Project Areas included within the overall Plan. Cost and funding proposals will be developed as the individual projects are brought forward and these will be submitted to the appropriate Committee for approval.
- 4.2 Some of the projects will be delivered and funded by the developers under Section 278 of the Highways Act 1980. In other cases it is intended that funding will be made available from existing section 106 Agreements (Brent and Barnet), Borough Local Implementation Plan (LIP) and Community Infrastructure Levy (CIL) in the future, where criteria for utilisation is met, or will rely on TfL and other external funding for delivery.
- 4.3 It should be noted that with regard to the availability of LIP and in the future CIL funding there will be a requirement to assess projects included within the plan against other competing strategic and local priorities before funding can be allocated.

5.0 Legal Implications

- 5.1 At this stage, the Placemaking Plan is not intended to be adopted as an Area Action Plan, a Supplementary Planning Document or a Development Planning Document. However, it was adopted by the Council's Planning Committee on 4 September 2013 as a material consideration.
- 5.2 Some of the public realm improvements on the existing adopted highway, such as junction improvement, or safety related works e.g. traffic calming or improved facilities for pedestrians and cyclists, will be carried out by developers under a Section 38/278 Agreement of the Highways Act 1980. The Council may provide the works at the developer's own cost and expense, or may allow the developer to provide the works directly, subject to an approval and inspection process being undertaken.
- 5.3 The appropriate uses for development sites within the Growth Area are already indicated in the Site Specific. For development proposals outside the Growth Area, principles of development and appropriate conditions that may be applied are included

in the National Planning Policy Framework, Brent Core Strategy, the London Plan, Brent's own Supplementary Planning Documents and Guidance.

6.0 Diversity Implications

- 6.1 Public consultation was carried out in locations accessible by people with disabilities. The beneficiaries of the proposed projects included in the Placemaking Plan are the general public regardless their gender, age, race, sexuality, marital status and disability. The existing town centres are fragmented with poor urban quality. Businesses are struggling while residents lack of choice. A lot of local traders actually live locally and spend their hard earnings locally. So vitalising the town centres has long term economic and social benefits apart from environmental effects. Regeneration and investment could strengthen the community and make the town centres self-sufficient and vibrant with all the services, facilities and events necessary to make it a great place to live, visit and work. The elements of the Placemaking Plan include not only public realm improvements but also working with businesses and local people to improve the offers of the shops to benefit the whole community. The improved environment will improve social cohesion, neighbourhood pride, attract/retain businesses and improve quality of life as whole.
- 6.2 During public consultation of the Placemaking Plan, some members of the public raised the concerns on potential congestion and safety if median trips were installed. Although, various studies on these median strips prove they can actually improve safety when crossing the road, every location is different. Therefore, further study will be required during the design stage to make sure elderly people, small children, pregnant women and people with disabilities will not be impacted or discriminated by the installation of the median strips.

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 Cross council support is required to progress the proposed projects towards implementation. Drawing up the Placemaking Plan has involved staff from other departments. Some of the projects will be delivered by the relevant units providing funding is available.
- 7.2 Brent and Barnet will establish two working groups to take the projects forward; one is the 'strategic officer team consisting of senior officers from both Boroughs and one is the 'operational officer group'.

8.0 Background Papers

- Brent Core Strategy July 2010
- Brent Site Specific Allocations Development Plan Document July 2011
- London Luton Growth Prospectus, London boroughs of Brent, Barnet, Camden and Harrow, GLA, January 2009
- North London Sub Regional Transport Plan, TfL, November 2010
- Re-imagining urban spaces to help revitalise our high streets, DCLG, July 2012
- The vision and direction for London's streets and roads, Roads Task Force, July 2013

- Brent Planning Committee Report and Supplementary – Burnt Oak, Colindale, The Hyde Placemaking Plan, 4 September 2013

9.0 Appendices

Appendix 1 - Burnt Oak, Colindale and The Hyde Placemaking Plan Study Area

Appendix 2 - Background to Major Developments

Appendix 3 - Burnt Oak, Colindale and The Hyde Placemaking Plan

Appendix 4 - Burnt Oak/Colindale/The Hyde Placemaking Plan – Consultation responses

Appendix 5 - Equality Analysis for Burnt Oak/Colindale/The Hyde Placemaking Plan

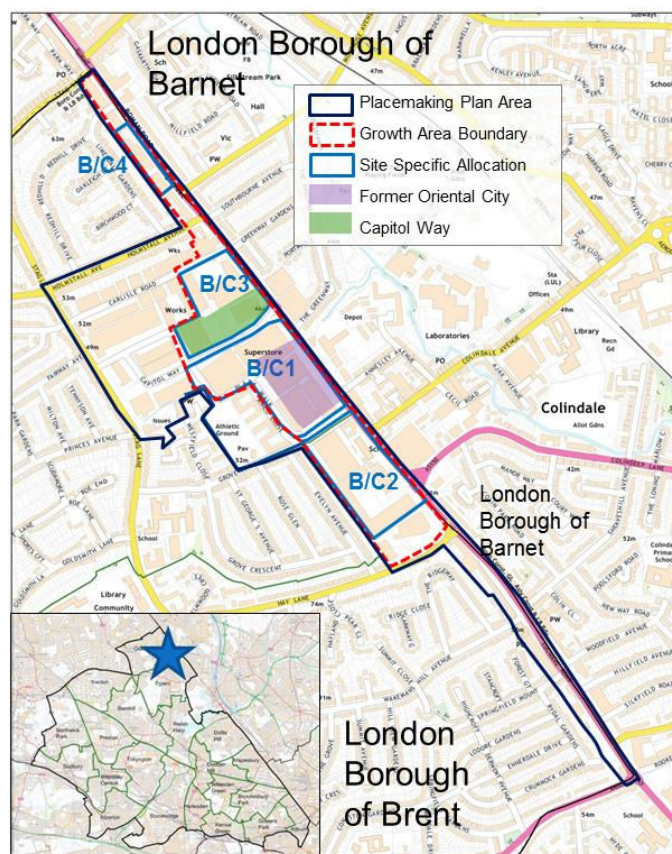
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Appendix 1 – Burnt Oak, Colindale and The Hyde Placemaking Plan Study Area



Appendix 2 - Background to Major Developments

B/C3- Wickes, Mercedes-Benz Colindale

- AP2.1 Work has started for Capitol Way (08/2823, 11/3101) on the former Wickes site. This £108m development, being carried out by developers Royal London Asset Management and Kitewood Development Partner Ltd, inspired by an urban regeneration project in Stockholm called Hammarby Sjöstad, will consist of 460 self-contained flats, 5,360m² of retail floorspace, a 734m² garden centre, floorspace for alternative uses, community/health centre, crèche facilities, 281 residential and 172 commercial car-parking spaces, 500 residential and 80 commercial cycle-parking spaces and an energy centre.

B/C1 - Asda and Oriental City

- AP2.2 Meanwhile, permission (12/2166) was granted on 27 June 2013 for a mixed use development on the former Oriental City owned by Development Securities. The seven-acre development site will include 183 homes, a 7,817m² food store, to be anchored by Morrisons, 5,207m² of the new Oriental and Far Eastern retail space, food court, restaurant and specialist oriental grocers and a two form of entry primary school and nursery, 399 commercial parking spaces (39 allocated for the school) with no charging proposed for the car park, 183 residential parking spaces and an energy centre.

AP2.3 A planning permission was granted to Asda on 30 April 2013 for a 4 pump petrol filling Station with a jet wash situated on an existing car and van rental outlet (outside BC1)

B/C2 - Sarena House/ Grove Park/ Edgware Road

AP2.4 There have been no applications within this area for major redevelopment.

B/C4 - 3 and 5 Burnt Oak Broadway

AP2.5 Catalyst Housing Ltd has commenced the mixed use development for 76 flats, 780m² of commercial floorspace (Use Class A1 and A2) and 75 parking spaces at 3 Burnt Oak Broadway (11/0403). Planning permission (03/3436) granted at 5 Burnt Oak Broadway has been implemented for a car showroom, basement car-parking and 53 flats above.

a) Artist's impression of Capitol Way Development



b) Artist's impression of Oriental City Redevelopment



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 <p>Brent</p>	<p>Executive 13 January 2014</p> <p>Report from the Director of Regeneration & Growth</p>
<p>Wards affected: All</p>	
<p>West London Waste Plan</p>	

1.0 Summary

- 1.1 This report presents a revised draft of the proposed submission version of the Joint West London Waste Plan to be agreed for statutory public consultation across west London. It asks Executive to agree the Plan for publication and public consultation in March / April 2014 and, subject to representations made, asks Full Council to agree that it be submitted for Examination.

2.0 Recommendations

That Executive:

- 2.1 Agrees the changes made to the draft West London Waste Plan detailed in this report including the policy wording changes and additional policy, as set out at Appendices 1 and 2, and the changes to safeguarded sites set out at Appendix 3, following the original approval to proceed with consultation in November 2011.
- 2.2 Agrees the Proposed Submission Draft Joint West London Waste Plan for publication and public consultation in March / April 2014 and recommends to Full Council that, subject to representations made, it be submitted for Examination.
- 2.3 Grants delegated authority to the Director of Regeneration and Growth to make minor editing and textual changes to the Proposed Submission Draft of the West London Waste Plan after consultation with the other 5 London Boroughs involved.
- 2.4 Approves the Proposed Submission Draft of the West London Waste Plan as a material consideration for the determination of planning applications.
- 2.5 Agrees the timetable set out in paragraph 3.21 for publication as part of the council's Local Development Scheme.

3.0 Detail

Background

- 3.1 The 6 London Boroughs which comprise the West London Waste Authority (Brent, Ealing, Harrow, Hillingdon, Hounslow and Richmond upon Thames) agreed to prepare a Joint West London Waste Plan (WLWP). The Plan, when adopted, will form part of Brent's development plan. The purpose of the WLWP is to set out a planning strategy to 2026 for sustainable waste management, deliver national and regional targets for waste recycling, composting and recovery and provide sufficient waste management capacity to manage waste arisings across the six west London boroughs. Planning applications for any new waste management facilities will be considered in the light of the WLWP policies, and they will also be assessed by each council against their local planning policies. The Plan identifies sites in west London which are allocated for waste processing. A list of the sites in west London is included as Appendix 4. There are no additional sites proposed within Brent. The Brent sites proposed for inclusion in the Plan are two existing waste management sites:

Twyford Waste Transfer Station
Veolia Transfer Station, Marsh Road

- 3.2 The drafting of the WLWP has taken into account relevant planning legislation, national planning policy statements, on-going advice from the Greater London Authority and the Planning Inspectorate, and also lessons learnt from professional planning bodies and agencies. The previous key consultation stages in the drafting of the WLWP comprised:
- Issues and Options (February 2009)
 - Proposed Sites and Policies (February 2011)
- 3.3 Approval was given by Executive in December 2011 to proceed with consultation on the Proposed Submission Draft West London Waste Plan. However, further redrafting of the Plan has since been required, for the reasons set out below, and it has been necessary to bring the draft Plan back to Executive for approval of the changes.
- 3.4 Since that original decision was taken further preparation and publication of the Plan for consultation has been delayed for a number of reasons:
- a) The introduction of the Duty to Co-operate which came into effect in November 2011 as part of the Localism Act, 2011 and a subsequent nationally significant decision by an independent Planning Inspector. In his decision on the North London Waste Plan the Inspector advised that, to comply with the "Duty to Co-operate" introduced by the 2011 Localism Act, the boroughs needed to engage in the work of the relevant regional waste bodies and in one-to-one discussions with individual county waste planning authorities (WPAs) with jurisdiction for landfill sites where waste is sent for disposal. As a result of this, the north London boroughs agreed to start work on a new waste plan to comply with the Duty to Co-operate.

- b) The NPPF issued by the Government in March 2012 introduced a general presumption in favour of sustainable development. Legal officers have advised that a policy on this should be introduced into the WLWP, similar to that now included in Part 1 of the Hillingdon Local Plan adopted in November 2012.
- c) A need to resolve policy wording issues to achieve general conformity with the London Plan 2011 waste planning policies.
- d) A need to revise sites in the London Boroughs of Harrow, Ealing and Richmond-Upon-Thames as well as the change in availability of various sites originally identified in the 2011 draft of the WLWP.
- e) The withdrawal of consultants Mouchel in July 2013, due to financial and capacity issues and the subsequent need to procure new consultants, BPP Consulting LLP.

3.5 Legal officers have advised that following the introduction of the Duty to Co-operate and the decision in the North London Waste Plan case, the WLWP will similarly be expected to demonstrate evidence of having effectively co-operated to plan from the outset for issues with cross-boundary impacts when it is submitted for examination. In his decision on the North London Waste Plan the Inspector there advised that, in order to meet the “Duty to Co-operate” introduced by the 2011 Localism Act, the boroughs needed to engage in the work of the relevant waste regional bodies and in one-to-one discussions with individual county waste planning authorities to whom waste is sent for landfill.

3.6 Officers working on the West London Waste Plan have since contacted the various county councils which receive waste from West London seeking views on the proposed content of the WLWP. The main points covered in their responses revolved around concerns that:

- a. there was often only a limited period remaining (e.g. 2-3 years) for waste to be sent for landfill to their area. In order to be sound the WLWP will need to demonstrate that alternative provision will be available during the 15 years covered by the Plan;
- b. the WLWP wording should be updated to fully reflect the National Planning Policy Framework, the 2011 review of the UK Waste Strategy 2007 and the latest waste plans covering the counties;
- c. in order to properly reflect the wording of national waste planning guidance in Planning Policy Statement 10, the WLWP should detail all waste arisings in the West London area (especially hazardous waste);
- d. greater detail is required on monitoring and implementation; and
- e. details should be provided in the Plan on the level of engagement that has taken place with other authorities. This is in order to satisfy an Inspector that the Duty to Co-operate has been fulfilled, especially as the Plan makes clear that on-going export of waste is likely to continue well into the plan period.

3.7 Officers have also engaged in discussions with the Greater London Authority, London Councils and the East of England and South East England county regional waste bodies to meet the requirements of the Duty to Co-operate and thus progress the Plan.

Summary of Changes made to the Plan since the Executive approval in December 2011

- 3.8 The Plan has now been extended to 2031 to take into account the delays to the Plan and to align with the London Plan 2011 apportionment target end date. The main changes to the text of the Plan include:
- a. revised wording of policies WLWP 1 and WLWP 2 to ensure that they are in general conformity with the wording of the waste planning policies in the 2011 London Plan (see Appendix 1);
 - b. a policy on the Presumption of Sustainable Development to conform to the NPPF (see Appendix 2);
 - c. updated waste flow data and landfill capacities in the Plan using information from the relevant counties and the latest available Environment Agency data (see sections 3 and 4 of the Proposed Submission Draft of the West London Waste Plan attached at Appendix 4).
 - d. revised Plan text regarding the Duty to Co-operate, implications of the National Planning Policy Framework, further requirements of Planning Policy Statement 10 and the review of the 2007 UK Waste Strategy.
 - e. Preparing further documents required to accompany the Plan at Submission e.g. an accompanying Sustainability Appraisal.

Differences between the approved and revised versions of the policies

- 3.9 Following discussions with the GLA concerning the implications of the waste policies in the 2011 London Plan, and subsequent discussion between the boroughs, officers have proposed revised wording to policies WLWP 1 & WLWP 2. Appendix 1 shows the original wording used for policies WLWP 1 & WLWP 2 approved by Executive in December 2011. The key changes are:
- An amendment to WLWP 1 concerning the safeguarding of both existing and proposed waste sites. Land for waste management uses, waste transfer sites and civic amenity sites are separated out, highlighting that they will be protected from alternative non-waste use in line with 2011 London Plan policy.
 - Amendments to WLWP 2 will mean that local communities will be protected from any adverse cumulative impact of a concentration of waste uses on an area is also to be taken into account when proposals for new waste facilities come forward.
- 3.10 Following an advisory meeting on the draft Plan with a Planning Inspector in May 2013, a new policy WLWP 6 is proposed which will reflect the presumption in favour of sustainable development within the NPPF. The policy is set out in full in Appendix 2.

Changes to Chapter 4: Future Waste Management

- 3.11 Following discussions with officers, the GLA has agreed that a higher figure of 65,000 tonnes per annum per hectare can be used to calculate waste management capacity

needs. (This replaces the previous figure of 54,012 tonnes per annum per hectare). This has resulted in the need to allocate less land to meet the London Plan 2011 apportionment.

- 3.12 In September 2013, BPP Consulting carried out a review of existing waste capacity in the Plan area because the data in the draft Plan was getting out-of-date. This work took into account changes to licensed capacity and throughput in existing and new waste management facilities, as well as waste operations that might have shut down since the original waste capacity assessment was completed in 2010.
- 3.13 Verifying their method and results with the Environment Agency, BPP Consulting found the existing waste capacity in West London to be approximately 1.65 million tonnes per annum (tpa) compared to the previous figure of 900,000 tpa. This means that the West London area has enough existing capacity to meet the London Plan apportionment up to 2017 through existing waste management sites.
- 3.14 From 2018, the apportionment gap and additional land needed to meet key apportionment targets in the London Plan 2011 will be:
- 162,000 tpa by 2021 corresponding to 2.5 hectares
 - 383,000 tpa by 2026 corresponding to 5.9 hectares
 - 614,000 tpa by 2031 corresponding to 9.4 hectares

Changes to sites identified in the Plan

- 3.15 The main changes to the sites in the draft Plan since November 2011 are:
- a) loss of three sites: Victoria Road Transfer Station, Hillingdon; Transport Avenue Waste Transfer Station, Hounslow; and Yeading Brook, Bulls Bridge, Hillingdon
 - b) revised boundaries of Forward Drive, Harrow, Twickenham Depot, Richmond and Greenford Depot and Greenford Reuse & Recycling Site, Ealing
 - c) inclusion of one site: Rigby Lane Waste Transfer Station, Hillingdon

The reasons for these changes are set out in Appendix 4.

HS2 Safeguarding Direction

- 3.16 A further consideration is the HS2 Safeguarding Direction issued by the Secretary of State for Transport on 24 October 2013. The site affected by this, the Quattro Site in Park Royal, Ealing (Site 328), is an existing waste management site.
- 3.17 Following meetings with HS2 Ltd and LB Ealing, it has been agreed that the Quattro site will be allocated in the Plan for future waste uses up to 2017 when construction of HS2 commences. After this, the site will be available only after HS2 has finished using the site, estimated to be at the beginning of 2024. Should the site not be required by HS2, the site will remain allocated as an existing waste site for future re-orientation to processing of waste.

Meeting the apportionment gap up to 2031

- 3.18 With the recalculation of existing capacity within the West London area, the additional amount of land required to meet the apportionment gap up to 2031 has been calculated at 9.4 hectares (to manage 614,000 tonnes pa).
- 3.19 Excluding the HS2 safeguarded site, the amount of additional land available in existing sites allocated for future reorientation is 9.5 hectares, which is just enough to fill the predicted apportionment gap in 2031. Additional land totalling 5.03 hectares is also available through two additional non-waste sites. Inclusion of the HS2 safeguarded Quattro site at 0.94 hectares gives further contingency post 2024. In total, 14.53 hectares will be available without the HS2 safeguarded site, which is sufficient to meet the apportionment target for 2031 and makes some provision for management of waste beyond the apportionment target as is stipulated by national guidance (PPS10).

Sustainability Appraisal

- 3.20 It is a requirement to undertake a sustainability appraisal of all development plans. The Sustainability Appraisal of the Waste Plan has been updated to take account of the changes described above and has not resulted in any significant change to the results. Additionally, an Equalities Impact Assessment has also been undertaken for the proposed policies. Both documents will be published as part of the Proposed Submission consultation.

Next Steps

- 3.21 All 6 West London boroughs are securing formal approval of the Waste Plan for public consultation. Once all six boroughs have approved the draft Proposed Submission Version of the WLWP, the remaining timetable for its preparation will involve:
- a) a statutory six-week period seeking representations on soundness (and legality) to take place across the six boroughs during March – April 2014.
 - b) assessment of representations and any further work to support the Plan prior to its submission to the Secretary of State for formal examination.
 - c) submission of the Plan to the Secretary of State in April or May 2014.
- 3.22 Officers anticipate that an Examination in Public will be held during Summer 2014 and that the WLWP will be adopted by the six boroughs as part of their respective Local Plans in Spring 2015.
- 3.23 The council is required to publish and keep up to date a timetable for the preparation of its development plan in a document called the Local Development Scheme (LDS). Executive is therefore asked to agree the timetable set out above, through to adoption of the Waste Plan, for publication as part of its LDS.

4.0 Financial Implications

4.1 Brent's financial contribution towards the preparation of a joint WLWP is provided from Planning & Regeneration's existing budget. Whilst the actual amount varies from year to year there is an expectation that this will cost in the region of £30,000. Sufficient budget exists within the Planning & Regeneration service base budget to cover the annual cost.

4.2 There is a need for west London boroughs to identify land for processing waste through the development plan so that sites can deal with waste locally rather than it being sent to landfill. In doing so and diverting waste away from landfill, the authority will mitigate the effect of the tariff on landfilled waste which increases year on year.

5.0 Legal Implications

5.1 The Council has power to make joint arrangements with other boroughs for the discharge of its functions. The West London Waste Plan will constitute part of the Borough's development plan. The drafting of the WLWP has taken into account relevant planning legislation.

6.0 Diversity Implications

6.1 Full statutory public consultation has been carried out in preparing the Waste Plan. An Equalities Impact Assessment has also been carried out.

7.0 Staffing/Accommodation Implications

7.1 There are no staffing or accommodation implications arising directly from this report.

8.0 Environmental Implications

8.1 The Waste Plan may potentially give rise to a significant impact upon the local environment, particularly close to waste management sites. However, the identification and use of appropriate sites will mean that the environmental impact is controlled and minimised, particularly upon residential areas, and managing waste locally rather than it being sent to landfill will help mitigate the effects of climate change. A Sustainability Appraisal has been undertaken at all stages of preparing the Waste Plan.

9.0 Background Papers

West London Waste Plan, Proposed Sites and Policies, Feb 2011

Contact Officers

Any person wishing to inspect the above papers should contact Ken Hullock, Planning & Regeneration on 020 8937 5309

Andy Donald

Director, Regeneration & Growth

APPENDIX 1:

CHANGES TO WEST LONDON WASTE PLAN POLICIES WLWP 1 AND 2

Previously Approved Version of the Policies

WLWP Policy 1 – Safeguarding and Protection of Existing and Allocated Sites

Land accommodating existing waste management and waste transfer uses in west London will be safeguarded for continued use for waste facilities (Appendix 4 Table 4-1 and 4-2). Sites in Appendix 5 Table 5-1 are also allocated for waste use. Development for non-waste uses will not be considered on the land identified in these three tables unless compensatory and equal provision of sites for waste, in scale and quality, is made elsewhere within the west London Boroughs.

WLWP Policy 2 – Location of Waste Development

Waste development proposals on sites listed in Tables 4-1, 4-2 and 5.1 will generally be supported, provided that the proposals comply with the other WLWP policies and the boroughs' adopted development plans.

Waste development on other sites, not listed in Tables 4-1, 4-2 and 5.1, may be permitted if the proposals comply with the other WLWP policies and the boroughs' adopted development plans, and:

- it can be demonstrated that the development is not suitable for, or cannot be delivered at, any sites listed in Tables 4.1 and 5.1; and
- for some reason, identified sites have not come forward and it can be demonstrated that there is an emerging shortfall in capacity.

To ensure no loss in existing capacity, re-development of any existing or allocated waste sites must ensure that the quantity of waste to be managed is equal to or greater than the quantity of waste which the site is currently permitted to manage, or that the management of the waste is being moved up the waste hierarchy.

Revised Version of the Policies – including suggestions made by Inspector Andrew Mead

WLWP Policy 1 – Safeguarding and Protection of Existing and Allocated Waste Sites

Land accommodating existing waste management uses in west London will be protected for continued use for waste management, together with waste transfer and civic amenity sites required for the delivery of the West London Waste Authority's (WLWA) Municipal Waste Strategy.

Existing waste transfer sites which have been allocated as having the potential for redevelopment to waste management (Table 5-1) and new sites with potential for redevelopment to waste management facilities (Table 5-2) will also be safeguarded.

To ensure no loss in existing capacity, re-development of any existing waste management sites must ensure that the quantity of waste to be managed is equal to or greater than the quantity of waste which the site is currently permitted to manage, or that the management of the waste is being moved up the waste hierarchy.

Development for non-waste uses will only be considered on land in existing waste management use, waste transfer sites, civic amenity sites or land allocated in Table 5-2 if compensatory and equal provision of sites for waste, in scale and quality, is made elsewhere within the west London Boroughs.

WLWP Policy 2 – Location of Waste Development

Waste development proposals on existing waste management sites, waste transfer and civic amenity sites or sites listed in Table 5-2 will generally be supported, provided that the proposals comply with the other WLWP policies and the boroughs' adopted development plans.

Waste development on other sites may be permitted if the proposals comply with the other WLWP policies and the boroughs' adopted development plans, and:

1. It can be demonstrated that the development is not suitable for, or cannot be delivered at any existing waste management sites, waste transfer sites, civic amenity sites or sites listed in Table 5-2;
2. Identified sites have not come forward and it can be demonstrated that there is a shortfall in the waste management capacity required to meet the boroughs' joint apportionment target; and
3. There is no adverse cumulative effect, when taken together with existing waste management facilities, on the well-being of the local community, including any significant adverse impacts against the WLWP sustainability objectives; and
4. The proposed site meets the criteria set out in policy WLWP3.

APPENDIX 2:

ADDITIONAL POLICY: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

The Government expects a policy to be included in all development plan documents to ensure implementation of the presumption in favour of sustainable development contained in the National Planning Policy Framework. WLWP Policy 5 is taken directly from advice provided by PINS.

The new policy reads as follows:

WLWP Policy 6 – National Planning Policy Framework: Presumption in Favour of Sustainable Development

When considering development proposals, boroughs will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. They will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this waste plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the borough will grant permission unless material considerations indicate otherwise – taking into account whether:

1. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or
2. Specific policies in the NPPF indicate that development should be restricted.

APPENDIX 3

a) Existing Sites

Existing sites in draft Plan approved by Cabinet in November 2011

Site Number	Site Area (ha)	Borough	Description	Site Type
352	1.46	Brent	Twyford Waste Transfer Station	Existing
1261	2.71	Brent	Veolia Transfer Station, Marsh Road	Existing
309	1.15	Ealing	Greenford Reuse & Recycling Site, Greenford	Existing
310	0.94	Ealing	Greenford Depot, Greenford Road, Greenford	Existing
328	2.10	Ealing	Quattro, Victoria Road, Park Royal	Existing
303	4.25	Hillingdon	Victoria Road Transfer Station	Existing
353	3.11	Hounslow	Transport Avenue Waste Transfer Station	Existing
342	3.67	Richmond	Twickenham Depot	Existing
Total	19.39			

Revised list of sites for draft Submission Version of Plan, January 2014

Site Number	Site Area (ha)	Borough	Description	Site Type
352	1.46	Brent	Twyford Waste Transfer Station	Existing
1261	2.71	Brent	Veolia Transfer Station, Marsh Road	Existing
309*	1.78	Ealing	Greenford Reuse & Recycling Site	Existing
310*		Ealing	Greenford Depot, Greenford Road	Existing
328#	0.94	Ealing	Quattro, Victoria Road, Park Royal	Existing
331	0.88	Hillingdon	Rigby Lane Waste Transfer Station	Existing
342	2.67	Richmond	Twickenham Depot	Existing
Total	10.44			

* These sites are contiguous and for the purposes of this Plan are considered as a single, consolidated site

This site will not be available from 2017 to 2024 following an HS2 Safeguarding Direction

b) Proposed new sites

Proposed New Sites in Plan approved by Cabinet in November 2011

Site Number	Site Area (ha)	Borough	Description	Site Type
222	2.83	Harrow	Council depot, Forward Drive	Proposed
244	3.12	Hillingdon	Yeading Brook, Bulls Bridge	Proposed
2861	3.20	Hounslow	Western International Market	Proposed
Total	9.15			

Revised list of Existing Sites for draft Submission Version Plan, January 2014

Site Number	Site Area (ha)	Borough	Description	Type
222	1.83	Harrow	Council depot, Forward Drive	Proposed
2861	3.20	Hounslow	Western International Market	Proposed
Total	5.03			

Details of changes to identified sites

1. The WLWP Proposed Submission Draft previously approved by the Cabinet included 8 existing sites totalling 19.39 hectares and 3 new sites totalling 9.15 hectares, which amounted to a total of 28.54 hectares. At the time, sufficient land had been identified for waste management facilities to ensure that the London Plan (2011) apportionment could be met up to 2026.
2. Re-appraisal of the existing and new sites has been undertaken by the boroughs as part of work for the Sustainability Appraisal accompanying the WLWP Proposed Submission Draft. Following discussions between the boroughs, amended designations of the following sites has resulted in a reduced area for each site:
 - Council Depot, Forward Drive site (Site 222) - LB of Harrow from 2.83 ha to 1.83 ha
 - Twickenham Depot (Site 342) - LB of Richmond from 3.67 ha to 2.67 ha
 - Combined Greenford Depot and Greenford Reuse & Recycling sites (Sites 309 & 310) - LB of Ealing from 2.09 ha to 1.78 ha.
4. LB Ealing suggested that two of their existing safeguarded sites, Greenford Reuse & Recycling Site and Greenford Depot be consolidated as they are located next to each other and form part of a larger site. Previously they were divided because each part has a separate licence from the Environment Agency. Combined, the sites total 1.78 hectares. The above values take account of this consolidated and reduced area.
5. The three sites that have been 'deleted' since the approved Proposed Submission Draft are:
 - Victoria Road Transfer Station (Site 303) – London Borough of Hillingdon
 - Transport Avenue Waste Transfer Station (Site 353) – London Borough of Hounslow
 - Yeading Brook, Bulls Bridge (Site 244) – London Borough of Hillingdon

6. Victoria Road and Transport Avenue are both owned by SITA UK. Both sites are now required for waste transfer (rather than treatment) following the decision by the West London Waste Authority to award SITA UK a long term contract to manage West London's residual household waste. Parts of the sites will still be providing recycling and composting facilities which will count toward the London Plan 2011 apportionment.
7. The Bulls Bridge site in Hillingdon has now been granted planning approval for an aggregates processing development.
8. Officers identified Rigby Lane Transfer Station, Hillingdon (Site 331), originally included in the "Proposed Sites and Policies" Consultation document, as an additional site to be allocated for future waste management in light of the loss of three sites discussed above. Rigby Lane is an existing facility which has been used as a waste facility for more than two decades. It is currently owned by SITA UK, who recently submitted a planning application to re-orientate the site following the loss of 0.01 ha to Crossrail safeguarding. The site is 0.88 hectares in size.
9. The number of "existing" sites is now six, totalling 10.44 hectares and there are two "new" sites totalling 5.03 hectares, which amount to a combined total of 15.47 hectares of land available through safeguarding for future waste management. This means that there is a surplus capacity of 6.07 hectares identified for West London when measured against the projected London Plan 2031 apportionment target of 614,000 tonnes per annum. Therefore no further site assessments need to be undertaken prior to the WLWP Proposed Submission Draft being published for consultation
10. In summary the changes to sites are as follows:

Sites with reduced areas:

- Site 222, Council Depot, Forward Drive – LB Harrow – 1.83 hectares
- Site 342, Twickenham Depot – LB Richmond – 2.67 hectares
- Consolidated Site 309 & Site 310, Greenford Depot and Greenford Reuse & Recycling Site – LB Ealing – 1.78 hectares

Existing Sites no longer available for inclusion:


- Site 303, Victoria Road Transfer Station, LB Hillingdon – 4.25 hectares
- Site 353, Transport Avenue Waste Transfer Station, LB Hounslow – 3.11 hectares

New Site no longer available for inclusion:

- Site 244, Bulls Bridge, Yeading Brook, LB Hillingdon – 3.12 hectares

Additional (replacement) site:

- Site 331, Rigby Lane Transfer Station, LB Hillingdon – 0.88 hectares (existing site)

 <p>Brent</p>	<p>Executive 14 January 2014</p> <p>Report from the Director of Regeneration and Growth</p>
<p>For Action Wards affected: ALL</p>	
<p>National Non-Domestic Rates – Applications for Discretionary Rate Relief</p>	

1.0 Summary

- 1.1 The Council has the discretion to award rate relief to charities or non-profit making bodies. It also has the discretion to remit an individual National Non-Domestic Rate (NNDR) liability in whole or in part on the grounds of hardship. The award of relief is based on policy and criteria agreed by the Executive in September 2013. New applications for relief have to be approved by the Executive
- 1.2 The report details new applications for relief received since the Executive last considered such applications in September 2013.

2.0 Recommendations

- 2.1 That the applications for discretionary rate relief detailed in Appendix 2 be agreed.

3.1 Detail

- 3.1 Details of the Council's discretion to grant rate relief to charities, registered community amateur sports clubs and non-profit making organisations are contained in the financial and legal implications sections (4 and 5).

- 3.2 Appendix 1 sets out the criteria and factors to consider for applications for NNDR relief from Charities and non-profit making organisations. This was agreed by the Executive in September 2013.
- 3.3 Appendix 2 lists new applications from local charities that meet the criteria. It also shows the cost to the Council if 100% discretionary relief is awarded, which is the Council's normal policy
- 3.4 The criteria for awarding discretionary rate relief focuses on ensuring that the arrangements are consistent with corporate policies and relief is directed to those organisations providing a recognised valued service to the residents of Brent. Further detail is set out in Appendix 1. Should relief be granted entitlement will remain until 31 March 2017 unless there are any changes to the organisation. During 2016/17 it has been agreed that the council will review its criteria for awarding relief.
- 3.5 Charities and registered community amateur sports clubs are entitled to 80% mandatory rate relief and the council has discretion to grant additional relief up to the 100% maximum
- 3.6 Non-profit making organisations do not receive any mandatory relief, but the Council has the discretion to grant rate relief up to the 100% maximum. However the council's policy limits relief for these to 25%

4.0 Financial Implications

Discretionary Rate Relief

- 4.1 Charities and registered community amateur sports clubs receive 80% mandatory rate relief. The Council has the discretion to grant additional relief up to the 100% maximum. Prior to 1 April 2013 75% of the cost of this would have been met by the council, however from 1 April 2013 30% is met by the council with 50% being met by central government and 20% by the GLA.
- 4.2 Non-profit making organisations do not receive any mandatory relief, but the Council has the discretion to grant rate relief up to the 100% maximum. Prior to 1 April 2013 the Council met 25% of the cost of any relief granted, however this has also changed with 30% being met by the council with 50% being met by central government and 20% by the GLA.
- 4.3 The Council, where it has decided to grant relief, has followed a general guideline of granting 100% of the discretionary element to local charities and 25% of the discretionary element to non-local charities. Any additional awards of relief will reduce income to the Council by 30%.
- 4.4 The costs therefore of awarding relief to the organisations detailed in Appendix 2 is £1,414.14, this will be borne by the council's projected income from Business Rates Retention in 2013/14.

5.0 Legal Implications

Discretionary Rate relief

- 5.1 Under the Local Government Finance Act 1988, charities are only liable to pay 20% of the NNDR that would otherwise be payable where a property is used wholly or mainly for charitable purposes. This award amounts to 80% mandatory relief of the full amount due. For the purposes of the Act, a charity is an organisation or trust established for charitable purposes, whether or not it is registered with the Charity Commission. Under the Local Government Act 2003, registered Community Amateur Sports Clubs also qualify for 80% mandatory relief.
- 5.2 The Council has discretion to grant relief of up to 100% of the amount otherwise due to charities, Community Amateur Sports Clubs, and non-profit making organisations meeting criteria set out in the legislation. These criteria cover those whose objects are concerned with philanthropy, religion, education, social welfare, science, literature, the fine arts, or recreation. Guidance has been issued in respect of the exercise of this discretion and authorities are advised to have readily understood policies for deciding whether or not to grant relief and for determining the amount of relief. Details of the current policy are contained in Appendix 1
- 5.3 The Non-Domestic Rating (Discretionary Relief) Regulations 1989 allow Brent to grant the relief for a fixed period. One year's notice is required of any decision to revoke or vary the amount of relief granted, if in the case of a variation, it would result in the amount of rates increasing. The notice must take effect at the end of the financial year.
- 5.4 The operation of blanket decisions to refuse discretionary relief across the board would be susceptible to legal challenge on grounds that the Council would be fettering its discretion. The legal advice provided to officers and Members is that each case should be considered on its merits.

6.0 Diversity Implications

- 6.1 Applications have been received from a wide variety of diverse charities and organisations, and an Impact Needs Analysis Requirement Assessment (INRA) was carried out in 2008 when the criteria were originally agreed. As there were no changes made to the criteria in September 2013 an Equality Impact assessment was not required. All ratepayers receive information with the annual rate bill informing them of the availability of discretionary and hardship rate relief.

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 None

Background Papers

Report to Executive 16 September 2013 – National Non-Domestic Relief –
Review of Discretionary Rate Relief Policy

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Appendix 1

ELIGIBILITY CRITERIA FOR APPLICATIONS FOR NNDR DISCRETIONARY RELIEF FOR CHARITIES & FROM NON PROFIT MAKING ORGANISATIONS

Introduction

The following details the criteria against which the Local Authority will consider applications from non profit making organisations. In each case the individual merits of the case will be considered.

- (a) Eligibility criteria**
- (b) Factors to be taken into account**
- (c) Parts of the process.**

(a) Eligibility Criteria

- The applicant must be a charity or exempt from registration as a charity, a non-profit making organisation or registered community amateur sports club (CASC).
- All or part of the property must be occupied for the purpose of one or more institutions or other organisations which are not established or conducted for profit and whose main objects are charitable or otherwise philanthropic or religious or concerned with education, social welfare, science, literature or the fine arts; or
- The property must be wholly or mainly used for the purposes of recreation, and all or part of it is occupied for the purposes of a club, society or other organisation not established or conducted for profit.

(b) Factors to be taken into account

The London Borough of Brent is keen to ensure that any relief awarded is justified and directed to those organisations making a valuable contribution to the well-being of local residents. The following factors will therefore be considered:

- a. The organisation should provide facilities that indirectly relieve the authority of the need to do so, or enhance or supplement those that it does provide
- b. The organisation should provide training or education for its members, with schemes for particular groups to develop skills
- c. It should have facilities provided by self-help or grant aid. Use of self-help and / or grant aid is an indicator that the club is more deserving of relief
- d. The organisation should be able to demonstrate a major local contribution.

- e. The organisation should have a clear policy on equal opportunity.
- f. There should be policies on freedom of access and membership.
- g. It should be clear as to which members of the community benefit from the work of the organisation.
- h. Membership should be open to all sections of the community and the majority of members should be Brent residents
- i. If there is a licensed bar as part of the premises, this must not be the principle activity undertaken and should be a minor function in relation to the services provided by the organisation.
- j. The organisation must be properly run and be able to produce a copy of their constitution and fully audited accounts.
- k. The organisation must not have any unauthorised indebtedness to the London Borough of Brent. Rates are due and payable until a claim for discretionary rate relief is heard

(c) Parts of the process

No Right of Appeal

Once the application has been processed, the ratepayer will be notified in writing of the decision. As this is a discretionary power there is no formal appeal process against the Council's decision. However, we will re-consider our decision in the light of any additional points made. If the application is successful and the organisation is awarded discretionary rate relief, it will be applied to the account and an amended bill will be issued.

Notification of Change of Circumstances

Rate payers are required to notify any change of circumstances which may have an impact on the award of discretionary rate relief.

Duration of award

The new policy will award relief to 31 March 2017. Prior to the end of this period applications will be sent inviting recipients to re-apply, this will ensure the conditions on which relief was previously awarded still apply to their organisation. This will help ensure that the Council's rate records remain accurate.

Withdrawal of relief

One years notice has to be given by the Council for the withdrawal of relief

Unlawful activities


Should an applicant in receipt of discretionary rate relief be found guilty of unlawful activities for whatever reason, entitlement will be forfeited from the date of conviction.

	Type of Charitable/Non-Profit Making Organisation	Current Policy
		Discretionary Relief Limited to
1	Local charities meeting required conditions (80% mandatory relief will apply)	20% (100% of remaining liability)
2	Local Non-profit-making organisations (not entitled to mandatory relief)	25%
3	Premises occupied by a Community Amateur Sports Club registered with HM Revenue & Customs. (80% mandatory relief will apply)	20% (100% of remaining liability)
4	Non-Local charities (80% mandatory relief will apply)	25% (of remaining liability)
5	Voluntary Aided Schools (80% mandatory relief will apply)	20% (100% of remaining liability)
6	Foundation Schools (80% mandatory relief will apply)	20% (100% of remaining liability)
7	All empty properties	NIL
8	Offices and Shops occupied by national charities	NIL
9	An organisation which is considered by officers to be improperly run, for what ever reason, including unauthorised indebtedness.	NIL
10	The organisation or facility does not primarily benefit residents of Brent.	NIL
11	Registered Social Landlords (as defined and registered by the Housing Corporation). This includes Abbeyfield, Almshouse, Co-operative, Co-ownership, Hostel, Letting / Hostel, or YMCA.	Nil
12	Organisations in receipt of 80% mandatory relief where local exceptional circumstances are deemed to apply.	Up to 20% (100% of remaining liability)

Appendix 2

New Applications for Discretionary Rate Relief – Local Charities

	100% Relief to be awarded	Charge	Bill net of statutory relief	Cost to Brent at 30%
3298489X	<u>Organisation</u> The Minster Centre 1 st Floor, 20 Lonsdale Road London NW6 6RD 29/6/2013 – 31/3/2014	£7,034.03	£1,406.81	£422.04
32993096	Ivorian & French Speaking Women Action Unit 3-4 Edge Business Centre Humber Road London NW2 6EW 1/5/2013 – 31/3/2104	£16,535.00	£3,307.00	£992.10
Total		£23,569.03	£4,713.81	£1,414.14

 <p>Brent</p>	<p>Executive 13 January 2014</p> <p>Report from the Assistant Chief Executive</p>
For Action	Wards Affected: All
<p>London Councils Grant Scheme 2014/2015</p>	

1.0 Summary

This report seeks agreement to London Councils Grants Committee budget for 2014/15 and the associated level of contribution by Brent Council to the London Borough Grants Scheme. It recommends reinvesting the small one off payment to Brent from London Councils Grants Committee reserves to support work with CVS delivering further capacity building for the voluntary sector in Brent.

2.0 Recommendations

Members of the Executive are recommended by London Councils to:-

- 2.1 Note the recommendations made by the London Councils Leaders Committee summarised in section 3 and attached at appendix 3
- 2.2 Agree the recommended budget for the London Councils Grant Scheme and the contribution of £340,854 to be paid by the Council towards the London Boroughs Grants Scheme for 2014/15
- 2.3 Agree to reinvest a total of £31,931 in work with CVS to deliver further capacity building for the voluntary sector in Brent. This is made up of the following:
 - I. the small sum of £1,633, which is the difference between the proposed Brent Council contribution for 2014/2015 and that paid in 2013/14
 - II. the one off payment of £30,298 from London Councils Grants Committee reserves

3.0 Detail

- 3.1 The aim of the London Councils Grant Scheme is to provide funding for voluntary organisations delivering London-wide or cross London projects that support the London population.
- 3.2 The London Councils Grants Committee considered proposals for expenditure in 2013/14 at its meeting on 6th November 2013. The Leaders' Committee agreed a budget at its meeting on 12th November 2013 and recommended constituent councils to agree to an overall level of expenditure of £10 million for the Grants Scheme in 2014/15 (inclusive of £2 million gross ESF programme). The application of £1 million ESF grant results in net borough contributions for 2013/14 of £9 million. The break down of this budget is shown in appendix 1.
- 3.3 London Councils recommend the same overall level of borough contributions to the Scheme 2014/15, with some variances in the contributions of individual London Boroughs reflecting updated census figures. The proposed budget includes a provision for grants administration of £520,000 including ESF administration of £120,000. This is the same as the provision for administration as in 2013/2014.
- 3.4 London Councils also recommends the transfer from Grants Committee reserves of £800,000 be made and returned to boroughs in the form of a one-off payment. Brent's share of this one off payment is £30,298. It is recommended £31,931 is used to support work with CVS delivering further capacity building for the voluntary sector in Brent. This is made up of the one off payment of £30,398 and the small sum of £1,633, which is the difference between the proposed Brent Council contribution for 2014/2015 and that paid in 2013/14.
- 3.5 The context in which this recommendation is made is set out in reports to Grants Committee on 6th November 2013 and to the Leaders' Committee on 12th November 2013. These reports concern both the London wide European Social Fund programme and the overall Grants Committee budget. London Councils notified Brent Council of this in a "Chief Executives' Circular" on 21st November 2013, which is appended to this report. The London Councils Report seeks a decision from constituent London Boroughs no later than 17th January 2014.
- 3.6 Members are asked to agree to a contribution of £340,854 to be paid by Brent Council towards the London Boroughs Grants Scheme for 2014/15. The total contribution required from each constituent Council for 2014/15 is shown at Appendix 2.

4.0 Financial Implications

- 4.1 The London Councils Leaders Committee agreed a recommended budget on 12th November 2013 the detail of which is set out in Appendix 1. The Chief Executives' Circular summarises this (appendix 3).
- 4.2 The proposed budget consists of:

- A core, pan-London scheme of services to meet agreed service priorities of £7.6 million, which includes the membership subscriptions for boroughs for London Funders of £60,000
- An additional gross sum of £1.88 million relating to a continuance of the current ESF grants programme

4.3 For 2014/15 only, the Leaders' Committee recommend the transfer from Grants Committee reserves of £800,000 be made and returned to boroughs in the form of a one-off repayment. Brent's share of this one off payment is £30,298.

4.4 The overall level of London Borough's contributions to the Grant Scheme that is recommended for 2014/15 is the same as 2013/14. For Brent Council the proposed 2013/14 of £340,854 represents slight reduction on the subscription of £342,487 in 2013/14 due to the application of updated Census figures in the calculation of the contribution. The small difference is £1,633.

4.5 The Leader's Committee recommendations for the Grants programme result in a total of £31,931 additional resources being available to the borough in 2014/2015. This report recommends reinvesting this money to support work with CVS delivering further capacity building for the voluntary sector in Brent.

4.6 Details of all London Boroughs contributions for 2014/15 are included in Appendix 2.

5.0 Legal Implications

5.1 Constituent Councils of London Councils, which includes Brent Council, are required to contribute to any London Borough Grants Scheme expenditure, which has been incurred with the approval of at least two-thirds of the constituent Councils, pursuant to section 48 of the Local Government Act 1985. Contributions are to be proportionate to constituent Councils' populations pursuant to Regulation 6(8) of the Levying Bodies (General) Regulations 1992.

5.2 In October 1985, the London Borough Grants Scheme was set up in accordance with the requirements of section 48 of the Local Government Act 1985. The purpose of this scheme is to provide funding for voluntary organisations offering London-wide services or operating in two or more London boroughs. The thirty two London Boroughs and the Corporation of London are required by statute to contribute to the London Boroughs Grant Scheme.

5.3 For 2014/15 the apportionment is based on the 2011 Census data, adjusted by the ONS to provide the mid-year population estimates for June 2012. This is in accordance with Section 48 (4) Local Government Act 1985, which states that "the population of any areas shall be taken to be the number estimated by the Registrar General and certified by him to the Secretary of State by reference to such date as the Secretary of State may from time to time determine."

- 5.4 Further to the Grants to Voluntary Organisations (Specified Date) Order 1992 (which came into effect on 2 November 1992 pursuant to section 48(3) of the Local Government Act 1985 and which remains in force), the London Borough Grants Scheme budget for 2013/14 must be agreed by two-thirds of constituent Councils before 1 February 2014. If it is not, the overall level of expenditure for the constituent councils for 2014/15 will be deemed to be the same as that approved for 2013/14.

6.0 Diversity Implications

- 6.1 The Leaders' Committee of London Councils does not set out any specific equality implications arising from the recommendations. However, it should be noted that the overall level of expenditure of £10 million for the London Councils Grants Scheme in 2014/15 (inclusive of the sum of £2 million funding from the European Social Fund programme) will be at the same level as for the current 2013/14 financial year.
- 6.2 The Leader's Committee decided in 2013/2014 to agree proposals for a refocused Grants Programme operating with a reduced budget. The Chief Executive's Circular November 2012 stated that the Leader's Committee had regard to the duties set out in the Equality Act 2010 and in particular the public sector equalities duty when making its decision regarding the budget for the London Councils Grants Scheme 2013/14
- 6.3 Officers have reviewed the recommendations for 2014/15 noting that they do not seek to reduce funding to the agreed 2013/14 programme. Officers have not identified any equality implications in addition to those already identified and responded to in the design of the present grants programme. It should be noted that it is difficult to assess impact of the grants programme for groups with protected characteristics in Brent as there is a lack of detailed information about the direct benefits to Brent's residents. Officers will monitor any impact through complaints and/or correspondence received.

Background Papers

- London Councils Chief Executives Circular November 2013
- London Councils Leader's Committee November 2013
http://www.londoncouncils.gov.uk/committees/agenda.htm?pk_agenda_items=5465
- London Councils Grants Committee November 2013
http://www.londoncouncils.gov.uk/committees/meetings.htm?pk_meeting=1153&comid=3

Background to reaching the present grant scheme priorities and approach

- London Councils Chief Executives Circular November 2012
<http://www.londoncouncils.gov.uk/aboutus/corporatepublications/ceocirculars/1211grants.htm>
- London Councils Leader's Committee November 2012
http://www.londoncouncils.gov.uk/committees/meetings.htm?pk_meeting=936&comid=2
- London Councils Grants Committee November 2012
http://www.londoncouncils.gov.uk/committees/meetings.htm?pk_meeting=974&comid=3

Appendices

- Appendix 1: Proposed London Councils Grant Scheme Budget 2014/2015
- Appendix 2: Proposed London Borough Contributions to London Councils Grant Scheme 2014/2015
- Appendix 3: London Councils' Chief Executives' Circular November 2013
- Appendix 4: Report to the Leaders' Committee dated 12th November 2013 in respect of the London Councils Grant Scheme Budget Proposals 2014/15

Contact Officers

Joanna McCormick, Partnerships Coordinator
joanna.mccormick@brent.gov.uk, 0208 937 1608

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cathy.tyson@brent.gov.uk, 0208 937 1045

BEN SPINKS
Assistant Chief Executive

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Grants Committee Income and Expenditure Budget 2014/15

Expenditure	Revised Budget 2013/14 £000	Developments £000	Inflation £000	Original Budget 2014/15 £000
Payments in respect of Grants				
London Councils Grants Programme	7,540	0	0	7,540
Membership Fees to London Funders (for all boroughs)	60	0	0	60
European Social Fund Co-Financing	1,880	0	0	1,880
Sub-Total	9,480	0	0	9,480
Operating (Non-Grants) Expenditure				
Contractual Commitments				
External audit fees	4	-2	0	2
CoL Finance/Payroll/Legal SLA	19	-6	0	13
GLE ESF Management Fee	0	0	0	0
Maintenance of GIFTS Grants IT system	10	0	0	10
	33	-8	0	25
Salary Commitments				
Officers	309	9	3	321
Members	19	0	0	19
Maternity provision	0	10	0	10
	328	19	3	350
Discretionary Expenditure				
Staff training/recruitment advertising	6	0	0	6
Staff travel	2	0	0	2
Supplies and service	38	1	0	39
Research	12	0	0	12
	58	1	0	59
Total Operating Expenditure	419	12	3	434
Central Recharges	101	-15	0	86
Total Expenditure	10,000	-3	3	10,000
Income				
Core borough subscriptions				
Contribution to grant payments	8,600	-800	0	7,800
Contribution to non-grants expenditure	400	0	0	400
	9,000	-800	0	8,200
Other Income				
ESF Income	1,000	0	0	1,000
	1,000	0	0	1,000
Transfer from Reserves	0	800	0	800
Central Recharges	0	0	0	0
Total Income	10,000	0	0	10,000
Net Expenditure	0	3	-3	0

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APPENDIX B

Borough Subscriptions 2014/15

ONS Mid-2011 Estimate of Population ('000)	%	2013/14 Base Borough Contribution (£)		ONS Mid-2012 Estimate of Population ('000)	%	2014/15 Base Borough Contribution (£)	Base Difference from 2013/14 (£)	Share of one-off payment 2014/15 (£)	Net Payment 2014/15 (£)
220.1	2.68%	241,452	Inner London	224.96	2.71%	243,687	2,234	-21,661	222,026
7.4	0.09%	8,118	Camden	7.60	0.09%	8,233	115	-732	7,501
255.5	3.11%	280,287	City of London	260.07	3.13%	281,720	1,433	-25,042	256,678
247.2	3.01%	271,181	Greenwich	252.12	3.03%	273,108	1,926	-24,276	248,831
182.4	2.22%	200,095	Hackney	179.85	2.16%	194,822	-5,273	-17,317	177,504
206.3	2.51%	226,314	Hammersmith and Fulham	211.05	2.54%	228,619	2,305	-20,322	208,297
158.3	1.93%	173,657	Islington	155.93	1.88%	168,910	-4,747	-15,014	153,896
304.5	3.71%	334,040	Kensington and Chelsea	310.20	3.73%	336,023	1,982	-29,869	306,154
276.9	3.38%	303,763	Lambeth	281.56	3.39%	304,998	1,236	-27,111	277,887
288.7	3.52%	316,707	Lewisham	293.53	3.53%	317,965	1,257	-28,264	289,701
256.0	3.12%	280,835	Southwark	263.00	3.17%	284,893	4,058	-25,324	259,570
307.7	3.75%	337,551	Tower Hamlets	308.31	3.71%	333,975	-3,575	-29,687	304,289
219.6	2.68%	240,904	Wandsworth	223.86	2.69%	242,495	1,591	-21,555	220,940
2,930.6	35.72%	3,214,905	Westminster	2,972.04	35.77%	3,219,447	4,543	-286,173	2,933,274
187.0	2.28%	205,141	Outer London	190.56	2.29%	206,423	1,282	-18,349	188,074
357.5	4.36%	392,182	Barking and Dagenham	363.96	4.38%	394,258	2,076	-35,045	359,213
232.8	2.84%	255,385	Barnet	234.27	2.82%	253,772	-1,613	-22,557	231,214
312.2	3.81%	342,487	Bexley	314.66	3.79%	340,854	-1,633	-30,298	310,556
310.6	3.79%	340,732	Brent	314.04	3.78%	340,182	-550	-30,238	309,944
364.8	4.45%	400,190	Bromley	368.89	4.44%	399,598	-592	-35,520	364,078
339.3	4.14%	372,216	Croydon	340.67	4.10%	369,029	-3,187	-32,803	336,226
313.9	3.83%	344,352	Ealing	317.28	3.82%	343,692	-660	-30,550	313,142
255.5	3.11%	280,287	Enfield	258.91	3.12%	280,463	176	-24,930	255,533
240.5	2.93%	263,831	Haringey	242.38	2.92%	262,557	-1,275	-23,338	239,219
237.9	2.90%	260,979	Harrow	239.73	2.89%	259,686	-1,293	-23,083	236,603
275.5	3.36%	302,227	Havering	281.76	3.39%	305,215	2,988	-27,130	278,085
254.9	3.11%	279,628	Hillingdon	259.05	3.12%	280,615	986	-24,944	255,671
160.4	1.96%	175,961	Hounslow	163.91	1.97%	177,555	1,594	-15,783	161,772
200.5	2.44%	219,951	Kingston upon Thames	202.22	2.43%	219,054	-897	-19,471	199,582
310.5	3.78%	340,622	Merton	314.08	3.78%	340,226	-397	-30,242	309,983
281.4	3.43%	308,699	Newham	284.62	3.43%	308,313	-386	-27,406	280,908
187.5	2.29%	205,690	Redbridge	189.14	2.28%	204,885	-805	-18,212	186,673
191.1	2.33%	209,639	Richmond upon Thames	193.63	2.33%	209,749	110	-18,644	191,104
259.7	3.17%	284,894	Sutton	262.57	3.16%	284,428	-467	-25,282	259,145
5,273.5	64.28%	5,785,095	Waltham Forest	5,336.33	64.23%	5,780,553	-4,543	-513,827	5,266,726
8,204.1	100.00%	9,000,000	Totals	8,308.37	100.00%	9,000,000	0	-800,000	8,200,000

9,000,000

9,000,000

-800,000

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Chief Executives' Circular

To:	Borough Chief Executives	Cc:	Borough Treasurers
Date:	21 November 2013	Ref. no:	4/13
Contact:		Telephone:	020 7934 9700
Email:	Frank.smith@londoncouncils.gov.uk	Response Date:	17 January 2014

London Boroughs Grants Scheme 2014/15 expenditure

Summary:

This circular informs borough Chief Executives of the recommended level of the London Borough Grants Scheme budget for 2014/15 and seeks a formal response to that recommendation **ideally by Friday 17 January 2014, but no later than Friday 31 January 2014**. If two thirds of boroughs have not indicated their assent to this budget by that date, the default position by law is for a budget at the level of the previous year to be introduced. I should, therefore, be grateful for formal notification of your borough's agreement to this budget by the dates set out in bold above. The means by which each borough arrives at such a formal decision will be dependent upon local Schemes of Delegation, Standing Orders and Terms of Reference. In most cases, however, we anticipate a cabinet or mayoral decision will be provided to us.

Background

The London Councils Grants Committee considered proposals for expenditure in 2014-15 at its meeting on 6 November 2013. The Leaders' Committee agreed a budget at its meeting on 12 November and the following recommendation is now made to constituent councils.

Overall level of expenditure of £10,000,000 comprising:

Grants - £9,420,000

Administrative Expenditure - £520,000

London Funders Membership Fees - £60,000

Income would comprise:

European Social Fund grant - £1,000,000

Borough contributions - £8,200,000

This circular sets out in detail the requirements in respect of approving the Grants Scheme budget for 2014/15.

The context in which this recommendation is made is set out in reports to Grants Committee on 6 November 2013 and to the Leaders' Committee on 12 November 2013. These reports concern both the future London wide ESF programme and the overall Grants Committee budget. The overall level of borough contributions to the Scheme that is recommended for 2014/15 remains at 2013/14 levels. However, an £800,000 one-off repayment will be made to boroughs which represents a transfer from Grants Committee reserves. An outline of the budget is attached at Appendix A.

As you are aware, constituent Councils are required to contribute to any London Boroughs Grants Scheme expenditure, which has been incurred with the approval of at least two-thirds of the constituent Councils. Contributions are, under Regulation 6(8) of the Levying Bodies (General) Regulations 1992, to be proportionate to constituent Councils' populations. For 2014/15 the apportionment is based on the ONS mid-year estimates for June 2012 in accordance with Section 48 (4) Local Government Act 1985, which states that "the population of any areas shall be taken to be the number estimated by the Registrar General and certified by him to the Secretary of State by reference to such date as the Secretary of State may from time to time determine." The total contribution required from each constituent Council for 2014/15 is shown at Appendix B.

I would remind you that further to the Grants to Voluntary Organisations (Specified Date) Order 1992 (which came into effect on 2 November 1992 and remains in force), the budget must be agreed by two-thirds of constituent Councils before 1 February 2014. If it is not, the overall level of expenditure will be deemed to be the same as that approved for 2013/14 (i.e. £10 million). I would therefore be grateful if you would advise me in writing of your authority's formal response to the recommendation as soon as possible; ideally by Friday 17 January 2014 (as required under section 7.5 of the Grants Scheme), but no later than 31 January 2014. If you are unable to meet the 17 January deadline, please let me know.

Conclusion

I look forward to your responses, ideally by **Friday 17 January 2014** and no later than **Friday 31 January 2014**.

For further information on any of the issues raised in this circular, please contact Frank Smith, Director of Corporate Resources on 020 7934 9700 or at frank.smith@londoncouncils.gov.uk

Thank you

John O'Brien
Chief Executive

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Grants Committee Income and Expenditure Budget 2014/15

Expenditure	Revised Budget 2013/14 £000	Developments £000	Inflation £000	Original Budget 2014/15 £000
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European Social Fund Co-Financing	1,880	0	0	1,880
Sub-Total	9,480	0	0	9,480
Operating (Non-Grants) Expenditure				
Contractual Commitments				
External audit fees	4	-2	0	2
CoL Finance/Payroll/Legal SLA	19	-6	0	13
GLE ESF Management Fee	0	0	0	0
Maintenance of GIFTS Grants IT system	10	0	0	10
	33	-8	0	25
Salary Commitments				
Officers	309	9	3	321
Members	19	0	0	19
Maternity provision	0	10	0	10
	328	19	3	350
Discretionary Expenditure				
Staff training/recruitment advertising	6	0	0	6
Staff travel	2	0	0	2
Supplies and service	38	1	0	39
Research	12	0	0	12
	58	1	0	59
Total Operating Expenditure	419	12	3	434
Central Recharges	101	-15	0	86
Total Expenditure	10,000	-3	3	10,000
Income				
Core borough subscriptions				
Contribution to grant payments	8,600	-800	0	7,800
Contribution to non-grants expenditure	400	0	0	400
	9,000	-800	0	8,200
Other Income				
ESF Income	1,000	0	0	1,000
	1,000	0	0	1,000
Transfer from Reserves	0	800	0	800
Central Recharges	0	0	0	0
Total Income	10,000	0	0	10,000
Net Expenditure	0	3	-3	0

Grants Committee Borough Subscriptions 2014/15

ONS Mid-2011 Estimate of Population ('000)	%	2013/14 Base Borough Contribution (£)		ONS Mid-2012 Estimate of Population ('000)	%	2014/15 Base Borough Contribution (£)	Base Difference from 2013/14 (£)	Share of one-off re payment 2014/15 (£)	Net Payment 2014/15 (£)
Inner London									
220.1	2.68%	241,452	Camden	224.96	2.71%	243,687	2,234	-21,661	222,026
7.4	0.09%	8,118	City of London	7.60	0.09%	8,233	115	-732	7,501
255.5	3.11%	280,287	Greenwich	260.07	3.13%	281,720	1,433	-25,042	256,678
247.2	3.01%	271,181	Hackney	252.12	3.03%	273,108	1,926	-24,276	248,831
182.4	2.22%	200,095	Hammersmith and Fulham	179.85	2.16%	194,822	-5,273	-17,317	177,504
206.3	2.51%	226,314	Islington	211.05	2.54%	228,619	2,305	-20,322	208,297
158.3	1.93%	173,657	Kensington and Chelsea	155.93	1.88%	168,910	-4,747	-15,014	153,896
304.5	3.71%	334,040	Lambeth	310.20	3.73%	336,023	1,982	-29,869	306,154
276.9	3.38%	303,763	Lewisham	281.56	3.39%	304,998	1,236	-27,111	277,887
288.7	3.52%	316,707	Southwark	293.53	3.53%	317,965	1,257	-28,264	289,701
256.0	3.12%	280,835	Tower Hamlets	263.00	3.17%	284,893	4,058	-25,324	259,570
307.7	3.75%	337,551	Wandsworth	308.31	3.71%	333,975	-3,575	-29,687	304,289
219.6	2.68%	240,904	Westminster	223.86	2.69%	242,495	1,591	-21,555	220,940
2,930.6	35.72%	3,214,905		2,972.04	35.77%	3,219,447	4,543	-286,173	2,933,274
Outer London									
187.0	2.28%	205,141	Barking and Dagenham	190.56	2.29%	206,423	1,282	-18,349	188,074
357.5	4.36%	392,182	Barnet	363.96	4.38%	394,258	2,076	-35,045	359,213
232.8	2.84%	255,385	Bexley	234.27	2.82%	253,772	-1,613	-22,557	231,214
312.2	3.81%	342,487	Brent	314.66	3.79%	340,854	-1,633	-30,298	310,556
310.6	3.79%	340,732	Bromley	314.04	3.78%	340,182	-550	-30,238	309,944
364.8	4.45%	400,190	Croydon	368.89	4.44%	399,598	-592	-35,520	364,078
339.3	4.14%	372,216	Ealing	340.67	4.10%	369,029	-3,187	-32,803	336,226
313.9	3.83%	344,352	Enfield	317.28	3.82%	343,692	-660	-30,550	313,142
255.5	3.11%	280,287	Haringey	258.91	3.12%	280,463	176	-24,930	255,533
240.5	2.93%	263,831	Harrow	242.38	2.92%	262,557	-1,275	-23,338	239,219
237.9	2.90%	260,979	Havering	239.73	2.89%	259,686	-1,293	-23,083	236,603
275.5	3.36%	302,227	Hillingdon	281.76	3.39%	305,215	2,988	-27,130	278,085
254.9	3.11%	279,628	Hounslow	259.05	3.12%	280,615	986	-24,944	255,671
160.4	1.96%	175,961	Kingston upon Thames	163.91	1.97%	177,555	1,594	-15,783	161,772
200.5	2.44%	219,951	Merton	202.22	2.43%	219,054	-897	-19,471	199,582
310.5	3.78%	340,622	Newham	314.08	3.78%	340,226	-397	-30,242	309,983
281.4	3.43%	308,699	Redbridge	284.62	3.43%	308,313	-386	-27,406	280,908
187.5	2.29%	205,690	Richmond upon Thames	189.14	2.28%	204,885	-805	-18,212	186,673
191.1	2.33%	209,639	Sutton	193.63	2.33%	209,749	110	-18,644	191,104
259.7	3.17%	284,894	Waltham Forest	262.57	3.16%	284,428	-467	-25,282	259,145
5,273.5	64.28%	5,785,095		5,336.33	64.23%	5,780,553	-4,543	-513,827	5,266,726
8,204.1	100.00%	9,000,000	Totals	8,308.37	100.00%	9,000,000	0	-800,000	8,200,000
9,000,000				9,000,000				-800,000	

Leaders' Committee

London Councils Grants Scheme - Budget Proposals 2014/15

Item no: 8

Report by: Frank Smith **Job title:** Director of Corporate Resources
Date: 12 November 2013
Contact Officer: Frank Smith
Telephone: 020 7934 9700 **Email:** Frank.smith@londoncouncils.gov.uk

Summary This report considers the proposed budget for the Grants Scheme for 2014/15 and makes a recommendation to the Committee on the appropriate level to recommend to constituent councils for approval.

Recommendations The Leaders' Committee is asked to agree:

- an overall level of expenditure of £10 million for the Grants Scheme in 2014/15 (inclusive of £2 million gross ESF programme), the same level as the current year;
- that taking into account the application of £1 million ESF grant, borough contributions for 2014/15 should be £9 million;
- that for 2014/15 only, a proposed transfer from Grants Committee reserves of £800,000 be made and returned to boroughs in the form of a one-off repayment;
- that further to the recommendations above, constituent councils be informed of the Committee's recommendation and be reminded that further to the Order issued by the Secretary of State for the Environment under Section 48 (4A) of the Local Government Act 1985, if the constituent councils have not reached agreement by the two-thirds majority specified before 1 February 2014 they shall be deemed to have approved expenditure of an amount equal to the amount approved for the preceding financial year (i.e. £10 million);
- that constituent councils be advised that the apportionment of contributions for 2014/15 will be based on the ONS mid-year population estimates for June 2012 and that this methodology will also apply to the proposed one-off repayment of £800,000 for 2014/15; and
- that subject to the approval of an overall level of expenditure, the Committee agrees to set aside a provision of £520,000 for costs incurred by London Councils in providing staff and other support

services to ensure delivery of the Committee's "making of grants" responsibilities, including ESF administration of £120,000.

London Councils Grants Scheme - Budget Proposals 2014/15

Introduction

1. This report details the indicative overall budget requirement for the London Boroughs Grants Scheme for 2014/15 of £10 million, the same level as for 2013/14, comprising:
 - The cost of the borough scheme of priority, pan-London commissioned services of £8 million, which includes the cost of administering the borough scheme, equating to 5%, or £400,000 of the proposed grants programme of £8 million plus the membership subscriptions for boroughs for London Funders of £60,000; and
 - The gross cost of the ESF programme of £2 million, including £120,000 administration costs, offset by ESF grant of £1 million, leaving a net cost of £1 million to be funded by boroughs.
2. The proposed total expenditure budget of £10 million will be funded by borough contribution of £9 million and ESF grant income of £1 million.
3. The Leaders' Committee will need to reach a view on both the appropriate overall level of expenditure and to recommend the budget to constituent Councils.

Approval of Expenditure

4. The statutory basis of the Grants Scheme is Section 48, Local Government Act 1985. Constituent councils agreed to some changes to the operation of the Scheme as part of the establishment of the new ALG on 1 April 2000: these changes mean that the budget for the London Councils Grants Scheme must be approved by the London Councils Leaders' Committee. This will need to happen before any budget that is recommended to constituent councils by the Grants Committee can be formally referred to them as a basis for consideration in their respective council chambers.
5. The budget proposals contained in this report were considered by the Grants Committee at its meeting on 6 November and the recommendations of the Grants Committee will be reported orally to this meeting. If Leaders do not accept the recommendations of the Grants Committee, and instead agree to recommend a different budget figure to Boroughs, the Grants Committee will need to meet urgently to consider the implications for the Grants programme.

6. Section 48(3) of the Local Government Act 1985 requires that at least two-thirds of the constituent councils in Greater London must approve the proposed overall level of expenditure on grants to voluntary organisations and other costs incurred in “the making of grants”. This is not a decision that can be delegated to the Grants Committee although that Committee is able to make decisions with regard to allocation of that expenditure once overall expenditure has been approved. This means that when the Committee decides on an overall level of expenditure, subject to the agreement of the London Councils Leaders’ Committee, it will recommend it to the London Boroughs and the Cities of London and Westminster and at least 22 of them must agree through their respective decision-making arrangements to ratify and give effect to that overall level of expenditure. Once 22 councils have given their approval, the overall level of expenditure and contributions to it are binding on all constituent councils.

Timing of Decisions

7. The Committee needs to make its recommendation in good time so that constituent councils are able to consider the budget proposal within their own decision-making arrangements and make a response within the timescales laid down for the Scheme. The Scheme approved by the boroughs provides that constituent councils shall be asked to agree to the Committee's recommended level of overall expenditure not later than the third Friday in January, in this case 17 January 2014. All constituent councils will have received copies of this report and will be informed of the Committee's recommendation as to overall expenditure for next year, once the decision has been taken.
8. The City of London Corporation has been the Designated Council for the Scheme since 1 February 2004. Bearing in mind the issues raised above, it is essential for the Committee make a recommendation today, to provide sufficient time for constituent councils to consider the matter before the 1 February deadline, and enable the City of London Corporation to approve the levy on constituent councils by the deadline of 15 February 2014.
9. In the event that constituent councils are unable to reach agreement by the two-thirds majority required on an overall level of expenditure before 1 February 2014 the Secretary of State for Communities and Local Government has powers to intervene and set the budget at the same level as the preceding year. Section 105 of the Local Government Finance Act 1992 inserted a new sub-section (4A) into section 48 of the Local Government Act 1985 which states that:

"4A. The Secretary of State may by order provide that if -

- *a scheme requires the total expenditure to be incurred under the scheme in any financial year _*
 - *in the making of grants; and*
 - *in the discharging by the designated council of its functions under the scheme, to be approved in accordance with the scheme by some or all of the constituent councils; and*
- *the total expenditure to be incurred in any financial year is not approved as required by the scheme before such date as may be specified in relation to that financial year in the order, the constituent councils shall be deemed, subject to any order which has been or may be made under subsection (5) below, all to have given their approval for that financial year to total expenditure of an amount equal to the amount that was approved or, as the case may be, deemed to have been approved for the preceding financial year".*

Contributions by constituent councils

10. Section 48(3) of the 1985 Act provides that the amount of contributions to the London Councils Grants Scheme shall be determined so that expenditure is borne by constituent councils in proportion to the population of their respective areas. Section 48(4) of the 1985 Act states that the population of any area shall be the number estimated by the Registrar-General and certified by him to the Secretary of State.
11. Under The Levying Bodies (General) Regulations 1992, arrangements made under section 48 of the 1985 Act (and also section 88) use total resident population as the means of apportionment and it is no longer necessary for the Registrar General to certify the estimates. The Regulations came into force on 11 December 1992. Regulation 6(8) is of particular importance, stating that:

"A levying body shall secure that the expenses to be met by levies issued by it under these Regulations by reference to the relevant precepting power conferred by section 48 or 88 of the Local Government Act 1985 are borne by the relevant authorities in a proportion calculated by reference to the total resident population of the area of each relevant authority on 30th June in the financial year beginning two years before the beginning of the financial year in respect of which the levy is issued, as estimated by the Registrar General."

12. The Designated Council is defined as a levying body further to Sections 74 and 117 of the Local Government Finance Act 1988, which means that the levy will have to be approved formally at a meeting of the Court of Common Council of the Designated Council before the payment requests are sent to constituent councils. The Court of Common Council will consider this matter before the deadline of 15 February 2014. The Levying Bodies (General) Regulations 1992 then require the approved levy to be sent out to constituent councils by 15 February in any year. The term levy refers both to the total contributions from constituent councils and to the apportionment of that total between them.

Summary Timetable

13. To summarise, the timetable for the approval of the budget for 2014/15 is expected to be as follows:

Date	Action
29 October 2013	London Councils Executive to consider levels of uncommitted reserves for 2014/15 onwards
6 November 2013	Grants Committee considers proposed budget and borough contributions for 2014/15 and makes recommendations to Constituent Councils, subject to approval of Leaders' Committee
12 November 2013	Leaders' Committee is asked to approve the level of budget and borough contributions for 2014/15, as recommended by the Grants Committee on 6 November
13-15 November 2013	Constituent Councils formally notified of the approved level of budget and borough contributions for 2014/15
18 November 2013 – 31 January 2014	Constituent Councils to individually ratify the overall level of expenditure for 2014/15 through their respective decision-making arrangements
1-15 February 2014	The City of London Corporation, as the Designated Councils for the Grants Scheme, approves the levy for 2014/15 on Constituent Councils
15 February 2014	Constituent Councils improved of level if expenditure and borough contributions for 2014/15

Budget Proposal for 2014/15

14. Appendix A to this report sets out detailed information relating to the proposed budget for 2013/14. The budget assumes:

- A core, pan-London scheme of services to meet agreed service priorities of £7.6 million, which includes the membership subscriptions for boroughs for London Funders of £60,000;
- An additional gross sum of £1.88 million relating to a continuance of the current ESF grants programme;
- An indicative gross grant payments budget of £9.48 million, the same level as for the current year.
- In addition to the indicative gross grant payments budget of £9.48 million, the proposal includes a provision for grants administration of £520,000. This comprises of 5% of the boroughs grants budget of £8 million, amounting to £400,000, plus 5.99% of the £2 million gross ESF programme, amounting to £120,000. Again, the level of administration costs mirrors to the level for 2013/14.
- Finally, for 2014/15 only, a proposed transfer from Grants Committee reserves of £800,000 be made and returned to boroughs in the form of a one-off repayment.

Non-Grants Expenditure

15. All estimates of grants administration expenditure levels are based upon a target of no more than 5% of the grants budget for the borough funded scheme, as previously agreed by Grants Committee in the review of non-grants expenditure levels conducted in early 2009. For the ESF programme, the claimable amount is limited to 5.99% of the total budget as stated in the DwP EPMU guidelines, with both amounts to be met from within the budget envelopes of £8 million and £2 million respectively.
16. In terms of dedicated staff, the overall number of staff is 5.11 fte posts (5.97fte 2012/13) split between the S.48 programme of 4.25 fte posts (4.05) and 0.87 fte posts (1.92) dealing with the ESF programme.

17. The staffing costs figures within the proposed 2014/15 budget options reflects all of these posts, together with the apportionment of time spent on Grants Committee activities by other London Councils staff, such as Grants Committee servicing and Public Affairs. In addition to this, an apportionment of time spent by Corporate Resources, Corporate Governance other than Committee Servicing, the Chief Executive's office, and London Councils Political Advisors are included in the central recharges figure for supporting the Committee's functions, as well as a notional rental figure for office space occupied at Southwark Street. The staffing budget also includes a £10,000 provision for maternity cover and the vacancy level has been reduced by 2% from 4% to 2%; both measures reflecting more effective resource management within the confines of much reduced staffing base.

ESF Grant Income

18. The proposed budget includes gross expenditure of £2m million on activities commissioned under London Councils approved priorities, including administration costs of £120,000, which attracts grant income at 50% as a consequence of London Councils status as one of London's ESF co-financing bodies, thus reducing the net cost of this activity to £1 million. Both the gross expenditure and the ESF income it attracts are reflected in Appendix A.

2013/14 Outturn Projections

19. The Month 6 forecast reported to the Grants Committee on 6 November highlights projected underspends amounting to £233,000 in total for 2013/14, reflecting:

- An projected breakeven position in respect of borough S.48 grant payments for commissioned service relating to 2013/14;
- A return to revenue of estimated liabilities of £71,272 set up during the closure of the 2012/13 accounts, which will not be paid out, again in respect of the borough S.48 programme;
- A projected underspend of £376,000 relating payments relating to the borough/DWP ESF programme, as expenditure relating to the 2012-14 two year programme slips into 2014/15 , offset by shortfall in ESF grant of £203,000, giving a net surplus position of £173,000; and
- A projected net overspend of £11,000 in respect of grants administration. The split between the S.48 programme and the ESF programme is £9,000 and £2,000 respectively.

Use of Reserves

20. Audited reserves at the end of March 2013 were £1.752 million, inclusive of £610,000 relating to ESF programme slippage. The current position on Committee reserves is shown in the table below, which takes on board projected underspends from the current year (refer paragraph 19).

	Borough	ESF	Total
	£000	£000	£000
Audited reserves as at 1 April 2013	1,142	610	1,752
Projected surplus/(deficit) for the year	62	171	233
Transfer from reserves	-	-	-
Proposed one-off payment to boroughs 2014/15*	(800)	-	(800)
Projected reserves as at 31 March 2014	404	781	1,185
Indicative total expenditure 2013/14	8,000	2,000	10,000
Forecast reserves as a % of indicative expenditure	5.05%	39.05%	11.85%

21. Following discussions at the Grants Executive meeting in September 2013, the Director of Corporate Resources recommends that, in line with best financial management practice, it would be appropriate to retain reserves of at least £300,000 to support the future borough programme of approximately £8 million. This equates to 3.75% of the programme value. The London Councils Executive considered a report at its meeting on 29 October on the overall levels of London Councils reserves moving forward into 2014/15. This is subject to a separate report on this agenda. The recommendation is that £800,000 of Grants Committee reserves be transferred to the revenue account as a one off payment in 2014/15 to reduce overall borough contributions in 2014/15 only. Should this proposal be approved, the projected residual level of reserves as at 31 March 2014, therefore, marginally exceeds this revised reserves benchmark. For the ESF programme, reserves attributable to this area of the programme have accumulated due to slippage and are therefore likely to be fully utilised in the subsequent years of each programme element – effectively acting as an earmarked reserve, so benchmarking a desirable level of future reserves is not appropriate.

Borough Contributions

22. Paragraphs 10 to 12 of this report set out the legal position relating to contributions payable by constituent councils to the London Councils Grants Scheme. Contributions for 2014/15 have been calculated using the ONS mid-year population estimates for June 2012 and are set out in Appendix B. The same methodology will be used to apportion the one-off repayment to boroughs of £800,000 in 2014/15, if approved.

Summary

23. This report considers the proposed budget for the Grants Scheme for 2014/15 and makes a recommendation to the Committee on the appropriate level to recommend to constituent councils for approval. Specifically, the report proposes to continue with an overall level of expenditure in 2014/15 of £10 million, which requires borough contributions of £9 million (refer to Appendix B). A one-off repayment to boroughs of £800,000 from Committee reserves is also recommended.

Recommendations

24. The Leaders' Committee is asked to agree:

- an overall level of expenditure of £10 million for the Grants Scheme in 2014/15 (inclusive of £2 million gross ESF programme), the same level as the current year;
- that taking into account the application of £1 million ESF grant, borough contributions for 2014/15 should be £9 million;
- that for 2014/15 only, a proposed transfer from Grants Committee reserves of £800,000 be made and returned to boroughs in the form of a one-off repayment;
- that further to the recommendations above, constituent councils be informed of the Committee's recommendation and be reminded that further to the Order issued by the Secretary of State for the Environment under Section 48 (4A) of the Local Government Act 1985, if the constituent councils have not reached agreement by the two-thirds majority specified before 1 February 2014 they shall be deemed to have approved expenditure of an amount equal to the amount approved for the preceding financial year (i.e. £10 million);
- that constituent councils be advised that the apportionment of contributions for 2014/15 will be based on the ONS mid-year population estimates for June 2012 and that this methodology will also apply to the proposed one-off repayment of £800,000 for 2014/15; and
- that subject to the approval of an overall level of expenditure, the Committee agrees to set aside a provision of £520,000 for costs incurred by London Councils in providing staff and other support services to ensure delivery of the Committee's "making of grants" responsibilities, including ESF administration of £120,000.

Appendices

Appendix A – Proposed revenue income and expenditure budget 2014/15;

Appendix B – Proposed borough subscriptions 2014/15;

Background Papers

Grants Committee Budget Working Papers 2013/14 and 2014/15;

Grants Committee Final Accounts Working Papers 2012/13;

Grants Committee Revenue Budget Forecast Working Papers 2013/14; and

London Councils Consolidated Budget Working Papers 2013/14 and 2014/15.

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