



Cabinet

Monday 16 March 2015 at 2.00 pm
Granville Plus Centre, Granville Road, NW6 5RA

Membership:

**Lead Member
Councillors:**

Portfolio

Butt (Chair)	Leader of the Council
Pavey (Vice-Chair)	Deputy Leader of the Council
Crane	Lead Member for Environment
Denselow	Lead Member for Stronger Communities
Hirani	Lead Member for Adults, Health and Well-being
Mashari	Lead Member for Employment and Skills
McLennan	Lead Member for Regeneration and Housing
Moher	Lead Member for Children and Young People

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democracy.brent.gov.uk

The press and public are welcome to attend this meeting

Agenda

Introductions, if appropriate.

Apologies for absence.

Item	Page
1 Declarations of personal and prejudicial interests	
2 Minutes of the previous meeting	1 - 16
3 Matters arising	
4 Petitions	17 - 18

The following petitions have been submitted in accordance with Standing Order 68:

- (i) Mapesbury Dell - Exemption from Event Charges
- (ii) Petition to oppose the expansion of Bryon Court Primary School from 3 form entry to 5 form Entry (from PABCSE)
- (iii) Petition to oppose the expansion of Bryon Court Primary School from 3 form entry to 5 form Entry

Details attached.

Children and Young People reports

5 Permanent expansion of Byron Court Primary School	19 - 94
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This report informs the Cabinet of the outcome of the statutory consultation on the proposal to alter Byron Court Primary School through permanent expansion from September 2015 and recommends that the statutory proposal to expand the school be approved. The representation period on the proposals ended on 19 February 2015, having been extended by one week following representations from consultees. This report also informs the Cabinet of the responses to the consultation.

Ward Affected:
Northwick Park

Lead Member: Councillors Moher and McLennan

Contact Officer: Sara Williams, Operational Director, Early Help and Education

Tel: 020 8937 3510 sara.williams@brent.gov.uk

6 Authority to tender a contract for the Clinical Input into the Inclusion Support Team 95 - 104

After a competitive commissioning process, a 12 month contract was awarded to the Anna Freud Centre commencing on the 1 April 2014 for Clinical Input (psychology and psychotherapy) into the Inclusion Support Team. A further six month extension was granted in order to gather significant evidence around the impact of this service. The current contract will end on the 30 September 2015. Officers have reviewed the outcome data from this clinical input and as a result of its positive impact recommends this provision continues (see section 3). This report requests approval to invite tenders for the provision of Clinical Input services to the Inclusion Support Team as required by Contract Standing Orders 88 and 89.

Ward Affected:
All Wards

Lead Member: Councillor Moher
Contact Officer: Sara Williams, Operational Director, Early Help and Education
Tel: 020 8937 3510 sara.williams@brent.gov.uk

7 Targeted Mental Health in Schools (TaMHS) Project August 2015 to July 2016 105 - 112

The TaMHS Service is a targeted mental health service providing support for children aged 5 to 16 and their families. The council has had a contract with CNWL (Brent CAMHS) for provision of this service since 2009, when government funding was provided to establish targeted mental health support in schools. This report seeks to award a contract to CNWL without the need for a tender for TaMHS services on the grounds that, on the advice from Brent Clinical Commissioning Group, it would be in the best interests of future service provision to defer retendering to align with the timeline for (and integrate with) the retendering of the CCG's much larger CAMHS contract.

Ward Affected:
All Wards

Lead Member: Councillor Moher
Contact Officer: Sara Williams, Operational Director, Early Help and Education
Tel: 020 8937 3510 sara.williams@brent.gov.uk

Environment and Neighbourhoods reports

8 Recovering costs for events in Brent's parks and open spaces 113 - 122

The new charging policy was introduced from December 2012 and included a clause that permits registered charities with an income of less than £10,000 who are holding a community event in a park or open space to be exempt from the cost recovery charge. Mapesbury Dell Trust have submitted a petition requesting that they be exempt from any cost recovery fee. The Mapesbury Dell Trust played a critical role in making

the Dell the award winning park that it is today and wish members to exclude them from the agreed charging policy.

Ward Affected:
All Wards

Lead Member: Councillor Crane
Contact Officer: Gerry Kiefer, Head of Sports and Parks Service
Tel: 020 8937 3710 gerry.kiefer@brent.gov.uk

9 2015/16 Food Safety Service Plan

123 -
148

The annual Food Safety Service Plan details the council's commitment to the delivery of the food safety service. It covers key areas of food law enforcement and relevant management arrangements and targets against which the Council will monitor service delivery.

Ward Affected:
All Wards

Lead Member: Councillor Crane
Contact Officer: Michael Read, Operational Director (Environment and Protection)
Tel: 020 8937 5302 michael.read@brent.gov.uk

10 Public Mortuary shared service

149 -
154

Brent Council operates a public mortuary located within the grounds of Northwick Park Hospital as a shared service arrangement with Harrow Council. Barnet Council operates a public mortuary in Finchley. Both are within the jurisdiction of the North London Coroner. This report proposes extending the shared service arrangement at Northwick Park to include Barnet allowing the rationalisation of arrangements and the closure of Finchley Mortuary.

Ward Affected:
All Wards

Lead Member: Councillor Crane
Contact Officer: Michael Read, Operational Director (Environment and Protection)
Tel: 020 8937 5302 michael.read@brent.gov.uk

11 Highways Capital Scheme Programme 2015-17 and update to Highways Asset Management Plan

155 -
182

This report sets out recommendations for how Brent's £3.55m capital budget should be allocated during 2015/16 and 2016/17 through a prioritised programme of:

- Major and minor pavement upgrades;
- Major Road resurfacing;
- Preventative maintenance;
- Improvements to the public realm , and
- Renewal of Road Markings

Ward Affected:
All Wards

Lead Member: Councillor Crane
Contact Officer: Tony Kennedy, Head of
Transportation
Tel: 020 8937 5151 tony.kennedy@brent.gov.uk

Central Reports

- 12 Promoting Individual Electoral Registration - Scrutiny Task Group Report** 183 -
214

This report brings to the Cabinet a report which contains findings and recommendations of the scrutiny task group's investigation into how to manage a successful transition to Individual Electoral Registration (IER). The IER system went live in July 2014 and is expected to fully supplant the current Household Electoral Registration system on 1st December 2015 with the aim of making the process of registration more convenient and secure.

(Appendices circulated separately)

Ward Affected:
All Wards

Lead Member: Councillor Pavey
Contact Officer: Cathy Tyson, Head of Policy
and Scrutiny
Tel: 020 8937 1045 cathy.tyson@brent.gov.uk

- 13 Performance Report Q3, 2014/15** 215 -
230

The purpose of this report is to provide the Cabinet with a corporate overview of performance information linked to the current priorities for Brent, to support informed decision-making, and to manage performance effectively.

Ward Affected:
All Wards

Lead Member: Councillor Butt
Contact Officer: Cathy Tyson, Head of Policy
and Scrutiny
Tel: 020 8937 1045 cathy.tyson@brent.gov.uk

- 14 National Non Domestic Rates – Autumn Statement December 2014 – Discretionary Discounts** 231 -
238

The powers to grant local discounts are within section 47 of the Local Government Finance 1988. To award discounts under this provision it needs committee approval of any scheme. This report therefore seeks ratification of the implementation of the government's announcements and seeks to authorise the Chief Finance Officer to implement these schemes so that officers can award these discretionary reliefs which satisfy the criteria set by the Department of Communities and Local Government (DCLG) for these schemes.

Ward Affected:

Lead Member: Councillor Mashari

All Wards

Contact Officer: Margaret Read, OD Customer Services
Tel: 020 8937 1521
margaret.read@brent.gov.uk

Adult Social Care reports - none

Regeneration and Growth reports - none

15 Reference of item considered by Scrutiny Committee (if any)

16 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.

Date of the next meeting: Tuesday 14 April 2015



Please remember to set your mobile phone to silent during the meeting.

- The meeting room is accessible by lift and seats will be provided for members of the public.



LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET Monday 23 February 2015 at 7.00 pm

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

Also present: Councillors Colacicco, Duffy, S Choudhary, A Choudry, Ezeajughi, Filson, Harrison, Long, Mahmood, Marquis, Perrin, Stopp, Tatler and Warren

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

None.

2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 26 January 2015 be approved as an accurate record of the meeting.

3. **Matters arising**

None.

4. **Petitions**

Keep Stonebridge Adventure Playground Open

Mr Doug Lee (Brent Play Association) addressed the Cabinet in support of the petition requesting that the proposed redevelopment of Stonebridge School and the new housing, include the retention of Stonebridge Adventure Playground. He put forward the view that there was sufficient space on then site for the school expansion and the retention of the existing playground.

Mr Lee referred to the campaign for the playground which he felt had received widespread support and consultation which was strongly in favour of retention and reminded the Cabinet that the Big Lottery Fund, which had funded the newer adventure play equipment with a grant of £200,000, would have to be reimbursed and the total close down costs would be £350,000. He referred to the services provided by the Brent Play Association Charity over the years and the work with other charities and voluntary groups which, he felt, would not be replaced by school provision. Doug Lee put that the adventure playground represented good value for

money and was the only supervised play facility in one of the most deprived wards of the borough. Doug Lee questioned the motivation behind the decision reminding the meeting that the children had been led to believe that the playground would be kept open and urged the Cabinet to do so and not to destroy the charity which had been in existence for 42 years.

Councillor Ezeajughi (ward councillor) while acknowledging the need for a new school, paid tribute to the campaign to retain the Stonebridge Adventure playground which had been hard fought.

Keep Welsh Harp Environmental Study Centre open

Mr Martin Francis (Chair of Governors, Chalkhill Primary School) spoke in support of the retention of the Welsh Harp Environmental Study Centre. Mr Francis reminded the Cabinet that the centre was a natural environment of 17 acres, currently run jointly between the council and a local firm. He reiterated the concerns expressed by children of the need for a facility which was an opportunity for them to learn about bio-diversity, conservation and recycling and to have outdoor activities. The centre was used by Brent and neighbouring boroughs following the national curriculum and Martin Francis stressed the importance of children learning by experience so they grew to care about the environment.

Save our Youth Service

The Cabinet heard from Roisin Healy (Chair, Brent Youth Parliament) who expressed concern at the proposed budget cuts which could adversely affect Youth Service provision. She paid tribute to the work of the Youth Service which served a cross section of young people including those in care and with special needs and which helped the development of confidence, self-belief and also provided opportunities for life changing experiences. Ms Healy acknowledged that there may be other funding prospects but felt that the withdrawal of council funding would result in the loss of staff and the relationships that had built up. Ms Healy regretted the lack of consultation to date over the proposed new service model. She referred to past election promises and urged the Cabinet to be proud of the Youth Service which was a welcome relief from exams and home life stresses.

Save School Crossings Patrols

Ms Michelle Goldsmith addressed the Cabinet in support of the petition which referred to the council's obligations to promote road safety and sustainable transport, such as walking and cycling. She acknowledged the need for funding cuts but felt that the loss of school crossing patrols would threaten the safety of children and was not cost effective. She urged the council to visit all the crossing sites and made particular reference to the Queens Park area which was very busy, had many parked cars and needed the visibility of a school crossing patrol. Ms Goldsmith referred to statistics indicating a rise in road accidents, the majority of which were when children were walking and playing, which she attributed to budget cuts. Ms Goldsmith put that it was not schools' responsibility to provide crossing patrols which were a relatively inexpensive service but which had a huge impact on road safety. She felt the loss of patrols would lead to an increase in car journeys to and from school, eroding the community and have a significant long term impact.

5. **Budget 2015/16 and Council Tax**

The report from the Chief Finance Officer reminded the Cabinet of the draft budget proposals put to the Cabinet meeting on 15 December 2014, the subsequent consultation exercise and the requirement to recommend a budget for consideration by Full Council at its meeting on 2 March 2015. It presented a summary of the further work that had been undertaken in order to present the final budget proposal.

Councillor Pavey (Deputy Leader of the Council) in introducing the report, responded to petitioners who had addressed the Cabinet earlier in the evening. He stressed that the need for budget cuts was as a direct result of central government financial restrictions and referred to the extensive consultation exercises on the budget and also the Borough Plan. Councillor Pavey stated that the council had listened and, in response to views expressed, had decided not to proceed with some proposals such as reductions in Civic Centre customer services opening hours, cutting the Connexions service, closing rough sleeper services and Children's Centres, reducing home care visits to 15 minutes and the closure of the New Millennium Day Centre. Furthermore, a grant had been received that would allow Energy Solutions work to continue.

Councillor Pavey described the central government budget cuts as brutal and referred to reductions in senior management pay levels, bureaucracy and other efficiency savings that had already been introduced. He recognised the value of school crossing patrols, but felt these could be funded from schools' balances which were more than council's general reserve. On Stonebridge Adventure Playground, Councillor Pavey paid tribute to the passion and conviction of the support but a new school and homes were too strong an offer to refuse. The council had, as far as possible, safeguarded services used by the vulnerable. He referred to radical proposals to increase income (such as through shared services) and stated that the suggestion to increase the Council Tax levels which, being restricted to less than 2% without incurring financial penalty, would raise less than £1m and have a disproportionate affect on the working poor. Councillor Pavey cautioned against suggestions that the council should refuse to implement central government spending cuts as this would risk central government intervention which would be less sympathetic to residents, particularly the most vulnerable.

In conclusion, Councillor Pavey reiterated that responsibility for funding cuts rested with central government. The council had listened, had changed its proposals where possible and that efforts had been made to safeguard vulnerable members of the community.

Conrad Hall (Chief Finance Officer) commented on the reductions in local government funding which had led to the current financial pressures. Additionally, the financial squeeze was expected to continue and further savings would need to be found in future years. He stated that to set an illegal budget was not a viable option and to avoid the situation would only increase the problem. The Chief Finance Officer outlined the structure of his report and confirmed that the Council Tax level for the GLA budget had now been finalised and agreed as indicated in the report. He drew attention to the Equalities implications set out in the report and also drew attention to a supplementary document circulated and published which corrected the number of consultation responses from 54 to 55 to include an additional comment opposing the closure of the Welsh Harp Centre.

Councillor Moher (Lead Member, Children and Young People) expressed regret at the proposed closure of the Stonebridge Adventure Playground but stated that it had been recognised for some time that the previous levels of funding could not be sustained. She also recognised the valuable role of the Youth Service over the years which she hoped would be able to continue under a new model working with a charity. However, the council had to consider the needs of the whole borough and there was requirement for all council departments to make savings. Councillor McLennan (Lead Member, Regeneration and Housing) spoke in support of the permanent expansion of Stonebridge School and the opportunity for a 21st Century school which the children deserved, genuine mixed tenure housing and re-landscaping. Councillor Crane (Lead Member, Environment) stated that the decision making process had been extremely difficult, unprecedented and forced on the council by central government. Discussions were continuing to find alternative management arrangements for the Welsh Harp Centre, currently due to close in July. On school crossing patrols, two schools were already funding their crossing services and some others contacted had expressed a willingness to pay for the maintenance of their service. It was hoped more would come forward. He confirmed that each crossing area would be reviewed and extra signage put in place were appropriate. He referred to other boroughs that had taken similar decisions and stressed the council's commitment to road safety and pointed to the excellent road safety record near schools.

The Leader of the Council advised he was due to meet the Chair of Transport for London and would be discussing proposals for further investment for highway improvements and traffic calming measures. Councillor Denselow (Lead Member, Stronger Communities) cautioned that while some services had been saved from budget reductions this financial year, this may not be the position in two years' time. He was pleased that the Bridge Park Centre could be retained to play a role in the public health agenda. Councillor Hirani (Lead Member, Adults, Health and Well-being) referred to the projections for financial situation in 2016/17 and thereafter which were dire. He was relieved that funding would continue for some services in his area such as for 30 minute home care visits and the New Millennium Centre and stressed the need to build in protection for the future. Councillor McLennan agreed with these sentiments and the council's wish to help services become self-supporting.

Andrew Donald (Strategic Director, Regeneration and Growth) referred to the discussion on Stonebridge Adventure Playground and clarified that the connection between the school expansion and the Adventure Playground was that housing proposals on the land surrounding the new school would help to bring in much needed funding to pay for the school. Proposals for re-provided play space would be part of the Planning Committee decision making process and enquiries would be made on whether it was physically possible to move the Lottery funded play equipment to an alternative location.

The Leader of the Council, Councillor Butt, stated that the budget making process had been extremely difficult and the proposals had been discussed in great detail. The council was required to make £54M budget savings while facing pressures such as homelessness, school places and adult social care. In proposing the budget, efforts had been made to protect those in need and the vulnerable

members of the community. He proposed the budget for recommendation to Full Council.

RESOLVED:

Subject to the final confirmation of the GLA precept, to approve the following recommendations for Full Council at its meeting on 2 March 2015, to:

- (i) agree that there is no increase in the Council's element of council tax for 2015/16;
- (ii) agree the General Fund revenue budget for 2015/16, and note the indicative budget for 2016/17, as summarised in Appendix B;
- (iii) agree the Service Area budgets including the cost pressures and savings detailed in Appendices C and D and dedicated schools' grant as set out in section 6;
- (iv) agree the budgets for central items as detailed in Appendix G;
- (v) agree the Housing Revenue Account budget set out in Appendix I(ii);
- (vi) agree the 2015/16 to 2016/17 capital programme as set out in Appendix J;
- (vii) agree the Treasury Management Strategy and the Annual Investment Strategy for 2015/16 set out in Appendix K;
- (viii) agree the Prudential Indicators measuring affordability, capital spending, external debt and treasury management set out in Appendix L;
- (ix) note the report from the Chief Finance Officer in Appendix E in respect of his statutory duty under Section 25 of 2003 Local Government Act;
- (x) note the advice of the Chief Legal Officer as set out in Appendix M;
- (xi) note the levels of unsupported borrowing forecast for 2015/16, based on the borrowing levels agreed by the Council on 3 March 2014;
- (xii) agree the instalment dates for council tax and NNDR for 2015/16, and the recovery policy for council tax as set out in Appendix H(ii);
- (xiii) agree that decisions on individual applications for reducing Council Tax payable in accordance with section 13A(1)(c) of the Local Government Finance Act 1992 be delegated to the Chief Finance Officer.

6. Contract with Brent Play Association for Stonebridge Adventure Playground

The report from the Strategic Director, Children and Families sought to determine the future of the contract with Brent Play Association for the provision of play activities at Stonebridge Adventure Playground. Councillor Moher (Lead Member, Children and Families) in introducing the report stated that the current contract would expire after 31 March 2015 and it was proposed that it be allowed to lapse as

there was no budget provision for the £184M per annum required. She referred to the match funding the playground received and the range of activities provided and the average daily usage. Councillor Moher stated that in the current financial climate, there was a need for existing funds to go further and assured that the new Stonebridge school would have extensive play and out of hours provision. The requirement to pay a one-off grant payback £40,000 to the Lottery under the 10 year Deed of Dedication entered into in 2008 would be funded from the Early Years service.

The Leader of the Council, Councillor Butt, reiterated that the decision to cease funding Brent Play Association which would impact on Youth Service provision had been a difficult one but the council had a wider responsibility to protect and provide services in the borough.

RESOLVED:

that the contract with Brent Play Association for the provision of play services delivered from Stonebridge Adventure Playground be allowed to expire on 31 March 2015 and that the council does not enter into a further contract for the delivery of play services from Stonebridge Adventure Playground.

7. The future development of Children's Centres

Councillor Moher (Lead Member, Children and Young People) introduced the report which detailed the initial outcome of ongoing consultation with staff and service users on the development of a sustainable model for the borough's children's centres to be implemented from September 2015. The report recommended a preferred option following consideration of the consultation and requested approval to invite tenders in respect of the management and operation of children's centres as required by Contract Standing Orders 88 and 89.

Councillor Moher referred to the strong support for the centres evidenced from the consultation and concerns at proposals for change. It was noted that the staff and unions were not in favour of outsourcing. She stated that the intention was to identify a partner that would have the needs of families and children as its focus and would work closely with the voluntary sector.

The Leader of the Council, Councillor Butt, was pleased to report that the children's centres had been able to remain open and costs reduced which was testament to the service and department. He hoped the new management arrangements would help continue the success.

Councillor Mashari (Lead Member, Employment and Skills) commended staff at the centres for their work and time. She advised that adult training services had committed to support Sure Start and questioned how the recommendations from Scrutiny Task Group on the Use of the Pupil Premium Grant in Brent schools would be incorporated. Councillor Moher advised that she had met with the Operational Director Social Care and task group members to consider the issues including ensuring protection of the quality of service.

Councillor Hirani (Lead Member, Adults, Health and Well-being) stressed the importance of increasing public health activity in children's centres to help increase

immunisation and improve long term health impacts. Councillor Pavey (Deputy Leader) paid tribute to the work of children's centres and welcomed the tender evaluation criteria in the report.

RESOLVED:

- (i) that the initial outcome of the consultation on the development of a sustainable model for the borough's children's centres as detailed in paragraphs 3.1- 3.2 of the report from the Strategic Director, Children and Families and Appendices 3 and 4 be noted;
- (ii) that the invitation of tenders for the management and operation of Children's Centres on the basis of the pre-tender considerations set out in paragraph 4.0 of the report be approved;
- (iii) that officers be authorised to evaluate the tenders referred to in 2.2 above on the basis of the evaluation criteria set out in paragraph 4.7 (vi) of the report;
- (iv) that an exemption from Contract Standing Order 104 (b) be granted to permit evaluation of bids on the basis of quality criteria alone within a price envelope;
- (v) that approval be given to the inclusion in the invitation to tender documents of a draft form of lease(s) and/or licence, to be on terms agreed by the Strategic Director of Regeneration and Growth in consultation with the Director of Legal and Procurement to be granted to the preferred partner of the Children Centres;
- (vi) that it be noted that organisations tendering would be expected to demonstrate that they would work with local voluntary organisations as service providers in children's centres and that would be assessed as part of the tender evaluation;
- (vii) that the Strategic Director of Children and Young People, in consultation with the Lead Member, be authorised to approve the final service specification.

8. Stonebridge redevelopment proposals including Primary School Expansion and the Stonebridge Day Centre - update

Councillor McLennan (Lead Member, Regeneration and Housing) introduced the report from the Strategic Director, Regeneration and Growth which provided an update on the development of site proposals for the "Subject Lands" namely the former Stonebridge Day Centre currently Stonebridge Primary School Annexe (a temporary use), Stonebridge Primary School including the Welsh School, the Adventure Playground, Stonebridge Open Space and Waste Land. She outlined the proposals for the site which included the expansion of Stonebridge School, re-planning the existing adventure playground and re-siting the Welsh School and a residential development. Councillor McLennan emphasised that housing receipt would allow for affordable and mixed tenure provision and that it would be for the Planning Committee to decide on the best location for a play area. She assured that public consultation would involve local interested parties.

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

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

RESOLVED:

- (i) that approval be given to the revised principles of redevelopment:
 - (i) that the former Stonebridge Day Centre site - currently the Stonebridge Primary School Annex (a temporary use) and Milton Avenue be re-planned to provide new homes;
 - (ii) that Stonebridge Primary School be expanded from 2 Forms of Entry to 3 Forms of Entry;
 - (iii) that in respect of the Adventure Playground the land be re-planned to form part of the expanded Primary School;
 - (iv) that the Open Space is re-planned to provide an equivalent area, of improved quality, running alongside the existing canal feeder;
 - (v) that the existing open space at the frontage of the site be re-planned for housing;
 - (vi) that the school building currently let to the Welsh School revert back to the Stonebridge Primary School; and
 - (vii) that an alternative proposal in respect of play provision be developed on site as appropriate.
- (ii) that formal statutory consultation on the proposed expansion of Stonebridge Primary School from 2 Forms of Entry to 3 Forms of Entry be undertaken, subject to approval of the school's Governing Body to proceed to this stage on the basis of the proposals approved by the Cabinet as described in the report from the Strategic Director, Regeneration and Growth;
- (iii) that existing occupation arrangements (as per Confidential Appendix 3) with Brent Play Association be terminated and that the mitigation plan included within the Diversity Implications section of this report be implemented;
- (iv) that existing occupation arrangement (as per Confidential Appendix 3) with Ysgol Gymraeg Llundain, the Welsh School be terminated and that the relocation plan at paragraph 3.47 be progressed;
- (v) that the Operational Director Property and Projects in consultation with the Operational Director Children and Young People be delegated authority to agree the terms of the termination arrangement with Brent Play Association. And that the Operational Director Property and Projects be delegated authority to agree the terms of the termination arrangement with Ysgol Gymraeg Llundain, the Welsh School;
- (vi) that subject to the decisions made on the revised principles of redevelopment a subsequent report be submitted to a future meeting of the Cabinet for approval providing details of final plans for the expansion of the Stonebridge Primary school and proposed redevelopment of the wider

Stonebridge site and the associated forecast costs of the proposed redevelopment;

- (vii) that the Chief Finance Officer determine the precise financing arrangements for the scheme, once costs and likely receipts are more certain;
- (viii) that the overall land receipts are expected to exceed the capital costs as per 4.5 be noted;
- (ix) that the findings of the Equality Analysis be noted.

9. Development Funds Programme Development for 2015-16

The report from the Strategic Director, Regeneration and Growth sought the approval of Cabinet for the proposed spatial and thematic allocation of Section 106 funds for expenditure in 2015-16 and commissioning specific projects and budget amounts.

The Cabinet welcomed the report and the opportunity members had to have been involved in the setting of priorities at ward level and through forums. It was noted that figures were subject to planning consents and could fluctuate.

RESOLVED:

- (i) that approval be given to the proposed 2015-16 programme of Development Funded projects and the relevant Heads of Service authorised to deliver this programme using the allocated budget and resources available;
- (ii) that the 2015-16 allocation of £10.43m of S106 funding in the following split: £4.8m for Education; £0.6m for Transportation, £0.5m for Parks and Sports; £0.1m for Landscaping; £0.2m for Employment and Enterprise; £1.5m for Affordable Housing; £2.3m for Environment and Sustainability; £0.05m for Healthcare; and £0.4m for specific projects in Growth Areas, be noted;
- (iii) that any necessary statutory or non-statutory consultation and the consideration of any objections or representations be undertaken by the relevant Heads of Service responsible for delivering the projects;
- (iv) that the Director of Planning and Regeneration be authorised to approve and relevant Heads of Service to deliver projects in 2015-16 over and above the allocations and projects detailed herein where the exceptional circumstances criteria as set out in section 3.7, in the report from Strategic Director, Regeneration and Growth, are met.

10. The Housing Revenue Account (HRA) Business Plan and Budget (including rent proposals for 2015/16)

The report before the Cabinet presented the Housing Revenue Account (HRA) forecast outturn for 2014/15 and a proposed HRA Business Plan budget for 2015/16 as required by the Local Government and Housing Act 1989. The report set out budget proposals for housing management services, stock investment and new council housing development, and rent-setting proposals for 2015/16.

Councillor McLennan (Lead Member, Regeneration and Housing) outlined the position on housing management services, stock investment and improvement, new development providing 100 new council homes, rent and service charge increases and HRA Business Plan Forecast, 2015/16 including borrowing.

RESOLVED

HRA Business Plan Budget 2014/15:

- (i) that that the HRA forecast outturn 2014/15 (Table 1 –Budget Outturn Table 2014/15) be noted;

HRA Business Plan Budget 2015/16:

- (ii) that approval be given to the proposals and agreement to given to the savings/budget reductions for the HRA budget for 2015/16, as set out in Table 11 of this report and agree that they be included in the overall Budget for 2015/16 for approval by Full Council in March 2015;
- (iii) that approval be given to the HRA budget growth for 2015-16 of £1.434m and use of £778k of one off available resources;

Rent Setting 2015/16:

- (iv) that approval be given to an average overall rent increase (excluding service charges) from April 2015 of £3.14 per week, which is an average overall increase of 2.8%;
- (v) that the revised HRA Council Dwelling service charges from April 2015 which results in an average increase of 0.4% and £0.03 per week for the majority of households affected be agreed;
- (vi) that an average overall rent increase from April 2015 of £2.79 per dwelling per week on the Brent Stonebridge Dwellings, which is an average overall rent increase of 2.2% as set out in Appendix 1;
- (vii) that the service charges on the Brent Stonebridge Dwellings from April 2015 increase by an average of 2% or an average of £0.17 per dwelling per week as set out in Appendix 1;
- (viii) that approval be given to the rent increase for Residential Travellers Pitches from April 2015 of £2.45 per week, which is an average increase of 1% as set out in Appendix 2;
- (ix) that agreement be given to consult on proposals to de-pool charges for particular services, including CCTV and Door Entry and report the outcomes of this service charge review and consultation in 2015/16;

HRA Stock Investment 2015/16:

- (x) that the HRA stock investment capital programme of £41.7m for 2015/16 be approved;

HRA Council Housing Development 2015/16:

- (xi) that approval be given to the HRA Development Consultancy Fee of £1.045m and a capital new build programme of £5.447m for 2015/16 as set out in Table 10 to develop new council housing stock;
- (xii) that agreement be given to an exemption from the procurement requirements of Contract Standing Orders and delegates to the Strategic Director of Regeneration and Growth in consultation with the Director of Legal and Procurement, the negotiation and entry into a Development Services Agreement with Brent Housing Partnership (Arms Length Management Organisation) to deliver Development Services functions in relation to the development of new council homes;
- (xiii) that the Strategic Director of Regeneration and Growth in consultation with the Director of Legal and Procurement be authorised, to negotiate and enter into a Funding Delivery Agreement with the Greater London Authority, securing Investment Partnering Housing Status for Brent and Social Housing Grant funding in 2015 – 2018 to enable the development of new council homes;
- (xiv) that approval be given to Phase 1 Council New Build Development Programme schemes as set out in Appendix 3.

11. Authority to award contracts for Rough Sleepers' Outreach and Housing Advice and Resettlement Services

Councillor McLennan (Lead Member, Regeneration and Housing) reminded the Cabinet that at its meeting on the 16 June 2014, approval had been given to proposals to invite tenders for the provision of the London Borough of Brent's Rough Sleepers' Outreach and Housing Advice and Resettlement Services. Subsequently the services were put out as two separate tenders namely: The Rough Sleeper's Outreach Service; and The Rough Sleepers' Housing Advice and Resettlement Service. The report now requested authority to award contracts as required by Contract Standing Order No 88 and summarised the process undertaken in tendering the contract and, following the completion of the evaluation of the tenders, recommended to whom the contracts should be awarded.

Members made reference to the need for a partner that would help and support people who were sleeping outdoors and help resettle them in alternative accommodation.

The Cabinet 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 contract for the Rough Sleepers' Outreach services be awarded to St Mungo Community Housing Association;
- (ii) that the contract for the Rough Sleepers' Housing Advice and Resettlement services be awarded to St Mungo Community Housing Association.

12. **National Non Domestic Rates – applications for Discretionary Rate Relief**

Councillor Mashari (Lead Member, Employment and Skills) detailed new applications for rate relief to charities or non-profit making bodies received since 26 August 2014 which the council had the discretion to award. The council also had 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 discretionary rate relief was based on policy and criteria agreed by the Executive in September 2013.

RESOLVED:

that the applications for discretionary rate relief detailed in Appendices 2 and 3 to the report from the Strategic Director, Regeneration and Growth be approved.

13. **Libraries Stock Contract**

The report from the Strategic Director, Environment and Neighbourhoods set out the process for re-tendering of the stock contract for the Library Service. The current framework agreement with the Central Buying Consortium would end in March 2016. There were two potential new frameworks that Brent could join and the report also suggested a contingency arrangement, should the setting up of the frameworks be delayed.

The Cabinet paid tribute to the Wembley Library at the Civic Centre which was seen to be the fourth busiest in London.

RESOLVED:

- (i) that the council express an interest in joining both the new Central Buying Consortium and London Libraries Consortium frameworks, while reserving the right to tender independently should the new frameworks not meet requirements;
- (ii) that, while the new frameworks are being renegotiated, the council enter into an agreement with a stock supplier for six months from April 2016 to September 2016.

14. **Adult Social Day Care Opportunities provision - Direct Services**

Councillor Hirani (Lead Member, Adults, Health and Well-being) introduced the report which identified the need to begin a statutory consultation period on the future delivery model for day opportunities currently delivered from the New Millennium Day Centre and Kingsbury Resource Centre. The report additionally identified the need to carry out a co-production exercise and options appraisal

process in parallel to the statutory consultation to ensure the best use of existing resources, support the re-modelling of day opportunities services within the community and ensure the current service users eligible needs continued to be met.

Councillor Hirani expressed the wish to future-proof services for those assessed to be in need and welcomed the co-production exercise which would provide the opportunity to work with both users and organisations that currently provided alternative forms of day opportunities to identify where there were gaps in current market provision. The aim was to develop a service, in conjunction with key stakeholders, which was both sustainable and commercially viable in an increasingly competitive marketplace. Councillor Hirani advised that a social enterprise model would be considered and assured that carers would be consulted as part of the process.

RESOLVED:

- (i) that agreement be given to a 90 day statutory consultation on the future of New Millennium Day Centre and Kingsbury Resource Centre;
- (ii) that a co-production process be carried out alongside the statutory consultation. Co-production will involve working collaboratively with the people who use, deliver or are most affected by proposed changes to day services provision to redesign opportunities within the borough to better support local need, to be more personalised and innovative and to be more cost effective;
- (iii) that an options appraisal be undertaken to establish potential future use of the Kingsbury Resource Centre and New Millennium Day Centre buildings in conjunction with stakeholders based on input from the consultation and the co-production;
- (iv) that it be noted that the individual needs of current service users would be thoroughly reviewed following any decision to change the way day services are delivered to ensure that their needs continue to be met and to reduce any negative impact on their wellbeing;
- (v) that it be noted that consultation with affected staff would be carried out with a view to minimising or avoiding compulsory redundancies following any decision to change the way services are delivered.

15. **Tudor Gardens - Supporting Independent Living**

The Cabinet noted that Tudor Gardens was a registered residential care home that Brent Council, adult social care, directly provided for adults with learning disabilities. The report from the Strategic Director Adults provided an overview of the service and the proposal to de-register the residential care home and re-provide it as supported living accommodation was in line with the department's objectives to support people to have increased choice and control to live as independently as possible. The report also set out the consultation process that would need to take place and highlighted the potential issues that would need to be resolved.

Councillor Hirani (Lead Member, Adults,, Health and Well-being) stated that the new arrangements would be an improvement in that it would guarantee security of tenure. Councillor Moher raised questions on the criteria for assessing residents and the extent to which they would cope with new arrangements. Councillor Hirani assured that an assessment would be conducted to assess the hours of care required and care hours not used could be 'banked' for the future. The Leader of the Council drew attention to the equalities concerns and sought assurances that mitigating precautions would be taken. Councillor Hirani acknowledged that the change was potentially challenging.

RESOLVED:

- (i) that the contents of the report be noted;
- (ii) that approval be given to the consultation on de-registering Tudor Garden residential home, and
- (iii) that the process for consulting with Tudor Garden residents and their families and/or advocates and the potential implications for the directly provided care which would result from agreeing the move to Supported Living, be noted.

16. Authority to award contract for Housing Related Support Services

The report from the Strategic Director, Adults requested authority to award a Floating and Accommodation Housing Related Support Services contract as required by Contract Standing Order No 88. It also summarised the process undertaken in tendering the contract and, following the completion of the evaluation of the tenders, recommended to whom the contract should be awarded.

Councillor Hirani (Lead Member, Adults, Health and Well-Being) drew attention to the potential implications for existing full time staff who would be protected under TUPE (Transfer of Undertakings (Protection of Employment)) Regulations.

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

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

RESOLVED:

that the contract for Floating and Accommodation Housing Related Support Services for Physical Disabilities, Learning Disabilities, Mental Health and Sensory Impairment be awarded to Look Ahead Care and Support Limited.

17. Promoting Individual Electoral Registration - Scrutiny Task Group Report

RESOLVED:

that consideration of this item be deferred until the next Cabinet meeting when there would be time for a fuller discussion.

18. Authority to tender a contract for pre-paid Financial Services

The Deputy Leader introduced the report from the Chief Finance Officer which concerned the procurement of pre-paid financial services for clients (principally adult care clients and carers of children) who were allocated personal care budgets, in order to allow them more independence in the management of their financial affairs. The report requested approval, as required by Contract Standing Orders 88 and 89 to invite tenders for the renewal of this contract from 1 October 2015.

RESOLVED:

- (i) that approval be given to invite tenders for the provision of pre-paid financial services on the basis of the pre-tender considerations set out in paragraph 3.3 of the report from the Chief Finance Officer.
- (ii) that approval be given to the evaluation of the tenders referred to in paragraph (i) above on the basis of the evaluation criteria set out in paragraph 3.3. (vi) of the report.

19. Reference of item considered by Scrutiny Committee

None.

20. Any other urgent business

None.

The meeting ended at 9.00 pm

M BUTT
Chair

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CABINET
16 March 2015

PETITIONS

1. **Mapesbury Dell - Exemption from Event Charges**

We the undersigned petition the council to Exempt Mapesbury Dell Trust from the £30 charge for holding Community Events

The £30 charge is unwarranted and unjustifiable because: -

- (1) The Trust raised in excess of £150,000 to improve and transform the Dell from a scary dump into the vibrant community asset that it is today;
- (2) The Trust continues to fund improvements to the Dell to the tune of £5,000 or more each year;
- (3) As well as putting cash into the Dell, the Trust's volunteer gardening team put about 40 man hours labour each week into improving and maintaining the Dell;
- (4) It is largely thanks to the efforts of the Trust and its Gardening Team that the Dell has been the only one of Brent's Parks found deserving of a London in Bloom Gold Medal;
- (5) It is Brent's avowed policy to encourage community involvement in Parks. The £30 charge flies in the face of that policy.
- (6) Mapesbury Dell Trust deserves special treatment because (a) of the unique legal partnership agreement that it has with Brent; and (b) because of the incomparable effort and contribution that it puts into making Mapesbury Dell Brent's finest park.

(135 signatures)

e-petition Started by: Tom Putnam (Mapesbury Dell Trust)

2. **Petition to oppose the expansion of Bryon Court Primary School from 3 form entry to 5 form Entry (from PABCSE)**

We the undersigned Parents of children attending Bryon Court Primary School oppose the expansion proposals and urge Brent Council to reject these plans on the following grounds:

- The negative educational, social and emotional impact on the young children being educated in primary school of 1050 pupils
- The educational impact of such a large school has not been thoroughly investigated
- The local catchment area does not need such a large school
- There are sufficient available places in surrounding existing and new schools to meet local demand
- The council are not presenting a true picture of the demand for places at Byron Court, stating that reception places are oversubscribed, when in fact they are not
- The increased traffic will increase pollution for our children

(approx. 327 signatures)

Lead Petitioner: Preet Shah (Secretary, Parents Against Byron Court School Expansion)


3. **Petition to oppose the expansion of Bryon Court Primary School from 3 form entry to 5 form Entry**

We the undersigned Residents of Sudbury Court Estate and Parents of Children attending Byron Court Primary School oppose the expansion proposals and urge the Brent Council to reject these plans on the following grounds:

- The negative educational, social and emotional impact on the young child being educated in a primary school of 1050+ pupils
- 5 Form Entry Primary Schools are overwhelming environments that do not play significant regard to the development of young children
- The negative effect of additional building mass in close proximity to surrounding properties, increased noise and light pollution plus other environmental impacts
- Increase traffic through an already heavily congested small residential estate having narrow roads and limited parking

(approx. 759 signatures)

Lead Petitioner: Ms D'Souza (Chair Sudbury Court Residents' Association)

 <p>Brent</p>	<p style="text-align: center;">Cabinet 16 March 2015</p> <p style="text-align: center;">Report from the Strategic Director Children and Young People and the Strategic Director Regeneration and Growth</p>
<p>Wards Affected: ALL</p>	
<p>Determination of the proposal to permanently expand Byron Court Primary School by two forms of entry in September 2015</p>	

1. Summary

- 1.1 In line with the School Place Planning Strategy approved by Cabinet in October 2014, the Governing Body of Byron Court Primary School in partnership with Brent Council has proposed to alter the school by adding two forms of entry (2FE). If approved this will become a five form of entry primary school (5FE).
- 1.2 This report informs the Cabinet of the outcome of the statutory consultation on the proposal to alter Byron Court Primary School through permanent expansion from September 2015 and recommends that the statutory proposal to expand the school be approved.
- 1.3 The representation period on the proposals ended on 19 February 2015, having been extended by one week following representations from consultees. This report also informs the Cabinet of the responses to the consultation.

2. Recommendations

- 2.1 The Cabinet is recommended to:
- 2.2 Acknowledge that the responses to the consultation raise a range of issues centred around residents' concerns about traffic congestion and that officers will ensure that these are fully addressed in the planning process
- 2.3 Approve the permanent expansion of Byron Court Primary School, a community school, by two forms of entry from September 2015, (conditional upon the grant of full planning permission under the Town and Country Planning Act 1990 by September 2015 or at such date as agreed by the Strategic Director of Children and Young People and the Strategic Director of Regeneration and Growth).

- 2.4 Note that the reason for approving the alteration of Byron Court Primary School is to provide sufficient permanent primary school places in line with the council's statutory duties and its School Place Planning Strategy 2014.

3. Background

3.1.1 In October 2014, the Cabinet approved a new School Place Planning Strategy. This established the need for a continuing programme of provision of additional school places and, for the first time, a set of principles which the council would use to determine its future decision making on school place planning. These were established in the context of the overall objective of securing sufficient high quality school places for all Brent's children in line with the council's statutory responsibilities.

3.1.2 These sixteen principles are set out at Appendix 1, but the ones which are particularly relevant to this proposed expansion are:

Principle 1: We will only undertake expansions of good or outstanding schools where leadership is secure

Principle 3: We will actively consider two site schools and 5FE schools where there is leadership and management capacity

Principle 9: We will continue planning primary places using planning areas

Principle 13: We will consider how community benefits from school facilities can be maximised when we expand or build new schools

Principle 14: We will consult with local communities as part of the planning process to minimise/mitigate the impact of new school developments

Principle 16: After assessing educational suitability, schemes for expansion or new schools will be judged in terms of value for money and deliverability

The strategy also established that the council would aim to meet the DfE guideline of having a five per cent vacancy rate to allow for mobility and fluctuations as well as to support parental preference. Currently the vacancy rate in Brent primary schools is 2.1 per cent.

3.1.3 The Strategy identified a total primary requirement for the opening of 23 additional forms of entry by 2018. This requirement is confirmed by the new set of GLA roll projections which have been recently received. Members will recall that the strategy set out the list of planned permanent new places in Brent which included Byron Court:

Table 1: Planned permanent new places for September 2015

	No. of places	No. of FE	Will be total FE
Wembley High Technology College	840	4	4
Uxendon Manor Primary	420	2	4
Elsley Primary	420	2	4
Stonebridge Primary	210	1	3
Islamia Primary	210	1	2
Malorees Infants and Juniors	210	1	3
Byron Court Primary	420	2	5
Leopold (Gwenneth Rickus)	420	2	4
Kilburn Grange (Free School)	420	2	2

Oakington Manor Primary*	210	1	4
Total number of places	3,780	18	

*Now scheduled for September 2016

Table 2: Planned permanent new places for September 2016

	No. of Places	No. of FE
Oriental City site	420	2
Quintain site	630	3
Carlton Vale Infants and Kilburn Park (South Kilburn regeneration)	210	1
Total number of places	1,260	6

Table 3: Planned permanent new places for September 2017

	No. of Places	No. of FE
Stanley Avenue Alperton site	630	3

- 3.1.4 This shows a programme of expansion right across the borough. The greatest pressure on places as described in the strategy, however, is in the north of the borough where even with the new places as planned, there is a potential shortfall in Planning Area 1 (Queensbury/Fryent) and a very small predicted vacancy factor in Planning Area 2 (Kingsbury/Kenton) where Byron Court is situated (see paragraphs 3.1.5 to 3.1.7 and tables 4 and 5). Ninety additional Reception places are coming on stream at Wembley High Technology College in September 2015 but these will be expected to meet the shortfall for Planning Area 3 (Wembley/Sudbury/Alperton) as Sudbury Primary School is already at maximum size and there is no new school site identified in that area of high need.
- 3.1.5 To meet additional demand in the current academic year, Byron Court has opened one bulge class on site and is managing two additional temporary Reception classes in portacabins at Ashley Gardens. There are currently 748 children in Brent being educated temporarily in offsite annexes and while plans are underway to bring 562 of them into permanent arrangements for September 2015 (including the Ashley Gardens children becoming part of Year 1 at a permanently expanded Byron Court) this situation is not tenable even in the medium term. It is vital that sufficient permanent places are provided both to address the current situation as described and to avoid the need for temporary places to be provided to meet projected demand if sufficient permanent provision cannot be secured.
- 3.1.6 The number of on-time applications for Reception places received for September 2015 totals 3,925. It is anticipated that there will be approximately 800 late Reception applications received between the closing date in January 2015 and the end of the academic year in July 2016. The number of late Reception applications has been increasing in recent years, primarily because of high population mobility.

The proposal in relation to educational standards (Principle 1)

- 3.1.7 Byron Court Primary School was judged Outstanding by the Office for Standards in Education (Ofsted) at the inspection in March 2012. Byron Court's attainment is above national averages. The percentages of the school's pupils attaining Level 4 and above in the reading, writing and mathematics national curriculum tests are

higher than the national averages, and in 2014 nearly all of the school's pupils had met the national expectation of making at least two levels of progress at Key Stage 2.

- 3.1.8 The school uses its expertise to support other schools to improve. This has included the headteacher acting as Executive Headteacher for a school facing challenging circumstances. The headteacher and the governing body (made up of staff, parents, community and local authority representatives) provided strong leadership which was recognised by Ofsted when inspectors judged that school Good in May 2014.
- 3.1.9 In 2014 Byron Court's application to establish the Brent Teaching School Alliance was approved by the National College of Teaching and Leadership and the Department for Education. The teaching school alliance gives Byron Court as an outstanding school a leading role in the training and professional development of teachers, support staff and headteachers, as well as contributing to the raising of standards through school-to-school support. Byron Court's alliance includes three primary schools, one secondary school, three higher education institutions and the Brent Schools Partnership.
- 3.1.10 In order to become a teaching school Byron Court Primary School provided evidence of its successful partnership working and demonstrated its track record for excellent leadership and school improvement. Both the headteacher and the school met stringent criteria. As the lead school, Byron Court offers future teachers and leaders the professional development necessary to deliver success in their own schools.

Proposals to alter Byron Court Primary School

- 3.1.11 The current capacity of Byron Court Primary School is 630 plus 30 temporary/bulge places in Year 2 on the main site - 660 places in total. The proposed capacity will be 1,050. The current admission number for the school is 90 and the proposed admission number will be 150. The school would not reach its full capacity until September 2020. All pupils will be on the same site.

Table 4 – Pupils on the school site

Year	2014/ 2015	2015/ 2016	2016/ 2017	2017/ 2018	2018/ 2019	2019/ 2020	2020/ 2021
Total capacity at Byron Court	660*	780	840	900	960	990	1,050

*Not including pupils at Ashley Gardens

- 3.1.12 As stated above, the school also manages two temporary Reception classes providing 60 places offsite at Ashley Gardens (see paragraph 3.1.6 for details). These children would move on site into Year 1 from September 2015, depending on the phasing of building works on the main site. Therefore the current total number of places at both sites is 720.
- 3.1.13 The non statutory informal consultation process commenced on 20 November 2014 and the architects began developing the previously completed feasibility study into a fully designed scheme (alongside the consultation) in December 2014. If expansion is approved new permanent Reception places will be accommodated at the school from September 2015, subject to planning approval for the works required to expand by two forms of entry.
- 3.1.14 It is anticipated that there will be a new build accommodation block 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 targeting a BREEAM rating of Excellent.

- 3.1.15 The council will complete the permanent building works for the 2016/2017 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 permanent Reception classes from September 2015 in existing accommodation. The construction work will be phased to account for the school being occupied during construction and will take place during the 2015/16 academic year (dates to be confirmed based on approvals).
- 3.1.16 The additional classrooms for September 2015 will be provided in existing accommodation. Officers are reviewing if these classes can be accommodated at Ashley Gardens to minimise the number of children on the main site during construction.
- 3.1.17 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 meet the area and design guidance standards detailed in Building Bulletin 103.
- 3.1.18 The expansion of Byron Court 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.
- 3.1.19 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. The additional places will be sufficient for current and future need.
- 3.1.20 Byron Court is a popular primary school, receiving 261 Reception applications (1st - 6th preferences) for September 2014 of which 78 applicants chose Byron Court as their first preference school. All 90 places in Reception were allocated for September 2014. GLA projections (revised October 2014) show that for Planning Area 2 (where Byron Court is situated - Appendix 2), the demand for Reception places will rise to 702 by September 2019. Currently there are 630 places available in that area. The proposed expansion of Byron Court would increase the available Reception places to 690 in preparation for the anticipated peak in September 2019. It is anticipated that the Reception classes will fill over the next few years, as part of the strategy to plan ahead for 2019 levels of intake.
- 3.1.21 Additional classrooms and facilities will be provided to support the educational standards 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.

- Classrooms to support easy access to ICT provision.

- 3.1.22 The proposed building scheme will enable the council address a number of long-standing issues for the school buildings at Byron Court. The Council's capital allocation for school building condition is insufficient to address all the condition needs of school buildings; by way of context, the allocation for 2015/16 financial year is £2.3m. In line with the criteria for school expansion approved by Cabinet in January 2015, a strategic view of anticipated future costs of significant items of building condition work was taken at Byron Court. As a result the proposed works will include the replacement of existing poor condition classroom outbuildings in order to both avoid future cost in replacement of these classrooms in the near future and to consolidate the footprint of buildings across the site to achieve an optimal layout from a school management perspective. This will also help to maximise the quality and quantity of outdoor play space.
- 3.1.23 Subject to planning application approval and detailed programme review, it is anticipated that, the building works will commence towards the end of 2015 and last for approximately one year.
- 3.1.24 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.

3.2 Details of Byron Court Primary School

- 3.2.1 Byron Court Primary School is located at Spencer Road, Wembley, HA0 3SF. It is a Community School (i.e. maintained and run by the local authority). It offers co-educational places for pupils aged 4-11 years.
- 3.2.2 Byron Court Primary School was built in 1932 and whilst the original building has been maintained and modernised as far as possible, it does not all meet with 21st Century learning requirements. The space around the school is not used to its full potential as a result of temporary modifications and a number of temporary buildings that have been erected over time to accommodate a growing number of pupils but which have now reached the end of their useful life and now require replacement.
- 3.2.3 Byron Court Primary School was classified as Outstanding by Ofsted in their report of April 2012. This contributes to the popularity of the school – see paragraph 3.1.7.
- 3.2.4 As at the October 2014 pupil headcount 78 per cent of Reception to Year 6 pupils on roll at Byron Court that time, lived within a one mile radius of the school (97 per cent within two miles). During the same period 34 other Brent primary/infant/junior schools had between 79 – 96 per cent of their pupils living within one mile of their school. Twenty six schools had between 1 - 78 per cent of their pupils living within one mile of their school (there was insufficient data for one school). It must be noted, however that the schools are not evenly spread. Some areas have a high density of schools (Planning Area 4) whilst others are sparsely spread (Planning Area 2 and 3) - see Appendix 2.
- 3.2.5 To alleviate the predicted problem of having insufficient Reception places for the start of the 2014/2015 academic year, the local authority approached the headteacher and governing body of Byron Court Primary School to consider managing an additional provision on a site approximately 0.5 miles from the main school site for additional children who will arrive during the academic year. The accommodation known as Ashley Gardens is a modular structure that had been used previously for Reception children whilst Preston Manor primary provision was being built. It is configured to accommodate 60 Reception children. Ashley Gardens became available to pupils on

22 November 2014 and by 26 January 2015 there were 22 Reception children on roll. If this provision was not made available many of those children would still be out of school. Subject to Cabinet approval and planning approval the expansion at Byron Court will accommodate these children in the future. If approvals are not granted other provisions will have to be made for these pupils. Ashley Gardens is anticipated to be full by the end of this academic year with in-year arrivals.

- 3.2.6 In September 2014 Byron Court also took a bulge class of 30 places in Year 2, such was the shortage in the area.

Table 5: Vacancies at Byron Court Primary School

		Vacancies as at 5 February 2015							
	Total places	Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
Byron Court	720	37	1	2	2	0	0	0	42

- 3.2.7 As at 5 February 2015 there were 46 vacancies in Planning Area 2 (Reception to Year 6) and 20 vacancies in nearby Planning Area 3 (Reception to Year 6) for the current academic year. Thirty seven of the 39 Reception vacancies in Planning Area 2 are at Ashley Gardens (Byron Court) proving how vital this resource is for the current 23 pupils who are now receiving an education. The Department for Education recommends a vacancy rate of at least five per cent to provide room for parental preference. Overall Brent has a vacancy rate of 2.1 per cent. In planning Area 2 the vacancy rate in all year groups is one per cent and 0.4 per cent in Planning Area 3, as demonstrated in the table below.

Table 6: Vacancies in the London Borough of Brent in all year groups

		Vacancies as at 5 February 2015								
Planning Area	Total places	Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total	Surplus %ages
PA1	3630	23	3	48	0	3	0	0	77	2.1%
PA2	4440	39	1	3	1	2	0	0	46	1.0%
PA3	5560	4	0	1	2	4	9	0	20	0.4%
PA4	4560	26	4	56	77	20	6	18	207	4.5%
PA5	8604	42	29	16	47	42	14	14	204	2.4%
Totals	26794	134	37	124	127	71	29	32	554	2.1%

3.3 The size of the new school – Brent's first five form of entry school

- 3.3.1 Brent has 61 primary sector provisions of which nine are four form entry schools (4FE) plus one further which may have four Reception classes from September 2016. If approved, Byron Court will become the largest primary school in Brent with five forms of entry.

- 3.3.2 According to the Department for Education between 1950 and 2010 the average size of a primary school was 180-220 (up to one form of entry). However recent years have seen a drastic change in this picture. The period of January 2013 to June 2014

saw an increase in primary schools with more than 800 pupils (three forms of entry and above) from 58 to 77. The growing demand for school places has necessitated the growth of five forms of entry schools. In the 2012-2013 academic year, there were seven 5FE primary schools across local authorities in the UK.

- 3.3.3 Of Brent's nine primary sector schools which are four forms of entry (4FE) eight have an Ofsted rating of 2 = Good and one school has an Ofsted rating of 1 = Outstanding, as at December 2014.
- 3.3.4 Beyond increasing the number of school places available, larger schools offer advantages in terms of economies of scale and the opportunities to make a richer and better quality educational offer. Understandably concerns have been raised during the consultation about the borough's first proposal for a 5FE school. These concerns have tended to centre around the fear that a large school will be impersonal for children and their parents. A large school will however have a larger senior management structure that fits its size and more of a 'departmental' structure so that, for example, children and parents in Reception get to know the early years team, for which there is a senior manager. This allows specialisation of staff while, as a single school, having a single ethos and common approaches to behaviour and the curriculum. Concerns have also been raised as to whether standards can be maintained in such a large school. Nationally of the seven 5FE primary schools mentioned above three have been given an Ofsted rating of "Good" and one has been rated "Outstanding", showing that a 5FE primary school can be 'outstanding'.
- 3.3.5 In the School Place Planning Strategy agreed by Cabinet in October 2014 (paragraph 3.0.1 and Appendix 1) Principle 3 states – "We will actively consider two site schools and 5FE schools where there is leadership and management capacity". Research shows that for large schools the quality of the leadership and management is far more significant for the success of the school than the size. The leadership of Byron Court has clearly demonstrated capacity for increased pupil numbers and that high standards are not only sustained, but that the school also continues to develop further.
- 3.3.6 By expanding to five forms of entry (5FE) Byron Court Primary School will be providing local opportunities for more children to attend outstanding provision and to enable the school to deliver beyond providing an education, with the capacity to develop a wide and varied extra curricular offer.

3.4 **Traffic and road safety issues for local residents**

As is highlighted below, the majority of responses to the consultation on this proposal expressed concern about traffic and road safety. The local residents' association in particular has made it clear that they take the view that the current pressure on local roads from parents taking their children to this school is already so great that additional numbers will make the local roads unsafe and create intolerable congestion for local residents. It will be vital therefore that the planning application for this scheme addresses these concerns, with specific mitigating actions by both the council and school. These could include off-site 'park and walk' arrangements as have been established elsewhere, improvements to the school's own travel plan to reduce the number of children being transported by car, changes to traffic arrangements in the area or other solutions, drawing on best practice from other schemes across London.

3.5 **Statutory Consultation Process – Four Stages**

Pre- statutory consultation (informal)

- 3.5.1 Since January 2014 the statutory school expansion process has four stages instead of five - Stage 1 Publication, Stage 2 Representation (formal consultation), Stage 3 Decision, Stage 4 Implementation. The informal consultation carried out by Brent

Council from 20 November 2014 to 24 December 2014 prior to Publication is not legally required but is good practice as advised by the Department for Education.

- 3.5.2 The Governing Body of Byron Court Primary School in partnership with the local authority carried out an informal consultation with key interested parties on the alteration proposals. The consultation document is attached as Appendix 3. Over 2,000 copies of the consultation document were distributed through hand delivery, email and/or internal/external post:
- the school distributed 850 documents by hand to parents, pupils, staff and other interested parties,
 - a private company was commissioned to hand deliver 650 copies to homes in the areas surrounding the school,
 - the document was available at the consultation meetings,
 - the document was placed on the school website and the Brent consultation website
 - approximately 300 copies were emailed out, including to all Councillors in Brent, all Brent schools, neighbouring boroughs and other statutory consultees
 - the local residents association played an active role in informing the public of the consultation (see 3.5.3 below).
- 3.5.3 The Sudbury Court Residents Association (SCRA) is very active and covers an area of around 3,000 households on the Sudbury Court estate. SCRA produces and issues a newsletter called The Courier to its residents every month with the deadline being the fifteenth of the preceding month. In addition to distributing 650 copies of the council-produced consultation document for Byron Court Primary School to residents in the streets closest to the school through a private distribution company, the council arranged for The Courier to include details of the consultation meetings that were taking place on 3 December 2014 (2pm and 6pm) at the school.
- 3.5.4 It soon became clear once the consultation responses started to arrive that the council's consultation document for Byron Court Primary School had been altered by SCRA and redistributed amongst residents.
- 3.5.5 The informal consultation began on 20 November 2014 and ended on 24 December 2014. Two consultation meetings with the community were held at the school on 3 December 2014, details of which can be found in Appendix 4a and 4b and a meeting specifically for parents was arranged for 17 January 2015. All applicable statutory requirements to consult in relation to these proposals have been complied with.
- 3.5.6 The Byron Court proposal received 334 responses (including three late responses) received before 5 January 2015 in this first informal consultation. Included in the total were 117 identical letters against the proposal referred to in this report as a petition letter (see Appendix 5). Some people may have submitted a written response as well as the petition letter therefore submitting two responses each. In this report we have treated them as separate submissions and counted every response in the total.
- 3.5.7 Breakdown of responses from the informal consultation

Table 7: Breakdown of responses received

	Number of responses received	Percentage of response overall
Petition letter against expansion	117	35%
Agree with expansion	29	9%
Disagree with expansion	182	54%

No decision reached	6	2%
Total responses	334	100%

3.5.8 Due to the volume of responses further detailed analysis of the data was carried out. By categorising and analysing the data in themes a greater understanding was gained over which aspects of the proposed expansion particularly troubled respondents. Twenty one recurring themes were identified.

3.5.9 Themes

Educational concerns were that the expansion would:

1. Impact on the character and ethos of Byron Court
2. Affect child development and integration – including behaviour, language barriers and the impact of proposed ‘zoned areas’ in the expanded school
3. Reduce attention to pupils and affect school results
4. Impact on teaching standards
5. Limit facilities after expansion, especially green spaces for outdoor play and extra curricular activities
6. Affect education because of the building work
7. Over-expand an existing school when a new school should be built

3.5.10 Opponents argue that need is not established:

8. The need for school places in Brent
9. The need for school spaces in the Sudbury Court Estate (SCE) – particularly in view of the new primary school at Wembley High Technical College

3.5.11 Health and Safety concerns are:

10. Health and safety considerations of expansion- particularly playground accidents and illness
11. Potential car accidents
12. Implications of long distance travel to school on parents and pupils

3.5.12 Environmental concerns are:

13. Noise, litter and wildlife
14. Suitability of the site for large development; particularly its residential nature, narrow roads and susceptibility to flooding
15. Traffic, congestion and pollution

3.5.13 Community concerns are:

16. The relationship between parents and staff
17. Effect of building work on residents
18. Potential to attract further regeneration, housing and leisure in Brent
19. Parking and inconsiderate parents
20. House value and amenities- especially the right to light and privacy

3.5.14 Transparency

21. Previous promises from the school against expansion

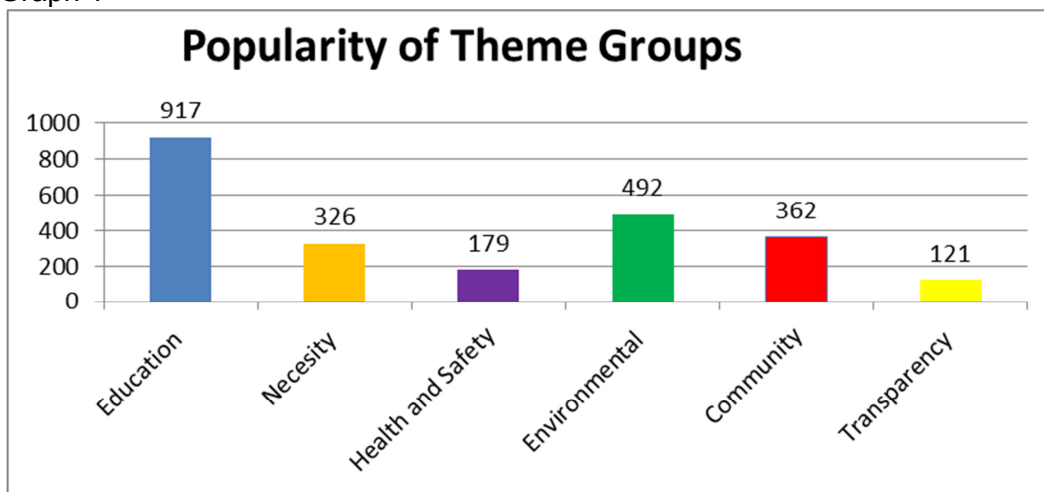
3.5.15 Which themes were most frequently mentioned in responses?

The most frequently mentioned concern was number 15 - traffic, congestion and pollution with 260 mentions out of 2,396, followed by the suitability of the site (theme 14). The least mentioned theme was the relationship between parents and staff (theme 16) with only four mentions out of a possible 2,396 (see Table A in Appendix 6).

Table 8: Theme groups

Theme groups	Frequency of themes	Percentage
Education (1-7)	917	38.3%
Necessity (8-9)	326	13.6%
Health and Safety (10-12)	180	7.5%
Environmental (13-15)	492	20.5%
Community (16-20)	362	15.1%
Transparency (21)	119	5.0%
Total	2,396	100%

Graph 1



3.5.10

3.5.17 The overall tone of the points made in the responses

3.5.18 The vast majority of the points made in the responses were negative. It is clear that negative responses to expansion are highest in every theme. As stated earlier, even though 89 per cent of the responses to the consultation were negative (see Table 6), some of the people who agreed with the consultation (nine per cent) or did not make a definite decision (two per cent) raised concerns or provided a balanced answer to their decision. Therefore the negative points raised account for 97 per cent of all points raised to the expansion proposal.

Table 9

	Education (1-7)		Necessity (8-9)		Health and Safety (10-12)		Environmental (13-15)		Community (16-20)		Transparency (21)	
Positive responses	15	2%	17	5%	1	0.6%	1	0.2%	1	0.3%	0	0%
Concerns	18	2%	6	2%	2	1.1%	3	0.6%	3	0.8%	0	0%
Negative responses	884	96%	303	93%	177	98.3%	488	99.2%	358	98.9%	119	100%
Total Responses per theme group	917		326		180		492		362		119	

3.5.19 A sample of quotes and letters against the expansion can be found in Appendix 7.

3.5.20 A sample of quotes and letters in support of the expansion can be found in Appendix 8.

3.5.21 The council is estimating that the planning permission would be granted under Part 3 of the Town and Country Planning Act 1990 from July 2015. Hence, the Cabinet is requested to approve the expansion of Byron Court School from September 2015, conditional upon the granting of planning permission and in accordance with Schedule 3 paragraph 3 of the School Organisation Regulations 2013.

3.5.22 Due to the high volume of comments and questions arising from the informal consultation, a frequently asked questions and answers document was created with more than 40 entries. This document was made widely available at the point the statutory notice was issued (15 January 2015). See Appendix 9.

Stage One - Publication of Statutory Notice

3.5.23 Following careful consideration of the responses in the consultation stages outlined above, the Governing Body of Byron Court Primary School in partnership with the local authority published the Statutory Notice in the Brent and Kilburn Times on 15 January 2015 for altering the school by 2FE from September 2015. Notices were also displayed on the school gates, on the school website, on the Brent Council consultation website and on the Brent and Kilburn Times electronic edition.

3.5.24 The LA also arranged for the SCRA to enter the link to the Brent consultation website in their newsletter, The Courier, so their readers could see a copy of the statutory notice.

3.5.25 The statutory notice is attached as Appendix 10.

Stage Two – Representation (formal consultation)

3.5.26 The statutory notice (issued on 15 January 2015) was followed by a four week statutory period (Representation stage), which ended on 12 February 2015, 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 (in this consultation) and ensures that they will be taken into account by the Cabinet when the proposal is determined.

- 3.5.27 The deadline was extended to 19 February 2015 following representations from residents.
- 3.5.28 On 12 February 2015, five officers from the council met with six representatives from SCRA at SCRA's request. At this meeting SCRA informed officers of the concerns of the residents on the Sudbury Court estate with regard to current environmental as well as educational issues. They felt matters would worsen if the school were to expand to 5FE. This meeting gave officers the opportunity to explain the process that takes place when calculating demand for school places; the fact that most primary schools in Brent have already expanded or taken bulge/temporary classes since 2006 and the council is building capacity for future years and not just for current demand.
- 3.5.29 Officers also explained that the concerns of the residents were being captured and taken seriously. The environmental concerns would also be valuable when shaping the case for planning permission, should the Cabinet approve the expansion proposal.
- 3.5.30 In total 265 representations were received during statutory period as outlined below. This is a large volume compared to other school expansion consultations.

Table 10: Breakdown of responses to the formal consultation

	Number of responses received	Percentage of overall responses
Agree with expansion	43	16%
Disagree with expansion	222	84%
No decision reached	0	0
Total Responses	265	100%

- 3.5.31 In the informal consultation stage there was a petition letter that had been individually signed and printed 117 times. As a result it was seen as appropriate to count each letter as one new response. In the formal consultation there were two actual petitions against the proposal. The first petition from SCRA listed 765 signatures. The second petition from the parents of Byron Court pupils listed 341 signatures as of the midnight 19 February 2015. Both petitions arrived by email in the form of pdf documents. Both petitions were sent to Democratic Services on 19 February 2015 to be officially acknowledged and registered.
- 3.5.32 Once again the vast majority of the responses received (222 of 265) disagreed with the proposal (84 per cent). However there was a slight increase in the number of responses in support of the proposal (29 to 43) with a percentage increase of nine per cent to 16 per cent between the two consultations.
- 3.5.33 To ensure there was consistency in the data analysis in both stages of the consultation the formal consultation responses were also analysed in themes. The 21 themes from the first stage of consultation were retained to facilitate comparison, but in this stage an additional four themes were identified (Themes 22, 23, 24 and 25). There were a total of 25 themes analysed in the formal consultation phase.
- 3.5.34 The four additional themes were
22. Administrative difficulties especially management problems, mealtimes and turnover (Educational)

- 23. The relationship between the school and the wider community; including the impact on emergency services, dissidents' relations with the school and job creation (Community)
- 24. Impact on children from minorities (Community)
- 25. The Consultation Process (Transparency)

A list of the initial 21 themes can be found at paragraphs 3.5.9 to 3.5.14

Which themes were most frequently mentioned in the responses?

3.5.35 As with the informal consultation stage the frequency of responses to each theme was varied. The 25 themes were mentioned a total of **902** times in the 265 responses and once more the most frequently mentioned theme was number 15 - traffic, congestion and pollution - with **143** responses out of **902**. However the second and third most frequently mentioned themes were theme 9 (the need for school places in the Sudbury Court Estate) and theme 3 (the attention to pupils and school results) respectively. This is a change from the informal consultation where the suitability of the site (theme 14) ranked second in terms of frequency. This suggests this consultation has elicited more comments on educational issues. .

3.5.36 Table 11 shows the shift in the prevalence of certain theme groups:

Table 11:

Theme groups	Frequency of themes	Percentage
Education (1-7 & 22)	266	29.5%
Necessity (8-9)	109	12.1%
Health and Safety (10-12)	89	9.9%
Environmental (13-15)	239	26.5%
Community (16-20, 23 & 24)	161	17.8%
Transparency (21 & 25)	38	4.2%
Total	902	100%

Nature of the Responses to Each Theme

3.5.37 Once more the responses were graded as **positive**, **concerned** and **negative**. 93.2 per cent of all responses were negative - this is a slight decrease from the informal consultation stage where 97 per cent of responses were against the expansion.

3.5.38 As in the informal consultation stage, theme 15 had the greatest percentage of negative comments.

3.5.39 In the informal stage of consultation transparency and environmental concerns respectively were the areas with the greatest number of negative responses. In the formal consultation however the theme with the greatest number of negative responses was environmental concerns with 99.6 per cent of all comments on environmental issues being graded as negative. This was followed by health and

safety concerns. It does appear that the formal consultation responses were dominated by concerns that are best dealt with in the planning consultation.

3.5.40 Again the area with the highest percentage of positive responses was the necessity for school places (11 per cent) suggesting respondents maintained the view that the greatest justification for expanding Byron Court was the need for school spaces. Next were educational themes, with 7.5 per cent of all comments on education being positive. Moreover the percentage of comments on education decreased by almost 10 per cent.

3.5.41 Conclusions

- There has been a very high level of response to the consultation, the majority against the proposal.
- More issues were raised in this stage of consultation centred around the consultation process itself, managerial problems and school-community relations
- Traffic congestion and pollution was the most frequently mentioned concern.

3.5.42 A selection of representations objecting to the proposal to expand the school can also be found in Appendix 11 of this report.

3.5.43 A selection of representations in support of the school expansion proposal can be found in Appendix 12.

Table: 12

	Education (1-7 & 22)		Necessity (8-9)		Health and Safety (10-12)		Environmental (13-15)		Community (16-20, 23 & 24)		Transparency (21 & 25)	
Positive responses	20	7.5%	12	11%	0	0%	0	0%	3	1.9%	0	0%
Concerns	17	6.4%	3	2.8%	2	2.2%	1	0.4%	2	1.2%	1	2.6%
Negative responses	229	86.1%	94	86.2%	87	97.8%	238	99.6%	156	96.9%	37	97.4%
Total Responses per theme group	266		109		89		239		161		38	

4. Financial Implications

4.1 As part of consideration of the *Update on Schools Capital Portfolio* report dated 26 January 2015, Cabinet approved the proposal to expand Byron Court Primary School. This report stated the total estimated cost of the project is provided for within the element of the School Expansion Programme of Works to be met from secured grant funding, although it was noted that additional funding sources had been added to address condition issues and works outside of the programme criteria.

4.2 The proposed works include the replacement of existing poor condition classroom outbuildings in order to both avoid future cost in replacement of these classrooms in the near future and to consolidate the footprint of buildings across the site to achieve an optimal layout from a school management perspective. If the expansion is not

approved it should be noted that works to address condition issues would not continue and would have to be considered separately within Schools Asset Management Plan priorities, with an anticipated cost of circa £2 million.

- 4.3 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 2015 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 of the total additional grant to meet the costs of the expanded pupil numbers until the following year's 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. Legal implications

- 5.1 The procedure for the enlargement of Byron Court 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 2013. The local authority is entitled to make prescribed alterations to Byron Court Primary School pursuant to powers granted by The Education and Inspections Act 2006, Sections 18 and 19 and in accordance with Schedules 2 and 3 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 Schedule 3 paragraph 3 of The School Organisation Regulations 2013.
- 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. The local authority 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 Cabinet 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 of the School Organisation Regulations 2013.
- 5.5 The Cabinet would need to have regard to guidance issued by the Secretary of State before making a decision upon this proposal entitled School Organisation Maintained Schools – guidance for proposers and decision makers January 2014.
- 5.6 If the local authority fails to decide proposals within two 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 two month period.

5.7 **Decision Making:**

5.8 The department does not prescribe the exact process by which a decision-maker carries out their decision-making function. However, the body or individual that takes the decision must have regard to the statutory 'Decision-makers Guidance' (at Annex B).

5.9 There are four 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 was extended by one week and closed on 19 February 2015

- 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?

5.10 **Types of Decision**

5.11 When issuing a decision, the decision-maker can:

- reject the proposal;
- approve the proposal without modification;
- approve the proposal with modifications, having consulted the LA and/or governing body (as appropriate); or
- approve the proposal – with or without modification – subject to certain prescribed events¹¹ (such as the granting of planning permission) being met.

5.12 A proposal can be withdrawn by the proposer at any point before a decision is taken. When doing so the proposer must send written notice to the LA and the governing body (as appropriate) and the Schools Adjudicator (if the proposal has been sent to them). A notice must also be placed on the website where the original proposal was published.

5.13 Rights of appeal against a decision

5.14 25. The following bodies may appeal to the Schools Adjudicator against a decision made by a LA decision-maker, within four weeks of the decision being made:

- the local Church of England diocese;
- the local Roman Catholic diocese; and
- the governors and trustees of a foundation, foundation special or voluntary school that is subject to the proposal.

- 5.15 On receipt of an appeal, a LA decision-maker must then send the proposal, representations received and the reasons for its decision to the Schools Adjudicator within one week of receipt. There is no right of appeal on determinations made by the Schools Adjudicator.
- 5.16 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 Byron Court as a separate construction contract. A report approved by Cabinet in January 2015 set out the procurement strategy to be adopted for this project and in accordance with Council Standing Orders gave approval to procure a works contract. Subsequent Cabinet approval would be sought to award any works contract in accordance with Council Standing Orders.

6. Diversity Implications

- 6.1 Byron Court Primary School has an ethnically diverse pupil population and catchment of pupils who need places. The school 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 Equality Impact Assessment for has been completed for the proposed expansion of Byron Court Primary School. The document includes concerns raised from parents and residents during the consultations to the fact that younger pupils and pupils with special educational needs (SEN) may be affected by the increased number of children at Byron Court Primary School.

7. 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 Dedicated Schools Grant allocated through the funding formula. In the consultation, objectors have queried whether the school can recruit sufficient high quality staff to enable them to cater for such a large number of children. Staffing will, however, need to be built up gradually as the new numbers rise through the school. As a Teaching School, Byron Court is in an especially strong position to recruit and retain high quality staff.

8. Background Papers

Equality Impact Assessment

School Organisation Maintained Schools - Guidance for proposers and decision-makers - January 2014

9. Appendices

- Appendix 1 Principles of the Place Planning Strategy 2014 - 2018
- Appendix 2 Map of Brent Schools
- Appendix 3 Byron Court Primary School – consultation document

- Appendix 4 Byron Court Primary School – notes to meetings on 3 December 2014, 2pm (4a) and 6pm (4b)
- Appendix 5 Petition letter
- Appendix 6 Informal consultation analysis
- Appendix 7 Sample objections to the proposal to expand Byron Court Primary School (pre-statutory consultation)
- Appendix 8 Sample correspondence of support of the proposal to expand Byron Court Primary School (pre-statutory consultation)
- Appendix 9 Frequently asked questions and answers document
- Appendix 10 Statutory notice (Stage 1 of the statutory process)
- Appendix 11 Examples of the representations received from Stage 2 of the consultation process, against the expansion
- Appendix 12 Examples of the representations received from the Stage 2 of the consultation process, in favour of the expansion

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School Place Planning Strategy 2014 – 2018 - Summary of Principles:

Principle 1: *We will only undertake expansions with good or outstanding schools where leadership is secure.*

Principle 2: *We will promote federations between primary schools, both to address quality issues and to address the future viability of one form of entry schools.*

Principle 3: *We will actively consider two-site schools and 5FE schools where there is leadership and management capacity.*

Principle 4: *We will develop local capacity to sponsor or promote new schools, working with academies in the primary sector.*

Principle 5: *We will work towards the amalgamation of separate infants and junior schools.*

Principle 6: *We will not currently seek to develop more all-through schools.*

Principle 7: *We will expect expanded and re-structured schools generally to meet government guidance on space standards but be prepared to consider innovative design solutions to achieve this.*

Principle 8: *We will seek to minimise disruption to schools during expansion and support school leaders to manage the challenges.*

Principle 9: *We will continue planning primary places using planning areas.*

Principle 10: *We will as far as possible incorporate proposals for additional primary school places into new regeneration schemes.*

Principle 11: *We will consider expanding voluntary aided schools only where there is local Brent demand, working with the relevant partners.*

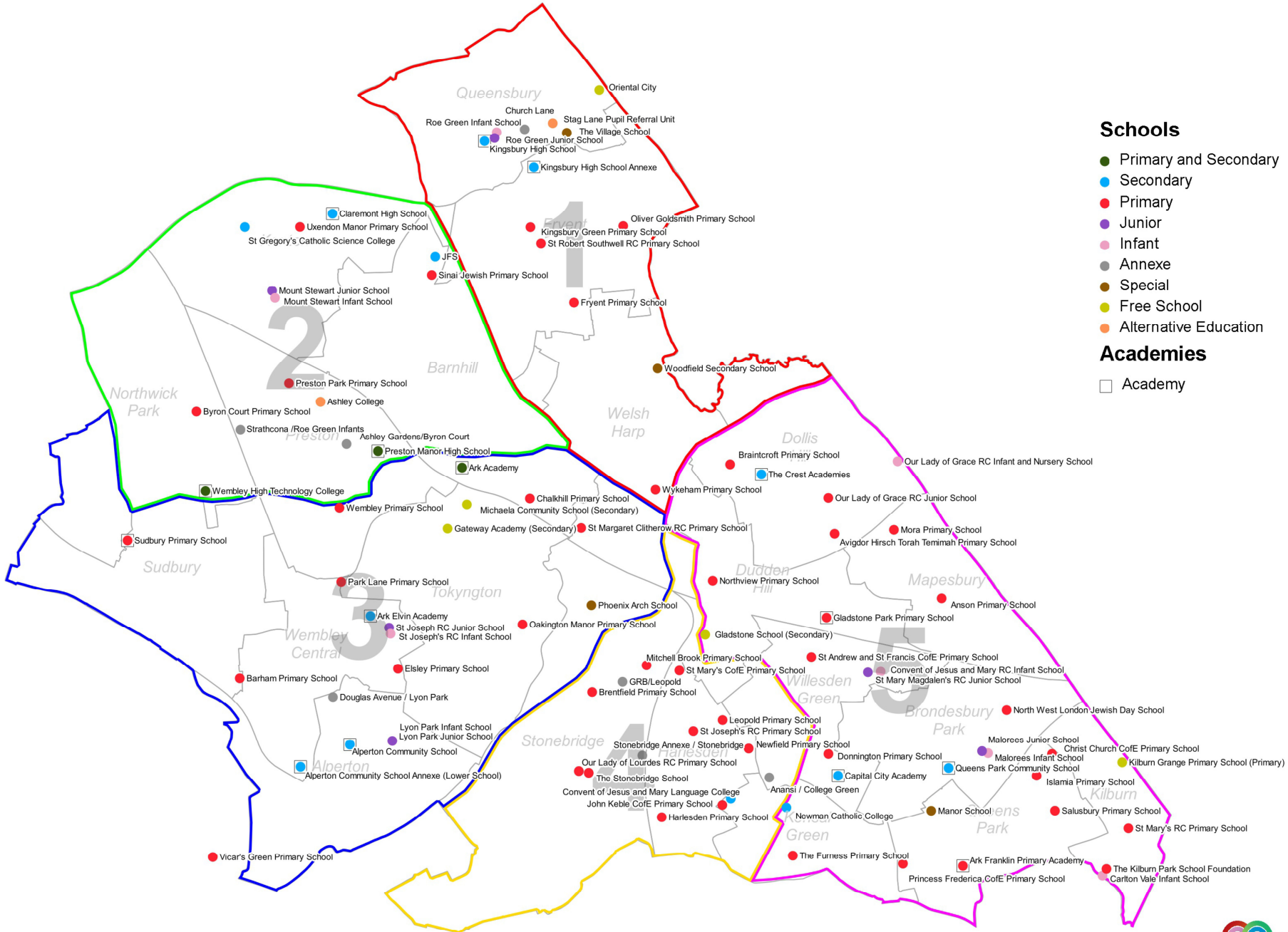
Principle 12: *We will continue planning secondary school places on a borough wide basis with the ambition to make Brent's secondary offer attractive to all parents.*

Principle 13: *We will consider how community benefits from school facilities can be maximised when we expand or build new schools.*

Principle 14: *We will consult with local communities as part of the planning process to minimise/mitigate the impact of new school developments.*

Principle 15: *We will build inclusive provision into expansion and new school proposals and work with neighbouring on the planning of special school places.*

Principle 16: *After assessing educational suitability, schemes for expansion or new schools will be judged in terms of value for money and deliverability.*



- Schools**
- Primary and Secondary
 - Secondary
 - Primary
 - Junior
 - Infant
 - Annexe
 - Special
 - Free School
 - Alternative Education
- Academies**
- Academy



A Public Consultation

Proposed Expansion of Byron Court Primary School to 5 Forms of Entry by September 2015

1. Introduction

Byron Court Primary School is a community school located in the northern half of the borough. It has a planned admission number of 630 places (3 forms of entry i.e. 3 classes in each year group) for boys and girls between the ages of 4 – 11. In addition from September 2014 the school agreed to take an additional Year 2 temporary (bulge) class on site and two additional temporary classes (bulge) for Reception aged children off site in temporary accommodation known as Ashley Gardens. In summary there are 660 places on site and 60 places off site, making a total of 720 for the 2014/15 academic year.

Currently, the demand for school places in Brent, as with many outer London boroughs, is increasing. The demand for primary places in the north of the borough specifically has led to the proposal to expand Byron Court Primary School on a permanent basis.

Therefore Brent Council in partnership with the Governing Body of Byron Court Primary School is consulting with staff, parents and the community on the option to expand the school by two forms of entry (2FE). The expansion will provide an additional 60 places (2 classes) in each year group (420 new primary places in total). The increase of 60 places (2 classes) in each year group commenced on a temporary basis (2 bulge classes) at Reception age during this academic year (Ashley Gardens) and will rise to Year 6 by September 2020. In the event of permanent expansion being approved, these places would continue to be available each year within the main school site.

You are invited to two meetings to discuss the proposals at:

**2pm and 6pm Wednesday 3 December 2014
Byron Court Primary School Hall
Spencer Road, Wembley, HA0 3SF**

Alternatively you can give your views in writing or online. Full details can be found in this document.

2. The proposal

Brent Council is proposing to expand Byron Court Primary School, Spencer Road, Wembley, HA0 3SF by two forms of entry (420 additional places), taking the school capacity from 630 permanent places (Year R – Year 6) to 1050 permanent places (Year R – Year 6). The school will become a 5 forms of entry school (5FE).

Byron Court Primary School took a temporary/bulge Year 2 class in September 2014 taking their current total number of places to 660. In addition Byron Court Primary School agreed to accommodate Ashley Gardens (off site) which has 60 Reception places, bringing the total number of children for the 2014/15 academic year to 720 of which 150 are Reception age – see the table below.

If the proposal to expand is approved the increase in number of permanent places at the school will be gradual until the maximum of 1050 is reached in September 2020 as illustrated in the table below:

Table 1: Number of pupils in each year group in each academic year

Date	Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
Sep-14	150	90	120	90	90	90	90	720
Sep-15	150	150	90	120	90	90	90	780
Sep-16	150	150	150	90	120	90	90	840
Sep-17	150	150	150	150	90	120	90	900
Sep-18	150	150	150	150	150	90	120	960
Sep-19	150	150	150	150	150	150	90	990
Sep-20	150	150	150	150	150	150	150	1050

3. Why expand Byron Court School?

- The Brent school place planning strategy has a criteria only to expand Good and Outstanding schools according to OFSTED classifications (Office of Standards in Education).
- Byron Court Primary School was classified as an Outstanding school by OFSTED in April 2012.
- In addition Byron Court Primary School received a Teaching School designation from the National College of Teaching and Leadership and the Department for Education. Teaching schools give outstanding schools a leading role in the training and professional development of teachers, support staff and headteachers, as well as contributing to the raising of standards through school-to-school support. In order to become a teaching school Byron Court Primary School had to provide evidence of successful partnerships as well as excellent leadership with a proven track record of school improvement. Both the headteacher and the school needed to meet stringent criteria.
- By expanding to 5 forms of entry (5FE) Byron Court Primary School will be providing local opportunities for more children to attend outstanding provision and to enable the school to deliver beyond simply providing an education.

	<ul style="list-style-type: none"> • As a Teaching School Byron Court will also offer future teachers and leaders professional development. • For planning purposes the borough is split into 5 different regions (planning areas) so that local demand can be calculated. Byron Court Primary School and 7 other Brent schools providing primary provision fall into planning area 2. Three of those 7 schools have already been expanded in recent years and the Council is in talks with three of the remaining schools about expanding. Without any additional places in planning area 2, there would be a shortage of 93 Reception places by September 2015, 91 by September 2016 and 104 by September 2017.
<p>4.</p>	<p>Construction</p> <p>The proposed accommodation for the expansion by 2FE would be of a permanent high quality construction adjacent to the main school building. It will be designed to optimise educational standards and include leading class facilities that will maximise the learning and teaching environment e.g. greater natural light, optimal room sizes, direct circulation both around the building and linking with the outside space. The main building will remain largely as existing, however several older temporary classrooms will be demolished and replaced along with additional teaching accommodation in a new building to the North side of the site adjacent to the existing building. Building work is expected to start in Autumn 2015 (subject to planning permission) and will be complete by September 2016.</p>
<p>5.</p>	<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 rates. As a result, in areas of high demand there are insufficient school places.</p> <p>The pressure of increasing demand is already evident with few places available in Brent's 61 primary schools. Brent Council is supportive of the proposed expansion of Byron Court Primary School to help address the shortage of primary school places.</p>
<p>6.</p>	<p>New primary school places</p> <p>In March 2014 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>The Local Authority has reviewed capacity constraints at all primary schools and identified the maximum need for school places in the local areas. Discussions have taken 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 across Brent. The table below demonstrates how</p>

many permanent and temporary primary places have been created since September 2006.

Table 2: Number of additional places created in Brent since 2006

Total number of additional places (Reception to Year 6)	Permanent places (Reception to Year 6)	Temporary places (Reception to Year 6)
5729	3746	1983

7. We would like to hear from you

Brent Council and Governors of Byron Court Primary School are at the moment consulting all interested parties including parents and staff at the school, all schools in Brent and neighbouring boroughs with an aim to receive feedback on the proposal. This consultation is the first step in the process of possible expansion; a further consultation on the proposed building works and planning application will also take place around Spring 2015.

We would welcome your views on the proposal to expand the school by 2FE. 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:

**Judith Joseph
5th Floor, Brent Civic Centre
Engineers Way
Wembley
Middlesex HA9 0FJ**

Or

Send an email to: **judith.joseph@brent.gov.uk**

Copies of this consultation document are also available at the school reception.

Alternatively, this document can be downloaded from:

<http://www.brent.gov.uk/currentconsultations>

A limited translation service can be provided for this document on request to judith.joseph@brent.gov.uk

All written comments must be received by:

Wednesday 24 December 2014

8. You can also attend a public meeting for parents, carers and the community which has been arranged to discuss the proposed expansion of Byron Court Primary School.

Date: Wednesday 3 December 2014

Time: 2pm – Community, local residents and Parents

6pm – Community, local residents and Parents

Venue: Byron Court School Hall
Byron Court Primary School
Spencer Road,
Wembley, HA0 3SF

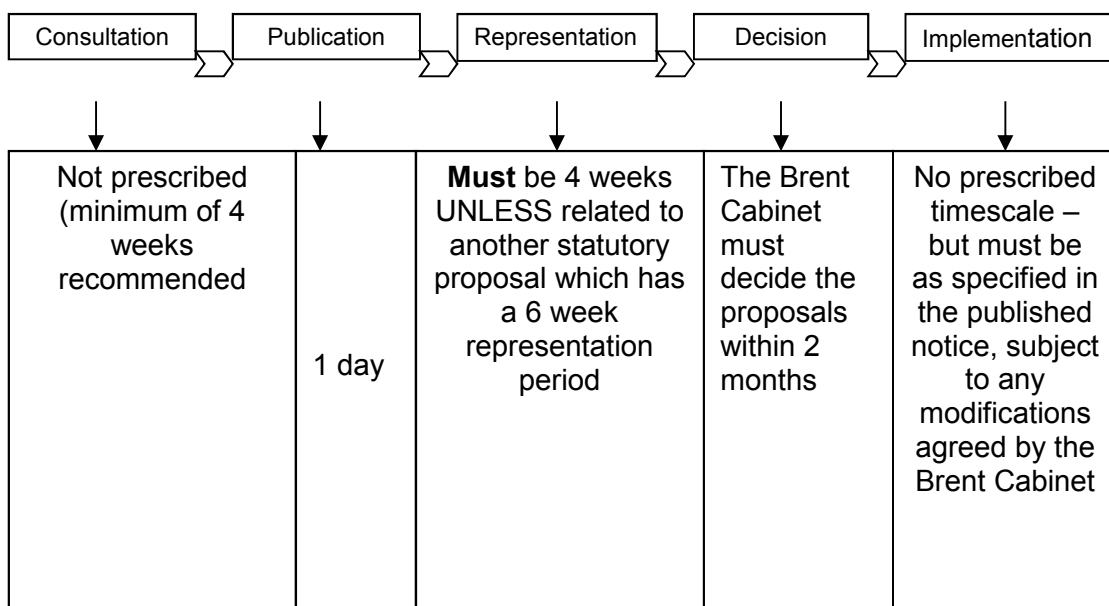
9. The procedures for reorganisation

Brent Council in partnership with Byron Court Primary School intends to meet with staff, parents and the local community, to receive their views.

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. local library and on the main entrances to Byron Court Primary School.

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 Cabinet Committee which will make a decision on the proposal.

Table 3: 5 stages for a statutory proposal for an excepted school expansion:



10. Consultees

This document is being sent to:

Byron Court 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 Byron Court 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

Byron Court Primary School Consultation Response Slip

Please tear off and return by: **Wednesday 24 December 2014**

I agree / disagree with Brent Council's proposal to expand the school by two forms of entry (2FE) to 5 forms of entry (5FE). *Delete as appropriate*

Comments:

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

Signed

Parent / member of staff / other*please specify*

Please send to:

**Judith Joseph
5th Floor, Brent Civic Centre
Engineers Way
Wembley, Middlesex, HA9 0FJ**

Or email judith.joseph@brent.gov.uk

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	<input type="checkbox"/>	Female	<input type="checkbox"/>
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My age group (please tick one):

16-24	<input type="checkbox"/>	25-34	<input type="checkbox"/>
35-44	<input type="checkbox"/>	45-54	<input type="checkbox"/>
55-64	<input type="checkbox"/>	65-74	<input type="checkbox"/>
75+	<input type="checkbox"/>		<input type="checkbox"/>

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

Asian Indian	<input type="checkbox"/>	Asian Pakistani	<input type="checkbox"/>
Asian Bangladeshi	<input type="checkbox"/>	Asian Other	<input type="checkbox"/>
Black Caribbean	<input type="checkbox"/>	Black African	<input type="checkbox"/>
Black Other	<input type="checkbox"/>	Chinese	<input type="checkbox"/>
Mixed White and Black Caribbean	<input type="checkbox"/>	Mixed White and Black African	<input type="checkbox"/>
Mixed White and Asian	<input type="checkbox"/>	Mixed Other	<input type="checkbox"/>
White British	<input type="checkbox"/>	White Irish	<input type="checkbox"/>
White Other	<input type="checkbox"/>	Other Ethnic Group	<input type="checkbox"/>

**Byron Court Primary School Public consultation meeting
to expand from 3 forms of entry to 5 forms of entry**

Wednesday 3 December 2014- 2pm.

Panel members:

Naresh Gandhi – Chair of Governors
Martine Clarke – Headteacher
Martyn Pendergast - Interim School Improvement Lead
Judith Joseph – School Place Planning Officer
Emma Sweeney - Capital Projects Manager
Two Byron Court Primary School Governors

48 Attendees.

- Naresh introduced and gave background details as to why the school is proposing to expand.
- Emma spoke about the building and showed slides.
- Martine spoke about the lack of space in the school and the poor facilities including :
 - fragmented site
 - small PE hall
 - dilapidated huts
 - poor weather hinders the day due to poor outdoor facilities
 - fragmented play areas
 - Martine explained what a teaching school is.

Questions and statements

Premises and play space

1. Don't use the same consultants as Wembley High Technology College.
2. Byron Court School is 100 years old and needs to have improvements, increased students would amount to losing playground space.
3. **Response** - There is no need to reduce playground space. The expansion creates an opportunity to reopen with greater numbers. At the moment the field becomes waterlogged. The drainage problems will be resolved with the expansion.
4. The new premises would be too close to the boundary of some Norval Road residents. They were purchased due to their south facing gardens.
5. How long will it take to build?
Response - 12 months to build and we would always build away from learning areas.
6. Rooftop play areas?

Response - Unsure about rooftop play areas.

School size

7. 5FE is too big

Response - there are bigger schools outside of Brent. The school will have bigger space.

8. Could you not have a split school at Ashley Gardens permanently?

Response - Ashley Gardens is a temporary structure with temporary permission for use.

9. 5FE is a good thing.

Response - Yes it is a good thing it is a special school.

10. Records show smaller schools are better.

Large schools can be successful due to good leadership, teamwork and good organisation. The school will also be zoned.

11. You said 3FE was the optimum size for a primary school when you first arrived as headteacher.

Response - That was then with the facilities we had.

12. Where are the children coming from?

Parking and traffic

13. More children means more staff. Where will they park?

Response - There would be extra parking for teachers.

14. Spencer Road is a nightmare already with people parking in residents' drives what will happen when the number of children increases?

15. Private drives are always full of parent cars when school opens and closes.

16. What are the traffic plans?

Response - one option is to open up the rear entrance to the school and organise 'soft starts' with children coming earlier and at different times.

17. Local residents could block parents in, with our own cars as a protest and see how they like it.

18. Parking abuse it is not acceptable. There are already intimidation and litter problems. There needs to be naming and shaming of parents, letters and signage. Parking permits will not reduce problems as there is no one to police them and it would cost us residents money.

19. The school has done everything they can to curb the mis-parking; teachers can only do so much. In the USA some teachers come early and ensure parents drop and drive to keep the traffic flowing could we trial something like that here?

Response - Martine- would like to aim for a travel gold award and so will be creating a walking bus. The school also plans to open a new entrance to the school.

20. When will you open the Nathan Road entrance?

21. What about a one way road?

22. Will there be a proper transportation plan?

Byron Court Primary School Public consultation meeting
to expand from 3 forms of entry to 5 forms of entry
Wednesday 3 December 2014- 6pm.

50 Attendees approximately

Panel

Naresh Gandhi – Chair of Governors
Martine Clarke – Headteacher
Carmen Coffey – Head of Pupil and Parent Services
Judith Joseph – School Place Planning Officer
Emma Sweeney - Capital Projects Manager
Governors from Byron Court Primary School

Questions and statements:

1. Is it a done deal?

No but it is a good opportunity as currently

- classrooms are small
- the hall is too small
- facilities are not great
- performance, arts and sports will improve
- we can't use facilities in winter months, expansion will lead to better equipment and open the rear access

2. Why Byron Court?

The strategy reports states 2017 demand is already here. Byron Court is the only teaching school in the borough. The school wants this expansion.

3. Can't we refurbish without expanding?

Not entirely

4. How many children are out of school today?

There are many reasons for lack of school places and children without school places

- Expansion of homes
- New arrivals
- GLA indications
- High volume of applications
- High demand in the whole of Brent
- There's been a shortage for at least 5 years in the north of the borough
- In Reception there are 73 children without a place
- Catchment areas

- Byron Court is oversubscribed
 - Overcrowding
5. Traffic congestion is getting worse and the council is not taking notice of what residents are saying. Residents in Spencer, Abbotts, Norval and Nathans Road will suffer. The abuse is disgusting, traffic is horrendous. It is the same in Luton there are more cars now.
6. There are concerns about the emotional developments of children at this school e.g. bullying.

The headteacher's vision is to keep the high standards and community feel of the school. The answer will be zones and additional facilities will meet all those needs.

7. Two professors state social interaction is not good in large schools
- There are concerns about children on the estate without a chance to get into a school.

8. The school needs an upgrade but not at the expense of expansion

The local authority needs value for money there will be many benefits

- House prices are likely to go up with it being an outstanding school
- Outstanding provision will be offered to more pupils
- There will be better sports provision
- There will be more sports in the hall

9. Limited space for cars

10. A van was parked outside a drive for 4 months

11. Public health should be informed of the consultation

12. Teacher training should not be in schools

Times have changed

- Institute is for the area. It can work
- Training is now done in schools
- We can work with schools that need help

13. How many 5FE schools are there in Brent? In the community?

This would be the first 5FE school in Brent

14. How can you maintain standards and better facilities?

We have a very committed strong team

15. Will the health and safety expand?

Yes

- More information is required
- Each year group will get extra space
- Better toilet facilities

- Adult learning tools
- Better staffing areas

16. Not all staff are positive will the responses be kept confidential?

Yes

17. What will the design be like?

The field is too wet in winter. We will open the back entrance on Nathans Road

- There will be a wild life area
- The current staff room would become an adult learning area
- The hall could be at the radio station
- Modern community

18. How big would a nursery be?

There are no plans for a nursery at the moment

19. Queens Park Community School has land around all 3 sides, could you build there?

There are already three all through schools in the borough. We would not pursue any further all through schools

20. There is already a new primary school at Wembley High Technical College, They should have mentioned this Byron Court expansion during the Wembley High Technical College consultation.

Nothing was proposed at that time,

21. Sport England want play areas to be rented out for the community we should not have traffic, noise and floodlights etc. 7 days a week.

After school usage needs to be looked into with a feasibility study on our other school activities.

22. Where will year 3 be?

23. How high is the second floor of the building?

Nothing is decided yet. It is part of the planning process

24. Will we have access to planning studies?

Yes

25. Will there be policing of traffic?

Traffic handling details will be offered at the next meeting there will also be a consequences of abuse meeting.

Petition letter received 117 times against the expansion of Byron Court School

As a resident leaving nearby, we disagree with Brent Council's proposed expansion of Byron Court from a three-form entry to a five-form entry school.

The school currently has 630 enrolled children, but it is planned that the number will increase to 1050. We feel that swelling the pupil numbers by such a large amount will be detrimental to our children for the following reasons:

- 1) The fundamental character of Byron Court will change from being a nurturing, close-knit neighbourhood school to a large, impersonal one.
- 2) The space available per child, both inside and outside, will reduce - despite the plans to redevelop the site. The consequences include less exercise for our children and greater risk of accidents such as collisions between children.
- 3) Research has indicated small schools get better academic results and that teachers have a more positive attitude about their responsibility for students' learning and students subsequently learn more.
- 4) Research has also shown smaller schools have higher rates of student participation and that students who participate in activities at school have higher achievement, higher self-esteem, attend school more regularly and have fewer behavioural problems. Currently at Byron Court school clubs (such as football/multi-skills/cooking) are over-subscribed and run on a first come-first served basis, participation in school plays and playing instruments is limited to a few, and increasing the number of students will only worsen this problem.
- 5) Research has also indicated small schools promote better behaviour and larger schools (1000 plus students) have been linked with an increase in bullying, crime and violent behaviour.
- 6) Larger schools are also more prone to sickness and epidemics, as the chance of infected children being at the school obviously goes up, which will lead to children missing more school time.
- 7) Traffic, road accidents and congestion will increase which will endanger children and increase their exposure to abusive behaviour from inconsiderate parents.
- 8) The traffic problem on the estate will already be worsened with the creation of Wembley High Primary School nearby next year, and it would be made much worse if the school was to nearly double.
- 9) Proposed work on the school is currently estimated to take a year, which will disrupt the childrens' education and which also has health and safety and traffic implications.
- 10) There is no other school in Brent which is five-form entry, and Byron Court was only recently increased to a three-form entry. At the time, parents were assured by Mrs Clarke that it would not be expanded further and had reached full capacity.

We fully understand the predicament that the school is in. It is desperately in need of new facilities and upgrading, which we fully support. However it seems that funding for redevelopment will not be given unless the huge number of additional students are taken in. This we feel is grossly unfair, and effectively blackmail.

Quite aside from this, there is almost unequivocal dismay from the local residents in the immediate vicinity of the school, as they are already upset with a lot of inconsiderate parents parking badly around the school.

Byron Court informal consultation data analysis - 20 November 2014 to 24 December 2014

Total Responses = 334

Table A

Theme Number	Frequency of themes	Percentage	Rank
1	148	6.2%	
2	146	6.1%	
3	163	6.8%	
4	132	5.5%	
5	159	6.6%	
6	136	5.7%	
7	33	1.4%	
8	151	6.3%	
9	175	7.3%	
10	125	5.2%	
11	37	1.5%	
12	18	0.8%	
13	22	0.9%	
14	210	8.8%	
15	260	10.9%	1st
16	4	0.2%	21st
17	140	5.8%	
18	9	0.4%	
19	185	7.7%	
20	24	1%	
21	119	5%	
TOTAL:	2396	100	

It is important to bear in mind the Petition against the expansion accounts for 35% of all responses. Therefore any topic which was listed on this petition has a very large number of responses compared with topics that are not listed on the petition. For example theme 15 has the highest number of responses (260) whereas theme 12, implication of long distance travel on children, has only 18 responses. Whilst each individual petition is highly important to this data analysis, naturally the repetition of certain topics on the petition leads to their high level of representation throughout the responses.

The overall tone of the points made in the responses

After assessing the popularity of each theme it was necessary to unpack the nature of the responses. These themes generated a mixture of responses which were graded as **positive** (for the expansion), **concerned** and **negative** (against the expansion). However the vast numbers of responses were negative. Examples of all three types of responses can be found in Appendix 7.

Table B

Theme Number	Positive responses to expansion	Concerns about expansion	Negative responses to expansion	Total
1	0	1	147	148
2	0	2	144	146
3	4	5	154	163
4	1	2	129	132
5	9	6	144	159
6	0	2	134	136
7	1	0	32	33
8	16	6	129	151
9	1	0	174	175
10	1	0	124	125
11	0	0	37	37
12	0	2	16	18
13	0	0	22	22
14	1	2	207	210
15	0	1	259	260
16	0	0	4	4
17	0	2	138	140
18	1	0	8	9
19	0	1	184	185
20	0	0	24	24
21	0	0	119	119
Total	35	31	2330	2396

In most cases there is a direct correlation between the frequencies of themes and the frequency of negative responses. This could be attributed to the great disparity between the percentage of responses for the expansion 9% and the 89% of responses against the expansion (if you combine the disagree data with the petitions.) What is significant is that the positive responses, concerns and negative responses derive from all data regardless of whether the respondents agreed, disagreed or were inconclusive.

These grades enable a greater investigation into which areas were particularly troubling for respondents. Despite the fact that traffic is the single most popular theme, by assessing popularity of each theme in their groups it is clear educational issues were the most frequently mentioned. This was followed by environmental concerns. However the area with the greatest number of *negative* responses was transparency with 100% of all comments on previous promises by the head teacher being negative. The second highest number of *negative responses* was environmental concerns; 99.2% of all comments on environmental issues were negative. On the contrary the need for schooling (themes 8 and 9) had the greatest number of positive responses (5%). This was followed by education with 2% of comments on education being positive.

In sum, though there were a large volume of responses in-depth exploration of the areas these responses emanate from indicates the highest levels of support for expanding Byron Court are rooted in the scarcity of school places and the ability to provide an 'outstanding' education for more pupils. Whilst we cannot discount the high volume of disagreement stemming from environmental, health and safety and community apprehensions it is submitted greater consultation with the community and thorough exploration of safety in planning- particularly managing traffic- could result in an overall more positive view of school expansion.

Sample of quotes and letters against the expansion (informal consultation)

- *"I would be strongly opposed to the proposed extension to the school. It would have a detrimental effect on the estate with increased traffic, litter etc. we already have enough bother with Wembley High School. They are building a primary school at Wembley High so why do we need one so near? Why are Brent intent on ruining this estate? A modern two storey building in the middle of the estate will not add anything to the surrounding area". Ref D60*
- *"The current school community does not reflect the primary school age population of Sudbury Court Estate, therefore there are already many pupils coming into the area from other parts of the borough causing considerable disruption to the roads around the school and its access routes twice every day. One has to live on the estate to understand the extent of this problem. It necessarily follows that any expansion to the school will exacerbate this situation, as pupils will be travelling from even further afield. We understand that the borough has an obligation to provide primary education for all its primary school age children, also that the size of the site would make it a candidate for expansion. However, any decision must also take into account the position of the school, ie right in the middle of a residential area, much of which is designated as a conservation area, where access to the school from other parts of the borough is extremely difficult. This is particularly so due to the width of access roads, and the fact that its location is right at the northern end of the borough. In addition, the effects on the environment, and in particular the infrastructure, i.e. roads built in the nineteen twenties when there was little traffic, and not designed for such usage, will be considerable, and should be avoided wherever possible. We do believe, therefore, that this proposal is quite inappropriate, and that alternative sites should be looked at more vigorously." Ref D90*
- *"The school currently prides itself to have 42 languages spoken in the playground. It would appear that the focus of the school is on giving more attention to migrant children rather than promoting traditional values and as a result neglecting British born children. The expansion which will result in an intake of more migrant children from further afield will no doubt be to the detriment of the education of the local British born children." Ref D78*
- *"An expansion of an outstanding school could have a detrimental effect on pupils as teacher/pupil ratios would be higher than at present and I feel an outstanding school would find it difficult to maintain that status. I believe that all schools should be looked at when an expansion programme is being considered and Brent Council should look into why certain schools are failing and work towards getting them into a High/Outstanding classification thus giving all children in Brent an even platform for their development and progress." Ref D86*
- *"I appreciate that Byron Court is in need of repair and modernisation of buildings but this is a separate issue and does not need to be dependent on school expansion as there is already value in meeting the needs of the 650 pupils currently served by the school.*

During the public consultation meeting I attended, members of the could not robustly defend the projected pupil number for Brent, when taking into account the places opening up at Wembley Primary [Wembley High Technology College] on East Lane – has the capacity of this new primary school been fully factored into the projections?

....The physical location of Byron Court in the middle of a residential area bound by a railway line on one side and Northwick Park on another, means there only two 'entrances' into the estate – via East Lane or via the John Lyon Roundabout. These routes, in and out, are already congested with the current number of pupils being driven to school from outside of the estate. When also considering that commuters are parking for South Kenton Station on Norval Road and Nathans Road, the almost doubling of pupil numbers by 2020, is impractical from a logistics and traffic control perspective."
Ref D171

- *“We believe other schools in Brent have been approached and turned this model down and therefore cannot see any rationale why Byron Court could not do the same. Other schools have also agreed a 4 class model – therefore we cannot understand why Byron Court has to be 5 when it clearly does not have the physical capacity. There are only 17 schools out of 17000 in the country with 5 entry...” Ref D37*
- *1) Primary schools are meant to be small. There is a reason why they only have two classes in each year group, rather than four, five being the size of an average sized secondary school. It would be overwhelming for the children and it would make the process of adjusting to school life even more difficult than it already is for them. You cannot think of children as simply as a quota that you have to fill.*

2) The school is on a very small, narrow, residential road, as opposed to a main road. Spencer Road is simply not built to have such huge volumes of traffic coming in. There is no space. The plan is unsustainable. Every school day currently there is a huge line of traffic forming down this narrow road, cars trying to squeeze into parking spaces and blocking drives, leaving residents in danger if they need to leave their house in an emergency. I cannot imagine how bad the situation will become if you expand the school and there is, subsequently, more than double the amount of children and, thereby, cars, traffic, and noise and air pollution. It will not make a difference if you open the back gate on Nathans Road as has been suggested previously. Nathan Road is similarly a narrow road and it is already congested with people parking there when they get the train from South Kenton station.” Ref D21
- *“Byron Court is a small, family orientated school which we chose for those reasons. To expand to 5FE will change the whole feel of the school. There is bound to be a negative impact on my child’s learning and education, due to building work and stretching of existing resources. I do not want more children who do not have English as a first language to have extra attention that my child will lose out on. The neighbouring roads and infrastructure are not built to accommodate a school the size that you propose, which will create more congestion locally. I oppose this expansion whole heartedly but do not expect that parents concerns will be taken into consideration at all. We are extremely disappointed.” Ref D30*
- *“I understand that there is a need for greater spaces in the borough. I would strongly suggest that the expansion of the Byron Court Primary site in Spencer Road is limited to a four form entry school rather than five form entry. The local area will be unable to cope with the increased traffic from the extra 210 children. Given that there are three other remaining schools in talks to expand it is sensible that the extra 60 places per year are allocated to one of these other schools. A brand new three form school is already opening on the site of Wembley High Technology College, situated at the end of The Fairway which means that there are now new places to meet additional demand in the immediate area.*

I urge you to consider the impact on the local area, and the school itself. I have had three children attend Byron Court Primary (two still attend) and have personally seen the wonderful atmosphere where teachers know most of the pupils by name and encourage each pupils to do their best in their individual way. The school is in desperate need of updating but it appears that Brent Council are only allowing this in exchange for an unreasonable increase in pupil numbers! It would be a real shame to dilute the ethos of this school and find results declining due to this forced increase. Please consider amending the proposal to a four form entry to retain the school results, and limit the impact on pupil safety and result on the surrounding area.” Ref D179
- *“I find it totally perverse that Brent's own Planning Enforcement within Sudbury Court is so strong to ensure the estate maintains its heritage and character but you are proposing to build an ultra modern building to house the additional pupils. Residents routinely have planning applications refused if they attempt to build something looking too modern. The integrity of the planning system and Brent decision makers is in jeopardy by the application of double standards, i.e. one rule for the residents who must ensure they do nothing which would alter the character of the estate and a different set of rules when the council wants to erect a public building.” Ref D162*
- *“There has been and always will be a need for primary school places so why haven’t more of the “Titan” 5 form entry primary schools been built in all urban areas and been hailed as the best form of primary*

education? Precisely because the concept is not educationally sound for young children who require a smaller, nurturing environment and not to be in a school the size of a secondary school with huge number of staff, many buildings to negotiate and limited contact with staff and pupils from other year groups.

5 form entry primary schools are overwhelming environments that do not pay significant regard to the development of young children. The accepted ethos of a primary school is that of providing a seamless transition from home to school where pupils quickly become familiar with all adults in a secure and nurturing environment and where they can gain confidence, develop skills and are known and recognised by all staff. How can this happen in a school of 1050 pupils?" Ref D103

Dear Judith

We are both local residents of a child at Byron Court School
We are writing to object to the proposed expansion of Byron Court from a 3 to 5 form entry school.

We have several reasons for this:

1. Numerous studies support that primary schools of smaller size perform better in many aspects such as academic performance, student participation and community participation
2. The academic standard at Byron Court may suffer. Byron Court has been declining in it's position in the Brent league tables and an expansion may compound this.
3. The educational impact is uncertain as less than 0.5% of schools in the country are of 5 form entry so there is very little evidence to support if this will succeed.
4. Russell Hobby (leader of National Association of Head Teachers) in 2012 said that "... there are limits to how far a primary can grow and still retain the ethos that makes it special and welcoming to young children. Primary heads are more than capable of handling the logistics, but it is the culture and pastoral care that are at issue". He then went on to say "Primaries can run well at 500 or even 700 pupils, but then you're stretching it."
5. Smaller schools encourage better behaviour and less bullying.
6. At the start of the 2014/2015 academic year 7 unfilled reception places remained at the school. This shows that the demand for places is not high and it makes no sense to expand such a school.
7. Although throughout Brent there will be a shortfall of school places, this is more acute in other areas of Brent. The initial GLA figures predict a short fall of places in planning areas 2 and 3 in Brent, however the GLA do overestimate demand (London Borough of Brent School Expansion Strategy 2014-2018, page 35)
8. The location of the school is in an area where the primary catchment is residential area with no new property developments. Hence the number of residential units is stable. The demand for places is not likely to increase significantly.
9. Traffic congestion in the area is already very significant. An influx of several hundred cars will worsen this as the area was not designed to support such a level of traffic – many of the additional students are likely to come from father afield in the borough.
10. Brent Council launched it's own Green Charter in February 2012. In the charter you are asking us to walk children to school. However as many children are likely to come from further afield they are more likely to bought to school by car, this will increase air pollution and the carbon footprint for Brent. Both will be detrimental to the health of children in the area.
11. In the document London Borough of Brent School Expansion Strategy 2014-2018 one of Brent's aspirations is that 'Children should be educated close to home' (page 5) – this will be less likely with the proposed expansion
12. In the same document (London Borough of Brent School Expansion Strategy 2014-2018) another aspiration is that Schools should work with their local communities, and Principle 14 states 'We should consult with local communities as part of the planning process to minimise/mitigate the impact of new school developments'. There is much objection in the local community (Sudbury Court Estate) to the expansion and this will severely hamper community relationships if local opinions are not heard and acted upon.

We do hope that you take our views into consideration when deciding on the future of the school.

Regards

Dear Judith

As a resident leaving nearby, we disagree with Brent Council's proposed expansion of Byron Court from a three-form entry to a five-form entry school.

The school currently has 630 enrolled children, but it is planned that the number will increase to 1050. We feel that swelling the pupil numbers by such a large amount will be detrimental to our children for the following reasons:

- 1) The fundamental character of Byron Court will change from being a nurturing, close-knit neighbourhood school to a large, impersonal one.
- 2) The space available per child, both inside and outside, will reduce – despite the plans to redevelop the site. The consequences include less exercise for our children and greater risk of accidents such as collisions between children.
- 3) Research has indicated small schools get better academic results and that teachers have a more positive attitude about their responsibility for students' learning and students subsequently learn more.
- 4) Research has also shown smaller schools have higher rates of student participation and that students who participate in activities at school have higher achievement, higher self-esteem, attend school more regularly and have fewer behavioural problems. Currently at Byron Court school clubs (such as football/multi-skills/cooking) are over-subscribed and run on a first come-first served basis, participation in school plays and playing instruments is limited to a few, and increasing the number of students will only worsen this problem.
- 5) Research has also indicated small schools promote better behaviour and larger schools (1000 plus students) have been linked with an increase in bullying, crime and violent behaviour.
- 6) Larger schools are also more prone to sickness and epidemics, as the chance of infected children being at the school obviously goes up, which will lead to children missing more school time.
- 7) Traffic, road accidents and congestion will increase which will endanger children and increase their exposure to abusive behaviour from inconsiderate parents.
- 8) The traffic problem on the estate will already be worsened with the creation of Wembley High Primary School nearby next year, and it would be made much worse if the school was to nearly double.
- 9) Proposed work on the school is currently estimated to take a year, which will disrupt the childrens' education and which also has health and safety and traffic implications.
- 10) There is no other school in Brent which is five-form entry, and Byron Court was only recently increased to a three-form entry. At the time, parents were assured by Mrs Clarke that it would not be expanded further and had reached full capacity.

We fully understand the predicament that the school is in. It is desperately in need of new facilities and upgrading, which we fully support. However it seems that funding for redevelopment will not be given unless the huge number of additional students are taken in. This we feel is grossly unfair, and effectively blackmail.

Quite aside from this, there is almost unequivocal dismay from the local residents in the immediate vicinity of the school, as they are already upset with a lot of inconsiderate parents parking badly around the school. The introduction of permits, one-way systems, and staggered school opening times will only prolong the misery. In addition, building plans will negatively impact on the residents' properties.

All at No. x Norval Road, North Wembley, HA0

Ref D26

Sample of quotes and letters in support of the expansion (informal consultation)

- *“This expansion will provide more children the opportunity to be taught in an outstanding school by outstanding teachers. It will improve the facilities and provide a better learning environment, which will further improve pupil progress. The school in its current state is not fit for purpose in many cases. Children are entitled to a good education in an environment that is conducive to learning which enables individuals to meet their full potential.” Ref A1*
- *“.....Surely it can't be right that in our country, we don't have enough spaces to educate all of our children. If we need to expand to give all children an equal opportunity in life, then it's something that has to be done.” Ref A3*
- *“I wish to register the fact that I agree with the Council's decision to expand the school in the way proposed. I am a neighbourhood resident and my own children went to the school. I recognise that there will be short term disruption in the neighbourhood and possible longer-term minor detrimental effects but consider these to be significantly outweighed by the necessary provision of additional educational resources. I therefore disagree with the published views of the SCRA of which I am a member.” Ref A26*
- *“Expand staff resource and knowledge across the school. Incorporate and immerse more staff and students in an outstanding school. Allow more students from the local catchment into the school.” Ref A5*
- *“I think it is essential that all children receive the best possible education and I believe that we deliver that at Byron Court. It saddens me when new families join us who have had their children at home and out of school after months while they wait for a school place. I think it is important to provide a school place for all children and the expansion of Byron Court is a step towards this.” Ref A9*
- *“This is an important and very necessary improvement to the school and will enable more pupils to benefit from outstanding provision. It will also support the school to deliver high quality professional development for teaching and support staff as a teaching school. The current learning environment cannot meet these demands and is an inadequate and dated learning provision for the 21st Century.” Ref A4*
- *“Recent infrastructure development, and the consequential demographic changes in the borough of Brent provide a strong justification for the expansion of Byron Court Primary School expansion project:*

Mayor of London has identified the Borough of Brent (Wembley) as a major opportunity area in need of new re-generation.

Located at a 10 minutes drive from Byron Court School, the Wembley Stadium complex and the old Exhibition Centre, have been home to many iconic British events since 1924; two Olympic Games, a football World Cup, Live Aid and performances by countless bands and artists have taken place here. This makes a good case for infrastructure development.

This transformation is turning Wembley Park into a great place to live. More than 500 homes have already been built and a further 475 are currently under construction in North West Village. This will increase demand on school places in Brent.” Ref A8

Dear Judith

I support the expansion of Byron Court Primary School by two forms of entry. We need all the school places we can get.

Regards

**Frequently Asked Questions and Comments Version 3
for the proposal to expand Byron Court Primary School from 3FE to 5FE by September 2015**

	Questions and Comments	Responses																		
	Demand for school places																			
Page 64	<p>1. Why do we need more school places at Byron Court Primary School?</p>	<p>261 Reception applications were received for September 2014. Byron Court Primary School only has 90 places therefore the school was over subscribed by 171 places.</p> <table border="1" style="margin-left: 20px;"> <thead> <tr> <th style="text-align: left;">Pref School</th> <th style="text-align: left;">Byron Court Primary School</th> </tr> <tr> <th style="text-align: left;">Count of Preference</th> <th style="text-align: left;">Rank</th> </tr> </thead> <tbody> <tr> <td>Preference 1</td> <td style="text-align: right;">78</td> </tr> <tr> <td>Preference 2</td> <td style="text-align: right;">67</td> </tr> <tr> <td>Preference 3</td> <td style="text-align: right;">51</td> </tr> <tr> <td>Preference 4</td> <td style="text-align: right;">23</td> </tr> <tr> <td>Preference 5</td> <td style="text-align: right;">23</td> </tr> <tr> <td>Preference 6</td> <td style="text-align: right;">19</td> </tr> <tr> <td>Grand Total</td> <td style="text-align: right;">261</td> </tr> </tbody> </table> <p>Each applicant is asked to list up to 6 schools of their choice, ranked in order of preference.</p>	Pref School	Byron Court Primary School	Count of Preference	Rank	Preference 1	78	Preference 2	67	Preference 3	51	Preference 4	23	Preference 5	23	Preference 6	19	Grand Total	261
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2.	Only 78 children put Byron Court down as their first choice school for 2014 Reception entry. This means that not enough children to fill even the current Reception intake put it down as their first choice.	Every preference that parents make is a valid preference regardless if it is first, second, third, fourth, fifth or sixth preference. All the places that were available for September 2014 are full.
3.	Only 29 children within the stated catchment area for Byron Court took a Reception place at the school in 2014.	All community schools in Brent have catchment areas. These exist to give priority to children living within certain streets. It doesn't mean that children living outside the catchment don't live close to the school.
4.	Wembley High Technology College is already creating 840 places, so why do we need more?	The 840 places at Wembley High Technology College will come on board over a 5 year period. Eventually the school will have 120 Reception places but for September 2015 that number is restricted to 90 Reception places.
5. Page 65	There is no evidence that there is a shortage of school places in this area.	<p>The expansion is designed to meet future demand as well as current demand. Children arrive in the local area at anytime during the academic year, therefore there needs to be available spaces. The table below demonstrates the current lack of vacancies in the schools surrounding Byron Court Primary School as at December 2014 in all year groups.</p> <p>* Ashley Gardens (Byron Court) is a modular accommodation situated on a different site to Byron Court. It is large enough to accommodate 60 pupils and is being used as a temporary provision for Reception children who do not have a school place. Ashley Gardens (Byron Court) opened on 22 November 2014 and as at 26 January 2014 has 22 pupils all of Reception age.</p>

Planning Area 2 - 2014/15 Academic Year										
	Total number of places in the school	Vacancies								
		Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total	
Byron Court	660	0	0	0	0	0	0	0	0	
Byron Court (Ashley Gardens) *	60	40	0	0	0	0	0	0	40	
Sinai Jewish Primary	630	0	0	0	0	0	0	0	0	
Mount Stewart Infants	300	0	0	0	0	0	0	0	0	
Mount Stewart Jnr.	360	0	0	0	0	0	0	0	0	
Preston Manor	360	0	0	0	0	1	0	0	1	
Preston Park	780	0	1	0	0	0	0	0	1	
Uxendon Manor	450	2	0	0	0	0	0	0	2	
Wembley Primary	840	0	0	0	0	0	0	0	0	
Spare capacity	4440	42	1	0	0	1	0	0	44	

**Planning Area 3 - 2014/15
Academic Year**

	Total number of places in the school	Vacancies							
		Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
Ark Academy	420	0	0	0	0	0	0	0	0
Barham	750	0	0	0	0	0	0	0	0
Chalkhill	480	0	1	1	0	0	0	0	2
Elsley	420	0	0	0	0	0	0	0	0
Lyon Park Inf.	360	0	0	0	0	0	0	0	0
Lyon Park Jnr.	480	0	0	0	0	1	1	0	2
Oakington Manor	630	0	0	0	0	0	0	0	0
Park Lane	420	0	0	0	0	0	0	0	0
St Joseph's RC Inf.	210	0	1	0	0	0	0	0	1
St Joseph's RC Jnr.	280	0	0	0	0	0	0	0	0
St Margaret Clitherow	210	0	0	0	0	1	0	0	1
Sudbury Primary	840	0	0	0	0	0	0	0	0
Vicar's Green (Ealing)	105	0	0	0	0	0	0	0	0
Wembley Technology College	60	3	0	0	0	0	0	0	3
Spare capacity	5665	3	2	1	0	2	1	0	9

6. There are 4 or 5 primary schools within a short distance of this estate so surely there are enough school places for everybody that needs one?

The table below demonstrates that even with the 90 Reception places at Wembley High Technology College (planning area 3) by September 2015 we still require an additional 123 places in Reception if we follow the Greater London Authority projection of a demand of 723 places.

Planning Area 2 - 2015/16 Academic Year	Reception
Byron Court	90
Michael Sobell Sinai	90
Mount Stewart Infants	90
Mount Stewart Jnr.	0
Preston Manor	60
Preston Park	120
Uxendon Manor	60
Wembley High Technology College	90
Capacity	600
Demand (GLA projections)	723
Deficit	-123
Number of classes required for Sept 2015	-4.1

7. What is the demand for school places for future years?

Demand for Reception Places for planning area 2 and 3

Academic Year	Planning Area 2			Planning Area 3		
	No. of places	Projections	Shortage	No. of places	Projections	Shortage
2015/2016	630	723	-93	895	947	-52
2016/2017	630	721	-91	895	1,003	-108
2017/2018	630	734	-104	895	1,034	-139
2018/2019	630	739	-109	895	1,054	-159
2019/2020	630	738	-108	895	1,064	-169
2020/2021	630	734	-104	895	1,072	-177

The above includes the 90 places at Wembley High Technology College in Reception

for all academic years
 The above does not include additional places at Byron Court, Uxendon Manor or any free schools.

8. Where do these children live?

The table below shows how the 90 Reception places on the main site at Byron Court were allocated for September 2014 and the furthest distance that the pupils travel.

The furthest child lives 4.45km away from the school. That child was offered a place because they already had a sibling in the school. It could be that the family moved away once the first child was in the school.

Within the catchment area the child living furthest lives 1.45km away.

BYRON COURT PRIMARY SCHOOL		
2014 RECEPTION TRANSFER	Total	Furthest Distance offered in meters
Special Educational Needs (SEN) Places	1	
Children In Public Care	0	
Social Medical Reason	0	
Sibling Connection	28	4450
In Catchment Area	27	1450
Any Other Applicant	34	2357
TOTAL	90	

Total Applications received for Byron Primary for Reception 2014	261	
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The tables below show the straight line distance children (who were on roll at the time of the termly Pupil Headcount was done) travel to school by miles and kilometres. These tables do not include the children currently at Ashley Gardens as they were not on the school roll at the time.

SCHOOL	YEAR GROUP	PUPILS	DISTANCE TO SCHOOL (in miles)							
			0-1 miles		1-2 miles		2-3 miles		3+ miles	
Byron Court Primary School	R	89	78	88%	8	9%	2	2%	1	1%
	1	90	74	82%	10	11%	4	4%	2	2%
	2	106	69	65%	27	25%	5	5%	5	5%
	3	90	66	73%	13	14%	6	7%	5	6%
	4	90	74	82%	10	11%	3	3%	3	3%
	5	90	65	72%	15	17%	5	6%	5	6%
	6	90	74	82%	9	10%	5	6%	2	2%
BYRON COURT TOTAL		645	500	78%	92	14%	30	5%	23	4%

SCHOOL	YEAR GROUP	PUPILS	DISTANCE TO SCHOOL (in kilometres)											
			0-1 km		1-2 km		2-3 km		3-5 km		5-10 km		10+ km	
Byron Court Primary School	R	89	45	51%	40	45%	1	1%	2	2%	1	1%		
	1	90	50	56%	32	36%	2	2%	5	6%	1	1%		
	2	106	39	37%	48	45%	7	7%	7	7%	5	5%		
	3	90	49	54%	22	24%	8	9%	6	7%	3	3%	2	2%
	4	90	47	52%	31	34%	6	7%	3	3%	2	2%	1	1%
	5	90	52	58%	23	26%	4	4%	8	9%	3	3%		
	6	90	52	58%	29	32%	1	1%	7	8%	1	1%		
BYRON COURT TOTAL		645	334	52%	225	35%	29	4%	38	6%	16	2%	3	0%

9.	I am unclear why the other 60 primary schools in Brent are unable to take the children living closer to them. I am of the accepted opinion that no child should need to travel further than 2.5km (1.5miles) to school. <i>Ref D2/3</i>	<p>Some parents choose not to send their children to the nearest school to where they live (for reasons of preference e.g. a faith school).</p> <p>Some families move residence but keep their children in the school.</p> <p>Most primary schools in Brent are full. If a child requires a place after the start of the academic year they will be offered a place at the nearest appropriate school with a vacancy.</p>																																								
10.	Do you have data on Brent population increase? <i>Ref D2/3</i>	<p>According to the Brent Equality & Research Intelligence Team the population data for Brent is as follows:</p> <p>2001 – 263, 500 2011 – 311,000 2014 – 319,000 2019 – 329,000 – projection 2024 – 339,500 – projection</p> <p>The increase in Brent from 2001 to 2014 is 21%. This is significant when compared to a 19% increase in London and 10% increase in England for the same period.</p>																																								
11.	On the Sudbury Court Estate we have not experienced a significant increase in the number of children by 66.7%. Hence the estate has not expanded. <i>Ref D2/3</i>	<p>The table below shows the year on year increase in primary school children on roll in Brent schools in Planning Area 2 from 2011 to 2014 and the expected increase up to 2024.</p> <table border="1" data-bbox="692 1043 1151 1460"> <thead> <tr> <th>PA</th> <th>Year</th> <th>4 to 10</th> <th>5 to 10</th> </tr> </thead> <tbody> <tr> <td>2</td> <td>2011</td> <td>3,787</td> <td>3,201</td> </tr> <tr> <td>2</td> <td>2012</td> <td>4,145</td> <td>3,484</td> </tr> <tr> <td>2</td> <td>2013</td> <td>4,148</td> <td>3,499</td> </tr> <tr> <td>2</td> <td>2014</td> <td>4,410</td> <td>3,737</td> </tr> <tr> <td>2</td> <td>2015</td> <td>4,606</td> <td>3,897</td> </tr> <tr> <td>2</td> <td>2016</td> <td>4,767</td> <td>4,044</td> </tr> <tr> <td>2</td> <td>2017</td> <td>4,899</td> <td>4,177</td> </tr> <tr> <td>2</td> <td>2018</td> <td>5,012</td> <td>4,278</td> </tr> <tr> <td>2</td> <td>2019</td> <td>5,132</td> <td>4,393</td> </tr> </tbody> </table>	PA	Year	4 to 10	5 to 10	2	2011	3,787	3,201	2	2012	4,145	3,484	2	2013	4,148	3,499	2	2014	4,410	3,737	2	2015	4,606	3,897	2	2016	4,767	4,044	2	2017	4,899	4,177	2	2018	5,012	4,278	2	2019	5,132	4,393
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2	2020	5,161	4,423
2	2021	5,219	4,485
2	2022	5,241	4,512
2	2023	5,230	4,507
2	2024	5,218	4,499

12. Extra children will require extra facilities such as toilets, services (drains), deliveries of food, stationery etc. These services will cause further disruption to the adjoining properties. *Ref D2/3*

As part of the building design toilets and drains will be correctly provided to serve the increased pupil numbers.

The design would look to facilitate off road deliveries in a way that offers minimal disruption to the local community and the school operation.

The Ethos of Byron Court School

Page 72

If the school expands the fundamental character of the school will change from being a nurturing, close-knit neighbourhood school to a large, impersonal one.

The character, ethos and values of the school will remain unchanged as they are integral to the leadership of the school and our families who buy into this ethos.

14. Byron Court School is currently rated by OFSTED as Outstanding. This is because the pupils are taught in a calm and pleasant environment with space to run and play on grass, to have school gardens and outdoor sports. Bigger is not better.

Byron Court was rated 'Outstanding' by Ofsted in March 2012 because:

- The Leadership and Management are outstanding
- Teaching and Learning is outstanding
- Standards and Achievement are outstanding
- The Behaviour and Safety of pupils is outstanding

Whilst an environment needs to be conducive to learning and overall provision, it would not limit these judgements.

The Staff and Governors of the school no longer feel that the environment meets the needs of our pupils or Teaching School role because:

- The infrastructure is too fragmented and dated to accommodate modern

		<p>technology, which would better prepare our pupils for their future.</p> <ul style="list-style-type: none"> - The learning spaces are too cramped to fulfil our ambitions for assemblies, performances, sports, the arts and extra-curricular activities as well as before and after school provision. - The adult learning environment is no longer adequate for staff Preparation, Planning and Assessment time or for whole staff meetings or teaching adults such as Initial Teacher Training Students, Newly Qualified Teachers or future leaders as part of our Teaching School role. - The external buildings are beyond repair and not located in such a way that the flow and organisation of the school is fragmented and inefficient in a number of ways – this desperately needs modernisation. <p>Size is not a determinant of success, Ofsted has looked at outstanding schools of all sizes and concluded that what makes a difference in these outstanding schools is excellent leadership, team work, quality of teaching, assessment, values, aspiration and inclusion and this is what typifies Byron Court.</p>
Page 73	<p>Will the levels of Outstanding values and teaching staff remain? <i>Ref D4</i></p>	<p>The track record of Byron Court has been to recruit excellent and competent teachers. To drop these standards is not an option as Byron Court needs to remain outstanding in all aspects of its provision to continue to hold its Teaching School status. Our current staff is more likely to remain if we expand and provide them with further opportunities to develop their skills and responsibilities. It is easier to attract the best teachers into a larger outstanding school than smaller schools with lower gradings. This is because there is more expertise, creativity, variety and opportunity for development and progression. This is further enhanced at Byron Court through the Teaching School status and the additional professional development opportunities this provides.</p>
16.	<p>How will the school cope with the level of non English speaking families who will take the majority of these places? <i>Ref D4</i></p>	<p>London is now very much a multi-cultural and cosmopolitan city and this diverse population will continue to grow. The short documentary conducted by the BBC ‘The School with 42 Languages’ gives a brief overview of how we manage our diverse community and the importance we bestow on ‘unity’ and mutual respect. We value and celebrate this diversity and believe that it enriches our learning experiences. We have many successful strategies in place to promote effective learning, which benefit all children. Staff get regular training and Research and Development opportunities to broaden their skills and knowledge and increase their expertise. This results in a</p>

		positive outcome for our pupils. Children learn and adapt quickly and our staff have high expectations of all our pupils as well as each other. We aim to provide our pupils with the best possible primary education they can get in order to improve their life chances which is critical to their future success.
17.	Will the school play an active role in integrating these families into the community and school? <i>Ref D4</i>	The school will continue to play an active role in integrating our communities. We have bi-lingual Parent Support Advisers who are a link for our varied communities. The majority of our staff speak more than one language and they use these skills to integrate our families and to help them understand the expectations, values and ethos of the school. We believe that Byron Court staff demonstrate their expertise in creating a harmonious learning environment, which is evidenced in our playground and classrooms on a daily basis and has been sustained over time.
18.	Residents would be more accommodating if the increase was for only 50 – 100 more children but not 400 (by 2020). <i>Ref D55</i>	If we were only to accommodate an additional 50 – 100 places in our school, we would need to increase the numbers of pupils in each class and this additional number would not substantiate an additional classroom. Our classrooms are already much smaller in size than the space required in modern classrooms. Adding additional seating and desks would create a health and safety issue and limit movement around our current learning spaces.
19.	Byron Court is a community school and should remain a community school. <i>Ref D44</i>	Byron Court is a community school and will remain a community school. The Governors and staff have no ambitions to become an Academy or a Free School.
20.	What is the Council's definition of a community school?	<p>The majority of state schools are 'maintained' by the Local Authority. All maintained schools follow the national curriculum, national pay and conditions, and are overseen by the Local Authority. There are four main types of maintained schools. Their differences are over:</p> <ul style="list-style-type: none"> • Who employs the staff; • Who owns the land and buildings; • And who controls the admissions arrangements. <p><u>Community schools</u></p> <ul style="list-style-type: none"> o What are they? Schools run entirely by the Local Authority. o How are they run? The Local Authority employs the staff, owns the land and

buildings and determines the admissions arrangements.

Foundation and trust schools

- o What are they? Schools run by their governing body.
- o How are they run? The governing body employs the staff and sets admissions criteria but must adhere to the Authorities Admissions Code of Practice. Land and buildings are usually owned by a charity or by the governing body.

Voluntary Aided schools (VA schools)

- o What are they? Faith schools are usually VA schools.
- o How are they run? The governing body employs the staff and sets admissions criteria. Land and buildings are usually owned by a religious organisation.

Voluntary Controlled schools (VC schools)

- o What are they? Like VA schools but the Local Authority runs the school.
- o How are they run? The Local Authority employs the staff and sets admissions, but the land and buildings are usually owned by a charity such as a religious organisation.

Source: new schools network

Other categories include Free schools and Academies.

Large Schools

- | | | |
|-----|---|--|
| 21. | Five forms of entry is too big for a primary school creating a completely different kind of community more appropriate in size for a secondary school. <i>Ref:</i> | It is debatable whether a 5FE primary school is too big. Many primary schools in the country now have 1000 + pupils. The physical and operational organisation within schools of this size is critical to their success. Byron Court is run very effectively as a result of strong organisational, operational and managerial systems. Strong leadership ensures rigorous systems are embedded across the school. |
| 22. | There is no other school in Brent which is 5FE (form of entry) and Byron Court was only recently expanded to 3FE. At the time parents were assured by Mrs Clarke that it would not be | Byron Court was expanded to 3FE in September 2011. This was the maximum expansion we could facilitate within the buildings we had available and included a single classroom expansion on top of an existing flat roof building which was financed by Brent. We were unable to expand the school to 4FE without further substantial financial input from the LA. This was not offered to us as an option at the time, despite the request being made by the governors. At this time, it was sufficient to |

	expanded further and had reached full capacity. <i>Ref group letter</i>	spend energy on modernising the existing buildings and operating on 3FE. This small expansion however, did not improve our sporting or dining facilities as this was beyond the scope of the school's budget.																											
23.	If the school is expanded it means it will no longer be a local amenity but will be opened up for children from further areas resulting in more traffic and making the area busier than it should be for local residents. <i>Ref D19</i>	You will find that the existing pupils at the school come from within the local catchment area. This catchment area continues to expand further and the LA needs to plan ahead in order to have sufficient school places for its children. This will affect all schools in London and beyond. The traffic does need an effective management plan and the school is working with the appropriate bodies to establish this. The school also wishes to work with the residents to improve this situation further and recognises that it is a real issue that needs to be addressed in the design of the expanded school.																											
Page 76	Small Schools																												
	Research has indicated that small schools get better academic results and that teachers have a more positive attitude about their responsibility for students' learning and students subsequently learn more. <i>Ref group letter</i>	<p>Some small schools struggle too. Research indicates that it is strong leadership and management which achieve better academic results.</p> <p>Brent has 9 primary sector schools which are four forms of entry (4FE) i.e. four classes in each year group. All 9 schools have an OFSTED rating of Good (2) or Outstanding (1) as at December 2014.</p> <table border="1"> <thead> <tr> <th></th> <th>Four forms of entry (4FE)</th> <th>OFSTED rating</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Barham Primary School</td> <td>2</td> </tr> <tr> <td>2</td> <td>Fryent Primary School</td> <td>2</td> </tr> <tr> <td>3</td> <td>Lyon Park Infant School</td> <td>2</td> </tr> <tr> <td>4</td> <td>Lyon Park Junior School</td> <td>2</td> </tr> <tr> <td>5</td> <td>Preston Park Primary School</td> <td>2</td> </tr> <tr> <td>6</td> <td>Roe Green Infant School</td> <td>1</td> </tr> <tr> <td>7</td> <td>Roe Green Junior School</td> <td>2</td> </tr> <tr> <td>8</td> <td>Sudbury Primary School</td> <td>2</td> </tr> </tbody> </table>		Four forms of entry (4FE)	OFSTED rating	1	Barham Primary School	2	2	Fryent Primary School	2	3	Lyon Park Infant School	2	4	Lyon Park Junior School	2	5	Preston Park Primary School	2	6	Roe Green Infant School	1	7	Roe Green Junior School	2	8	Sudbury Primary School	2
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Brent has 15 primary sector schools which are 3FE of which one Requires Improvement (3)

Brent has 26 primary sector schools which are 2FE of which two are Inadequate (4) and four Require Improvement

Brent has 9 primary sector schools which are 1FE of which one Requires Improvement (3)

OFSTED ratings

1 = Outstanding

2 = Good

3 = Requires Improvement

4 = Inadequate

Research has shown smaller school have higher rates of student participation and those that participate in activities at school have higher achievement, higher self esteem, attend school more regularly and have fewer behaviour problems. *Ref group letter*

When researching larger schools, you will be able to read that size is not a barrier to delivering good education and care. Our class sizes will remain the same and children's play will be zoned to provide age appropriate play areas as we have now, only more fit for purpose and conducive to constructive and imaginary play. Dr Philip Noden, a research fellow in education at LSE, has evidence to show that pupils were less likely to be bullied in large schools, because of the diversity and scope for building friendships that they offer.

The quality of teaching is more important than size and small schools struggle to find quality staff as they provide insufficient scope for development. Our staff will be larger, which means that our teams will be even more creative and effective than they already are, as they will have the diversity of strengths, skills and talents to keep our provision inspired and at the forefront of thinking. Good staff will wish to stay for longer in order to receive the opportunities to achieve their full potential.

Furthermore, larger schools have greater capacity of resources, both human and financial, to offer its pupils the best cutting edge education that will prepare them for life in the future. Maurice Galton, emeritus professor of education at Cambridge

		University, says that by having greater financial flexibility, large schools can offer more subjects and extra-curricular activities. It is also a well-known fact that smaller schools in the country are falling behind in standards and cannot recruit high calibre staff or even headteachers, which is resulting in poorer outcomes for pupils and closures or amalgamations of schools.
26.	Currently at Byron Court school clubs such as football, multi skills, cooking) are over subscribed and run on a first come first served basis, participation in school plays and playing instruments is limited to a few and increasing the number of students will only worsen this problem. <i>Ref group letter</i>	Currently the lack of physical space in the school is limiting participation of clubs and peripatetic music lessons. Pupils will have more opportunities to develop holistically in a larger school as it will be able to provide more and better extra-curricular experiences and support. The larger staff will make it easier to facilitate wider opportunities for pupils within a more modern, bespoke learning environment that can offer cooking facilities, better ICT, improved Music and performance facilities and of course more sport in larger and improved spaces.
27. Page 78	Research has indicated small school promote better behaviour and larger schools (1000 plus students) have been linked with an increase in bullying, crime and violent behaviour. <i>Ref group letter</i>	See response to Q22.
28.	Larger schools are more prone to sickness and epidemics as the chance of infected children being at the school goes up which will lead to children missing more school time. <i>Ref group letter</i>	Public environments, whether large or small, will be a breeding ground for infections. Children build resilience through exposure to the external environment and this is an important developmental process that will build a more robust constitution.
	Expand another school or build a new school somewhere else	
29.	There are other schools which should be expanded e.g. Uxendon Manor. <i>Ref D44</i>	The LA has had a programme of expanding primary schools since 2006 in order to meet the large demand of school places. Brent has 61 schools which provide primary age education. Of those 31 have already

		expanded or taken bulge classes (temporary classes) since 2006. 8 are currently considering expanding or taking bulge classes, the remainder are either faith schools (which work with their own Diocese) , are already at their optimum size for their site or require improvement and therefore should not be expanding at this stage.
30	There are 4 to 5 other school all within a short distance and you have already allowed WHTC to build a new primary school and you also allowed the conversion of Brent Town Hall into a French school. Where does it stop? <i>Ref D55</i>	Brent Council predict a growing need for primary school places until 2020, unless these predictions are revised and decreased. It is our legal duty to provide a school place for every child in Brent and schools will have to continue to expand to supply this need.
31	Why are you not looking at ideas such as turning the driving range/Blue Zenar into a school? It's a good location, is not situated in the middle of a residential area, the roads are wide enough to cope with the traffic and you could probably satisfy over 700 spaces for schooling. <i>Ref D55</i>	Local authorities have lost the power to plan and build new maintained schools, because the Government says that any new school must now be an academy or free school. Yet free schools depend upon a provider coming forward to propose a new school in a location of their choice, which may be in an area with surplus places rather than one where there is additional need.
	Lack of Space	
32.	I urge the proposal to be amended to an increase of one form to a four form of entry school and object the original proposal as the physical space around the school is limited. <i>Ref D179</i>	A comprehensive feasibility exercise has been undertaken by the LA and there is more than sufficient space available.
	Planning issues	

33	There is a covenant for the Sudbury Court estate and this undertaking to expand Byron Court School would certainly breach the covenant. <i>Ref D41</i>	There is no similar covenant on the Byron Court Primary School land.
	Infrastructure	
34	My house backs on to the school playing fields and a two storey building will be unsightly and not be in keeping with the 1930s architecture. Our garden already floods very badly so any further building will potentially worsen this problem. <i>Ref D22</i>	The current flooding also affects the use of the school fields, this will be reviewed and addressed as part of this scheme. Planning policy dictates there is a comprehensive impact assessment completed to include mitigating action as necessary.
Page 80	Traffic congestion	
35	I object to the proposal due to the congestion of traffic in the locality and surrounding area; parking over drives and on yellow lines; getting abuse from drivers and physical threats when you approach them to move. This has increased substantially in the last 10 to 15 years. <i>Ref D1</i>	As part of this project we have started looking at traffic solutions in the area and how these could be implemented. A shortlist of options is being worked on to be further discussed with the Sudbury Court Residents Association working party.
37	Construction works will have a serious impact on the surrounding roads, affecting their occupants and the neighbourhood in general. <i>Ref D1/2</i>	The construction period will see an increase in construction traffic. Any restrictions on this will be enforced through the planning process. These are usually limited to fixed hours to minimise disruption.

	Parking	
38	Will there be adequate street parking for staff? Ref D2/3	There will be additional parking made available within the school site for staff so as to alleviate the pressure on the surrounding road.
	Disruption	
39.	I am unclear how any new construction can proceed without the disruption of the existing pupils' education. This will undoubtedly affect the present staff equally. Ref D2/3	Safety of pupils and staff is of utmost importance to both the school and the council and this will be thoroughly considered during the planning of the construction phases. The new build will not encroach on the current learning spaces and there will be no disruption to the existing classes on site. A new canteen will be built before the old one is removed. The external play area will be temporarily reduced to accommodate the works, but this will provide added interest to our pupils, who will be able to see their new school come into being. There are also opportunities to enhance learning through the duration of the build as contractors commonly sign up to educational programmes to allow pupils to understand the building process and the many specialists that input to the finished product.
	The Consultation Process	
40	This has not been a public consultation. Not everybody on our estate has been fully informed let alone informed at all. Ref D44	<p>1500 hard copies of the consultation document was issued and distributed. In addition the Sudbury Court Resident Association distributed copies and made residents on the estate aware of the consultation. Approximately 300 email copies were issued. In addition notification of the consultation was put on the Brent consultation website and the Byron Court Primary School website.</p> <p>Two public meetings were held on Wednesday 3 December at 2pm and 6pm and both were well attended.</p> <p>Over 300 responses to the consultation were received. A typical school expansion consultation would normally generate around 40 responses.</p>
41.	The public consultation document was not distributed to all residents in the estates. Ref D44	1500 hard copy documents were distributed to local residents in the estate. Due to financial constraints it was not possible to provide a copy to every household. The Local Authority did try to work with the Sudbury Court Residents Association to reach

		as many people as possible.
Page 82	42. If a planning permission submission is being prepared, does this mean the current education consultation is meaningless as the Brent Council cabinet are planning to proceed to the planning permission stage regardless of any objections received?	<p>There are two ways of completing the school expansion process:</p> <p>Option 1 Spend 6 months on the education consultation hopefully with a positive decision (subject to planning permission) and when complete then spend the next 6 – 8 months working on the design of the building and then seek planning permission. This process would take over a year to complete and would generate many questions during the education consultation as to what the new building is going to look like.</p> <p>Option 2 Start the education consultation but simultaneously start the design of the building and prepare plans for the planning permission consultation. The advantage of this option is that it takes half the time as the work is progressing side by side. The disadvantage is that it is the riskier option because if the education consultation does not go through the design costs and planning permission costs are wasted as the project would have to stop immediately. It is a risk the council is prepared to take in order to gain the school places that are required by September each year.</p>
	43. What are the next steps of the statutory consultation?	<p>There are 5 stages in an educational statutory consultation</p> <p>Stage 1 – Informal consultation (November / December 2014) Stage 2 – Publication of the statutory notice(15 January2015) Stage 3 – Formal consultation Representation (15 January – 12 February 2015) Stage 4 – Decision – most likely to be Monday 16 March 2015 Stage 5 – Implementation (if the decision is yes to the expansion and planning permission is granted also)</p> <p>The decision to grant the school permission to expand and to grant planning permission is made by the Brent Cabinet made up of Lead Members (Lead Councillors) who up to this point have had no involvement in the consultation.</p>

Statutory Notice

Alteration to Byron Court 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 Byron Court Primary School intends to make a prescribed alteration to Byron Court Primary School (Community), Spencer Road, Wembley, HA0 3SF (Department for Education number 3042006). The school has no nursery provision.

Byron Court Primary School is a community school with a planned admission number of 630 places (3 forms of entry i.e. 3 classes in each year group) for boys and girls between the ages of 4 – 11. In addition from September 2014 the school agreed to take an additional Year 2 temporary (bulge) class on site and two additional temporary classes (bulge) for Reception aged children off site in temporary accommodation known as Ashley Gardens. In summary there are 660 places on site and 60 places off site, making a total of 720 for the 2014/15 academic year.

Brent Council in partnership with the Governing Body of Byron Court Primary School is consulting with staff, parents and the community on the option to expand the school by two forms of entry (2FE) to become a 5 form entry school (5FE). The expansion will provide an additional 60 permanent places (2 classes) in each year group (420 new primary places in total). The increase of 60 places (2 classes) in each year group commenced on a temporary basis (2 bulge classes) at Reception age during this academic year (Ashley Gardens) and will rise to Year 6 by September 2020. In the event of permanent expansion being approved, these places would continue to be available each year within the main school site. If the proposal to expand is approved the increase in number of permanent places at the school will be gradual until the maximum of 1050 is reached in September 2020. The temporary places will officially become permanent places.

The enlarged Byron Court Primary School will continue to offer mixed provision for pupils in Reception to Year 6 and the school will remain a Community school.

The proposed accommodation for the expansion by 2FE would be of a permanent high quality construction adjacent to the main school building. It will be designed to optimise educational standards and include leading class facilities that will maximise the learning and teaching environment e.g. greater natural light, optimal room sizes, direct circulation both around the building and linking with the outside space. The main building will remain largely as existing, however several older temporary classrooms will be demolished and replaced along with additional teaching accommodation in a new building to the North side of the site adjacent to the existing building. Building work is expected to start in Autumn 2015 (subject to planning permission) and will be complete by September 2016.

The Local Authority has completed a feasibility study which confirms that the provision of two additional forms 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. There will be no change to the current admission arrangements at the school.

Borough of Brent, 5th Floor, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ. Email: judith.joseph@brent.gov.uk

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 12 February 2015.

Signed: The Governing Body, Byron Court Primary School

Publication Date: 15 January 2015

Explanatory Notes

- **All children currently on roll at Byron Court Primary School will remain pupils of Byron Court Primary School.**

Byron Court formal consultation data analysis-

15 January 2015 to 19 February 2015

Total Responses = 265

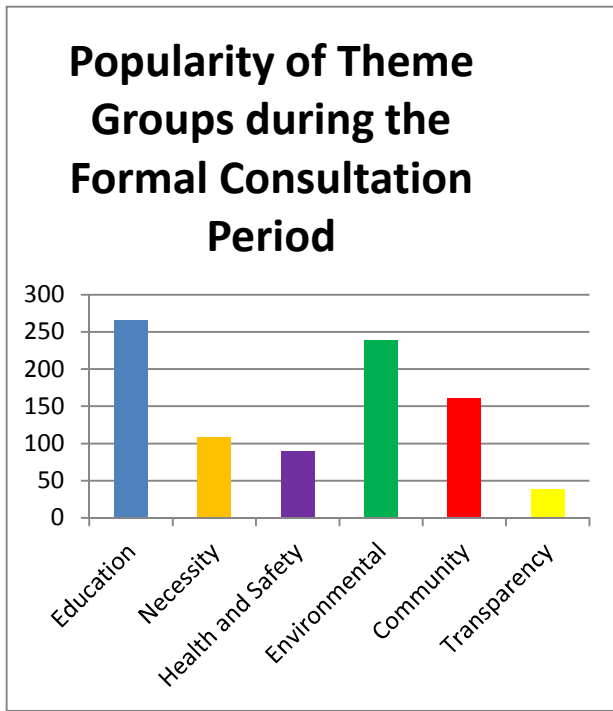
Table C

Theme Number	Frequency of themes	Percentage	Rank
1	19	2.1%	
2	49	5.4%	
3	75	8.3%	3
4	22	2.4%	
5	48	5.3%	
6	8	0.9%	23
7	19	2.1%	
8	23	2.5%	
9	86	9.5%	2
10	24	2.7%	
11	42	4.7%	
12	23	2.5%	
13	23	2.5%	
14	73	8.1%	4
15	143	15.9%	1
16	5	0.6%	24
17	12	1.3%	
18	9	1%	
19	59	6.5%	
20	19	2.1%	
21	0	0%	
22	26	2.9%	
23	54	6%	
24	3	0.3%	25
25	38	4.2%	
TOTAL:	902	100	

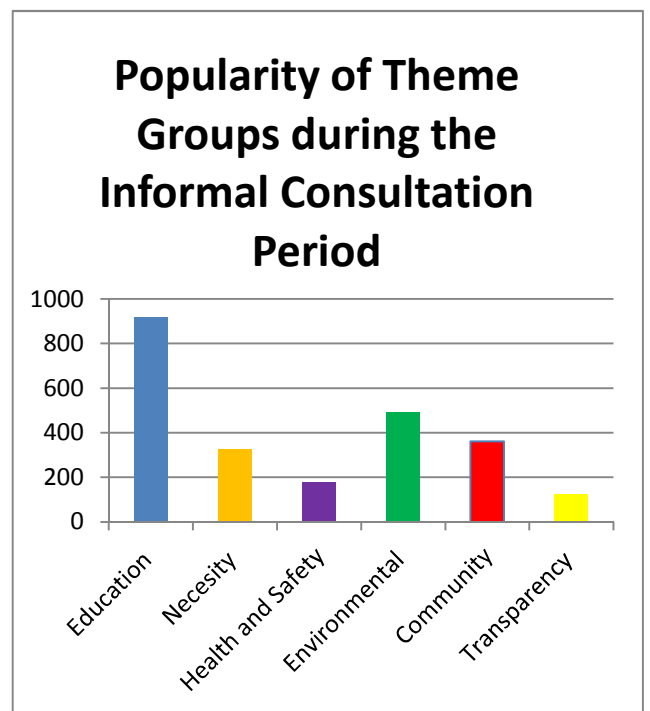
At this stage of the consultation process the core of concerns largely remained constant with the informal consultation. Traffic remained the most frequently mentioned theme. However the second phase of consultation raised dialogue on the consultation process itself, and its consequences on the relationship between the school and dissidents. 4.2 per cent of respondents' views were about the consultation process as opposed to the merits or demerits of the expansion. Despite this there was also a growth in concerns over the practicalities of managing a 5FE school. A new theme emerged based solely on the administrative process and there was in depth consideration of explicitly educational themes.

A clear comparison of the popularity of themes in both stages of the consultation can be found by analysing Graphs A and B below.

Graph A



Graph B



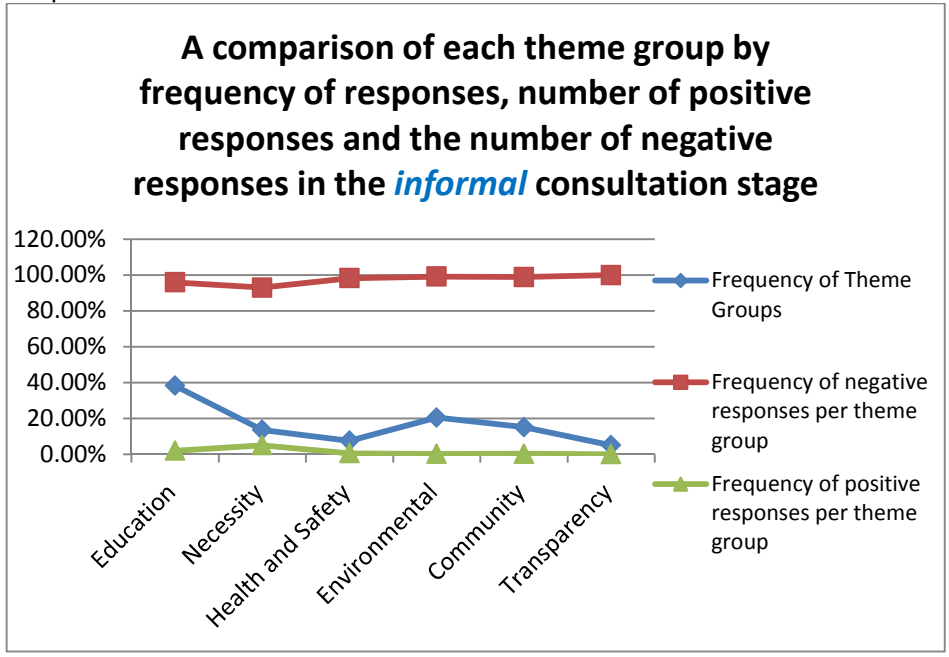
The Overall Tone of the Responses

There was also a shift in how themes were responded to.

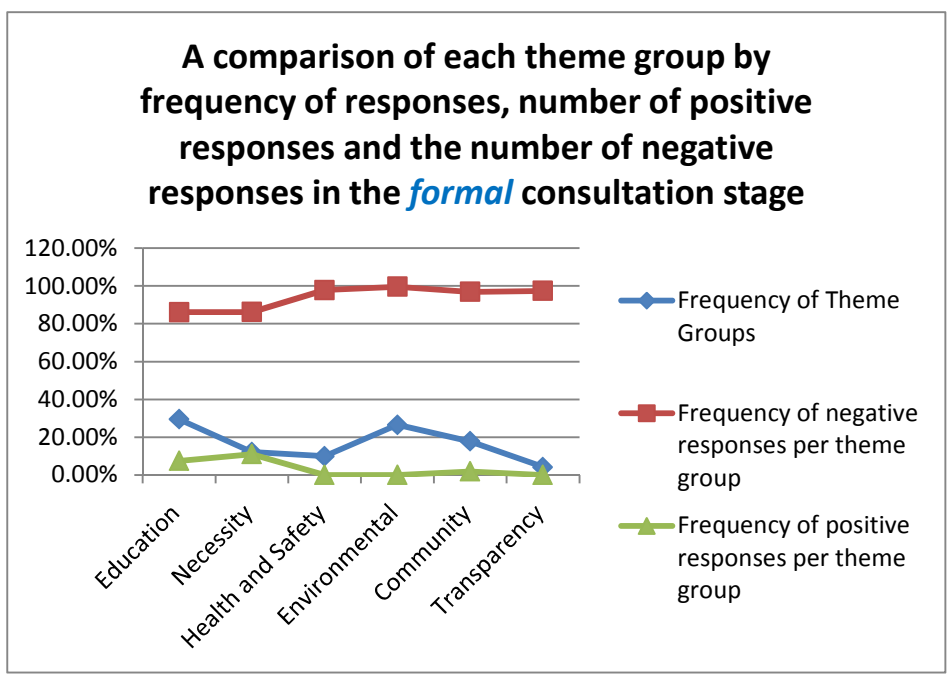
Table D

	Positive responses to expansion	Concerns about expansion	Negative responses to expansion	Total
1	0	2	17	19
2	4	2	43	49
3	4	2	69	75
4	2	2	18	22
5	9	8	31	48
6	0	1	7	8
7	1	0	18	19
8	12	0	11	23
9	0	3	83	86
10	0	1	23	24
11	0	0	42	42
12	0	1	22	23
13	0	1	22	23
14	0	0	73	73
15	0	0	143	143
16	0	1	4	5
17	0	0	12	12
18	1	0	8	9
19	0	1	58	59
20	1	0	18	19
21	0	0	0	0
22	0	0	26	26
23	1	0	53	54
24	0	0	3	3
25	0	1	37	38
Total	35	26	841	902

Graph C



Graph D



Sample of quotes and letters against the expansion (formal consultation)

- “Their proposal, in paper, is righteous in that they seek to educate more children and wish to expand the school in order to do so, therefore, unless greed and personal gain play a factor they cannot be blamed for trying. However in trying to achieve their righteous goal, the leadership at the school is causing much upheaval. They are severing their links with the local residents, the majority of whom are against the expansion.” D5
- “In December 2014, Ms Martine Clark, when asked if she had visited any other 5 form entry schools, admitted that she had not and that her research had come by just reading an article in the Guardian on the internet. Shocking. Again beyond belief.” D6
- “Byron Court is already an outstanding school so surely such large amounts of money would be better spent helping other schools which are no. Additionally why jeopardise that success (already achieved before the current head arrived) by totally transforming the school? “ D13
- “Having 42 languages is not actually so wonderful, if many of these language speakers have little or no English skills. In mixed ability classes, this compounds already difficult learning environments since higher achievers may not reach their full potential and middle achievers, as well as lower abilities may not receive as much help as they deserve when they are trying to learn with limited language skills” D16
- The proposed buildings will have a considerable negative effect on the natural light to the neighbouring houses, as well as destroying the habitat of birds, squirrels and other garden animals.” D24
- “A few months ago my daughters car was crashed into by a parent’s car coming out of Spencer Road onto Abbott’s road causing a huge amount of damage to the rear door which my grandson was right next to. Also, two years ago our cat was thrown up into the air and killed by a parent speeding past our house after picking her children” D36
- “From a personal point of view, as both a parent and now a grandparent, I would not want any child of mine to attend a school as large as that which is proposed. Since this consultation started I have spoken to no one in favour of this proposed expansion; it is felt that small children will be intimidated and overwhelmed by being thrust into such a large and bewildering new world which could have a lasting ill effect on their future education. These feelings should not be ignored because these people have not quoted from various studies etc. which have taken place- they should be taken into account because that is what they want for their children and, therefore, should form the basis on which the service is provided.” D41
- “As a teacher who has taught in both large and small secondary schools I have observed that larger schools become impersonal. Pastoral care and discipline becomes more difficult when a school is bigger, Most children can cope at Secondary age, but younger children would be much more likely to struggle in such a large school. This will inevitably have a negative impact on results.” D42
- “There is a lot of talk on expanding the school that is situated in a densely populated area. If you cannot expand the surroundings with in the school then the government has no right to expand the school. It’s just like depriving the existing school kids of the free open space and making them like chickens stuck in mechanical confined spaces. If that is the way the government want to

raise our future sportsmen, politicians, scholars, doctors, engineers etc. then I would rather lose the government than sacrifice my child's educational upbringing." D43

- "The Sudbury Court Estate is a very happy, successful, multi-cultural residential area which should be used as a blueprint for modern Britain. An expansion on the scale proposed could jeopardise the future of the children living on the Estate and would certainly be a blight to the residents in the area bringing extra traffic and parking problems which cannot be solved." D46
- "After careful consideration, I wish to object against this school extension in its current proposal...I am not against this school extension in principle, but I object to the lack of attention that is brought by the Council to the issues raised by local residents, including myself, in relation to the discrepancies existing between the information provided by the school during the consultation process and their actual plans as communicated via other channels." D49
- "I am also concerned about the health and safety of my children as they are travelling to and from school. The traffic in the local area is already dangerously busy and congested, and this is before Wembley High Primary has even opened. The area cannot cope with the large volume of traffic this school expansion will bring." D55
- "The current level of traffic is a serious safety issue. The roads surrounding the school are heavily congested making it very difficult to see children as they walk through parked cars not only on the roads but also on the pavements." D65
- "Due to the vicinity of the South Kenton Station which backs on to our garden we already have to endure the heavy traffic and congestion of people parking on Nathan's Road and of course the constant flow of traffic during school times when parents are picking up their children. By the school expanding further this will create more congestion and pollution and completely destroy the beauty of this lovely estate." D67
- "I am not in favour of these plans because the noise will increase. I work at home on some days and have heard a lot of noise coming from the school which has increased over the years. It makes it hard for me to do my work" D68
- "What do you say to the architecture enthusiast like myself that appreciates the look of the Sudbury Court Estate and its village-like appeal? Is this not the very look that gives our homes the escalated house prices that we are now enjoying? One might argue that the school might not technically sit in a conservation area, however, erecting additional buildings in the middle of a residential area will have a detrimental effect on us all. Are the residents of the Sudbury Court Estate being consulted on possible designs so that we can ensure the heritage of our area is kept or is it, as I assume, a design commissioned by the most unimaginative architect that can bring a functional building for a few hundred kids to squeeze into?" D72

- “As a former student, I firmly believe that the smaller size of the school was its main advantage. While I was a student each child was carefully monitored and looked after to ensure that they were progressing and increasing the total number of students can only make this process more difficult” D76
- “The parents bringing their children from far by car are not concerned by local residents’ welfare and by blocking driveways, verbally abusing, and parking carelessly cause anger and frustration already which will increase with even more parents bringing in their kids from far” D84
- “When there are 150 children in one year group the opportunities to participate in different activities like school play, concert, choir, being in a school team will be really hard. My child goes to Byron Court and I still remember the time when he wasn’t selected for his school football team he was so angry and upset. Competing with 90 children is hard and you can imagine the tough competition children will have to face with 150 children” D89
- “It appears Brent Council and the Byron Court School management have not done their homework properly. Until they get all their facts right and unbury their heads out of the sand they must not think for a moment to embark on a venture to squander millions of tax payers money simply to satisfy their egos. It is the Council’s responsibility to look after the interests of residents. The general feeling among the community is that the Council are completely ignoring the concerns of local residents.” D100
- “Byron Court School might have the grounds to build up brand new classrooms, a new dinner hall and a new sports hall but what about the playground? It will stay the same size. We think it would be unfair to the children as well as dangerous to have such a big number of children playing at the same time in such a confined space.” D103
- “I disagree and strongly object to the Council’s proposal to expand Byron Court Primary School from 3 forms of entry(3FE) to 5 forms of entry(5FE). The questions and concerns I presented in response to the first part of the consultation(informal) have not been addressed. I am therefore re-submitting them with additional concerns and comments in anticipation of answers. At present Brent Council has still not satisfied their obligations to parents and residents throughout this consultation process.
 1. There has been and always will be a need for Primary School places so why haven’t more of the “Titan” 5 form entry Primary Schools been built in all urban areas and been hailed as the best form of primary education? Precisely because the concept is not educationally sound for young children who require a smaller, nurturing environment and not to be in the school the size of a secondary school with huge numbers of staff, many buildings to negotiate and limited contact with staff and pupils from other year groups.
 2. My understanding is that only Good/Outstanding schools are being proposed for expansion. Would it not be more feasible to propose expansion for Satisfactory/Good schools, providing them with more support and resources to enhance their level and, as a result, give a greater number of children the opportunity of being educated in an Outstanding school environment? This would then make Brent an area of Outstanding education across the borough rather than focusing on “hotspots.”
 3. Residents and parents have been made to believe the Executive headteacher Mrs Clark, that Byron Court school is being held to ransom by Brent Council. Improvements to existing facilities and a new build will only be forthcoming if 5FE is accepted by Mrs Clark and governors. Is this correct? Surely if a school is in such dire state of repair the DFE should be informed and the school closed as the pupils and staff are at high risk on Health and Safety and Environmental grounds?
 4. There are many concerns regarding the magnitude of the proposed expansion and impact on welfare of the children attending both now and in the future. It appears that very little research

has been carried out by Mrs Clark...she has stated in a meeting that the level of research and information came from The Guardian articles posted on the internet. Surely this is totally inadequate?

5. Why have parents and residents not been informed of the actual number of pupils to be attending Byron Court School as a result of the expansion? Mention has only been made of 3FE and 5FE. Fortunately, interested and informed residents have provided the numbers to all parents 630-1050 (Without a Nursery!) Letters sent from Byron Court School to the parents have appeared to be deliberately withholding this information in the hope that parents will not be made aware of the extent of the increase in pupil numbers and the huge impact of expansion on their children.
6. Turnover of pupils in 5FE schools is very high. A recent documentary focusing on Britain's Biggest Primary School has stated they have a turnover of 300 pupils per year, 5 times the national average and there is a constant flow of new pupils in each class. The negative and disruptive effect on existing pupils will be huge and does not present a settled and consistent learning environment for all concerned whether pupils or staff.
7. Research has stated that due to the numbers of pupils in 5FE schools various measures have had to be implemented- staggered play times resulting in constant noise throughout the day disrupting lessons and disturbing those children working in class whilst others are playing.; staggered lunchtimes to manage the volume of children having lunch with some pupils having lunch at 11:30 and others at 1:30. Surely this isn't good for the health and wellbeing of the child in addition to the implications on their concentration and learning?
8. It will inevitably be argued that a larger school with more staff will enhance the social development and experiences of pupils. However young children (and especially these with learning difficulties, social and emotional difficulties, and behavioural difficulties) need stability and consistency. At present a class of Year 1 pupils at Byron Court have 7 adults working with them each week- 2 class teachers, a teacher for Spanish, a Music teacher, an IT teacher, a class TA and a TA supporting SEN pupils. This is a high number of adults even for the most able child to cope with, so what of the less able?
9. Negotiating a 5FE school will prove difficult for the young child. From personal experience teaching in a Secondary school having similar numbers of pupils as that planned for Byron Court, even older students experienced difficulties and were overwhelmed by their environment. There will also be lesson time lost through movement to other areas with young children. A lesson may well be seen as 1 hour in duration on a timetable but once a class has lined up ready to enter the classroom, had the register taken, lined up again ready for moving to another area of the school, negotiated corridors and possibly stairs, settles at their tables in the new room, the lesson is inevitably shortened by 10-15 minutes or possibly longer but on paper the timetable looks good!!!
10. There are grave safety concerns for the high number of pupils on such an enclosed residential site. On Tuesday February 3rd there was a gas leak at the school and pupils had to be evacuated from the main building. If the incident had escalated and it had been necessary for pupils to leave the site due to fire or gas explosion how long would this have taken with 1050 pupils moving off site, navigating more corridors and fenced off zoned play areas? Plus how would emergency vehicles access the site through the narrow and congested estate roads and transfer any injured to the already pressurised Northwick Park hospital (the only A and E in the area.) A disaster waiting to happen!!!
11. I take issue with Mrs Clark's sweeping statements in a letter to parents stating the merits of 5FE/large schools over smaller schools. Smaller schools can, and do, achieve. They DO facilitate opportunities for pupils and DO recruit a high calibre of staff. Her comment that "smaller schools are falling behind in standards which is resulting in poorer outcomes for pupils" is highly derogatory from someone in her position and is totally uncalled for in her argument in favour of larger schools. I am certain that many Headteachers and staff in smaller schools would deem these comments as extremely unprofessional and misinformed. Also, as a consequence of her statements, there may be anxious parents who will believe that standards can only be maintained and good staff retained if the school is 5FE. Her comments are therefore misleading and may cause distress to parents.

12. Regarding the impact on residents and the local community, the expansion and construction works will have a massive impact on the surrounding roads and lives of the residents. This is not being a "NIMBY", it is a fact, and Roads as you are aware on this estate are very narrow and already congested. Parents are already parking illegally and this past two weeks I have witnessed 3 near misses where children and adults could have been involved in road traffic accidents requiring ambulance support. Further to this, access for the emergency vehicles would have been impossible.
13. 5 form entry Primary Schools are overwhelming environments that do not pay significant regard to the development of young children.
14. Points 14-32 have been repeated from this respondent's objection in the informal consultation.


D106

- "where are these pupils coming from if numbers are down at Byron Court... you will see the numbers dwindle even further as it has now lost its 'community' school feel" D108
- "there is no need for more primary school places within buggy-pushing distance of the school. Places at Byron Court School are not fully taken up at present. The new primary school being built at Wembley Technical College half a mile away on the same residential estate will expand the primary places available, as will that at Preston Manor in the same catchment area." D114
- "Parking, parking, parking. I live in Spencer Road and my life is restricted by the school pick up time in the afternoon. I have to fit my outings, even if it is only a supermarket trip, to avoid this time. Things can only get worse." D120
- "First preference for BCPS was only 78, for 90 places: it is evident that BCPS is not a school of choice due, presumably, to its difficulty in access by bus. It is misleading to say it is oversubscribed by 171 places as anything over 78 is not a first choice." D123
- "I've heard there are plans to build on the playground not only will that reduce play space for the children but [it] means all neighbours whose gardens back onto the field will have their privacy invaded by the buildings and floodlights and passing individuals." D127
- "Turnover in big schools is high and as a catchment area for schools grow, the likelihood of children moving in and our also grows. This has an effect on the overall results for the school" D141
- "I have spoken to teachers that teach at 4 form schools. Universally they feel that it is too big, they don't get to know the kids and all think it's utterly ridiculous that this school is planning to expand to 5 forms. If most teachers don't enjoy teaching in a 4 form school how does the school management think they will attract the best teachers to Byron Court School if the school expands? Currently the school cannot manage the additional capacity at Ashley Gardens...it will be harder to supervise so many children, with implications on bullying and accidents, and their mealtimes and playtimes will be difficult to manage. There are few primary schools in the country that are 5 form entry. The educational outcomes are totally unknown. There is inevitably going to be a negative effect on the academic standards at the school." D144
- "The speed at which the building work is expected to be completed (one year) will mean that the school will be a 'major disruption' and a complete building site not suitable to have hundreds of children, teachers, parents (and residents) on site/ in the area on a daily basis during school term time." D145

- “It is important our children are happy at school and are able to accept all the challenges we place before them. Equally important is that ‘behaviour continues to be exemplary and students are making outstanding progress in the core subjects’...this can be quickly lost if the school expands to become 5 form entry.” D145
- “all the evidence points to a growing obesity problem and bringing children in from outside the locality will mean that children and parents will not walk and spend more time in cars in the school run. There is bound to be an increase in respiratory illnesses contracted by children...This is also an educational issue as studies have shown that active children perform far better in school” D148
- “The educational case for expansion has been largely based on Byron Court being an outstanding school, which they have accredited largely to the leadership’s excellent management, which they assume will continue to be excellent despite expansion other changes to the school. Firstly I’d like to question putting so much weight on One Ofsted evaluation that took place over a mere two days three years ago...Ofsted inspections themselves have been regularly criticised by a range of relevant organisations...to base a decision on a subjective judgement made over a mere two days, that took place three years ago seems foolhardy. The only other official measure is primary league tables, and Byron Court has been steadily slipping down these ever since that Outstanding report.” D151
- “The school currently already has terrible problems with traffic, which is not only a huge burden on the local residents, but also creates a bad environment for children attending the school in terms of personal safety, as well as a nurturing environment.” Seeing adults swearing and abusing each other on a regular basis is not suitable for children aged 5-11.” D152
- “I also strongly disagree with the behaviour of the head in holding assemblies with the children to ‘sell’ all the new facilities to them so they can come home and badger parents to support the proposals...as a parent of course we want the best possible facilities for our children, but it is completely unreasonable that we should be forced to accept such an unfeasible expansion that the local infrastructure cannot sustain in order to have a canteen building with a leaky roof finally replaced” D163
- “Emergency services, delivery vans, waste disposal vehicles and residents would be limited to access their desired destination to certain times of the day”D191
- “educating the children should be the Council’s priority. The head is ambitious for her own gain and forgetting what children need” D192
- “my son is in Reception in Byron Court, since he joined the school in September his class has not had a regular teacher. Every week there have been new faces. This is because the school is so busy in an expansion programme that it is failing to provide children with regular adequate teaching. If this expansion carries on it will only further hinder my son’s semi-adequate teaching.” D206
- “I am one of the parents at the school and I think the school should be left as it is. I believe having more children will cause safety issues. I have a daughter in Reception who struggles with understanding and has disappeared from the little playground and ended up in the big playground. Thankfully the school is small enough and teachers/helpers found her before she got hurt. Now if the school was large it would have taken longer to find her and she would have been knocked down by bigger kids because it is crowded. I believe it will be hard to manage over 1000 kids in that space. “ D217

Sample quotes and letters in support of the expansion (formal consultation)

- “Due to the continuing demand for school places for children in Brent it is vital to expand outstanding schools such as Byron Court” A1
- “the school needs to expand, the facilities need to be improved.” A7
- “I am a teacher at the school and do share some concerns regarding the logistics/impact over the coming years in terms of building work/noise/environment. However, I am confident that local views and concerns will be taken into consideration as a result of the consultation. Overall, I feel that the expansion will open up more opportunities for both staff and pupils at the school now and in the future.” A9
- “The present community needs the biggest which may be beneficial even for those that disagree” A12
- “I hereby support the proposal to expand Byron Court Primary school for the betterment of our children’s education, as it is the most important priority.” A15
- “I agree with all actions that are in favour of children in this school” A16
- “the school will benefit from all the new improvements to grow from a great school into a unique learning centre that should be top of the range to compliment the tradition that Byron Court has of being an example of how schooling should be done.” A20
- “I think the new sports hall/canteen, all- weather play surface is great for the school and the children. The children within the community will benefit from a great school with great teaching.” A30
- “the expansion is a great idea. It will benefit the community and the children within. The chance of better facilities for an already well established school can only improve the education the school already provides. I look forward to seeing a new canteen, sports facility, all-weather play surface and theatre/hall. Byron Court is a very good school, with great teaching staff and other children within the community should also be able to have a chance to have a great start in school education as both my boys have received from attending this school. The expansion can also provide more jobs within the community and help other schools within Brent to modernise and maybe provide space for the local community to come together by parent events- as the school already does, but due to the size of the hall unfortunately it is only a limited amount of parents that can attend, however bigger facilities mean more and more of us can attend and come together.”A36
- “Initially I was against the expansion as I chose this school for my daughter who is currently in reception mainly because it’s one of the smaller schools in my locality. I actually dismissed Sudbury Primary School because it’s a four form school! How I regret this decision! Having seen the state of Byron Court I feel that it is in dire need of modernisation and therefore support the expansion to four forms of entry NOT five” A41

 <p>Brent</p>	<p>Cabinet 16 March 2015</p> <p>Report from the Strategic Director Children and Young People</p>
<p style="text-align: right;">Wards Affected: ALL</p>	
<p>Authority to tender a contract for the Clinical Input into the Inclusion Support Team</p>	

1.0 Summary

- 1.1 The Clinical Input (psychology and psychotherapy) into the Inclusion Support Team (part of the Children and Young People's Department) is an integral part of the council's work to combat exclusion from schools. The multi-professional Inclusion Support Team is funded by the Dedicated Schools Grant (DSG) with agreement from Schools Forum and works together using an early intervention approach to support vulnerable pupils (age 4-16) at risk of exclusion from school.
- 1.2 After a competitive commissioning process, a 12 month contract was awarded to the Anna Freud Centre commencing on the 1 April 2014. A further six month extension was granted in order to gather significant evidence around the impact of this service. The current contract will end on the 30 September 2015.
- 1.3 Officers have reviewed the outcome data from this clinical input and as a result of its positive impact recommends this provision continues (see section 3). This report requests approval to invite tenders for the provision of Clinical Input services to the Inclusion Support Team as required by Contract Standing Orders 88 and 89.

2.0 Recommendations

- 2.1 That the Cabinet gives approval to the pre-tender considerations to seek expressions of interest and invite tenders for clinical input to the Inclusion Support Team as set out in paragraph 3.12 of the report, with a proposed contract period of three years with an option to extend for a further one year.
- 2.2 That the Cabinet gives approval to officers to evaluate the tenders on the basis of the evaluation criteria set out in paragraph 3.12 (vi) of the report.

3.0 Detail

- 3.1 In 2013, the services to support children excluded from school and at risk of exclusion were reviewed as part of a One Council project. This led to a major restructuring, working in partnership with schools. One of the key aims of the restructuring was to put a stronger emphasis on preventative work, intervening at an earlier stage to prevent exclusion of children from school. In particular, the review identified that the work to work with children at risk of exclusion needed clinical input (psychology and psychotherapy) as an integral component.
- 3.2 Following the service review, the Inclusion Support team was therefore established as a multi-professional team that supports vulnerable young people aged 4-16 who are at risk of exclusion from school. The team works to support inclusion in mainstream schools and address emerging concerns as soon as they arise for individuals, groups and families. They receive referrals from schools at a weekly panel meeting where key workers are allocated and the team work together to ensure appropriate support is provided. The five commissioned clinical staff work alongside four Inclusion Support Officers, one Family Support Worker, one Alternative Provision and School Engagement Coordinator, two SEBD (Social, Emotional and Behavioural Difficulties) Advisory teachers, one SEBD Casework Officers and one Behaviour Support Worker. All are funded from Dedicated Schools Grant. The service currently operates at full capacity with a high level of referrals. In particular, officers are observing an increase in complexity of need at a young age in their caseloads with pupils requiring more intensive wraparound support.
- 3.3 The current Clinical Input into the Inclusion Support Team is provided by five part-time Anna Freud Centre clinical members of staff (equating to 2.1 FTE). This support consists of two psychotherapists, two psychologists and one

family therapist. All members of staff are experienced mental health clinicians with a range of professional training including Family Therapy, Clinical Psychology, Child and Adolescent Psychotherapy and Social Work.

Their role is to:

- a) Undertake comprehensive assessment of pupils who have social, emotional and mental health difficulties and develop an action plan to address identified needs;
- b) Work intensively with a small number of individual pupils with more severe and complex social, emotional and mental health difficulties through delivery of an education plan including evidence based approaches and multi-agency working as appropriate;
- c) Contribute to the successful reintegration of pupils into mainstream settings; and
- d) Help strengthen school staff's skills and competencies in understanding the underlying needs of children and young people and in managing behaviour in mainstream schools/pupil referral units, including monitoring and assessing the quality of school interventions.

3.4 From commencement of the current contract, the provider has submitted quarterly outcome reports which are discussed in regular contract management meetings. In the nine months from 1 April 2014 to 31 December 2014 the Anna Freud team worked with 80 pupils; 55 per cent from primary schools, 30 per cent from secondary schools and 15 per cent from Alternative Provisions; this includes Ashley College (our health needs service) Brent River College (our Key Stage 3 and 4 PRU) and Alternative Provisions (such as Plan B, Red Balloon, 14-16 college places and virtual learning where a number of our young people are placed). The sessions delivered to pupils/families included both direct and indirect therapeutic intervention.

3.5 Through this quarterly reporting the Anna Freud Centre provide in depth case studies on the targeted work they have done with individual young people, and the outcomes of the interventions. For example, family therapy for a ten year old pupil whose home life was leading to disruptive behaviour in school. Intensive family therapy over a ten week period positively improved the family interactions and dynamics; as a result the school have seen a rapid improvement in his progress and behaviour. A second example is Child Psychotherapy sessions for an eight year old pupil referred for repeated fixed term exclusions as a result of persistent disruptive behaviour and violence

towards peers. As sessions progressed, this pupil was able to understand his own behaviour through play, link his behaviour to his feelings, and to recognise particular situations, like feeling unfairly treated, and how to negotiate them without immediately reacting. He is now able to manage much better in classroom situations, and has more friends and better peer relationships. He is more reflective, calmer and able to recover from setbacks much faster. The service has seen significant improvements in a large number of pupils as a direct result of this clinical input and collaborative working with other professionals in the wider Inclusion Support team. Importantly, since September 2014 there have not been any permanently excluded primary age pupils signifying the value of this early intervention model in terms of outcomes.

- 3.6 The current contract with the Anna Freud Centre (AFC) benefits from the organisation's 'Evidence Based Practice Unit'. The AFC is currently working with the Inclusion Support team to systematically evaluate progress and impact using standardised measures. This will allow the service to map outcomes against interventions more effectively. The AFC has added value to the wider Inclusion Support Team through their professional expertise, providing drop in clinics to discuss cases and providing their input from a clinical perspective into the weekly referral meetings (ISR).
- 3.7 A longer term contract of three years would enable tenderers to provide stability of provision and consistency in staffing and relationships with pupils and families. It would also mean this evidence of impact collated through the evaluation project can be analysed and developed to inform future practice.
- 3.8 The current contract is due to expire on the 30 September 2015. In order to continue this service, a new contract needs to be re-tendered and awarded by July 2015. This will allow sufficient time for a handover period for a new supplier to take over the service should the current provider not win the contract. The tender process will need to start in April 2015. Feedback from schools and relevant officers is good and the contract deliverables appear to be fit for purpose. Officers are not therefore considering making significant changes to the current specification.
- 3.9 The value of the proposed contract is estimated at £135,000 per annum, £405,000 over the three year life of the contract and £540,000 should the contract be extended for a further 12 months. As a High Value Contract under the Council's standing orders a full tender exercise needs to be conducted.

3.10 Under the new Public Contract Regulations 2015 (“the Regulations”), Clinical Input service is classified as a Schedule 3 service (social and other specific services) and is below the relevant threshold, therefore subject to a lighter touch regime under the Regulations; such services being below threshold are exempt from adhering to the normal OJEU timescales. Officers are proposing to follow broadly the OJEU timeframe as set out below. An open or one stage procedure will be followed; in accordance with the timeline below.

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

Ref.	Requirement	Response	
(i)	The nature of the service.	Clinical Input into the Inclusion Support Team	
(ii)	The estimated value.	£135,000 per year, £405,000 over the three years life of the contract, and/or £540,000 if the contract is extended for 12 months.	
(iii)	The contract term.	Three years with the option to extend for a further 12 months.	
(iv)	The tender procedure to be adopted.	Schedule 3 - social and other specific services procedure to be followed – Open tender process.	
v)	The procurement timetable.	Indicative dates are:	
		Adverts placed/ITT issued on request	15 April 2015
		Deadline for tender submissions	15 May 2015
		Tender evaluation	1 June 2015
		Panel evaluation/Moderation Exercise	5 June 2015
		Cabinet approval	July Cabinet Date tbc
		Cabinet 5 day call in period.	July Cabinet + 5 days Date tbc

Ref.	Requirement	Response	
		Contract Mobilisation	10 August 2015
		Contract start date	1 October 2015
(vi)	The evaluation criteria and process.	<ol style="list-style-type: none"> 1. An open or one stage tender will be used to tender the requirements. 2. Tenders will be evaluated in line with best value principles to identify the economically most advantageous tender having regard to price and quality elements. The price, quality ratio will be a 60/40 split in favour of price. 3. Quality will be evaluated by analysis of method statements produced by the tenderers these include; 4. Proposals for ensuring effective quality management of the service and maintenance of the quality standard including self monitoring and evaluation will be evaluated. 5. The tenderers' approach to working in partnership with all key stakeholders including the Council, children/young people and parents will be evaluated. 6. The Tenderer's proposals for adhering to child protection and safeguarding requirements will be evaluated 7. Specific safeguarding and health and safety matters relevant to the contract will be evaluated. 8. Price will be evaluated using a proportionate scoring methodology. 	
(vii)	Any business risks associated with entering the contract.	<i>There are no specific business risks associated with this tender.</i>	
(viii)	The Council's Best Value duties.	The procurement process and on going contractual requirement will ensure the Council's Best Value obligations are met.	
(ix)	Consideration of Public Services (Social Value) Act 2012	This is a highly specialist market but officers will endeavour to ensure the requirements of the Act are taken into account as part of the procurement.	

Ref.	Requirement	Response
(x)	Any staffing implications, including TUPE and pensions.	See section 5.4 and 7.1 below.
(xi)	The relevant financial, legal and other considerations.	See sections 4 and 5 below.

3.13 The Cabinet is asked to give its approval to these proposals as set out in the recommendations and in accordance with Standing Order 89.

4.0 Financial Implications

4.1 The estimated value of this service over the period of the contract is £135,000 per annum, £405,000 over the three years of the contract. In the event that the option to extend for an additional 12 month is taken, this will amount to a total of £540,000. The current budget envelope for this service is £135,000 and will be used to fund the contract. The budget is entirely funded by the Dedicated Schools Grant ¹ and has been approved by the Schools Forum.

4.2 The proposed plan is intended to ensure better stability and consistency of the Inclusion and Alternative Education Service, and improve the longer term outcomes and life chances of Brent's vulnerable pupil population at risk of permanent exclusion. The target is that this early intervention reduces the demands and related costs relating to permanent exclusions (i.e. specialist placements in the PRU or Alternative Provision) in the future. It also aims to reduce demand on other related services such as CAMHS² by addressing problems before they reach the service threshold.

5.0 Legal Implications

5.1 Clinical Input services fall within the social and other specific services listed in Schedule 3 of the Regulations and are subject to a lighter touch regime

¹ IAES delivery & funding proposals following restructure presented to and ratified at the Schools Forum of 26th February 2014

² CAMHS (Child and Adolescent Mental Health Services) provide specialist mental health services in Brent to children and young people. They offer assessment and treatment when children and young people have emotional, behavioural or mental health difficulties.

("Schedule 3 Services"). Under the Regulations Schedule 3 Services are required to be advertised in the OJEU where they are above their relevant EU threshold (currently set at £625,050). Schedule 3 Services are afforded greater flexibility in determining the procurement procedure to be applied in connection with the award of contracts. Consequently as the estimated value of this proposed tender (£540,000 including possible extension) will be below the relevant EU threshold, officers are not required to issue an advert in the OJEU.

- 5.2 The estimated total value of this contract is in excess of £250,000 making it a High Value Contract under the Council's Contract Standing Orders, as such the proposed contract is subject to the Council's own Standing Orders and Financial Regulations and therefore the Cabinet is required to consider approval of the pre-tender considerations as set out in paragraph 3.12 above (Standing Order 89) and the inviting of tenders (Standing Order 88).
- 5.3 Once the tendering process is undertaken, Officers will report back to Cabinet in accordance with Contract Standing Orders, explaining the process undertaken in tendering the contract and making recommendations for an award.
- 5.4 In the present case if the contract is awarded to a new contractor the Transfer of Employment (Protection of Employment) Regulations 2006 (as amended) ("TUPE") is likely to apply where there is a service provision change from the incumbent contractor to a new contractor and there are an identified grouping of employees of the current contractor who spend all or most of their working time dedicated to the delivery of the services to be taken over by the new contractor.

6.0 Diversity Implications

- 6.1 An Equality Impact Assessment (EIA) is being prepared in conjunction with the Equalities team. An initial screening has been completed to be reviewed by the Equalities team. A full EIA will be completed for the July Cabinet Meeting where the tender award report will be presented. This will include consultation with pupils, parents and schools and will impact the specification and contractual agreement during contract award.

7.0 Staffing and Accommodation Issues.

- 7.1 This service is currently provided by an external contractor and there may be implications for staff arising from re-tendering the contract.
- 7.2 No accommodation implications arise for the Council out of the retendering of this contract.

8.0 Public Services (Social Value) Act 2012

- 8.1 The Council is under 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; how, in conducting the procurement process, the council might act with a view to securing that improvement; and whether the council should undertake consultation.
- 8.2 The services being procured have as their primary aim improving the social and economic well being of some of the most vulnerable groups in Brent. They are highly specialist with only a very limited number of suppliers who can meet the Council's requirements. Nevertheless, officers will endeavour to ensure the requirements of the Act are implemented as part of the procurement process.


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 <p>Brent</p>	<p style="text-align: center;">Cabinet 16 March 2015</p> <p style="text-align: center;">Report from the Strategic Director of Children and Young People</p>
For decision	Wards Affected: ALL
<p style="text-align: center;">Contract for the provision of the Targeted Mental Health in Schools Service (TaMHS)</p>	

1.0 Summary

- 1.1 The TaMHS Service is a targeted mental health service providing support for children aged 5 to 16 and their families. It takes the form of either multiple family therapeutic group work and/or individual family work. The project is a collaborative partnership between Brent Council, Brent CAMHS (the current provider) and schools. It is overseen by professionals from these services and managed by a project manager from the local authority. The project brings CAMHS practitioners into schools on a weekly basis, providing vital support for children and families who have mental health issues. The project is currently used by 17 schools that pay to use the service.
- 1.2 The project is currently funded by participating schools (£158,000) and a contribution from the (centrally retained) Dedicated Schools Grant of £50,000.
- 1.3 The council has had a contract with CNWL (Brent CAMHS) for provision of this service since 2009, when government funding was provided to establish targeted mental health support in schools. This report seeks to award a contract to CNWL without the need for a tender for TaMHS services on the grounds that, on the advice from Brent Clinical Commissioning Group, it would be in the best interests of future service provision to defer retendering to align with the timeline for (and integrate with) the retendering of the CCG's much larger CAMHS contract. This is primarily on the grounds that there is considerable value in having the same provider for both services. In addition, a mental health strategy is currently being developed by the council, working with the CCG, which will map the future of mental health services for children and young people in the borough.

2.0 Recommendations

- 2.1 That Cabinet grant an exemption from the requirement to tender and approve the award of a contract to Central and North West London NHS Foundation Trust (“CNWL”) for Targeted Mental Health in Schools services for a period of 12 months from August 2015 to July 2016, with a view to retendering as part of the wider CAMHS recommissioning in 2016.

3.0 Detail

- 3.1 Brent’s TaMHS project was initially set up in 2009, with government funding, to improve mental health outcomes for children and families. Eight schools took part in the initial two-year pilot, which proved to be very successful. Key outcomes achieved included: preventing school exclusions, improving the attainment of children, engaging vulnerable families and developing collaborative partnerships between parents and carers, schools and Brent Child and Adolescent Mental Health Service (CAMHS). The project has expanded since then and now includes 17 schools.
- 3.2 The therapists are allocated to a school for half a day or a day each week providing a range of support including:
- Assessment meetings with children/families
 - Delivery of multi-family group work with a school based partner
 - Individual sessions with families
 - Classroom observations
 - Advice and training for school staff about mental health issues
 - Attendance at school inclusion meetings to ensure a co-ordinated approach
 - Liaison with agencies and professionals involved with the families ensuring a joined up approach
- 3.3 Staffing Structure:
The TaMHS project currently consists of:
- Art Therapists – 2 full time
 - Clinical Nurse Specialist – 0.5
 - Systemic Family Therapist – 1 full time
 - Clinical Psychologist – 0.1
- Total Therapeutic Staff – 3.6
- 3.4 Approval is being sought to grant an exemption from the requirement to tender and subsequently award CNWL a contract for the reasons detailed below.

- 3.5 A CAMHS review is to be undertaken during 2015/16 covering the whole of North West London. From discussions with our local CCG (Clinical Commissioning Group) it is clear that the TaMHS service needs to form part of this review and it is anticipated that the delivery, funding and number of schools involved in the project will be reviewed. A new contract with the existing provider would ensure that the existing provision to schools could continue for a further academic year. This would give time for the review of CAMHS to take place in 2015/16 and preparation for a larger tendering exercise to be undertaken.
- 3.6 Following the review of CAMHS it is anticipated that recurrent funding will be identified for the TaMHS project and that a longer term strategy for sustainability will be developed.
- 3.7 A mental health strategy is currently being developed by the local authority which will map the future of mental health services for children and young people in the borough from 2014 to 2018. This will map out existing support and address the borough's key challenges in terms of CYP mental health. As one of the main Tier 2 CAMHS provisions in the borough the TaMHS project will form part of this strategy.
- 3.8 The existing contract represents value for money in that the total cost of £208,000 consists solely of salary and employment on costs for therapists who are employed on Band 7 of the NHS. This level of practitioner would cost at least the same with any other provider.
- 3.9 The 17 schools currently involved in the project are very anxious that it should continue next academic year and are prepared to continue to fund the majority of the service. Funding has been identified from within the Children and Young People's Department to part fund the project for an additional 12 months from July 2015. However, as yet, no secure funding has been found for the project to continue beyond 2015/16.
- 3.10 The service is currently oversubscribed, with 15 additional schools having requested the service last year but only five of them were able to access the project due to capacity and funding issues. Additional funding is currently being sought CCG (£70,000) for 2015/16 which would enable more schools to access the project. There are currently 10 further schools which have expressed an interest in the project for 2015/16. If permission to issue a new contract to CNWL for 2015/16 is approved and the request for funding from CCG is successful then the service would be able to expand further to support more schools, children and families in 2015/16.
- 3.11 Schools' feedback regarding the existing provider (Brent CAMHS) is very positive. They appreciate the school based support for children and families and that fact that there is no waiting on long lists. Schools appreciate the unique aspects that this provider brings to the project which they identify as:
- 3.11.1 Direct referral to Brent CAMHS Tier 3 service or for diagnostic assessment. TaMHS practitioners are supervised and managed between Brent CAMHS and the Local Authority and this allows for discussions related to school referrals to

Tier 3 CAMHS to take place quickly and efficiently. For young people who are assessed as requiring specialist diagnostic assessment e.g. for ADHD or ASD, or where a Specialist Tier 3 intervention is required, the TaMHS therapist is able to make referrals directly to Tier 3 CAMHS and act as the bridge between CAMHS and the schools, providing regular updates on progress to the school.

- 3.11.2 The multi-family group work approach and high level of family engagement also sets the TaMHS project apart from other therapeutic interventions. Each week six to eight families come together in a group, with a focus on both school and home targets for the children which are reviewed weekly in the group.
- 3.11.3 Schools value having specialist mental health support on site. They appreciate the immediate in school support for children and their families and positive relationships that are developed with the therapists. Schools appreciate that there is no waiting on long lists for children and families. The school based nature of the support also contributes to a low failure to attend appointments rate which results in better value for money.
- 3.11.4 Schools appreciate the highly qualified staff employed by the project; all TaMHS practitioners are qualified therapists (see 3.3 above) and receive supervision within Brent CAMHS. This is qualitatively different to counselling agencies that use volunteers or trainees to deliver services since it is able to address more significant mental health issues.
- 3.11.5 The project also includes the training of a school based partner, who works alongside the therapist, co-facilitating the groups builds capacity and a mental health resource in each school.
- 3.12 The project continues to deliver positive outcomes for children and families in Brent. A range of outcome measures are in place which track each child in terms of: attendance, punctuality, attainment, behaviour, improvement in attitude to learning and improvement in well being. Feedback from children and families is also sought regularly, via review meetings, questionnaires and focus groups. Some of the outcomes are detailed in 3.12 below.
- 3.13 During the academic year 2013/14, 279 children and young people were supported. Of these, 123 were experiencing severe difficulties, 129 moderate difficulties and 27 mild difficulties. 334 one to one sessions were held. 254 group sessions and 30 young people were referred to Tier 3 CAMHS for further assessment. The majority of referrals were for emotional and behavioural difficulties (49 per cent) and 20 per cent of young people were referred due to family/home difficulties. During the summer term 2014, 64 per cent of young people referred showed improvements in terms of well being, 57 per cent showed improvements in terms of attitude to learning, 53 per cent in terms of behaviour, 47 per cent improved their attendance, 80 per cent made improvements in English and 55 per cent improved in Mathematics.

3.14 Approval from Cabinet to grant an exemption from the requirement to tender and approve to award a contract to CNWL from August 2015 to July 2016 would ensure that the existing provision to schools continue for the next academic year while the review of CAMHS takes place, the Council's Mental Health Strategy is developed, and a larger tendering exercise for CAMHS is considered.

4.0 Financial Implications

4.1 The current cost of the contract with CNWL for the CAMHS service is £208,000, which funds 3.6 therapists.

4.2 The contract is primarily funded from contributions from participating schools, with the remainder funded by the centrally held Dedicated Schools Grant, as set out in the table below:

Income 2014/15	£
5 academies at £13,000 for 1 day per week	65,000.00
4 non academy schools @ £12,000 for 1 day per week	48,000.00
7 schools @ £6,000 for half a day per week	42,000.00
1 school @ £3,000 for half a day per fortnight	3,000.00
Total income from schools	158,000.00
Contribution from the centrally retained Designated Schools Grant	50,000.00
Income Total	208,000.00

The new proposed contract of £246,000 would be primarily funded by participating schools with the remainder funded by the centrally retained Designated Schools Grant and the Public Health Grant as set out in the table below. In addition to the current provision the provider will also be delivering a mental health in schools programme which will involve a training programme for school staff in identifying mental health issues and workshops for parents.

Projected Income 2015-16	£
5 academies at £13,000 for 1 day per week	65,000.00
4 non academy schools @ £12,000 for 1 day per week	48,000.00
7 schools @ £6,000 for half a day per week	42,000.00
1 school @ £3,000 for half a day per fortnight	3,000.00
Total income from schools	158,000.00
Contribution from the centrally retained Designated Schools Grant	58,000.00
Public Health Grant	30,000.00
Income Total	246,000.00

5.0 Legal Implications

- 5.1 Under the new Public Contract Regulations 2015 (“the EU Regulations”), the majority of which came into force on 26 February 2015, the services of Clinical Input fall within the Social and Other Specific services category listed in Schedule 3 of the EU Regulations (“Schedule 3 Services”) that currently have a EU threshold set at £625,050 and a specific procedure to follow.
- 5.2 The estimated total value of the contract over its lifetime is £246,000. As such, the total value of the contract is below the EU threshold for Schedule 3 Services and therefore not subject to the full requirement of the EU Regulations though subject to the limited requirements of Part 8 of the EU Regulations including a requirement for contracts that have been awarded to be published on Contracts Finder.
- 5.3 As the estimated total value of this contract is in excess of £172,514 but less than £250,000, it is subject to the Council’s own Standing Orders and Financial Regulations in relation to Medium Value Contracts. Contract Standing Orders require that Medium Value Contracts are procured using a tender procedure. For the reasons detailed in paragraphs 3.4 to 3.12, it is not proposed to tender this contract but to award it directly to CNWL.
- 5.4 Under Contract Standing Order 84(a), Cabinet has the power to grant an exemption from the requirements to procure in accordance with the Contract Standing Orders. Cabinet shall exercise this power following legal advice that there is no breach of domestic or EU law or the Council’s own procedures in the exercise of the authority and where there are good operational and / or financial reasons for doing so. Further, given the limited value and duration of the contract and the specialist nature of the services, it is not considered that this contract would be of cross border interest and therefore it is considered direct award is permissible in the circumstances described in this report.
- 5.5 As indicated in paragraphs 2.1 to 3.13, in addition to seeking an exemption from the requirements to tender, Officers also seek approval pursuant to Contract Standing order 88 to award the contract to CNWL.

6.0 Diversity Implications

- 6.1 The service is providing a valued resource for families from who are mainly from disadvantaged groups. The children and young people are usually experiencing emotional and behavioural difficulties which can put a strain on family life. Some families experience additional challenges such as poor mental or physical health and social and economic deprivation.

7.0 Staffing/Accommodation Implications (if appropriate)

7.1 This service is currently provided by an external contractor and there are no implications for council staff arising from the recommendation. Also, there are no accommodation implications as the contractor is not based on council premises.

8.0 Public Services (Social Value) Act 2012

8.1 The council is under a duty pursuant to the Public Services (Social Value) Act 2012 (the "Social Value Act") to consider how relevant services being procured might be structured to improve the economic, social and environmental well-being of its area; how, in conducting the procurement process, the council might act with a view to securing that improvement; and whether the council should undertake consultation. Officers have had regard to these requirements in the Recommendation contained within this report.

8.2 The services to be procured have as their primary aim improving the social wellbeing of some of the most vulnerable groups in Brent. The market for such services is highly specialised to client needs and geographical locations which narrows the opportunities available to the council in terms of procuring in such a way as to promote social value. Officers consider that the proposals to combine the TaMHS service with the CAMHS service in due course will offer officers additional opportunities to improve the economic, social and environmental well-being of its area.

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 Brent	<p>Cabinet 16 March 2015</p> <p>Report from the Strategic Director of Environment and Neighbourhoods</p>
For Action	Wards affected: ALL
<p>Revisions to recovering costs for events in Brent's parks and open spaces</p>	

1.0 Summary

In September 2012 Members agreed a charging policy to partly recover the costs associated with assessing and approving events in Brent's parks and open spaces.

- 1.1 The new charging policy was introduced from December 2012 and included a clause that permits registered charities with an income of less than £10,000 who are holding a community event in a park or open space to be exempt from the cost recovery charge.
- 1.2 Mapesbury Dell Trust have submitted a petition requesting that they be exempt from any cost recovery fee. The Mapesbury Dell Trust played a critical role in making the Dell the award winning park that it is today and wish Members to exclude them from the agreed charging policy.
- 1.3 In order to avoid Members potentially receiving further petitions in from community groups that may also have significantly assisted in improving a local park officers have reviewed the cost recovery policy and recommend that minor amendments are made to the existing policy.

2.0 Recommendations

The Executive agrees to:

- 2.1 Retain the principle of partial cost recovery charging to organisers that wish to hold events in Brent's parks and open spaces.

- 2.2 Agree to retain the four charging criteria as agreed by Members in September 2012 and detailed in paragraphs 3.7 to 3.10 inclusive
- 2.3 To amend the exemption from charges as defined in the definition of a community event to that defined in paragraph 3.18.
- 2.4 That the amended exemption to the charging policy be implemented for events being held after 31 March 2015.

3.0 Detail

- 3.1 On 19 September 2012 the Executive agreed to the establishment of the Brent Safety Advisory Group to consider all applications for events in Brent's parks and open spaces. They also agreed a cost recovery policy in recognition of the significant officer time it can take to review, consider and approve an event to ensure that the Council meets its landlord and regulatory responsibilities.
- 3.2 The charges that were set were at a level that would not deter residents and community groups from organising their own events whilst also contributing to the costs incurred by the borough in deciding on their application.
 - 3.1. It was recognised that there should be a different approach to charging for community and commercial events.
 - 3.2. **A community event was identified as one which:**
is organised by registered charities, faith groups, places of worship, schools, not-for-profit community or voluntary groups. However, any registered charity with less than £10,000 income p.a. would be exempt from the charge but would need to pay for any relevant licence or Traffic Management Order (TMO) costs.
 - 3.3. The inclusion of the exemption from charge for registered charities with less than £10,000 income was to support smaller charitable groups and encourage them to run local events.
 - 3.4. **A non community event was identified as one which:**
does not fall in the above classification such as concerts, product launches, corporate events, marketing and promotional activities for profit making organisations, private lets e.g. a wedding reception or private party. Since 2012 the main interest for commercial events has been running events such as Run to the Beat and Colour run.
 - 3.5. The application charges do not include charges for licences, public liability insurance, traffic management orders, road closures etc. since such charges are made separately.
 - 3.6. Four charging categories were agreed by the Executive in 2012 and no changes are proposed to these categories.
 - 3.7. **Category 1:** Those events which are agreed in principle by the BSAG on application. A nominal fee of £31 is currently charged for such an event.

- 3.8. **Category 2:** Those events that that satisfy at least one of the following and are required to present their event management plan to the BSAG:
- a) 1000 people or more are anticipated to attend
 - b) Alcohol to be sold or supplied
 - c) A licence will be required (Temporary Event Notice, Premises, Occasional Sales or Street Trading licences)
 - d) Possible hazardous activity (including, but not limited to: fireworks, lasers, staging, funfairs, special treatments)
 - e) Significant police concern
 - f) Traffic Management Order is needed
 - g) There is a poor track record with the event's organisation in the past or the event organiser has very little experience
- A fee of £155 is currently charged for such an event.

- 3.9. **Category 3:** The event is more complex than category 1 and 2 events and will require its own Event Safety Advisory Group to be established (this will be determined at the Borough Safety Advisory Group). A fee of £310 is currently charged for such an event.

- 3.10. For commercial events the fees will be negotiated on a case by case basis.

- 3.11. For the year 2014/15, 50 events have been approved under these categories. This is compared to only 26 in 2012. Details are shown in the table below with the events in 2012 being assumed into the four categories based on number of attendees.

	Number in 2014/15	Assumed number in 2012
Category 1	33	13
Category 2	7	11
Category 3	5	1
Commercial	5	1
TOTAL	50	26

- 3.12. There is clearly an appetite for local groups to organise events but this continues to put pressure on staffing resources to ensure the Council upholds reasonable standards of public safety at public events and ensure compliance with licensing legislation.
- 3.13. In 2014/15 the policy to not charge registered charities with an income of less than £10,000 has only been implemented for one event.
- 3.14. It is identified that the process of becoming a registered charity may be too restrictive for many of Brent's not for profit community organisations. If a group's annual income is less than £5,000 they are not able to register as a charity with the Charity Commission. Many small organisations don't generate this level of income and they are unable to become a registered charity and therefore unable to claim exemption from the cost recovery fees when organising an event in Brent's parks or open spaces.

- 3.15. For groups with an income of less than £5,000 they are able to apply to HM Revenue and Customs for recognition as a charity to get charity tax breaks and claim gift aid. If accepted by the HMRC they receive an HMRC charity number as evidence of charitable status. An unregistered charity is still legally a charity and must abide by charity law.
- 3.16. Larger charities, with an income of £5,000 or more are required by law to register (although there are no financial penalties if they don't).
- 3.17. As the inclusion of registered charities with an income of less than £10,000 has only enabled one organisation to hold an event in Brent's parks without paying a fee, it is proposed that the definition of exemption from payment for a Community event be amended. As the amount of officer time considering a larger event that comes under category two and three is significant, the amended exemption definition excludes larger events.
- 3.18. **A community event will therefore be identified as one which:**
is organised by registered charities, faith groups, places of worship, schools, not-for-profit community or voluntary groups. However, any organisation recognised as charitable by the Charity Commission or HMRC for tax purposes with less than £10,000 income p.a. would be exempt from the charge from category 1 events. All community events would need to pay for any relevant licence, insurance, road closures or Traffic Management Order (TMO) costs.
- 3.19. Mapesbury Dell Trust would fall under this exemption criteria and their events are Category 1 events. They would still be required to pay for licences, insurance, road closures, TMO's etc where required.
- 3.20. Some of the event organisers of the Category 2 and 3 events are registered charities but have incomes greater than £10,000

4.0 Financial implications

- 4.1 To date the approved charges for the different Community events this financial year has generated the following levels of income:

	Number	Income received
Category 1	33	£1023
Category 2	7	£1085
Category 3	5	£1550

- 4.2 The current process being operated by the service area does not easily identify whether or not, applications received from organisations under these categories are HMRC registered, with an income of less than £10,000. However, if extending the exemption from charges to Category 1 events only is being considered, the financial loss to the Council is likely to be insignificant and can be absorbed within the existing cash envelope (budget).

5.0 Legal Implications

5.1 The Local Government (Miscellaneous Provisions) Act 1976 enables councils to provide such recreational facilities as they think fit and allows the Council to charge as it sees fit. In addition S145 Local Government Act 1972 provides that the Council may permit any park or pleasure ground to be used for by others for entertainment on such terms as to payment as the Council sees fit. In so far as the use of the parks and open spaces falls outside of the powers to let and charge set out above the Localism Act 2011 general power of competence enables the council to enable such use and cost recover from those using the service.

6.0 Diversity Implications

6.1 On the event application form the organising groups are asked to indicate what type of event their event is. Data from the application forms for 2014/15 shows the following:

6.2

	Category 1	Category 2	Category 3	Total
Charity Event	2	0	0	2
Community Event	15	0	1	16
Religious Event (Christian)	3	0	0	3
Religious Event (Hindu)	1	2	4	7
Religious Event (Muslim)	3	4	0	7
Religious Event (Sikh)	0	1	0	1
School	1	0	0	1
Sporting Event	8	0	0	8
Total	33	7	5	45

6.3 See appendix 1 for a list of Category 1, 2 and 3 events held in Brent's Parks and open spaces together with an analysis of attendees. The information demonstrates that a wide range of groups with different protected characteristics have sought to make use of the service demonstrating that the low fees promotes use and advances equality of opportunity.

6.4 Under S149 Equalities Act 2010 the council is required, when exercising its functions (such as recovering part costs for the use of parks and open spaces for events) to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity between those who have a protected characteristic and those who do not, and to foster good relations between those who have a protected characteristic and those who do not.

- 6.5 The exemption proposed advances equality of opportunity in that it encourages protected characteristic groups, sometimes with limited finances, to hold events in the open spaces. Community events often foster good relations between different groups and this is assisted by the fee exemption which is proposed. There is no obvious indirect discrimination in that there is no group that is particularly disadvantaged by the exemption when compared with those who do not share that protected characteristic.
- 6.6 The amount proposed to be charged for other use of the open spaces is nominal and has been calculated having regard to the scale of the event and the type of event. In relation to large scale events for which the higher rates are charged, there is often income and or sponsorship which make paying the proposed fee manageable. Accordingly the fees suggested will have no or little impact on any groups or organisations who do, or wish to use the Council's parks and open spaces for events.
- 6.7 So far as there is any impact upon any protected characteristic groups, it will be small and it is justified on the basis that the Council is under considerable financial constraints and the cost to the Council of processing and managing events is high.

Background Papers

Executive Report 19th September 2012

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Appendix 1


Community Events held in Brent's Parks and Open spaces 2014/15

	Event	Location	Category	Target audience	Open / restricted entry event	Event type
1.	New Beginnings Charity Day	King Edwards Park, Wembley	1	All ages	Open	Charity
2.	Darkness Into Light	Gladstone Park	1	All ages	Open	Charity
3.	Family Easter Egg Hunt	Mapesbury Dell	1	All ages	Open	Community
4.	Willesden Triathlon/Aquathlon	King Edwards, Willesden	1	All ages	Open	Community
5.	Daniel's Den Annual Family Picnic	Roundwood park	1	All ages	Open	Community
6.	Opera Evening	Mapesbury Dell	1	All ages	Open	Community
7.	Family Fete and Wild Day	Mapesbury Dell	1	All ages	Open	Community
8.	Parklife Singers Summer Concert	Mapesbury Dell	1	All ages	Open	Community
9.	QPCS Fun Day	Tiverton Green	1	All ages	Open	Community
10.	Gladstone Park School Fun Day	Gladstone Park	1	All ages	Open	Community
11.	Family Sports Day & Picnic	Roundwood Park	1	All ages	Open	Community
12.	10th Anniversary for Harmony Montessori Nursery	John Billam Ground	1	All ages	Open	Community
13.	Willesden Triathlon	King Edwards Park, Willesden	1	All ages	Open	Community
14.	Mapesbury Dell Children's Party	Mapesbury Dell	1	All ages	Open	Community
15.	Cricklewood Festival	Keyes Road precinct	1	All ages	Open	Community
16.	Annual Remembrance Service	Barham Park	1	All ages	Open	Community
17.	Mapesbury Dell Christmas Carols – Mapesbury Dell Trust	Mapesbury Dell	1	All ages	Open	Community

	Event	Location	Category	Target audience	Open / restricted entry event	Event type
18.	Good Friday Ecumenical Service	Butlers Green	1	All ages	Open	Religious / Christian
19.	Christ in the Community - Kingdom Builders	Roundwood Park Annexe	1	All ages	Open	Religious / Christian
20.	Palm Sunday procession:	Ealing Road Methodist Church to St John the Evangelist Church.	1	All ages	Open	Religious / Christian
21.	BAPS Celebration of Holi	Brentfield Open Space	1	All ages	Open	Religious/Hindu
22.	BAPS Sponsored Walk	King Edwards Park, Wembley	1	All ages	Open	Religious/Muslim
23.	Mo Basharo Eid Prayer Event	King Edwards Park, Wembley	1	All ages	Open	Religious/Muslim
24.	Mo Basharo Eid Prayer Event	King Edwards Park	1	All ages	Open	Religious/Muslim
25.	Mora Primary Sports Day	Gladstone Park	1	Children	Restricted	School
26.	Festival of Running	Sudbury	1	All ages	Open	Sporting
27.	St Andrew's & St Francis Sports Day	Gladstone Park	1	All ages	Restricted	Sporting
28.	Tak Bo Na Fun Run	King Edwards Park, Willesden	1	All ages	Restricted	Sporting
29.	Gaal Sports & Fun Day	John Billam Ground	1	All ages	Restricted	Sporting
30.	Christian Action Faith Fun Run	Gladstone Park	1	All ages	Restricted	Sporting
31.	Family fun run for Kenmont Primary School.	Roundwood Park	1	All ages	Restricted	Sporting
32.	University of Westminster 5k Run	Northwick Park	1	All ages	Restricted	Sporting
33.	Liddiard Cross Country Trophy	Fryent Country Park	1	All ages	Restricted	Sporting
34.	Shri Guru Procession	Barham Park	2	All ages	Open	Religious / Sikh

	Event	Location	Category	Target audience	Open / restricted entry event	Event type
35.	Holi Celebrations - BAPS Swaminarayan Sanstha	Brentfield Open Space	2	All ages	Open	Religious/Hindu
36.	Holi Festival Hindu Council	Roe Green	2	All ages	Open	Religious/Hindu
37.	CMYT Eid Prayer Event	Gladstone Park	2	All ages	Open	Religious/Muslim
38.	Harlesden Ummah Eid Prayer	Roundwood Annexe	2	All ages	Open	Religious/Muslim
39.	CMYT Eid Prayer Event	Gladstone Park	2	All ages	Open	Religious/Muslim
40.	Harlesden Ummah Eid Prayer	Roundwood Annexe	2	All ages	Open	Religious/Muslim
41.	Brent celebrates Fireworks Night	Roundwood Park	3	All ages	Open	Community
42.	Chariot Procession	Wembley	3	All ages	Open	Religious/Hindu
43.	Kingsbury Mandir Grand Opening Cultural Show	Roe Green Park	3	All ages	Open	Religious/Hindu
44.	BAPS Diwali Fireworks	Gibbons Rec	3	All ages	Open	Religious/Hindu
45.	Kingsbury Mandir Parade	Roe Green Park	3	All ages	Open	Religious/Hindu

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 Brent	<p style="text-align: center;">Cabinet 16 March 2015</p> <p style="text-align: center;">Report from the Strategic Director of Environment and Neighbourhoods</p>
For Action	Wards Affected: ALL
Food Safety Service Plan for 2015/16	

1.0 SUMMARY

1.1 The annual Food Safety Service Plan details the council's commitment to the delivery of the food safety service. It covers key areas of food law enforcement and relevant management arrangements and targets against which the Council will monitor service delivery.

2.0 RECOMMENDATIONS

That Cabinet:

- 2.1 notes the conclusions of the Food Standards Agency's audit of Brent's food safety arrangements;
- 2.2 notes the action which has been taken to date and endorses the Council's action plan in Appendix 2; and
- 2.3 approves the Food Safety Service Plan for 2015/16.

3.0 DETAILS

3.1 The Council has a statutory duty to enforce food law and have regard to the Food Standards Agency's (FSA) Framework Agreement on Local Authority Food Law Enforcement. The Council is required to publish an annual Food Safety Service Plan that accords with the Framework Agreement, and details the service's objectives in line with the council's Performance Management Framework.

3.2. The attached Food Safety Service Plan for 2015/16 (Appendix 1) sets out food objectives detailing the Council's responsibilities as set out in legislation, associated statutory codes of practice and guidance. It details:

- the food intervention programme for 2015/16;

- the Council’s approach to food law enforcement, food and water sampling, primary authority partnerships, provision of information to business, investigation of complaints and allegations of food poisoning, response to Food Safety Alerts and infectious disease control;
- resources including staffing and financial implications; and
- Performance monitoring and quality assurance.

Food Standards Agency audit July 2014

3.5 After an audit by the FSA in 2003 that identified “*no key areas for improvement*”, the council was not audited for many years.

3.6 In July 2014, the service was again audited and the auditor reported that professional standards had been maintained, for example that:

- Brent “*officers carrying out interventions were competent, experienced and knowledgeable*”;
- “*records maintained by officers were generally comprehensive and detailed for all food activities examined*”; and
- the FSA’s verification visit to a random local food business found that Brent’s “*officer was familiar with the businesses, had a good working relationship with the business owner, very thoroughly assessed the business’ compliance with legal requirements, and was providing helpful advice and guidance to the business owner*”.

However, the audit was concerned about issues connected to resources and required improvement, including:

- increased capacity to undertake more inspections, interventions, enforcement and prosecutions, identifying that 1,736 businesses were overdue for inspection;
- increased capacity to undertake internal auditing of professional standards and system data accuracy and completeness; and
- IT development capacity to improve cumbersome reporting tools and some areas of case data retrieval.

3.7 The FSA have published their audit report on their website¹ including the action plan prepared by Brent in response. The Action Plan is at Appendix 2.

¹ <https://www.food.gov.uk/enforcement/auditandmonitoring/2014/auditreports/brent-london/brent-london-delivery-and-compliance-audit>

- 3.8 Since 2003, the number of staff undertaking food law duties has reduced by around 6 FTEs. Over the same period the number of premises requiring inspection has grown significantly and when translated into inspection demand represents additional work equivalent to 2 FTE inspectors at current productivity levels. In response to the FSA's resource-based recommendations, officers have made the following changes:

Team rebalancing

- 3.8.1 As an immediate response to the concerns raised during the audit, a review of staffing arrangements has identified that greater efficiency from existing staffing could be delivered by changing the balance of skills in the team. At the time of the audit, all enforcement staff were qualified to the highest level required by the Food Standards Agency, whereas only around one-third of necessary inspection demand requires this level of qualification.
- 3.8.2 In late 2014, two vacant positions were changed from post-holders holding '*higher*' qualification to the '*ordinary*' qualification, to better reflect the balance of businesses requiring intervention by staff with different levels of competency. As of January 2015, five front-line FTE staff enforcing food law, three now hold the higher qualification and two hold the ordinary qualification.
- 3.8.3 Recruitment to the vacant team leader post has enabled further efficiency improvement through focussing enforcement staff with the highest level of competency on the 300 or so businesses with the highest level of the lowest level of compliance. These businesses need a great deal and frequency of intervention, advice, time taken per business, enforcement and officer skill. These businesses represent about 15% food businesses overall.
- 3.8.4 Enforcement officers holding a lower level of competency will deal with the remaining 2,000 or so food businesses which pose a much lower risk to consumers or are broadly compliant with the law. It is expected that this two-team approach will increase inspection productivity significantly through the creation of a team that solely deals with broadly compliant, lower risk businesses, that will be freed to undertake inspections at a much higher rate of productivity and at a lower cost per inspection, unencumbered by a smaller number of complex or problematic businesses. This twin team development came into effect in February 2015, and will increase inspection and intervention numbers in 2015-16 onwards.

Performance management

- 3.8.5 Further changes have been made to improve inspection productivity and reduce the number of businesses that are not broadly compliant with food law from within existing resources. This includes a more comprehensive range of performance measures by which individual staff and the service overall can be monitored and a more modern set of management information tools that allow managers easier access to this data.

Backlog recovery

- 3.8.6 The restructuring that established Regulatory Services in April 2014, indirectly led to an unusually high number of vacancies across most regulatory functions, including food and resulted in a significant underspend in 2014/15.
- 3.8.7 During the final quarter of 2014/15, this underspend has been used to recruit temporary contractors to inspect businesses overdue for inspection.
- 3.8.8 In early February, the backlog of premises due for inspection had been reduced from 1,736 premises to 1,239 premises. It is expected that by the end of March that the number of overdue inspections will have been further substantially reduced and possibly to half the level reported by the FSA in July 2014.

Statutorily required internal quality checks

- 3.8.9 The July 2014 Food Standards Agency audit expressed concern that the arrangements for internal quality monitoring also fell below the minimum requirements of the Food Law Code of Practice.
- 3.8.10 At the time of the Food Standards Agency's previous audit, when internal audit checks were found to be entirely satisfactory, this role was undertaken by a support officer (1.0 FTE) embedded within the service, with support from a Team Leader. However, this post was absorbed into a centralised business support function which, together with the vacancy at Team Leader, resulted in the cessation of the internal quality checking that this officer undertook.
- 3.8.11 The recent permanent appointment to the Team Leader post will allow some additional internal monitoring to take place. However, this will not be sufficient to achieve the level of internal monitoring required by the Food Law Code of Practice, and it is estimated that a minimum of 0.5 FTE would be required to satisfy the requirements of the Food Law Code of Practice.

Statutorily required intervention staffing levels

- 3.8.12 The current number of food businesses require an average of 4,000 interventions a year. Current staffing levels are sufficient to deliver around two-thirds of the statutorily required intervention programme at current productivity levels. It remains to be seen the extent to which the above changes in the way that the team works can increase productivity to close the gap between interventions undertaken and required by the Food Standards Agency.

3.8.13 However, current estimates of the number of additional staff (or equivalent budget for external contractors) to achieve the required level of interventions range between 3 and 6 full-time equivalents, with the most likely figure being around 4.2 FTEs. Additionally 0.5 FTE is required to undertake the aspects of statutory quality checks that do not need to be carried out by a senior competent enforcer. This gives a total probable requirement of 4.7 FTEs at a likely cost of around £200k.

3.8.14 It should however, be noted that, the frequency of inspection was determined in Food Law Code of Practice well before reductions in local authority funding started to come into effect and increasingly local authorities are not able to achieve this level of intervention. Even so, in order for the council to undertake sufficient interventions to reach the level required for UK median intervention, would likely require an increase in staffing in the order of half of that described at 3.8.13 above to meet the requirement of the Food Law Code of Practice.

Regulatory Services Review

3.9 In early 2014 the council restructured a number of its regulatory functions including food law enforcement bringing many services together under a single Head of Regulatory Services, including: animal health, health & safety, health checks, licensing, public safety, public mortuary, nuisance control, pest control, environmental monitoring, sanitary health, smoking cessation and tobacco control, and trading standards. Prior to the FSA audit the council determined that a strategic review of Regulatory Services, planning, building control and private housing services should take place which will consider:

- the statutory requirement to deliver these services and the added value from and priority for service levels above that;
- the scope for efficiency and/or service resilience arising from shared regulatory services with other councils;
- the scope for income generation and commercial activity; and
- alternative service delivery arrangements including out-sourcing either to the private sector, management buy-out; or cooperative or mutual organisations.

3.10 The council intends to consider the FSA's recommendations regarding resourcing in the context of the forthcoming Regulatory Services Review, so that decisions can be made about priorities for all regulatory functions.

Current position

3.11 Until such time as officers are able to present Members with options for future resourcing for all regulatory services, including food law enforcement, it should be noted that the council's capacity to undertake food law interventions will remain below that required by the FSA's Framework Agreement.

3.12 The investment of 2014/15 underspends from other areas of regulatory activities that is being used to recruit contractors to reduce the number of overdue inspections, will result in a much higher number of interventions being publicly reported for 2014/15 than in recent years. As this data is used by the FSA to determine comparative local authority performance, it is highly likely that the authority will temporarily have a more typical and acceptable performance for 2014/15 when this data is published by the FSA in late 2015.

3.13 In a similar vein the Consumers Association (CA) are closely scrutinising local authority activity on food enforcement as part of their campaign to ensure safe food for consumers. The CA has developed their own methodology for scrutinising local authority performance to enable publication of a league table. For food safety (hygiene), they look at three factors:

1. The percentage of high and medium risk premises that are compliant with food hygiene requirements (50% weight). This reflects whether or not councils are fulfilling their role of ensuring food businesses are able to comply with hygiene law.
2. The percentage of unrated premises in their area (25% weight) – this reflects councils ability to keep on top of food businesses opening in their area, rate them and therefore determine future inspection frequency.
3. The percentage of planned interventions carried out as a proportion of rated premises (25% weight) - this reflects the extent to which council's are pro-actively trying to ensure that businesses that are not complying with hygiene requirements, improve their standards.

3.14 The CA have published their annual assessment for 2013/14 data which is now in the public domain. For the previous year which was published by CA in January 2014, Brent's performance for these three factors was (out of 405 LAs):

1. 334th
2. 97th
3. 390th

3.15 With the weighting this gave an overall position of 370 out of 395 authorities who provided the data. Eleven of the bottom 25 authorities were London Boroughs.

3.16 The 2014/15 data now published by the Consumers Association shows that the position has worsened for 2013-14 and that Brent is in tenth place from the bottom. Camden, Ealing, Harrow and Enfield are also in the bottom ten, reflecting the particular pressures facing London authorities.

- 3.17 It is highly likely that the authority will temporarily have a more typical and acceptable performance for 2014/15 when this data is published by the Consumers' Association in early 2016, as a consequence of the investment of temporary in-year underspends from other areas of regulatory activities on contractors to reduce the number of overdue inspections.

4.0 FINANCIAL IMPLICATIONS

- 4.1 Additional resourcing would be required to meet the full requirements of the Framework Agreement and early estimates of the potential financial implications for food law enforcement are outlined in paragraphs 3.8.12 to 3.8.14 above. Whilst these estimates indicate an additional £200k of resources together with the productivity changes described earlier, are likely to be necessary to achieve compliance with the Food Law Code of Practice, a lower figure would likely secure a median performance figure in comparison with other UK local authorities, reflecting the difficulty of many local authorities in maintaining levels of food law resourcing.
- 4.2 The findings of a wider review of regulatory functions, including private housing services, building control, planning enforcement and Regulatory Services will be available in mid-2015. This report is expected to include advice on levels of service provided together with options for efficiencies and savings. It is expected that Members will be better placed to make decisions about levels of food law enforcement in the context of decisions about other areas of regulation.

5.0 LEGAL IMPLICATIONS

- 5.1 The Council has a statutory duty to enforce Food Safety legislation and have regard to the Food Standards Agency's (FSA) Framework Agreement on Local Authority Food Law Enforcement.

6.0 DIVERSITY IMPLICATIONS

- 6.1 None.

7.0 STAFFING / ACCOMMODATION IMPLICATIONS

- 7.1 None.

8.0 BACKGROUND PAPERS

- Food Standards Agency Audit Report July 2014
- Food Standards Agency's (FSA) Framework Agreement on Local Authority Food Law Enforcement

9.0 CONTACT OFFICERS

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London Borough of Brent

Food Safety Service Plan 2015/2016

Food Hygiene, Food Standards and Feedstuffs

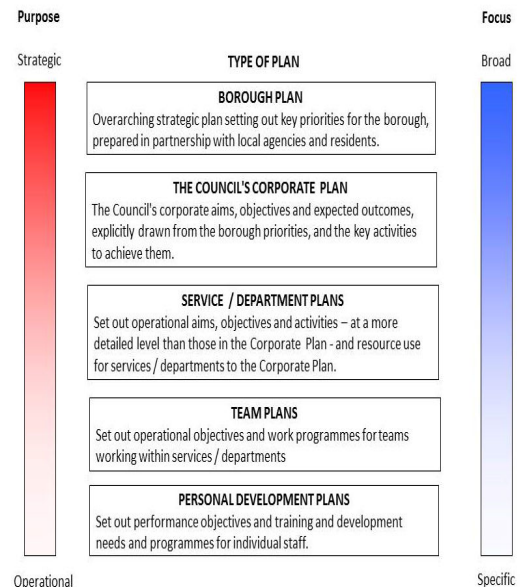
1. Aims and Objectives

1.1. Service Aims and Objectives

The overall aim of the service is to provide a food safety service to consumers and the business community ensuring a balance between consumer safety and standards and economic prosperity for businesses and local communities. We seek to achieve this through advice, education and where appropriate, enforcement.

1.2. Links to Corporate Objectives and Plans

Brent Council's planning process operates through a number of different levels within the council, ranging from the strategic to the detailed and operational. In order that the corporate planning process is effective and efficient each level needs to reflect and reinforce the other levels. It should be possible to trace each of the Council's strategic objectives through the various planning levels to show how it is being translated into specific actions within service and team plans which deliver the required outcomes. The Council's overall planning framework is shown in the adjacent diagram.



Brent Council's planning framework has plans in place at all levels with an identifiable 'golden thread' running through it.

Brent Council's April 2015 – December 2016 Corporate Plan, sets out the Council and its partner's vision for a better future for the borough and the values, priorities and actions that will enable that vision to be achieved.

The Borough Plan has three priority themes which underpin our ambition to make Brent a great place to live and work, where people feel that they have real opportunities to change their lives for the better.

The Council's three priorities are:

- better lives;
- better place; and
- better local.

In addition to the three priorities of the Borough Plan, the Corporate Plan also includes the actions that the council will take to improve its internal management arrangements under the themes 'Better ways of working'.

The objectives of the food service and the work plans set out here, have a strong synergy and commonality with the Council's priorities in the Borough Plan and Corporate Plan.

This report is part of the Council's publicly transparent and democratic decision making process, and final approval for this service plan will be considered and if appropriate, granted at a meeting of the Cabinet².

Other council plans which influence the food service, includes:

- corporate enforcement policy; and
- departmental equalities plan.

² <http://brent.gov.uk/your-council/about-brent-council/council-structure-and-how-we-work/the-cabinet/>

2. Background

2.1. Profile

The London Borough of Brent is located in North West London, and forms part of outer London. The major areas are Kilburn, Wembley and Willesden.

Brent is home to Wembley, host of national and international events, both sporting and musical. This area includes the Wembley National Stadium, containing the two largest restaurants in London, Wembley Arena, Fountain Television Studios (home of the X-Factor, The Cube, Britain's Got Talent, The British Comedy Awards and other TV shows); the London Designer Outlet and a host of up-market restaurants, shops and hotels. A 1,400-seat theatre is being built during 2015/16.

The borough is home to two very large industrial estates: - Park Royal and Wembley, which also host many large food operations.

Brent has more food manufacturers, importers and packers than most other local authorities. The Authority was one of the host London Boroughs for the 2012 London Olympics, and will be a host borough for the final and semi-finals of the 2020 UEFA European Football Championship.

This brings many demands to the service, which go beyond that faced by many other London authorities with a more typical food industry profile.

Brent has an ethnically diverse population of around 311,000 that is the seventh largest in London. The 2011 census indicated that about 33% of the population was of South Asian heritage, 19% of African and Caribbean heritage and about 7% were other ethnic groups. About 4% of the population is White Irish, the highest of any local authority in England and Wales.

The ethnically diverse population attracts a very wide range of food business operators. In a high proportion of cases English is not the first language either of the population using, or providing the business. In practice, and almost with exception, traders are able to converse in basic English and the experience of the officers means this is managed effectively, although it can impact on the time spent on inspections to ensure effective communication and appropriate follow-up to issues of concern by the proprietor.

The high churn of food businesses - the average time between changes in management or ownership is around 2 years - leads to a constant flow of enquiries from new business start-ups, and those looking to change or expand their business. There is a high proportion of enquiries about food labelling from our many manufacturers and packing businesses which places a significant demand on the service.

There is a demand arising from community events and festivals, such as Eid Diwali and Christmas and commercial events too. Wembley hosts a major market attracting visitors from a wide area. Ad-hoc events are considered by the Borough Safety Advisory Group that is advised by the team on food issues.

2.2. Scope of the food service

As a single tier authority, food law enforcement encompasses assessment for compliance for food standards, hygiene and animal feed. Other key activities carried out by the team include inspection of health and safety at high risk businesses, investigations of infectious disease notifications, accident investigations, enforcement of smoke free legislation and licensing of businesses offering special treatments.

Key food activities include:

- inspection of businesses for food hygiene;
- food sampling to reflect national and local priorities;
- approval of businesses under EC Directive 853/2004;
- investigation of serious food complaints and outbreaks of food poisoning;
- responding to national food alerts;
- monitoring animal feed businesses; and
- provision of food hygiene training for food proprietors.

The service is delivered from a single location based at the Civic Centre, Engineers Way, Wembley. The offices are open to the public on workdays between 08:30 - 5:30pm. Outside those times, the main reception area is open 24 hours although no staff will be able to come and see the public.

2.3. Type of establishments

The UK has a well-established methodology for assessing and rating food businesses. This seeks to proportionately ensure that businesses are generally only subject to compliance assessments based on factors such as the risk posed to consumers and their previous track record. Businesses that have a high degree of risk and a poor track record are inspected with greatest regularity. Routine inspections for these businesses (category A) are twice a year, with inspections for the least risky with a good track record, being every 3 years.

There are separate inspections made for food safety (how safe is the food, sometimes called food hygiene) and food standards (how authentic is the food, sometimes called food fraud).

A national system requires inspectors to score different aspects of each inspected food business for compliance. Together with different scores for the intrinsic risk for the foods handled or sold by the business, this gives a score for the risk that the premises poses to the public. Businesses with similar scores are grouped together into bands and each band is required to be inspected with a different regularity. Businesses with greatest risk in Band A are required to be inspected no less than every 6 months and businesses with least risk are required to be inspected no less than every 36 months.

The table below shows how many food businesses there are in each of the risk rating categories as reported to the FSA:

Food Safety

Risk category	Businesses (2013/14)	Businesses (2012/13)	London average	Inspection frequency
A	23	20	17	At least every 6 months
B	182	191	139	At least every 12 months
C	1,091	1,087	875	At least every 18 months
D	440	416	415	At least every 2 years
E	504	491	508	At least every 3 years
New/Unrated	95	48	147	High risk: within 28 days Low risk: within 90 days
Outside inspection programme	213	195	49	None. These are premises with the very lowest risk, such as child-minders.
TOTAL	2,556	2,448	2,151	

Food Standards

Risk category	Businesses (2013/14)	Businesses (2012/13)	Inspection frequency
A	52	51	At least every 6 months
B	543	604	At least every 12 months
C	1,579	1,470	At least every 18 months
New/Unrated	94	51	High risk: within 28 days Low risk: within 90 days
Outside inspection programme	190	167	None. These are premises with the very lowest risk, such as child-minders.
TOTAL	2,458	2,343	

Business type

The business profile breakdown is given in the table below:

Business type	Total
Manufacturers & packers	104
Importers/Exporters	14
Distribution/Transporters	122
Retailers (food)	708
Restaurants and caterers	1,608
TOTAL	2,556

Trend

Examination of the rolling number of food businesses in the borough requiring inspection, shows a fairly consistent picture of increase over the past 10 years. This is consistent with the increase in population from 265,000 to 311,000 (17.5%) between 2001 and 2011.

Year	Total
2013/14	2,556
2012/13	2,448
2011/12	2,431
2010/11	2,301
2009/10	2,260
2008/09	2,060
2003	1,938

Since the time of the previous FSA audit in 2003, the number of food premises has increased by 618 or 32%. This is an additional 300 or so inspections per year, which equates to around the work of an additional 2.0 FTE inspectors. During the same period the number of front-line enforcement officers has reduced by 2 and the number of support staff reduced by 4; a net worsening of 8 FTEs.

Examination of more recent change for the most recent reported year, shows an increase in the number of businesses requiring inspection increased by 118 (4.8%) which equates to almost 1.0 FTE inspector in the last 12 months.

2.4. Primary Authority Scheme

Brent fully supports the Primary Authority scheme³ and has entered into food and health and safety partnerships with:

- IKEA
- Bestway Cash and Carry
- Pernod Ricard UK Ltd
- Universal Suppliers Limited

³ <https://www.gov.uk/government/publications/primary-authority-overview>

3. Service delivery

3.1. Intervention plan

The service has a documented intervention plan that takes account of:

- established food businesses which have previously been inspected and have a risk rating in compliance with Annexe 5 of the Food Law Code of Practice (England);
- establishments that have submitted registration documents but are as yet un-inspected and therefore have no risk rating (un-rated businesses);
- changes the team become aware of relating either to the food business operator or the type or extent of the business;
- intelligence received from various sources which may impact on the programme; and
- businesses that have ceased to trade.

The intervention plan is based on a 6-year rolling calculation, updated each year subject to approval by the Head of Service. The number and type of interventions are calculated each year and assessed against the available resources as part of the service planning process.

The number and type of businesses in the borough will change constantly as will the risks associated with them. Should the number or type of interventions change significantly during the year to the extent that delivery of the annual intervention programme may not be achievable, this will be brought to the Head of Service's attention with a suggested recovery programme at earliest opportunity.

The intervention plan prioritises interventions in the following order:

Priority	Intervention
1	Businesses subject of justified /serious complaint, an unsatisfactory sample result or linked to confirmed Food Poisoning case/outbreak
2	High risk inspections
3	Businesses where significant risks identified
4	Unrated businesses or businesses subject to significant change
5	Approved premises
6	Formal sampling and analysis
7	Businesses not broadly compliant
8	Businesses with a public Food Hygiene Rating Scheme of less than 3
9	Primary or Home Authority obligations
10	Very high risk food or practice, at businesses with overall low risk rating
11	Medium risk businesses (broadly compliant)
12	Low risk business diverted from alternate enforcement into inspection programme
13	Low risk business subject to alternate enforcement
14	Targeted education, advice or coaching
15	Food Hygiene Rating Scheme 'revisits'
16	Surveillance visit
17	National events; markets, seasonal/occasional businesses

Priority	Intervention
18	Consistency monitoring of completed interventions including alternative enforcement forms
19	Low risk businesses
20	Animal feedstuffs

3.2. Sampling plan

The approach to sampling and the basic programme is included in the Sampling Policy attached as Appendix 1. Sampling is used as a positive tool in assessing health risk, securing compliance and informing businesses.

A formal arrangement is in place with the Public Health England for the analysis of samples that require microbiological examination.

The service participates in national and regional microbiological sampling initiatives coordinated by the Food Standards Agency and North West London Food Liaison Group. Samples of food and swabs of food-contact surfaces are also taken as part of routine work when investigating complaint.

The annual food sampling programme is managed by an enforcement officer. An estimated 0.25 FTE is assigned to co-ordinate the sampling programme.

3.3. Enforcement policy

The council has a graduated approach to enforcement based on the better regulation principles of proportionality, accountability, consistency, transparency and in accordance with the Regulators' Code⁴.

The Council has a Corporate Enforcement Policy which will be updated in 2015. It is intended that this policy will avoid the need for a separate food enforcement plan. However, in the event that policy statements relating to food cannot be incorporated in any new corporate enforcement policy, approval for a separate food enforcement policy addendum will be sought from Cabinet as and when any consent for the new corporate policy is sought.

3.4. Performance

Following the relocation of the food service within a newly established Regulatory Services unit, a more robust performance management arrangement now includes monthly monitoring for:

- proportion of food businesses that are broadly compliant;
- food businesses NOT rated for risk;
- food businesses overdue for inspection;
- number of A, B category, non-compliant C food businesses overdue for inspection;
- number of food businesses with zero food hygiene rating;
- number of microbiological and chemical samples taken;

⁴ <https://www.gov.uk/government/publications/regulators-code>

- number of food businesses subject to food standards interventions (excl unrated establishments) in rolling 12 month period;
- number of A & B category food businesses overdue for food standards inspection;
- number of microbiological and chemical samples taken;
- case processing;
- complaints;
- freedom of information requests
- sickness; and
- financial performance.

3.5. Liaison with other organisations

There are a number of arrangements in place with other local authorities and partner organisations to promote consistency in enforcement, joint project working and shared training. These groups are usually attended by a manager with responsibility for the food service, but where appropriate other members of the enforcement team will be asked to attend. The time commitment and frequency of these meetings is included in the table below:

Group	Frequency	Time per meeting
Association of London Environmental Health Managers	6 p.a.	½ day
NW London Food Liaison Group	4 p.a.	½ day
London Food Coordination Group (approvals)	4 p.a.	½ day
Brent Integrated Infection Control Committee	4 p.a.	½ day
NW London LA/PHE Partnership Group	4 p.a.	½ day
Primary Authority Partnership	2 p.a.	½ day
Borough Safety Advisory Group	6 p.a.	½ day
Wembley Arena Group	Monthly	2 hours

The time commitment for these meetings is significant and does not include preparation or additional issues that may arise as a result of the meeting.

4. Resources

Food law enforcement is part of the Council's Regulatory Services Unit and some budgets, such as training are pooled across the service for maximum efficiency. The cost centre concerned also includes costs for other areas of enforcement, and therefore the budget for food law enforcement excludes some of the budget for matters that are not food related. Funding for 2014/15 was:

4.1. Budget for food law enforcement

Expenditure	2014/15 Budget £000's	2015/16 Budget £000
Staffing	334	341
Travel and subsistence	2	2
Equipment and Maintenance	1	1
PPE	1	1
Sampling & analysis	20	20
Court costs	1	1
Income		
Health certificates	-9	-9
Food hygiene training courses	-3	-3
TOTAL net expenditure	347	354

4.2. Staffing

The staffing for all regulatory services has dramatically reduced in recent years, at the same time as the authority has centralised business support as part of the drive to reduce expenditure arising from the dramatic reduction in funding for local government in recent years. The number of staff undertaking food control work is around two-thirds fewer than a decade ago.

The current staffing establishment undertaking food law work is:

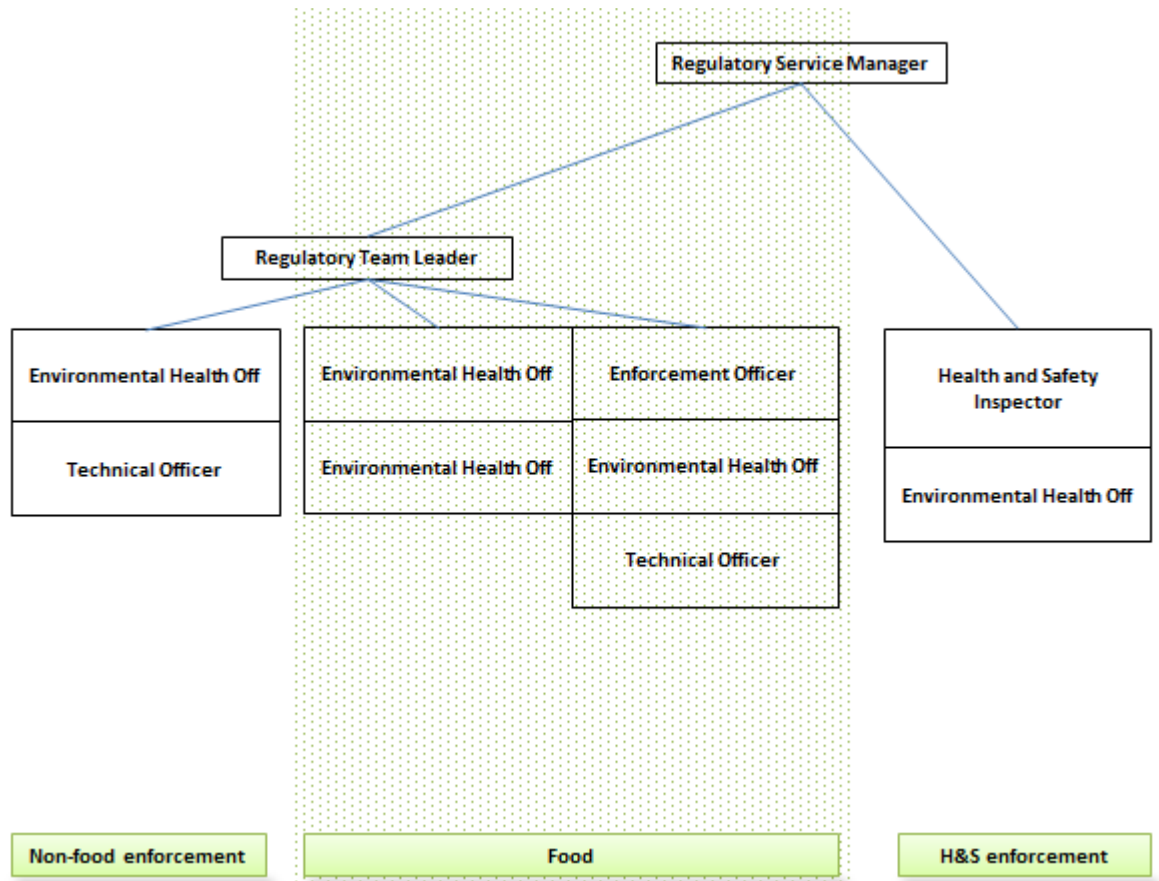
Position	Full-time equivalents
Regulatory Service Manager	0.5
Regulatory Team Leader	1
Frontline staff holding 'higher' qualification	4
Frontline staff holding 'ordinary' qualification	1
TOTAL	1.5 x FTE managers 5.0 x FTE enforcement staff 0 x FTE support staff

Additionally there are 2.0 x FTE enforcement officers (not shown in the above table) that solely carry out Health and Safety enforcement and are 2.0 x FTE enforcement officers that carry out other enforcement obligations such as smoke free enforcement, communicable diseases and special treatments licensing etc., and 0.5 x FTE Regulatory Service Manager.

Qualifications and competence of the officers is managed by the Regulatory Services Team Leader and detailed in the separate Authorisation Procedure and Management scheme.

4.3. Organisational structure

The organisational structure for food safety is shown below. The posts working of food law issues are shaded. The Regulatory Service Manager spends around two-thirds of their time on food matters.



4.4. Capacity building

The July 2014 audit of the service by the Food Standards Agency found that there was a significant backlog of overdue food businesses interventions and that the extent of the backlog was such that it would not be possible to recover the inspection programme with the staff resources available.

4.4.1. Team rebalancing

As an immediate response to the concerns raised during the audit, a review of staffing arrangements has identified that greater efficiency from existing staffing could be delivered by changing the balance of skills in the team. At the time of the audit, all enforcement staff were qualified to the highest level required by the Food Standards Agency, whereas only around one-third of necessary inspection demand requires this level of qualification.

In late 2014, two vacant positions were changed from post-holders with a 'higher level' qualification to the 'ordinary level' qualification, to better reflect the balance of businesses requiring intervention by staff with different levels of competency.

Recruitment of the vacant Team Leader has enabled further efficiency improvement through focussing enforcement staff with the highest level of competency 'higher' qualification on the 300 or so businesses with the highest level of the lowest level of compliance. These businesses need a great deal and frequency of intervention, advice, time taken per business, enforcement and officer skill. These businesses represent about 15% food businesses overall.

Enforcement officers holding a lower level of competency now deal with the remaining 2,000 or so food businesses which pose a much lower risk to consumers or are broadly compliant with the law.

This two-team approach will increase inspection productivity significantly through the creation of a team that solely deals with broadly compliant, lower risk businesses, that will be able to undertake inspections at a much higher rate of productivity and at a lower cost per inspection, unencumbered by a small number of complex of problematic businesses.

4.4.2. Performance management

Further changes have been implemented to improve inspection productivity and reduce the number of businesses that are not broadly compliant with food law from within existing resources. This includes a more comprehensive range of performance measures by which individual staff and the service overall can be monitored and a more modern set of management information tools.

4.4.3. Backlog recovery

The restructuring that established Regulatory Services in April 2014, indirectly led to an unusually high number of vacancies across most regulatory functions, including food, and caused a significant underspend in 2014/15.

During the final quarter of 2014/15, this underspend was used to recruit temporary contractors to inspect businesses overdue for inspection. It is expected that by 31 March that the number of overdue inspections will have been very substantially reduced to around half the previous level.

4.4.4. Statutorily required intervention staffing levels

At current levels of productivity, current staffing levels are sufficient to deliver around two thirds of the intervention programme required by the Food Law Code of Practice.

It remains to be seen the extent to which these changes can increase productivity to close the gap between interventions undertaken and those required by the Food Law Code of Practice.

However, current estimates of the number of additional staff (or equivalent budget for external contractors) to achieve the required level of interventions range between 3 and 6 full-time equivalents, with the most likely figure being around 4.2 FTEs. Additionally 0.5 FTE is required to undertake the aspects of statutory quality checks that do not need to be carried out by a senior competent enforcer. This gives a likely requirement of 4.7 FTEs at a likely cost of £200k.

4.4.5. Statutorily required internal quality checks

The July 2014 Food Standards Agency audit expressed concern that the arrangements for internal quality monitoring also fell below the minimum requirements of the Food Law Code of Practice.

At the time of the Food Standards Agency's previous audit, when internal audit checks were found to be entirely satisfactory, this role was undertaken by a support officer (1.0 FTE) embedded within the service, with support from a Team Leader.

However, this post was absorbed into a centralised business support function which resulted in the cessation of the internal quality checking that this officer undertook.

The recent permanent appointment of an experienced enforcement officer to the previously vacant managerial post will allow some additional internal monitoring to take place. However, this will not be sufficient to achieve the required level of internal monitoring required by the Food Law Code of Practice, and it is estimated that a minimum of 0.5 FTE would be required to satisfy the requirements of the Food Law Code of Practice.

4.5. Staff Development Plan

All enforcement officers are encouraged, motivated and trained to develop and maintain their required professional competencies. Training and development needs are identified at annual appraisals.

In addition to centrally provided council-wide occupational learning and development arrangements, a training budget enables additional training in areas that are specific to regulators and the services' objectives.

Advantage is taken wherever possible for peer learning and low cost or free training provided by organisations, in particular the Food Standards Agency.

5. Quality assessment and internal monitoring

A high importance is placed on quality monitoring to ensure consistency and compliance with statute. Monitoring is led by the Regulatory Services Manager with the Team Leader.

Required areas for monitoring and method are:

Critical standard	Monitoring	Frequency
Intervention plan	Routine reports to check completion of interventions.	Monthly
Enforcement outcomes	Document checks on sample of completed interventions to ensure appropriate and consistent action taken, accurate and legible records	Monthly
Document management	Sample checks of digital document management system to ensure referencing and attachment are correct and in place.	Monthly

Critical standard	Monitoring	Frequency
Enforcement consistency	121 meetings, team meetings and peer review of enforcement actions	Six-weekly
Data integrity	Checks on accuracy of database. Ensure no duplication and no incomplete data fields	Quarterly
Work allocation & completion	Ensure work is allocated and completed by appropriately qualified and competent officers	Quarterly
Peer review inspections	Accompanied inspections with manager to ensure consistency	Six monthly for each officer

6. Review

Having staff available to implement the above monitoring will assist with a continuous review of the delivery of the intervention plan that is key part of the service plan.

From 2015, the Regulatory Service Manager and the Team Leader shall bi-annually meet with the Head of Service to specifically review progress against the Service Plan and the requirements of the Food Standards Agency. These will be in:

- April – to review the previous years' performance and
- September to review mid-year progress and start the planning require to report the annual Food Service Plan to Cabinet for Members approval in February / March for the following municipal year.

Where there are concerns about capacity or service delivery. Where appropriate, the Head of Service would raise this with the responsible Operational Director and Lead Member.

Appendix 1 - Sampling

General Principal

The London Borough of Brent recognises the role of food sampling in the delivery of an effective food safety service. Food sampling supports an educative and graduated enforcement approach by providing valuable evidence about food and the environment it is produced, stored, sold or consumed in.

Purpose

Food sampling is targeted and prioritised to assist in ensuring that:

- food and drink intended for human consumption which is produced, stored, distributed, handled or consumed within the London Borough of Brent is without risk to the health or safety of the consumer;
- foods and food packaging meet relevant standards for quality composition and labelling and that reputable food businesses are not prejudiced by unfair competition;
- feeding stuffs manufactured, packaged or imported into Brent meet the relevant standards for quality, composition / labelling; and
- sound advice is provided for business / consumers.

Types of samples

Most samples are obtained by the as part of a planned programme. Some however result from public enquiries or are received as part of an investigation into an infectious disease case. The type of sample and reason for finding out more about it, will determine where it is submitted for analysis. This is summarised in the table below:

Analysis	Microbiological	Chemical & speciation	Labelling advice	Foreign body identification
Provider	Food Examiner	Public Analyst	Public Analyst	Public Analyst or insect specialist
Trigger	<ul style="list-style-type: none"> • Sampling • Public enquiry • Infectious disease • Food poisoning • At inspection 	<ul style="list-style-type: none"> • Sampling • Public enquiry 	<ul style="list-style-type: none"> • Sampling • Public enquiry • At inspection 	<ul style="list-style-type: none"> • Public enquiry • At inspection
Purpose	<ul style="list-style-type: none"> • Legal compliance • Safety of food • Indications of poor handling, storage, cleaning • Food contamination 	<ul style="list-style-type: none"> • Legal compliance • Chemical contamination • Meat or fish speciation 	<ul style="list-style-type: none"> • Compositional compliance • Labelling compliance • Consumer protection and fair trading 	<ul style="list-style-type: none"> • Identification of insects, or inanimate foreign objects

Straightforward samples, for which the team possess the necessary competence and equipment will be assessed in-house and not forwarded for external analysis or examination.

Resources

Delivering an effective sampling programme requires financial resources to cover the cost of sample analysis and for the staff resources needed to deliver the programme.

An 'allocation' scheme is operated by the appointed laboratory for food examination (microbiological analysis). They undertake to examine a specified number and type of samples at no direct cost to the local authority. The policy of this Council is to use the full allocation available. This mainly relates to agreed sampling programmes the development of which the Food Examiner and Public Analyst both influence.

Samples additional to those identified in the above laboratory allocation, such as those from locally initiated projects, monitoring of importers and manufacturers or public enquiries or those samples requiring chemical analysis are charged for. Brent has identified a separate budget for this which is shown in the annual Food Safety Service Plan.

Brent council undertakes to fund sufficient staff resources to deliver the priority 1 sampling work identified below. Currently, this has been identified as 0.25 of an enforcement officer. Where resources permit, priority 2 and then priority 3 sampling work will be delivered as well. The priorities have been formed taking into account the number, type and risk ratings of the food businesses in Brent as well as the types of foods imported and manufactured. Attention will be directed to those items considered to be of higher public health significance.

Appointments and Authorisations

All samples that may be used for enforcement purposes are taken by appropriate authorised and qualified officers in accordance with the Food Law Code of Practice. Any training gaps identified in securing this position will be addressed in the training plan which is developed and discussed annually, particularly as part of the appraisal process.

The Food Safety Act 1990 allows LA's to undertake food sampling and requires them to appoint a Public Analyst to analyse food samples on their behalf. The Food Safety (Sampling and Qualifications) (England) Regulations 2013 outline the qualifications required by the public Analyst and the Food Examiner.

Appointments are made by the Regulatory Services Team Leader and detailed in the Authorisation Procedure and Management scheme.

The Agriculture Act 1970 allows LA's to undertake feeding stuffs sampling and to appoint an Agricultural Analyst. Qualifications are set out in the Feeding Stuffs (Sampling and Analysis) regulations 1999. An appointment will be made when there is a need for sampling

Sampling Priorities

The table below shows the reasons for a sample being taken and the priority it has in the sampling programme.

Priority	Reason for sampling	Comment
1	Food poisoning	An outbreak of food poisoning linked to a premise, resident or business in Brent.
	Food Alert or incident	A food contamination incident linked to a premise, resident or business in Brent.
	'Approved Businesses' verification	These businesses are monitored and will normally have satisfactory standards of production and sampling already in place. Where necessary, verification or supplementary samples will be taken to ensure food does not present a risk to public health.
	Complaint or referral	Concerns of public health significance linked to a premise, resident or business in Brent.
	Schools water quality sampling programme	A self-funding service provided to local schools that assist the schools with their obligations and contribute to the cost of other priority 1 sampling activity.
	Legionella sampling programme	
2	Coordinated local authority sampling programmes	Local authority sampling programmes are more effective when coordinated between several authorities. Brent therefore seeks to support and contribute to coordinated sampling initiatives.
	Euro / UK / regional	
	Intervention led sampling including inspection sampling.	At the discretion of inspectors, sampling at food businesses can confirm hygiene standards or product compliance and safety.
	Imported food	
	Local needs or seasonal sampling	Local issues such as seasonal or higher risk operations
3	Monitoring and surveillance	Informally taken samples, for which enforcement is not possible if offences are identified.
	Public enquiry	Foods of concern identified by members of the public identify.

Within the above priority categories, greater priority and focus is given to:


- businesses with a manufacturing base, or head office for importation and distribution located in Brent; and
- high-risk businesses and foods.

Feeding stuffs are not currently included in the sampling programme as there are currently no farms or manufacturers or importers of feeding stuffs in the borough.

Sampling protocols: Where samples are taken as part of a local or regional programme, a protocol will be prepared and agreed with the Food Examiner and / or Public Analyst depending on the type of sample and analysis required.

Procurement: As provided for in the Food Safety Act 1990 and reiterated in the Food Law Code of Practice, samples will be taken rather than paid for, unless the cost of the sample would cause undue hardship to the business.

Operating procedure: Standards setting out arrangements for how samples are taken, labelled, transported and managed are detailed in a local food sampling procedure.

 <p>Brent</p>	<p align="center">Cabinet 16 March 2015</p> <p align="center">Report from the Strategic Director of Environment and Neighbourhoods</p>
<p>For Action</p>	<p>Wards Affected: ALL</p>
<p>Shared Mortuary Service</p>	

1.0 SUMMARY

- 1.1 Brent Council operates a public mortuary located within the grounds of Northwick Park Hospital as a shared service arrangement with Harrow Council. Barnet Council operates a public mortuary in Finchley. Both are within the jurisdiction of the North London Coroner. This report proposes extending the shared service arrangement at Northwick Park to include Barnet allowing the rationalisation of arrangements and the closure of Finchley Mortuary.

2.0 RECOMMENDATIONS

- 2.1 That Cabinet agrees that:
- 2.1.1 a public mortuary service should be provided by Brent council at Northwick Park on behalf of Brent, Barnet and Harrow Councils;
 - 2.1.2 the shared service agreement between Brent and Harrow should be updated, and extended to include Barnet Council; and
 - 2.1.2 to delegate authority to the Director of Environment and Neighbourhoods or Director of Regeneration and Growth in consultation with the Chief Legal Officer to agree the terms of the consortium agreement and interim agreement, and to take all necessary action to implement the proposed shared service arrangement.;

3.0 DETAILS

- 3.1 The Public Health Act 1936, Section 198, places a duty on local authorities to provide mortuary and post-mortem facilities for H.M. Coroner. Brent meets this duty by providing a mortuary at Northwick Park Hospital. This service is currently managed by Brent Regulatory Services. Regulatory Services is presently part of Environment & Neighbourhoods but from 1 April 2015 will be part of Regeneration & Growth. In the

event of a mass fatality incident, Northwick Park is the designated disaster mortuary for North London.

- 3.2 Brent and Harrow Councils jointly hold the site under a 99 year lease from the Secretary of State which expires on 25 December 2080. A formal agreement, from 1983, between both boroughs sets out the joint arrangements for management, finance, governance and termination. Brent manages the shared service on behalf of the consortium. Each authority pays a proportion of the running cost on a per capita basis.
- 3.3 Barnet Council have been reviewing their mortuary arrangements due to outsourcing of services and in recognition of considerable investment required at their aging and small mortuary site in Finchley. In July 2012 Barnet produced an options paper, which favoured a shared mortuary between all authorities under the North London Coroner's area. However, despite discussions between Councils this failed due to the considerable financial investment required.
- 3.4 Nevertheless, Brent and Harrow mortuary has some spare capacity and consequently in March 2014 Barnet again began to look at the options for closing their Finchley site. This time appraisal considered providing their statutory mortuary service in partnership with one of the two other mortuaries in the North London Coroners' jurisdiction, namely at Northwick Park (Brent & Harrow councils) or at Tottenham (Haringey and Enfield councils). In November 2014, Barnet's appraisals review determined that Northwick Park was their preferred option.
- 3.5 The Northwick Park mortuary was built with the possibility for a growth in post mortems in mind. It already has a workstation that is generally underused, and cadaver storage with spare capacity except during the busiest periods. However, accommodating a borough such as Barnet, with a population bigger than Brent and of Harrow would require investment in additional cadaver storage.
- 3.6 In addition to the cost of additional cadaver storage, there are some additional investments which will soon be necessary to upgrade aspects of the infrastructure that are largely unchanged since construction 33 years ago. Were the capacity extension not required, this work could probably be delayed for a few years, but it would be sensible to undertake all replacement or renewal work at the same time as work to extend capacity. Additionally, undertaking this work before the Finchley mortuary is redeveloped, gives a fall-back position for undertaking post-mortems and/or storing bodies off-site whilst renovations take place. Barnet has therefore agreed to make a contribution of £172,000 to these capital costs. This agreement allows Barnet to receive a substantial capital receipt from the sale of their site, net of the above contribution. It also allows Brent and Harrow to dramatically reduce the capital cost of infrastructure renovations that they would have shortly faced otherwise. It has also been agreed that each borough will contribute a modest proportion of the revenue savings each year to a refurbishment reserve fund that is intended to provide sufficient funds for future capital refurbishment costs.

- 3.7 A review of potential revenue costs has agreed that revenue costs will be divided on a per capita basis that, at 2013 Mid Year Estimate population levels, would mean the following distribution:

Borough	Revenue costs share (%)
Barnet	40
Brent	34
Harrow	26

- 3.8 The increase in throughput at the mortuary will increase the revenue costs and require an increase in staffing from 3 to 4. This increase in staff numbers would strengthen business continuity as at only 3 staff the service is vulnerable to temporary closure due to concurrent absence through illness and/or leave. A fourth technician reduces this risk. As Brent will manage the shared service on behalf of Harrow and Barnet, a percentage of Brent's management costs will be added to the revenue budget.
- 3.9 Subject to agreement with Harrow, Brent and Barnet's preference is that service governance is through quarterly review meetings between commissioning officers for each borough.
- 3.9 HM Coroner for North London, Mr Andrew Walker, has given his support for the three-borough arrangement at Northwick Park.
- 3.10 So that a tri-borough service can commence at Northwick Park, it will be necessary to:
- install additional cadaver storage;
 - undertake general refurbishment; and
 - develop and implement a new consortium agreement.
- 3.11 To enable full year savings, it will be necessary for the new service to start on 1 April 2015. However, there is insufficient time to complete the above steps before April. It therefore proposed to establish a temporary tri-borough interim agreement to allow the service to commence before a formal consortium agreement takes effect. This process will be expedited by the use of the recent Brent and Barnet Registrars consortium agreement as a model for this service.
- 3.12 To ensure continuity of service during refurbishment work, Barnet has agreed to keep the Finchley mortuary available for operational use until such time as refurbishments at Northwick Park are completed.

4.0 FINANCIAL IMPLICATIONS

- 4.1 The cost of the existing Brent and Harrow mortuary in 2014/15 is £82k for Brent and £63k for Harrow with the cost sharing being on the basis of the two boroughs' respective populations
- 4.2 The addition of another local authority to existing agreement with Harrow is expected to reduce the revenue costs of providing the statutory public mortuary service for all three boroughs. In the case of Brent the revenue saving will be in the order of £35,000

per annum.

- 4.3 A saving proposal included in the 2015/16 budget agreed at Council on 2 March 2015 is for savings of £50k and £100k for 2015/16 and 2016/17 respectively from “a fundamental review of regulatory services including planning and building control, looking at all options including shared services with other local authorities”. This revenue saving from a shared service will contribute to that target from 2016/17.
- 4.4 This arrangement is expected to result in an injection of £200,000 of capital into the refurbishment in 2014/15 and extension of capacity. Barnet will be underwriting all the costs attributable to the extension of capacity including additional storage for cadavers and consequential changes (estimated at £59k), the first £69k of the general refurbishment costs and £44k of shared costs. Brent’s share of this investment is expected to be around £17k and Harrow’s around £13k which can be met from the first year’s revenue savings.
- 4.4 It is unlikely that further capital costs will required for several years. However future significant expenditure will be required as refrigeration and air conditioning equipment comes to the end of its useful life, and it is proposed that a reserve capital fund be established through sacrifice of a small proportion of the revenue savings, to enable the service to fund all but the most exceptional or unexpected capital costs without recourse to borrowing.

5.0 LEGAL IMPLICATIONS

- 5.1 Section 198 of the Public Health Act 1936, places a duty on local authorities to provide mortuary and post-mortem facilities for H.M. Coroner.
- 5.2 Such an establishment must hold a mortuary licence issued by the Human Tissue Authority, for which the maintenance of standards of tissue control, disposal, documentation and systems are required, in addition to standards around the facilities and competencies of staff.
- 5.3 The Local Authority (Goods and Services) Act 1970 provides that local authorities may enter into contracts to provides goods and services to public bodies. Under Contract Standing Order 87, Cabinet approval is required to enter into any arrangement valued over £150k. As detailed in paragraph 3.1, Brent Council has a long standing shared service arrangement with Harrow Council whereby Brent Council manages the joint mortuary and post mortem facilities on behalf of itself and Harrow Council. For Barnet Council to join in the shared service, the existing consortium agreement with Harrow Council will need to be redrafted to reflect revised arrangements. As the negotiation and conclusion of a robust consortium agreement will take some time, the intention is to enter into an interim contract between Brent Council, Barnet Council; and Harrow Council.
- 5.4 The interim arrangement will provide for Brent Council taking on the management of the Barnet Council’s mortuary services from 1 April, with the transfer of one member of staff from Barnet Council to Brent Council as detailed in Section 7. For this member of staff, the interim agreement will need to contain provision requiring Barnet Council’s pension fund to pay Brent’s pension fund the total liability relating to the staff member at the start of the interim contract should the Barnet Council staff member chose to join Brent’s pension scheme.

- 5.5 The interim agreement will also include provision regarding the capital injections urgently required for the refurbishments and extension of mortuary and post mortem facilities at Northwick Park Hospital. Whilst the interim contract will be expressed to be for a maximum of 1 year, the contract is expected to terminate considerably sooner on the conclusion of the consortium agreement.
- 5.6 The mortuary building is held in the joint names of Brent Council and Harrow Council under a 99 year lease granted at a nominal rent by the Secretary of State on 10th June 1982. The intention is for consortium agreement to provide for Barnet Council to become a party to the lease. As there is a prohibition against a disposal of the lease it has to be varied by the freeholder, London North West Healthcare NHS Trust, in conjunction with the Lessees to enable the mortuary lease to be held jointly with Barnet Council.

6.0 DIVERSITY IMPLICATIONS

- 6.1 None.

7.0 STAFFING / ACCOMMODATION IMPLICATIONS

- 7.1 Three employees are employed by Brent at the Northwick Park mortuary and two Barnet employees work at the Finchley mortuary. One of the Barnet employees is leaving their employment by mutual consent before 31 March 2015. Thus, one employee will transfer to Brent under the provisions of the TUPE Regulations on relocation of the service to Northwick Park.
- 7.2 A review of job descriptions and person specifications will be necessary. However, harmonisation of employment contracts following a TUPE transfer is fraught with hurdles and is often not possible even with the transferring employee's consent. Harmonisation of terms and conditions to Brent's terms and conditions will be considered, but it cannot be assumed it is possible unless in the future there is an economic, technical or organisation reason entailing changes in the work force.
- 7.3 The employee transferring from Barnet is experienced but unqualified. A programme of learning and development to support the employee to gain the requisite qualification will be put in place.
- 7.4 The transferring employee will continue to have access to the Local Government Pension Scheme through the London Borough of Brent Pension Fund.
- 7.5 As the transferee, Brent will also take on liabilities regarding the transferring employee and will do due diligence in the usual way.

8.0 BACKGROUND PAPERS

- Northwick Park lease
- Brent and Harrow 1983 consortium agreement

9.0 CONTACT OFFICERS

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SUE HARPER

Strategic Director of Environment and Neighbourhoods

 <p>Brent</p>	<p style="text-align: center;">Cabinet 16 March 2015</p> <p style="text-align: center;">Report from the Strategic Director of Environment and Neighbourhoods</p>
For Action	Wards Affected: ALL
<p>Highways Capital Scheme Programme 2015-17</p>	

1.0 SUMMARY

- 1.1 In 2014-15 approximately £5.346m will be spent improving the condition of Brent's highways, including resurfacing of 12.8 miles of road and 3.9 miles of footway. This investment includes £3.55m of Brent capital, £1.497k of TfL capital funding for principal (A road) maintenance and £299k allocated by the Department for Transport as a result of the Council's bid to the Pothole Fund
- 1.2 During 2015/16 it is proposed to allocate £3.55m of Brent capital to maintain the highway network, subject to approval of the Cabinet and the Budget and Council Tax report in February 2015 and; full Council approval in March 2015.
- 1.3 In addition to £3.55 million of Brent capital, TfL have on 12th December 2014 confirmed funding of £1.079m of Principal Road (A-road) improvements. This is a decrease against the final 2014/15 Principal road programme value when the total value of the programme (including in-year increases totalling £646 k) was £1,497 m
- 1.4 This report sets out recommendations for how Brent's £3.55m capital budget should be allocated during 2015/16 and 2016/17 through a prioritised programme of:
 - Major and minor pavement upgrades;
 - Major Road resurfacing;
 - Preventative maintenance;
 - Improvements to the public realm , and
 - Renewal of Road Markings
- 1.5 This programme will be delivered using Brent's Highway Asset Management Planning (HAMP) approach, which provides a systematic long term methodology for maintaining the borough's highways. The HAMP approach, which was started in 2014/15, will deliver better value for money through adoption of a sensible and forward thinking maintenance plan. Our customers see more miles of road maintained each year and have greater visibility as to the relative status of their

roads. We are delivering more on the ground and help to meet many of our corporate and strategic transport objectives by doing so.

2.0 RECOMMENDATIONS

- 2.1 That the Cabinet approves investment of £3.55m of Brent capital funding as summarised in Section 6.0, subject to approval of the Budget and Council Tax report in February 2015 and full council approval of that report in March 2015
- 2.2 That the Cabinet approves the proposed highways maintenance programme for 2015-16 and the provisional programme for 2016-17 as detailed in Appendix B.

3.0 HIGHWAYS INVESTMENT DURING 2014/15

- 3.1 Brent's annual transportation investment programme consists of; Brent capital funding, which is used to fund the roads maintenance programme for local roads; capital funding provided by Transport for London, which is used to deliver principal (strategic) road maintenance and; a programme of highway improvement schemes and sustainable transport projects delivered through the LIP (TFL funded Local Implementation Plan programme).
- 3.2 By 31 March 2015, approximately £5,346m will have been spent on maintaining Brent's highway infrastructure funded through £3.55m of Brent capital , £1.497million of principal road maintenance investment and a £299k DfT Grant. Appendix A provides details of the works delivered, which will result in:
 - 12.8 miles of roads being resurfaced; and
 - 4.28 miles of footways being resurfaced and improved.
- 3.3 Members will recall that Brent entered into a new 8 year contract on 1st April 2013 to provide a range of highway services, including planned and reactive maintenance works. Our new provider was procured through the London Highways Alliance Contract (LoHAC).
- 3.4 Through the 2014/15 LIP programme and combined with Section 106 developer contributions, an additional £6.029m is being invested in improving Brent's roads, footways and transport infrastructure. This includes:
 - £4.857m of Local Implementation Plan LIP funding; and
 - £1.172m S106 developer contributions.

An additional £0.299m was also allocated by the Department for Transport (DfT) under the Pothole Fund.

- 3.5 LIP and S106 funding was allocated to progress the Harlesden Town Centre major scheme, which will be completed during 2014/15.
- 3.6 In addition the Council is on target to deliver a wide range of infrastructure and initiatives in line with TfL expectations. To date we have delivered, or are in the process of delivering, the following infrastructure on Brent's streets as part of a range of schemes and initiatives:
 - 90 areas are being provided with new waiting and loading restrictions to reduce congestion and improve safety;
 - 16 crossings have been improved to provide facilities for disabled people;

- 112 on and off-street cycle parking spaces have been provided (including 5 Lambeth bike hangars providing 30 secure spaces)
- 400 children and 300 adults have received cycle training;
- 2km of new cycle routes have been delivered;
- 13 junctions have been improved to help cyclists;
- 10 new pedestrian crossings have been provided;
- 87 road safety education events have been held;
- 94 bus stops are being improved to help make boarding easier and passenger waiting facilities better; and
- 40 new street trees have been planted.

4.0 MANAGING HIGHWAYS ASSETS

4.1 Highway infrastructure is the most visible, well-used and valuable physical asset owned by the Council. Brent's highways assets include:

- 504 km (315 miles) of roads;
- 847 km (529 miles) of pavements;
- 53 bridges and structures;
- 24,500 road gullies;
- 10,000 street trees; and
- 32,000 street lights and other illuminated street furniture.

The latest estimate for the value of this asset is just over £3.9bn.

4.2 The table below sets out the condition of Brent's roads by indicating the percentage of each length of road type where maintenance should be considered.

Year	% of roads where maintenance should be considered		
	A class roads	B and C class roads	Unclassified roads
2008/2009	8%	9%	23%
2009/2010	11%	9%	23%
2010/2011	9%	7%	27%
2011/2012	9%	6%	26%
2012/2013	8%	9%	20%
2013/2014	13%	11%	21%
2014/2015	16%	16%	21%

4.3 Currently 21% of Brent's unclassified roads and 11% of the most used pavements are in need of substantial maintenance. Unclassified roads make up 80% of all borough roads. Classified roads are in slightly better condition, but around 16% of them still require structural maintenance, an increase on the previous year. There are a number of factors affecting the deterioration of roads, the various effects of which are impossible to disaggregate. One explanation is that the high traffic loading to which the classified roads are subjected outweighed the improvement in structure condition which the maintenance programmes was able to achieve, given the limited funding.

4.4 As time goes on roads that are currently in good condition will deteriorate, just like any physical asset such as a house or a vehicle. To keep on top of the deterioration of our asset we must invest continually in maintenance.

- 4.5 Up until 2014/15 Brent adopted a “worst-first” approach to highways asset management. We identified the worst condition roads and developed one year programmes of road resurfacing and reconstruction.
- 4.6 To better manage the way we maintain our highways the council adopted the Highway Asset Management Plan (HAMP) in February 2014. The HAMP sets out a strategy based on the need to repair our assets on a regular basis, before they fail, so as to extend their lifespans and reduce long term repair costs. As asset management practices have only recently been implemented, the highway asset condition is such that we are effectively trading water to broadly maintain our current position.
- 4.7 The strategy initially involves introducing a programme of major resurfacing works along with preventative maintenance, which will take the form of regular thin surface repairs to water seal roads and improve their anti-skid properties. Thin surfacing is less than a third of the cost of major resurfacing works but can extend the life of a road considerably, meaning that you can treat 3kms for the price of 1km of major resurfacing.
- 4.8 A 2 year work programme of both major resurfacing and preventative maintenance has therefore been developed from 2014/15 onwards. This will be the first step towards long-term programme development. To maximise the benefits, a 10 year programme period is recommended. This is an aspiration that we will work towards.
- 4.9 A key question is how we will decide which roads should have preventative maintenance treatment and which we need to undertake major resurfacing works on.
- 4.10 During 2014/15 we have assessed the network to determine the current condition. We have then taken account of a range of factors to define relative priorities for maintenance. We have used a scoring system to identify roads suitable for major resurfacing or preventative maintenance that assessed the following:
- Condition based on outcomes of annual condition surveys and inspection programmes;
 - Road hierarchy and traffic usage, including proximity of local schools / colleges;
 - Level of risk in terms of numbers of accident claims, historic pothole repair records and/or collision history; and
 - The cost effectiveness of preserving roads that have not yet fully deteriorated and fixing those which have.
- 4.11 We continue to take account of councillor nominations for road maintenance and, where a number of schemes attract the same or similar scores, we prioritise councillor nominated schemes earlier in our proposed maintenance programmes. We may also deviate from priority order where, for instance, a section of road in relatively good condition may be resurfaced if it is on a street where the rest of the road needs maintenance and it would be illogical, or impractical, not to resurface the whole street.
- 4.12 The optimum level of investment when starting to adopt preventative maintenance has been identified through consultation with authorities that have implemented HAMP principles. Investment of approximately 30% of carriageway resurfacing budgets is considered to be optimum when beginning to introduce preventative maintenance programmes.

- 4.13 We have therefore continued with the approach approved in the corresponding report last year (Report to the 17th February 2014 Executive: Highways Asset Management Plan and Capital Scheme Programme 2014-16) to invest around 30% of the unclassified carriageway resurfacing budget in preventative maintenance over the next two to three years (i.e. from 2014/15 onwards), and 70% on major resurfacing works. If there is any reduction or increase in funding over coming years, this 70/30 percentage split be applied to revised budgets.
- 4.15 The draft 2016/2017 programme will be reviewed and amended at the end of 2016 in light of condition survey data available at that time. Likewise, the 2015/2016 programme drafted last year has been reviewed and amended in light of condition survey data available now available.

5.0 HIGHWAYS INVESTMENT DURING 2015/16

5.1 Carriageway Resurfacing

- 5.1.1 The 2015/16 carriageway maintenance programme and a provisional 2016/17 programme are shown in Appendix B, and in map form in Appendix C. Appendix D illustrates the location of principal and other classified roads within Brent for information. Roads have been prioritised from the results of an independent network condition survey, with input from local engineering staff, who assess the road against the wide range of factors noted above.
- 5.1.3 In summary the proposed carriageway resurfacing programme of £1.67m includes:
- £1.37m to improve the condition of the unclassified network divided between major resurfacing and preventative maintenance schemes (see Appendix B for list of streets that have been selected);
 - £150k to resurface B and C class roads; and
 - £150k to resurface short sections of road (300m or less) that have deteriorated and are in need of resurfacing, but where the whole street is generally in good repair;
- 5.1.5 Each year Brent is provided with an allocation from TfL to renew principal (A class) roads in the Borough. This programme of works is developed through an assessment of need taken from the most recent condition surveys provided by, and reviewed by, TfL. A draft programme for principal road renewals is contained in Appendix B.
- 5.1.6 TfL have allocated “A” road funding of £1.097m to Brent for 2015/16. TfL requests that Boroughs include an additional 25% to their provisional allocation to enable them to put forward one or more reserve schemes. This provides an opportunity for additional schemes to be delivered each year if additional funding becomes available. This “reserve” bid adds a further £270k to the provisional programme value to make a total A Road bid value of £1.367m. Members should note that reserve scheme funding relies on TfL funding availability and is not guaranteed.
- 5.1.7 It is proposed to utilise up to £10k of capital funding for carriageway resurfacing to undertake asset condition surveys during 2015/16. These surveys will assist to prepare a long term asset management programme and confirm the 2016/17 capital programme.

5.2 Footway Repairs

5.2.1 The table below sets out the condition of the busiest footways in the borough (prestige areas in town centres and busy urban shopping areas). High usage footways form approximately 10% of the footway network.

Year	% of the high usage footways where maintenance should be considered
2008/2009	20%
2009/2010	17%
2010/2011	27%
2011/2012	12%
2012/2013	15%
2013/2014	27%
2014/2015	11%

5.2.2 The survey figures indicate that the condition of the high use footway network improved considerably during 2014/15, even allowing for an element of tolerance inherent in these surveys which are visual assessments. The reasons for this improvement cannot be stated with certainty due to the number of considerations involved, but one factor may be that the new LoHAC contractual arrangements are resulting in improved network condition.

5.2.3 However, given that the winter of 2013/14 was the wettest on record there has been continuing and increasing numbers of requests for footway repairs and responsive maintenance on unclassified roads during the current financial year. Given this it is recommended that £1.555m, approximately 44% of this year's overall budget, be assigned to improving the condition of footways in the Borough. Appendix B contains details of the footways which have been prioritised for improvement.

5.2.4 Similarly to the issues with short sections of road that are in poor condition, short lengths of footway that are in poor condition can cost a significant amount in reactive maintenance repairs, as well as being a cause of accident claims. It is therefore proposed to invest £150k of this year's overall budget to resurface short sections of footway.

5.2.5 It is proposed to utilise up to £40k of capital funding for footway improvements to undertake asset condition surveys during 2015/16. These surveys will be used to confirm the 2016/17 capital programme.

5.3 Reducing the risk of flooding in Brent

5.3.1 There are approximately 24,500 road gullies in the borough. These are being cleaned as part of a cyclic maintenance programme procured through the new London Highways Alliance Contract (LoHAC). The cleaning cycle includes:

- High-priority (regularly blocking) gullies cleaned every six months;
- 1,300 medium-priority gullies cleaned each year; and
- 14,100 gullies cleaned every eighteen months as part of a rolling programme.

5.3.2 There are occasions where cleaning will not resolve surface water flooding problems as gullies and drainage pipes require replacement.

5.3.3 We are anticipating similar funding from Defra for flood risk management as was received in 2014/15 which translates into corporately allocated revenue budget of £166k. This will be used for alleviating flooding in the borough and for improvements/upgrades to existing highway drainage as per the following proposed works programme:

Flood management Scheme	Proposed works	Cost Estimate
Various locations in highway	Installation of Land Drainage	£20K
King Edward Park, Wembley		£15K
Silk Stream (Barnet agreement)	Trash screen cleaning at A5 Hendon	£20K
Tramway Ditch, Stag Lane, NW 9	Inspect and clear watercourses	£3K
Northwick Park, Kenton		£6K
Various location	Installation of new gullies to prevent flooding	£30
Drainage Study	Drainage study to identify flooding areas.	£5K
Reactive gully cleaning and various works undertaken through maintenance programme	Clean and repair gullies, replace missing covers, CCTV survey	£65
LoDEG	Bridge Engineering Group Subscription	£1k
Various locations	Provide sand bags to prevent flooding	£1K
Total		£166K

5.4 Investing in Public Realm

5.4.1 The Public Realm programme involves three areas of highways capital programme investment:

- a. Works to strengthen footways and soft verges;
- b. Works to improve areas of “marginal” land that are part of the public highway but are not footways, verges or carriageways; and
- c. Works to maintain, upgrade, rationalise or replace directional and regulatory highway signs.

It is proposed to allocate £125k (3%) of the 2015/16 capital budget to these areas of work.

5.5 Improving Brent’s bridges and structures

5.5.1 The Council are responsible for 53 highway structures, including 38 bridges and; 15 culverts. The majority of bridges are small structures spanning brooks. Funding for bridge maintenance is allocated by Transport for London on a regional priority basis. The London Bridge Engineering Group is currently reviewing the pan-London programme and funding will be confirmed in February 2015.

5.5.2 Although funding has not been confirmed, the Bridge Strengthening Programme 2015/16 Bid Grand Total is £337k, made up for bids for 16 schemes

- a. Allendale Road - Stabilisation of clay embankment to LUL bridge
- b. Mead Platt Over Mitchell Brook - Strengthening of concrete box culvert
- c. North End Road West - Review of old design
- d. The Rise - Stabilisation of clay embankment to LUL bridge
- e. Twybridge Way (1) Over Canal Feeder - Lining of structure to strengthen carriageway and replacement of parapets.
- f. Twybridge Way (2) Over Canal Feeder - Lining of structure to strengthen carriageway and replacement of parapets.
- g. Atlas Road – Assessment inspection
- h. Bridge Road at Woodheyes Road – Assessment inspection
- i. Dury Way over Canal Feeder– Assessment inspection
- j. Grand Union Canal near the NCR – Assessment inspection
- k. Grange Museum Footbridge – Assessment inspection
- l. Hannah Close – Assessment inspection
- m. Mount Pleasant/Carlyon Road – Assessment inspection
- n. Point Place over Wembley Brook – Assessment inspection
- o. Sudbury Heights Ave/Maybank open space – Assessment inspection
- p. Sudbury Heights Avenue/District Road – Assessment inspection
- q. White Horse Bridge – Assessment inspection

5.6 Renewal of Road markings

5.6.1 Currently there is no funding allocated for the systematic renewal of road markings. Consequently many road markings have faded beyond the point we would wish them to; those road markings which have faded more than 30% and which are deemed high priority are renewed under the LoHAC contract. However, officers are now recommending the institution of a £50k annual renewal programme. Initially it is intended that this will concentrate on the renewal of those markings most in need of attention before (in subsequent years) establishing a borough-wide schedule of road marking restoration.

6.0 FINANCIAL IMPLICATIONS

6.1 The table below summarises the proposed allocation of Brent capital funding for highways maintenance during 2015-16:

Schemes	% of Capital Budget	Amount (£ 000's)
BRENT CAPITAL – Footways		
Major footway upgrade	43.80%	1,555
Footway upgrades – short sections	4.23%	150
Improvements to the public realm	3.52%	125
Sub-total	51.55%	1,830
BRENT CAPITAL – Carriageways		
Major resurfacing unclassified roads	27.32%	970
Preventative maintenance unclassified roads*	11.27%	400
Major resurfacing of B&C roads	4.23%	150
Road resurfacing – short sections	4.23%	150
Renewal of Road Markings	1.41%	50

	Sub-total	48.45%	1,720
	Sub Total Brent Capital		3,550
	<i>TfL Funding for Principal Roads**</i>		1,097
	TOTAL HIGHWAY MAINTENANCE PROGRAMME		4,647

**around 30% of value of £1.370m unclassified carriageway resurfacing programme*

***value could increase if TfL agree to deliver reserve schemes.*

- 6.2 The provisional allocation for 2016/17 assumes the same division of funding. The final programme for 2016/17 and beyond will be confirmed and reported to the Executive for approval during 2015/16.
- 6.3 It is proposed to utilise up to £10k of carriageway maintenance allocation and £40k of footway allocation to undertake condition surveys during 2015/6. These surveys will assist preparation of a long term asset management programme and confirm the 2016/17 programme.
- 6.4 The proposed approach to major road resurfacing and preventative maintenance assumes an approximate percentage split of funding of 70% and 30% respectively. Should there be any reduction or increase in the value of the Brent capital programme in future years, it is proposed to apply these approximate percentage splits to revised budgets.
- 6.5 Flood risk management expenditure is within the ENS revenue budget and as such is not reflected in the capital programme of works. The DEFRA flood grant was incorporated into the ENS revenue base a number of years ago and the grant taken centrally. As such all required expenditure will be contained within the revenue budget.
- 6.6 A bid for capital funding has been submitted to the London Bridge Engineering Group of the TfL in the sum of £337k for the 2015/16 which if successful would be additional to items included in the table at 6.1 above. Notification on the progress of the bid is due to be received in February 2015. The 2014/15 capital programme does not include any funding from this source and there are currently no schemes for improving Brent's bridges and structures.

7.0 LEGAL IMPLICATIONS

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

8.0 DIVERSITY IMPLICATIONS

- 8.1 The proposals in this report have been subject to screening there are considered to be no diversity implications that require partial or full assessment. The works proposed under the highways main programme do not have different outcomes for people in terms of race, gender, age, sexuality or belief.

- 8.2 In addition, the design criteria used in all highway work does take note of the special requirements of various disabilities. These will take the form of levels and grades associated with wheelchair users, for example road crossing points, and for partially sighted / blind persons at crossing facilities. The highway standards employed are nationally recognised by such bodies as the Department for Transport. This programme of works continues the upgrade of disabled crossing facilities at junctions which were not constructed to modern day standards. All new junctions are designed to be compliant at the time of construction.
- 8.3 Strengthened areas of footway are far less susceptible to damage and will therefore aid the movement of pedestrians that may find it difficult to walk on uneven pavements.

BACKGROUND PAPERS

None

CONTACT OFFICERS

Jonathan Westell, Highways Contracts & Delivery Manager
Tony Kennedy, Head of Service, Transportation

Sue Harper
Strategic Director of Environment and Neighbourhoods

APPENDIX A

Unclassified Roads Resurfaced during 2014/15

Unclassified Roads Resurfaced (£980k)	Length (m)	Ward
Heather Park Drive (Highcroft Avenue to The Grange)	425	ALP
Links Road	220	DOL
Milton Avenue (Windrush to end north west)	253	STN
The Circle	345	DNL
Brenthurst Road	245	DNL
Denzil Road	503	DNL
Bolton Road	140	HAR
Briar Road (Kenyngton Place to Upton Gardens)	210	KEN
Northwick Circle	541	KEN
Claremont Avenue	200	KEN
Clarence Road	109	KIL
Exeter Road (Shootup Hill to Mapesbury Road)	473	MAP
Meredith Avenue	90	MAP
Byron Road (East Lane to Ada Road)	200	NPK
Carlton Avenue East (Preston Road to Windermere Avenue)	757	PRE
Logan Road	368	PRE
Compton Road	245	QPK
Twybridge Way	382	STN
Conduit Way	589	STN
Homefield Road	288	SUD
St Michaels Avenue (Vivian Avenue to Harrow Road)	240	TOK
Chalfont Avenue (Oakington Manor Drive to Vivian Avenue)	260	TOK
Clifton Avenue	240	WEM
Jesmond Avenue	280	WEM
Totals	7.60km	
(miles)	(4.72)	

Preventative Maintenance during 2014-15

Preventative Maintenance (£420k)	Length (m)	Ward
Mount Pleasant (Ealing Road to Woodstock Road)	390	ALP
Barn Way	625	BAR
Alverstone Road	247	BPK

Hanover Road (Sidmouth Rd to o/s property numbers 170/172)	53	BPK
Randall Avenue (NCR to Tanfield Avenue)	400	DOL
Cobbold Road (Franklin Road to Roundwood Road)	252	DNL
Crundale Avenue	483	FRY
Harlesden Road (Longstone Avenue to Robson Avenue)	480	KGN/ WLG
Draycott Avenue (Wellacre Road to Woodcock Dell Avenue)	873	KEN
The Ridgeway (Draycott Avenue (west) to end)	45	KEN
Cedar Road	180	MAP
Oldborough Road	465	NPK
Melrose Gardens	315	QBK
Wyborne Way (NCR to Sunny Crescent)	327	STN
Repton Avenue	201	SUD
Parkfields Avenue	156	WHP
The Rise	217	WHP
St.James Gardens (Ealing Road to corner No 7)	75	WEM
Glebe Road	128	WLG
Totals	5.91km	
(miles)	(3.67)	

Short Sections Resurfaced during 2014/15

Short Sections Carriageway Resurfaced (£150k)	Length (m)	Ward
Brent Main Programme £150k		
Cambridge Avenue (20 to 56)	200	KIL
Stanley Gardens (2 to 22)	90	MAP
Harrow Road (o/s 792)	4	SUD
Forty Avenue (j/w The Avenue)	26	BAR
Mayfields (19 to 35)	118	BAR
Northwick Avenue (14 to 54)	210	NPK
Trevelyan gardens (Chelmsford Square)	38	BPK
Aldershot Road	137	KIL
Wembley High Road (o/s 522)	14	WEM
Neasden Lane (o/s scrap yard on crossover)	22	DNL
Preston Road (51 to 59)	55	PRE
East lane (o/s 313)	6	SUD/NPK
Claredon Gardens (on roundabout j/w The Dene)	30	PRE
Claredon Gardens (on roundabout j/w Queenscourt)	30	PRE
DfT Pothole Grant £298k		
Barrettes Green Road (j/w Acton Lane to junction with Central Road)	175	STN

Lydford Road (j/w Sidmouth Road)	55	BPK
Bridge Road (o/s 45 to j/w Gresham Road)	220	STN
Woodheyes Road (o/s 27 to opposite 105)	200	STN
Ilex Road (o/s 17 to j/w church Road)	124	DNL
Wyld Way (Grove Way to junction with Oakington Manor Drive)	240	TOK
Tanfield Avenue (26 to 38)	50	DNL
Winchfield close (o/s 24)	6	KEN
Coles Green Road (o/s 72)	20	DOL
Coles Green Road (16 - j/w Dollis Hill Lane)	122	DOL
Woodstock Road (Mount Pleasant to 57)	250	ALP
Wrottesley Road (roundabout j/w All Souls Avenue)	12	KGN
Totals	2.45km	
(miles)	(1.52)	

Non-Principal Classified B&C Roads Resurfaced during 2014/15

Carriageway Resurfacing (£150k)	Length (m)	Ward
Sidmouth Road (Mount Pleasant to Chamberlayne Road)	295	BPK
Pound Lane (exit from bus depot to Harlesden Road)	328	WLG
Totals	0.62km	
(miles)	(0.39)	

Principal A Roads Resurfaced during 2014/15

Principal (A Road) Maintenance Programme (£851k)	Length (m)	Ward
A407 High Road Willesden (Dudden Hill Lane to Church Rd)	752	WLG/DNL
A4088 Forty Avenue (East Lane to Talisman Way)	296	PRE
A404 Craven Park Road (Tunley Road to St.Marys Road)	247	HAR
A4089 Ealing Road (Bowrons Avenue to Douglas Avenue)	217	WEM/ALP
A404 Hillside (Sunny Crescent to Brentfield Road)	472	STN
A4003 Willesden Lane (Dyne Road to Kilburn High Road)	698	KIL
A404 High Road Wembley (Park Lane to Cecil Avenue)	188	WEM
Additional Funding (£646k)		
Neasden Lane North (Press Road to Coombe Road)	258	WHP
Manor Park Road	136	HAR
High Street Harlesden	248	HAR
Chichele Road (junction of Anson Road)	46	MAP
High Road Willesden (Brondesbury Park to Walm Lane)	302	WLG
Craven Park Road (Manor Park Road to Crownhill Road)	170	HAR
Totals	4.03km	
(miles)	(2.50)	

Footway Resurfacing completed in 2014/15

Footways Resurfaced (£1525k)	Length (m)	Ward
Garden Way	385	STN
Donnington Road	870	KEN
Chapter Road (Balmoral Road to Deacon Road)	896	WLG
Elmstead Avenue (Preston Road to Princess Avenue)	521	PRE
Odessa Road	300	KGN
Hampton Rise	120	KEN
Cedar Road	636	MAP
Dalmeny Close	300	SUD
Thurlby Road	772	WEM
Salisbury Road (Harvist Road to Windermere Avenue)	734	QPK
Kinch Grove	378	BAR
Hillside (PRN funded)	256	STN
Totals	6.16km	
	(3.83)	

Short Sections of Footway Resurfacing completed in 2014/15

Short Sections Footway Resurfaced (£150k)	Length (m)	Ward
St Annes Road (1 to 9)	19	WEM
Ridley Road (side off 1 to 21)	48	KGN
Alexzander Avenue (6 to 14)	38	BPK
Winchester Avenue (18 to j/w Willesden Lane)	62	QPK
Clarence Road (opposite 1)	8	KIL
Torbay Road (63 to 79)	32	KIL
Torbay Road (87 to Dyne Road)	39	KIL
Winchfield Close (o/s 24)	6	KEN
Treveleyan Crescent (1 to 5)	12	KEN
Swinderby Road (18 to 24)	11	WEM
Vincent Road (opposite 3)	18	ALP
Fernleigh Court (opp 5 to j/w Carlton Avenue East)	55	PRE
Woodhill crescent (o/s 51)	6	KEN
Clarendon Gardens (jw The Dene & Queenscourt)	42	PRE
Dyne Road (o/s 1 to 8 John Stewart House)	31	KIL
Stanley Gardens (2 to j/w Blenheim Gardens)	97	MAP
Randall Avenue (61 to 71)	26	DOL
Carlton Avenue East (o/s 71)	8	PRE
Thomas A Becket Close (28 to end)	34	SUD
Shaftesbury Ave (o/s 14)	12	KEN
Blair Avenue (18 to 20)	19	WHP

Fryant Way (s/o 23)	8	FRY
Dudden Hill Lane (j/w Southview)	9	DNL
Teignmouth Road (o/s 4)	6	MAP
Kenwyn Drive (7 to NCR)	3	DOL
Kenwyn Drive (12 to 14)	55	DOL
The Ridgeway (o/s 67)	9	KEN
Stanley Avenue (opp 44 outside school entrance)	11	ALP
Foxholt Gardens (j/w Wybourne Way to opp 9)	6	STN
Totals	0.73km	
(miles)	(0.45)	

APPENDIX B

Highways Maintenance Programme 2015 to 2017

Unclassified Borough Roads - Major and preventative maintenance programmes 2015-16

Major resurfacing programme 2015-16	Length (m)	Estimated Cost (£k)	Ward
Colwyn Road	54	14	DOL
Dawpool Road (Heather Road to Brook Road)	231	31	DOL
Hardinge Road	490	64	BPK
Mapesbury Road (Willesden Lane to bridge)	373	55	BPK
Lydford Road	895	128	BPK
Garnet Road	165	24	HAR
Upton Gardens (Briar Road to Northwick Circle)	245	32	KEN
Donnington Road	438	60	KEN
Cranleigh Gardens	330	43	KEN
Victoria Road	700	95	KIL
James Avenue	103	19	MAP
Grosvenor Gardens	180	26	MAP
Shelley Gardens	210	25	NPK
Kingsway	385	52	PRE
Holmstall Avenue	420	57	QBY
Wimborne Drive	223	33	QBY
Girton Avenue	515	67	QBY
Capitol Way	763	107	QBY
Crouch Road	220	28	STN
Totals	6.94km	960	
(miles)	(4.31)		
Preventative Maintenance Programme 2015-16	Length (m)	Estimated Cost (£k)	Ward
Barn Rise	703	51	BAR
Belvedere Way	420	37	BAR
Kingsmere Park	307	20	BAR
Christchurch Avenue (Willesden Lane to Brondesbury Park)	215	24	BRO
Rosecroft Gardens	105	8	DOL
Bush Grove	493	44	FRY
Old Kenton Lane	540	37	FRY
Summit Close	140	9	FRY
Wakemans Hill Avenue	608	69	FRY
Longstone Avenue (Drayton Road to Harlesden Road)	378	41	KGN/W LG
Southwell Road	96	10	KEN
Mapesbury Road (Teignmouth Road to Shoot Up Hill)	196	24	MAP

Montpelier Rise	420	26	PRE
Totals	4.62km	400	
(miles)	(2.87)		

Non-Principal B & C Roads - Major maintenance programme 2015/16

Carriageway Resurfacing B & C Roads	Length (m)	Estimated Cost (£k)	Ward
Wrentham Avenue	366	53	QPK
Chamberlayne Road (junction with Hardinge Road)	45	22	BPK
Chamberlayne Road (junction with Station Terrace)	20	9	QPK
Brentfield Road (NCR to outside school)	441	66	STN
Totals	0.87km	150	
(miles)	(0.54)		

Major resurfacing of short sections 2015/16

Short Sections of Carriageway Resurfacing	Length (m)	Budget (£k)	Ward
Sites to be prioritised during financial year	TBD	150	-

Renewal of Road Markings 2015-16

Renewal of Road Markings	Length (m)	Budget (£k)	Ward
Sites to be prioritised during financial year	TBD	50	-

Principal (A Road) Maintenance Programme 2015/16 - funded by TfL

Principal (A Road) Maintenance Programme	Length (m)	Estimated Cost (£k)	Ward
A404 Hillside NW10 (Wesley Road to Brentfield Road - also to include 754mts of footway upgrade)	350	448	STN
A4088 Forty Avenue (Corringham Road to Barn Rise)	240	140	BAR
A404 Craven park (Knatchbull Road to St Albans Road)	290	190	STN/HAR
A4005 Ealing Road (Glacier Way to Carlyon Road)	280	110	ALP
A4005 Bridgewater Road (Junction Manor Farm Road)	130	98	ALP
A5 Edgware Road (Chicele Road to Temple Road)	350	111	MAP
Totals	1.64km	1097	
(miles)	(1.01)		
Reserve Scheme			
A4006 Kingsbury Road (Honeypot lane to Valley drive)	550	252	QBY/FRY

Note: programme identified through the results of a London-wide SCANNER survey and to be funded by TfL. All schemes are subject to co-ordination with internal and external agencies.

Footway Improvements to be funded by Brent Capital Budget in 2015/16

Footway Resurfacing	Length (m)	Estimated Cost (£k)	Ward
Wembley Hill Road (Wembley Park Drive to East Lane)	610	179	PRE
Roe Green	840	246	FRY
Grasmere Avenue (College Road to Preston Road)	926	251	PRE
Cranleigh Gardens	600	151	KEN
Hardinge Road	966	241	BPK
Harrowdene Road (East Lane to Barley Close)	616	178	SUD
Riffel Road	724	196	DNL
Robson Avenue (West side only)	320	73	WLG
Totals	5.60km	1515	
(miles)	(3.48)		

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

Other footway improvements 2015/16

Footway Short-section Improvements	Length (m)	Budget (£k)	Ward
Sites to be prioritised in-year	TBD	150	-

Public Realm improvements 2015/16

Public Realm Improvements	Length (m)	Budget (£k)	Ward
Sites to be prioritised in-year	TBD	125	-

Provisional Highways Maintenance Programme 2016/17

Unclassified Borough Roads - Major and preventative maintenance programmes

Major resurfacing programme 2016/17	Length (m)	Estimated Cost (£k)	Ward
Limesdale Gardens	345	44	QBY
Park Chase	410	42	TOK
Vivian Avenue (Chalfont Avenue to Monks Park)	228	30	TOK
Verney Street	305	39	WHP
Elspeth Road	95	11	WEM
Barnhill Road (section near Waterside Close)	60	8	BAR
Canterbury Terrace	120	16	KIL
Wycombe Road	140	21	ALP
Bathurst Gardens (property no 2 to Wrottedley Road)	510	66	KGN
Buck Lane (Hay Lane to Highfield Avenue)	287	36	FRY
Winchelsea Road (Knatchbull Road to Farm Road)	206	41	STN
Brownlow Road	290	38	HAR
Melrose Avenue	899	119	DNL
Eton Avenue (Charterhouse Avenue to Repton Avenue)	230	18	SUD
Oakdale Avenue	160	17	KEN
Maybank Avenue (Greenbank Avenue to Harrow Road)	365	46	SUD
Langler Road	225	29	QPK
Sudbury Hill Close	255	26	NPK
Warfield Road	90	12	QPK
Burrows Road	312	36	QPK
Fairlight Avenue (Minet Avenue to Acton Lane)	95	16	HAR
Geary Road (Cullingworth Road to Park Avenue North)	271	35	DNL
Mostyn Avenue	263	34	TOK
Ballards Road	306	39	DOL
Mordaunt Road	245	33	STN
Mostyne Gardens	132	17	QPK
Perrin Road	135	19	NPK
Buckingham Road	292	37	KGN
West Way	321	35	WHP
Totals (not including reserve schemes)	7.59km	960	
	(4.71)		
Reserve Schemes			
<i>Fourth Way</i>	380	53	TOK

<i>Ebrington Road</i>	380	50	KEN
<i>Chalkhill Road</i>	90	12	BAR
<i>Kempe Road</i>	452	73	QPK
<i>Nightingale Road</i>	275	38	KGN
<i>Callcott Road</i>	275	39	KIL
Total Reserves	1.85km	265	
	(1.14)		
	(miles)		
Preventative Maintenance Programme 2016-17	Length (m)	Estimated Cost (£k)	Ward
The Croft	260	17	SUD
Village Way	420	27	WHP
Napier Road	227	16	WEM
Chaplin Road (Belton Road [north] to Villiers Road)	171	14	WLG
Grendon Gardens	375	18	BAR
Kinch Grove	125	9	BAR
Lewgars Avenue	250	19	FRY
Bush Grove (Slough Lane to Holly Grove)	252	24	FRY
Lyon Park Avenue (Woodstock Road to property no 196/198)	266	26	WEM
North Way	362	33	QBY
The Crossways	350	21	BAR
Lancaster Road	245	25	DNL
Windermere Avenue (Ennerdale Gardens to Coniston Gardens)	298	27	PRE
Aboyne Road (Neasden Lane to Annesley Close)	85	9	WHP
Bryan Avenue (Donnington Road to Rowdon Avenue)	290	28	BPK
Copland Avenue	200	24	SUD
Copland Close	49	5	SUD
Dacey Avenue	252	21	MAP
Furness Road (Wrottesley Road to High Street Harlesden)	315	37	KGN
Totals (not including reserve schemes)	4.79km	400	
	(2.98)		
	(miles)		
Reserve Schemes			
<i>All Souls Avenue (Bathurst Gardens to Herbert Gardens)</i>	312	37	BPK
<i>Dobree Avenue</i>	342	34	BPK
<i>Gardiner Avenue</i>	130	11	MAP
<i>Minet Gardens</i>	64	6	HAR
<i>Uffington Road</i>	360	34	WLG
<i>Kings Drive (Greenhill Way to property no 41)</i>	165	15	BAR
<i>Oldfield Road</i>	445	44	HAR

<i>Princess Road (Cambridge Gardens to property no 19)</i>	246	27	KIL
<i>Priory Gardens</i>	275	23	NPK
<i>Torbay Road</i>	310	29	KIL
<i>Carlisle Road</i>	200	20	QBY
Total Reserves	2.85km	280	
(miles)	(1.77)		

Non-Principal B & C Roads - Major maintenance programme 2016/17

Carriageway Resurfacing	Length (m)	Estimated Cost (£k)	Ward
Sites to be prioritised based on survey results in 2015	TBD	150	-

Major resurfacing of short sections 2016/17

Short Sections of Carriageway Resurfacing	Length (m)	Estimated Budget (£k)	Ward
Sites to be prioritised during 2016	TBD	150	-

Renewal of Road Markings

Renewal of Road Markings	Length (m)	Budget (£k)	Ward
Sites to be prioritised during 2016	TBD	50	-

Principal (A Road) Maintenance Programme 2016/17 - funded by TfL

2016/17 Schemes will be identified by the results of a London-Wide Scanner Survey and to be funded by TfL. All schemes are subject to co-ordination with internal and external agencies.

Footway Improvements to be funded by Brent Capital Budget in 2016/17

Footway resurfacing 2016/17	Length (m)	Estimated Cost (£k)	Ward
Regal Way (Westward Way to Shaftesbury Avenue)	958	267	KEN
Chandos Road	460	127	DNL
Townsend Lane (Kingsbury Road to Kingsmead Avenue)	1572	249	FRY
Elthorne Road	610	168	WHP/FRY
Mallard Way	744	221	WHP
Chalfont Avenue (Oakington Manon Drive to Brent Way)	162	75	TOK
Geary Road (Cullingworth Road to Park Avenue North)	542	139	DNL

Manor House Drive	976	269	BPK
Totals (not including reserve schemes)	6.02km	1515	
(miles)	(3.74)		
Reserve Schemes			
Medway Gardens	810	189	SUD
Mostyne Avenue	652	166	TOK
Woodcock Hill (Kenton Road to Dovedale Avenue)	958	264	KEN
Totals	2.4km	619	
(miles)	(1.49)		

Other footway improvements 2016/17

Footway Short-section Improvements	Length (m)	Estimated Cost (£k)	Ward
Sites to be prioritised during 2016	TBD	150	-

Public Realm improvements 2016/17

Public Realm Improvements	Length (m)	Estimated Budget (£k)	Ward
Sites to be prioritised during 2016	TBD	125	-

APPENDIX C

WARD ABBREVIATIONS

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

APPENDIX D

MAP OF PROPOSED CARRIAGEWAY AND FOOTWAY RESURFACING PROGRAMME 2015-17




SEE ATTACHMENT

APPENDIX E

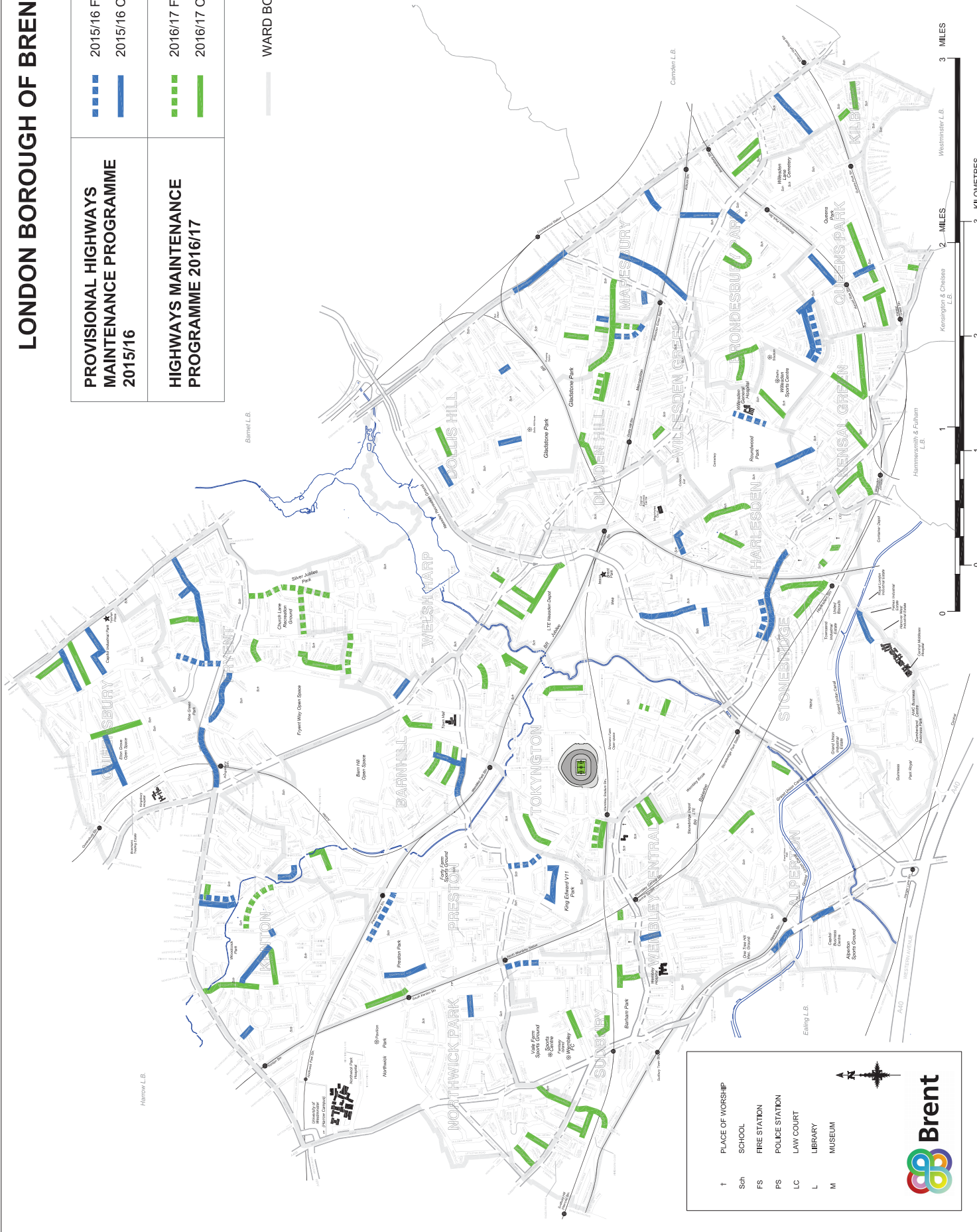
MAP OF PRINCIPAL AND OTHER CLASSIFIED ROAD NETWORK IN BRENT

SEE ATTACHMENT



LONDON BOROUGH OF BRENT

PROVISIONAL HIGHWAYS MAINTENANCE PROGRAMME 2015/16	 2015/16 Footway
	 2015/16 Carriageway
HIGHWAYS MAINTENANCE PROGRAMME 2016/17	 2016/17 Footway
	 2016/17 Carriageway

 WARD BOUNDARY



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

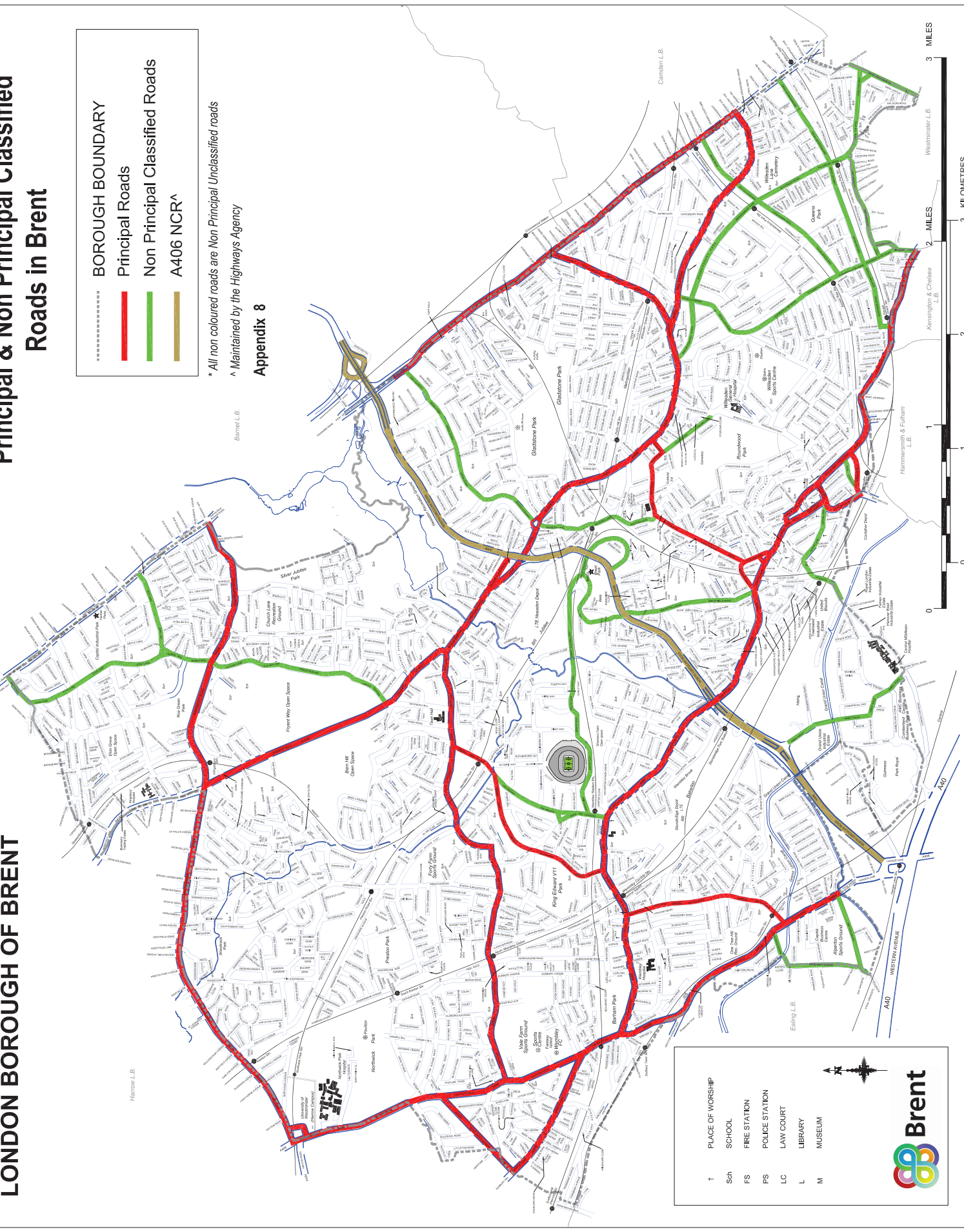
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Principal & Non Principal Classified Roads in Brent

LONDON BOROUGH OF BRENT


BOROUGH BOUNDARY
 Principal Roads
 Non Principal Classified Roads
 A406 NCR[^]

* All non coloured roads are Non Principal Unclassified roads
 ^ Maintained by the Highways Agency
Appendix 8



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

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 <p>Brent</p>	<p align="center">Cabinet 23 February 2015</p> <p align="center">Report from the Assistant Chief Executive</p>
<p>For Action</p>	<p align="right">Wards Affected: ALL</p>
<p>Promoting Electoral Engagement (IER) Task Group</p>	

1.0 Summary

- 1.1 This report brings to the Cabinet a report which contains findings and recommendations of the scrutiny task group's investigation into how to manage a successful transition to Individual Electoral Registration (IER). The IER system went live in July 2014 and is expected to fully supplant the current Household Electoral Registration system on 1st December 2015 with the aim of making the process of registration more convenient and secure.
- 1.2 The task group was established because members were concerned about the transition to IER, in particular, that a large number of Brent's residents may not be successfully transferred to the new system and thus removed from the electoral register. This could undermine civic engagement in the borough and negatively impact upon Brent's residents in a number of other ways such as making it difficult to undergo a credit check.
- 1.3 A number of demographic 'risk factors' which could lead to large number of people being accidentally removed from the electoral register have been identified. These include; high rates of population churn, large numbers of people living in the private rented sector and high numbers of students, all of which are prevalent in Brent.
- 1.4 In this context, the task group wanted to better understand the how the different service areas across the council are preparing for the changes and examine what could be done to ensure a successful transition to IER.
- 1.3 Given the timeframe for the roll-out of IER, it is hoped that the task group's work may assist service areas by providing timely recommendations to improve outreach with residents and ensure a smooth transition to the new system.

2.0 Recommendations

- 2.1 That the Cabinet endorse the recommendations in the report.

2.2 That the members of the task group be thanked for their work.

3.0 Detail

3.1 IER is different from the current system in that it requires each person to register individually, instead of one person in a household supplying the details of everyone living at that address. Online registration will be available from the start of IER and it is hoped this will help everyone who is eligible to vote to have control over their own process of registration.

3.2 The task group drew on a wide range of sources throughout the course of its work, which can be broadly grouped into four categories:

- **Quantative:** drawn from a range of sources such the DWP, the credit referencing agency Experian and the Office for National Statistics. Support has also been provided by Brent's Research and Intelligence team;
- **Qualitative - evidence given:** face-to-face evidence and presentations given to the task group by relevant experts and stakeholders;
- **Qualitative - consultation:** telephone and face-to-face consultation with relevant organisations such as the Electoral Commission; and
- **Qualitative – secondary research:** desktop-based collation of various pieces of policy literature and examples of best practice from elsewhere.

The task group's report would not have been possible without the help of a wide-range of internal and external contributors, who were an invaluable source of information and knowledge.

Brent Council:

- James Diamond (Communications)
- Sean O'Sullivan (Electoral Services - ERO)
- Peter Goss (Democratic Services)
- Dr John Birkett (Research and Intelligence)
- Jo McCormick (Partnerships and Participation)
- Tessa Awe (CVS Brent)
- Freda Owusu (Brent Housing Partnership)
- Tony Hirsch (Policy and Performance)
- Carl Holloway (Media Relations)
- Cllr Michael Pavey (Deputy Leader of the Council)
- Thomas Cattermole (Member Services)
- Nicola Mclean (Brent Youth Services)
- Dr Melanie Smith (Director of Public Health)
- Phillip Porter (Director of Adult Social Care)

External Partners:

- The Electoral Commission
- Francis Henry (Daniel's Estate Agents)
- Ann O'Neil (Brent Mencap)
- Lesley Spencer (Manchester City Council)
- Elisabeth Pop (Hope not Hate)
- Manpreet Chhokar (Hope not Hate)
- Chris Ruane MP (Political and Constitutional Reform Committee)

3.3 The work of the task group has encompassed the following three themes:

- The need to develop a comprehensive IER roll-out programme and communications strategy;
- The need for more effective working with partners including the voluntary sector, housing and other statutory and non-statutory partners; and
- The need for enhanced civic engagement with the community (e.g. improved civic education and greater outreach by elected members).

3.4 Grouped into the three themes outlined above, the report then makes the following recommendations:

Theme 1: the need for a comprehensive IER roll-out programme and communications strategy

1. Carry out further work to establish key target groups so that bespoke tactics may be used to reach more eligible voters. This would include an assessment the audiences attitudes, opinions and motivations as well as any potential language barriers there may be;
2. When developing the IER roll-out programme, the lowest matched polling districts and wards should be primarily targeted during canvassing;
3. The Electoral Services team should work with all council departments and partners to adopt an 'every contact counts' approach to ensure contact with residents is maximised, including email footers, automated messaging and library card and blue badge applications;
4. Proximity and broadcast messaging and social media should be considered as part of the communications strategy;
5. The communications team should engage young people to be actively involved in the development of communications materials aimed specifically at young people;
6. The communications team should develop messages around the benefits of civic participation and why it is important to register as well as the negative consequences of not being listed on the register;
7. Leaflets and posters about IER should made clearer and the headings made bold, snappy and straightforward to better communicate with residents with learning difficulties and visual impairments. A QR code¹ could also be placed on leaflets to direct people to the website;
8. Postal communications with electors should include a covering letter that is straightforward and easy to understand;
9. It should be made clear in the council's covering letter that unique identifiers other than an National Insurance (NI) number can be used to, details about unique identifiers should also be placed on the website; and
10. Brent's website should have a link directing people to the Jobcentre Plus website where they can obtain a NI number if they do not have one.

Theme 2: the need for more effective working of partners including the voluntary and community sector, housing and other statutory and non-statutory partners

¹ A code that by read by any imaging device (e.g. a smartphone) which links to further information.

11. Electoral Services should engage Adult Social Care (ASC), Public Health and external partners such as the NHS and Brent Mencap to ensure that potentially vulnerable residents are successfully registered;
12. Electoral Services should work with ASC to develop clear guidelines to inform both residential and domiciliary carers of their civic duties regarding those under their care, they must also inform residents under their care about IER as part of the 'making every contact count' programme;
13. The council's Public Health function should encourage sign-up to IER through its commissioned services;
14. The council should ensure that polling stations are fully accessible to disabled residents and that staff are appropriately trained;
15. Full advantage is taken of the opportunities presented by landlord licensing and that the information gleaned from licensing is fed directly into the IER roll-out programme;
16. Clear guidelines for canvassing Brent Housing Partnership (BHP) properties must be developed, the names and numbers of tenancy officers obtained and confirmation letters provided to canvassers by BHP;
17. Canvassers should also include visits to specialty shops catering to residents from different backgrounds;
18. Commonwealth, EU and new citizens should be encouraged to sign-up to IER by incorporating information and forms about IER into a welcome pack;
19. The Electoral Services team work with GP practices, dentists, opticians and pharmacies to encourage voter registration;
20. Electoral Services and Housing should monitor the developments around 'right to rent' for any impact it might have on information gathering and communication with residents;
21. Electoral Services should scope the possibility of working with estate agents in Brent to incorporate IER registration into potential welcome packs alongside council tax forms and utility company registration forms;
22. Electoral Services should scope the capacity to work with The University of Westminster and other higher education institutions such as the College of North-West London to be integrated into enrolment processes similar to a model used by Manchester City Council;
23. Brent Council should work with the Greater London Authority (GLA) to lobby Parliament to introduce legislation similar to the National Voter Registration Act (NVRA); and
24. Electoral Services should work with Brent Youth Services and Bite the Ballot to register young people.

Theme 3: the need for enhanced civic engagement with the community (e.g. improved civic education and greater outreach by elected members)

25. Electoral Services should work closely with Brent's Partnerships and Engagement team and CVS Brent to take full advantage of the VCS sector, both in terms of delivering registration services and in providing information to the council about outreach work in the community; and
26. The council and elected members work closely with Hope not Hate (HnH) to better engage with local VCS organisations and elected members should support Electoral Services to do this.

4.0 Implementation to the task group's recommendations

In further consultation with stakeholders, an action plan has been developed by the relevant service areas. This action plan sets out the council's response to the

recommendations made by the task group's report and will be used to monitor progress made at service level. It will also be used to report back to the Scrutiny Committee at regular intervals or when requested.

5.0 Financial Implications

The Government has acknowledged that local authorities may be put under increased pressure to deliver the changes to implement the new system. The Cabinet Office, therefore, has made it clear that any activities which create additional costs will be met by top-up funding to support the transition to IER. There is some concern that the new system will lead to a long-term increase in work which will not be matched by government funding. The task group has been told that such additional funds have been made available through yearly ring-fenced Cabinet Office grants to support the transition to IER. So far, these include the following:

- £11,000 in August 2013; and
- £217,641 in 2014/15.

Although funding arrangements have not yet been disclosed for 2015/16, Brent's Electoral Services team are expecting a similar level of grant funding for further work.

6.0 Legal Implications

6.1 The change to IER comes as result of the Electoral Registration and Administration Act 2013. The Representation of the People Act (RPA) 1983 requires councils in England and Wales to appoint an Electoral Registration Officer. The RPA also requires that the council's Electoral Registration Officer be responsible for compiling and maintain the council's electoral role and administering an annual canvass.

7.0 Diversity Implications

7.1 Throughout the course of the task group's work, a number of community groups potentially at-risk were identified, these include:

- Young people turning 18;
- Those aged 18 – 24 (including students);
- Tenants in the private rented sector (PRS);
- Postal voters;
- People whose first language is not English; and
- People with learning disabilities.

7.2 Ensuring that these groups are engaged is at the core of this task group's recommendations. However, of the above at-risk groups, only young people and people with learning disabilities are covered by the Equalities Act 2010. The task group recommended that further demographic research into under-represented groups covered by the Act should be undertaken to obtain clearer picture of diversity implications. It is hoped that these implications will be revealed in greater detail by the completed communications strategy and it's subsequent Equalities Impact Analysis.

8.0 Staffing/Accommodation Implications (if appropriate)

8.1 Brent's Electoral Services team is set to take on temporary staff to aid with canvassing in the run-up to the election.

9.0 Contact Officers

James Curtis
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Tel – 020 8937 4594
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Tel – 020 8937 4349
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Promoting Electoral Engagement

A Scrutiny Task Group Report

November 2014

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Chair's Foreword



This task group was established in response to the challenges posed by the introduction of Individual Electoral Registration (IER), the most significant change in the electoral system for 100 years. The right to vote is fundamental to democracy and it is for this reason that Brent Council's new administration has made this issue a corporate priority.

Brent has always had a significant level of under-registration. However, the transition to IER presents an opportunity to better understand how significant the problem is, and more importantly, offer practical proposals as to how Brent, and our partners, can improve registration.

To ensure a successful transition to IER, the council must also change the way we work, the way we engage with partners and to engage more with community groups and residents. The council must champion voter registration, by making the case for civic participation. As we have subsequently found out, however, not being included on the electoral register could also mean being unable to undergo a credit reference check which can significantly impede an individual's ability to access financial services, including a mortgage or even a mobile phone contract.

Brent is an incredibly diverse borough; no two wards look alike. Through our investigations, we have discovered that even within neighbourhoods and polling districts, there is a large variance in voter registration. This means that we need to a bespoke plan to target those most at-risk of not registering and to concentrate efforts in the areas most in need and make best use of communications tactics that target those who are hardest to reach.

Consequently, a successful transition to IER is not something that the council can do on its own. It will require a huge joint effort across council services and local stakeholders, partner agencies and community organisations.

Unlike previous scrutiny task groups, the approach taken in this instance has shown that by working more collaboratively with service areas, issues and findings can be actioned much more quickly.

I would like to thank the numerous officers and councillors who sat on the task group and the many witnesses who kindly devoted their time to contribute to this report.

Cllr Neil Nerva

Chair, Individual Electoral Registration Scrutiny Task Group

November 2014

Task group membership

- Cllr Neil Nerva (chair)
- Cllr Tom Miller
- Cllr Janice Long
- Cllr Tayo Oladapo
- Cllr Arshad Mahmood
- Cllr Rita Conneely
- Cllr Aisha Hoda-Benn

Policy support has been provided by James Curtis (Policy Officer) and Christopher Young (Senior Policy Officer).

In order to complete the work, the task group gathered evidence from a number of internal and external partners. We would like to thank the following colleagues from within Brent Council and our partners, who have provided invaluable insight throughout this process.

Brent Council:

- James Diamond (Communications)
- Sean O’Sullivan (Electoral Services - ERO)
- Peter Goss (Democratic Services)
- Dr John Birkett (Research and Intelligence)
- Jo McCormick (Partnerships and Participation)
- Tessa Awe (CVS Brent)
- Freda Owusu (Brent Housing Partnership)
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- Dr Melanie Smith (Director of Public Health)
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- Elisabeth Pop (Hope not Hate)
- Manpreet Chhokar (Hope not Hate)
- Chris Ruane MP (Political and Constitutional Reform Committee)

Executive Summary

Individual Electoral Registration (IER) was introduced through the Electoral Registration and Administration Act 2013 and, from June 2014, all newly registered voters must be registered under the new system. IER requires each person to register individually rather than having one person in the household supply the details of everyone living at a particular address. In addition to a current address, it also requires two personal identifiers - further proof of identity and eligibility – in the form of a National Insurance (NI) number and a date of birth.

The introduction of IER, therefore, presents the council with significant challenges as well as a range of opportunities to improve voter registration across Brent, as uncovered by the task group's investigations. One of the more unique opportunities presented by the transition to IER is that, over the course of this process, a much clearer picture of under-registration may be developed and, in turn, targeted through an intelligence-led communications strategy.

This task group was established with the over-arching aim of ensuring that as many of Brent's residents are transferred to the new system as possible. Further outcomes include the following:

- To ensure that a clear and coherent IER roll-out programme and communications strategy is developed for promoting electoral engagement in the borough, with a particular focus on under-represented groups;
- Ensure that the council and elected members are engaging with local communities around civic participation and voter registration;
- Harness the expertise of local VCS organisations to reach out to residents;
- Ensure that the maximum people in the borough are successfully transferred to the new system with a target rate of 95%; and
- Increase the proportion of local people on the electoral register.

Prior to the first revised register being published on 1 December 2014, a confirmation 'dry-run' data-matching exercise, which cross-referenced data from the Department for Work and Pensions (DWP) with local electoral registers was undertaken to confirm electors' addresses. In Brent, 67.6% of electors were successfully matched; this is significantly below the national average of 79% but just below the London average of 68%.

A Red, Amber, Green (RAG) rating has been assigned to each individual to indicate the extent to which they have been successfully matched. Red indicates that no-one at the property has matched, Amber indicates discrepancies at the property (e.g. someone whose name has recently changed), whereas Green indicates a full match.

The matching exercise has allowed the council to identify what the lowest matching polling districts are. Consequently, the report recommends the Electoral Services team make a concerted effort to target the polling districts with the highest overall number of Amber and Red matches. Whilst the matching exercise has revealed the geography of under-registration, the demographics of under-registration have been more difficult to establish. Therefore, the report recommends that more work is required to establish the demographic trends of under-registration as these may have implications for the IER roll-out.

After considering evidence taken from key officers from Brent Council's services, voluntary and community sector organisations and other key stakeholders, this report advocates a threefold approach for improving voter registration as a whole and for targeting the lowest-matching polling districts:

1. The need for a comprehensive IER roll-out programme and communications strategy which is characterised by intelligence-led targeting of areas and at-risk community groups. The strategy should use clear and effective messaging;
2. The need for more effective work with partners including the voluntary and community sector, housing and other statutory and non-statutory partners; and
3. The need for enhanced civic engagement with the community (e.g. improved civic education and greater outreach by elected members).

The risk of under-representation due to the shift to IER remains considerable. In previous years Brent's Electoral Services team, through their registration drives and canvasses, have achieved registration rates of 95%. What the matching, therefore, tells us is that – even as snapshot – voter registration is not as accurate as we would like to think. Moreover, the Electoral Commission estimates that some 7.5 million eligible voters nationally will not be registered to vote in more is not done to promote electoral registration.

Recommendations

In light of the facts and findings highlighted in this report, the task group makes the following recommendations. These recommendations, which can be broadly grouped into three themes, include:

Theme 1: the need for a comprehensive IER roll-out programme and communications strategy

1. Carry out further work to establish key target groups so that bespoke tactics may be used to reach more eligible voters. This would include an assessment the audiences attitudes, opinions and motivations as well as any potential language barriers there may be;
2. When developing the IER roll-out programme, the lowest matched polling districts and wards should be primarily targeted during canvassing;
3. The Electoral Services team should work with all council departments and partners to adopt an 'every contact counts' approach to ensure contact with residents is maximised, including email footers, automated messaging and library card and blue badge applications;
4. Proximity and broadcast messaging and social media should be considered as part of the communications strategy;
5. The communications team should engage young people to be actively involved in the development of communications materials aimed specifically at young people;
6. The communications team should develop messages around the benefits of civic participation and why it is important to register as well as the negative consequences of not being listed on the register;
7. Leaflets and posters about IER should made clearer and the headings made bold, snappy and straightforward to better communicate with residents with learning difficulties and visual impairments. A QR code¹ could also be placed on leaflets to direct people to the website;
8. Postal communications with electors should include a covering letter that is straightforward and easy to understand;
9. It should be made clear in the council's covering letter that unique identifiers other than an National Insurance (NI) number can be used to, details about unique identifiers should also be placed on the website; and
10. Brent's website should have a link directing people to the Jobcentre Plus website where they can obtain a NI number if they do not have one.

Theme 2: the need for more effective working of partners including the voluntary and community sector, housing and other statutory and non-statutory partners

11. Electoral Services should engage Adult Social Care (ASC), Public Health and external partners such as the NHS and Brent Mencap to ensure that potentially vulnerable residents are successfully registered;
12. Electoral Services should work with ASC to develop clear guidelines to inform both residential and domiciliary carers of their civic duties regarding those under their care, they must also inform residents under their care about IER as part of the 'making every contact count' programme;

¹ A code that by read by any imaging device (e.g. a smartphone) which links to further information.

13. The council's Public Health function should encourage sign-up to IER through its commissioned services;
14. The council should ensure that polling stations are fully accessible to disabled residents and that staff are appropriately trained;
15. Full advantage is taken of the opportunities presented by landlord licensing and that the information gleaned from licensing is fed directly into the IER roll-out programme;
16. Clear guidelines for canvassing Brent Housing Partnership (BHP) properties must be developed, the names and numbers of tenancy officers obtained and confirmation letters provided to canvassers by BHP;
17. Canvassers should also include visits to specialty shops catering to residents from different backgrounds;
18. Commonwealth, EU and new citizens should be encouraged to sign-up to IER by incorporating information and forms about IER into a welcome pack;
19. The Electoral Services team work with GP practices, dentists, opticians and pharmacies to encourage voter registration;
20. Electoral Services and Housing should monitor the developments around 'right to rent' for any impact it might have on information gathering and communication with residents;
21. Electoral Services should scope the possibility of working with estate agents in Brent to incorporate IER registration into potential welcome packs alongside council tax forms and utility company registration forms;
22. Electoral Services should scope the capacity to work with The University of Westminster and other higher education institutions such as the College of North-West London to integrate into enrolment processes similar to a model used by Manchester City Council;
23. Brent Council should work with the Greater London Authority (GLA) to lobby Parliament to introduce legislation similar to the National Voter Registration Act (NVRA); and
24. Electoral Services should work with Brent Youth Services and Bite the Ballot to register young people.

Theme 3: the need for enhanced civic engagement with the community (e.g. improved civic education and greater outreach by elected members)

25. Electoral Services should work closely with Brent's Partnerships and Engagement team and CVS Brent to take full advantage of the VCS sector, both in terms of delivering registration services and in providing information to the council about outreach work in the community; and
26. The council and elected members work closely with Hope not Hate (HnH) to better engage with local VCS organisations and elected members should support Electoral Services to do this.

1.0 Introduction – the scope and purpose of the task group’s work

Individual Electoral Registration (IER) has been described as the most significant change to the electoral system in the last 100 years. The IER system went live in June 2014 and is expected to fully supplant the current Household Electoral Registration system on 01 December 2015 with the aim of making the process of registration more convenient and secure. IER is different from the current system in that it requires each person to register individually, instead of one person in a household supplying the details of everyone living at that address. Online registration will be available from the start of IER and it is hoped this will help everyone who is eligible to vote to have control over their own registration. Another key difference is that registration will now become an annual process, meaning voters will have to re-register prior to each election.

The introduction of IER has highlighted the challenge of low levels of voter registration and civic engagement, both of which have been significant issues in Brent for a number of years and need addressing. Consequently, a number of issues raised in this document would be of relevance in spite of the introduction of IER. At this point, it is unclear how many eligible voters there are in Brent who, for a number of reasons, may not be registered to vote.

The purpose of this particular task group is to ensure that all of Brent’s residents are successfully transferred onto the new electoral roll. Therefore, the task group’s intended outcomes are:

- To ensure that a clear and coherent IER roll-out programme and communications strategy is developed for promoting electoral engagement in the borough, with a particular focus on under-represented groups;
- Ensure that the council and elected members are engaging with local communities around civic participation and voter registration;
- Harness the expertise of local VCS organisations to reach out to residents;
- Ensure that the maximum people in the borough are successfully transferred to the new system with a target rate of 95%; and
- Increase the proportion of local people on the electoral register.

After considering evidence taken from key officers from Brent Council’s services, voluntary and community sector organisations and other key stakeholders, this report advocates a threefold approach for improving voter registration as a whole and for targeting the lowest-matching polling districts:

1. The need for a comprehensive IER roll-out programme and communications strategy which is characterised by intelligence-led targeting of areas and at-risk community groups. The strategy should use clear and effective messaging;
2. The need for more effective work with partners including the voluntary and community sector, housing and other statutory and non-statutory partners; and
3. The need for enhanced civic engagement with the community (e.g. improved civic education and greater outreach by elected members).

So far, the London Borough of Brent is the only local authority that we are aware of to undertake scrutiny work on Individual Electoral Registration. The new administration in Brent has made scrutiny of electoral registration a corporate priority. The transition to IER also raises issues of equality and diversity, many of which are addressed within this report’s findings and recommendations. The council must ensure it is fulfilling its public sector equality duties and this extends to civic participation and voter registration.

2.0 Methodology

The task group drew on a range of quantitative and qualitative data for this project which can be broadly grouped into four categories:

Quantitative: drawn from the DWP and collated by Brent's Research and Intelligence team. Data has also been obtained from the credit referencing agency Experian and the Office for National Statistics;

Qualitative – evidence given: consisting of face-to-face evidence and presentations given by relevant experts and stakeholders to the task group;

Qualitative – consultation: consisting of telephone and face-to-face consultation with relevant organisations such as the Electoral Commission; and

Qualitative – secondary research: consisting of the desktop-based collation of existing pieces of policy literature on the subject and examples of best practice from elsewhere.

3.0 Background and Policy Context

Individual Electoral Registration (IER) was introduced through the Electoral Registration and Administration Act 2013 and from June 2014 all newly registered voters must be registered under the new system. IER requires each person to register individually rather than having one person in the household supply the details of everyone living at a particular address. It also requires further proof of identity and eligibility in the form of a National Insurance (NI) number, date of birth and current address. Online registration will be available from the start of IER and it is hoped this will help everyone who is eligible to vote to have control over their own registration. Another key difference is that registration will now become an annual process, meaning voters will have to re-register prior to each election.

Low levels of voter registration and civic engagement have been significant issues in Brent for a number of years and, consequently, a number of issues raised in this document would be of relevance in spite of the introduction of IER. At this point, it is unclear how many eligible voters there are in Brent who, for a number of reasons, may not be registered to vote and the transition to IER underscores this more important, ongoing issue which needs addressing.

The Electoral Commission has mandated that local authorities - and their Electoral Registration Officers (EROs) - set a timetable for local strategies to be developed in order to transition to the new system. Prior to the first, revised, register being published on 1 December 2014 a data matching exercise, known as the confirmation 'dry run', was undertaken to confirm existing local electoral registers with addresses taken from a database at the Department for Work and Pensions (DWP). This was done to accurately match individuals to their addresses.

A Red, Amber, Green (RAG) rating system was assigned to each individual on local registers to illustrate the extent to which they matched. Red indicated no-one at the property was successfully matched; Amber indicated discrepancies at the property (e.g. someone who goes by a shortened or nickname); Green indicated a full match.

As well as the confirmation dry run, the Electoral Commission also requested that local authorities cross-reference DWP data with local records, such as Council Tax databases.

Brent was one of the local authorities which the Electoral Commission reported as having not done this. However, having consulted with Electoral Services, this was not undertaken due to IT problems and the Commission was subsequently informed.

All electors who have been successfully matched in this process will be automatically transferred to the new role and have been written to with confirmation of their status. For households that have been matched Red or Amber, the council has sent out a household inquiry form; this is, in effect, the equivalent of the traditional canvass form. Following the return of the household inquiry form, an invitation to register must be sent out to each eligible person requesting their date-of-birth and national insurance numbers.

Two reminders will be sent and followed up by household visits if necessary. It remains a civil offence not to return the forms and Electoral Registration Officers (EROs) may impose a civil penalty of £80 for not doing so. The first revised electoral register will then be published on 01 December 2014, after which there will be a follow-up canvass of those who initially failed to register.

Following this, an order will be laid before Parliament in August 2015 to fully conclude the transition to IER when the full register is expected to be published on 01 December 2015. However, if no order is laid by Parliament, the transition period could extend to 2016. At this point those who have not provided the correct documentation will be removed from the electoral roll.

The risk of under-representation due to the transition to IER remains considerable, particularly when there is already a high level of under-registration in the UK as a whole. As of July 2014, the Electoral Commission estimated the figure to be as high as 7.5 million voters, some 15% of people eligible to vote.

In introducing IER a year earlier than scheduled, the government acknowledged that local authorities may be put under increased pressure to deliver the changes to implement the new system. The Cabinet Office, therefore, has made it clear that any activities which create additional costs will be met by top-up funding to support the transition to IER. As is the case elsewhere, there is some concern in Brent that the new system will lead to a long-term increase in work which will not be matched by government funding. The task group has been told that such additional funds have been made available through yearly ring-fenced Cabinet Office grants to support the transition to IER. So far, these include the following:

- £11,000 in August 2013; and
- £217,641 in 2014/15.

Although funding arrangements have not yet been disclosed for 2015/16, Brent's Electoral Services team are expecting a similar level of grant funding for further work.

4.0 Key Facts and Findings

- IER came into law in June 2014, from which point electors must register individually through the new system;
- Key features of IER include:
 - The traditional method of household registration will cease and all electors will be required to make an annual separate individual application;
 - All applicants will have to supply two personal identifiers, usually their date of birth and national insurance number (see Appendix A); and

- The need for handwritten signatures has been removed, thus allowing applicants to register online using an electronic signature.
- Brent's Electoral Services produced a Public Engagement Strategy in the Spring of 2014 (see Appendix B) and the communications team are in the process of developing a strategy which will be informed by the new register to be published in December 2014;
- Electoral services currently employ 3.5 full-time members of staff² and two temporary fixed-term staff. This number, however, is increased at key moments in the electoral cycle from within Democratic Services. Based on benchmarking done by the department across 15 London boroughs, the Electoral Services capacity in Brent is considerably smaller when compared with the other boroughs. Brent currently has a ratio of 00.32 members of Electoral Services staff relative to the size of the electorate, compared with an average of 00.69 across the other boroughs surveyed;
- The electoral services team has a budget of £217,000 in 2014/14 from a Cabinet Office grant allocated for the transition to IER. Similar levels of funding are expected for 2015-16;
- There is a lack of clarity around e-registration and the potential for registration fraud and identity theft;
- Nationally, the matching exercise revealed 79% Green matches, 3% Amber and 18% Red.
- Overall 67.6% of electors in Brent were successfully matched, just under the London average of 68%;
- Brent is an incredibly diverse borough and no two wards are the same. Something which further highlights the need for a bespoke approach to engaging with key community groups and areas;
- There is a need for greater engagement with vulnerable residents and their representative groups (VCS organisations);
- Similarly, there is a need to increase engagement on civic participation in the borough, particularly amongst Brent's young people and minority ethnic groups;
- Large numbers of Brent's residents speak English only as a second language;
- The Electoral Commission's (statutory) registration form is not as clear as it could be and important information is missing;
- There are a number of internal and external partners within the housing sector and higher education that are ideally placed to feed into the strategy and to help with voter registration;
- Thirty-two per cent of Brent's residents are now living in the PRS which is characterised by short-term tenancies and, therefore, are at an increased risk of not registering;
- There are a number of negative consequences of being removed from the electoral register besides not being able to vote, of which residents need to be aware; and
- The committee is pleased to hear that Electoral Services are looking to recruit an additional staff member to assist in implementing IER.

5.0 Emerging themes from evidence taken by the task group

Given the scope of the reforms to electoral registration and likely impact of not preparing well for the transition to IER, the task group felt that it was important to take evidence from as wide a range of council officers, voluntary and community groups and other local and national stakeholders. This section draws on these discussions and highlights

² Here 3.5 members of staff means three full-time and one part-time.

recommendations in line with the evidence and best practice as it was heard by task group members.

Throughout the course of the task group's work three recurrent themes emerged from which the task group's recommendations have been drawn, including:

1. The need for a comprehensive IER roll-out programme and communications strategy which is characterised by intelligence-led targeting of areas and at-risk community groups. The strategy should use clear and effective messaging;
2. The need for more effective work with partners including the voluntary and community sector, housing and other statutory and non-statutory partners; and
3. The need for enhanced civic engagement with the community (e.g. improved civic education and greater outreach by elected members).

6.0 Development of a comprehensive IER roll-out programme and communications strategy

The development of a comprehensive IER roll-out programme and communications strategy must take into account the fact that data collected and used through the dry-run matching exercise provides only a snap-shot in time picture of low matching households.

Having consulted with colleagues in the Research and Intelligence team, the engagement strategy has identified the highest (and lowest) matching wards as well as those best and worst performing polling districts. This breakdown will guide efforts to target those areas where matches are lowest.

Allied to this place-based approach of targeting particular polling districts, an effective communications strategy must be at the heart of the IER roll-out programme. It must convey the appropriate messages about IER to the groups identified as most at-risk and be tailored to the demographics of the borough. Crucially, this will be dependant on producing clear and effective communications products and utilising the most appropriate mediums to reach these demographics.

6.1 Place-based targeting

Representatives of Electoral Services and Research and Intelligence teams told the task group that they have conducted a full breakdown of the results and highlighting the lowest and highest matching wards and polling districts. This is important because it will enable Electoral Services and Communications colleagues to target specific polling districts and wards with the highest overall number of Amber and Red matches.

Based on a weighted average³ the highest matching wards in Brent were Kenton (79%); Queensbury (76%); Welsh Harp and Dollis Hill (74%) and Fryent and Stonebridge (73%). With the exception of Stonebridge, these wards share similar characteristics that typically characterise high voter registration, such as higher relative affluence, owner-occupancy and low levels of transiency.

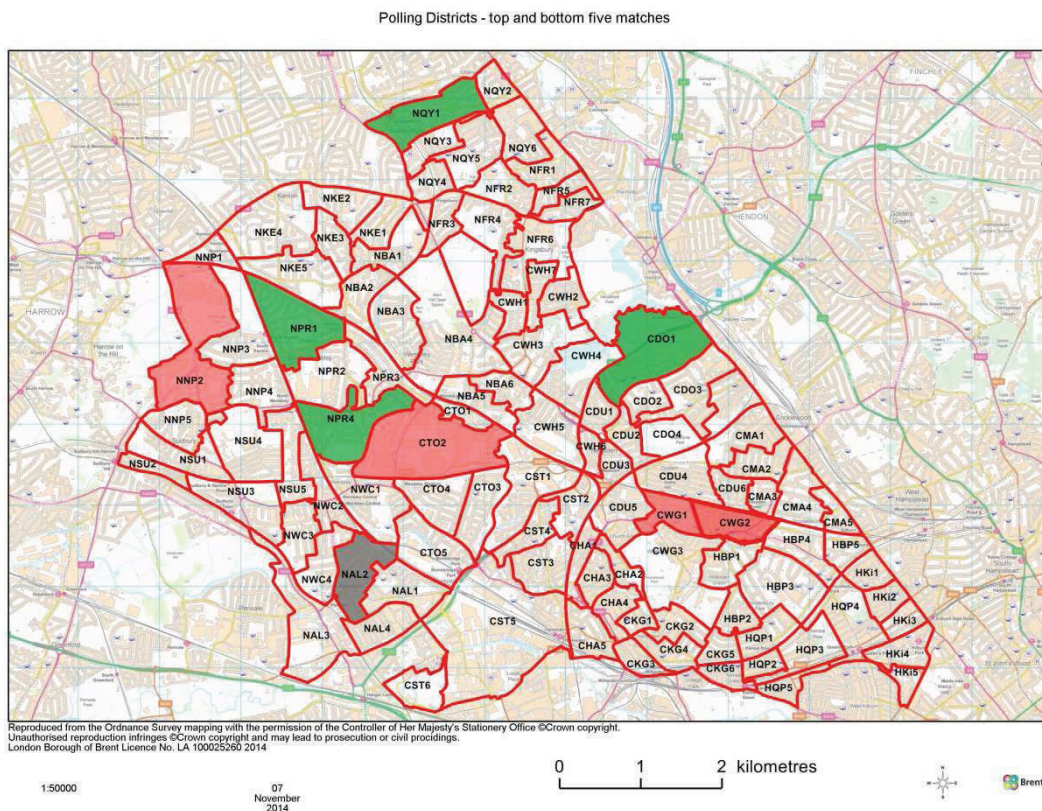
³ It is important to note that some of the lowest matching wards may be attributed, in part, to the fact that there are fewer people within these particular polling districts, making like-for-like comparisons difficult.

The lowest matching wards (Amber and Red) in Brent are: Willesden Green and Mapesbury (56%); Kilburn (58%); and Kensal Green and Brondesbury Park (61%). These wards tend to contain more mixed demographic trends.

Interestingly, both the highest and lowest matching polling districts are not necessarily located within either the highest or lowest matching wards as a whole. A breakdown of postal voters who have not been successfully matched is also included as Appendix C.

Figure one, below, illustrates the top five highest and lowest matched polling districts in the borough.

Figure 1: Top five highest and lowest matching polling districts



The highest matching polling districts in Brent are:

- NAL2 - Alperton (3037);
- NPR1 - Preston (2771)
- CDO1 – Dollis Hill (2695);
- NPR4 - Preston (2612); and
- NWC1 – Wembley Central (2574).

The lowest matching polling districts (Amber and Red) in Brent are:

- CTO2 - Tokyngton (1675);
- CWG2 – Willesden Green (1528);
- CWG1 – Willesden Green (1326);

- NNP2 – Northwick Park (1262); and
- NAL2 – Alperton (1165).

Interestingly, one polling district (NAL2) located in Alperton which is highlighted above in grey has the highest number of Green matches (highlighted in green) and the fifth highest number of Amber and Red (highlighted in red) matches. This is due to this polling district having the largest population of any polling district in Brent.

The task group recommends that when developing the IER roll-out programme, the lowest matched polling districts and wards are targeted.

6.2 Targeted communications

The Electoral Services' Public Engagement Strategy, which has identified some general demographic characteristics prevalent in low matching wards which may be helpful in developing a robust and inclusive communications strategy. However, the diverse and changing nature of the borough as a whole means that no assumptions may be made about the low-matching wards and polling districts as a factor leading to households from these backgrounds not being registered to vote. **The task group, therefore, recommends further work be carried out to establish key target groups so that bespoke tactics may be used to reach more eligible voters. This would include an assessment of what, if any language barriers there may be.**

6.2.1 Every contact counts - maximising council contacts with residents

Throughout the work of the task group, it became apparent that one of the simplest forms of communication with residents has largely been over-looked. Members questioned why information on the changes to voter registration were not displayed on emails and automated messaging services, such as those used by customer services when a resident places a call to council and is held a queue.

Brent's libraries and leisure centres are another great point of contact between the council and residents. These facilities not only distribute information but also accept applications from residents, particularly from those new to the area. Applications for library cards, blue badges and leisure centre memberships would be ideal contact points for registering new voters. Likewise, private leisure centres and gyms could also be contacts to engage new voters.

The task group, therefore, recommends the Electoral Services team adopt the NHS' 'every contact counts' approach to ensure contact with residents is maximised to include email footers, automated messaging, library card and blue badge applications. This approach should also be extended to council and private leisure centres and gyms.

6.2.2 Proximity, broadcast messaging and social media

Communications officers told the task group that the tactics of the strategy were yet to be decided on as officers in electoral services were still registering electors through the national campaign and the letters sent out over the summer. However, officers did say that there are a number of ways of targeting the hard-to-reach groups, mentioned above and one method that may be employed is broadcast messaging. Broadcast messaging differs from text messaging in that it does not require specific phone numbers but can be sent to all mobile

phones within a given area. The broadcast messaging service is always available, as the network is not used for other messages and only mobile phone operators can send messages. The US-based broadcast messaging service 'Nixle' which is widely used by a range of law enforcement agencies and municipal departments to inform citizens could serve as an example of best practice here. This kind of service could be used much more widely by the council if it is successful.

A further challenge encountered by the task group was how to canvass Brent's residents who reside in private, gated developments that are often difficult to access and frequently have strict security rules about who can enter. Broadcast messaging could help to reach residents in these kinds of properties. It could also help to inform people in the PRS who may still be registered at a previous address.

In giving evidence to the task group on potential tactics, the communications officers suggested that broadcast messaging in the form of texts and emails, within a given proximity of Red and Amber polling districts, could be an effective means of reaching certain groups such as young professionals and other target groups who might be otherwise missed.

Communications officers also suggested utilising social media marketing to target residents in this kind of housing as well as young people (18-24) who are often more technologically aware than our older residents.

Given the potential for the use of proximity and broadcast messaging, the task group recommends that any communications strategy consider these potentially powerful tactics as well as social media platforms to reach out to target groups.

6.2.3 Promoting the positive and negative effects of not being on the register

From the outset, the task group has been keen to learn from colleagues as to what messages may reach those who may not engage through the national campaign. As such, members were keen to emphasise that the council ought to be promoting electoral registration and the positive benefits of civic participation.

In addition to the positive benefits to civic engagement, members also wanted to establish what other, non-democratic, reasons there were for registering to vote and being included on the register. According to both the Electoral Commission and Experian⁴, the primary consequence of being removed from the register is that it can make it difficult to undergo a credit check and, in-turn, significantly impede an individual's ability to access financial services, including the following:

- Bank accounts (both current and savings);
- Mortgages;
- Mainstream consumer credit;
- Utility contracts (gas, electricity etc.);
- Mobile phone and internet contracts;
- Insurance;
- Access certain public services such as obtaining a passport;
- Apply for certain jobs, particularly in financial services; and

⁴ Experian, "Credit Report Basics"

- Rent a property (a credit check is sometimes required in the referencing stage).

Therefore, the task group recommends that the communications strategy develop messages around the benefits of civic participation and why it is important to register, as well as any negative consequences of not being listed on the register.

6.2.4 Advertising and the registration form

When discussing the communications materials sent out to residents, representatives from Electoral Services showed members of the task group the letters and registration form, as noted above.

Ann O’Neil, CEO of Brent Mencap, stated that individuals with learning difficulties may not be able to understand what the messages are and what is required of them. Specifically, the advertisement with hands (see Appendix D) contained too many, small-font words. The statutory registration form, developed by the Electoral Commission (see Appendix E) and the Household Enquiry Form (see Appendix F), could also be more straightforward. In particular, members believed that it was not immediately obvious that the form still has to be returned even if there is no-one in the household that is eligible to vote. Members of the task group also commented that the registration form could be improved in a similar way to the advertising materials.

In line with the suggestion made by representatives from Brent Mencap, the task group recommends that any advertising is made clearer and that headings are kept bold, snappy and straightforward to better communicate with residents (see appendices G and H for examples of best practice from other local authorities). It is also recommended that the covering letter sent out by Brent’s Electoral Services be made more straightforward and easy to understand.

A further issue raised by the task group was that it is not immediately clear on the registration form that identifiers such as a driving licence and passport can be used to register as well as an NI number. This has implications for Brent as there are certain groups, such as some Muslim women and older Irish men, the latter who mainly worked informally in the construction industry who never applied for an NI number.

Therefore, the task group recommends that it is made clear in the council’s covering letter that unique identifiers other than an NI number can be used to register (see appendix A for further information); details about unique identifiers should also be placed on the website. In addition to this, it is recommended that the council places a link on the website directing people to the Jobcentre Plus website where they can obtain a NI number if they do not have one.

7.0 Need for effective use of partners including the voluntary and community sector, housing and other statutory and non-statutory partners

7.1 Increased engagement through the Voluntary and Community Sector (VCS)

Brent’s VCS organisations are often very successful at communicating with some of the borough’s hardest-to-reach groups and frequently offer unique services to communities in Brent. For this reason, they are ideally placed to feed into the roll-out of IER, specifically by working more closely with Electoral Services during the canvassing periods. In giving

evidence to the task group, officers in Partnerships and Engagement suggested that Brent VCS organisations could play a threefold role:

- Reach those least likely to register: this element of the IER roll-out programme and communications strategy would centre on engaging particular groups of residents through targeted and group-specific outreach. It is also hoped that engagement through Brent's VCS will help to engender trust as independent bodies amongst marginalised groups in the borough. In this capacity, VCS organisations will be able to represent particular communities allowing them to interface better with the council.

Given that VCS organisations are embedded in particular communities, they are ideally placed to work with the council to focus and deliver services for the strategy in particular neighbourhoods and utilise existing networks of funded projects or places.

- Highlight barriers to trust: In this capacity, Brent's VCS organisations can feed into the strategy by advising where resident issues are not resolved and where barriers to trust between the council and Brent's residents exist. In this capacity, Brent VCS organisations are also well placed to lobby the council and central government on issues and gaps in provision. More generally they are likely to reach communities that are less likely to engage.
- Share experiences of civic participation projects: Local VCS organisations such as Brent Mencap can use their local knowledge and expertise to feed-in relevant information. Local democracy events may also provide an ideal opportunity for such experiences and expertise to be fed into the IER roll-out programme.

Brent's Partnerships and Engagement team work with CVS Brent to interface with Brent VCS organisations across the following:

- Neighbourhood and community intelligence networks;
- Alternative models of engagement and successful projects;
- Voluntary sector intelligence and networks;
- Opportunities to work with funded organisations; and
- Knowledge from funding projects and co-producing services.

It was also suggested by Tessa Awe of Brent CVS that there may be scope for co-production of the strategy with representatives from Brent's VCS organisations. The most relevant VCS organisations is included as Appendix I to this report for ease of access.

As such, the task group recommends that the council work closely with Brent's Partnerships and Engagement team and CVS Brent to take full advantage of the VCS sector, both in terms of delivering registration services and in providing information to the council about outreach work in the community.

7.2 Increased engagement through adult social care contracts, public health and disability networks

The task group took evidence from officers in Public Health, Adult Social Care (ASC) and Brent Mencap about the potential role that all three could play in feeding into the roll-out of IER through core frontline services.

7.2.1 Adult Social Care (ASC)

Representatives from Brent's Adult Social Care told the task group that nationally under-registration is particularly high amongst residents with learning difficulties, with approximately only 10% being registered to vote. Despite this 79.8% of residents in A1 social care in Brent are on the electoral register, which is higher than the general Brent population of 67.6%.

The types of care may receive can be broadly grouped into the following two categories:

1. Service users; and
2. Those outside the reach of formal services.

Service users can be informed and encouraged to register directly when they come into contact with formal council services. The second group is harder to reach; it was suggested by officers from ASC that reaching the second group would require partnership working with local VCS organisations such as Brent Mencap. **Therefore, the task group recommends that Electoral Services works with both ASC and external partners such as Brent Mencap to ensure that residents with learning difficulties are successfully registered.**

Representatives from ASC also told the task group that the IER roll-out could make use of the NHS' 'Making Every Contact Count' programme which encourages all staff to engage in conversations about healthy living on a day-to-day basis whenever they come into contact with service users. **It is, therefore, recommended by the task group that ASC staff inform residents about IER as part of the 'making every contact count.'** **To counteract such difficulties, the task group recommends that the council develops clear guidelines to inform both residential and domiciliary carers of their civic duties regarding those under their care.** This would ensure that they are aware that those in care have the same voting rights as everyone else. This should be integrated into contracts.

The guidelines and contract clauses must also inform carers that people in both residential and domiciliary care often:

- **Need someone else to help them interpret and understand any written information. This could include letters, leaflets, flyers, or surveys posted through their doors;**
- **Need support to fill in any forms, or other requests for information. This could be registering to vote, or filling in a ballot paper;**
- **Need support to access and find out about information that is of interest to them. This could be finding out what a political party thinks about a key issue, or what different candidates in an election are saying; and**
- **Need support to understand the democratic process and to engage in it. This could be contacting their political representatives about something that is important to them.**

7.2.2 Public Health

The Director of Public Health told the task group that two of the main commissioned services that would be most appropriate to engage with are the substance misuse and mental health services.

The Director of Public Health said:

“Civic engagement is promoted by Public Health for residents in recovery from substance misuse and mental health problems. Whilst this is a relatively small proportion of Brent’s residents, service users could be registered when they come into contact with health services, both as part of the IER roll-out and their recovery process.”

Brent’s Director of Public Health also told the task group that for those in formal services, registering to vote may not be a priority for patients during an acute illness or the early stages of recovery. However, the informal service pathway provides an opportune time to integrate civic participation into an individual recovery programme.

The task group recommends that the council’s Public Health function should encourage sign-up to IER through its commissioned services.

A further issue raised was that there may be a correlation between not being on the electoral register and not being registered with a GP. Working with NHS England would enable the council to establish accurate figures about the number of residents who are registered with GPs and who may or may not be on the electoral roll; the council could then encourage GPs to sign up residents to IER when they register with a new practice.

Therefore, the task group recommends that the Electoral Services team work with GP practices, dentists, opticians and pharmacies to encourage voter registration.

7.2.3 Disabilities

Residents with disabilities are also identified as being at risk of failing to register. Ann O’Neil, the Chief Executive of Brent Mencap, told the task group:

“Thirty-three per cent of people with a learning disability in the borough are not registered to vote. Two to three percent of Brent’s population of 312,000 people have learning difficulties – this is a substantial number of people not on the electoral register.”

There are two primary reasons for this; the first is that many people with learning disabilities incorrectly believe that they don’t have the legal right to vote. The second is the way in which political parties communicate – using complex jargon can make it difficult for residents with learning difficulties to engage and understand the issues. In addition to this, one in five people in England have low literacy levels and may also find it hard to engage for similar reasons.

The task group further recommends that the council ensure that polling stations are fully accessible to disabled residents and that staff are appropriately trained.

Ann O’Neil, CEO of Brent Mencap, also made the following suggestions:

- That the council prepares an accessible short article and info sheet for inclusion in Brent newsletters which could also be distributed via social media;
- IER could be raised as an issue at Brent Connects forums in the near future;

- Newsletters could be sent by the council to tenants and residents groups, including the multi-faith forum and other partnership groups;
- Messages could be placed on council transport buses;
- All voluntary sector groups with grants or contracts could be mandated to prove they were registering clients and include it in their procurement gateway questions;
- Have members attend Annual General Meetings for VCS organisations to raise the issue of IER;
- Involve CCG partners and use their engagement events such as the next Health Partners Forum; and
- Place leaflets at health centres and GPs and ask community nursing teams to hand them out to people who are housebound.

7.3 Housing

The task group met with officers from Housing to discuss the changing nature of Brent's housing sector and what impact it might have on voter registration, as well as the potential to improve registration through landlord licensing in the Private Rented Sector (PRS).

Given the demographic trends associated with those who are at risk of not registering, the task group has identified a number of partners in the borough who may be ideally placed to feed into the IER roll-out programme. As the electoral register ties people to a specific address, any effective strategy must take into account Brent's housing context. There are a number of housing factors in the borough that present challenges for the roll-out of IER, including:

- High levels of population turnover means people are often registered at the wrong address; and
- Large numbers of people in Houses of Multiple Occupation (HMOs) which often have short leases and short-term residents. There is also the potential for overcrowding and sub-letting and there could be properties where people are in the UK illegally or have overstayed their visa.

7.3.1 Estate agents and private landlords

A new and significant phenomenon for Brent is the vast growth of the PRS during the last decade, with 32% of residents now living in the sector. This is primarily concentrated in the south of the borough but is increasing in the north. Francis Henry, from Daniels Estates who have several branches in Brent, was asked to give evidence to the task group on the potential role that private landlords and estate agents could play in informing residents about IER. He told the task group that:

“Council tax forms are one of the first things we ask new tenants to complete if they have not yet done so. We have a checklist of things to do, but electoral registration is not on it. We could build IER into a welcome email that we send out to new tenants. I think many estate agents would be happy to do this as it would make both them and the landlord look professional. Email is the cheapest way of doing this.”

Therefore, the task group recommends examining the possibility of working with estate agents in Brent to incorporate IER registration into potential welcome packs alongside council tax forms and utility company registration forms etc.

Francis Henry also raised a few issues that might occur once this process commences:

“Overcrowding and agency fees mean that people are more likely to give false information on their tenancy agreements as fewer tenants mean fewer fees payable to estate agents.”

The impact of this is that both estate agents and the council do not have exact information on how many people are actually living in any given property. Francis Henry suggested that the way to combat this is for a single, fixed fee regardless of the number of tenants. This would provide a greater accuracy in knowing who is living in each property as the incentive to illegally sub-let or not declare additional tenants is reduced.

To provide further incentive for private landlords to do this, it may be an idea to remind them that from an immigration perspective, landlords are responsible for who occupies their property even if they are not signed up to the tenancy agreement i.e. a sub-let.

In addition to this, encouraging private landlords to register their tenants could be further incentivised by highlighting the dangers of identity theft to private landlords who do not register their tenants.

There is also the question of whether estate agents are renting or officially managing the property. Francis Henry told the task group that if an estate agent is collecting the rent then they are effectively managing the property, but this may cause confusion as to who is checking to see if tenants are on the electoral register. **Consequently, the task group recommends that, as part of the licensing procedure, clear guidelines are developed around this issue.**

7.3.2 Landlord Licensing

In order for the council to better cope with this increase in the PRS, licensing is being introduced in January 2015 which is mandatory for larger HMOs, some smaller HMOs and all PRS properties in Wembley Central, Harlesden and Willesden Green. Landlord licensing presents a number of opportunities for improving voter registration, including:

- A more complete and up-to-date record of PRS housing;
- Coverage of high-risk properties;
- Better knowledge of, and contact with landlords;
- Better informed landlords and the ability to work with them to encourage registration; and
- Encouragement of longer-term tenancies, improved conditions and greater market stability.

The task group recommends that full advantage is taken of the opportunities presented by landlord licensing and that the information gleaned from licensing is fed directly into the IER roll-out programme.

7.3.3 Brent Housing Partnership (BHP)

BHP, Brent Council's Arms Length Management Organisation, manages the 13,600 council properties in Brent; BHP has a direct role in encouraging residents to live independently whilst providing a range of services such as repairs, collecting rent and managing disputes between neighbours. Therefore, they are ideally placed to inform their residents about the

changes to IER. Officers from BHP gave evidence to the task group and suggested the following possibilities:

- Include IER registration forms in the welcome pack sent out to all new BHP tenants welcoming them to their property. To do this BHP require a number of registration forms from Electoral Services;
- BHP publish a quarterly magazine in which they could place an advert informing their residents about the changes to voter registration;
- BHP run resident talkback sessions as well as other consultation forums where they could raise the issue;
- BHP hold resident communication group meetings where they help clients to engage civically – this could also be an ideal forum for raising the issue; and
- A recent restructuring of the customer response team has opened up the opportunity to engage residents over the phone which we could potentially examine.

The task group recommends that the above suggestions are adopted. At the same time it is recommended that clear guidelines for canvassing BHP properties are developed, the names and numbers of tenancy officers obtained and confirmation letters provided to canvassers by BHP. BHP has said that they are happy to allow canvassing in their properties provided security guidelines are adhered to.

7.3.4 Right to Rent

Under Right to Rent, private landlords will have to check the right of prospective tenants to be in the country; failure to do this could lead to landlords being fined up to £3,000. By legally requiring that landlords obtain evidence of identity and citizenship prior to letting to new tenants, the council should be able to build up a clearer picture of two of the groups most at risk of not signing up to IER and where they are concentrated, these are:

- New migrants; and
- People in the PRS.

A clearer picture of these two groups could subsequently inform a more accurate and targeted IER roll-out programme. **Therefore the task group recommends that the council monitor the developments around right to rent for any impact it might have on information gathering and communication with residents.**

7.4 Universities and Colleges

Given that young people and people in short-term accommodation are two of the groups identified as being at risk of not registering, it has been suggested that a high number of students will be too.

The University of Westminster has two halls of residence in Brent; Victoria Hall and Student Court which are managed by an external provider. At present neither the University nor the external provider are taking any steps to register students in either of the halls. Electoral Services, however, have attended fresher's week at local higher education institutions to register students.

Manchester City Council (MCC) has worked with both the University of Manchester (UoM) and Manchester Metropolitan University (MMU) in order to make sign-up to IER part of their enrolment process.

This system works well, as many of the same questions required for university enrolment are similar to the questions required for sign-up to IER. Whilst this has been fully integrated into the enrolment process, it is not compulsory and, as such, students can opt out if they wish.

A major caveat is that IER as part of university enrolment is far easier to do if the university has an internal enrolment system. If the university has an external enrolment system this cannot be done without the possibility of incurring significant costs. For this reason, MCC has had far more success in working with MMU than UoM as the former has an internal enrolment process but the latter an external one.

MCC has covered the costs incurred by universities, as it was established that it would be more cost effective to do this than alternative methods of student enrolment to IER. MCC is also engaged in a large communications campaign throughout Manchester universities utilising leaflets and other forms of communications to inform people about the transition to IER.

Therefore, the task group recommends that the council scopes the capacity to work with The University of Westminster and other institutions with high numbers of students such as the College of North-West London to potentially develop a student model of IER registration that could be integrated into enrolment processes similar to the Manchester model.

7.5 Other public services

A wider question raised by the task group was the role that public bodies can play in registering people with whom they come into contact.

In the United States the National Voter Registration Act (NVRA) 1993 serves as the framework for individual US states' registration laws. The aim of the Act is to increase registration and turnout in US elections. The NVRA does this by mandating that other public bodies register people who are unregistered whenever they come into contact with them.

The most common public body to provide registration services under the NVRA in the US is the state-level motor vehicle registration and licensing agencies – as such, NVRA came to be known as the 'motor-voter law' and some 37.1% of registrations in the US now come from this.⁵

Labour have said they will implement a similar system if they win power at the next general election.⁶ Chris Ruane MP, who sits on the cross-party Political and Constitutional Reform Committee, told the task group that:

“This could serve the dual purpose of not only registering people, but also building a better demographic profile of those not registered with the potential for developing a single cross-service database.”

The task group recommends that Brent Council and the GLA effectively lobby Parliament to introduce legislation similar to the NVRA.

⁵ The Electoral Reform Society (09/12/13) “Electoral Registration – Order and Regulations briefing”, House of Lords Grand Committee

⁶ Mason, Rowena (20/02/14) “Labour is considering allowing voters to register on election day”, *The Guardian*

8.0 Enhanced civic engagement with the community

8.1 Young people

Young people (16-24) are one of the groups identified as being at risk. Brent Youth Services are currently working with an organisation called 'Bite the Ballot' that is aiming to boost registration. Bite the Ballot is a non-partisan organisation that seeks to boost the civic engagement of young people. Electoral Services could potentially work with Bite the Ballot to engage with young people in the borough.

The Bite the Ballot Community Engagement Officer (CEO) programme was created in 2013 with the purpose of placing young and inspirational individuals in local authorities to engage, inform and register all young people in the area so that they can fully participate in civic life. Candidates will have to be embedded in their communities to take account of differing local characteristics. The CEO will undertake the following key activities:

- Visit schools, youth groups and student unions in the area to deliver sessions and encourage registration;
- Develop relationships with local educational establishments and community groups;
- Engage young people on a peer-to-peer basis; and
- Assist the council with their youth outreach work.

An officer from Brent Youth Services told the task group that working with Bite the Ballot, Brent Youth Services are planning to:

“Undertake decision/policy-making exercises with young people aimed at illustrating the trade-offs that are inherent in policymaking. We will also try to make it clear to Brent’s young people that when they don’t vote they do not have a voice – we will illustrate this by pointing out that the cuts to public spending have fallen disproportionately on young people precisely, because young people vote less.”

The task group was also informed that young people involved in the Brent Youth Parliament could potentially engage in focus groups to inform the communications strategy. **The task group recommends that the council work closely with Bite the Ballot to register young people and that young people be actively involved in the development of communications materials aimed specifically at young people.**

8.2 Hope not Hate

Members of the task group met with representatives from the anti-racism advocacy group 'Hope not Hate' (HnH) to discuss voter registration which is part of HnH's national strategy particularly amongst disenfranchised groups. Elisabeth Pop from HnH described how working with external partners such as trade unions and faith groups had led to a number of successes in the north of England and could, therefore, be replicated in London.

In addition to this, Elisabeth Pop told the task group how HnH had worked closely with universities on the University of Manchester campus where they recently signed-up over 150 university students on a typical day of canvassing. She also described how HnH are planning to canvass with Westminster University (which has a hall of residence in Brent) in November.

Manpreet Chhokar from HnH, who has been involved in community engagement in Brent, told the task group:

“One of the problems I constantly encounter in Brent is disengagement on the frontline and this is a problem as it is people on the frontline who have the power. We need to kick-start a campaign focussing on civic engagement – informing and reminding people of the value of civic engagement.”

When asked by a member of the task group what three things she would like to see in Brent, Manpreet Chhokar suggested the following:

- Aspirations to be met through positive change in the community;
- More VCS organisations heading into communities to engage with them; and
- More community engagement by council members.


The task group recommends that Brent Council and elected members work closely with HnH to better engage with local VCS organisations and that elected members support Electoral Services to do this. As HnH are planning to canvass in the borough, it is also recommended that the council scope out suitable canvassing locations such as Kilburn market or the London Designer Outlet shopping centre in Wembley.

8.3 European Union, Commonwealth subjects and new citizens

European Union (EU), Commonwealth and other new citizens are identified as one of the groups most at risk of not registering. **As such, the task group recommends that we encourage Commonwealth citizens to sign-up to IER by incorporating information and forms about IER into a welcome pack.** This could be done through the council’s Community Access Strategy.

The task group also recommends that sign-up to IER be integrated into citizenship ceremonies for new citizens. Voter registration could form part of citizenship ceremonies as a key aspect of such ceremonies is promising to respect the rights and freedoms of the UK.

It is also recommended that canvassers also include visits to specialty shops catering to residents from these and other diverse backgrounds. Elected members could help with this by placing posters in shops catering specifically to EU, commonwealth and new citizens and work directly with larger employers in the borough such as Ikea and Tesco to canvass large numbers of residents. Community notice boards could also be an ideal place to display flyers about IER.

 <p>Brent</p>	<p>Cabinet 16 March 2015</p> <p>Report from Chief Operating Officer</p>
<p>Wards Affected: ALL</p>	
<p>Performance Report, Quarter 3 2014/15</p>	

1.0 Introduction

1.1 The Borough Plan for 2013 - 2014 was agreed by Full Council in June 2013. It sets out six priorities for Brent as follows:

- Building a Strong Community
- Promoting Jobs, Growth and Fair Pay
- Making Brent Safer, Cleaner and Greener
- Improving Health & Wellbeing
- Better Lives for Children and Families
- Developing Better Ways of Working

1.2 The Borough Plan is an overarching plan which sets out our vision for the borough. It is part of a suite of plans which, together with the council's Corporate Plan, departmental plans, and individual targets and appraisals, establish the golden process thread for all council activity.

1.3 The purpose of this report is to provide the Cabinet with a corporate overview of performance information linked to the current priorities for Brent, to support informed decision-making, and to manage performance effectively.

- 1.4 The performance measures included within the report represent those considered to be most relevant to tracking achievement against the six corporate priorities for Brent. Where available, quartile and benchmarking information has been used to inform target setting. Annual performance measures will only be reported when new performance data becomes available.
- 1.5 The performance measures included within this report represent a small subset of those measured within the council. A wider range of performance measures are tracked within each council department, through the One Council programme and by Partners for Brent.
- 1.6 Additional performance measures may be included, by exception, if performance levels highlight particular achievements to be celebrated, or present risks associated with the realisation of Brent's priorities.
- 1.7 A new Borough Plan for the period 2015 – 2019 is being developed and will be adopted for the new financial year 2015 - 16. As part of this process local people have been consulted on their priorities for Brent through a number of mechanisms. New performance measures will be incorporated into the 2015 - 16 reporting as appropriate, to reflect the new priorities identified.
- 1.8 A recent enhancement to the iCasework complaints management software now gives us a more comprehensive picture of complaint response rates across the Council. Until now, the performance figure has been based on an analysis of complaints, where the response was sent out within the period in question. With effect from this quarter, the performance figure will be derived from an analysis of complaints responded to in time during the period, together with complaints that remained unanswered where the response deadline fell within the reporting period. The new approach represents a more rounded view of performance.
- 1.9 A summary list of high risk indicators for Quarter 3 can be found below::

Jobs, Growth and Fair Pay	<ul style="list-style-type: none"> • Minor planning applications determined within 8 weeks. • Other planning applications determined within 8 weeks.
Safer, Cleaner and Greener	<ul style="list-style-type: none"> • Kilograms of household waste collected. • Municipal waste sent to landfill (tonnes).

Improving Health and Wellbeing	<ul style="list-style-type: none"> • % of safeguarding adults investigations which are inconclusive.
Better Lives	<ul style="list-style-type: none"> • Children applying for Reception Years 1 & 2 who have not been offered a place within 4 weeks. • Stability of placements of LAC: 3 or more placement moves.
Better Working	<ul style="list-style-type: none"> • % of stage 1 complaints responded to in time. • % of FOIs responded to in time. • % of lesbian, gay & bisexual staff. • Total agency spend as a proportion of council pay bill.

2.0 Recommendations

2.1 The Corporate Management Team has been asked to:

- a. Note the performance information contained in this report and agree remedial actions as necessary.
- b. Consider the current and future strategic risks associated with the information provided and agree remedial actions as appropriate.
- c. Challenge progress with responsible officers as necessary.
- d. Note the recent changes in methodology to the complaints performance indicators (statutory and corporate).

3.0 Financial implications

None.

4.0 Legal implications

4.1 Under section 4 of the Local Government Act 2000, every local authority in England must prepare a sustainable communities strategy for promoting or improving the economic, social and environmental well-being of their area and contributing to the achievement of sustainable development in the United Kingdom. A local authority may modify its sustainable communities strategy from time to time. When preparing or modifying its strategy, a local authority must consult with and seek the participation of "each partner authority" it considers appropriate, and any other person the local authority considers

appropriate. The council's Borough Plan 2013-14 is the council's current strategy pursuant to section 4 of the Local Government Act 2000.

- 4.2 In table 3 of part 4 of the council's constitution, it states that the Cabinet is responsible for formulating and preparing the sustainable communities strategy and then submitting the same to Full Council for consideration and adoption or approval. The sustainable communities strategy constitutes part of the policy framework. The council's Borough Plan 2013-14 was approved by Full Council in 2013.

5.0 Diversity implications

- 5.1 There are no direct diversity implications. However the report includes performance measures related to the council's diversity objectives and is part of the framework for ensuring delivery of these key outcomes.

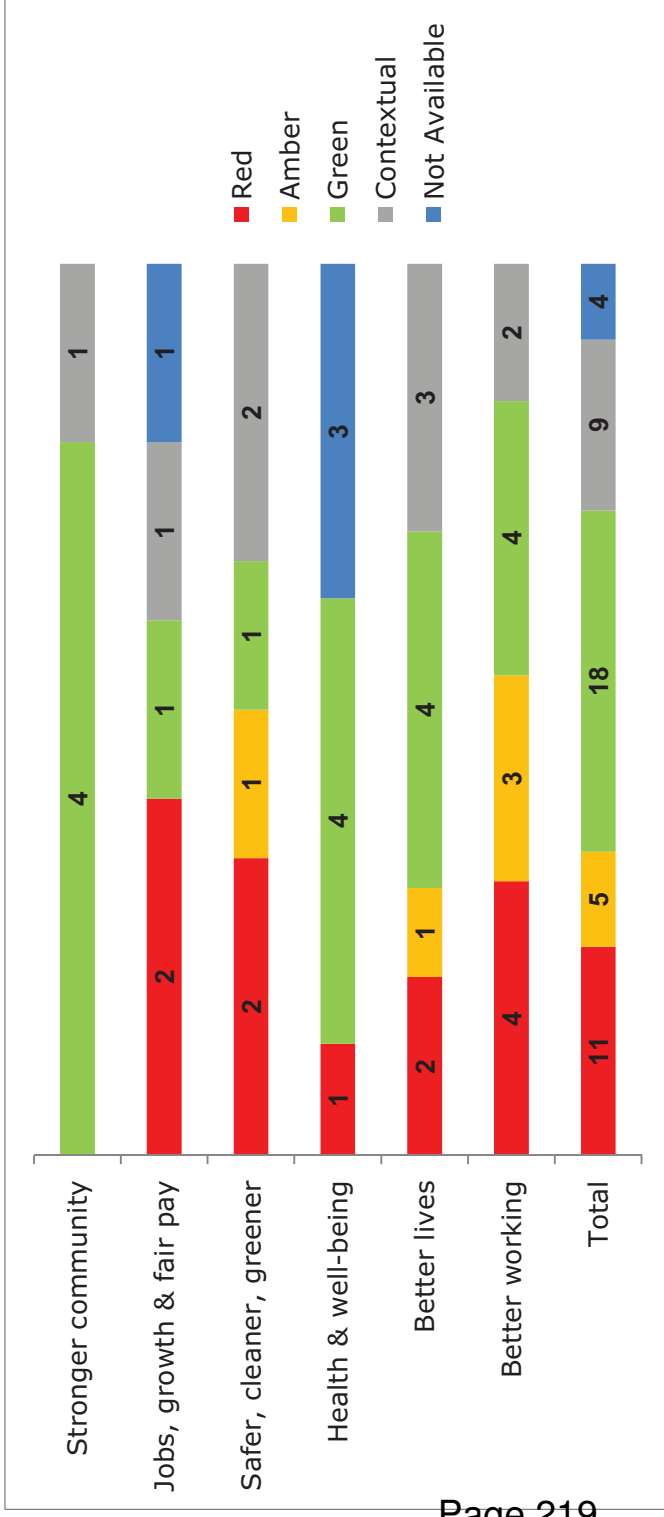
6.0 Contact officers

Cathy Tyson, Head of Policy and Scrutiny, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ 020 8937 1045





LORRAINE LANGHAM
Chief Operating Officer

2014/15 Quarter 3 Performance Report

Borough Plan Performance Summary



Unless otherwise defined, performance information is assessed using the following tolerances to give a RAG rating:

	Greater than 10% outside target
	0.01% - 10% outside target
	Equal to or better than target
	Contextual – No target
-	Data not available

Stronger Community



Improved Satisfaction										
Performance Indicator	13/14 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual YTD	Target YTD	Good is?	RAG YTD	Commentary and Actions	Owner
% of people satisfied with their local area as a place to live	N/A	-	-	84%	84%	-	Bigger is Better		Data taken from Brent Residents' Attitude Survey, December 2014.	Cathy Tyson
Thriving Local Voluntary Sector										
Performance Indicator	13/14 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual YTD	Target YTD	Good is?	RAG YTD	Commentary and Actions	Owner
Income to benefit the borough secured by local voluntary groups, with CVS support	-	£324,650	£386,200	£13,000	£723,850	£450,000	Bigger is Better		Data taken from quarterly contract monitoring meetings.	Cathy Tyson
Number of local voluntary sector groups receiving 1-2-1 advice and guidance from CVS	-	52	53	53	158	156	Bigger is Better		Data taken from quarterly contract monitoring meetings.	Cathy Tyson
Sports, Leisure, Cultural Facilities										
Performance Indicator	13/14 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual YTD	Target YTD	Good is?	RAG YTD	Commentary and Actions	Owner
Number of physical visits to libraries per 1,000 population	5,300	1,702	1,691	1,626	5,019	4,056	Bigger is Better			Sue Harper
Number of visits to council sports centres for sports use	1,411,352	389,997	367,206	355,797	1,113,000	1,044,510	Bigger is Better			Sue Harper





Promoting Jobs, Growth and Fair Pay

Regeneration and Economic Growth										
Performance Indicator	13/14 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual YTD	Target YTD	Good is?	RAG YTD	Commentary and Actions	Owner
% of major applications determined in 13 weeks	62.5%	50%	50%	66.7%	66.7%	65%	Bigger is Better	★		Andy Donald
% of minor applications determined in 8 weeks	67.2%	58.9%	48.2%	46%	46%	70%	Bigger is Better	▲	Performance has been impacted by the loss of experienced staff, significant wider staff turnover and a very high commitment to training new staff. This has been in the context of an increasing number of applications - and particularly pre-application engagement on more significant developments. A Business Case is being submitted for fixed term contract staff based on income and fee projections	Andy Donald
% of other applications determined in 8 weeks	69.7%	79.8%	76.6%	67%	67%	80%	Bigger is Better	▲	As for 'Minor' applications above but with the added implication of having to prioritise 'Prior Approval Applications' for office to residential conversions and larger householder extensions which are time limited. Business Case proposals for additional contract staff are being submitted as per 'minor' applications to target improving performance while new staff skills are developed.	Andy Donald

Local People in Local Jobs										
Performance Indicator	13/14 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual YTD	Target YTD	Good is?	RAG YTD	Commentary and Actions	Owner
% overall borough employment rate (working age)	65.9%	66.9%	-	-	66.9%	-	Bigger is Better	PUN	Data source is Nomis. Latest data released is for July 2013 - June 2014. Brent's employment rate for this period is 66.9%.	Andy Donald

Safer, Cleaner, Greener

People Feel Safe on Streets										
Performance Indicator	13/14 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual YTD	Target YTD	Good is?	RAG YTD	Commentary and Actions	Owner
% of people who feel safe when outside in their local area after dark	N/A	-	-	63%	63%	-	Bigger is Better		Data taken from Brent Residents' Attitude Survey, December 2014.	Sue Harper
% of people who feel safe when outside in their local area during the day	N/A	-	-	93%	93%	-	Bigger is Better		Data taken from Brent Residents' Attitude Survey, December 2014.	Sue Harper

Clean, Safe, Healthy, Green										
Performance Indicator	13/14 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual YTD	Target YTD	Good is?	RAG YTD	Commentary and Actions	Owner
% of land assessed as having unacceptable levels of litter	10%	7%	7%	10%	10%	10%	Smaller is Better			Sue Harper
Number of flytips reported on public land	7,011	2,858	3,447	3,376	9,681	9,000	Smaller is Better			Sue Harper
Number of kilograms of residual household waste collected per household	486	139	137	137	413	360	Smaller is Better		The increase in kilograms of residual waste collected per household reflects the economic recovery being seen in 2014/15. In line with the Public Realm contract target, the contractor (Veolia) will meet the cost of the additional disposal if total waste collected exceeds target.	Sue Harper
Tonnes of municipal waste sent to landfill	65,764	17,328	17,347	17,544	52,219	44,835	Smaller is Better		There has been an increase in municipal waste tonnages in 2014/15, which reflects the economic recovery.	Sue Harper

Improving Health and Wellbeing

Better Housing										
Performance Indicator	13/14 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual YTD	Target YTD	Good is?	RAG YTD	Commentary and Actions	Owner
Net additional homes provided	-	-	-	-	-	-	Bigger is Better	-	Data for this indicator is received annually and in arrears. We are expecting data to be published in Q1 of 2015/2016.	Andy Donald
The number of Houses in Multiple Occupation licensed under the Additional Licensing Scheme	N/A	0	0	63	63	-	Bigger is Better	-	Selective and Additional licencing launched successfully and on time on 1st November 2014. However initial levels of applications lower than originally anticipated. Whilst it is still in its infancy a multi faceted communication approach is being taken in order to make landlords aware of their legal requirement. To date just over 3,000 licence applications have been made. Licences are now being issued although there is a legal requirement for consultation period for each application before the licence can be issued.	Andy Donald

Healthier Lives										
Performance Indicator	13/14 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual YTD	Target YTD	Good is?	RAG YTD	Commentary and Actions	Owner
Successful completions as a proportion of all opiate drug users in treatment	11.6%	11.7%	10.9%	-	-	-	Bigger is Better	-	The PHE reporting system used for measuring this indicator was closed during December 2014 and part of January 2015. This has led to a backlog of data that is currently being uploaded to the system. As such we still do not have Q3 reports. Ordinarily, quarterly reports are made available some 6-8 weeks post quarter end.	Melanie Smith

Improving Health and Wellbeing

People Needing Care/Support										
Performance Indicator	13/14 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual YTD	Target YTD	Good is?	RAG YTD	Commentary and Actions	Owner
% of people who do not require an ongoing service immediately after Reablement episode	73%	65%	73%	71%	71%	60%	Bigger is Better	★	The Reablement outturn for Q1 has been revised. A tool has been developed and used to recalculate the value. All Quarter data has been recalculated using an improved methodology which gives a forecasted Q3 value of 71%. The calculated value for Q3 is undercounting as data for the 90 day preceding is not currently available.	Phil Porter
% of safeguarding adults investigations which are inconclusive	25%	20%	16%	18%	18%	14%	Smaller is Better	▲	This is a very challenging target. Already made big improvements from 33% in 2012/13 to 25% in 2013/14.	Phil Porter
% of total client group in residential and nursing care	34%	28%	28.2%	25.1%	25.1%	31%	Smaller is Better	★	Key priority to support people in their own home, focus for care management teams, but also for the New Accommodation for Independent Living. Greater gains than expected have been made through cultural change in care management.	Phil Porter
Number of carers that receive a completed assessment	531	211	176	309	696	341	Bigger is Better	★	We have additional responsibilities under the Care Act from April 2015, which is why there is a focus on carers assessments. Next year need a better target, focused on impact/difference made. Systems being changed to record this from April 2015.	Phil Porter
Social care clients receiving direct payments	17%	26.3%	25.9%	32.6%	32.6%	20%	Bigger is Better	★	The method for calculating this indicator has been revised to fit the new definition set by Central Government. The new definition separates out community services to those who receive them week on week throughout the year and those who get a one-off service or receives it for a time limited period such as Reablement.	Phil Porter

Better Lives for Children and Families

School Places										
Performance Indicator	13/14 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual YTD	Target YTD	Good is?	RAG YTD	Commentary and Actions	Owner
No of CVP applying for Rec., Yrs 1 & 2 (ages 4-6) not offered a school place w/in 4 wks	0	0	6	2	2	0	Smaller is Better	▲	The Q3 figures are as at 5th January so represent a 'high point' ahead of schools reopening and releasing vacancies. At time of writing, all children who applied more than 4 weeks ago have received at least one offer.	Gail Tolley
Take up of the 2 year old Nursery Education Grant (%)	68%	30%	47%	66%	66%	60%	Bigger is Better	★	Actions to increase 2 year old take up have proved effective and continue.	Gail Tolley

Good Quality Schools										
Performance Indicator	13/14 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual YTD	Target YTD	Good is?	RAG YTD	Commentary and Actions	Owner
% of schools that are judged good or outstanding by Ofsted	77%	72%	79%	85%	85%	84%	Bigger is Better	★	Q1, Q2 & Q3 figures updated 15.01.15 to reflect Ofsted's way of calculating this indicator - ie without ungraded schools in the denominator.	Gail Tolley

Pupil Achievement										
Performance Indicator	13/14 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual YTD Provisional	Target YTD	Good is?	RAG YTD	Commentary and Actions	Owner
Achievement at level 4 or above in English and Maths at KS 2 (%)	77%	-	81%	-	81%	-	Bigger is Better	■		Gail Tolley
Achievement of 5 or more A*-C GCSEs incl. English and Maths (%)	63%	-	59%	-	59%	-	Bigger is Better	■		Gail Tolley
Looked After Children achieving 5 or more A*-C GCSEs incl. English and Maths at KS4 (%)	19%	-	9%	-	9%	-	Bigger is Better	■		Gail Tolley

Support for Families										
Performance Indicator	13/14 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual YTD	Target YTD	Good is?	RAG YTD	Commentary and Actions	Owner
Number of troubled families where outcomes have been achieved	178	216	382	928	928	524	Bigger is Better	★	The Q3 actual is for October 2014 as the next claim is not certified until 20th Feb 15 (audit sign off date).	Gail Tolley

Better Lives for Children and Families

Support for Vulnerable CYP										
Performance Indicator	13/14 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual YTD	Target YTD	Good is?	RAG YTD	Commentary and Actions	Owner
Average days between a child entering care & moving in with its adoptive family, for those adopted	599	396	586	548	548	550	Smaller is Better	P★		Gail Tolley
Proportion of referrals to Children's Social Care which are repeat referrals	11.5%	10.5%	11.9%	14.4%	12.3%	12%	Smaller is Better	P●		Gail Tolley
Stability of placements of looked after children: 3 or more placement moves (%)	14.9%	1.5%	7.4%	11.6%	11.6%	9.8%	Smaller is Better	P▲	Q3 figure is above target and will be monitored closely by managers. Specialist training to support foster carers to retain young people with challenging behaviour started in December.	Gail Tolley

Developing Better Ways of Working

Quality, Efficiency & VFM Services										
Performance Indicator	13/14 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual YTD	Target YTD	Good is?	RAG YTD	Commentary and Actions	Owner
% audit reports receiving substantial or better assurance rating	58%	100%	69%	78%	78%	75%	Bigger is Better	★		Conrad Hall
% of Council Tax collected	95.70%	30.85%	56.68%	82.61%	82.61%	82.95%	Bigger is Better	●	Council Tax down on target due to increase in collectable debit and more instalments profiled in February and March. Expected to catch up in these 2 months	Andy Donald
% of FOI responded to within 20 working days	55%	71%	76%	84%	77%	100%	Bigger is Better	▲	Progress towards the target has been maintained. Targeted work is being undertaken with areas of lower performance.	Cathy Tyson
% of people who feel their council is doing a good job	-	-	-	51%	51%	-	Bigger is Better	■	Data taken from Brent Residents' Attitude Survey, December 2014.	Cathy Tyson
% of people who think the council provides good value for money	-	-	-	42%	42%	-	Bigger is Better	■	Data taken from Brent Residents' Attitude Survey, December 2014.	Cathy Tyson
% of Stage 1 complaints responded to within 20 working days	76%	72%	79%	68%	73%	100%	Bigger is Better	▲	Performance on this indicator continues to be below standard and erratic. Training and support to Departmental Management Teams is being provided.	Cathy Tyson
% of telephone calls answered through the council's ACD system	81%	85%	87%	89%	87%	90%	Bigger is Better	●	Continuing upward trend	Andy Donald
Average customer waiting time in local offices (mins)	24	20	21	16	16	30	Smaller is Better	★		Andy Donald

Skilled, Motivated, Effective Workforce										
Performance Indicator	13/14 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual YTD	Target YTD	Good is?	RAG YTD	Commentary and Actions	Owner
% of black and minority ethnic staff (PO8 and above)	18.6%	20.2%	21.4%	22.9%	22.9%	25%	Bigger is Better	●		Cara Davani
% of disabled staff	7.7%	8.3%	8.5%	11.6%	11.6%	10%	Bigger is Better	★		Cara Davani
% of female staff (PO8 and above)	45.6%	47.5%	51.8%	50%	50%	50%	Bigger is Better	★		Cara Davani
% of lesbian, gay and bisexual staff	3.1%	3.0%	10.9%	4.1%	4.1%	5%	Bigger is Better	▲		Cara Davani
Total agency spend as a proportion of council pay bill (excluding schools)	10.7%	11%	10.7%	9.9%	10.5%	8%	Smaller is Better	▲		Cara Davani

Complaints

Complaints - Brent Council Level						
Performance Indicator	Actual Q1	Actual Q2	Actual Q3	Actual YTD	Target YTD	RAG YTD
Total number of Stage 1 complaints received	513	441	447	1401	-	🟡
% of Stage 1 complaints responded to within 20 working days	72%	79%	68%	73%	100%	🔴
Total number of complaints escalated to Stage 2	58	55	50	163	-	🟡
% of Stage 2 complaints responded to within 20 working days	67%	40%	50%	52%	100%	🔴

Complaints - Adult Social Care						
Performance Indicator	Actual Q1	Actual Q2	Actual Q3	Actual YTD	Target YTD	RAG YTD
Total number of Stage 1 complaints received	35	25	29	89	-	🟡
% of Stage 1 complaints responded to within 20 working days	45%	48%	59%	50%	100%	🔴
Total number of complaints escalated to Stage 2	1	4	4	9	-	🟡
% of Stage 2 complaints responded to within 20 working days	0	0	0	0	100%	-

Complaints - Children & Young People						
Performance Indicator	Actual Q1	Actual Q2	Actual Q3	Actual YTD	Target YTD	RAG YTD
Total number of Stage 1 complaints received	21	36	36	93	-	🟡
% of Stage 1 complaints responded to within 20 working days	50%	79%	40%	51%	100%	🔴
Total number of complaints escalated to Stage 2	9	3	1	13	-	🟡
% of Stage 2 complaints responded to within 20 working days	57%	14%	0	33%	100%	🔴

Complaints - Environment & Neighbourhoods						
Performance Indicator	Actual Q1	Actual Q2	Actual Q3	Actual YTD	Target YTD	RAG YTD
Total number of Stage 1 complaints received	238	222	152	612	-	🟡
% of Stage 1 complaints responded to within 20 working days	81%	92%	79%	84%	100%	🟡
Total number of complaints escalated to Stage 2	14	10	6	30	-	🟡
% of Stage 2 complaints responded to within 20 working days	57%	56%	43%	52%	100%	🔴

Complaints - Regeneration & Growth (Excl. BHP)						
Performance Indicator	Actual Q1	Actual Q2	Actual Q3	Actual YTD	Target YTD	RAG YTD
Total number of Stage 1 complaints received	110	109	106	325	-	🟡
% of Stage 1 complaints responded to within 20 working days	71%	68%	70%	70%	100%	🔴
Total number of complaints escalated to Stage 2	17	20	23	60	-	🟡
% of Stage 2 complaints responded to within 20 working days	86%	67%	85%	80%	100%	🔴

Complaints

Complaints - BHP						
Performance Indicator	Actual Q1	Actual Q2	Actual Q3	Actual YTD	Target YTD	RAG YTD
Total number of Stage 1 complaints received	103	45	122	270	-	🟡
% of Stage 1 complaints responded to within 20 working days	65%	64%	51%	61%	100%	🔴
Total number of complaints escalated to Stage 2	16	18	15	49	-	🟡
% of Stage 2 complaints responded to within 20 working days	60%	17%	24%	33%	100%	🔴


Complaints - Assistant Chief Executive						
Performance Indicator	Actual Q1	Actual Q2	Actual Q3	Actual YTD	Target YTD	RAG YTD
Total number of Stage 1 complaints received	0	0	1	1	-	🟡
% of Stage 1 complaints responded to within 20 working days	0	0	0	0	100%	-
Total number of complaints escalated to Stage 2	0	0	1	1	-	🟡
% of Stage 2 complaints responded to within 20 working days	0	0	0	0	100%	-

Complaints - Finance & IT						
Performance Indicator	Actual Q1	Actual Q2	Actual Q3	Actual YTD	Target YTD	RAG YTD
Total number of Stage 1 complaints received	1	0	0	1	-	🟡
% of Stage 1 complaints responded to within 20 working days	0	0	0	0	100%	-
Total number of complaints escalated to Stage 2	0	0	0	0	-	🟡
% of Stage 2 complaints responded to within 20 working days	0	0	0	0	100%	-

Complaints - Human Resources						
Performance Indicator	Actual Q1	Actual Q2	Actual Q3	Actual YTD	Target YTD	RAG YTD
Total number of Stage 1 complaints received	0	2	0	2	-	🟡
% of Stage 1 complaints responded to within 20 working days	0	100%	100%	100%	100%	-
Total number of complaints escalated to Stage 2	0	0	0	0	-	🟡
% of Stage 2 complaints responded to within 20 working days	0	0	0	0	100%	-

Complaints - Legal & Procurement						
Performance Indicator	Actual Q1	Actual Q2	Actual Q3	Actual YTD	Target YTD	RAG YTD
Total number of Stage 1 complaints received	4	1	0	5	-	🟡
% of Stage 1 complaints responded to within 20 working days	100%	50%	0	67%	100%	🔴
Total number of complaints escalated to Stage 2	0	0	0	0	-	🟡
% of Stage 2 complaints responded to within 20 working days	0	0	0	0	100%	-

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 Brent	<p style="text-align: center;">Cabinet 16 March 2015</p> <p style="text-align: center;">Report from the Strategic Director of Regeneration and Growth</p>
<p>Wards affected: ALL</p>	
<p>National Non-Domestic Rates – Autumn Statement 2014 – Business Rates Relief Discretionary Discounts</p>	

1.0 Summary

- 1.1 The government in its Autumn Statement of 3 December 2014 announced a measure of reliefs for business ratepayers that will come into effect from 1 April 2015. These included increasing the retail rate relief from £1,000 to £1,500 in respect of occupied retail properties with a rateable value of £50,000 or less, and also to extend the existing transitional relief scheme for 2 years for properties with a rateable value of up to and including £50,000. However rather than introduce these measures through legislative changes the government expects authorities to use their local discount powers to award these reliefs.
- 1.2 The powers to grant local discounts are within section 47 of the Local Government Finance 1988. To award discounts under this provision it needs committee approval of any scheme. This report therefore seeks ratification of the implementation of the government's announcements and seeks to authorise the Chief Finance Officer to implement these schemes so that officers can award these discretionary reliefs which satisfy the criteria set by the Department of Communities and Local Government (DCLG) for these schemes.
- 1.3 The government will fully fund the cost of these reliefs, although there maybe some additional administrative costs which maybe met through "new burdens" funding from central government.

2.0 Recommendations

- 2.1 That the retail rate relief discount scheme, which was originally agreed by the Executive on 24 March 2014, be amended so that a £1,500 discount is awarded to qualifying businesses for 2015/16 as detailed in paragraphs 3.1 to 3.4 of this report pursuant to the Council's powers under section 47 of the Local Government Finance Act 1988 be approved.
- 2.2 That the scheme extending transitional relief for 2 years from 1 April 2015 for properties with a rateable value of £50,000 or less as detailed in paragraphs 3.5 to 3.9 of this report be agreed pursuant to the Council's powers under section 47 of the Local Government Finance Act 1988.
- 2.3 That the Chief Finance Officer be authorised to implement the schemes referred to in paragraphs 2.1 and 2.2 of this report so that the agreed discretionary discounts and reliefs in business rates can be awarded in compliance with the criteria set out by the Department for Communities and Local Government.

3.0 Detail

Increase in Discount for Occupied Retail Premises from £1000 to £1500

- 3.1 The government announced in the Autumn Statement of 2013 a retail rate relief scheme whereby relief of up to £1,000 will be available to all occupied retail properties with a rateable value of £50,000 or less in each of the years 2014-15 and 2015-16 up to state aid limits. In January 2014 the Department of Communities and Local Government (DCLG) published a 'Retail Relief Guidance' paper which detailed the criteria for qualification.
- 3.2 As this is a temporary measure for 2014-15 and 2015-16 only, the Government have not changed the legislation around the reliefs available to business properties but instead expect local authorities to use their discretionary relief powers, introduced by the Localism Act (under section 47 of the Local Government Finance Act 1988, as amended) to grant relief. Central government is fully reimbursing local authorities for the local share of the discretionary relief (using a grant under section 31 of the Local Government Act 2003) so that in effect there is no cost to the council of awarding the discount.
- 3.3 This scheme was originally approved by the Executive at its meeting on 24 March 2014. During 2014/15 over 1,500 businesses have qualified for this relief and the amount of relief awarded totals £1.4M. The government announced in its Autumn Statement 2014 that it is to increase the amount of the discount from £1,000 to £1,500 for 2015/16 only. There are no other changes to the scheme. It is therefore necessary to amend the local discount scheme to reflect this change and this requires Cabinet approval. Those types of property that may qualify for the discount are detailed in Appendix 1.

3.4 The relief is subject to state aid de minimis limits, whereby a business must not have received state aid exceeding 200,000 euros in the last 3 years (current year plus preceding 2). State aid includes reliefs, grants, interest rate and tax relief, subsidies, guarantees, etc. The business will be required to sign a declaration confirming this. This may well preclude many of the large national retail chains that have shops in many town centres from receiving this relief

Extension of Transitional Relief Scheme

3.5 The government also announced in its 2014 Autumn Statement a 2 year extension to the existing transitional relief scheme for properties with a rateable value up to and including £50,000. As a result of this measure, small properties (with a rateable value of less than £25,500) that would otherwise face bill increases above 15% and medium sized properties (with a rateable value of £50,000 or less) that would otherwise face bill increases above 25% will benefit. Rather than introduce legislation to effect this the government expects local authorities to use its discretionary relief powers as introduced by the Localism Act (under section 47 of the Local Government Finance Act 1988, as amended) to grant relief.

3.6 The transitional relief scheme was introduced in 2010 to help those ratepayers who were faced with higher bills. The scheme ends on 31 March 2015 and as a result a small number of ratepayers will face a jump to their full rates bill from 1 April 2015. The government therefore wishes to extend the scheme for properties with a rateable value of £50,000 or less to March 2017 this being when the current rating list finishes. A new Rating List will come into effect from 1 April 2017

3.7 Guidance on the operation of this relief was issued by the Department for Communities and Local Government in January 2015. In effect:-

- the cap on increases for small properties (with a rateable value of less than 25,500) in both 2015/16 & 2016/17 should be assumed to be 15% (before the increase for the change in the multiplier), and
- the cap on increases for other properties (up to and including £50,000 rateable value) in both 2015/16 and 2016/17 should be assumed to be 25% (before the increase for the change in the multiplier)

3.8 As with other discretionary discount schemes relief will be subject to state aid de minimis limits, whereby a business must not have received state aid exceeding 200,000 euros in the last 3 years (current year plus preceding 2). State aid includes reliefs, grants, interest rate and tax relief, subsidies, guarantees, etc. The business will be required to sign a declaration confirming this.

3.9 It is estimated that there are 28 ratepayers in Brent who will be entitled to this relief, the total relief for all 28 being approximately £17,600. All of these will be invited to apply as soon as this scheme has been approved. The cost of this will be funded by central government.

4.0 Financial Implications

- 4.1 For these schemes the government has announced that it will fully fund the cost of awarding the reliefs, the reduction in NNDR income being offset by an increase in grant payment, so that there is no loss of income to the council. The government's proposals have also been reflected in the budget assumptions presented to Council at its meeting on 2 March 2015. From a long term point of view these reliefs may help sustain the viability and growth of these businesses.
- 4.2 There will some minor additional administrative costs borne by the council in implementing and administering these schemes, these are estimated at less than £5,000. There may be some additional government funding to meet this new burden but otherwise these costs will need to be met within existing resources.

5.0 Legal Implications

- 5.1 The transitional relief scheme and the change to the Retail Rate discount were announced by the government in the Chancellor's Autumn Statements on 3 December 2014. Rather than introduce legislation the government expects authorities to implement these by using their discretionary relief powers, introduced by the Localism Act. Section 69 of The Localism Act 2011 amended section 47 of the Local Government Finance Act 1988 to allow authorities to grant business rate discounts. Under this provision authorities can create their own discount schemes in order for example to promote growth and jobs in its area, or specified areas. Any such scheme would need to be approved by the Council's Cabinet.
- 5.2 Normally the authority would have to fund its share of the cost, however for these schemes the government will fully fund the costs as it expects authorities to implement these schemes in accordance with the guidance.
- 5.3 Guidance from DCLG regarding the £1000 (£1500 from 1/4/2015) discount for retail premises as described in paragraphs 3.1 to 3.4 of this report was originally provided in January 2014. As the change to this scheme is only in respect of the amount of the discount, the DCLG Guidance remains unchanged.
- 5.4 Guidance from DCLG regarding the 2 year extension to the transitional relief scheme was issued in January 2015. Because of the short timescales involved and the need to get the schemes in operation for the beginning of the next financial year, and as this report is proposing to provide reliefs in business rates that have been announced by the Government which will fund these reliefs, it has not been deemed necessary to carry out consultation regarding the proposals in this report.

- 5.5 State Aid law is the means by which the European Union regulates state funded support to businesses. Providing discretionary relief to ratepayers is likely to amount to State Aid. However Retail Relief will be State Aid compliant where it is provided in accordance with the De Minimis Regulations (as set out in Statutory Instrument 1407/2013).
- 5.6 The De Minimis Regulations allow an undertaking (in this case, a business) to receive up to €200,000 of De Minimis aid in a three year period (consisting of the current financial year and the two previous financial years). Officers will need to familiarise themselves with the terms of this State Aid exemption when considering whether to award business rate relief upon receipt of business relief applications, in particular the types of undertaking that are excluded from receiving De Minimis aid (Article 1), the relevant definition of undertaking (Article 2(2)) and the requirement to convert the aid into Euros.
- 5.7 To administer De Minimis it is necessary for the local authority to establish that the award of aid will not result in the undertaking having received more than €200,000 of De Minimis aid. It should be added that the threshold only relates to aid provided under the De Minimis Regulations (aid under other exemptions or outside the scope of State Aid is not relevant to the De Minimis calculation).

6.0 Diversity Implications

- 6.1 An Equality Impact assessment has not been carried out as the schemes are aimed at helping businesses, so that no-one will be adversely affected. Those entitled to the £1500 discount will have had this amount credited to their bills for 2015/16, whilst those who are likely to be entitled to the transitional relief discount have been identified and sent application forms. The council's web site has been updated to advise of these schemes and the explanatory notes that accompanied bills also detail the availability of these schemes.

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 None

Background Papers

DCLG Business Rates Information Letter 11/2014 December 2014 – Autumn Statement
DCLG paper – Extension of Transitional Relief for small and medium properties – Guidance – January 2015
DCLG paper – Retail Relief Guidance – January 2014
Report to Executive 24 March 2014 - National Non-Domestic Rates – Autumn Statement – Business Rates Relief

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Appendix 1

Retail Rate Relief Discount – Qualifying Properties

Properties that will benefit from the retail rate relief discount will be occupied hereditaments with a rateable value of £50,000 or less, that are wholly or mainly being used as shops, restaurants, cafes and drinking establishments. These are defined as:

i) Hereditaments that are being used for the sale of goods to visiting members of the public:

- Shops (such as: florist, bakers, butchers, grocers, greengrocers, jewellers, stationers, off licence, chemists, newsagents, hardware stores, supermarkets, etc.)
- Charity shops
- Opticians
- Post offices
- Furnishing shops/ display rooms (such as: carpet shops, double glazing, garage doors)
- Car/ caravan show rooms
- Second hand car lots
- Markets
- Petrol stations
- Garden centre
- Art galleries (where art is for sale /hire)

ii) Hereditaments that are being used for the provision of the following services to visiting members of the public:

- Hair and beauty services (such as: hair dressers, nail bars, beauty salons, tanning shops, etc)
- Shoe repairs/ key cutting
- Travel agents
- Ticket offices e.g. for theatre
- Dry cleaners
- Launderettes
- PC/ TV/ domestic appliance repair
- Funeral directors
- Photo processing
- DVD/ video rentals
- Tool hire
- Car hire

iii) Hereditaments that are being used for the sale of food and/ or drink to visiting members of the public:

- Restaurants
- Takeaways
- Sandwich shops

- Coffee shops
- Pubs
- Bars

The guidance lists types of retail premises and businesses that will **not qualify** for relief:-

i) Hereditaments that are being used for the provision of the following services to visiting members of the public:

- Financial services (e.g. banks, building societies, cash points, bureau de change, payday lenders, betting shops, pawn brokers)
- Other services (e.g. estate agents, letting agents, employment agencies)
- Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors)
- Professional services (e.g. solicitors, accountants, insurance agents/ financial advisers, tutors)
- Post office sorting office

ii) Hereditaments that are not reasonably accessible to visiting members of the public