



Cabinet

Monday 1 June 2015 at 7.00 pm

Board Room 4 - Brent Civic Centre, Engineers Way,
Wembley HA9 0FJ

Membership:

Lead Member Councillors:

Portfolio

Butt (Chair)	Leader of the Council
Pavey (Vice-Chair)	Deputy Leader of the Council
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
Southwood	Lead Member for Environment

For further information contact: Anne Reid, Principal Democratic Services Officer
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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

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

2 Minutes of the previous meeting 1 - 12

3 Matters arising

Adult Social Care reports

4 Authority to invite tenders for a Direct Payment Services contract 13 - 22

This report concerns the procurement of a Direct Payment Services contract to allow the Council to offer a Support and Advice (general, employment and ongoing) and Managed Account service provision. The contract will replace an existing agreement which comes to an end on the 28 November 2015. This report requests approval to invite tenders in respect of a DPS contract as required by Contract Standing Orders 88 and 89.

Ward Affected:
All Wards

Lead Member: Councillor Hirani
Contact Officer: Amy Jones, Commissioning and Quality
Tel: 020 8937 4061 amy.jones@brent.gov.uk

Chief Operating Officer's reports

5 Authority to award contract for a Local Healthwatch Service for Brent 23 - 42

In accordance with the Council's Contract Standing Order ('CSO') No 88 this report seeks approval to award the contract for Local Healthwatch for Brent for a period of one (1) year with an option to extend for a period of one (1) year to the successful Tenderer following a procurement process. The report summarises the procurement process and procedure undertaken by the Council for the contract.
(Appendix referred to below)

Ward Affected:
All Wards

Lead Member: Councillor Hirani
Contact Officer: Fiona Kivett, Policy and

6 Fees and Charges 2015/16

43 - 70

Local authorities adopt a range of approaches to charging for services. These approaches reflect local policy choices, custom and practice. Some authorities choose relatively commercial approaches, seeking to make surpluses on at least some activities in order to cross subsidise others. Others try to use charging regimes to drive residents' and customers' behaviour, and still others adopt an approach aimed, at most, at recovering the costs of some discretionary activities. Brent's approach has not been subject to a fundamental review for some time, and this report introduces the principles by which such a review will be carried out for future years. Fees and charges for 2015/16 have also been reviewed.

Ward Affected:
All Wards

Lead Member: Councillor Pavey
Contact Officer: Conrad Hall, Chief Finance Officer
Tel: 020 8937 6528 conrad.hall@brent.gov.uk

7 Joint ICT work with London Borough of Lewisham

71 - 84

This report sets out proposals for working with the London Borough of Lewisham to establish a shared service for ICT by April 2016. The report sets out details around sharing ICT hardware and establishing reciprocal Disaster Recovery ("DR") facilities, delivering ICT services to London Borough of Lewisham to refresh their infrastructure, and transition arrangements leading towards the establishment of the joint ICT service.

Ward Affected:
All Wards

Lead Member: Councillor Pavey
Contact Officer: Prod Sarigianis, Head of IT Service Transitions
Tel: 020 8937 6080
prod.sarigianis@brent.gov.uk

Children and Young People reports

8 Youth Services in Brent - a new delivery model

85 - 180

This report outlines a proposed new delivery model for Youth Services in Brent based on a community-led approach that is developed and delivered in partnership with the community, voluntary and social enterprise sector (VCSE) and other stakeholders.
(Appendix referred to below)

Ward Affected:
All Wards

Lead Member: Councillor Moher
Contact Officer: Gail Tolley, Strategic Director,

9 Determination of the proposal to permanently expand Stonebridge Primary School 181 - 196

In line with the School Place Planning Strategy approved by Cabinet in October 2014, the proposal to permanently expand Stonebridge Primary School by one form of entry (1FE) has been put forward by the governing body in partnership with Brent Council. This report informs the Cabinet of the outcome of the statutory consultations on the proposals to alter Stonebridge Primary School through permanent expansion from September 2015 and recommends that the statutory proposals to expand the school be approved.

Ward Affected:
Stonebridge

Lead Member: Councillors Moher and McLennan

Contact Officer: Andrew Donald, Gail Tolley,
Strategic Director, Regeneration and Growth,
Strategic Director, Children and Young People
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andrew.donald@brent.gov.uk,
gail.tolley@brent.gov.uk

Regeneration and Growth reports

10 West London Waste Plan 197 - 372

This report explains that the Council has received an Inspector's report into the Examination of the joint West London Waste Plan Development Plan Document and that the Inspector finds the document sound subject to recommended changes being made. It asks Cabinet to recommend to Full Council that the Plan be adopted with the changes incorporated.

Ward Affected:
All Wards

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

11 Property and Asset Strategy 2015-19 373 - 396

The proposed new Property & Asset Strategy is attached at Appendix 1. It aims to find ways of capturing the inherent value and value growth of land and property in Brent in order to help contribute to the delivery of Brent's Borough Plan aspirations. Fundamentally the strategy moves away from a presumption to dispose outright of property towards one of retaining and acquiring assets with a view to maximising revenue potential. The strategy also recognises the importance of social value,

rather than just monetary value. It introduces proposals for Community Asset Transfer as a way of promoting both social value and community resilience.

Ward Affected: All Wards
Lead Member: Councillor McLennan
Contact Officer: Richard Barrett, Property and Asset Management
Tel: 020 8937 1334 richard.barrett@brent.gov.uk

12 Authority to tender contract for the proposed Learie Constantine Centre redevelopment 397 - 410

This report concerns the redevelopment proposal for the Learie Constantine site at 43-47 Dudden Hill Lane, the principles of which were agreed by the Executive at its meeting of 20th May 2013. This report requests approval to invite tenders in respect of this proposal as required by Contract Standing Orders 88 and 89.
(Appendix referred to below)

Ward Affected: Willesden Green
Lead Member: Councillor McLennan
Contact Officer: Richard Barrett, Property and Asset Management
Tel: 020 8937 1334 richard.barrett@brent.gov.uk

13 South Kilburn Regeneration Programme - Hereford House, Exeter Court, Stuart Road 411 - 528

This report seeks approval to authorise the Strategic Director of Regeneration and Growth to seek the Secretary of State's consent pursuant to Part V of Schedule 2 to the Housing Act 1985 to the disposal and development of Hereford House, Exeter Court (as shown edged red on Plan A at Appendix 1) and 4 to 26 Stuart Road (even numbers only) (as shown edged red on Plan B at Appendix 1) for the purpose of Ground 10A of Schedule 2; and also seeks approval to authorise the final Allocation Policy for secure tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only).

Ward Affected: Kilburn
Lead Member: Councillor McLennan
Contact Officer: Richard Barrett, Property and Asset Management
Tel: 020 8937 1334 richard.barrett@brent.gov.uk

Central Reports

14 Reference of item considered by Scrutiny Committee - Pupil Premium Task Group

The Scrutiny Committee considered Pupil Premium Task Group report on

30 April 2015 and referred it to Cabinet for approval.

15 The Use of the Pupil Premium - Task Group report

529 -
576

This task group has been requested by the Scrutiny Members in responses to borough priorities to improve attainment for disadvantaged pupils. This covering report focuses on the task group's findings and recommendations. The purpose of the task group is to focus on analysing the current use of the Pupil Premium Grant, Understanding the attainment gaps, the outcomes which are being achieved in comparison with national performance and to promote best practice among Brent schools.

Ward Affected:
All Wards

Contact Officer: Cathy Tyson, Policy and Scrutiny
Tel: 020 8937 1045 cathy.tyson@brent.gov.uk

16 Nominations to Outside Bodies and Cabinet Committees

Cabinet Committees

- i. Highways Committee (5 Cabinet members)
- ii. Barham Park Trust Committee (5 Cabinet members)

Outside bodies

- i. London Housing Consortium - Building Components and Solutions
- ii. South Kilburn Trust

17 Exclusion of Press and Public

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

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

APPENDICES:

- Authority to award contract for a Local Healthwatch Service for Brent
- Youth Services in Brent - a new delivery model
- Authority to tender contract for the proposed Learie Constantine Centre redevelopment
(reports above relate)

18 Any other urgent business

Notice of items to be raised under this heading must be given in writing to the Democratic Services Manager or his representative before the meeting in accordance with Standing Order 64.

Date of the next meeting: Monday 29 June 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.

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LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET Tuesday 14 April 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 Chohan, Mahmood and Maurice

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

Councillor McLennan declared a personal interest in the item relating to the South Kilburn Development as a board member of South Kilburn Trust.

2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 16 March 2015 be approved as an accurate record of the meeting.

3. **Matters arising**

None.

4. **Order of business**

The Cabinet agreed to take early in the meeting the item for which members of the public were present.

5. **Employment, Skills and Enterprise Strategy**

Councillor Mashari (Lead Member, Employment and Skills) introduced the Employment, Skills and Enterprise Strategy which had been devised following an extensive consultation and engagement process. The document was the first such strategy to be produced in Brent and it was intended to align closely to the approach set out in other strategic documents, in particular the Borough Plan, the Regeneration Strategy and the Housing Strategy. Councillor Mashari stated that the strategy would inject a new impetus, was a working document to take to partners and she outlined the five strategic objectives which she looked forward to bringing to life.

With the consent of the Cabinet, Pratiba Ramsingh (District Operations Manager, Jobcentre Plus) and Phil Sperring (Business Director, Wates Living Space)

addressed the meeting in turn regarding the strategy. Ms Ramsingh stated that Jobcentre Plus was committed to the delivery of outcomes and looked forward to pooling resources to identify gaps and avoid duplication. Staff were already on site and ready to start work. Mr Sperring expressed commitment to working closely with the strategy and outlined what had already been delivered through careers, apprenticeships, masterclasses and work tours some of which had resulted in employment for local people. Future plans included a programme for out of work young people and construction related tours for children.

Members welcomed the strategy, the opportunity for partnership working and the direction of travel. Councillor Mashari thanked Ms Ramsingh and Mr Sperring for their contributions and work which it was hoped would spread across the borough.

RESOLVED:

- (i) that approval be given to the draft Employment, Skills and Enterprise Strategy;
- (ii) that the content of the Equality Impact Assessment which was set out in Appendix 2 to the report be noted.

6. Award of contract for Care Provider Services

The report from the Strategic Director, Adults concerned the commissioning of a new service delivery model for care services at a proposed new Extra Care facility at Park Royal in Brent. It sought approval to progress with Direct Payments (DP) for all residents and an exemption from tendering in accordance with Contract Standing Order 84(a) to allow officers to enter into discussions with the proposed provider and agree appropriate commercial and service terms leading to the award of a contract.

Councillor Hirani (Lead Member, Adults, Health and Well-being) advised that the estimated value of the shared care service contract was £316k per annum and negotiations would be subject to guarantees that would subsequently be confirmed in the contract on quality and the assurance that the cost was no more than the average cost on the WLA Home Support Framework including the London Living Wage. The final decision would be taken by Cabinet.

Councillor Mashari welcomed the inclusion of the LLW and Councillor Hirani assured that the proposals would be produce savings in the long term.

The Cabinet also had before them an Appendix to the report that was not for publication as it contained the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: "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 an exemption from the usual tendering requirements of Contract Standing Orders in order for appropriate

commercial and service terms for the Extra Care facility contract at Park Royal to be agreed;

- (ii) that it be noted that the final decision to award the contract for the 'shared' elements of the service at the Extra Care facility at Park Royal would be subject to the approval of a further Cabinet report which would recommend that Mears Care Limited were awarded a contract with an initial term of one year with an option to extend for a further year.

7. Brent Safeguarding Adults Board – proposed governance arrangements

The report from the Strategic Director, Adults advised that the council was required to establish a Local Safeguarding Adults Board ['LSAB'] together with associated governance arrangements and to appoint a Chair in accordance with the requirements of the Care Act 2014. The report set out the requirements for agreement and Councillor Hirani (Lead Member, Adults, Health and Well-being) confirmed that the existing arrangements with an independent Chair would continue.

RESOLVED:

- (i) that approval be given to the adoption of the proposed Constitution of the Brent LSAB attached at Appendix 1 of the report;
- (ii) that the council's new adult safeguarding responsibilities be delegated to the Strategic Director Adults;
- (iii) that authority be delegated to the Strategic Director, Adults following consultation with the LSAB, the Chief Executive and Cabinet Member for Adults, Health and Wellbeing to make minor amendments to the LSAB Constitution as and when necessary;
- (iv) that approval be given to a formal agreement between the LSAB Partners to support the functions of the Board and formalise a Pooled fund for the LSAB;
- (v) that authority be delegated to the Strategic Director, Adults following consultation with the LSAB Partners, LSAB chair and Chief Finance Officer to negotiate, vary, extend, renew or terminate the Pooled Funding Agreement for the LSAB on behalf of the Council in consultation with the Cabinet member for Adults, Health and Wellbeing.

8. Primary School Admissions - community schools' oversubscription criteria and admission arrangements 2016/17

Councillor Moher (Lead Member, Children and Young People) introduced the report which set out the outcome of the consultation undertaken on proposals to amend the council's oversubscription criteria for community primary schools for 2016/17. The proposals were to create an additional criterion which prioritised siblings who lived within the catchment area of Brent Community Schools over siblings who live outside the school catchment; to amend the wording and expand the explanation of the social medical criterion to provide clearer information for parents and carers; and to change the method of measuring the distance in the 'tie breaker' within each

criterion from shortest safe walking distance using public rights of way, to straight line measurement. Councillor Moher advised that discussions had taken place with headteachers in February 2015. The Cabinet heard that the changes would be applicable for the 2016/17 intake to allow time for changes to be publicised. Admission appeals would be monitored for impact.

Councillor Mashari (Lead Member, Employment and Skills) sought clarification of the impact of welfare reform on school place provision on the ability of those families moving not through choice, to secure places. Gail Tolley advised that vulnerable families could be protected from splitting up on social/medical criterion. Councillor Moher acknowledged that the new criteria for siblings was potentially controversial however, the schools did not have the spare capacity.

RESOLVED:

- (i) that the results of the consultation carried out from 31 December 2014 to 28 February 2015 be noted;
- (ii) that the changes to the admission arrangements for community primary schools for 2016/17 as detailed in the report from the Strategic Director, Children and Young People at section 5 be approved: to prioritise siblings and children living within the catchment area over siblings living out of the catchment, to amend the wording and explanation of the social medical criterion and to change the distance measurement method to straight line measurement.

9. Contracts with Academy Schools and Independent Special School for Special Educational and Alternative Education Provision

Councillor Moher (Lead Member, Children and Young People) reminded the Cabinet of the council's statutory obligation to provide SEN (Special Educational Needs) places for young people. The report before the Cabinet sought delegated authority to negotiate contracts between the council and schools listed in Table 3.1 and Table 3.2 in the report for the provision of Additionally Resourced Provisions (ARP), independent schools, and English as an Additional Language (EAL) education placements for the academic year 2015/16. The report also considered future arrangements for placement of new students/pupils in subsequent academic years.

In order to negotiate the contracts, the report sought exemption from the usual procurement requirements of the council's Contract Standing Orders. The contract was for one year however consideration would be given to a longer term arrangement.

RESOLVED:

- (i) that it be noted that the costs of the proposed contracts referred to in (ii) below were fully met from the DSG;
- (ii) that authority be delegated to the Strategic Director, Children and Young People, in consultation with the Chief Finance Officer and the Chief Legal Officer, to negotiate contracts for the provision of special education

placements for the academic year 2015/16 to the schools listed in Table 3.1 and Table 3.2 of the report from the Strategic Director, Children and Young People;

- (iii) that agreement be given to an exemption from the procurement requirements of the council's Contract Standing Order No 96 to enable the council to negotiate the contracts referred to in (ii) above;
- (iv) that it be noted that officers would report on the outcome of the negotiations referred to in (ii) and if negotiations are successful, approval would be sought to the award of such contracts;
- (v) that the ongoing work detailed in paragraphs 3.6 and 3.7 to secure longer term more sustainable contractual arrangements for the provision of Additional Resource Provisions for special education and alternative education placements for the academic years following the academic year 2015/16.

10. **Process for the appointment of local authority school governors**

The report from the Strategic Director, Children and Young People outlined proposed changes to the council procedure for appointing and removing Local Authority (LA) governors in accordance with the School Governance (Constitution) (England) Regulations 2007 and 2012. The proposal aimed to streamline and expedite the process for appointing LA nominated school governors. Councillor Moher drew attention to the requirement for appointments to be skills based and no longer nominated by political parties. References would be taken up.

Councillor Pavey (Deputy Leader) suggested that the proposals may not address the problem of the attracting the right people to stand for governor however he welcomed the diversity implications, the annual review and proposed that diversity be added to the list of skills, experience attributes for LA nominated governors. The Cabinet noted that a tracker system would be in place to monitor the vacancy filling process.

RESOLVED:

- (i) that the new procedure for appointment of local authority school governors, which was designed to meet the requirements of recent legislative changes, as set out in paragraphs 3.5 to 3.9 of the report from the Strategic Director, Children and Young People be approved;
- (ii) that the skills criteria set out in Appendix 1 of the report be approved;
- (iii) that it be noted that for all governing bodies of maintained schools which have reconstituted under School Governance (Constitution) (England) Regulations 2012 or the School Governance (Federations) (England) Regulations 2012, governors would be nominated, while in the interim period (until 1 September 2015) for non-reconstituted governing bodies, governors will be appointed;

- (iv) that diversity be added to the list of recommended skills, experience and attributes for nominated LA governors referred to in Appendix A.

11. **School Crossing Patrol Service Review 2015/16**

Councillor Crane (Lead Member, Environment) welcomed Lorraine Langham (Chief Operating Officer) and Chris Whyte (Operational Director, Community Services) to their new roles.

The report from the Chief Operating Officer identified measures and initiatives to mitigate the impact of the removal of the school crossing service agreed as part of the budget process in March 2015 following consideration at the Cabinet meeting on 23 February 2015. The service was discretionary and would only be provided for those schools that were prepared to pay for it. The report outlined the timescales involved in completing the service deletion in line with the managing change policy.

The majority of schools had either agreed to pay for the service from the academic year 2015/16 or were already paying jointly, three schools had indicated that they were unwilling or unable to pay and responses were awaited from approximately 12 schools who would be contacted directly. Councillor Crane assured that road safety measures and traffic controls would be improved. Gail Tolley advised that both headteacher and chair of governors would have been sent letters and some schools had decided not to fund and SCP in the light of the traffic calming measures to be put in place.

The Chief Legal Officer drew attention to the equalities assessment that had been circulated as a supplementary document.

The Cabinet agreed the recommendations in the report.

RESOLVED:

- (i) that approval be given to the deletion of the School Crossing Patrol Service at the end of the academic year (20 July 2015), with the exception of schools that agree to pay for the service where SCPs would continue;
- (ii) that approval be given to the measures and initiatives set out in section 5.3 of the report to ensure that children, parents/carers and motorists are aware of the deletion of the SCP and that safety was maintained for child pedestrians.

12. **Street Lighting: Energy and Carbon Saving Proposals - authority to tender**

Councillor Crane (Lead Member, Environment) introduced the report which set out the business case for further investment in the council's street lighting assets, aiming to: deliver long-term savings in energy costs; provide significant reductions in the Council's carbon emissions; and lay the foundations for a flexible and adaptive lighting strategy to meet the long-term needs of the borough. The report focussed on the potential replacement of existing high pressure sodium street lamps with modern Light Emitting Diode (LED) luminaires. The report also considered the potential benefits of investment in a Central Management System

(CMS), seeking to 'future proof' the LED investment and enabling the introduction of a dynamic lighting strategy across the borough.

Councillor Crane advised that members had visited other boroughs to see the proposed lighting in operation and while the proposals involved £6.6m of investment and £7.82m with the addition of a CMS, the long term savings were significant both financially and in carbon emissions.

Councillor Moher (Lead Member, Children and Young People) welcomed the proposals which would help reduce light pollution benefitting wildlife and birds. Councillor Denselow (Lead Member, Stronger Communities) asked if there would be any implications for anti social behaviour. Councillor Crane responded that the lighting quality would improve, the strategy would be reviewed and the management system allowed for adjustments to be made where necessary.

The Cabinet also had before them appendices to the report which were not for publication, in accordance with Schedule 12(A) (3) of the Local Government Act 1972, as they contain Information relating to the financial or business affairs of any particular person (including the authority holding that information).

RESOLVED:

- (i) that the business case for investment in LED (Light Emitting Diode) luminaires, be endorsed for the reasons outlined in section 3 of the report from the Chief Operating Officer, and officers be authorised to commence the procurement of LED luminaires with reference to the pre-tender considerations outlined in paragraph 6 of the report;
- (ii) that the business case for investment in Central Management System (CMS), be endorsed for the reasons outlined in section 3 of the report, and officers be authorised to commence the procurement of CMS with reference to the pre-tender considerations outlined in Part 6 of this report;
- (iii) that approval be given to the invite of tenders for the supply of LED and CMS on the basis of the pre-tender considerations set out in paragraph 6.1 of the report, and authority given to tendering in partnership with PFI Lighting Ltd, noting the issues set out in sections 4 and 5 of the report;
- (iv) that officers and their PFI partners evaluate the tenders referred to in (iii) above on the basis of the evaluation criteria set out in paragraph 6.1 of the report, with a further report to Cabinet following the tender exercise which will make recommendations on the award of Contract;
- (v) that officers develop a new lighting strategy, specifically facilitated by the deployment of CMS technology, which would seek further energy and carbon savings whilst meeting the long-term lighting needs of the borough.

13. **Arboricultural Services Contract**

The report before the Cabinet from the Chief Operating Officer set out options and identified a preferred course of action for the future procurement of the council's Arboricultural Services Contract. The current contract was due to expire in March

2016. Options for retendering were to either re-tender the contract, with the procurement exercise commencing immediately after Cabinet decision; or extend the contract by two years. Councillor Crane (Lead Member, Environment) recommended the latter as the preferred option in order to improve the council's market position, and facilitate greater long-term efficiencies, service improvements and savings. He also welcomed the opportunity for an asset management system that would improve programming quality.

RESOLVED:

- (i) that the Arboricultural Services Contract be extended by two years to 31 March 2018, noting the rationale for doing so as set out in the report from the Chief Operating Officer;
- (ii) that the negotiated service improvements offered by the incumbent contractor for the contract extension period (summarised in paragraph 5.9) be accepted;
- (iii) that a programme of removal and replacement of lime trees in the poorest condition be commenced, to improve the quality of the council's tree stock;
- (iv) that approval be given to the establishment of an intra-authority and intra-service working group, aimed at sharing knowledge and securing a formal Trees Partnership ahead of future tree maintenance procurement.

14. ASB Crime and Policing Act 2014: delegation of functions to exercise the powers

The Lead Member for Stronger Communities, Councillor Denselow advised the Cabinet of the new legislation that came into force on 20 October 2014 which rationalised the tools and powers available to partnerships and introduced simpler, more effective powers to tackle anti-social behaviour that provide better protection for victims and communities. The new Act replaced nineteen pre-existing measures with six new measures for tackling anti-social behaviour and the powers were available to various bodies such as local authorities, the police and registered housing providers. Councillor Denselow welcomed the opportunity to check longstanding problems.

Members welcomed the legislation, in particular Community Protection Notices and Public Space Protection Orders, which could be used to combat fly-tipping, street drinking and park sleeping.

RESOLVED:

- (i) that the contents of the report be noted;
- (ii) that authority be delegated to the Chief Operating Officer and to the Operational Director, Community Services to exercise and to delegate to officers at an appropriate grade the following functions under the Anti-Social Behaviour, Crime and Policing Act 2014 ("the 2014 Act"):
 - (a) issuing Community Protection Notices on behalf of the Council;

- (b) issuing Closure Notices on behalf of the Council for up to 48 hours;
 - (c) applying for to the Court for Closure Orders in consultation with the Chief Legal Officer;
 - (d) applying to the Court for Criminal Behaviour Orders in consultation with the Chief Legal Officer and requesting the Police/Crown Prosecution Service to apply for Criminal Behaviour Orders;
 - (e) issuing fixed penalty notices for breach of any Community Protection Notice or Public Space Prohibition Order;
- (iii) that authority be delegated to the Chief Operating Officer and the Strategic Director, Regeneration and Growth as the designated officers of the Chief Executive to issue a Closure Notice under the 2014 Act on behalf of the Council for up to 48 hours; and to the Head of Community Safety and Emergency Planning and as the designated officer of the Chief Executive to issue a Closure Notice for up to 24 hours;
 - (iv) that authority be delegated to the Chief Operating Officer, Operational Director, Community Services, and Strategic Director, Regeneration and Growth to exercise and to delegate to officers at an appropriate grade the function of authorising the issuing of court proceedings for civil injunctions under the 2014 Act on behalf of the Council in consultation with the Chief Legal Officer;
 - (v) that authority be delegated to the Chief Operating Officer in consultation with the Lead Member for Stronger Communities for the function of making Public Spaces Protection Orders under the 2014 Act and for this arrangement to be reviewed after one year;
 - (vi) that approval be given to the council's Community Trigger Protocol as set out in Appendix 3 of the report;
 - (vii) that the amount of Fixed Penalties relating to Fixed Penalty Notices issued under Section 52 and 68 of the 2014 Act be set at £75 (discounted to £50 if paid within 14 days);
 - (viii) that approval be given to the implementation and use of the additional mandatory ground for possession of secure tenancies where the council was the landlord.

15. **Authority to award contract for the supply of ICT Datacentre equipment**

The report from the Chief Operating Officer requested authority to award a contract as required by Contract Standing Order No. 88 for the supply of ICT Datacentre Equipment. The report summarised the process undertaken in procuring the contract, which was in collaboration with LB Lewisham, and recommended to whom the contract should be awarded.

Councillor Pavey (Deputy Leader) welcomed the first step towards joint working with LB Lewisham as discussions were taking place around a reciprocal arrangement for disaster recovery and back office savings.

RESOLVED:

that the contracts for Datacentre Equipment Lot 1: Storage Solution, Lot 2: Backup Solution and Lot 3: Server Solution be awarded to Software Box Ltd.

16. South Kilburn Regeneration Programme - Design Team, The Peel Site

Councillor McLennan (Lead Member, Regeneration and Housing) introduced the report which sought approval to award a contract for an architecturally-led multidisciplinary design team for the comprehensive redevelopment of Peel Precinct, 97 to 112 Carlton House and 8 to 14 Neville Close (together defined as 'the Peel Site' and as shown edged red on plan at Appendix 1), as required by Standing Order No 88. The report summarised the process undertaken by placing a notice in the Official Journal of the European Union (OJEU) and, following completion of the evaluation of the tender responses, recommended to whom the contract should be awarded.

Councillor McLennan welcomed the opportunity the mixed use redevelopment scheme brought for a much needed health centre and to meet the decant requirements of the existing secure tenants. Councillor Crane (Lead Member, Environment) referred to the health centre as a significant step for residents as it had been a longstanding key request and he looked forward to the continued improvement in conditions. Councillor Denselow (Lead Member for Stronger Communities) was pleased to report that since last May, there had been no gang related violent crime in the area. Regarding the implications for current businesses, the Strategic Director, Regeneration and Growth advised that there would be no long leases and the council would try to support where possible.

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 Paragraphs 3, Schedule 12A of the Local Government Act 1972, namely: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)".

RESOLVED:

that a contract for an architecturally-led multidisciplinary design team be awarded to Penoyre & Prasad LLP to lead a full design team to prepare, submit and ensure the validation of a hybrid planning application and produce detailed design and specification to Stage 3 RIBA Plan of Work 2013 (Stage D+ RIBA Plan of Work 2007) for the comprehensive redevelopment of Peel Precinct, 97 to 112 Carlton House and 8 to 14 Neville Close (together defined as 'the Peel Site'), being a standalone phase of the South Kilburn regeneration programme.

Councillor McLennan declared a personal interest in this item as a board member of South Kilburn Trust.

17. Reference of item considered by Scrutiny Committee

None.

18. **Sue Harper**

Councillor Crane (Lead Member, Environment) reminded the Cabinet that Sue Harper had attended her last meeting as Strategic Director Environment and Neighbourhoods and was due to leave the council in May 2015 and asked that his best wishes be conveyed to her. Members paid tribute to her professionalism and expertise over the years of service to the council and wished her well for the future.

19. **Councillor George Crane**

The Cabinet noted that this would be the last meeting attended by Councillor Crane in his capacity as Lead Member as he would be standing down from that role. Members thanked him for his contribution over the past months.


20. **Any other urgent business**

None.

The meeting ended at 8.05 pm

M BUTT
Chair

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 Brent	<p style="text-align: center;">Cabinet 1 June 2015</p> <p style="text-align: center;">Report from the Strategic Director of Adult Services</p>
<p>For Action Wards Affected: [ALL]</p>	
<p>Authority to invite tenders for a Direct Payment Services Contract</p>	

1.0 Summary

- 1.1 This report concerns the procurement of a Direct Payment Services contract to allow the Council to offer a Support and Advice (general, employment and ongoing) and Managed Account service provision. The contract will replace an existing agreement which comes to an end on the 28th November 2015. This report requests approval to invite tenders in respect of a DPS contract as required by Contract Standing Orders 88 and 89.

2.0 Recommendations

- 2.1 The Cabinet to approve inviting tenders for a Direct Payment Service contract on the basis of the pre - tender considerations set out in paragraph 5.0 of the report.
- 2.2 The Cabinet to give approval to officers to evaluate the tenders referred to in 2.1 above on the basis of the evaluation criteria set out in paragraph 5.0 (vi) of the report.

3.0 Background

- 3.1 A Direct Payment (DP) is a cash element of a Social Care Personal Budget paid directly to Service Users (including carers) to allow them to secure relevant services, to meet their identified needs, and outcomes.
- 3.2 DP's have been in use in Adult Social Care (ASC) and Children's Services since the mid 1990s and they remain a preferred mechanism for delivering personalisation in Brent and nationally. DPs provide independence, choice and control to enable people to purchase their own care and support in order to meet their eligible needs.
- 3.3 The legislative context for DP's is set out in the Care Act 2014, Mental Health Act 1983 and the Care and Support (Direct Payments) Regulations 2014.
- 3.4 The Care Act provides a power to enable DPs to be made to meet some or all of a person's eligible care needs, or a nominated person acting on their behalf if agreed by the person with care needs or the person with care and support needs lacks the capacity to manage the DP them self. DPs are also available to carers. The Care Act requires the Local Authority (LA) to be satisfied that the person is able to manage the DP themselves, or with help or support will be able to manage the DP.
- 3.5 The Government's recent 'Vision' for social care, and also the social care sector document 'Think Local, Act Personal', reinforces personal budgets as mainstream and at the same time expresses an expectation that DP's should become their principle method of delivery. To achieve this, LA's will need to ensure that suitable arrangements are in place to support the take-up of DP's by the majority of their personal budget holders.

4. Detail

- 4.1 Brent Council serves a population of 317,264^[2], of which 210,191 are adults aged 18-64, and 34,525 are people 65 and over. For much of this and the eligible Childrens population the Customer Journey service model will make DP's the default delivery payment method for those requiring community based services thus ensuring that the Council meets it's core duty of care.
- 4.2 There are currently 650 eligible ASC service users receiving DP support for which the Council pays an annual contract fee of £157k. Childrens Services have a lesser number, with an average of 77 individuals receiving DP support. With a higher proportion of service users, 85 of the eligible ASC service users receive managed account support whilst only 2 receive the same within

^[2] Based on Mid 2013 Population Statistics from the Office of National Statistics
April 2015

Childrens Services.

- 4.3 With DPs becoming the default delivery payment method and an increasing number of clients, Officers are forecasting that £6.2 m of expenditure will be channelled through a DP.
- 4.4 To support the roll out, take up and management of DPs, the Council is seeking to ensure, via a 3rd party, that service users are clear on what responsibilities they take on with a DP and provide them with access to good quality advice and support to build their confidence in DP's and how to manage them.

Current Service Provision

- 4.6 The current DP service is delivered by Penderels Trust who were appointed through a quotation process and awarded a 1 year contract for a value of £157k. The contract was due to end in May 2015, however, it has been extended for a 6 month period bringing the end date to the 28th November 2015 through a Chief Officer approval in compliance with the Council's Standing Orders and delegations.
- 4.7 Penderels provide the following 4 key services which vary to individual needs:
 - 4.7.1 DP support and advice: This service is aimed at individuals that are relatively independent and require a one-off or short term support with setting up and managing their DP.
 - 4.7.2 DP employment and advice: This service is aimed at individuals that are relatively independent but require support with recruitment, selection and retention of a personal assistant and to set up and manage their DP.
 - 4.7.2 Ongoing advice and support with the management of a DP: those services listed in 4.7.1 and 4.7.2 above are intended to foster greater independence and minimal individual support. However it is accepted that there will be circumstances where the Provider will need to provide short term or ongoing support to some Service Users.
 - 4.7.3 Managed Account: This service is aimed at individuals that have difficulty managing their own finances and as a result cannot fulfil their responsibilities without assistance as a DP user. This service may also be provided to vulnerable users where there may be safeguarding issues. Penderels receive and manage the DP on behalf of the individuals and ensure that they meet their payment responsibilities to their Care Agency or Personal Assistant, HMRC and other suppliers

- 4.8 A fixed hourly fee is payable for all services except for the Managed Account service where an annual contract sum is paid.
- 4.9 The contract is managed by Adult Social Care who receives quarterly performance reports and meet with Penderels to discuss further DP uptake and contract improvements.

Future service provision

- 4.10 In addition to the re-procurement of the existing services listed in Section 4.7 above, the specification for the future contract will include 2 additional services.
 - 4.10.1 A Personal Assistant (PA) Service: A PA Service will support individuals to live independently within their own home with payment being made through a DP. The future provider will be required to provide a PA service to individuals who may not know someone they want to use as their PA, do not know where to look, have language or literacy issues making it difficult for them to manage the PA process and/or find it difficult to find a PA with sufficient skills, experience and training to match their specific needs.
 - 4.10.2 Delivery of support for individuals to manage their Personal Health Budgets (PHB): This provision will compliment a 2 year pilot assessment of how on-going direct payment support for service users, aged 18 and over who are eligible for NHS Funded Continuing Healthcare by Brent Clinical Commissioning Group (CCG), is managed. It is envisaged that there will be an initial 20 service users referred during the first year, and this will be funded by health.
- 4.11 The future contractor will also be required to deliver a number of value added services that compliment the take up of DP's. This may include:
 - 4.11.1 A DP forum where service users and PA's can discuss DP set up, administration, issues and improvements.
 - 4.11.2 Newsletters that are circulated to existing and potential service users.
 - 4.11.3 Production of an information packs which may include information on recruiting PA's and other sources of information.
 - 4.11.4 Training for individual employers and personal assistants
 - 4.11.5 Development of a PA market which may include a PA noticeboard, newsletters, information packs, links with Jobcentre Plus and recruitment training.

- 4.12 The target has been set for a further 400 service users to be recipients of DP's over the next 3 years. Alongside the existing 727 this will bring the total number of DP's users to 1127 by the end of the new contract term in November 2018.
- 4.13 Officers have considered whether to split the contract into separate lots but have concluded that this is not appropriate. Officers consider that a contract with a single contractor will help to deliver a seamless service and enable the provider to deliver the value added services detailed in paragraph 4.11.
- 4.14 With Brent being a member of the West London Alliance (WLA), the intention is to procure the contract principally for Brent but on the basis that it can also be accessed by the 5 other participating WLA Authorities should they choose to do so.

5.0 Pre-tender considerations

- 5.1 In accordance with Contract Standing Orders 88 and 89, pre-tender considerations have been set out below for the approval of the Cabinet.

Ref.	Requirement	Response	
(i)	The nature of the service.	Direct Payment Services	
(ii)	The estimated value.	£1,662,818 (the estimated value of Brent's element is £904,116)	
(iii)	The contract term.	2 years plus the ability to extend by a further 1 year	
(iv)	The tender procedure to be adopted.	Restricted Procedure	
v)	The procurement timetable.	Indicative dates are:	
		Adverts placed	26 th June 2015
		Expressions of interest returned	27 th July 2015
		Shortlist drawn up in accordance with the Council's approved criteria	12 th August 2015
		Invite to tender	17 th August 2015

Ref.	Requirement	Response	
		Deadline for tender submissions	11 th September 2015
		Panel evaluation and shortlist for interview	September 2015
		Interviews and contract decision	September 2015
		Report recommending Contract award circulated internally for comment	September 2015
		Cabinet approval	November 2015
		Minimum 10 calendar day standstill period – notification issued to all tenderers and additional debriefing of unsuccessful tenderers in accordance with EU Regulations	November 2015
		Contract Mobilisation	November 2015
		Contract start date	29 November 2015
(vi)	The evaluation criteria and process.	<p>1. Stage 1 selection (pre-qualification stage) shortlists are to be drawn up in accordance with the Council's Contract Procurement and Management Guidelines and will require bidders to meet the Council's financial standing, technical capacity and technical expertise requirements.</p> <p>2. Tender evaluation at Stage 2 will be against <u>Quality and Price criteria</u> whereby:</p> <p>Quality will consist of 40% of the evaluation weightings. The quality assessment will be evaluated using a range of criteria:</p> <ul style="list-style-type: none"> • How experience in delivering similar services will be applied to the proposed contract. • How the Service will be operated to lead to improved personal independence. 	

Ref.	Requirement	Response
		<ul style="list-style-type: none"> • How the services will be delivered to increase DP uptake. • How the service provider will use its staffing (skills, qualifications and experience and structure) in order to meet the needs of those in receipt of DPS. • How the Service will be operated to achieve delivery of outcomes • How policies and procedures regarding equality and human rights will be applied to the range of service users. <p>Cost will constitute 60% of the evaluation criteria.</p>
(vii)	Any business risks associated with entering the contract.	There are no business risks associated with the proposed contract.
(viii)	The Council's Best Value duties.	The evaluation criteria are based on a model where cost and quality will be distributed to ensure that provider(s) are selected on best value. The tendering documentation will also specify how the agreements will be managed to ensure on-going delivery of the outcomes.
(ix)	Consideration of Public Services (Social Value) Act 2012	See section 10.0 below.
(x)	Any staffing implications, including TUPE and pensions.	See section 9.0 below.
(xi)	The relevant financial, legal and other considerations.	See sections 6.0 and 7.0 below.

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

6.0 Financial Implications

6.1 The Council's Contract Standing Orders state that contracts for supplies and services exceeding £250,000 or works contracts exceeding £500,000 shall be referred to the Cabinet for approval of the award of the contract.

6.2 The estimated value of the DPS contract over the proposed 3 year contract term is £1,662,818. This includes a 3 year Managed Account fee of £174,00

and a forecast external WLA spend of £758,700 for the Personal Assistant service.

- 6.3 Brent's costs are based on an increase of 400 people on Direct Payments and as set out in the table below the expected contract cost for Brent's element is £904,116 for 3 years. .

	Service users	Cost
Current contract	727	£157,000
Year 1	861	£210,808
Year 2	994	£243,372
Year 3	1127	£275,936
	Managed Accounts (3 year value)	£ 174,000
	Total	£904,116

- 6.3 The increase in the contract value will be offset by lower unit costs for care through Direct Payments. The costs will be met from within the Adult Social Services and Children's Service budget for each financial year of the contract. This budget is subject to the council's annual budget process so this contract will be a priority commitment upon that budget. Should the contract be exceeded the additional cost will also be contained within the Adults and Children's budgets as required in the first instance.
- 6.4 The Adult Social Services and Children's Services budget is monitored as part of the ongoing budget monitoring process and this contract will form part of that monitoring going forward.

7.0 Legal Implications

- 7.1 DP services fall within the social and other specific services listed in Schedule 3 ("Schedule 3 Services") of the Public Contracts Regulations 2015 ("EU Regulations") and as such are subject to a lighter touch regime. As the estimated value of this proposed tender is £1,662,818 (including possible extension) it is above the threshold applicable to Schedule 3 Services (currently set at £625,050) and will therefore need to be procured in accordance with EU Regulations, including advertising in the Official Journal of the European Union.
- 7.2 The estimated value of the proposed contract is in excess of £250,000 making it a High Value Contract under the Council's Contract Standing Orders. As such it is subject to the Council's own Standing Orders and Financial

Regulations in respect of High Value Contracts and therefore the Cabinet must approve the pre-tender considerations set out in paragraph 5.1 above (Standing Order 89) and the inviting of tenders (Standing Order 88).

7.3 Once the tendering process is undertaken Officers will report back to the Cabinet in accordance with Contract Standing Orders, explaining the process undertaken in tendering the contracts and recommending award.

7.4 As this procurement is subject to the full application of the EU Regulations, the Council must observe the requirements of the mandatory minimum 10 calendar standstill period imposed by the EU Regulations before the contract can be awarded. The requirements include notifying all tenderers in writing of the Council's decision to award and providing additional debrief information to unsuccessful tenderers on receipt of a written request. The standstill period provides unsuccessful tenderers with an opportunity to challenge the Council's award decision if such challenge is justifiable. However if no challenge or successful challenge is brought during the period, at the end of the standstill period the Council can issue a letter of acceptance to the successful tenderer and the contract may commence.

8.0 Diversity Implications

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

9.0 Staffing/Accommodation Implications

9.1 This service is currently provided by an external contractor and there are no implications for Council staff arising from retendering the contract.

10.0 Public Services (Social Value) Act 2012

10.1 The Council is under duty pursuant to the Public Services (Social Value) Act 2012 (the "Act") 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. Officers have commenced engagement with a range of service users to understand their views of the current service and how the future contract may be shaped to meet economic, social and/or environmental needs.

10.2 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.

10.3 Bidders will also be asked to submit pricing that includes the London Living Wage.

11.0 Background Papers


None.

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 Brent	<p style="text-align: center;">Cabinet 1 June 2015</p> <p style="text-align: center;">Report from the Chief Operating Officer</p>
Wards Affected: ALL	
Authority to award contract for a Local Healthwatch Service for Brent	

Appendix 1 is Not for Publication

1.0 Summary

- 1.1 In accordance with the Council's Contract Standing Order ('CSO') No 88 this report seeks approval to award the contract for Local Healthwatch for Brent for a period of one (1) year with an option to extend for a period of one (1) year to the successful Tenderer following a procurement process. The report summarises the procurement process and procedure undertaken by the Council for the contract.

2.0 Recommendations

That the Cabinet approve the award of the contract for the delivery of a local Healthwatch service for Brent (Healthwatch Brent) from 1st July 2015 for a term of one year with an option to extend by a further one year period to CommUNITY Barnet.

3.0 Detail

Background

- 3.1. There is a statutory requirement under part 5 of the Health and Social Care Act 2012 for all Local Authorities to setup a local Healthwatch and Complaints Advocacy Service by April 2013. The Act requires the Council to:

- establish a local Healthwatch to act as the new consumer champion for publically funded health and social care;
- take over responsibility for ensuring the provision of a Health Care Complaints and Advocacy service.

3.2. The aim of local Healthwatch is to act as the consumer voice for health and social care. It aims to benefit patients, users of services, carers and the public by helping to get the best out of services, improving outcomes, and helping services to be more responsive to what people want and need. There are seven statutory functions under the guidance from the Department of Health and LGA, relating to Healthwatch and the complaints advocacy services:

Function 1	Gathering views and understanding the experiences of people who use services, carers and the wider community
Function 2	Making people's views known
Function 3	Promoting and supporting the involvement of people in the commissioning and provision of local care services and how they are scrutinised
Function 4	Recommending investigation or special review of services via Healthwatch England or directly to the Care Quality Commission (CQC)
Function 5	Providing advice and information about access to services and support for making informed choices
Function 6	Making the views and experiences of people known to Healthwatch England and providing a steer to help it carry out its role as national champion
Function 7	NHS Complaints Advocacy – this function has been commissioned by a separate pan-London agreement.

3.3. The current Local Healthwatch contract covers functions 1 to 6 and is due to expire on 30 June 2015. Function 7 is delivered through a separate contract with Voiceability and was not part of the tender.

3.4. Local Healthwatch is funded by local authorities and held to account by them for the ability to operate effectively and be value for money. The 2012 Act provides that the body contracted to be the local Healthwatch must be a 'body corporate' (i.e. a legal entity).

The tender process

- 3.5 The new contract will be let using a bespoke set of terms and conditions for a period of one year with a possible one year extension.
- 3.6 The opportunity was advertised using the Council's Electronic Tendering Facility (the London Tenders Portal) on 30th January 2015 using a single stage 'open' procedure, whereby Tenderers were invited to submit their tenders alongside their pre-qualification questionnaires. Tenderers were provided with an outline specification and details of the tender approach.
- 3.7 The Tenderers' financial viability and technical ability were evaluated using the pre-qualification questionnaires and the tenders of those who achieved a pass were then evaluated.
- 3.8 The tendering instructions stated that the contract would be awarded on the basis of the most economically advantageous offer to the Council and that in evaluating tenders, the Council would have regard to the following:
- Quality assessment, including:
 - proposed delivery model and proposals in relation to governance arrangements
 - approach to and experience of community engagement and representation
 - approach to gathering the views and experiences of residents to inform commissioning
 - proposals for raising the impact and influence of Healthwatch in the borough
 - proposed model for delivering an information, advice and signposting service
 - approach for the recruitment of Healthwatch members and volunteers
 - proposal for delivering key functions of the contract
 - specific health and safety matters relevant to the contract
 - The tender price for providing the service.
- 3.9 Tenderers were required to submit additional information providing details of their proposed arrangements for performing the contract. Individual method statements were submitted addressing each of the quality criteria listed in 3.8.

Evaluation process

- 3.10 The tender evaluation was carried out by a panel of officers from the Chief Operating Officer's Department and Adult Social Care. An Officer from Brent Clinical Commissioning Group was also in attendance. The evaluation panel was facilitated by the Senior Category Manager, Procurement.

- 3.11 All tenders had to be submitted electronically no later than 12 noon on 16th March 2015. Tenders were opened on 16th March 2015 and four valid tenders were received. Each member of the evaluation panel read the tenders using evaluation sheets to note down their comments on how well each of the award criteria was addressed.
- 3.12 Following evaluation of the pre-qualification questionnaire, three Tenderers were invited to attend presentation and clarification meetings on 27th March 2015, where they presented their submission and the panel asked, and received answers to, some clarification questions. The panel met following the clarification meetings on 27th March 2015 and each submission was marked by the whole panel against the award criteria.
- 3.13 The names of the Tenderers are contained in Appendix 1. The scores received by the tenderers are included in Appendix 2. It will be noted that Tenderer A was the highest scoring tenderer. Officers therefore recommend the award of the contract to Tenderer A, namely CommUNITY Barnet of Barnet House, 7th Floor, 1255 High Road, Whetstone, London.
- 3.14 The contract will commence on 1st July 2015 subject to the Council's observation of the voluntary standstill period noted in paragraph 5.3. below.

4.0 Financial Implications

- 4.1 The Council's Contract Standing Orders state that contracts for supplies and services exceeding £250,000 or works contracts exceeding £500,000 shall be referred to the Cabinet for approval of the award of the contract.
- 4.2.0 The estimated value of this contract is £149,110 per annum and £298,220 (excluding any inflationary uplift), over a period of two years should the option to extend for an additional twelve (12) months stands.
- 4.2.1 It is anticipated that the cost of this contract will be met from the Healthwatch and Advocacy budget within the Chief Operating Officer's Department. Any decision to revise or change the term of this contract should be carefully considered, in light of the cost implication and funding availability.
- 4.2.2 It is pertinent that a favourable payment term is established over the life span of the contract agreement to both parties, to ensure the contract can be fully executed in a cost effective manner.

5.0 Legal Implications

- 5.1 The Health and Social Care Act 2012 and regulations subsequently issued under it govern the establishment of Local Healthwatch, its functions and the responsibilities of Local Authorities to commission Local Healthwatch services.
- 5.2 The value of the contract over its lifetime as mentioned in paragraph 4.1 of this report is over £250,000 and in effect, regarded as High Value Contract under the CSO and Financial Regulations, in that Cabinet approval to award the contract must be sought. Given the value of the contract over its lifetime is higher than the EU threshold for Services, the procurement and award of the contract is governed by EU procurement legislation.
- 5.3 The procurement process for the contract was commenced under the Public Contracts Regulations 2006 ("PCR 2006") and as such, the PCR 2006 continue to apply to the procurement despite the introduction of the Public Contracts Regulations 2015 in February 2015. Under the PCR 2006, health and social services fall within Part B of Schedule 3 of the PCR 2006. Procurement of such services, are not subject to the full EU procurement regulation, except that there must be a technical specification contained in the contract documents and contracting authorities must adhere to the EC Treaty principles of non discrimination and transparency. As mentioned in the body of the report in compliance with the partial application and the Treaty principle, the Council invited tenders and a procurement process was undertaken. Whilst not formally required by the PCR 2006 to, given the regulations are only of partial application, the Council Officers intend to voluntarily observe the a 10 calendar day standstill period under the EU Regulations before the contract is awarded. The successful Tenderer will be issued with a letter of acceptance following the standstill period and the contract can commence.

6.0. Diversity Implications

- 6.1 Members are referred to the Equalities Impact Assessment at Appendix 3 and will note that the contract for the delivery of a local healthwatch service will have positive equalities impact for protected characteristics.
- 6.2. The aim of local Healthwatch is to act as the consumer voice for health and social care. It aims to benefit patients, service users, carers and the public through promoting and supporting the involvement of people in the commissioning and provision of services. In so doing, it helps to make services more user driven with improved outcomes. Healthwatch Brent will be representative of Brent's diverse community, including the nine groups with characteristics protected under the Equality Act 2010. Through the requirements set out in the service specification and ongoing contract monitoring arrangements, the council will make provisions to ensure that these groups are represented equally by local

Healthwatch and that any additional provisions that may be required are put in place.

- 6.3. There is a requirement that the local Healthwatch service will have a large membership that represents the demographics of the area and all sections of the local community and ensures their voices are heard. This membership will have a direct influence over the policy, plans and priorities of Healthwatch Brent. This will ensure that the service is fully inclusive of the nine protected groups and that the health needs and inequalities that these groups may be experiencing are articulated through the service and subsequently relayed to local health stakeholders. In so doing, this will work towards achieving Brent's five core equalities objectives.

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 retendering the contract. TUPE will apply to some of the staff of the existing provider. Tenderers were provided with information relating to the terms of employment of the staff and their tenders were submitted taking the implications of this into account. Three staff will transfer from the current provider to the new provider.

8.0 Public Services (Social Value) Act 2012

- 8.1 Healthwatch will act as the consumer champion for local people and will directly contribute to the quality of life and life chances of Brent's residents. The Borough Plan 2015-2019 highlights key priorities and the outcomes that will measure success. The delivery of a local Healthwatch service will contribute to the following priorities:

- Better lives
 - enabling people to live healthier lives and reducing health inequalities
- Better locally
 - making sure that everyone has a fair say in the way services are delivered, that they are listened to and taken seriously
 - building partnerships – between local service providers and between local services and residents – to find new ways of providing services that are more finely tailored to individual, community and local needs.

- 8.2 In addition to the priorities outlined above, and in considering the economic, social and environmental benefits, the procurement of a local healthwatch service for Brent will also contribute to the following areas under social value:

- Working with Brent's diverse community and voluntary sector

- Implementing the council's commitment to the London Living Wage

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APPENDIX 2
BRENT HEALTHWATCH CONTRACT
TENDER EVALUATION GRID

Table 1

	Contractor A	Contractor B	Contractor C
Total Lot Price	£149,110.00	£149,998.00	£150,000.00
Price Score	100.00%	99.41%	99.41%
Weighted Price Score (40%)	40.00%	39.76%	39.76%

Table 2

Criteria	Weighting	Contractor		
		A	B	C
Delivery model	15%	11.25%	7.50%	7.50%
Governance	10%	7.50%	7.50%	7.50%
Community engagement and representation	15%	15.00%	7.50%	7.50%
Gathering the views and experiences of residents to inform commissioning	13%	9.75%	6.50%	6.50%
Impact and influence	13%	13.00%	6.50%	6.50%
Information, advice and signposting service	8%	6.00%	6.00%	6.00%
Recruitment of members and volunteers	8%	6.00%	6.00%	4.00%
Delivery of key functions of the contract	12%	12.00%	3.00%	9.00%
Health and Safety	6%	4.50%	4.50%	4.50%
Total Quality Score		85.00%	55.00%	59.00%
Weighted Quality Score (60%)		51.00%	33.00%	35.40%
Weighted Price Score (40%) from Table 1 above		40.00%	39.76%	39.76%
Total Score		91.00%	72.76%	75.16%

APPENDIX 3

EQUALITIES IMPACT ASSESSMENT

Healthwatch Brent

Department Assistant Chief Executive's Service	Person Responsible James Curtis
Created 8th April, 2015	Last Review 31st March, 2013
Status Screened	Next Review 8th April, 2016

Impact Assessment Data

What effects could your policy have on different equality groups and on cohesion and good relations?

Age – impact: positive

The aim of local Healthwatch is to act as the consumer voice for health and social care. It aims to benefit patients, service users, carers and the public through promoting and supporting the involvement of people in the commissioning and provision of services. In so doing, it helps to make services more user-driven with improved outcomes.

Healthwatch Brent will be representative of Brent’s diverse community, including the nine groups with characteristics protected under the Equality Act 2010. Through the requirements set out in the service specification and ongoing contract monitoring arrangements, the council will make provisions to ensure that these groups are represented equally by Healthwatch Brent and that any additional provisions that may be required are put in place.

Point 10.2 of the service specification states that Healthwatch Brent is required to “nurture partnerships with local service user groups (and existing VCS networks) and other local Healthwatch organisations to ensure high quality feedback and research.” Developing partnerships with local service user groups will ensure that residents with characteristics protected under the equality act are engaged as part of the research and feedback function. As such, this will ensure that they are able to articulate their health needs through the service and subsequently work towards addressing any health inequalities that may impact upon them.

Function three of the service specification makes provisions for “promoting the involvement of people in the commissioning and provision of local care services and how they are scrutinised.” To facilitate this, Healthwatch Brent will operate an ‘enter and view’ policy which enables residents to visit the service with staff and observe for themselves first hand how it operates. Enter and view will ensure that all groups with characteristics protected under the equality act are engaged in the provision and scrutiny of local care services. By reflecting the demography of Brent, enter and view

will also work towards addressing any health inequalities that may impact upon the groups protected by the equality act in the borough.

There is a requirement that Healthwatch Brent will have a large membership that represents the demographics of the area and all sections of the local community, ensuring that their voices are heard. This membership will have a direct influence over the policy, plans and priorities of Healthwatch Brent. This will ensure that the service is fully inclusive of the nine protected groups and that the health needs and inequalities that these groups may be experiencing are articulated through the service and subsequently relayed to local health stakeholders. In so doing, this will work towards achieving Brent's five core equalities objectives.

As outlined in Brent's 2014 Joint Strategic Needs Assessment (JSNA), the 25-49 year old age cohort currently has the highest number of people providing unpaid care (12,413 people). In addition to this, 27% of residents aged over 65 live alone, increasing the risks of loneliness and isolation and associated health problems. There are a number of provisions within Healthwatch Brent to ensure that residents of all ages are fully engaged by the service:

Function five of the service specification states that "continuous dialogue with members and the local community" is a key aim of Healthwatch – this would ensure that all age groups are involved in the commissioning and provision of local services. Likewise, under the organisational description (section 11.1) it states that "Healthwatch Brent will develop and maintain a membership comprising of individuals and organisations as well as patients and communities including children and young people to join and take part in Healthwatch activities." This would ensure that all age groups, specifically young people, are engaged and given the opportunity to provide input on the commissioning and delivery of local health services and any health inequalities that may affect them. The two provisions detailed above would therefore, have positive equalities outcomes for this protected characteristic.

Outcome two of the performance monitoring report, which forms part of the service specification, states that "Healthwatch Brent has clear systems and processes that ensure full engagement of the diverse community, including Outcome four of the performance monitoring report states that "resident's gain access to Healthwatch through a range of avenues and opportunities", which would ensure that provisions are made for elderly residents who may require additional assistance to gain access to venues and provide input into Healthwatch. This would have a positive equalities impact on elderly residents who may require additional support, as it would allow them to engage with the service in a more robust and effective manner.

Disability – impact: positive

Currently, four per cent of Brent's residents have been assessed as permanently sick or disabled; this is projected to increase to 12% by 2020 (JSNA, 2014). There are a number of provisions set out in the service specification to ensure residents with disabilities voices' are heard within Healthwatch Brent:

Function five of the service specification states that "continuous dialogue with members and the local community" is a key aim of Healthwatch – this would ensure that residents with disabilities are involved in the commissioning and provision of local services. Likewise, under the organisational description (section 11.1) it states that "Healthwatch

Brent will develop and maintain a membership comprising of individuals and organisations as well as patients and communities including children and young

people to join and take part in Healthwatch activities.” Both provisions would make the service inclusive of residents with disabilities, giving them the opportunity to provide input on health policy and any health inequalities that may affect them, thus having a positive equalities outcome.

Outcome two of the performance monitoring report states that “Healthwatch Brent has clear systems and processes that ensure full engagement of the diverse community, including engagement with a targeted range of groups on issues of health and social care.” The report goes on to add that, “this will be measured by the number of outreach events and their attendance as well as the demographics of members and volunteers.” This would further ensure that residents with disabilities are engaged and that health issues and inequalities specifically relating to them are discussed and then fed back to local commissioners via the service. As such, this would have a positive equalities impact on disabled residents.

Outcome four of the monitoring report states that “resident’s gain access to Healthwatch through a range of avenues and opportunities”, which would ensure that provisions are made for residents who may require additional assistance to gain access to venues and/or provide input to the service. This would have a positive equalities impact on disabled residents as it would allow them to access the service and engage with it in a more robust fashion.

Finally, outcome five states that “residents feel and state that the information, advice and signposting they receive is helpful, timely, appropriate and accessible.” This would help to ensure that the service is clearly signposted to residents with learning difficulties for example and that they are provided with any additional support necessary to access and engage with the service. This would have a positive equalities impact for this protected characteristic.

Gender identity and expression – impact: positive

Whilst Brent-only figures are unavailable, national statistics reveal a number of health inequalities for transgender people. A 2007 study cited by NHS England found that 34% of transgender people had considered suicide compared with a figure of only 6% for the general public. Other studies have shown significantly higher rates of mental illness, substance abuse and self harm than the rest of the general public. There are a number of provisions within the service specification to ensure that the service is fully inclusive of transgender residents:

Function five of the service specification states that “continuous dialogue with members and the local community”, is a key aim of Healthwatch – this would ensure that transgender residents are involved in the commissioning and provision of local services. Likewise, under the organisational description (section 11.1) it states that “Healthwatch Brent will develop and maintain a membership comprising of individuals and organisations as well as patients and communities including children and young people to join and take part in Healthwatch activities.” This would ensure that a broad cross-section of Brent’s population is engaged and given the opportunity to provide input on health policy and any health inequalities that may affect them, thus having a positive equalities outcome.

Outcome two of the performance monitoring report states that “Healthwatch Brent has clear systems and processes that ensure full engagement of the diverse community, including engagement with a targeted range of groups on issues of health and social care.” Furthermore, the performance monitoring report states that “this will be

measured by the number of outreach events and their attendance, as well as the demographics of members and volunteers.” Targeted engagement of all sections of Brent’s diverse community would ensure that transgender residents are engaged and health issues and inequalities relating specifically to them are conveyed and fed back to local health commissioners and stakeholders. This would then have a positive equalities outcome for this protected group outcome four of the monitoring report states that “resident’s gain access to Healthwatch through a range of avenues and opportunities”, this would ensure that provisions are made for transgender residents who may require additional support to feel secure and comfortable enough to provide input to Healthwatch. This would have a positive equalities impact on transgender residents as it would allow them to access the service and engage with it to a greater extent and in a more effective fashion.

Finally, outcome five states that “residents feel and state that the information, advice and signposting they receive is helpful, timely, appropriate and accessible.” This would help to ensure that the service is clearly signposted to transgender residents and that appropriate messages are conveyed to transgender residents informing them that the service is fully inclusive and that any additional provisions can be made to help them engage with the service. As such, this would have a positive equalities impact for this protected characteristic.

Marriage and Civil Partnership – impact: positive

Brent council recognises that under the public sector equality duty, it is unlawful to discriminate against people who are married or in a civil partnership, as such Healthwatch will be fully inclusive of residents of all marital or partnership status:

Function five of the service specification states that “continuous dialogue with members and the local community” is a key aim of Healthwatch – this would ensure that residents who are married and in civil partnerships are engaged by the service. Likewise, under the organisational description (section 11.1) it states that “Healthwatch Brent will develop and maintain a membership comprising of individuals and organisations as well as patients and communities including children and young people to join and take part in Healthwatch activities.” This would ensure that residents of all marital and partnership status within Brent are engaged and given the opportunity to provide input to the commissioning and provision of local services and any health inequalities that may affect them, thus having a positive equalities outcome.

Outcome two of the performance monitoring report states that Healthwatch Brent must have “clear systems and processes that ensure full engagement of the diverse community including engagement with a targeted range of groups on issues of health and social care.” Furthermore, the performance monitoring report states that “this will be measured by the number of outreach events and their attendance as well as the demographics of members and volunteers.” As such, residents of all marital status would be engaged by the service and any health inequalities and input that they may have fed back via the service.

Outcome four of the monitoring report states that “resident’s gain access to Healthwatch through a range of avenues and opportunities”, which would ensure that provisions are made for residents who may require additional assistance to gain access to venues and/or provide input to Healthwatch. This would have a positive equalities impact on residents of all marital and partnership status as it would allow them to access the service and engage with it in a more robust fashion.

Outcome five states that “residents feel and state that the information, advice and signposting they receive is helpful, timely, appropriate and accessible.” This would ensure that the appropriate messages are conveyed to residents of all marital and partnership status who may require additional assurances that Healthwatch is a safe environment and that the service is fully inclusive. This would have a positive equalities impact for this protected characteristic as residents as it would allow them to engage with the service in a more effective manner.

Pregnancy and maternity – impact: positive

Figures from the Office for National Statistics (ONS) show higher than average infant mortality rates for BAME groups, many of which are prevalent in Brent. Overall, Asian and Black ethnic groups accounted for 17% of infant deaths in 2005, whereas the figure for white British residents was 4.5%. Consequently, there are significant health inequalities for expecting and recent mothers from BAME backgrounds. As part of the public sector equality duty, Brent council recognises that it is unlawful to discriminate against people who are pregnant or have recently had a baby. Brent also recognises that it is a woman’s right to breastfeed in public without interference and will not allow pregnancy or maternal status to interfere with an individual’s recruitment, training or development while at Brent. There are a number of provisions detailed in the service specification to ensure that Healthwatch is fully inclusive of this protected group:

Outcome two of the performance monitoring report states that Healthwatch Brent must have “clear systems and processes that ensure full engagement of the diverse community, including engagement with a targeted range of groups on issues of health and social care.” Furthermore, the performance monitoring report states that “this will be measured by the number of outreach events and their attendance as well as the demographics of members and volunteers.” Likewise, under the organisational description (section 11.1) it states that “Healthwatch Brent will develop and maintain a membership comprising of individuals and organisations as well as patients and communities including children and young people to join and take part in Healthwatch activities.” This would ensure that expecting and recent mothers are engaged effectively and that their input and any information about local health inequalities affecting them are relayed to relevant local commissioners and stakeholders, thus having a positive equalities outcome for this protected group.

Outcome four of the monitoring report states that “resident’s gain access to Healthwatch through a range of avenues and opportunities” this would ensure that consideration is given to any additional assistance that may be required to gain access to venues, attend events and/or provide input to the service (for example, breastfeeding or childcare arrangements). Therefore, outcome four would have a positive equalities impact for this protected characteristic.

Finally, outcome five states that “residents feel and state that the information, advice and signposting they receive is helpful, timely, appropriate and accessible.” This would ensure that the appropriate messages are conveyed to expecting and recent mothers who may require additional assurances that Healthwatch is a safe environment and that the service is fully inclusive. This would then have a positive equalities impact for this protected characteristic.

Race – impact: positive

There are significant health inequalities in Brent that impact disproportionately on Black, Asian and Minority Ethnic (BAME) groups in the borough. According to the 2014 JSNA, Brent's black-African and black-Caribbean population are more susceptible to Glaucoma than the white British population. Similarly, south-Asian ethnic groups are more susceptible to diabetes than the white British population. There are a range of provisions detailed in the service specification to ensure that the service is fully inclusive of BAME residents:

Function five of the service specification states that “continuous dialogue with members and the local community” is a key aim of Healthwatch – this would ensure that BAME residents are fully involved in the commissioning and provision of local services. Likewise, under the organisational description (section 11.1) it states that “Healthwatch Brent will develop and maintain a membership comprising of individuals and organisations as well as patients and communities including children and young people to join and take part in Healthwatch activities.” This would ensure that BAME residents are engaged and given the opportunity to provide input on health policy and any health inequalities that may affect them, thus having a positive equalities outcome.

Outcome two of the performance monitoring report states that Healthwatch Brent must have “clear systems and processes that ensure full engagement of the diverse community including engagement with a targeted range of groups on issues of health and social care.” Furthermore, the performance monitoring report states that “this will be measured by the number of outreach events and their attendance as well as the demographics of members and volunteers.” This would ensure that residents from BAME backgrounds are engaged effectively and that their input and any information about local health inequalities affecting them is relayed to relevant local commissioners and stakeholders, thus having a positive equalities impact.

Outcome four of the monitoring report states that “resident’s gain access to Healthwatch through a range of avenues and opportunities”, this would ensure that provisions are made for residents who may require additional assistance to gain access to venues and/or provide input to Healthwatch. This would have a positive equalities impact on disabled residents as it would allow them to access the service and engage with it in a more robust fashion.

Finally, outcome five states that “residents feel and state that the information, advice and signposting they receive is helpful, timely, appropriate and accessible.” This would ensure that the appropriate messages are conveyed to BAME residents, who may require additional assurances that Healthwatch is a safe environment and that the service is fully inclusive of them. As such, this would have a positive equalities outcome for BAME residents as it would allow them to access the service and engage with it to a greater extent and in a more effective manner.

Religion or belief – impact: positive

There may be health inequalities affecting certain religious groups in the borough, in addition to this, different faith groups in the borough may require additional provisions to access the service. Brent also recognises that many faith groups have a diverse range of religious customs and practices and that Healthwatch may need to operate flexibly to accommodate their religious or cultural practices. Healthwatch has a

number of provisions built into the service specification to ensure that the service is fully inclusive of all faith groups:

Function five of the service specification states that “continuous dialogue with members and the local community” is a key aim of Healthwatch – this would ensure that all faith groups are involved in the commissioning and provision of local services. Similarly, under the organisational description (section 11.1) it states that “Healthwatch Brent will develop and maintain a membership comprising of individuals and organisations as well as patients and communities including children and young people to join and take part in Healthwatch activities.” This would ensure that residents from all faith groups within Brent are engaged and given the opportunity to provide input into health policy and any health inequalities that may affect them. As such, this would have a positive equalities outcome for this protected characteristic.

Outcome two of the performance monitoring report states that Healthwatch Brent must have “clear systems and processes that ensure full engagement of the diverse community including engagement with a targeted range of groups on issues of health and social care.” Furthermore, the performance monitoring report states that “this will be measured by the number of outreach events and their attendance as well as the demographics of members and volunteers.” As such, Healthwatch will engage with all faith groups in the borough to ensure that they are able articulate any health inequalities that they may be experiencing and are subsequently able to feedback information about policy and local services to commissioners and relevant stakeholders.

Outcome four of the monitoring report states that “resident’s gain access to Healthwatch through a range of avenues and opportunities”, which would ensure that adequate provisions are made for residents who may require additional assistance to gain access to venues and/or provide input to Healthwatch. This would have a positive equalities impact on residents from all faith groups as it would allow them to access the service and engage with it in a more robust fashion.

Finally, outcome five states that “residents feel and state that the information, advice and signposting they receive is helpful, timely, appropriate and accessible.” This would help to ensure that the service is clearly signposted to residents of all faith groups and that they are provided with any additional support that they may require to access and engage with the service. This would have a positive equalities impact for this protected characteristic.

Sex – impact: positive

Men and women have a variety of different health needs. In addition to this, there are a number of health inequalities in the borough that must be taken into account. The 2014 JSNA estimates that over 5,000 women and children in Brent are at risk of, or have already undergone female genital mutilation. The JSNA also points out that women are more likely to develop cancer than men in Brent, although female life expectancy in the borough is longer than male. The service specification makes the following provisions for the inclusion of members of both sexes:

Function five of the service specification states that “continuous dialogue with members of the local community” is a key aim of Healthwatch – this would ensure that both sexes are engaged by the service. Similarly, under the organisational description (section 11.1) it states that “Healthwatch Brent will develop and maintain a

membership comprising of individuals and organisations as well as patients and communities including children and young people to join and take part in Healthwatch activities.” This would ensure that residents of both sexes are engaged and given the opportunity to provide input on health policy and any health inequalities that may affect them.

Outcome two of the performance monitoring report states that Healthwatch Brent must have “clear systems and processes that ensure full engagement of the diverse community including engagement with a targeted range of groups on issues of health and social care.” Furthermore, the performance monitoring report states that “this will be measured by the number of outreach events and their attendance, as well as the demographics of members and volunteers.” As such, Healthwatch will engage with residents of both sexes on issues directly relating to them to ensure that they articulate any health inequalities and concerns that they may have through the service, subsequently feeding back information local health services to commissioners and relevant local stakeholders. This would have a positive equalities outcome.

Outcome four of the monitoring report states that “resident’s gain access to Healthwatch through a range of avenues and opportunities”, which would ensure that provisions are made for residents who may require additional assistance to gain access to venues and/or provide input to Healthwatch. This would have a positive equalities impact on both sexes as it would allow them to access the service and engage with it in a more robust fashion.

Finally, outcome five states that “residents feel and state that the information, advice and signposting they receive is helpful, timely, appropriate and accessible.” This would help to ensure that the service is clearly signposted to residents of all both sexes and that they are provided with any additional support that they may require to access and engage with the service. This would therefore, have a positive equalities impact for this protected group.

Sexual orientation – impact: positive

According to the LGBT charity Stonewall, at a national level, LGB people have a substantially higher risk of mental illness, self-harm and suicide than non-LGB people; this would suggest that there are significant health inequalities affecting Brent’s LGB residents. Healthwatch Brent has a number of provisions detailed in the service specification to make the service fully inclusive of LGB residents:

Function five of the service specification states that “continuous dialogue with members and the local community” is a key aim of Healthwatch – this would ensure that Brent’s LGB residents are engaged by the service. Likewise, under the organisational description (section 11.1) it states that “Healthwatch Brent will develop and maintain a membership comprising of individuals and organisations, as well as patients and communities including children and young people to join and take part in Healthwatch activities.” This would ensure that LGB residents in Brent are involved in the commissioning and provision of local services and any health inequalities that may affect them, thus having a positive equalities outcome.

Outcome two of the performance monitoring report states that Healthwatch Brent must have “clear systems and processes that ensure full engagement of the diverse community including engagement with a targeted range of groups on issues of health and social care.” Furthermore, the performance monitoring report states that “this will be measured by the number of outreach events and their

attendance as well as the demographics of members and volunteers.” Outcome two would ensure that Brent’s LGB residents affected by health inequalities in the borough are engaged effectively and given the appropriate support to articulate their health needs and concerns through local Healthwatch. Therefore, this would have a positive equalities impact for this protected characteristic.

Outcome four of the monitoring report states that “resident’s gain access to Healthwatch through a range of avenues and opportunities”, which would ensure that provisions are made for residents who may require additional assistance to gain access to venues and/or provide input to Healthwatch. This would have a positive equalities impact on LGB residents as it would allow them to access the service and engage with it in a more robust fashion.

Finally, outcome five states that “residents feel and state that the information, advice and signposting they receive is helpful, timely, appropriate and accessible.” This would ensure that the appropriate messages are conveyed to LGB residents, who may require additional assurances that Healthwatch is a safe environment and that the service is fully inclusive. This would have a positive equalities impact on LGB residents as it would allow them to access the service and engage with it to a greater extent and in a more effective manner.

Other (please specify) (select all that apply)

N/A

Please provide a brief summary of any research or engagement initiatives that have been carried out to formulate your proposal.

What did you find out from consultation or data analysis?

Were the participants in any engagement initiatives representative of the people who will be affected by your proposal? How did your findings and the wider evidence base inform the proposal?

The equalities impact assessment was a desktop exercise based on a review of the service specification and key functions of local Healthwatch.

Supporting documentation in the service specification.

Could any of the impacts you have identified be unlawful under the Equality Act 2010? Prohibited acts include direct and indirect discrimination, harassment, victimisation and failure to make a reasonable adjustment.

No

What actions will you take to enhance the potential positive impacts that you have identified?

This will be managed through contractual monitoring arrangements and assessment of performance against outcomes as outlined in the service specification:

1. Residents are fully aware of Healthwatch Brent and it has a high profile across the borough;
2. Healthwatch Brent has clear systems and processes that ensure full engagement of the diverse community, including engagement with a targeted range of groups on issues of health and social care;

3. Residents feel and state that Healthwatch Brent has accurately reflected their views;
4. Residents gain access to Healthwatch through a range of avenues and opportunities;
5. Residents feel and state that the information, advice and signposting they receive is helpful, timely, appropriate and accessible;
6. Healthwatch Brent secures patient and public involvement in health and social care, leading to improved patient and user experience;
7. Healthwatch Brent fulfils the key functions of a local Healthwatch;
8. Healthwatch Brent has established constructive and open relationships with health and social care commissioners, providers and the Health and Wellbeing Board, influencing the policy, planning, commissioning and delivery of health and social care in Brent.

What actions will you take to remove or reduce the potential negative impacts that you have identified?

Healthwatch Brent will have a positive outcome for all nine groups protected by the Equality Act 2010. This will be managed through on-going contractual monitoring arrangements.


Please explain how any remaining negative impacts can be justified?

N/A

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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 Brent	<p style="text-align: center;">Cabinet 1 June 2015</p> <p style="text-align: center;">Report of the Chief Finance Officer</p>
<p>Wards affected: ALL</p>	
<p>Fees and Charges 2015-16</p>	

1. INTRODUCTION

- 1.1. Local authorities adopt a range of approaches to charging for services. These approaches reflect local policy choices, custom and practice. Some authorities choose relatively commercial approaches, seeking to make surpluses on at least some activities in order to cross subsidise others. Others try to use charging regimes to drive residents' and customers' behaviour, and still others adopt an approach aimed, at most, at recovering the costs of some discretionary activities.
- 1.2. Brent's approach has not been subject to a fundamental review for some time, and this report introduces the principles by which such a review will be carried out for future years.
- 1.3. Fees and charges for 2015/16 have also been reviewed. In the significant majority of cases no changes are proposed. For example homecare, meals on wheels and most charges for access to sports facilities are all frozen. However, in a small number of cases slight uprating to charges is recommended to keep income in line with costs, and in some other cases this report takes proposals from the recently agreed budget, which set out the overall charging regime for certain services, and proposes specific charges for these.

2. RECOMMENDATIONS

- 2.1 To note that there will be no increase in 2015/16 to the fees and charges for the services set out in Appendix 2.
- 2.2 To agree the increases to the fees and charges set out in Appendix 1, effective 1 July 2015 or as soon thereafter as the changes can practically be implemented.
- 2.3 To note that a wider review of fees and charges will be carried out during the 2015/16 year to inform future budget and policy making, the results of which will be considered at a future meeting.

3 Detail

- 3.1 Local authorities charge a wide range of fees for a wide range of services. In some cases, such as certain parking contraventions and planning applications, the fee levels are set by statute, or at any rate by bodies other than the council, and in levying the fees the council has no discretion as to the price. In others there are certain constraints on pricing, for example that charges should be set at a level to recover costs, and in others still the council has wide discretion as to how to charge for services.
- 3.2 Alongside purely economic pricing policy councils also need to consider the wider consequences of charging and the markets in which they operate. For some services, which tend to be more regulated in terms of the discretion on price available to local authorities, councils are essentially monopoly suppliers. For example, no other body (excluding for very large regional or national infrastructure projects) can approve planning applications. By contrast, there is an active private market for services as diverse as pest control, trade refuse collection and provision of leisure facilities such as gyms and swimming pools.
- 3.3 In setting prices councils need to be aware of their market position, neither abusing an essentially monopolistic position nor failing to respond to commercial pressures from private sector (or in some cases other public sector) competitors. Pricing can also be used to achieve policy goals, such as discounts for financially disadvantaged groups, for example to encourage participation in sports and exercise, or to increase penalties to discourage socially undesirable activities, such as using powers to impose on the spot fines for littering.
- 3.4 In short, pricing decisions can be sophisticated and complex, requiring careful balancing of financial and policy choices. A detailed review of the pricing arrangements across the local authority services is proposed, to report back as part of the budget making cycle. This will create the opportunity to engage with residents, community groups and their representatives about how the council should approach charging for services. In the meantime, it is appropriate to consider the sources

of income and charges for them in 2015/16, and whether any slight uprating for inflation on these may be desirable but subject to cost recovery principles if applicable.

- 3.5 Brent, like most local authorities, generates significant income through fees and charges. These vary through charging members of the public and small business owners to large organisations. In summary the principal sources are as set out below.

Service Heading	Income predominantly from members of the public (£m)	Income from institutions (£m)	Comment
Adult Social Care			
Residential & Nursing Care	7.3	n/a	Charges levied for Residential and Nursing Care under prescribed national legislation (Care Act 2014)
Homecare and other Community Care	4.0	n/a	Charges levied for Services in the community including Homecare, Direct Payments, Meals on wheels. Deputyship/Appointeeship.
	11.3	0.0	
Chief Operating Officer			
Parking & Street Lighting	13.3	n/a	Income from Parking enforcement, On & Off Street Parking, Parking Permit and Licence
Registration and Nationality Service	1.8	n/a	Income from Citizenship ceremonies, national check service, marriage, birth & death registration (Brent & Barnet)
Transportation	n/a	1.6	Income from Traffic Orders, Engineering Fees, NRSWA - S72 Defect Inspection & S74 Penalty, Fixed Penalties, Footway/carriage admin, permit charges etc.
Cemeteries	1.0	n/a	Income from Internment, Exclusive Rights of Burial.
Legal	n/a	0.4	Legal costs income from BHP, Schools, colleges.
Communications	n/a	0.3	Income from marketing and advertising, including The Brent Magazine.
Brent Customer Services	n/a	0.3	Income from Brent customer services
Recycling & Waste	0.3	n/a	Income from bulky and garden waste collections
Sports	0.4	n/a	Income from sports recreation, membership fees, sports facilities, hall & rooms hire etc.
Other	0.4	0.4	Welsh Harp, Policy & Scrutiny services, Audit & Investigations, Libraries fees, Allotment fees,

			Brent Transport Service Sale of equipment and other fees & charges
	17.2	3.0	
Children and Young People			
Early Years	0.3	n/a	Private Nursery Fees income
Children's Social Care	n/a	0.4	Short Breaks Centre, Local Safeguarding Board
School Improvement Services	n/a	1.3	Income from Brent Music Service and Schools
Special Educational Needs, Pupil and Parent Services	n/a	0.3	Recoupment income from out of borough schools
Youth and Connexions	n/a	0.3	Income from fees and charges. e.g. Gordon Brown
	0.3	2.3	
Regeneration & Growth (housing)			
Private Housing Service	n/a	2.8	License fees & charges
Housing Needs	18.1	n/a	Rental Income - Temporary Accommodation Client Contribution to costs
Housing Partnership	2.0	n/a	Stonebridge PFI - rental income
Other	0.8	n/a	Travellers Sites rental, Contributions to Projects, BACES Tuition and Creche fees
	20.9	2.8	
Regeneration & Growth (non housing)			
Building Control Consultancy	0.5	0.7	Fees - Building Regulation income and consultancy fees
Planning & Development Control	0.7	1.0	Fees - Planning Application income
Land Charges	0.4	0.4	Fees - Land Charges fees
Commercial Rent & Service Charges	0.4	1.3	Rent - Commercial rent, service charges etc.
Facilities Management	0.9	0.5	FM Car Park & Rental Income for Civic centre
Regulatory Services	0.7	0.5	Various Licencing, Pest treatments, trading standards fees, POCA
Other	0.3	0.1	Rent Income from events in Civic Centre, Enforcement of planning regulations
	3.9	4.5	
Total Fees and Charges	53.6	12.6	

- 3.6 There are no proposals to increase the vast majority of charges against these sources. As part of the recent budget Members' clearly expressed the policy goal was to avoid adding pressure to financially vulnerable residents by even marginal amounts. There were no proposals, for example, to increase charges for services ranging from fines for overdue library books, cemeteries and associated costs, the hire of sports pitches, to increase prices for meals on wheels, or to increase the rate at which residents receiving adult social care are charged.
- 3.7 There were, however, a small number of proposals to increase prices for specific services, such as for visitor car parking, which was detailed in the budget report. There were also some cases where the general policy to increase or introduce charges for certain services was agreed, but officers were not at that time able to propose precise fee levels. This report updates that position so that new prices can be implemented and, in a small number of cases, proposes annual inflationary increases for some of those services where the council operates in competition with other providers. The vast majority of prices are being held without even inflationary increases, reflecting the policy goal of avoiding adding financial pressures to stretched families, and of course reflecting that national inflation indices are at historical lows.
- 3.8 In total, the proposals in this report would generate estimated full year additional income of £75k, so 75% of this in 2015/16, assuming a 1st July implementation date. Of this, the vast majority is already accounted for in the 2015/16 budget. The balance will generate a small underspend in 2015/16, all other things being equal, and count as a new saving for 2016/17.
- 3.9 This report also signals that the council will need to consider changing its approach more radically in 2016/17. The council's financial position is well known, with the local authority sector facing significantly greater reductions in funding than other parts of the public sector. Nothing in the recent general election result suggests any change to this overall policy direction.
- 3.10 Once the timetable and details of the next spending review are clarified the council's financial estimates will be updated, but at the current time officers are still working to the broad brush assumption that funding reductions and other financial pressures in 2017/18 and 2018/19 will require the council to make a similar level of savings in that period as it required to in 2015/16 and 2016/17. This equates to a broad brush estimate of around £50m, although this figure could change significantly once the outcome of the next spending review and local government settlement are known, which could be at least six months away. The budget announcement on 8th July may reduce some of this uncertainty.
- 3.11 This does not necessarily mean that prices will rise across the board as a contribution to that savings target. Where the council is operating in competition with other providers the right course of action in some

cases might be to reduce prices to stimulate demand and hence reduce overall net costs, or even to withdraw from direct service provision if Members determine that there is a broadly accessible private market for the services in question. In other cases, targeted price rises on those able to afford to pay more may be more appropriate. The right approach will be determined by reference to the conditions in which each charged for service operates, and the policy goals that the council is seeking to deliver.

- 3.12 As part of this Members will also need to consider the right governance for future decisions on pricing. At present the council's constitution requires all decisions on fees and charges to be taken by Members, except where specific exemptions have been agreed, such as for copying charges in libraries and other council offices. This detailed democratic oversight has many virtues, not least that all such decisions are made in public, by elected councillors who are accountable to the electorate for their decisions.
- 3.13 Members may in future wish to consider whether this oversight is necessary for all charges. The alternative view is that for at least some services, those where the council is competing with commercial providers who can and do change prices daily to respond to market conditions and opportunities, that at least limited flexibility delegated to officers may enhance the ability of those services to deliver the financial targets Members set them.
- 3.14 Officers propose to research best practice further and consult as appropriate to bring back proposals arising from a comprehensive review of fees and charges as part of the coming budget round. In the meantime, this report sets out the proposed fees and charges for 2015/16 and any recommended uprating of these. The table at 3.5 sets out the principal sources of income from fees and charges. Following the same sequence this report sets out commentary as appropriate on each area, with references to detailed appendices with pricing schedules where necessary.

Adult Social Care

- 3.15 The council provides social care to adult residents who, following a professional assessment, are determined to have 'substantial' or 'critical and substantial' needs. In line with national legislation and guidance the council carries out financial assessments of the assets and income of those residents, to determine whether or not contributions are required to be made to the cost of that care.
- 3.16 There are no proposals to increase the fees in 2015/16 in this report. However, with the implementation of the Care Act 2014 the department may seek, through a separate report, proposals to review the current charging policy.

Parking

- 3.17 Charges for parking were dealt with comprehensively in the budget report of 3rd March 2015, which was agreed by Council. No new proposals are introduced by way of this report, and Members wishing to

remind themselves of the details are invited to review proposal ENS15 of that report.

Registration and Nationality Service

- 3.18 To remain competitive and to ensure all costs are covered, a small number of fees regarding the approval of wedding premises and nationality checking are proposed to be increased. These increases will still allow Brent to charge the lowest fees compared to the majority of neighbouring boroughs.

Transportation

- 3.19 Charges are set to recover the costs of a number of services provided by the Transportation service. The increases listed in Appendix 1 include a standard inflationary uplift for Traffic Orders; an increase to vehicle crossing applications to bring them in line with other Local Authority benchmark charges; an above inflationary increase to Temporary Traffic Regulation orders to cover the rising costs of advertising and an above inflationary increase to White Line Access bars.

Cemeteries

- 3.20 The council owns and manages three cemeteries within the borough; Alperton, Paddington Old and Willesden New. It also jointly owns Carpenders Park Cemetery, located outside the borough within the area of Three Rivers District Council near Watford. There are no proposed changes in the charges for the service.

Legal

- 3.21 The Council's legal department provides legal support to Brent Housing Partnership, Brent Schools and colleges. There are no proposed changes to the current charges.

Communications

- 3.22 The Communication team generate income from marketing and advertisements through council publications. There are no proposed changes to the current charges.

Brent Customer Services

- 3.23 The fees and charges income for Brent Customer Services relate solely to a Service Level Agreement with Brent Housing Partnership for the provision of customer services. There are no proposed changes to the current agreement.

Recycling and Waste

- 3.24 There are no proposed changes to the fee at which individuals are charged for the illegal deposit of waste (fly tipping) and the income generated from bulky and green waste collection.

Sports Service

- 3.25 There are no proposed changes to fees at the Bridge Park Leisure & Community Centre or the residents subsidised B.Active Cards. The

core prices at Vale Farm and Willesden Sports centre will increase in line with the arrangements in the two leisure management contracts.

Parks

- 3.26 The Parks Service subsidises a number of sporting activities that make use of the boroughs parks, none of these charges are proposed to be increased. Appendix 1 lists a small number of charges with a proposed increase of no more than 3%. These include the hire of the pavilion to cover the costs of cleaning; the charges levied on the use of parks for circuses and the partial cost recovery of events in parks.

Early Years

- 3.27 A small number of children's places at Willow nursery are self funded. These fees, together with the Nursery Education Grant, Children in Need and Children with Disabilities funding, allow for the nursery to run on a cost neutral basis. No changes to the fees charged are proposed.

Children's Social Care

- 3.28 The Ade Adepitan Short Break Centre is for local children and young people aged from five to eighteen, with profound and multiple learning difficulties, complex health needs, physical disabilities and autistic spectrum disorders. The centre also sells places to other neighbouring boroughs, generating income. No changes to the fees charged are proposed.

Schools Improvement Service

- 3.29 The Schools Improvement Service core offer is free to Brent schools. Schools are responsible for their own improvement, but the local authority, through the School Improvement Service, has a statutory duty to provide challenge and support for those schools failing to meet the required standards. Schools can also commission additional support either through a support package or on a one off basis via a traded service. No changes to fees and charges are proposed.

Special Educational Needs, Pupil and Parent Services

- 3.30 Where a child from another local authority is placed in a Brent maintained school, the council will recoup the costs of providing for pupils with a statement of SEN and certain other high cost needs from the local authority. No changes to fees and charges are proposed

Youth and Connexions

- 3.31 Summer University is a programme of courses for young people (11-25 years) living/studying or working in Brent. The courses run during the summer holidays for 4 weeks at different venues in Brent. It is hosted by Brent Youth and Voluntary Services. The service charges a subsidised fee for a variety of courses. There are no proposed changes to these fees.
- 3.32 The Gordon Brown Outdoor Education Centre is owned by Brent Council and set in 25 acres of rural countryside in Rotherwick, Hampshire. The centre mainly provides residential and day services, and weekend visits to all Brent and non-Brent schools. Brent schools

pay a subsidised rate whilst non-Brent schools pay the full rates. No changes to fees and charges are proposed.

- 3.33 The service also receives income from a number of schools in relation to the Right Track project and Connexions. No changes to fees and charges are proposed.

Private Housing Service

- 3.34 Under the Housing Act there are three types of licensing relating to Private Sector Housing 1) Mandatory Licensing Scheme - this scheme covers Housing with Multiple Occupation (HMOs) that have three or more storeys and are occupied by five or more people 2) Selective Licensing Scheme - this scheme focuses on improving the management of privately rented properties 3) Additional Licensing Scheme - defined as properties containing 3 or more separate households in a property of no more than 2 floor. There are no proposed changes to the License fees.

Housing Needs

- 3.37 The council provides temporary accommodation to clients categorised as homeless under a statutory duty (Homelessness Act 2002), the cost of this is usually covered by Housing Benefit. The rent levels are determined by the type/size of the property (example 1 or 2 bedrooms) and the London Housing Allowances (LHA 2011) BRMA rates. There are no changes proposed for 2015/16.

Housing Partnership

- 3.38 In addition to the Council's dwellings contained within the HRA, the council also continues to hold dwellings outside the HRA i.e. in the General Fund. The Council currently owns 332 properties under this scheme and Hillside Housing Trust (part of the Hyde Housing Group), manages these properties on the Council's behalf through the PFI contract. The income and expenditure associated with these dwellings are broadly neutral to the council. The framework for the annual rent setting for the Brent Stonebridge dwellings is contained in the 30 year PFI contract between Hyde Housing Group and the Council. Cabinet has already approved in line with the PFI framework an average increase of 2.2% for 2015/16

Travellers Site Accommodation

- 3.39 The Council is required by the National Planning Policy Framework (NPPF) and the Housing Act 2004 to meet the accommodation needs of the population within their area. This includes the needs of the Gypsy and Traveller community and that of Travelling Show People. The council currently has one site based in and managed on our behalf by Oxfordshire County Council. A significant percentage of site residents receive Housing Benefit which is paid by the local authority in line with standard regulations. Rent Increase for Residential Traveller

Pitches has been in recent years limited to 1% and cabinet has agreed to increase rents by 1% for 2015/16.

Building Control

- 3.40 All charges are shown exclusive of VAT.
- 3.41 Building Regulation charges must be set at a level which takes account of all relevant costs incurred in operating a Building Regulation service. Building Control operates in a competitive environment whereby residents and businesses have a choice of provider (Public or Private sector) on each project. Any proposals for changes in charges will be brought through a separate cabinet report under the Regeneration & Growth portfolio.

Planning

- 3.42 All charges are shown exclusive of VAT
- 3.43 There are a combination of 49 different nationally set types and levels of fees which include a number of fees with stepped thresholds including a maximum fee. These are not shown on the charging schedule as fees are set nationally.
- 3.44 Charges for pre - planning fees were dealt with in the budget report of 3rd March 2015, which was agreed by Council. Members wishing to remind themselves of the details are invited to review proposal R&G25b of that report.
- 3.45 Increases to a range of Section 106 fees are proposed to reflect time taken to carry out the work, based on full cost recovery and income
- 3.46 Applications by householders (extensions - not new build housing) account for about 10% of total revenue received by Planning.

Land Charges

- 3.47 All charges are shown exclusive of VAT.
- 3.48 Section 106 negotiation fee charges (base fees) relate to cost recovery for the work undertaken to negotiate and check legal agreements. To reflect the work being undertaken there is often a required increase in charges as these may not been reviewed for up to ten years. However a small number of obligations will be charged less as a consequence. In most cases these obligations will not be applied to domestic works and so these charges are not expected to have any significant effect on the cost of householder development. These charges are to be paid on material start of the Development.
- 3.49 Section 106 monitoring fees - specific obligations: These proposed charges are calculated on the basis of cost recovery for the work undertaken to monitor, assess and verify compliance with specific obligations. There is often a charge increase required to reflect properly the work undertaken. In most cases these obligations will not be applied to domestic works and so these charges are not expected to have any significant effect on the cost of householder development.

- 3.50 Official searches: Local Land Charges have been calculated on the basis of cost recovery for the work undertaken to check, book, process, verify and issue official, verified searches. Most of the increases are to reflect the fact the charges have not been reviewed in six years and also some reflect the fact that the original methodology did not always fully reflect staff time taken to undertake the work. The charge of £250 for an official search for a single property is not a significant charge for members of the public purchasing homes in Brent when considered with the other charges associated with moving house. Charges for postal searches are greater to reflect the additional cost of handling hard copy information.
- 3.51 Environmental Information Regulations: Brent is obliged to maintain a database and register of certain environmental information and to make that available to the public, in the format they may request, wherever reasonable. The council may recover very limited costs associated with providing this information and must exclude the cost of maintaining the database and register and any overheads associated with the staff time spent providing the information. These are new charges and have been reviewed by the Legal department. Previously Brent would make the information available for collection only; this change will enable the public to receive their information by email or post for a small fee. The public will still be able to visit the Civic Centre to inspect the electronic Local Land Charges register without charge.

Commercial Rents & Service charges

- 3.52 There are commercial rents and service charges from Brent owned properties. No changes to fees and charges proposed.

Facilities Management

- 3.53 There are charges for the Civic Centre car park and specific rental agreements for the use of the Civic centre. No changes to fees and charges proposed.

Regulatory Services

- 3.54 All charges are shown exclusive of VAT
- 3.55 The majority of Regulatory Services fees are set by statute. In general those not set by Government, can be set by Cabinet, have been increased each year and for 2015/16 have been increased by around 1%, although the precise percentage varies in order to accommodate rounding, usually to the nearest pound and, if applicable, in accordance with cost recovery principles. The notable exceptions are Pest control, where prices are frozen for customers booking online, and increased by around 15% for customers booking by phone. This is being implemented to encourage customers to book online which requires less resource input. The price for squirrel treatments has been increased by a third to reflect the need to increase the number of visits from 2 to 3, to ensure more satisfactory success rates for treatments.

4 FINANCIAL IMPLICATIONS

- 4.1 In general fees and charges recover some or all of the costs of services from users. This generates income which reduces the costs of services to Council tax payers and can also be used to achieve other strategic objectives, such as encouraging the use of services. A decision to charge for or to subsidise services needs to be based on rational considerations.
- 4.2 The Medium Term Financial Plan assumes that any additional general fund income generated through increases proposed within this report will meet additional cost pressures within the service. Additional income that may be generated through areas such as street trading and parking charges will need to be earmarked for those specific purposes and do not as such represent additional income to the general fund.
- 4.3 As discussed in paragraph 3.8 it is estimated that additional income through the proposals in this report would generate an extra £75k for a full year. With the assumed 1st July implementation date this would equate to additional income of £56k part year affect for 2015/16.
- 4.4 If it is decided not to increase charges in line with inflation, this will generally have the impact of increasing the level of subsidy provided by the Council to service users. Once a decision is made to freeze charges, it is difficult to recover the lost income without increasing costs by more than inflation in a future period. The financial implications of freezing charges can therefore be regarded as permanent.

5 LEGAL IMPLICATIONS

- 5.1 The report proposes increases to existing discretionary fees and charges imposed by the Council or the introduction of new charges.
- 5.2 Appendix 1 sets out the proposed increases which Cabinet has the power to approve.
- 5.3 The Council has various powers to impose charges under specific legislation relating to particular services either on a cost recovery basis or otherwise. The Council also has general power under section 93 of the Local Government Act 2003 (“LGA 2003”) to charge a person for discretionary services, that is, the provision of a service where the Council is authorised, but not required, to provide the service and the person has agreed to its provision. The power applies where there is no other specific statutory power that covers the proposed charge. The income from charges for a service should not exceed the cost of providing the service. Charges may be set differentially, so that users are charged different amounts, for example for parking at different times of the day or for different levels of service.
- 5.4 The Council has power under section 1 of the Localism Act 2011 to do anything that individuals generally may do, subject to specified restrictions and limitations imposed by other statutes. The general power of competence extends to charging for services, but limits on charging are imposed by section 3 of the Localism Act. The Council may only charge for a service under the general power of competence

if: (a) it is a discretionary service; (b) the person agrees to the service being provided; and (c) there is no other power to charge for the service, including in section 93 of the LGA 2003. Taking one financial year with another, the income from charges must not exceed the costs of providing the service.

6 EQUALTIES IMPLICATIONS

- 6.1 All the proposed increases in fees and charges were screened to assess their relevance to equality.
- 6.2 The screening showed that the proposals will not have any differential or disproportionate impact on any equality groups and do not require a full equality analysis.

7 BACKGROUND INFORMATION

None

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CONRAD HALL
Chief Finance Officer

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Service Unit	Service Provided	Charging Policy	Existing Charge (2014/15) (£)	Proposed 2015/16 Charges (£)	Note
REGISTRATION AND NATIONALITY					
INTERNAL APPROVED PREMISES					
Registration and Nationality	Approved Premises Weddings Internal Saturday	Cost Recovery	230.00	240.00	
Registration and Nationality	Approved Premises Weddings Internal Sunday	Cost Recovery	300.00	315.00	
EXTERNAL APPROVED PREMISES					
Registration and Nationality	Approved Premises Weddings External Venues Monday - Friday	Cost Recovery	320.00	400.00	
Registration and Nationality	Approved Premises Weddings External Venues Saturday	Cost Recovery	350.00	430.00	
Registration and Nationality	Approved Premises Weddings External Venues Sunday/Bank Holidays	Cost Recovery	400.00	480.00	
Registration and Nationality	NEW FEE Approved Premises Weddings External Venues Special Bank Holidays Christmas day New Years day and Good Friday	Cost Recovery	-	700.00	
CITIZENSHIP & NCS					
Registration and Nationality	Nationality Checking Mon - Sat Single Application - Adult	Cost Recovery	55.00	60.00	
Registration and Nationality	Nationality Checking Mon - Sat - Minor	Cost Recovery	35.00	40.00	
Registration and Nationality	NEW Nationality Checking Mon - Fri Adult	Cost Recovery	55.00	60.00	
Registration and Nationality	NEW Nationality Checking Mon - Fri Minor	Cost Recovery	35.00	40.00	
Registration and Nationality	NEW Nationality Checking Weekends Adult	Cost Recovery	65.00	70.00	
Registration and Nationality	NEW Nationality Checking Weekends Minor	Cost Recovery	45.00	50.00	
OTHER CEREMONIES					
Registration and Nationality	NEW Full costs for ceremony fees - non refundable secure deposit (£50.00)	Cost Recovery	50.00	75.00	
Registration and Nationality	Baby Naming	Cost Recovery	Same as internal/external costs	Same as internal/external costs	
Registration and Nationality	Renewal of Vows	Cost Recovery	Same as internal/external costs	Same as internal/external costs	
TRANSPORTATION					
Transportation - NRSWA	Failed Core Samples	Cost Recovery	150.00	175.00	In line with other Authorities charges.
Transportation - Development Control	Temporary Traffic Regulation Order	Cost Recovery	2150.00	2250.00	Above Inflationary increase - last uplift applied in 2013-2104. Advertising costs have increased by 250% (North of Borough).
Transportation - Development Control	Emergency Temporary Traffic Order	Cost Recovery	1150.00	1175.00	Inflationary increase
Transportation - Development Control	Traffic Road Order	Cost Recovery	4500.00	4580.00	Inflationary increase
Transportation - Highways	Domestic Vehicle Crossing	Cost Recovery	25.00	50.00	This is the non refundable application fee. Average Numbers of applications not proceeding to construction is 50 per annum.
Transportation - Highways	Industrial Vehicle Crossover	Cost Recovery	25.00	50.00	This is the non refundable application fee. Average Numbers of applications not proceeding to construction is 50 per annum.
Transportation - Highways	White Line Access Bar	Cost Recovery	50.00	75.00	
Transportation - Highways	White Line Access Bar	Cost Recovery	60.00	100.00	
PARKS					
Parks Service	Hire of pavilion per hour	Full commercial	47.25	48.00	
Parks Service	Hire of pavilion per hour after 8pm in Winter, after 10pm in summer per hour	Full commercial	60.00	62.00	
Parks Service	Circus - per day	Full Commercial	580.00	600.00	
Parks Service	Partial cost recovery of events in parks - Category 1	Subsidised	31.00	32.00	
Parks Service	Partial cost recovery of events in parks - Category 2	Subsidised	155.00	160.00	

Service Unit	Service Provided	Charging Policy	Existing Charge (2014/15) (£)	Proposed 2015/16 Charges (£)	Note
Parks Service	Partial cost recovery of events in parks - Category 3	Subsidised	310.00	320.00	
PLANNING	Service provided - Planning Pre-Application Advice Charges				
Planning	Strategic Developments (150 units+/5,000sm+) but negotiable for larger schemes	Fair charging	7500.00	10000.00	
Planning	Large Developments (25-149 units/2,000-4,900sm)	Fair charging	5000.00	7500.00	
Planning	Major Developments (10 -24 units/1,000-1,999sm)	Fair charging	2500.00	4000.00	
Planning	Reserved Matters proposals for outline 'major' applications	Fair charging	1000.00	1500.00	
Planning	Minor Developments (5-9 units/500 - 999sm)	Fair charging	1000.00	1500.00	
Planning	Minor Developments (2-4 units/100-499sm)	Fair charging	-	800.00	
Planning	Minor Developments (1 unit/up to 99sm)	Fair charging	-	300.00	
Planning	Householder	Fair charging	-	200.00	
	S106 negotiation fees (base fees)				
Planning & Regeneration - S106	Simple agreement	Cost recovery	500.00	750.00	
Planning & Regeneration - S106	Moderate agreement	Cost recovery	750.00	1275.00	
Planning & Regeneration - S106	Complex agreement	Cost recovery	1000.00	1750.00	
Planning & Regeneration - S106	Simple Deed of Variation	Cost recovery	250.00	375.00	
	S106 monitoring fees - general				
Planning & Regeneration - S106	Initial monitoring fee (logging, monitoring start) for simple agreement	Cost recovery	-	400.00	
Planning & Regeneration - S106	Initial monitoring fee (logging, monitoring start) for moderate agreement	Cost recovery	-	450.00	
Planning & Regeneration - S106	Initial monitoring fee (logging, monitoring start) for complex agreement	Cost recovery	-	500.00	
Planning & Regeneration - S106	Standard simple obligation (submission, acknowledgement)	Cost recovery	250.00	100.00	
Planning & Regeneration - S106	Standard moderate obligation (submission, approval)	Cost recovery	250.00	300.00	
Planning & Regeneration - S106	Standard complex obligation (submission, approval, verification) e.g. management plans	Cost recovery	250.00	525.00	
	S106 monitoring fees - example specific obligations				
Planning & Regeneration - S106	Affordable housing	Cost recovery	250.00	525.00	
Planning & Regeneration - S106	Viability review	Cost recovery	250.00	925.00	
Planning & Regeneration - S106	Sustainability	Cost recovery	250.00	650.00	
Planning & Regeneration - S106	Energy	Cost recovery	250.00	650.00	
Planning & Regeneration - S106	Sustainability and Energy	Cost recovery	500.00	1300.00	
Planning & Regeneration - S106	Highway works (no verification)	Cost recovery	250.00	300.00	
Planning & Regeneration - S106	Travel plan	Cost recovery	250.00	1300.00	
Planning & Regeneration - S106	Car club (offsite)	Cost recovery	250.00	650.00	
Planning & Regeneration - S106	Permit free (no approval)	Cost recovery	250.00	100.00	
Planning & Regeneration - S106	Permit free (approval)	Cost recovery	250.00	300.00	
Planning & Regeneration - S106	Training and employment	Cost recovery	250.00	650.00	
Planning & Regeneration - S106	Community access plan	Cost recovery	250.00	525.00	
Planning & Regeneration - S106	Notices	Cost recovery	250.00	50.00	
Planning & Regeneration - S106	Financial contributions	Cost recovery	250.00	150.00	
Planning & Regeneration - S106	Considerate Constructors Scheme	Cost recovery	250.00	100.00	
	LOCAL LAND CHARGES				
Planning & Regeneration - Local Land Charges	Full Search - electronic	Cost recovery	200.00	250.00	
Planning & Regeneration - Local Land Charges	Full Search - postal	Cost recovery	200.00	265.00	
Planning & Regeneration - Local Land Charges	Full Search Additional Parcel - electronic	Cost recovery	21.00	45.00	
Planning & Regeneration - Local Land Charges	Full Search Additional Parcel - postal	Cost recovery	21.00	45.00	
Planning & Regeneration - Local Land Charges	LLC1 - electronic	Cost recovery	25.00	70.00	
Planning & Regeneration - Local Land Charges	LLC1 - postal	Cost recovery	25.00	75.00	
Planning & Regeneration - Local Land Charges	LLC1 Additional Parcel - electronic	Cost recovery	1.00	20.00	
Planning & Regeneration - Local Land Charges	LLC1 Additional Parcel - postal	Cost recovery	1.00	20.00	
Planning & Regeneration - Local Land Charges	CON29R - electronic	Cost recovery	175.00	180.00	

Service Unit	Service Provided	Charging Policy	Existing Charge (2014/15) (£)	Proposed 2015/16 Charges (£)	Note
Planning & Regeneration - Local Land Charges	CON29R - postal	Cost recovery	175.00	190.00	
Planning & Regeneration - Local Land Charges	CON29R Additional Parcel - electronic	Cost recovery	20.00	25.00	
Planning & Regeneration - Local Land Charges	CON29R Additional Parcel - postal	Cost recovery	20.00	25.00	
Planning & Regeneration - Local Land Charges	CON29O - electronic	Cost recovery	10.00	25.00	
Planning & Regeneration - Local Land Charges	CON29O - postal	Cost recovery	10.00	30.00	
Planning & Regeneration - Local Land Charges	CON29O Requested Separately - electronic	Cost recovery	20.00	25.00	
Planning & Regeneration - Local Land Charges	CON29O Requested Separately - postal	Cost recovery	20.00	30.00	
Planning & Regeneration - Local Land Charges	CON29O Requested Separately Additional Parcel - postal	Cost recovery	20.00	25.00	
Planning & Regeneration - Local Land Charges	CON29O Requested Separately Additional Parcel - electronic	Cost recovery	20.00	25.00	
Planning & Regeneration - Local Land Charges	Additional Enquiry	Cost recovery	20.00	0.00	
Planning & Regeneration - Local Land Charges	Fee for Copy Search - electronic	Cost recovery	30.00	32.00	
Planning & Regeneration - Local Land Charges	Fee for Copy Search - postal	Cost recovery	30.00	35.00	
	Environmental Information Regulations				
Planning & Regeneration - Local Land Charges	CON29R EIR One Question	Under the EIR	-	20.00	
Planning & Regeneration - Local Land Charges	CON29R EIR Additional Question	Under the EIR	-	2.50	
Planning & Regeneration - Local Land Charges	CON29R EIR All Questions	Under the EIR	-	90.00	
Planning & Regeneration - Local Land Charges	CON29R EIR Additional Parcel	Under the EIR	-	5.00	
Planning & Regeneration - Local Land Charges	CON29R EIR - collected	Under the EIR	-	£0.10 per sheet	
Planning & Regeneration - Local Land Charges	CON29R EIR - emailed	Under the EIR	-	No charge	
Planning & Regeneration - Local Land Charges	CON29R EIR - posted	Under the EIR	-	£0.10 per sheet plus postage	
REGENERATION & GROWTH (Housing)					
Travellers Site	Weekly charge to travellers using the site	Full Commercial	237.85	240.23	
REGULATORY SERVICES					
Regulatory Services	Contaminated land short standard query	Fair charging	61.00	62.00	
Regulatory Services	Contaminated land detailed exclusively residential enquiry	Fair charging	116.00	117.00	
Regulatory Services	Contaminated land detailed enquiry other than exclusively residential	Fair charging	233.00	235.00	
Regulatory Services	Pest - Bedbugs (2 visits)	Fair charging	199.00	215.00	
Regulatory Services	Pest - Beetles, garden ants (1 visit)	Fair charging	97.00	110.00	
Regulatory Services	Pest - Cockroaches (1 visit)	Fair charging	97.00	110.00	
Regulatory Services	Pest - Fleas (2 visits)	Fair charging	139.00	150.00	
Regulatory Services	Pest - Mice (3 visits)	Fair charging	97.00	110.00	
Regulatory Services	Pest - Moths (2 visits)	Fair charging	199.00	215.00	
Regulatory Services	Pest - Pharoah Ants (2 visits)	Fair charging	199.00	215.00	
Regulatory Services	Pest - Rats (3 visits)	Fair charging	97.00	110.00	
Regulatory Services	Pest - Squirrels (3 visits)	Fair charging	163.00	215.00	
Regulatory Services	Pest - Wasps (1 visit)	Fair charging	56.00	65.00	
Regulatory Services	Pest - appointment missed /cancelled if less than one working day notice given	Fair charging	29.00	30.00	
Regulatory Services	Pest - visit, no active infestation	Fair charging	29.00	30.00	
Regulatory Services	Pest - multiple property discount	Fair charging	-31.00	-15.00	
Regulatory Services	Pest - survey report, no treatment	Fair charging	-	60.00	
Regulatory Services	Commercial (incl schools) - Assurance (12 visits over 12 mth)	Fair charging	710.00	725.00	
Regulatory Services	Commercial (incl schools) - Standard (6 visits over 12 mth)	Fair charging	460.00	480.00	
Regulatory Services	Work in default - addition to contractors' costs	Fair charging	91.00	92.00	
Regulatory Services	Work in default - addition to contractors' costs for shared dwellings	Fair charging	33.00	34.00	
Regulatory Services	Land charge information - additional documentation or information	Fair charging	24.50	25.00	
Regulatory Services	Public register - electronic list of premises, persons or processes	Fair charging	118.30	120.00	
Regulatory Services	Public registers - copy of full details for one registration	Fair charging	24.50	25.00	

Service Unit	Service Provided	Charging Policy	Existing Charge (2014/15) (£)	Proposed 2015/16 Charges (£)	Note
Regulatory Services	Factual statement	Fair charging	24.50	25.00	
Regulatory Services	Hourly rate	Fair charging	94.90	96.00	
Regulatory Services	Sunday loading consent	Cost recovery	245.00	247.00	
Regulatory Services	Scaffolding or hoarding (licence per month or part thereof)	Cost recovery	75.00	76.00	
Regulatory Services	Skip (licence)	Cost recovery	41.00	42.00	
Regulatory Services	Skip (unlicensed skip fee)	Cost recovery	205.00	207.00	
Regulatory Services	Crane (licence)	Cost recovery	200.00	202.00	
Regulatory Services	Builders Materials (licence)	Cost recovery	77.00	78.00	
	Trading Standards				
Regulatory Services	Registration of Premises for Auction	Fair Charging	310.00	313.00	
Regulatory Services	Primary Authority - bulk purchase	Cost recovery	52.98	54.00	
Regulatory Services	Primary Authority - pay as you go	Cost recovery	66.23	67.00	
Regulatory Services	Verification of Weights & Measures Equipment	Fair Charging	58.00	59.00	
Regulatory Services	Calibration of Weights for Business	Fair Charging	58.00	59.00	
Regulatory Services	Testing of Working Standards and Testing Equipment for other LAs	Fair Charging	58.00	59.00	
Regulatory Services	Extra Staff Member assisting with above W&M fees	Fair Charging	35.00	36.00	
Regulatory Services	Use of Safety Lab	Fair Charging	60.00	61.00	
	Food Safety				
Regulatory Services	Cadaver certificate (3 working days notice)	Fair Charging	51.00	52.00	
Regulatory Services	Cadaver certificate (urgent next day service)	Fair Charging	101.00	103.00	
Regulatory Services	Food Export Health Certificates (3 working days)	Fair Charging	51.00	52.00	
Regulatory Services	Food Export Health Certificates (urgent next day service)	Fair Charging	102.00	103.00	
Regulatory Services	Food destruction certificate	Full commercial	170.00	200.00	
Regulatory Services	Freezer breakdown certificate	Full commercial	170.00	200.00	
Regulatory Services	Pool water analysis single pool	Full commercial	189.00	192.00	
Regulatory Services	Pool water analysis double pool	Full commercial	351.00	358.00	
Regulatory Services	Schools Legionella Water Sampling	Full commercial	1500.00	1510.00	
Regulatory Services	Schools Drinking Water Sampling	Full commercial	500.00	505.00	
Regulatory Services	CIEH Courses	Full commercial	75.00	76.00	
Regulatory Services	CIEH Resit	Full commercial	25.00	26.00	

Service Unit	Service Provided	Charging Policy	Existing Charge (2014/15) (£)	Proposed 2015/16 Charges (£)	Note
ADULT SOCIAL SERVICES					
Adult Social Services	Residential & Nursing Care	Charging for Residential Care	Means tested on individual basis	Means tested on individual basis	
Adult Social Services	Community Care	Fairer Charging	Means tested on individual basis	Means tested on individual basis	
Adult Social Services	Meals On Wheels	Subsidised	£3.50 per meal	£3.50 per meal	
REGISTRATION AND NATIONALITY					
INTERNAL APPROVED PREMISES					
Registration and Nationality	Approved Premises Weddings Internal Monday - Thursday	Cost Recovery	135.00	135.00	
Registration and Nationality	Approved Premises Weddings Internal Friday	Cost Recovery	160.00	160.00	
INTERNAL APPROVED PREMISES (EVENINGS)					
Registration and Nationality	Approved Premises Weddings Internal Evening Monday - Friday after 4PM	Cost Recovery	280.00	280.00	
Registration and Nationality	Approved Premises Weddings Internal Evening Saturday after 4PM	Cost Recovery	350.00	350.00	
Registration and Nationality	Approved Premises Weddings Internal Evening Sunday after 4PM	Cost Recovery	400.00	400.00	
EXTERNAL APPROVED PREMISES (EVENINGS)					
Registration and Nationality	Approved Premises Weddings NEW External Evening Monday - Friday after 4PM	Cost Recovery	400.00	400.00	
Registration and Nationality	Approved Premises Weddings NEW External Evening Saturday after 4PM	Cost Recovery	500.00	500.00	
Registration and Nationality	Approved Premises Weddings NEW Evening Sunday/Bank Holiday after 4PM	Cost Recovery	600.00	600.00	
CITIZENSHIP & NCS					
Registration and Nationality	Citizenship Individual Private Ceremony Mon - Friday	Cost Recovery	105.00	105.00	
Registration and Nationality	Citizenship Private Ceremony-weekend	Cost Recovery	150.00	150.00	
Registration and Nationality	Settlement Checking Service 1 single adult Mon- Sat	Cost Recovery	100.00	100.00	
Registration and Nationality	Settlement Checking Service per child Mon - Sat	Cost Recovery	30.00	30.00	
LICENSING OF APPROVED PREMISES & RENEWALS					
Registration and Nationality	Registration of approved premises for civil marriage / partnership - up to 50	Cost Recovery	600.00	600.00	
Registration and Nationality	Registration of approved premises for civil marriage / partnership - 51 to 100	Cost Recovery	700.00	700.00	
Registration and Nationality	Registration of approved premises for civil marriage / partnership - 101 to 200	Cost Recovery	800.00	800.00	
Registration and Nationality	Registration of approved premises for civil marriage / partnership - 201 to 300	Cost Recovery	900.00	900.00	
Registration and Nationality	Registration of approved premises for civil marriage / partnership - 301 to 400	Cost Recovery	1000.00	1000.00	
Registration and Nationality	Registration of approved premises for civil marriage / partnership - 401 to 500	Cost Recovery	1100.00	1100.00	
Registration and Nationality	Registration of approved premises for civil marriage / partnership - Over 500	Cost Recovery	1500.00	1500.00	
OTHER CEREMONIES					
Registration and Nationality	Admin Fee	Cost Recovery	10.00	10.00	
Registration and Nationality	Postage fee/overseas	Cost Recovery	10.00	10.00	
Registration and Nationality	NEW Change to marriage date (all changes)	Cost Recovery	20.00	20.00	
TRANSPORTATION					
Transportation - NRSWA	Section 50 License Application	Cost Recovery	Variable	Variable	Cost varies per application
Transportation - Development Control	Standard Highway Searches	Cost Recovery	85.00	85.00	
Transportation - Development Control	Complex Highway Searches	Cost Recovery	Variable	Variable	Priced is calculated based on complexity of enquiry.
Transportation - Development Control	Technical Approval Fees	Cost Recovery	Variable	Variable	9% based on value of works. Usually calculates to a minimum charge of £2000
Transportation - Development Control	Supervision Fees	Cost Recovery	Variable	Variable	9% based on value of works. Usually calculates to a minimum charge of £2000
Transportation - Highways	Mark Up on Constructing a crossing	Cost Recovery	POA	POA	Varies based on complexity of constructing the crossover. Construction charges based on LoHAC contract schedule of rates. Average is £160 per square meter to construct a crossing.
Transportation - Traffic Management	Traffic Management	Cost Recovery	POA	POA	Price is calculated based on the type of application made and varies.
Transportation - Traffic Management	Traffic Management	Cost Recovery	375.00	375.00	
CEMETERIES					
Fees & Charges applicable to only Brent residents					
Cemeteries	Burial rights - Person 16yrs + (earth)	Full Commercial	2140.00	2140.00	
Cemeteries	Burial rights - Baby/Child under 16 full grave space	Full Commercial	2140.00	2140.00	

Service Unit	Service Provided	Charging Policy	Existing Charge (2014/15) (£)	Proposed 2015/16 Charges (£)	Note
Cemeteries	Burial rights - Baby/Child under 16 half grave space	Full Commercial	725.00	725.00	
Cemeteries	Burial rights - Path side graves (earth)	Full Commercial	3230.00	3230.00	
Cemeteries	Burial rights - Woodland grave for 1 interment (includes 1 tree)	Full Commercial	2405.00	2405.00	
Cemeteries	Burial rights - Woodland grave for ashes	Full Commercial	2405.00	2405.00	
Cemeteries	Interment - Person 16yrs + (earth)	Full Commercial	665.00	665.00	
Cemeteries	Interment - Baby/Child under 16 full grave space	Full Commercial	235.00	235.00	
Cemeteries	Interment - Baby/Child under 16 half grave space	Full Commercial	185.00	185.00	
Cemeteries	Interment - Path side graves (earth)	Full Commercial	665.00	665.00	
Cemeteries	Interment - Woodland grave for 1 interment (includes 1 tree)	Full Commercial	665.00	665.00	
Cemeteries	Interment - Woodland grave for ashes	Full Commercial	210.00	210.00	
	Fees & Charges applicable to only Brent residents - Re-open Graves				
Cemeteries	Interment - Person 16yrs + (earth)	Full Commercial	665.00	665.00	
Cemeteries	Interment - Person 16yrs + (vault)	Full Commercial	330.00	330.00	
Cemeteries	Interment - Baby/Child under 16 full grave space	Full Commercial	235.00	235.00	
Cemeteries	Interment - Baby/Child under 16 half grave space	Full Commercial	185.00	185.00	
	Fees & Charges applicable to only Brent residents - Common Graves				
Cemeteries	Interment - Person 16yrs + (earth)	Full Commercial	950.00	950.00	
Cemeteries	Interment - Baby/Child under 16 full grave space	Full Commercial	590.00	590.00	
Cemeteries	Interment - Baby/Child under 16 half grave space	Full Commercial	295.00	295.00	
	Fees & Charges applicable to only Brent residents - Cremated Remains / Ashes				
Cemeteries	Burial rights - In new half grave space	Full Commercial	810.00	810.00	
Cemeteries	Burial rights - In new vault Alperton cemetery only including 1st interment	Full Commercial	520.00	520.00	
Cemeteries	Interment - In new half grave space	Full Commercial	210.00	210.00	
Cemeteries	Interment - In existing graves space	Full Commercial	210.00	210.00	
Cemeteries	Interment - in existing vault	Full Commercial	125.00	125.00	
	Fees & Charges applicable to Non Brent residents				
Cemeteries	Burial rights - Person 16yrs + (earth)	Full Commercial	3245.00	3245.00	
Cemeteries	Burial rights - Baby/Child under 16 full grave space	Full Commercial	3245.00	3245.00	
Cemeteries	Burial rights - Baby/Child under 16 half grave space	Full Commercial	1090.00	1090.00	
Cemeteries	Burial rights - Path side graves (earth)	Full Commercial	4870.00	4870.00	
Cemeteries	Burial rights - Woodland grave for 1 interment (includes 1 tree)	Full Commercial	3505.00	3505.00	
Cemeteries	Burial rights - Woodland grave for ashes	Full Commercial	3505.00	3505.00	
Cemeteries	Interment - Person 16yrs + (earth)	Full Commercial	1010.00	1010.00	
Cemeteries	Interment - Baby/Child under 16 full grave space	Full Commercial	350.00	350.00	
Cemeteries	Interment - Baby/Child under 16 half grave space	Full Commercial	275.00	275.00	
Cemeteries	Interment - Path side graves (earth)	Full Commercial	1010.00	1010.00	
Cemeteries	Interment - Woodland grave for 1 interment (includes 1 tree)	Full Commercial	1010.00	1010.00	
Cemeteries	Interment - Woodland grave for ashes	Full Commercial	320.00	320.00	
	Fees & Charges applicable to Non Brent residents - Re-open Graves				
Cemeteries	Interment - Person 16yrs + (earth)	Full Commercial	1010.00	1010.00	
Cemeteries	Interment - Person 16yrs + (vault)	Full Commercial	505.00	505.00	
Cemeteries	Interment - Baby/Child under 16 full grave space	Full Commercial	350.00	350.00	
Cemeteries	Interment - Baby/Child under 16 half grave space	Full Commercial	260.00	260.00	
	Fees & Charges applicable to Non Brent residents - Common Graves				
Cemeteries	Interment - Person 16yrs + (earth)	Full Commercial	1430.00	1430.00	
Cemeteries	Interment - Baby/Child under 16 full grave space	Full Commercial	895.00	895.00	
Cemeteries	Interment - Baby/Child under 16 half grave space	Full Commercial	445.00	445.00	
	Fees & Charges applicable to Non Brent residents - Cremated Remains / Ashes				
Cemeteries	Burial rights - In new half grave space	Full Commercial	1215.00	1215.00	
Cemeteries	Burial rights - In new vault Alperton cemetery only including 1st interment	Full Commercial	770.00	770.00	
Cemeteries	Interment - In new half grave space	Full Commercial	320.00	320.00	
Cemeteries	Interment - In existing graves space	Full Commercial	320.00	320.00	
Cemeteries	Interment - in existing vault	Full Commercial	195.00	195.00	
	Additional Charges for both Brent residents & non residents				
Cemeteries	Coffin/casket 7' long or 28" wide in earth grave	Full Commercial	395.00	395.00	
Cemeteries	Coffin/casket 7' long or 30"+ wide in earth grave	Full Commercial	525.00	525.00	
Cemeteries	Earth grave for 3 (Carpenters park only)	Full Commercial	535.00	535.00	
Cemeteries	Shroud timbers & slats	Full Commercial	110.00	110.00	
Cemeteries	Grave surround	Full Commercial	35.00	35.00	
Cemeteries	Registration of probate	Full Commercial	32.00	32.00	
Cemeteries	Transfer burial rights	Full Commercial	70.00	70.00	
Cemeteries	Burial Register search fee	Full Commercial	27.00	27.00	
Cemeteries	Chapel hire	Full Commercial	65.00	65.00	
Cemeteries	Saturday burials at Alperton, Paddington and Willesden	Full Commercial	575.00	575.00	
Cemeteries	Exhumation charges	Full Commercial	Variable depending on circumstances	Variable depending on circumstances	
Cemeteries	Cancellation of an interment or late arrival of funeral cortege of more than 20 mins	Full Commercial	170.00	170.00	
	Memorial permits (10 year period) - Brent residents and non residents				
Cemeteries	Memorial (full with Landing)	Full Commercial	245.00	245.00	
Cemeteries	Headstone / plaque	Full Commercial	245.00	245.00	
Cemeteries	Inscriptions / works	Full Commercial	85.00	85.00	
Cemeteries	Memorial removal for interment	Full Commercial	130.00	130.00	
Cemeteries	Memorial replacement after interment	Full Commercial	130.00	130.00	

Service Unit	Service Provided	Charging Policy	Existing Charge (2014/15) (£)	Proposed 2015/16 Charges (£)	Note
Cemeteries	Memorial raise and level (full memorials)	Full Commercial	52.50	52.50	
Cemeteries	Memorial raise and level (plaques)	Full Commercial	36.75	36.75	
Cemeteries	Re-used York Flagstone (reculced from graves or memorials)	Full Commercial	85.00	85.00	
Cemeteries	Tree Plaque at Carpenters Park (inc VAT) (Single)	Full Commercial	195.00	195.00	
Cemeteries	Tree Plaque at Carpenters Park (inc VAT) (Double)	Full Commercial	250.00	250.00	
Cemeteries	Bench with plaque (inc VAT)	Full Commercial	935.00	935.00	
Cemeteries	Bench Plaques at Carpenters Park (inc VAT - 5 years)	Full Commercial	125.00	125.00	
Cemeteries	Concrete based bench with plaque (inc VAT not at Carpenters Park)	Full Commercial	1100.00	1100.00	
CUSTOMER AND COMMUNITY ENGAGEMENT					
Customer and Community Engagement - Language Shop	Interpreting 9-5	Full Commercial	35.00	35.00	Internal council charge
Customer and Community Engagement - Language Shop	Interpreting out of office hours	Full Commercial	52.50	52.50	
Customer and Community Engagement - Language Shop	Interpreting weekends	Full Commercial	70.00	70.00	
Customer and Community Engagement - Language Shop	Translations	Full Commercial	£175 per 1000 words (minimum charge £60)	£175 per 1000 words (minimum charge £60)	
RECYCLING & WASTE - STREET FINES					
Recycling & Waste	Illegal Deposit Charge - Pick Up	Full Commercial	76.50	76.50	
Recycling & Waste	Illegal Deposit Charge - Transport	Full Commercial	107.10	107.10	
Recycling & Waste	Illegal Deposit Charge - Storage	Full Commercial	35.70	35.70	
SPORTS					
B.ACTIVE LEISURE DISCOUNT SCHEME					
Sports	B.Active card (Resident standard card)	Subsidised	42.00	42.00	
Sports	B.Active card (Non resident standard card)	Subsidised	72.00	72.00	
Sports	B.Active card (60+ or disabled resident Concession)	Subsidised	6.75	6.75	
Sports	B.Active card (Resident Concession - 6 months)	Subsidised	3.50	3.50	
Sports	VALE FARM AND WILLEDSEN SPORTS CENTRES				
Sports	Core prices	Subsidised	-	-	The core prices at Vale Farm and Willesden sports centres will increase in line with the arrangements in the two leisure management contracts.
BRIDGE PARK COMMUNITY LEISURE CENTRE					
Sports	Sports Hall Hire - Peak	Subsidised	57.00	57.00	
Sports	Sports Hall Hire - Juniors Peak	Subsidised	42.75	42.75	
Sports	Sports Hall Hire Off Peak	Subsidised	27.50	27.50	
Sports	Sports Hall Hire - Juniors Off Peak	Subsidised	20.60	20.60	
Sports	Dance Studio Peak	Subsidised	37.00	37.00	
Sports	Dance Studio Off Peak	Subsidised	23.50	23.50	
Sports	Badminton Court Peak	Subsidised	9.50	9.50	
Sports	Badminton Court Off Peak	Subsidised	5.20	5.20	
Sports	Table Tennis Peak	Subsidised	5.40	5.40	
Sports	Table Tennis Off Peak	Subsidised	4.00	4.00	
Sports	Gym Membership	Subsidised	36.00	36.00	
Sports	Gym Membership - Joint	Subsidised	61.20	61.20	
Sports	Gym Membership - concessions	Subsidised	31.00	31.00	
Sports	Gym Membership - off peak use	Subsidised	29.00	29.00	
Sports	Gym Membership - corporate	Subsidised	30.00	30.00	
Sports	Gym Membership - Annual	Subsidised	330.00	330.00	
Sports	Gym Induction - adults	Subsidised	19.00	19.00	
Sports	Gym Induction - Youth 14-16	Subsidised	6.00	6.00	
Sports	Gym casual use - adults Peak	Subsidised	6.10	6.10	
Sports	Gym casual use - adults Off Peak	Subsidised	4.60	4.60	
Sports	Gym casual use - Youth 14-16	Subsidised	3.10	3.10	
Sports	Sauna and Steam Peak	Subsidised	5.70	5.70	
Sports	Sauna and Steam Off Peak	Subsidised	4.50	4.50	
Sports	Sauna and Steam - Membership	Subsidised	33.00	33.00	
Sports	Active Brent - (60+)	Subsidised	3.60	3.60	
Sports	Parties	Subsidised	100.00	100.00	
Sports	Coach for parties	Subsidised	30.00	30.00	
Sports	Various adult fitness and multi activity classes and courses	Subsidised	Variable subject to activity offered	Variable subject to activity offered	
Sports	Various junior sports and multi activity sessions and courses.	Subsidised	Variable subject to activity offered	Variable subject to activity offered	
Sports	Holiday Scheme	Subsidised	Variable subject to activity offered	Variable subject to activity offered	
Sports	Junior Crs/session	Subsidised	Variable subject to activity offered	Variable subject to activity offered	
BPLCC - BRIDGE PARK LEISURE & COMMUNITY CENTRE					
Room Hire	Boardroom	Full commercial	68.00	68.00	

Service Unit	Service Provided	Charging Policy	Existing Charge (2014/15) (£)	Proposed 2015/16 Charges (£)	Note
Room Hire	Community Suite	Full commercial	139.20	139.20	
Room Hire	Tropics Suite	Full commercial	208.50	208.50	
Room Hire	Syndicate Room	Full commercial	257.40	257.40	
Room Hire	Conference Room	Full commercial	403.20	403.20	
Room Hire	Function Hall	Full commercial	790.00	790.00	
Room Hire	Sports hall	Full commercial	1700.00	1700.00	
Room Hire	Servery	Full commercial	265.00	265.00	
Add in hourly charges					
Room Hire	Boardroom	Full commercial	11.60	11.60	
Room Hire	Community Suite	Full commercial	23.20	23.20	
Room Hire	Tropics Suite	Full commercial	34.75	34.75	
Room Hire	Syndicate Room	Full commercial	42.90	42.90	
Room Hire	Conference Room	Full commercial	67.20	67.20	
Room Hire	Function Hall	Full commercial	88.90	86.90	
Room Hire	Sports hall	Full commercial	1700.00	1700.00	
PARKS					
Parks Service	Soccer Adult Single	Subsidised	75.30	75.30	
Parks Service	Soccer Adult Short Season [13 week pre booked]	Subsidised	885.00	885.00	
Parks Service	Soccer Adult Long Season [17 weeks pre-booked]	Subsidised	1155.00	1155.00	
Parks Service	Soccer Junior 11-a-side Single	Subsidised	45.20	45.20	
Parks Service	Soccer Junior 9-a-side Single	Subsidised	39.10	39.10	
Parks Service	Soccer Junior 7-a-side Single	Subsidised	26.50	26.50	
Parks Service	Soccer Junior 5-a-side Single	Subsidised	17.75	17.75	
Parks Service	Soccer Junior 11-a-side Short Season [13 week pre booked]	Subsidised	530.00	530.00	
Parks Service	Soccer Junior 11-a-side Long Season [17 weeks pre-booked]	Subsidised	693.00	693.00	
Parks Service	Soccer Junior 9-a-side Short Season [13 week pre booked]	Subsidised	460.00	460.00	
Parks Service	Soccer Junior 9-a-side Long Season [17 weeks pre-booked]	Subsidised	600.00	600.00	
Parks Service	Soccer Junior 7-a-side Short Season [13 week pre booked]	Subsidised	310.00	310.00	
Parks Service	Soccer Junior 7-a-side Long Season [17 weeks pre-booked]	Subsidised	405.00	405.00	
Parks Service	Soccer Junior 5-a-side Short Season [13 week pre booked]	Subsidised	210.00	210.00	
Parks Service	Soccer Junior 5-a-side Long Season [17 weeks pre-booked]	Subsidised	275.00	275.00	
Parks Service	Rugby Adult Single	Subsidised	81.50	81.50	
Parks Service	Rugby Adult Season	Subsidised			Block booking for season duration (minimum 10 matches) to be 10% less than single pitch booking
Parks Service	Rugby junior single	Subsidised	47.25	47.25	
Parks Service	Rugby Junior Season	Subsidised			Block booking for season duration (minimum 10 matches) to be 10% less than single pitch booking
Parks Service	Gaelic Adult single	Subsidised	100.00	100.00	
Parks Service	Gaelic Adult Season	Subsidised			Block booking for season duration (minimum 10 matches) to be 10% less than single pitch booking
Parks Service	Gaelic junior single	Subsidised	57.00	57.00	
Parks Service	Gaelic Junior Season	Subsidised			Block booking for season duration (minimum 10 matches) to be 10% less than single pitch booking
Parks Service	Hurling Adult single	Subsidised	100.00	100.00	
Parks Service	Hurling Junior single	Subsidised	52.50	52.50	
Parks Service	Cricket single	Subsidised	105.00	105.00	
Parks Service	Cricket Adult [11 week season]	Subsidised	1095.00	1095.00	
Parks Service	Cricket Junior (11 week season)	Subsidised	545.00	545.00	
Parks Service	Cricket junior single	Subsidised	63.00	63.00	
Parks Service	Artificial cricket wicket (adults) per match	Subsidised	73.50	73.50	
Parks Service	Artificial cricket wicket (juniors) per match	Subsidised	44.00	44.00	
Parks Service	Bowls- per green	Subsidised	2300.00	2300.00	
Parks Service	Bowls - per rink per season	Subsidised	465.00	465.00	

Service Unit	Service Provided	Charging Policy	Existing Charge (2014/15) (£)	Proposed 2015/16 Charges (£)	Note
Parks Service	Tennis Court - adult, per hour	Subsidised	6.50	6.50	
Parks Service	Tennis court - junior, per hour	Subsidised	Free	Free	
Parks Service	Tennis court - where no more than 50% of players are adults	Subsidised	3.25	3.25	
Parks Service	Multi Use Games Areas (not including changing rooms)	Subsidised	Free	Free	
Parks Service	Netball Court - adult per hour (not including changing rooms)	Subsidised	15.00	15.00	
Parks Service	Netball Court - junior per hour (not including changing rooms)	Subsidised	9.00	9.00	
Parks Service	Adult training soccer/rugby/Gaelic/Hurling not on a pitch (per 2 hours including changing rooms, excluding floodlights)	Subsidised	50.00	50.00	
Parks Service	Junior training soccer/rugby/Gaelic/hurling not on a pitch (per 2 hours including changing rooms, excluding floodlights)	Subsidised	31.50	31.50	
Parks Service	Unmarked ground school/sports use (Morning or afternoon - 3 hours including changing rooms)	Subsidised	48.00	48.00	
Parks Service	Hire of pitch for one match which has no available changing rooms	Subsidised	30% discount on normal price	30% discount on normal price	
Parks Service	Hire of changing rooms only (during normal staffing hours)	Subsidised	31.50	31.50	
Parks Service	Power Driven Model Aircraft Flying Licence	Full commercial	37.00	37.00	
Parks Service	Cost recovery of events in parks - Commercial	Full commercial	Negotiated	Negotiated	
Parks Service	Soccer tournament - per pitch per day	Full commercial	Negotiated	Negotiated	
Parks Service	Helicopter landing	Full commercial	Negotiated	Negotiated	
Parks Service	Dollis Hill House performance space	Full commercial	Negotiated	Negotiated	
Parks Service	Brent resident Allotment type site 126m2 (5 pole)	Subsidised	83.50	83.50	
Parks Service	Non resident Allotment type site 126m2 (5 pole)	Subsidised	93.50	93.50	
Parks Service	Brent Resident Concessions Allotment type site 126m2 (5 pole) - Concession only on the first five poles for residents who are registered disabled, receiving unemployment benefits and/or 60 years and over on 1 April 2014.	Subsidised	41.75	41.75	
Parks Service	Brent resident Allotment type site 253m2 (10 pole)	Subsidised	167.00	167.00	
Parks Service	Non resident Allotment type site 253m2 (10 pole)	Subsidised	187.00	187.00	
Parks Service	Brent resident Allotment cost per pole	Subsidised	16.70	16.70	
Parks Service	Non resident Allotment cost per pole	Subsidised	18.70	18.70	
Parks Service	Brent Resident Concessions Allotment cost per pole - Concession only on up to the first five poles for residents who are registered disabled, receiving unemployment benefits and/or 60 years and over on 1 April 2014.	Subsidised	8.35	8.35	
Parks Service	Brent resident Council owned shed	Subsidised	22.50	22.50	
Parks Service	Brent resident concession - Council owned shed	Subsidised	11.25	11.25	
Parks Service	Non resident Council owned shed	Subsidised	25.00	25.00	
Parks Service	Brent resident - Nutfield Road allotments larger council-owned sheds	Subsidised	31.00	31.00	
Parks Service	Brent resident concession - Nutfield Road allotments larger council-owned sheds	Subsidised	15.50	15.50	
Parks Service	Non resident - Nutfield Road allotments larger council-owned sheds	Subsidised	34.50	34.50	
LIBRARIES					
Libraries, Arts & Heritage	Overdue books: adults (per day)	Fair Charging	0.22	0.22	
Libraries, Arts & Heritage	Overdue books: Concessions (per day)	Fair Charging	0.10	0.10	
Libraries, Arts & Heritage	All other library charges e.g. Photocopying A4	Fair Charging	0.10	0.10	
Libraries, Arts & Heritage	All other library charges e.g. Photocopying A3	Fair Charging	0.15	0.15	
CHILDREN & YOUNG PEOPLE					
Youth Service - Summer University AJ43	Youth Service				
Youth Service - Summer University AJ43	A range of activities, with variable fees dependent on the cost of the course	Subsidised	10.20 - 25.50	10.20 - 25.50	Variable depending on course
Youth Service - DoE AJ28	DoE annual subscription for young people to participate expeditions-Bronze.	Cost Recovery with Discounts	25.50	25.50	
Youth Service - DoE AJ28	DoE annual subscription for young people to participate expeditions-Silver.	Cost Recovery with Discounts	30.60	30.60	
Youth Service - DoE AJ28	DoE annual subscription for young people to participate expeditions-Gold.	Cost Recovery with Discounts	35.70	35.70	
Youth Service - DoE AJ28	Bronze Programme Expedition training Programme (includes Young people going on camping trips/expeditions using navigational skills, life skills etc)	Cost Recovery with Discounts	229.50	229.50	
Youth Service - DoE AJ28	Silver Programme Expedition training Programme (includes Young people going on camping trips/expeditions using navigational skills, life skills etc)	Cost Recovery with Discounts	336.60	336.60	
Youth Service - DoE AJ28	Gold Programme Expedition training Programme (includes Young people going on camping trips/expeditions using navigational skills, life skills etc)	Cost Recovery with Discounts	561.00	561.00	
Early Years & Family Support					
Early Years & Family Support	Childcare Nursery places Willow Nursery - 0 to 2 Years 8am to 4pm	Nominal	200.00	200.00	
Early Years & Family Support	Childcare Nursery places Willow Nursery - 0 to 2 Years 9am to 3pm	Nominal	150.00	150.00	
Early Years & Family Support	Childcare Nursery places Willow Nursery - 0 to 2 Years 8am to 6pm	Nominal	250.00	250.00	
Early Years & Family Support	Childcare Nursery places Willow Nursery - 2 to 3 Years 8am to 4pm	Nominal	175.00	175.00	
Early Years & Family Support	Childcare Nursery places Willow Nursery - 2 to 3 Years 9am to 3pm	Nominal	150.00	150.00	
Early Years & Family Support	Childcare Nursery places Willow Nursery - 2 to 3 Years 8am to 6pm	Nominal	225.00	225.00	
Early Years & Family Support	Childcare Nursery places Willow Nursery - 3 to 4 Years 8am to 4pm	Nominal	175.00	175.00	
Early Years & Family Support	Childcare Nursery places Willow Nursery - 3 to 4 Years 9am to 3pm	Nominal	135.00	135.00	
Early Years & Family Support	Childcare Nursery places Willow Nursery - 3 to 4 Years 9am to 3pm	Nominal	200.00	200.00	
Schools Improvement Service					
Schools Improvement Service	School Workforce Development - Annual Central Training and Development Programme Nursery/Special schools	Cost Recovery	400.00	400.00	


Service Unit	Service Provided	Charging Policy	Existing Charge (2014/15) (£)	Proposed 2015/16 Charges (£)	Note
Schools Improvement Service	School Workforce Development - Annual Central Training and Development Programme Small primary schools	Cost Recovery	3000.00	3000.00	
Schools Improvement Service	School Workforce Development - Annual Central Training and Development Programme Medium primary schools	Cost Recovery	4500.00	4500.00	
Schools Improvement Service	School Workforce Development - Annual Central Training and Development Programme Large primary schools	Cost Recovery	6000.00	6000.00	
Schools Improvement Service	School Workforce Development - Annual Central Training and Development Programme Small Secondary School	Cost Recovery	2000.00	2000.00	
Schools Improvement Service	School Workforce Development - Annual Central Training and Development Programme Medium secondary schools	Cost Recovery	3000.00	3000.00	
Schools Improvement Service	School Workforce Development - Annual Central Training and Development Programme Large secondary school	Cost Recovery	3500.00	3500.00	
Schools Improvement Service	School Workforce Development - Additional Support (page 6) - The service contact will discuss your requirements in detail following this initial indication of the number of days required Standard Rate - maintained schools	Cost Recovery	450.00	450.00	
Schools Improvement Service	Newly Qualified Teachers - Acting as Appropriate Body for NQT Induction Standard Rate - maintained schools	Cost Recovery	100.00	100.00	
Schools Improvement Service	Newly Qualified Teachers - Acting as Appropriate Body for NQT Induction Advance purchase discounted rates - maintained schools	Cost Recovery	450.00	450.00	
Schools Improvement Service	Primary Teaching and Learning - Additional Support Senior officer/Link advisor standard rate per day	Cost Recovery	550.00	550.00	
Schools Improvement Service	Primary Teaching and Learning - Additional Support Senior officer/Link advisor standard rate per half day	Cost Recovery	275.00	275.00	
Schools Improvement Service	Primary Teaching and Learning - Additional Support Senior officer/Link advisor standard rate per hour	Cost Recovery	110.00	110.00	
Schools Improvement Service	Primary Teaching and Learning - Additional Support Senior officer/Link advisor advance purchase on discounted rates (2 days advanced purchase)	Cost Recovery	1045.00	1045.00	
Schools Improvement Service	Primary Teaching and Learning - Additional Support Senior officer/Link advisor advance purchase on discounted rates (3 days advanced purchase)	Cost Recovery	1485.00	1485.00	
Schools Improvement Service	Primary Teaching and Learning - Additional Support Senior officer/Link advisor advance purchase on discounted rates (4 days advanced purchase)	Cost Recovery	1870.00	1870.00	
Schools Improvement Service	Primary Teaching and Learning - Additional Support Senior officer/Link advisor advance purchase on discounted rates (5 days advanced purchase)	Cost Recovery	2200.00	2200.00	
Schools Improvement Service	Primary Teaching and Learning - Additional Support Senior officer/Link advisor advance purchase on discounted rates	Cost Recovery	20% discount on standard daily rate	20% discount on standard daily rate	
Schools Improvement Service	Primary Teaching and Learning - Additional Support Consultant / Curriculum advisor standard rate per day	Cost Recovery	450.00	450.00	
Schools Improvement Service	Primary Teaching and Learning - Additional Support Consultant / Curriculum advisor standard rate per half day	Cost Recovery	225.00	225.00	
Schools Improvement Service	Primary Teaching and Learning - Additional Support Consultant / Curriculum advisor standard rate per hour	Cost Recovery	90.00	90.00	
Schools Improvement Service	Primary Teaching and Learning - Additional Support Consultant / Curriculum advisor advance purchase on discounted rates (2 days advanced purchase)	Cost Recovery	855.00	855.00	
Schools Improvement Service	Primary Teaching and Learning - Additional Support Consultant / Curriculum advisor advance purchase on discounted rates (3 days advanced purchase)	Cost Recovery	1215.00	1215.00	
Schools Improvement Service	Primary Teaching and Learning - Additional Support Consultant / Curriculum advisor advance purchase on discounted rates (4 days advanced purchase)	Cost Recovery	1530.00	1530.00	
Schools Improvement Service	Primary Teaching and Learning - Additional Support Consultant / Curriculum advisor advance purchase on discounted rates (5 days advanced purchase)	Cost Recovery	1800.00	1800.00	
Schools Improvement Service	Primary Teaching and Learning - Additional Support Consultant / Curriculum advisor advance purchase on discounted rates	Cost Recovery	20% discount on standard daily rate	20% discount on standard daily rate	
Schools Improvement Service	School Leadership - Link Adviser Visits Nursery/Special schools	Cost Recovery	1500.00	1500.00	
Schools Improvement Service	School Leadership - Link Adviser Visits Small primary schools	Cost Recovery	1500.00	1500.00	
Schools Improvement Service	School Leadership - Link Adviser Visits Medium primary schools	Cost Recovery	2000.00	2000.00	
Schools Improvement Service	School Leadership - Link Adviser Visits Large primary schools	Cost Recovery	2250.00	2250.00	
Schools Improvement Service	School Leadership - Link Adviser Visits Small secondary schools	Cost Recovery	2250.00	2250.00	
Schools Improvement Service	School Leadership - Link Adviser Visits Medium secondary schools	Cost Recovery	2500.00	2500.00	
Schools Improvement Service	School Leadership - Link Adviser Visits Large secondary schools	Cost Recovery	3000.00	3000.00	
Schools Improvement Service	School Leadership - Additional Support for school Leadership per day	Cost Recovery	550.00	550.00	
Schools Improvement Service	School Leadership - Additional Support for school Leadership per half day	Cost Recovery	275.00	275.00	
Schools Improvement Service	School Leadership - Additional Support for school Leadership per hour	Cost Recovery	110.00	110.00	
Schools Improvement Service	School Leadership - Additional Support for school Leadership (2 days advanced purchase)	Cost Recovery	1045.00	1045.00	
Schools Improvement Service	School Leadership - Additional Support for school Leadership (3 days advanced purchase)	Cost Recovery	1485.00	1485.00	
Schools Improvement Service	School Leadership - Additional Support for school Leadership (4 days advanced purchase)	Cost Recovery	1870.00	1870.00	
Schools Improvement Service	School Leadership - Additional Support for school Leadership (5 days advanced purchase)	Cost Recovery	2200.00	2200.00	
Schools Improvement Service	School Leadership - Additional Support for school Leadership	Cost Recovery	20% discount on standard daily rate	20% discount on standard daily rate	
Schools Improvement Service	Governor Services Nursery/Special school	Cost Recovery	400.00	400.00	
Schools Improvement Service	Governor Services Small primary school	Cost Recovery	700.00	700.00	
Schools Improvement Service	Governor Services Medium primary school	Cost Recovery	800.00	800.00	
Schools Improvement Service	Governor Services Large primary school	Cost Recovery	900.00	900.00	
Schools Improvement Service	Governor Services Secondary School	Cost Recovery	950.00	950.00	

Service Unit	Service Provided	Charging Policy	Existing Charge (2014/15) (£)	Proposed 2015/16 Charges (£)	Note
Schools Improvement Service	Brent Music Service Instrumental/vocal tuition	Cost Recovery	36.00	36.00	
Schools Improvement Service	Brent Music Service Large group tuition	Cost Recovery	36.00	36.00	
Schools Improvement Service	Brent Music Service Music'sCool' where class teacher remains with BMS teacher	Cost Recovery	1452.00	1452.00	
Schools Improvement Service	Brent Music Service Music'sCool' where BMS teacher provides PPA cover	Cost Recovery	1968.00	1968.00	
Schools Improvement Service	Education Welfare Service Attached EWO for one year (Secondary School)	Cost Recovery	3250.00	3250.00	
Schools Improvement Service	Education Welfare Service Attached EWO for one year (Primary School)	Cost Recovery	1100.00	1100.00	
Schools Improvement Service	Education Welfare Service Daily Rate for Stage 1 Meetings	Cost Recovery	300.00	300.00	
Schools Improvement Service	Education Welfare Service Half Daily Rate for Stage 1 Meetings	Cost Recovery	150.00	150.00	
Schools Improvement Service	Education Welfare Service Hourly Rate for Stage 1 Meetings	Cost Recovery	60.00	60.00	
Schools Improvement Service	Behaviour Support Support from the Behaviour Support Service	Cost Recovery	2250.00	2250.00	
Schools Improvement Service	Behaviour Support 5 Days support to individual pupils	Cost Recovery	1125.00	1125.00	
Schools Improvement Service	Behaviour Support 2 Days whole school support	Cost Recovery	855.00	855.00	
Schools Improvement Service	Pre-Exclusion Support Attached pre-exclusion officer (Secondary School)	Cost Recovery	2750.00	2750.00	
Schools Improvement Service	Pre-Exclusion Support Attached pre-exclusion officer (Primary School)	Cost Recovery	950.00	950.00	
Schools Improvement Service	Pre-Exclusion Support Daily Rate for Stage 1 Meetings	Cost Recovery	300.00	300.00	
Schools Improvement Service	Pre-Exclusion Support Half Daily Rate for Stage 1 Meetings	Cost Recovery	150.00	150.00	
Schools Improvement Service	Pre-Exclusion Support Hourly Rate for Stage 1 Meetings	Cost Recovery	60.00	60.00	
Schools Improvement Service	ICT Consultant / Curriculum advisor standard rate per day	Cost Recovery	450.00	450.00	
Schools Improvement Service	ICT Consultant / Curriculum advisor standard rate per half day	Cost Recovery	225.00	225.00	
Schools Improvement Service	ICT Consultant / Curriculum advisor standard rate per hour	Cost Recovery	90.00	90.00	
Schools Improvement Service	ICT Consultant / Curriculum advisor advance purchase on discounted rates (2 days advanced purchase)	Cost Recovery	855.00	855.00	
Schools Improvement Service	ICT Consultant / Curriculum advisor advance purchase on discounted rates (3 days advanced purchase)	Cost Recovery	1215.00	1215.00	
Schools Improvement Service	ICT Consultant / Curriculum advisor advance purchase on discounted rates (4 days advanced purchase)	Cost Recovery	1530.00	1530.00	
Schools Improvement Service	ICT Consultant / Curriculum advisor advance purchase on discounted rates (5 days advanced purchase)	Cost Recovery	1800.00	1800.00	
Schools Improvement Service	ICT Consultant / Curriculum advisor advance purchase on discounted rates	Cost Recovery	450.00	450.00	
Schools Improvement Service	Physical Education and School Sport Consultant / Curriculum advisor standard rate per half day	Cost Recovery	225.00	225.00	
Schools Improvement Service	Physical Education and School Sport Consultant / Curriculum advisor standard rate per hour	Cost Recovery	90.00	90.00	
Schools Improvement Service	Physical Education and School Sport Consultant / Curriculum advisor advance purchase on discounted rates (2 days advanced purchase)	Cost Recovery	855.00	855.00	
Schools Improvement Service	Physical Education and School Sport Consultant / Curriculum advisor advance purchase on discounted rates (3 days advanced purchase)	Cost Recovery	1215.00	1215.00	
Schools Improvement Service	Physical Education and School Sport Consultant / Curriculum advisor advance purchase on discounted rates (4 days advanced purchase)	Cost Recovery	1530.00	1530.00	
Schools Improvement Service	Physical Education and School Sport Consultant / Curriculum advisor advance purchase on discounted rates (5 days advanced purchase)	Cost Recovery	1800.00	1800.00	
Schools Improvement Service	Special Education Needs and Disabilities Senior officer/Link advisor standard rate per day	Cost Recovery	550.00	550.00	
Schools Improvement Service	Special Education Needs and Disabilities Senior officer/Link advisor standard rate per half day	Cost Recovery	275.00	275.00	
Schools Improvement Service	Special Education Needs and Disabilities Senior officer/Link advisor standard rate per hour	Cost Recovery	110.00	110.00	
Schools Improvement Service	Special Education Needs and Disabilities Senior officer/Link advisor advance purchase on discounted rates (2 days advanced purchase)	Cost Recovery	1045.00	1045.00	
Schools Improvement Service	Special Education Needs and Disabilities Senior officer/Link advisor advance purchase on discounted rates (3 days advanced purchase)	Cost Recovery	1485.00	1485.00	
Schools Improvement Service	Special Education Needs and Disabilities Senior officer/Link advisor advance purchase on discounted rates (4 days advanced purchase)	Cost Recovery	1870.00	1870.00	
Schools Improvement Service	Special Education Needs and Disabilities Senior officer/Link advisor advance purchase on discounted rates (5 days advanced purchase)	Cost Recovery	2200.00	2200.00	
Schools Improvement Service	Special Education Needs and Disabilities Consultant / Curriculum advisor standard rate per day	Cost Recovery	450.00	450.00	
Schools Improvement Service	Special Education Needs and Disabilities Consultant / Curriculum advisor standard rate per half day	Cost Recovery	225.00	225.00	
Schools Improvement Service	Special Education Needs and Disabilities Consultant / Curriculum advisor standard rate per hour	Cost Recovery	90.00	90.00	
Schools Improvement Service	Special Education Needs and Disabilities Consultant / Curriculum advisor advance purchase on discounted rates (2 days advanced purchase)	Cost Recovery	855.00	855.00	
Schools Improvement Service	Special Education Needs and Disabilities Consultant / Curriculum advisor advance purchase on discounted rates (3 days advanced purchase)	Cost Recovery	1215.00	1215.00	
Schools Improvement Service	Special Education Needs and Disabilities Consultant / Curriculum advisor advance purchase on discounted rates (4 days advanced purchase)	Cost Recovery	1530.00	1530.00	
Schools Improvement Service	Special Education Needs and Disabilities Consultant / Curriculum advisor advance purchase on discounted rates (5 days advanced purchase)	Cost Recovery	1800.00	1800.00	
Schools Improvement Service	The Learning Zone at Wembley Stadium Six week course (Including transport and goody bags)	Cost Recovery	1000.00	1000.00	
Schools Improvement Service	The Learning Zone at Wembley Stadium Single sessions	Cost Recovery	150.00	150.00	
Schools Improvement Service	The Learning Zone at Wembley Stadium Venue hire - per hour	Cost Recovery	75.00	75.00	
Schools Improvement Service	Every Child a Reader (initial training) Teachers will attend 24 1/2 day training sessions	Cost Recovery	2500.00	2500.00	
Schools Improvement Service	Every Child a Reader (continuing Contact) Six half day sessions across the year	Cost Recovery	300.00	300.00	

Service Unit	Service Provided	Charging Policy	Existing Charge (2014/15) (£)	Proposed 2015/16 Charges (£)	Note
	Gordon Brown OEC				
Gordon Brown OEC	Residential stays for Brent Schools	Cost Recovery	2740.00	2740.00	
Gordon Brown OEC	Residential stays for non Brent Schools	Cost Recovery	3098.00	3098.00	
REGENERATION & GROWTH (Housing)					
Private Housing Services	Houses in Multiple Occupation registrations	Full Commercial	Variable	Variable	
Private Housing Services	Admin charge for Work in Default	Full Commercial	30% or £75 minimum	30% or £75 minimum	
Private Housing Services	Notices	Full Commercial	300.00	300.00	
Private Housing Services	Specifications for Empty Property Grant	Full Commercial	550.00	550.00	
Private Housing Services	DFG and SWG Agency Service	Full Commercial	16.5% of cost of works or minimum of £66	16.5% of cost of works or minimum of £66	
Housing Needs	Furniture Storage and Removals	Full Commercial	£28 per container, up to a maximum of £56; Non Working Customers	£28 per container, up to a maximum of £56; Non Working Customers	
REGULATORY SERVICES					
Regulatory Services	Part B authorisation: Reduced fee activity (low risk)	Statutory	76.00	76.00	
Regulatory Services	Part B authorisation: Reduced fee activity (medium risk)	Statutory	151.00	151.00	
Regulatory Services	Part B authorisation: Reduced fee activity (high risk)	Statutory	227.00	227.00	
Regulatory Services	Part B authorisation: standard process (low risk)	Statutory	739.00	739.00	
Regulatory Services	Part B authorisation: standard process (medium risk)	Statutory	1111.00	1111.00	
Regulatory Services	Part B authorisation: standard process (high risk)	Statutory	1672.00	1672.00	
Regulatory Services	Part B authorisation: petrol (low risk)	Statutory	108.00	108.00	
Regulatory Services	Part B authorisation: petrol (medium risk)	Statutory	216.00	216.00	
Regulatory Services	Part B authorisation: petrol (high risk)	Statutory	326.00	326.00	
Regulatory Services	Part B authorisation: vehicle resprayer (low risk)	Statutory	218.00	218.00	
Regulatory Services	Part B authorisation: vehicle resprayer (medium risk)	Statutory	349.00	349.00	
Regulatory Services	Part B authorisation: vehicle resprayer (high risk)	Statutory	524.00	524.00	
Regulatory Services	Part B authorisation: 1-2 crushers (low risk)	Statutory	618.00	618.00	
Regulatory Services	Part B authorisation: 1-2 crushers (medium risk)	Statutory	989.00	989.00	
Regulatory Services	Part B authorisation: 1-2 crushers (high risk)	Statutory	1484.00	1484.00	
Regulatory Services	Part B authorisation: 3-7 crushers (low risk)	Statutory	368.00	368.00	
Regulatory Services	Part B authorisation: 3-7 crushers (medium risk)	Statutory	590.00	590.00	
Regulatory Services	Part B authorisation: 3-7 crushers (high risk)	Statutory	884.00	884.00	
Regulatory Services	Part B authorisation: Class 2/3 reduced fee (high risk)	Statutory	524.00	524.00	
Regulatory Services	Part B authorisation: Class 2/3 reduced fee (medium risk)	Statutory	349.00	349.00	
Regulatory Services	Part B authorisation: Class 2/3 reduced fee (low risk)	Statutory	218.00	218.00	
Regulatory Services	Noise Nuisance Fixed Penalty	Statutory	100.00	100.00	
Regulatory Services	Pest - survey report, no treatment	Fair charging	60.00	60.00	
Regulatory Services	Commercial (incl schools) - Starter (3 mth)	Fair charging	360.00	360.00	
Regulatory Services	Special treatments	Fair charging	1131.00	1131.00	
Regulatory Services	Special treatments - lasers (Cat A)	Fair charging	734.00	734.00	
Regulatory Services	Special treatments - massage, acupuncture, tattooing etc (cat B)	Fair charging	597.00	597.00	
Regulatory Services	Special treatments - beauty treatments, etc (Cat C)	Fair charging	357.00	357.00	
Regulatory Services	Special treatments - manicure, nose and ear piercing, etc (Cat D)	Fair charging	168.00	168.00	
Regulatory Services	Special treatments - licence variation including addition or change of therapist	Fair charging	97.00	97.00	
Regulatory Services	Dog fouling FPN	Statutory	75.00	75.00	
Regulatory Services	Return of stray dog	Cost recovery	29.00	29.00	
Regulatory Services	Return of stray dog (maximum)	Cost recovery	174.00	174.00	
Regulatory Services	LICENSING ACT 2003				
Regulatory Services	Club registration certificate or Premises licence application - band A (RV 0 - £4.3k)	Statutory	100.00	100.00	
Regulatory Services	Club registration certificate or Premises licence application - band B (RV £4.3 - 33k)	Statutory	190.00	190.00	
Regulatory Services	Club registration certificate or Premises licence application - band C (RV £33k - 87k)	Statutory	315.00	315.00	
Regulatory Services	Club registration certificate or Premises licence application - band D (RV £87k - 125k)	Statutory	450.00	450.00	
Regulatory Services	Club registration certificate or Premises licence application - band D primarily alcohol (RV £87k - 125k)	Statutory	900.00	900.00	
Regulatory Services	Club registration certificate or Premises licence application - band E (RV £125k +)	Statutory	635.00	635.00	
Regulatory Services	Club registration certificate or Premises licence application - band E primarily alcohol (RV £125k +)	Statutory	1905.00	1905.00	
Regulatory Services	Annual fee - band A (RV 0 - £4.3k)	Statutory	70.00	70.00	
Regulatory Services	Annual fee - band B (RV £4.3 - 33k)	Statutory	180.00	180.00	
Regulatory Services	Annual fee - band C (RV £33k - 87k)	Statutory	295.00	295.00	
Regulatory Services	Annual fee - band D (RV £87k - 125k)	Statutory	320.00	320.00	
Regulatory Services	Annual fee - band D primarily alcohol (RV £87k - 125k)	Statutory	640.00	640.00	
Regulatory Services	Annual fee - band E (RV £125k +)	Statutory	350.00	350.00	
Regulatory Services	Annual fee - band E primarily alcohol (RV £125k +)	Statutory	1050.00	1050.00	
Regulatory Services	Additional fees (5,000 - 9,999 persons)	Statutory	1000.00	1000.00	
Regulatory Services	Additional fees (10,000 - 14,999 persons)	Statutory	2000.00	2000.00	
Regulatory Services	Additional fees (15,000 - 19,999 persons)	Statutory	4000.00	4000.00	

Service Unit	Service Provided	Charging Policy	Existing Charge (2014/15) (£)	Proposed 2015/16 Charges (£)	Note
Regulatory Services	Additional fees (20,000 - 29,999 persons)	Statutory	8000.00	8000.00	
Regulatory Services	Additional fees (30,000 - 39,999 persons)	Statutory	16000.00	16000.00	
Regulatory Services	Additional fees (40,000 - 49,999 persons)	Statutory	24000.00	24000.00	
Regulatory Services	Additional fees (50,000 - 59,999 persons)	Statutory	32000.00	32000.00	
Regulatory Services	Additional fees (60,000 - 69,999 persons)	Statutory	40000.00	40000.00	
Regulatory Services	Additional fees (70,000 - 79,999 persons)	Statutory	48000.00	48000.00	
Regulatory Services	Additional fees (80,000 - 89,999 persons)	Statutory	56000.00	56000.00	
Regulatory Services	Additional fees (90,000 +)	Statutory	64000.00	64000.00	
Regulatory Services	Annual additional fees (5,000 - 9,999 persons)	Statutory	500.00	500.00	
Regulatory Services	Annual additional fees (10,000 - 14,999 persons)	Statutory	1000.00	1000.00	
Regulatory Services	Annual additional fees (15,000 - 19,999 persons)	Statutory	2000.00	2000.00	
Regulatory Services	Annual additional fees (20,000 - 29,999 persons)	Statutory	4000.00	4000.00	
Regulatory Services	Annual additional fees (30,000 - 39,999 persons)	Statutory	8000.00	8000.00	
Regulatory Services	Annual additional fees (40,000 - 49,999 persons)	Statutory	12000.00	12000.00	
Regulatory Services	Annual additional fees (50,000 - 59,999 persons)	Statutory	16000.00	16000.00	
Regulatory Services	Annual additional fees (60,000 - 69,999 persons)	Statutory	20000.00	20000.00	
Regulatory Services	Annual additional fees (70,000 - 79,999 persons)	Statutory	24000.00	24000.00	
Regulatory Services	Annual additional fees (80,000 - 89,999 persons)	Statutory	28000.00	28000.00	
Regulatory Services	Annual additional fees (90,000 +)	Statutory	32000.00	32000.00	
Regulatory Services	Provisional statement application	Statutory	315.00	315.00	
Regulatory Services	Transfer premises licence	Statutory	23.00	23.00	
Regulatory Services	Premises variation	Statutory	varies	varies	
Regulatory Services	DPS variation	Statutory	23.00	23.00	
Regulatory Services	Minor variation	Statutory	89.00	89.00	
Regulatory Services	Review application	Statutory	varies	varies	
Regulatory Services	Expedited review	Statutory	varies	varies	
Regulatory Services	Temporary Event Notice	Statutory	21.00	21.00	
Regulatory Services	Personal licence	Statutory	37.00	37.00	
Regulatory Services	Interim authority notice	Statutory	23.00	23.00	
Regulatory Services	Copy of premises licence	Statutory	10.50	10.50	
Regulatory Services	Copy of personal licence	Statutory	10.50	10.50	
Regulatory Services	Notification of change of name or registered address or club rules	Statutory	10.50	10.50	
Regulatory Services	Surrender application	Statutory	varies	varies	
Regulatory Services	Film classification	Cost recovery	15.00	15.00	
Regulatory Services	Approval as venue for marriages	Statutory	varies	varies	
Regulatory Services	Notification of freeholder	Statutory	21.00	21.00	
Regulatory Services	Wembley Stadium Annual Licensing Fee	Statutory	32000.00	32000.00	
	GAMBLING ACT 2005				
Regulatory Services	Premises licence	Statutory	varies	varies	
Regulatory Services	Premises licence annual Fee	Statutory	varies	varies	
Regulatory Services	Premises licence - variation	Statutory	varies	varies	
Regulatory Services	Premises licence - review	Statutory	varies	varies	
Regulatory Services	Premises licence - transfer	Statutory	varies	varies	
Regulatory Services	Premises licence - provisional statement	Statutory	varies	varies	
Regulatory Services	Notification of gaming machine permit	Statutory	50.00	50.00	
Regulatory Services	Notification of gaming machine - Copy Permit	Statutory	15.00	15.00	
Regulatory Services	Notification of gaming machine - Change of premises name	Statutory	25.00	25.00	
Regulatory Services	Licensed premises gaming machine permit	Statutory	100.00	100.00	
Regulatory Services	Licensed premises gaming machine permit- transfer	Statutory	25.00	25.00	
Regulatory Services	Licensed premises gaming machine permit- change of name	Statutory	25.00	25.00	
Regulatory Services	Licensed premises gaming machine permit- copy of permit	Statutory	15.00	15.00	
Regulatory Services	Unlicensed family entertainment permit - change of name	Statutory	25.00	25.00	
Regulatory Services	Club gaming & club machine permits - new	Statutory	200.00	200.00	
Regulatory Services	Club gaming & club machine permits - renewal of existing part 2 or existing part 3	Statutory	100.00	100.00	
Regulatory Services	Club gaming & club machine permits - holder of existing club premises certificate (under LA 2003)	Statutory	100.00	100.00	
Regulatory Services	Club gaming & club machine permits - annual fee	Statutory	50.00	50.00	
Regulatory Services	Small lotteries	Statutory	40.00	40.00	
Regulatory Services	Small lotteries Annual Fee	Statutory	20.00	20.00	
Regulatory Services	Temporary Use Notice (T.U.N.)	Statutory	500.00	500.00	
Regulatory Services	Occasional Use Notice (O.U.N.)	Statutory	0.00	0.00	
	GENERAL LICENSING				
Regulatory Services	Animal boarding	Cost recovery	227.00	227.00	
Regulatory Services	Breeding of dogs	Cost recovery	227.00	227.00	
Regulatory Services	Dangerous wild animals	Cost recovery	308.00	308.00	
Regulatory Services	Leaflet distribution (application)	Cost recovery	179.00	179.00	
Regulatory Services	Leaflet distribution	Cost recovery	77.00	77.00	
Regulatory Services	Occasional sales except educational establishments (application)	Cost recovery	175.00	175.00	
Regulatory Services	Occasional sales educational establishments (application)	Cost recovery	88.00	88.00	
Regulatory Services	Performing animals	Cost recovery	231.00	231.00	
Regulatory Services	Pet animals (pet shops)	Cost recovery	180.00	180.00	
Regulatory Services	Poisons	Cost recovery	95.00	95.00	
Regulatory Services	Poisons (alteration)	Cost recovery	40.00	40.00	

Service Unit	Service Provided	Charging Policy	Existing Charge (2014/15) (£)	Proposed 2015/16 Charges (£)	Note
Regulatory Services	Riding establishments	Cost recovery	453.00	453.00	
Regulatory Services	Sex establishments	Cost recovery	5000.00	5000.00	
Regulatory Services	Street Container licence	Cost recovery	53.00	53.00	
Regulatory Services	Street trading (new application)	Cost recovery	73.00	73.00	
Regulatory Services	Street trading (temporary application)	Cost recovery	175.00	175.00	
Regulatory Services	Street trading (alteration)	Cost recovery	49.00	49.00	
Regulatory Services	Shop front trading (monthly fee)	Cost recovery	90.00	90.00	
Regulatory Services	Explosives licence 1-250Kg (fireworks)	Statutory	105.00	105.00	
Regulatory Services	Explosives licence 251-2,000Kg (fireworks)	Statutory	83.00	83.00	
Regulatory Services	Explosives licence 1-250Kg (fireworks renewal)	Statutory	178.00	178.00	
Regulatory Services	Explosives licence 251-2,000Kg (fireworks renewal)	Statutory	52.00	52.00	
Regulatory Services	Fireworks All Year Round licence	Statutory	500.00	500.00	
Regulatory Services	Transfer or lost explosives licence	Statutory	35.00	35.00	
Regulatory Services	Occasional sales except educational establishments (per stall)	Cost recovery	10.00	10.00	
Regulatory Services	Occasional sales educational establishments (per stall)	Cost recovery	5.00	5.00	
Regulatory Services	Scrap metal licence - new	Cost recovery	600.00	600.00	
Regulatory Services	Scrap metal licence - renewal	Cost recovery	450.00	450.00	
Regulatory Services	Scrap metal licence - variation	Cost recovery	300.00	300.00	
Regulatory Services	Scrap metal licence - minor variation	Cost recovery	150.00	150.00	
Regulatory Services	Scrap metal collector licence - new	Cost recovery	350.00	350.00	
Regulatory Services	Scrap metal collector licence - renewal	Cost recovery	250.00	250.00	
Regulatory Services	Scrap metal collector licence - variation	Cost recovery	175.00	175.00	
Regulatory Services	Scrap metal collector licence - minor variation	Cost recovery	100.00	100.00	
Regulatory Services	Street trading (annual renewal)	Cost recovery	37.00	37.00	
Regulatory Services	Street trading (daily fee per square metre)	Cost recovery	3.00	3.00	
Regulatory Services	Scaffolding or hoarding damage	Cost recovery	Cost of damage + 25%	Cost of damage + 25%	
Regulatory Services	Repairs to footway carriageway caused by skips	Cost recovery	Cost + 25%	Cost + 25%	
Regulatory Services	Builders material damage	Cost recovery	Cost + 25%	Cost + 25%	
	MARRIAGE ACT- Based on seated capacity				
Regulatory Services	Marriage Licence - Up to 50	Statutory	600.00	600.00	
Regulatory Services	Marriage Licence - 51-100	Statutory	700.00	700.00	
Regulatory Services	Marriage Licence - 101-200	Statutory	800.00	800.00	
Regulatory Services	Marriage Licence - 201-300	Statutory	900.00	900.00	
Regulatory Services	Marriage Licence - 301- 400	Statutory	1000.00	1000.00	
Regulatory Services	Marriage Licence - 401 - 500	Statutory	1100.00	1100.00	
Regulatory Services	Marriage Licence - 501 and above	Statutory	1500.00	1500.00	
Regulatory Services	Marriage licence variation	Statutory	90.00	90.00	
	Trading Standards				
Regulatory Services	Officers working Stadium Events	Fair Charging	35.00	35.00	
	PUBLIC SAFETY				
Regulatory Services	Stadium Safety Certification (Special)	Cost recovery	3000.00	3000.00	

 <p>Brent</p>	<p>Cabinet 1 June 2015</p> <p>Report from the Chief Operating Officer</p>
<p>Wards Affected: [ALL]</p>	
<p>Joint ICT work with London Borough of Lewisham</p>	

1.0 Summary

- 1.1 This report sets out proposals for working with the London Borough of Lewisham to establish a shared service for ICT by April 2016.
- 1.2 The report sets out details around sharing ICT hardware and establishing reciprocal Disaster Recovery (“DR”) facilities, delivering ICT services to London Borough of Lewisham to refresh their infrastructure, and transition arrangements leading towards the establishment of the joint ICT service.

2.0 Recommendations

- 2.1 That Cabinet approves working with London Borough of Lewisham to establish a joint ICT service by April 2016.
- 2.2 That Cabinet notes that London Borough of Lewisham is seeking approval from their Cabinet in June 2015 for the same.
- 2.3 That Cabinet notes that officers will be working on defining the governance model for the proposed shared service and will be presenting their proposals to Cabinet in September 2015.
- 2.4 That Cabinet approves the reciprocal arrangements to host disaster recovery facilities for London Borough of Lewisham at Brent Civic Centre, while they host Brent’s second datacentre currently located at Brent House.

2.5 That Cabinet approves the proposal to deliver ICT services to London Borough of Lewisham to refresh their infrastructure, bringing them in line with Brent.

3.0 Detail

3.1 The majority of Brent ICT systems, including all its desktop environment, core applications and telephony infrastructure, operate from two datacentres located in the Brent Civic Centre and Brent House. The two centres provide resilience for all Brent ICT services.

3.2 With the forthcoming disposal of Brent House, Brent needs to identify a new location for its second datacentre to maintain resilience for its IT systems. The options appraisal that was performed in 2014 for our datacentres concluded that the most cost-effective solution for a DR facility would be a reciprocal arrangement with another authority, where each authority provides space in their datacentre for the other authority.

3.3 Lewisham do not currently have any disaster recovery (DR) facility and have agreed to such a reciprocal arrangement where Brent host their DR equipment in the Civic Centre and they host Brent's in their location. Lewisham do not actually have their own datacentre location, but rent space at a commercial datacentre provided by Logicalis and located in Slough; Lewisham will be funding the space required for Brent equipment in that location and both authorities will share equally the cost of the data links between Slough and Brent.

3.4 Brent awarded a contract for the procurement of new datacentre equipment in April 2015. The procurement was a joint exercise with Lewisham, to ensure both councils have the same equipment, simplifying the implementation of reciprocal disaster recovery but also enabling the authorities to establish a more efficient joint ICT service if there is a decision to do so.

3.5 Lewisham have their ICT currently managed by Capita, under a contract that ends in April 2016 (unless extended). The contract is for the provision of support for their ICT infrastructure, with the option to provide project services at additional cost. Lewisham's ICT infrastructure is in a state of disrepair due to prolonged lack of investment and they are facing the need of significant expenditure to correct this.

3.6 Lewisham have looked at the work that Brent have done with their ICT infrastructure and, having visited a number of authorities across London, have recognised that Brent own a flexible, reliable and effective ICT environment that provides good value for money. They asked Brent to provide the cost of running two projects for them that essentially will give Lewisham staff a similar ICT environment. One project is to replace their datacentre equipment that is old and out of capacity; a second is to implement the same desktop solution used at Brent, to replace their current XP desktops. This is a requirement for

them to be compliant with security requirements and retain their connectivity to the Public Services Network (PSN).

- 3.7 Brent have provided detailed costs for this work to Lewisham, including estimates for the cost of all hardware and software required, as well as the cost of backfilling for Brent ICT staff working on the project. Having looked at the costs, Lewisham have expressed an interest to proceed with this work.
- 3.8 Brent Digital Services have to achieve a savings target of £1.62m in 2016/17. Although officers have identified potential areas to achieve approximately £600k towards this target, these savings would come at the cost of reduced service provision. To achieve the overall level of saving required while maintaining a high quality service, Brent needs to make a more radical change in what it does.
- 3.9 Although taking on the support of additional users and office locations does increase the staffing requirement, it is well documented in the IT industry that the relationship of the two is not linear; in many areas of IT support significant economies of scale can be achieved. Additionally many non-staff ICT resources can be shared between authorities. Brent IT Officers have worked with colleagues in Finance on costing possible models for supporting two authorities broadly the size of Brent in terms of IT users and this work concluded that in a scenario where the two authorities share all resources that can be shared and where the budgets are similar, both should expect to save significantly – figures of 20% or above were seen as realistic. The experience of similar ICT partnerships in London agrees with those estimates.
- 3.10 Brent officers therefore believe that establishing a joint ICT service with another local authority will bring Brent IT closer to achieving their saving target while at the same time maintaining a quality service. Potentially, access to a greater shared pool of IT resources could improve the service while helping achieve the required savings.
- 3.11 Lewisham are under similar financial pressure to Brent and looking at the options they have at the end of their current contract, they decided that the best way forward is going to an ICT shared service with Brent. Since they are looking at Brent delivering the projects to replace their server and desktop infrastructure, they would like Brent, as part of their exit arrangements in their contract with Capita, to gradually start taking over support of their systems as Brent implement the new infrastructure, with the target of establishing the ICT shared service by April 2016 when their contract with Capita ends.
- 3.12 It should be noted that the link between Brent delivering the project work to Lewisham and setting up an ICT shared service is not mandatory. Brent are proposing to do the project work for two reasons: a) because Brent will benefit by implementing as part of this work a reciprocal DR arrangement, which has previously been identified as the most cost effective solution to Brent's DR requirements, and b) because Brent sees the project work as an investment

towards establishing the shared service, and therefore help achieve Brent's IT saving target. However Brent have agreed in principle with Lewisham that were the shared service not to materialise, Brent would charge Lewisham for all the services delivered as part of the project work at a commercial rate as opposed to Lewisham paying for the actual cost of backfilling for Brent staff. This additional charge has been estimated at £426k.

- 3.13 Officers have performed an options appraisal, attached to this report, looking at the configuration of the ICT service and governance options. This consists of a comparative evaluation of all the options, listing advantages and disadvantages of each option and drawing where possible from the experience of existing ICT partnerships. Officers from both Brent and Lewisham will be seeking advice from each authority's respective legal department towards further developing the detailed model, to be presented in the report to Cabinet in September 2015 seeking approval to establish the shared service.
- 3.14 The model chosen will need to allow us to further extend the partnership to other areas, increase the scope of services shared with Lewisham or look to include other authorities; potentially allowing us to provide services to other organisations. Again there are examples of this with the partnerships mentioned earlier: Newham and Havering host systems for the Isles of Scilly, while Kingston & Sutton are looking to sell services to health. It is important to emphasise that establishing a shared service with another authority does not preclude Brent, or rather the shared service, from further partnerships with other organisations or indeed selling ICT services to other organisations. In fact this is seen as the way forward to maintain and further develop the ICT service.
- 3.15 It is acknowledged that the project work that Brent will be taking on to replace Lewisham's infrastructure is quite significant. Brent IT estimates show that for the two projects Brent will be using a total of 8 technical staff to deliver approximately 840 engineer-days over a period of 8.5 months. Brent needs to ensure that this work will not affect the ICT service provided to Brent. Brent will be using its own staff to perform a significant part of this project work, as they already have the experience of running identical projects in the preparation for the move to the Civic Centre, Lewisham will however be paying for temporary staff to backfill all these positions, as well as funding a dedicated full time project manager for the duration of the project. Brent, in the estimates that were provided to Lewisham, have allowed for day rates that give comfort that we can recruit competent engineers to backfill these positions.

4.0 Financial Implications

- 4.1 All project work, including the procurement of IT hardware and software and recruiting interim staff to backfill any Brent staff working on the project, will be

funded in full by Lewisham, with the exception of the work relating to Brent – for example the move of Brent’s Datacentre out of Brent House and the replacement of Brent hardware that is coming out of service.

- 4.2 Detailed work on the financial implications of the shared service will need to be undertaken when officers have fully defined the operating model and have understood all aspects, including the exact scope of the shared ICT service, TUPE and other setup costs etc. It is envisaged however that the establishment of the shared service should help Brent IT achieve a significant saving in its ICT revenue budget.

5.0 Legal Implications

- 5.1 This report proposes Brent entering into reciprocal arrangements with Lewisham in relation to the hosting of Disaster Recovery (“DR”) facilities. Should Members be minded to approve the recommendation, Brent will need to enter into an agreement with Lewisham setting out both parties’ respective duties and liabilities in relation the hosted DR facilities service and the reimbursement of costs arising from this hosting.
- 5.2 The recommendation in this report for Brent to provide ICT services to Lewisham to refresh their infrastructure is permissible under the Local Authorities (Goods and Services) Act 1970 (“the 1970 Act”). The 1970 Act provides that local authorities may enter into contracts to provide goods and services to public bodies (defined as such under the 1970 Act). The general power of competence in the Localism Act 2011 may also authorise the provision of goods, works and services by the Council.
- 5.3 Officers are proposing to undertake ICT infrastructure project work for Lewisham, with an estimated value of £430,000. In view of the value of this proposed arrangement, Cabinet approval is required before Officers enter into any arrangement in accordance with Contract Standing Order 87. Brent will need to enter into an agreement with Lewisham setting out both parties’ respective duties and liabilities in relation to the proposed provision of ICT Infrastructure services.
- 5.4 With regard to the proposal to establish a joint shared ICT service with Lewisham and the form that service will take, as detailed in Recommendations 2.1 and 2.3, there are a number of models of shared service and Officers are considering which model is best suited to Brent and Lewisham based on the ‘Options Appraisal for ICT Delivery’ paper. Whichever governance model is selected, Brent and Lewisham will need to agree a robust Inter Authority Agreement setting out how the shared service will work, to include:
- A requirement to agree budgets for the shared service within appropriate timescales prior to the commencement of any budget year;

- The duration of the agreement (with provision allowing for extension if the parties agree);
- Details of any set up costs for the shared service, including how any redundancy costs will be treated;
- Details of staff arrangements including provision regarding possible TUPE of staff to Brent with indemnities in relation to pensions liabilities should staff chose to join Brent's pension scheme (where applicable);
- Details of the financial agreement between the boroughs, including baselines for income and expenditure;
- Details regarding the use of Brent and Lewisham's premises;
- Details of how income (if any) from the shared service will be apportioned between Brent and Lewisham;
- Full details of governance arrangements to include details regarding monitoring meetings; and
- Provisions regarding termination including details of sharing financial liabilities.
- Provision regarding future infrastructure investment and potential contingency fund

5.5 Once a preferred service and governance model has been determined as detailed in Recommendation 2.3, Officers will report back to Cabinet with their proposal for approval in the Autumn of 2015.

5.6 It will be for Lewisham to comply with its own constitutional requirements in relation to the various recommendations contained in this report and as detailed in Recommendation 2.2, officers in Lewisham are seeking their Cabinet approval to the proposals.

6.0 Diversity Implications

6.1 An equalities impact assessment will need to be undertaken as part of the restructure exercise leading to the shared service, when officers know more about the implications to ICT staff in both authorities. It is anticipated however that the joint working is likely to safeguard jobs of ICT staff at Brent to some extent, achieving the savings required through the sharing of resources with Lewisham as opposed to having to delete posts. It is also expected that the shared service will provide a larger pool of technical resources to both authorities, improving ICT provision to staff and therefore enabling them to deliver a better service to Brent and Lewisham residents.

7.0 Staffing/Accommodation Implications

7.1 It is difficult to quantify the full staffing implications of establishing the ICT shared service until officers have an agreed model, organisational structure, new job descriptions and better understanding of TUPE requirements. All this will need to be developed as part of the ongoing work already started between the two authorities.

7.2 In terms of accommodation implications, it is anticipated that the majority of staff in the shared service will be coming from Brent and will continue to be based at the Civic Centre. Some staff will need to travel between the two locations, and officers will have to maintain a small local presence at Lewisham that may be made up of staff permanently located there or from a rota of staff moving between the two authorities.

8.0 Background Papers

8.1 Options Appraisal for ICT Delivery

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Options Appraisal for ICT delivery

London Borough of Brent currently have an in-house ICT service. The service is considered by staff and colleagues from peer organisations to be of good quality and low cost, offering value for money. As part of the council's overall savings targets, the ICT service has to achieve a saving of £1.62m from a total budget of £5.7m by the 16/17 financial year. Officers have been looking at areas for potential savings, however have not been able to identify anything more than approximately half of that target, and that at the cost of offering some level of reduced services.

Since Brent have recently invested significantly in their ICT infrastructure, there is the potential for return on that investment by either sharing some of the benefits with another organisation and/or sell IT services. This is considered essential not only to achieve the current savings targets, but also to maintain a viable ICT service, necessary to deliver the authority's digital agenda and support transformation.

London Borough of Lewisham have an outsourced contract with Capita for the maintenance of their ICT infrastructure, while most of their application support is done in-house. The Capita contract ends on the 31st March 2016 and Lewisham are exploring their options going forward.

Officers have been in discussions with the London Borough of Lewisham regarding the potential to work together to setup a shared ICT service. This is time critical to both authorities: for Brent, it is a key decision to determine how they are going to meet their savings targets by 16/17, while Lewisham have an urgent need to refresh their infrastructure which is in a critical state due to lack of investment. For both of these factors to be addressed, Brent and Lewisham need a decision as a matter of urgency, since if they are going to establish the shared service they would need to start work on transition arrangements by June 2015; on the other hand if they were to procure a new contract they would need to start the procurement process at the latest within the same timescale.

The proposed joint working between Brent and Lewisham presented itself as an ideal opportunity for the two authorities: officers had a good understanding of the Lewisham environment; Lewisham was looking for a partner to resolve their infrastructure issues and provide a stable ICT environment, while Brent had the infrastructure necessary and was looking for the opportunity to share it and achieve return on its investment; Brent were looking for a partner to share disaster recovery while Lewisham did not have a disaster recovery facility. Lewisham needed to replace their complete infrastructure, an opportunity to have an identical IT environment between the two councils at no additional cost to either council. The distance between the two councils is manageable, something that was identified by established shared services as a potential issue. Significantly the contract end date for the Capita contract at Lewisham was a good fit to our need to vacate Brent House.

Establishing a shared service with Lewisham would not preclude Brent from working with other partners going forward, in fact it would help Brent Digital Services become stronger and enhance their reputation, supporting the pursuit of further opportunities in the future. Having said that, officers have also looked at neighbouring councils and identified that at least within the West London Alliance there currently are no other opportunities for a shared service.

The key area that needs to be in scope for the shared service at least in the first instance is infrastructure support. Application support is yet to be reviewed; however both authorities have stable in-house support arrangements for applications, and therefore although this can still be consolidated this could potentially follow as a second phase of joint working.

As part of the work to define the way forward Brent and Lewisham have completed this options appraisal examining all the potential options to deliver the ICT service to their authorities:

- Do Nothing (option for Brent – for Lewisham equivalent would be to bring the service back in-house).
- Setting up a separate company jointly owned by the two councils and move IT staff from both authorities to the company.
- Establish a shared ICT service under a single management structure, and managed by a joint committee of members and officers from both authorities. All staff are employed by their original employer.
- Outsource the ICT service, individually or jointly, on a single contract covering all aspects of the ICT service.
- Outsource the ICT service using the Towers Model, awarding contracts to different suppliers for different elements of the service.
- Extend the current contract with Capita (option only for Lewisham).
- Individually or both authorities join another established ICT service.
- Form a Public-Private Partnership (PPP) with a private sector company.

As part of this options appraisal officers have scored the different options based on the following factors and weightings:

- Lower cost: the potential to lower the existing cost of the ICT service to the council whilst maintaining an acceptable quality of service (Weighting: 5)
- Timescale to establish: how quickly we can implement the option, as there is a sense of urgency for both councils (Weighting: 5)
- Ability to follow a phased approach: can the specific model enable us to phase the transition of different elements of the service (Weighting: 4)
- Ease of gaining external work: this is a key element of the model to allow us to raise income in order to address budget constraints going forward (Weighting: 4)
- Ability to make future savings: how much control do we have of the overall cost of the service, to allow us to meet any future savings targets (Weighting: 4)
- Pension fund issues: the level of potential costs relating to pensions that result from establishing the new model (Weighting: 3)
- Governance effectiveness: how complicated/costly/effective are the governance arrangements of the model? (Weighting: 3)
- Ease of implementing organisational change: how are staff affected, what is the impact to staff and expected level of concern the model may raise with employees in both authorities? (Weighting: 3)
- Flexibility in service delivery: level of ability that the model provides to vary the service (Weighting: 2)
- Flexibility to evolve model: does the model allow us to vary it or even retrospectively move to one of the other models discussed (Weighting: 2)
- Resilience: how likely is the model to cope with the demands of the service over the period of the agreement (Weighting: 2)
- Potential for cultural change: what is the model's potential to support cultural change amongst ICT staff (Weighting: 1)
- Local employment opportunities: how much control does the provide to determine the location of ICT staff (Weighting: 1)

We have not scored the “do nothing” option for Brent, as it simply does not address in any way the fundamental requirement to achieve a significant saving from the ICT budget.

All factors were given a score per model of 2 for fully met, 1 for partially met and 0 for not met. The scores can be found in the following table with explanations following in this document:

	Weight	Company	Joint Committee	Outsource (Single Contract)	Outsource (Towers Model)	Extend Outsourced Contract (Lewisham)	Join another Shared Service	PPP
Lower Cost	5	10	10	5	5	5	10	5
Timescale to establish	5	5	10	5	0	10	5	5
Able to follow phased approach	4	8	8	4	8	0	8	4
Ease of gaining external work	4	8	4	0	0	0	4	4
Ability to make future savings	4	8	8	4	4	4	4	4
Pension Fund issues	3	0	6	0	0	6	0	6
Governance Effectiveness	3	6	3	3	0	3	3	3
Ease of implementing organisational change	3	3	6	3	3	3	3	3
Flexibility in service delivery	2	4	4	0	2	0	2	2
Flexibility to evolve model	2	0	4	0	2	0	2	2
Resilience	2	4	4	4	4	4	4	4
Potential for cultural change	1	2	1	2	2	0	2	1
Local employment opportunities	1	2	2	1	1	1	1	2
		60	70	31	31	36	48	45

Lower Cost

Evidence from SOCITM benchmarking in London appears to support the argument that outsourced ICT services are in most cases more expensive than their in-house counterparts. Brent have been in the bottom 3 boroughs across London in terms of overall ICT expenditure for approximately 10 years with the exception of the year of the move to the Civic Centre, as this included a significant level of capital investment. We have asked SOCITM for any data they can provide from their wider range of benchmarking they collect from both inside and outside London. For a sample of 70 Local Authorities ICT departments they had recent data on, of which 7 were outsourced and 8 were shared services, they reported that the shared services were consistently the lowest cost services (their calculations were based not on absolute ICT budget but rather on percentage of total budget spent on ICT).

Work previously done by Brent finance officers showed an expected saving from establishing a shared service in excess of 20% on the already low ICT budget. The experience of other ICT partnerships in London agrees with the assertion that a shared service should be able to deliver a minimum 20% saving in the budget of both partners.

This level of saving is anticipated for Lewisham when looking at their contract with Capita; achieving a similar saving through an extension or a new outsourced contract would appear unlikely given that they already have to spend significantly outside their contract to maintain a service, as well as the fact that similar outsourced contracts elsewhere tend to be of higher value.

Finally, looking at a number of examples of project work for which Capita have more recently provided quotes, and having costed the delivery of the same projects through an in-house service, we can see the external quotes can be well in excess of 100% higher.

On this basis we have given the maximum score to all the fully public-sector based options, showing limited potential to reduce costs with the outsourced options.

Timescale to establish

Establishing a shared service managed by Joint Committee is likely to be the quickest model to implement for both councils as it does not involve any significant changes to staff terms and conditions or any lengthy procurement process. Outsourcing following a towers model would probably take the longest due to the complexity of having to procure several contracts. For Lewisham alone, extending the current contract would be again the quickest model.

Therefore we have given the maximum score to the Joint Committee model and the contract extension, and the minimum score to the Towers Model, with all the other options scoring equally in the middle.

Able to follow a phased approach

It is not possible to phase the extension of the contract for Lewisham, and it would be challenging to phase the outsourcing of the ICT service into a new single ICT contract. All other options allow a phased transition.

Ease of gaining external work

By far the most straightforward model for selling services to other organisations would be by setting up a company jointly owned by the two councils. It has been demonstrated by other ICT partnerships in London that is not however a prerequisite for selling services. We have seen examples from both OneSource, the Newham and Havering partnership, as well as the Kingston and Sutton ICT Shared Service, where they sell ICT services to other organisations without having formed a company. For obvious reasons, the outsourced models do not really support this, with the PPP option having limited scope through having a shared reward model.

Ability to make future savings

Having a jointly owned company or a shared service formed by the two councils are both models that offer the maximum potential for meeting future demands for savings. The outsourced models would be heavily dependent on negotiation with the vendor(s), while the option to join another shared service would mean a larger number of stakeholders that would need to agree how to achieve the savings.

Pension fund issues

All options apart from the Joint Committee model or the contract extension for Lewisham involve TUPE of ICT staff. We do not at the moment have any estimates for the total cost of the exercise, however it is anticipated that the cost could be significant. It should be noted however that for Lewisham the Joint Committee option also has TUPE implications, in this case though for staff coming back to the council from Capita.

Governance effectiveness

The Company model appears to offer the simplest and most effective governance model, the joint committee or joining an existing shared service adding some complexity. Outsourced models are simple but at the cost of having to maintain a client function; on that basis we are giving the lowest score to the Tower Model, where a number of contracts need to be managed, potentially leading to a larger – and therefore even costlier – client team.

Ease of implementing organisational change

The Joint Committee model allows all staff to remain on their existing terms and conditions, so it is considered to be the easiest model to implement. The process of establishing the shared service will obviously lead to a restructure, new job descriptions and changes in reporting lines, however with this model we are not adding the complexity of TUPE and potential changes to staff current and/or future terms & conditions – for example staff may move to a private sector partner under their current terms, however a future promotion or change to their role would lose them that protection.

Flexibility in service delivery

Having a partnership either setup as a company or managed by committee would give Brent and Lewisham the maximum level of control around service delivery. Outsourced models tend to be more rigid, driven by what is written in the contract for the full period of the agreement. The Towers Model potentially allows a level of control by the fact that it is a collection of smaller contracts that could be terminated/re-let independently, while the option of joining an existing shared service does allow some flexibility, however with more partners needed to agree on changes.

Flexibility to evolve model

The joint committee model allows the partners to freely vary the model as long as they can agree on the changes. Any other model would either not be possible to change or at least not without incurring significant costs.

Resilience

All models are considered as equally resilient.

Potential for cultural change

By definition any model that transfers staff to a different organisation maximises the potential for cultural change. The potential is limited with the joint committee and PPP models, while the option for Lewisham to extend their contract is a no-change option.

Local employment opportunities


Lower score has been given to the outsourced options as they are considered to offer lower levels of support for local employment opportunities.

Recommendation

The recommendation based on the above appraisal is to set up a joint ICT service for Brent and Lewisham, managed by a Joint Committee. This option has attracted the highest score and is also the option that seems to be favoured by other partnerships in place.

This is a low-cost easy to implement model, allowing the partners flexibility, the potential for additional savings and/or raising income through external work in the future. Therefore it is recommended that the legal departments of Brent and Lewisham jointly start work on an agreement

for the two boroughs, allowing for transition arrangements to commence by May 2015 and aiming for the shared service to be fully in place by April 2016.

 Brent	<p style="text-align: center;">Cabinet 1 June 2015</p> <p style="text-align: center;">Report from Strategic Director, Children and Young People</p>
Wards affected: ALL	
Youth Services in Brent – A New Delivery Model	

Addendum to Appendix 3 is not for publication

1.0 Summary

- 1.1 This report outlines a proposed new delivery model for Youth Services in Brent based on a community-led approach that is developed and delivered in partnership with the community, voluntary and social enterprise sector (VCSE) and other stakeholders.
- 1.2 The model outlined builds on the outcomes of a recent options appraisal that was commissioned and funded by the Cabinet Office as part of its Delivering Differently for Young People Programme (DDYP). It also takes into account budget decisions on the Council's Youth Services which take effect from 2016/17.
- 1.3 The report draws out the implications of the change and sets out a number of considerations that will need to be taken into account in deciding to develop this sort of model. An outline plan for future work and related timelines are set out for consideration.

2.0 Recommendations

That Cabinet:

- 2.1 Note the financial context for the Council's Youth Services and the issues and opportunities related to the future delivery of youth services.
- 2.2 Approve officers carrying out further consultation with staff, stakeholders and young people on the proposal for a new, independent Young Brent Foundation and on potential changes to the Council's current Youth Service provision, in line with the broad model set out in section four of this report.

- 2.3 Note that the revised service model set out for the Council's service (see paragraphs 4.11 – 4.15) does not include continuation of direct delivery of youth centre provision, with new partnership arrangements required to sustain delivery.
- 2.4 Instruct officers to ensure active involvement of young people and a wide range of partners in the further development of the new service model.
- 2.5 Note that the further work to develop and implement the new service model for youth services will be undertaken as part of the One Council Programme.

3.0 Background – Financial and Operational Context for Brent Youth Services

- 3.1 The Council's Youth Service, which is based in the Youth Support Service¹ within the Children and Young People's Department, has a significant role in helping the Council to meet its aspirations for young people. Targeted at young people aged 13 – 19, the service is currently predominantly focussed on young people living in areas of highest need and on specific groups of young people who may need extra support to thrive. Current provisions support a number of broader Council strategies linked to health, employment, community safety, safeguarding and volunteering and play a role in tackling a number of high profile issues, including gang and serious youth violence, child sexual exploitation and violent extremism.
- 3.2 The current Youth Service offer covers a number of different strands, including:
- Cultural, sports and other diversionary and support activities at four youth centres;
 - Outreach and detached youth working in areas where young people are most at risk from gangs and serious youth violence;
 - Support packages for young people who have offended;
 - Diversionary holiday programmes;
 - Management of the Duke of Edinburgh Award Scheme, Eton Project and Youth Parliament; and,
 - Other specialist support, including the Right Track Programme to support pupils temporarily excluded from school and projects to support lesbian, gay, bisexual and transgendered young people and young people with learning difficulties.

Details of the specific youth service provisions run by the service, including their cost, attendance levels, and levels of accredited outcomes, are set out in **Appendix One**. The service currently employs 41 members of staff (24.04 full-time equivalents²).

- 3.3 The Youth Service can provide some strong examples of high quality work with young people and is highly valued by many of the young people who use it. It has however 'evolved' over time rather than forming a coherent whole, and does not complement the services offered by other agencies, especially the voluntary sector. Moreover, the council is unable to sustain the service at its current level due to budget constraints. This situation is replicated to varying degrees across the country, where spending on youth services has tended to be a target for budget reductions, with some local authorities ceasing provision entirely. Figures provided by the

¹ The Youth Support Service also includes the Connexions Service and the Youth Offending Service.

² 3.62 FTE Youth Services posts are currently vacant, with service 28.96 FTE posts in total within the service.

Department of Education show that expenditure on youth services³ in England fell from £1.2 billion to £791 million between 2010/11 and 2012/13 – a reduction of 36 per cent. Within Brent, expenditure on Youth Services has also reduced year on year. On current plans, the Council's budget for Youth Services is as follows going forward:

TABLE ONE: YOUTH SERVICES – NET EXPENDITURE

YEAR	2014/15	2015/16	2016/17
Youth Services Net Expenditure (£)	1,414,394	1,314,394	414,394
Year on year savings (£)		100,000	900,000

3.4 This scale of financial reduction (71 per cent) requires a new model to support delivery of youth services with considerably less Council investment.

3.5 As detailed in the Budget and Council Tax Report presented to the Council on 2nd March 2015, the Council wishes to respond to the financial challenges for its youth services by developing a new service model and favours:

“.....the development of a new means of service provision in partnership with the voluntary sector and other groups.... This will in time lead to a lower cost model with less Council control but with significant services still commissioned”.

4.0 A New Delivery Model for Youth Service in Brent

Options appraisal - conclusions

4.1 To support development of a new youth service model, the Council was one of eleven local authorities nationally which was selected, following a bidding round, to participate in the Cabinet Office's Delivering Differently for Young People Programme. Geldards LLP (a legal firm with a consultancy arm) were subsequently appointed and funded directly by the Cabinet Office in November 2014 to carry out an options appraisal for Brent's Youth Service with a focus on the following options:

- No service
- Reduced service offer – in-house service or commissioned service
- Staff mutual
- Independent commissioning and delivery organisation, in partnership with the voluntary and community sector and other partners

4.2 A brief summary of the consultants' assessment of different models is set out in **Appendix Two**, with the full report attached at **Appendix Three**.

4.3 The overall conclusion from the review was that the development of a community led commissioning organisation for youth services would represent the best option for the future service in so far as it could:

(a) help to protect and extend services for young people in the longer-term through better access to additional funding opportunities not available to the Council;

³ The national spending figures also include other elements of funding for young people, such as, teenage pregnancy services and drug and alcohol support programmes.

(b) be well-placed to work more closely with the voluntary, community and social enterprise (VCSE) sector and other local partners to build the capacity of local providers, support more joint commissioning of services and provide a 'voice' to champion local youth services.

A proposed New Model for Youth Services in Brent

4.4 While some valuable insights and ideas were generated through the options appraisal, it has not in itself generated a fully operable future model of delivery. Further work has therefore been undertaken to develop a model of delivery which can work within the proposed financial envelope but remain predicated on the principles and aspirations which informed the options appraisal exercise, in particular:

- **Young people's needs and preferences** must be at the heart of any new service model. They must be part of the leadership of any new organisation and be able to influence the way it works.
- The new model should aim to inspire a renewed focus on services and support which can promote the physical, social and emotional well-being of young people and encourage the development of **more innovative approaches**; it should help to position the Council and its partners as champions of young people's interests.
- Any new model should seek to strengthen working relationships with the community and voluntary sector and help **to build the capacity and capability of local youth service providers**. It should work closely with Brent CVS to prevent duplication and promote joined up approaches. With over 300 local providers of youth services in Brent, there is a very real opportunity to share resources, skills and learning more effectively.
- It should offer capacity to **draw in additional funding** via grants and sponsorship, helping to fill gaps in local youth service provision and meet the needs of both Brent's growing population of young people and the significant minority of Brent's young people who need extra support to transition successfully to adulthood.
- Brent NHS, the Police, Public Health, the Council and local housing providers all play a role in commissioning services for young people. As such, the new approach needs to actively support the development of a **joint commissioning strategy** for young people's services to identify future priorities for service development, encourage joint initiatives, and promote added value.
- The new model will need to be connected to key local partnerships – including to Safer Brent, the Health & Well-Being Board, Local Safeguarding Children's Board and the Children's Trust; to national and London wide youth bodies; and to a wide range of potential funding providers. **Effective networking and links** will help to ensure good practice, exploit opportunities for future funding, promote regional collaboration, and help to put Brent's work on youth services on the map.
- There will need to be effective integration between the approach to youth services and those services which play a role in tackling the range of challenges which can pose risk to a significant minority of young people, **including poor health, substance misuse, gang activity, low educational attainment and violent extremism**. Most obviously, this includes the Working with Families initiative, Alternative Education Service, local schools, the Youth Offending Service and local health services.

Young Brent Foundation

- 4.5 To meet these objectives, a community-led ‘Young Brent Foundation’ (YBF) developed as a standalone organisation is considered the best way forward, with the new organisation expected to play five key roles in relation to youth service commissioning and delivery:
- **Leadership** – to take a strategic lead for youth provision in the borough across all sectors, capturing the vision of what young people in Brent need, establishing a model of governance that involves the local authority, the voluntary sector and young people.
 - **Enterprise** – to maximise access to funding for youth services through collaborative bids, fund-raising and sponsorship.
 - **Capacity building** – to build the capacity and capability of Brent’s VCSE youth providers through networks, training and other support, working in partnership with Brent CVS to avoid duplication.
 - **Championing** – to promote the youth agenda across the borough and celebrate the success and contribution of young people.
 - **Delivery** – to actively commission new youth service provision to meet identified and emerging priorities in line with a needs assessment and a strategic commissioning strategy. What the new service offer might initially consist of is spelt out in more detail in paragraphs 4.11 to 4.15 below, although with an increased focus on bidding for alternative funds, it is expected that more new projects and initiatives for young people will also develop over time.
- 4.6 While detailed constitutional arrangements need to be developed further, it is proposed that YBF would be constituted as either a company limited by guarantee with charitable status, or as a charitable incorporated organisation, giving increased access to external funding opportunities and other financial benefits⁴. Overall staffing and related running costs are estimated at between £180-200k per annum, broken down as follows:

TABLE 2: YOUNG BRENT FOUNDATION – ESTIMATED FULL YEAR COSTS

Staffing and running costs	£000
Small core staffing structure – CEO, funding and commissioning lead, plus some office management support	100
Board related costs	4
Insurances	5
Annual accounts/auditing /regulation	5
Legal/HR/IT/Finance/Telephony/Payroll	25
Marketing & branding	10
Other office costs, including training and supplies	3
Operational contingency*	25
TOTAL	177

*Three months running costs is standard sum for independent organisation

⁴ There are considerable tax benefits to a charity, such as no tax on profits as long as they are derived from the primary purpose of the organisation and an exemption from stamp duty land tax on property acquisitions. Charities can also get up to 100 per cent tax relief for business premises that they occupy for charitable purposes.

- 4.7 In addition to Council core funding, the John Lyons Trust has indicated that it would welcome an application for a three-year grant for up to £100k per annum to support core funding costs, subject to a successful application by mid-September 2015. There would also be potential to secure additional funding from a wide range of providers to support new service development once the organisation was established. Accommodation costs for the new body could be minimised by co-location with Brent CVS, local housing association premises or within the Roundwood Centre, though this would be subject to further investigation.
- 4.8 If Cabinet was minded to support this approach following consideration of the results of consultation, there will be a requirement to formally establish the new body– either by incorporating a company limited by guarantee with Companies House and /or making an application to the Charity Commission. If it is agreed to use a company limited by guarantee, there will be a separate process to secure charitable status for the company through the Charity Commission. Directors/Trustees will also need to be appointed to the Board to steer the new body. This could be done through a transparent appointments process.
- 4.9 To ensure that the organisation was ready to deliver its new remit by April 2016, it would be important to establish the new organisation by October 2015 at the latest. This would allow sufficient time to develop operating policies and procedures (including financial management arrangements), to draw up a clear branding and marketing strategy for the new organisation, and to ensure that the organisation can assume any commissioning or contract management responsibilities that may evolve through the development of the other elements of the Council's new youth service offer.

Future options for current services

- 4.10 Within the future budget envelope, it will not be possible to continue to directly deliver the existing range of Council youth services. Should Cabinet agree to further develop and consult upon the development of the new Young Brent Foundation (YBF), there must also be a focus on maximising the impact of the remaining resources available within the Youth Services budget in 2016/17, initially estimated to be in the region of £300k. This funding needs to be used in a way that can lead to additional resources being generated in the borough through the voluntary sector and external funding. In the short-term, there may also be some opportunities to lever in additional resources to support projects for young people that could support public health, housing or criminal justice priorities.
- 4.11 Having reviewed the current range of Youth Service provisions within the service - and looked at approaches to service delivery adopted in other authorities - officers have identified a number of elements which could be included and funded within a new youth service offer totalling about £300k per annum. This will require further discussion and development with stakeholders and young people. Any new offer will also need to be subject to a programme of formal consultation, both to ensure that it meets the needs and aspirations of young people and satisfies legal requirements to involve young people in changes to services and service design. However, as a basis for initial consultation, the service offer could potentially include the following elements:
- *The development of the Roundwood myplace Centre as a dedicated youth centre by passing its running and management over to another organisation – possibly the Young Brent Foundation or other third sector youth provider - through a community asset transfer arrangement. This could have a number of potential benefits, including better value for money through lower overhead costs, greater use of volunteers and an increased ability to apply for social investment (capital)*

funds. It could also help to maximise community buy-in and support the Council's wider objective of empowering local communities. While running and building maintenance costs (and related financial risks) could still pose a potential barrier to this option, the Council could consider offsetting running costs through either a grant or a financial subsidy relating to a social value assessment⁵, possibly to the value of £100k per annum. Under this model, the costs of running any youth services and activities at the centre, and decisions on what activities to run for young people, would rest with the new provider rather than the Council. However, some existing services based at the centre, such as the Right Track Project, Connexion Intensive Support Advisors, the Duke of Edinburgh Award schemes and enterprise programmes for young people, could continue to run from the centre subject to a sub-letting agreement with the new provider.

- *Investment in a small team of qualified youth workers who would work directly with youth service providers across the borough (3/4 posts at a cost of around £120k)* – in line with a model based on a strong community empowerment ethos, these youth work professionals would play a pivotal role in building the capacity and capability of existing youth service providers across the borough, identifying new and emerging needs for services among young people, and bidding for new resources to meet them, as well as supporting local groups to deliver positive outcomes and high quality services. Based within the YBF, they could potentially carry out work to:
 - Develop youth service provider networks and consortia which promote sharing of good practice and resources and contribute to the development of joint initiatives across VCSE youth providers and other agencies;
 - Work with VCSE youth providers across Brent (300 plus organisations) to develop their capacity and quality in delivery and promote better outcomes for young people;
 - Research opportunities and develop bids for external funding of new youth projects; and programmes, working in partnership with a wide network of funders, statutory agencies, regional bodies and local youth service providers.
 - Plan, commission and potentially project manage any new services and programmes for young people that arise from successful bids where they run across the borough.
 - Act as a lead, qualified, youth work professional overseeing the work of YBF volunteers and sessional workers working with young people at youth centres and in other community locations (e.g. housing association community centres, schools, church halls, mosques, etc.)
 - Actively engage young people in the planning, design, delivery and evaluation of new programmes developed and /or commissioned by YBF;
 - Contribute to the development and improvement of the YBF, improving its profile and performance and demonstrating quality.
- *Investment to support delivery of statutory duties* – this would include resources to maintain the database of youth service provisions (already run in partnership with other West London boroughs), to promote access to youth provisions across the borough in line with statutory guidance, and to support prevention and reparation work within the Council's Youth Offending Service (estimated at approximately £25k).

⁵ Social value assessments are generally undertaken through the community asset transfer process and seek to attach a financial value to the social, economic and environmental benefits of a transfer.

- *Continuation of Brent Youth Parliament (BYP)* (estimated at 60k) – BYP plays a valuable role within the Council’s decision-making processes and helps to meet the Council’s overall responsibility to involve young people in making decisions about services which affect them, and to maintain structures for doing so⁶. However, this provision could possibly be relocated in the Council’s corporate team responsible for community engagement (part of the Chief Operating Officer’s department), with some youth work support.

4.12 Certain provisions currently within the Youth Service offer could additionally continue under the new model without direct financial support from the Council. This would include the Right Track Programme for pupils excluded temporarily from school that is fully funded by Brent schools, and the Duke of Edinburgh’s Award Scheme which, subject to agreement with the DofE Regional Office, could be managed at regional level by the programme. There may also be options, at least for a transitional period, to continue to fund youth work to support lesbian, gay, bisexual and transgendered (LGBTB) young people and some elements of detached youth work through public health funding, subject to further discussions with the Director of Public Health.

4.13 Within the resources available, the costs associated with running the Council’s four youth centres cannot be met, with overall running costs held within the current Youth Services budget⁷ estimated to be in the region of £650k (see table overleaf):

TABLE THREE: YOUTH CENTRE RUNNING COSTS

Expenditure 2014/15	Granville Centre	Poplar Grove*	Roundwood	Wembley**
Premises related costs				
Running costs	185,510	134,927	202,908	0
Income	(95,719)	(77,468)	(48,826)	0
Net expenditure	89,791	57,549	154,082	0**
Net youth work related costs***	92,794	57,864	112,836	89,114
Total net costs	182,585	115,413	266,918	89,114

* Premises related costs of Poplar Grove will be passed to Brent River College in early 2015/16, with preserved access for evening/weekend sessions set out within a new service level agreement with the Youth Service which is subject to the agreement of the PRU’s Management Board.

**Property related costs related to Wembley have not been included within the Youth Services budget to date.

***Costs include staffing and support costs

4.14 Officers are therefore actively exploring how youth centre provision could continue through new partnership arrangements. In addition to considering the possibility of a community asset transfer for the Roundwood Centre, further work will be undertaken to establish if there are any opportunities for other providers to run some recreational and educational youth provisions at Poplar Grove and the Wembley and Granville Youth Centres under licences or short-term occupational arrangements, with different providers occupying the building at different times. The YBF could potentially play a

⁶ Statutory guidance for local authorities on services and activities to improve young people’s well-being (Department for education, June 2012) indicates that “local authorities must take steps to ascertain the views of young people and take them into account in making decisions about activities and services for them, in line with Article 12 of the United Nations Convention on the Rights of the Child (UNCRC).

⁷ There are some property related costs for each youth centre held centrally, including capital repairs/maintenance budgets and services such as IT and telephony.

coordinating role in managing lettings at the centres, as well as promoting better use of other community premises that could be used for youth work.

- 4.15 Work to take forward a community asset transfer proposal for the Roundwood Centre would need to reflect the approach outlined in the Council's Strategic Property Plan 2015-19 and the related process for community asset transfer (as detailed in another report on this agenda). In particular, the process will need to meet the following principles:
- Community asset transfer will support the priorities in the Borough Plan;
 - Organisations that benefit from the transfer need to be credible, constituted, financially viable with a clear business plan;
 - The services and buildings need to promote equality and community cohesion;
 - All opportunities should be advertised; and
 - Buildings should be transferred on a repairing leasehold basis.
- 4.16 A business plan underpinning the transfer would need to demonstrate how the receiving body will promote financial sustainability and not incur financial liabilities for the council, as well as promote benefits for young people and meet identified needs. Evidence of support from other potential funders, and the provider's capacity and experience to manage the asset, could also be included within the evaluation criteria for proposals.
- 4.17 If no opportunities are identified for the Granville and Wembley Youth centres, the Youth Service will have to consider vacating the premises as there will be no funding available within the budget envelope to pay for the running costs. A further report to Cabinet in October 2015 will set out further proposals for youth provision at each centre, following wider engagement with stakeholders and young people and a programme of formal consultation on proposed changes to the service.

Risks and delivery considerations

- 4.18 If Cabinet wishes to take forward the further development of a new independent organisation and reshaped offer and consultation with stakeholders, there will be a need to consider some of the related risks and issues that could arise in the development phase or if the proposals were agreed following consideration of the outcomes of consultation:
- An implication of the move to a Foundation model is that the Council will vest more resources in a partnership approach (with the exception of a few services which may be provided directly or under contract). Effectively, this will mean ceding some Council control to the governing body of a new organisation, thereby reducing any opportunity to redirect committed resources to its own priorities without wider agreement. While the development of a joint commissioning strategy for the new Youth Foundation could help to protect all partners' interests, tensions may arise when funding organisations or a new Board have different or conflicting priorities.
 - There are recognised risks and delivery issues related to community asset transfer, and no cast iron guarantee of success. While there are some positive examples of community asset transfer, particularly among early adopters such as Birmingham and Bristol City Councils, the process is often dependent upon strong community commitment to the facility and a strong partnership approach between the council and provider. In practice, financial liabilities can often prove too onerous for small community groups, leading to break down of negotiations or overly protracted processes (with negotiations of 12-18 months not uncommon). In the case of the

Roundwood Centre current restrictions on the hours and type of use will also limit commercial opportunities for any new provider. An obvious implication is that there is a risk that youth centre provision at Roundwood could cease from April 2016 if a transfer was not achieved. Similarly, there may be difficulties identifying alternative providers to run youth services at the other three youth centres. In such circumstances, some building related costs would have to pass back to the Council's property and asset management service. If the Council is not able to fund or secure an alternative provider to run youth provisions at Roundwood, the Council could also be required to repay, in full or in part, the National Lottery grant of £4.997m which was used to support the development of the centre (see paragraph 7.5 of this report for further details).

- The legal and procurement implications of moving to a new service model will require further consideration during the development stage. In particular, officers will need to consider the potential impact of the Public Contract Regulations 2015 (PCR 2015) and TUPE that may arise through proposals to commission or deliver services through an independent organisation. In practice, this may give rise to additional financial implications for the Council and/or new youth service organisation and/or a requirement to competitively tender a contract for services to the wider provider market. Learning from other Councils (including Torbay, RB Kensington and Chelsea and Knowsley) who have successfully established arms length arrangements for youth services alongside some transfer of existing Council staff will help to inform the approach taken (see also paragraph 7.4). The risks and benefits of partially funding the core costs of YBF through a grant or a contract for the supply of services will also need to be carefully assessed.
- A final proposal on the future management of the four youth centres, the range of youth services to be included within a reduced funding envelope and likely partner contributions will need to be worked up for consideration by Cabinet by October 2015 in order for overall saving targets to be realised. This report will need to include the outcomes of consultation on the Young Brent Foundation and revised service offer which will take place in summer 2015, as well as a full equality impact assessment.
- The development and effectiveness of a new, high profile Foundation will depend heavily on the commitment and involvement of external partners, including a wider range of CVSE partners. While initial soundings have identified support from some key stakeholders (such as the John Lyons Trust, Brent CVS, Bangedutainment and QPR in the Community), a great deal of time and effort (from both officers and Members) will be needed to build wider understanding of the approach, secure financial commitments and create enthusiasm for a new way of working. It will be important to appoint a 'chief executive' for the Youth Foundation at an early stage.
- Significant input will be needed from Council support services (Legal, Finance, Procurement, Communications and Property) to ensure that any new organisation has appropriate constitutional and governance arrangements, a sustainable business plan, and a workable property strategy. Experience elsewhere shows that there is also a need to develop new policies and procedures for any new organisation, a process often requiring further Council support, and for the Council to actively support the business planning process underpinning community asset transfers.
- There will be some costs associated with taking forward the new model in this financial year e.g. for legally constituting a new organisation, specialist legal and property advice, and project management and consultation costs. It is anticipated that these costs can be met from within the Council's One Council Programme budget.

4.19 Reduced levels of funding will inevitably result in significant reductions in youth service staffing, with staff redundancies and withdrawal of some high profile services. Staff changes will need to be carefully managed in line with the Council's Managing Change policy and procedure. If the revised service offer, focuses on the development of the YBF and those provisions set out in paragraphs 4.11-4.15 of this report, some services such as the detached and outreach youth work, youth bus, the Eton Project, youth arts provisions, the youth work contribution to the Brent in Summer programme, and (potentially) some centre-based provision will not continue unless alternative resources can be secured.

5.0 Next Steps

5.1 If Cabinet agree that officers should further develop, and formally consult upon the Foundation model and revised service offer within this report, it is proposed that future work is taken forward as part of the Council's One Council Programme, in part to ensure that the work benefits from the specialist skills and input needed from different sections across the Council. A stakeholder group, comprising key stakeholders from other statutory agencies, housing providers, schools, VCSE representatives and other charitable funders, (such as the John Lyons Trust and QPR in the Community), Brent Youth Parliament, and staff representatives, will also be needed, both to help to build a consensus on a way forward and to share skills and expertise. The Operational Director, Early Help and Education will chair this group.

5.2 A broad timeline for the further development of, and consultation upon, the proposals set out in this report are set out below:

Activity milestone	When
Consultation and involvement strategy for youth service change programme developed, with support from VCSE partners and corporate communications.	By mid-June 2015
Young Brent Foundation (YBF) model further developed with VCSE partners, including proposed operating principles, and governance and staffing arrangements	May /June 2015
Priorities for youth services / details of future youth service offer further developed with key stakeholders, including input from VCSE partners, young people and youth service staff	May/June 2015
Property strategy developed for youth centres, taking into account wider Council property proposals, potential market feedback, and financial implications.	June 2015
Soft market testing event with potential providers interested in community asset transfer opportunities.	June 2015
Formal consultation on new proposals for youth services, including the establishment of the Young Brent Foundation and youth centre property strategy. This will include consultation with: VCSE local youth service and other youth service providers in Brent, the Youth Parliament, service users, and wider community of young people / stakeholders.	July /August 2015
Detailed proposal for new youth service offer and related	19 October 2015

property strategy presented to Cabinet, along with the results of formal consultation and full equality impact assessment (a Full Council decision may be required – legal to confirm)	
Implementation of agreed service model, including formal consultation with youth service staff on the implications of the new arrangements under the Council’s management of change policy and procedure.	September 2015 – April 2016

6.0 Financial Implications

- 6.1 The council has committed to save £100k and £900k in 2015/16 and 2016/17 respectively from the Youth Service budget, which is a reduction of 71 per cent against the current budget envelope.
- 6.2 If the proposal to create an independent organisation (Young Brent Foundation) is approved, further work will need to be done to determine its status as either a limited company with charitable status or as a charitable incorporated organisation. There are a number of benefits of having charitable status, including several tax benefits, having increased access to external funding not available to a local authority and access to a more established pool of volunteers. Likewise, there are a number of new costs associated with this proposal including initial set up costs, running costs of the YBF (currently estimated at £177k), exposure to VAT, TUPE and redundancy. As mentioned in paragraph 4.16 further work will need to be done with legal, HR, procurement and property colleagues to assess and develop all available options, risks and opportunities.
- 6.3 The savings of £1m to be delivered between 2015/16 and 2016/17 are predicated on a new model of delivery to go live from April 2016. Therefore, in order to deliver the savings committed, decisions about the future service model and related implementation arrangements need to be progressed quickly. This includes resolving any issues in relation to the community asset transfer for Roundwood Youth Centre and the setting up of the YBF in terms of internal processes and constitutional, legal and governance arrangements.
- 6.4 Specialist project management support will be required during 2015/16 to lead on the establishment of the new organisation, formal consultation, and the development of property proposals. It is proposed that these costs (estimated at approximately £105k, including one off implementation costs) are funded from the One Council Programme enabling fund.

7.0 Legal Implications

- 7.1 Section 507b of the Education Act 1996 places a specific duty on the Council to secure ‘*as far as reasonably practicable*’ sufficient educational and recreational activities for the improvement of young people’s well-being, and sufficient facilities for such activities. Young people are defined as those aged 13-19, and those with learning difficulties to age 24. There is no requirement to directly fund or deliver services to a particular level (or at all).
- 7.2 Statutory guidance issued in support of the duty in June 2012, and the wording of the Act, makes clear that the Council must consult young people in the design of its services rather than simply on specific proposals emerging through reviews. A Court of Appeal ruling relating to North Somerset Council in 2013 underlines the need to actively engage young people, with the Council judged to have acted unlawfully in making significant reductions to its youth services, due to both a lack of adequate

consultation with young people and insufficient consideration of the protected characteristics of its service users under the 2010 Equality Act.

- 7.3 Section 1 of the Localism Act 2011 provides the council with a general power of competence which would enable the establishment of an arms-length organisation. Establishment of a new arms-length service model will require detailed assessment of the risk and opportunities offered by different corporate vehicles, including those relating to governance, service delivery and finance. Legal expertise will be required to inform this process and ensure that the Council's interests are well protected. Equally, legal advice will be needed in relation to any emerging property, procurement, governance and staffing proposals. Some specialist legal support may be required to advise on the establishment of the new arms-length organisation.
- 7.4 To support the model proposed in this paper, the Council may need to put in place contractual arrangements which enable YBF to either commission or deliver services on its behalf. The type of services commissioned could fall within Schedule 3 of the Public Contract Regulations 2015 (PCR 2015) meaning that a new, light touch regime for certain health, social and education services could apply. In this case, contracts with a total value below the current threshold (£625,000) would not need to be advertised in OJEU and participation in the procurement process could be limited to certain qualifying organisations, such as mutual and social enterprises (save where there is assessed to be cross border interest). If services did not fall within Schedule 3, the full procurement regime would apply if the total value of the contract is above the current threshold (currently £172,000). In this case, a contract could not automatically be awarded to YBF and there would be a requirement to tender with no guarantee that YBF would necessarily be successful in this process.
- 7.5 There are some restrictions around future use of the Roundwood Youth Centre, which was redeveloped through a National Lottery grant of £4.997m as part of the Government's myplace Programme. Under the terms of the grant agreement, the Council is required to notify the Cabinet Office of any planned changes of use and/or ownership and could be required to repay the grant in whole or in part. While this does not mean that the centre could not be transferred to new owners or managed by a third party subject to Council and Government approval, early discussions with the Cabinet Office will be necessary. Experience in other local authorities suggests that the Cabinet Office, which now holds responsibility for the myplace Programme, is prepared to adopt a pragmatic approach to new arrangements, particularly when future financial viability is an issue and community benefits for young people will still be realised.

8.0 Diversity Implications

- 8.1 Young people across Brent and staff working within the current Youth Service have a range of protected characteristics under the 2010 Equalities Act. Business and implementation plans for a new service model will require a full equalities impact assessment, covering implications for both existing service users, the wider community of young people, and staff employed within the service. This will help to demonstrate that any new approach represents the best option to meet diverse needs with less resource.

9.0 Staffing/Accommodation Implications

- 9.1 The budget reductions that need to be achieved through service remodelling mean that staffing reductions with the Youth Service are inevitable. Affordability will be a critical factor in a new model and some new skills and expertise may be needed to support new ways of working. Any proposed staffing changes will need to comply with the Council's management of change procedures.
- 9.2 Until the staffing structure of the new service model and relationship with existing Council roles and services is confirmed, it is not possible to state the applicability or otherwise of TUPE. However, when the proposed structure has been finalised a position can then be taken in respect of whether TUPE applies or whether there will be a need to manage the situation in accordance with the Council's Managing Organisational Change process.
- 9.3 The proposed service offer and resources available means that there will not be funding to continue direct delivery of youth centre provision, with new partnership arrangements required to sustain delivery. These will be explored through future work but in practice it could mean ceasing some centre –based provision /or transferring the running and management of one centre to a different provider to act as youth hub/or letting out the centres under licences or short-term occupational arrangements, with different providers occupying the building at different times. Any new arrangements would need to be considered in relation to wider Council disposal and/or redevelopment plans, longer-term financial sustainability, and opportunities to locate provision in a wider range of community settings, including housing associations and VCSE partner premises.

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1A: Summary of Youth Service Budgets 2014/15 and 2015/2016

Service area	Net Budget 2014/15 (£)			Net Budget 2015/16 (£)			2015/16
	Net Expenditure	Net Income	FY Total Budget	Net Expenditure	Net Income	FY Total Budget	Staff (FTEs) (1*) incl. vacancies
Youth Office	251,426	0	251,426	151,426		151,426	3.25
my place Roundwood Centre (property related costs) (2*)	202,909	(48,826)	154,083	202,909	(48,826)	154,083	3
Roundwood Youth Service costs	118,836	(6,000)	112,836	118,836	(6,000)	112,836	2.64
Granville Centre (property related costs)	185,510	(95,719)	89,791	185,510	(95,719)	89,791	3
Granville Arts – service costs	92,795	0	92,795	92,795	0	92,795	2.02
Poplar Grove (property related costs)	134,927	(77,468)	57,459	134,927	(77,468)	57,459	1
Poplar Grove Youth	57,864	0	57,864	57,864	0	57,864	1.1
Wembley Youth Centre (3*)	89,114	0	89,114	89,114	0	89,114	1.76
Mosaic	38,092	0	38,092	38,092	0	38,092	1.28
Right Track	77,951	(77,951)	0	77,951	(77,951)	0	1
Duke of Edinburgh Award Schemes	78,997	(15,504)	63,493	78,997	(15,504)	63,493	2.09
Summer University	100,812	(5,000)	95,812	100,812	(5,000)	95,812	1
Outreach	183,195	0	183,195	183,195	0	183,195	4.82
Youth Parliament	67,812		67,812	67,812		67,812	1
Youth Equipment	60,644	0	60,644	60,644	0	60,644	0
Estimated Totals	1,740,885	(326,468)	1,414,418	1,640,885	(326,468)	1,314,418	28.96

NOTES:

1* Due to budget reductions over time, a number of posts within the service are unfilled, with the current staff in post totalling 24.04 FTE (41 staff in total).

2* Premises related costs for the three youth centres highlighted in orange include: cyclical and planned maintenance, utility costs, security, water and business rates, cleaning and grounds maintenance premises management and other miscellaneous premises costs.

3* Premises costs relating to Wembley Youth centre are not currently within the Youth Service budget as they were allocated to another lead tenant.

1B: Summary of Youth Service Provisions 2014/15

Provision/ Project	Summary of provision	Total number of individual young people attending	Total number of attendances by young people	Total number of young people gaining accredited awards	Total number of accredited awards gained
Roundwood Youth Centre	<p>The key aims of the myplace Centre are to:</p> <ul style="list-style-type: none"> • Give young people access to positive activities to help tackle antisocial behaviour. • Help young people to engage in their community. • Provide young people with a safe and exciting place to go. • Enable more young people to socialise and participate in positive leisure time activities. • Provide young people with access to information, advice and support services. <p>The Centre provides a mix of regular services and occasional events, plus holiday programmes. Examples of current provision include:</p> <ul style="list-style-type: none"> • Big Music project for myplace centres (a 10 place, six week training course in radio production and enterprise and music production; • A weekly girls' empowerment group (offering drama, Arts and drumming as well as the opportunity to socialise • Arts and crafts, cheerleading, and sports such as badminton, basketball and taekwondo and a football team. • Duke of Edinburgh Award programmes • Training, employment and 121 support via Connexions and work 	1580⁸	13330 (This figure includes all attendances to programmes and services offered at the Centre and includes attendances for Connexions)	820	3016

⁸ There were also an additional 965 interventions recorded by Prospects at the Roundwood Centre in 2014/15, the Connexions' service provider, at the centre, but the total number of individual young people the interventions were provided to is not recorded. Connexions is outside the scope of the youth services review.

Provision/ Project	Summary of provision	Total number of individual young people attending	Total number of attendances by young people	Total number of young people gaining accredited awards	Total number of accredited awards gained
	<p>placements</p> <ul style="list-style-type: none"> • Enterprise programmes, provided by a partner organisation based at the Centre • Support for young people who have offended including the Chance to Change programme, reparations activity, meetings with YOS staff and Referral Order Panel meetings. <p>The centre also hosts the schools-funded Right Track programme which runs every day in term time to support Brent pupils temporarily excluded from schools. In 2014/15, 681 young people attended the youth club held at the centre, with 9609 attendances in total.</p>				
Granville Youth Arts Centre	<p>The Centre aims to engage young people in a range of creative and cultural activities designed to increase levels of self-esteem and achievement. The programme includes an on-going offer of creative arts activities including; dance, one to one vocal training, acoustic guitar, music jam, one to one piano / keyboard lessons, band mentoring, one to one drumming lessons, taekwondo, fashion, arts / illustration, yoga / meditation, film making, events management and professional development - in addition to specialist workshops, master classes, trips, events and a teen library / study support. Members of Granville Plus Youth Arts Centre regularly perform at local and regional events.</p> <p>All classes at Granville Plus Youth Arts Centre are run by industry professionals, and the centre works in partnership with many arts organisations including: Central St Martin's College of Art and Design, Camden Arts Centre, the Sadler's Wells Theatre, the British Film Institute, London Youth Dance, the Tricycle Theatre and National Youth Jazz Orchestra.</p>	791	5035	110	164

Provision/ Project	Summary of provision	Total number of individual young people attending	Total number of attendances by young people	Total number of young people gaining accredited awards	Total number of accredited awards gained
Poplar Grove Youth Centre	The Youth Club programme runs on Tuesdays, Thursdays and Fridays plus Saturdays and holidays. Activities include: martial arts, t-shirt design, cooking and baking classes, dance, yoga, plus general open access (offering table tennis, pool, basket ball and console games). . The Youth Worker provides individual support for young people on a range of issues they may be facing.	675	2512	112	137
Wembley Youth Centre	Activities include: female only kick boxing and boxing workshop; music production, weight training and fitness, outdoor football, taekwondo and basket ball. The centre also offers to computers for homework and employment opportunities. Youth Workers support young people with issues they may be facing e.g. as young people newly arrived in the UK.	451	4105	78	91
Outreach & Detached Youth Work Team, plus Youth Bus	<p>The Team provides highly targeted provision in crime hot spots and areas with knife and gang related issues, including:</p> <ul style="list-style-type: none"> • Street based outreach work with young people at risk of disaffection and gang involvement • Detached youth work in a range of locations e.g. community centres and schools • Mobile provision, using the Equipped 2 Go Youth Bus <p>There is also a Public Health funded project focusing on community safety, financial prevention and social exclusion.</p>	331	1554	96	111

Provision/ Project	Summary of provision	Total number of individual young people attending	Total number of attendances by young people	Total number of young people gaining accredited awards	Total number of accredited awards gained
Mosaic LGBT Youth Project	This is specialist project focuses on gay, lesbian bi-sexual and transgendered young people. The provision includes a youth club every Wednesday evening between 6.30 and 9 pm, usually including a structured activity and opportunities for 121s with a youth worker. Structured activities have included workshops on coming out, safer sex, gay history, self-defence, assertiveness - plus video, drama, dance and art nights. The project is currently delivering an additional programme funded by Public Health.	406	1381	403	517
Youth Parliament	This is a high profile group of 80 representatives (age 10-19) who meet regularly with decision makers in the borough. The BYP enables young people to express their views and have a say in decisions that affect them. The Parliament meets on the last Saturday of every month at the Brent Civic Centre to discuss important issues which young people face. Parliament members decide on the issues that they want to look at and then work with councillors / council officers to bring about changes that will improve local services for young people. Members also choose one campaign that they want to work on every year. In 2015 2016 the chosen campaign is Mental Health. BYP sends representatives to the UK Youth Parliament.	76	418	15	15
Duke of Edinburgh Award	The Council acts as the License Holder for the DoE Award programme in Brent, with costs covering the management and running of the scheme after fees are deducted. The programme includes two Open Award Centres and includes targeted provision for key groups who may not access the provision otherwise e.g. looked after children and Muslim girls. The scheme provides in excess of the Corporate target of 5000 volunteering hours into the borough each year (6,328 in 2014 2015), as well as offering a qualification that employers recognise and value highly.	555	1119	376	1961

Provision/ Project	Summary of provision	Total number of individual young people attending	Total number of attendances by young people	Total number of young people gaining accredited awards	Total number of accredited awards gained
Brent Eton Summer School	This scheme provides a week long residential experience at Eton College for over 40 young people from Brent every year with the aim of raising aspirations and developing confidence. Workers within the Youth Service organise the scheme within their regular duties, with all other costs covered by schools.	43	841	43	600
Right Track Project	This is a programme to support pupils in Brent schools who have been temporarily excluded from school. After attending the project, between 70 – 80% return to mainstream schools and are not excluded again. The service is fully funded by Brent secondary schools.	122	825	26	36
Brent in Summer	This covers the costs of holiday provision provided by the Youth Service. Costs include staffing, tutor and material costs. The service works with the National Citizenship Service and colleagues in Libraries and Sports to provide a single offer over the six weeks of the summer. Additional holiday programmes are organised over other breaks.	853	3455	398	847
Youth Office	This covers the management costs of the service, quality assurance staff, training, IT, Integrated Youth Support Services database costs, printing and promotional costs. Management costs include the Head of Youth Support Services (25 per cent), two Service Managers and a Quality Assurance Officer.	N/A	N/A	N/A	N/A

Summary of Geldards LLB Options Appraisal Report – Shaping the Future for Youth

The options appraisal report on youth service produced by Geldards LLB explored four options:

- No service
- Reduced service offer – in-house service or commissioned service
- Staff mutual
- Independent commissioning and delivery organisation, in partnership with the voluntary and community sector and other partners

A brief summary of the consultant's assessment of the different options and overall conclusion is set out below:

(a) No service

This would involve closure of all Youth Service provisions, including the four current youth centre provisions. All staff within the service would face redundancy and alternative use and /or sale or redevelopment options would need to be explored for the property estate (some of which already fall within current Council redevelopment plans). Annual savings in the region of £1.3 m on the Youth Service budget (excluding corporate overhead costs) would initially be reduced by redundancy costs and any ongoing property-related costs. There would be a need to maintain some strategic resources to meet the Council's statutory responsibilities in this area.

Consultants' assessment: The consultants indicate that this option is included only for baseline purposes. The option does not meet Members' objectives in terms of working with the VCSE sector to develop services and grow/ sustain youth service provisions. There are concerns that withdrawal of services would generate longer-term costs for other services (such as health, police and youth offending services) and generate reputational risks for the authority.

(b) Reduced service offer - in-house service or commissioned service

This would include retaining aspects of the current service offer / or reshaping the offer to a reduced budget envelope. For example, if only £400k was available, the consultants suggest a model including retention of the Roundwood Youth Centre, possibly supported by a small outreach service and continued (but reduced) investment in the Youth Parliament, though they indicate that the actual model could be shaped with Members and other stakeholders. This approach would enable the Council to realise its agreed savings target. This small retained service could be outsourced or held in-house. The majority of youth service staff would face redundancy and alternative use/or sale/or redevelopment options would need to be explored for the property estate. TUPE would probably apply if some services were outsourced.

Consultants' assessment: Under this approach (in-house or outsourced), the Council would retain control of the services and be able to shape a more limited resource and, potentially, align and further develop the service offer, in partnership with other stakeholders, including the VCSE. However, related community benefit would be low owing to the low level of investment and the approach would not be particularly well-placed to attract further funding or promote joint commissioning.

(c) Staff mutual

This would transfer delivery of youth service provision to a new staff mutual organisation, either through a competitive or negotiated procurement process, dependent upon the range of services offered. The mutual would bear the financial and operational risk of support costs, with staff, as 'owners' of the organisation, expected to assume strategic leadership and governance responsibility for the new organisation. The report indicates that a staff mutual can offer a number of benefits, including giving the opportunity for front-line professional to improve services, a deep staff knowledge of the client group, and leaner management structures. However, commissioners, staff and service users must have a shared enthusiasm for the enterprise to make it work.

Consultants' assessment: This model would not be viable in Brent's current situation. There would be a need for at least a five-year block contract to give the mutual an opportunity to evolve and survive. This is not viable in the current budget situation – and a need to make significant budget reductions over the next few years would lead to significant potential financial burdens for a new organisation, in terms of TUPE related costs. This would make it hard to develop a viable business plan. Additionally, where staff mutuals have succeeded, there has often been a shadow organisation in place prior to transition. With a need to put new arrangements in place in Brent by April 2016, there would be little opportunity to have this sort of transitional phase and support staff to develop the commercial and entrepreneurial skills they needed to make a mutual work.

(d) Independent commissioning and delivery organisation, in partnership with the community and voluntary sector and other partners

This model would involve setting up new arms-length management organisation – what the consultants call the "Brent Youth Organisation" - possibly as a limited company with charitable status or as a charitable incorporated organisation. This new body would take on responsibility for commissioning youth services, capacity building for the wider VCSE sector of youth providers, and fund-raising. It would in part be financed through management fee(s) paid to it by the Council for contract management of a new Council local authority trading organisation⁹ (LACTO) which delivers youth services and for other Council contracts (e.g. the existing Connexions contract).

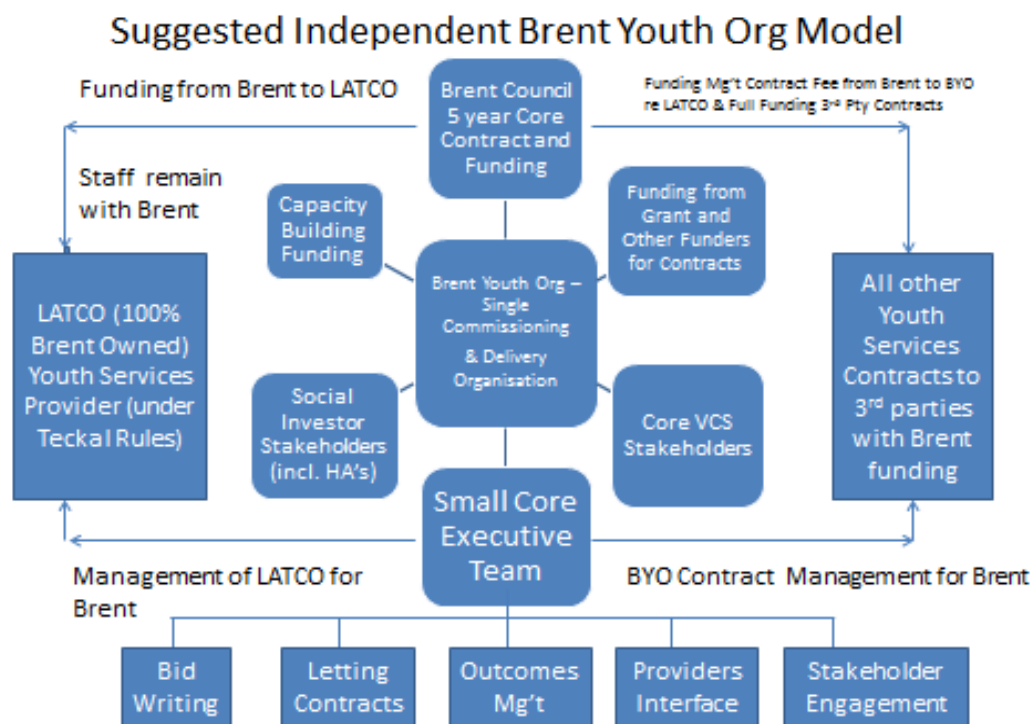
In this model, the LACTO is set up mainly to provide a vehicle for the delivery of the Council's youth service offer – which could be designed to match the resources available and any agreed commissioning priorities. Existing youth service staff within scope of the agreed service offer would work for the LACTO as secondees, meaning that pension and TUPE obligations would remain with the Council. By establishing the LACTO as a 'Teckal' entity¹⁰, the contract for the youth service provision could be awarded to the new LACTO without a procurement process (and the model could offer scope for staff to spin out in to a mutual in the longer-term). However, there may

⁹ LACTOs operate as separate entities to a council but are wholly owned by them. They can be set up either as service delivery models – where they provide work mainly for the council or a group of councils – or as commercial trading companies which trade more widely with external organisations and individuals.

¹⁰ A council may set up a service delivery company which is solely concerned with delivering a service back to that council but does not trade significantly with external organisations. This is likely to qualify for the 'Teckal' exemption from procurement rules which means that the council can pass work to the company without having to put it out to competitive tender

be a need for a competitive process to award any new contract management responsibilities to a new Brent Youth Organisation.

A diagram setting out this new model is set out below, with further details within the Geldards report (pages 20-26).



The financial modelling underpinning this approach suggests that this it would require Council investment to taper more slowly than is currently planned. For example, if the youth service offer within the LACT is largely transferred 'as is' in 2016/17, the net operating cost is estimated at around £2m, with a range of new costs related to the new model (for example, governance, VAT exposure and internal support costs) adding to current gross expenditure on youth services of around £1.7m. The model shows that overall costs would initially be met by Council contributions, existing income streams and a high level of (as yet unsecured) grants and sponsorship – estimated at £529k in year 1 (and rising to over £1m in year 5). (see *five year financial summary at page 46 of the Geldard report*). In practice, it is unlikely within current budget constraints that the youth service could be transferred 'as is'; however, the model suggested could be flexed to reflect lower levels of investment.

Consultants' assessment: This model would provide an opportunity to improve and foster better partnership arrangements across the stakeholder community in Brent and provide a vehicle for attracting grants and sponsorship, helping to promote long-term sustainability of the youth service offer and its related benefits. In the longer-term there could be opportunities to spin out the LACTO into a staff mutual. The consultants point out that the initial cost of the model could be flexed according to how much resource was invested in the youth service offer, particularly centre-based provision. However, given the fixed corporate and operating costs, they do not consider it to be a viable approach if the Council has only small sums to invest at the outset, principally as available resources to support any service delivery would then be nominal and the set up would lack initial momentum. There are obvious risks attached to the high income targets required to support the overall model as the level of Council funding diminishes.

A variation of this model is also set out in the report, based on a proposal by the John Lyons Trust for a Brent Youth Foundation (pages 26/27). This also proposes an independent commissioning organisation, though with the option to support direct delivery if some existing youth staff were moved across to continue aspects of the current youth service provision (with TUPE costs possibly applying). Although this model is not explored in depth by the consultants, it could be run at lower cost than the above option, especially if it was developed on a commissioning-only basis.

(e) Final assessment

The consultant's preferred option is to develop the Brent Youth Organisation model, supported by the LACTO. They conclude that this offers the best option of growing future provision and engaging with partners, including VCSE stakeholders, to develop a shared commissioning approach. However, if the level of investment is set at around £400,000 per annum, they advise that it could be preferable to direct investment in a smaller range of high profile youth services, provided directly or on an outsourced basis, rather than deflecting resources to support a new organisation.

Geldards LLB Options Appraisal Report – Shaping the Future for Youth

The full report and separate addendum report, focused on developing a model within the reduced funding envelope are attached

Geldards LLB Options Appraisal Report – Shaping the Future for Youth – March 2015

Geldards LLB Addendum Summary Report – Shaping the Future for Youth – May 2015
(not for publication)

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OPTIONS APPRAISAL for Brent Council – Shaping the future for Youth



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1. Executive Summary

Brent Council, via the Cabinet Office, has engaged Geldards LLP to produce an Options Appraisal and Implementation Plan to review ways to deliver Youth Services in the Borough under the Delivering Differently for Young People Support programme supported by the Cabinet Office. Our findings will help inform Brent of its next steps in deciding the direction of travel for Youth Services from 2016/17 onwards, against a challenging backdrop of a potentially substantial future cut in Youth Services' financial budgets.

An independent report was commissioned by the NCS Trust in February 2014 called **Introducing Generation Citizen**¹. Some of its key findings and recommendations are directly relevant to the young people in Brent, as we discovered during our work, namely:

1. Today's teenagers (14-17 year old people surveyed in the report) are more engaged with social issues both globally and locally than previous generations of teenagers
2. Teenagers see themselves as less engaged with traditional politics than previous generations of teenagers, and teachers agree
3. Teenagers see charities and social enterprises, alongside personal volunteering and social action, as the most important agents for positive change in their local communities
4. Today's teenagers are highly active through volunteering and other forms of social action
5. Teenagers who volunteered reported higher levels of wellbeing, social cohesion and employability
6. Although teenagers prefer real world engagement in their communities, teenagers are increasingly using social media for social action
7. Getting a job, living costs and bullying concern teenagers the most
8. Teenagers see negative media portrayals as having a detrimental impact on their lives and future
9. Teenagers desire careers that change the world for the better and help people less fortunate and the majority are ethical consumers
10. British teenagers cite inspirational leaders and celebrities who use their fame for positive action as role models

Securing the right service and interventions in the community is critical to the future prosperity of young people in Brent and the commissioning role is fundamental in achieving this, as is the knowledge and skills of the present staff cohort in Brent. Clearly the former needs to be developed and reflected in a new organisational framework. The latter needs to be maintained as far as is possible to minimise the risk of losing some experienced youth support workers, to the detriment of young people and the entire community in Brent. **However, whatever options are adopted, all require significant cash investment including the cessation of youth services, with its attendant staff redundancy and empty building and finance cost obligations on Brent. We have observed from our numerous discussions with Brent staff that there is some uncertainty about the £900k planned budget cut in 2016/17, as to whether it is formally agreed or yet to be agreed by Brent. We have assumed that the £900k budget cut is yet to be agreed for the purposes of this report.**

Some of the stakeholder observations we have gathered have expressed the need to ensure funding allocations for services for a new independent youth services organisation to be sustainable with new funding from sources such as grant providers, EU funds and charitable sources.

Stakeholder observations about past commissioning include:

- Too much money being thrown in the past at initiatives with variable levels of success and limited accountability.
- Need to move commissioning strands under one umbrella organisation
- Need to focus on outcomes rather than just raising money
- Encouraging more involvement of housing associations in the commissioning and delivery process
- Get reluctant partners to engage with cash not just non-cash based support, i.e. Brent Schools Partnership and Head Teachers Association – schools pay for Right Track but there is scope for further funding support linked to academic attainment targets.
- Ask some key organisations to help corral both funding and provider support i.e. Brent CVS and John Lyon Trust. They can become influencers and supporters of a new delivery organisation in Brent that is sustainable and can grow over time.

¹ Demos – Jonathan Birdwell and Mona Bani – Introducing Generation Citizen – 2014 www.demos.co.uk

- Engage better through active commissioning i.e. working with smaller organisations, including VCS, faith based and other smaller groups to help achieve realistic and sustainable outcomes.
- Better integration of health and social care (especially, safeguarding issues, Public Health intervention and promotion, CAMHS and School Nursing support) for young people. This requires CCG/NHS Trust/Brent/Youth Trust working closely together on commissioning and outcomes.
- Identifying key targeted interventions which have largest cost/benefit implications – i.e. excluded young people from school and young people outside school system i.e. in gangs or displaced family situations.
- Integration with faith communities to tackle Sexual health, FGM, and relationship issues, linked to more proactive new commissioning activities.

Our conclusions therefore find that the “do nothing” option is a marker for evaluation purposes, but not a real option. The planned financial budget cuts mean Brent has to “do something”, even if it is a cut to the current in-house services provision or a cessation of all Youth Services, both of which will adversely impact on the short and longer term welfare of young people in Brent. There is a potential increased risk over time, of social cohesion breakdown and the knock on effect of the rising costs of health interventions, police and probation costs and crime and disorder, and threats to the education attainment levels in the borough outweigh the dis-benefits of not maintaining Youth Services.

The “do minimum” option may just maintain the status quo at present, with a reducing budget envelope for the core in house Youth Services, and third party let contracts to various VCS and other organisations over time on targeted services from 2016/17. Again, this would, over a longer period of time, in our opinion, create the same problems for young people in Brent as the faster, “do nothing” option of service reduction/cessation through significant budget cuts.

We set out below our proposed “do something” option that seeks to improve and foster better relationships across the stakeholder community in Brent and to simplify commissioning structures. This would involve establishing an independent commissioning organisation (which we will call a Brent Youth Organisation (BYO)). This model is subject to more detailed vires, governance, charity, VAT, funding availability and procurement assessments to be undertaken in the implementation stage. It is also subject to discussion with the Council, and if the Council is agreeable, with a very wide range of stakeholders, young people and providers. This model also incorporates a new organisation established to maintain most of the current youth services, but requiring a sizable core contract from Brent of £1.2m in 2016/17 tapering down by £100k pa each year until 2020/21 to £800k. This will require in 2016/17 the need to find external funding of c£525k rising to just under £1m in 2020/21.

Alternatively if Brent was able to provide only £400k pa budget, then this smaller budget could potentially provide a reduced youth service offering that could allow:

- Keeping Roundwood open providing similar levels of youth services from Roundwood – c £155k plus £110k = £265k (or reduced services via Roundwood combined with a small outreach service);
- Keeping a slightly slimmed down Youth Parliament - £60k;
- A very much reduced but appropriate management structure;
- Right Track service as fully funded from schools - £75k; and
- Minimal signposting through social media and internet via the Brent website.

2. Background

Brent Council (Brent) through the Cabinet Office has engaged Geldards LLP to explore a range of new delivery models for their youth service including an arms-length youth trust with involvement from Brent and other stakeholders, moving into different management arrangements and a traditional fully integrated outsourcing model for youth services.

Youth Services forms one of 4 key areas within Brent’s Children and Young People’s department.¹

The four facility locations where Youth Services are currently discharged from are Centre Based hubs. Our Options Appraisal (OA) report sets out what can be done to enable Brent to continue to deliver services, providing open access centre based youth work, targeted by location. This is based on the existing 2014/15 youth services budget of £1.4118m, as advised by Brent Finance Team in March 2015 updating previous YSSP updates in October 2014². Youth Services are currently staffed by 47 people working in 25.09 FTE posts (2.69 FTE vacant). This budget of £1.414m pa is part of a £3.48m

¹ Brent Council, Children and Young People – Youth Support Services Plan 2014/15 March 2014 updated October 2014

² Brent Council, Children and Young People – Youth Support Services Plan 2014/15 March 2014 updated October 2014

total revenue budget overall for Youth Support Services provision in Brent in 2014/15.¹ This larger budget includes other statutory and non-statutory services.

The current Youth Service budget compares with a figure of £2.7m in 2008/09, having risen from £1.5m in 2003/04. We are aware of the savings gained through transfers of responsibilities to schools and other service providers for Connexions, the youth delivery services hub for the Beneficiary for 13-19 year olds (up to age 24 for people with multiple, complex learning and physical disabilities), along with the centralisation of certain corporate functions and procurement activity resulting in various costs now being held centrally.

The main youth centre facility is the Roundwood Youth Centre in Harlesden, redeveloped through an award of a £5m My Place grant (totally funded by Big Lottery Trust) in 2008. There were 43 staff working at Roundwood at its peak, of whom 80% were youth workers. Since 2008/09 youth services savings have been made through transfers of some youth services to Connexions (part in house, and part third party procured), reductions in staff, partly through amalgamation of Youth Services with the Youth Offending Service, and through reductions in front line services, such as careers guidance. Connexions utilise space at Roundwood. The other 3 main centres are Granville Youth Arts, Poplar Grove and Wembley.

Most of the “low hanging fruit” savings in all services, including Youth Services, have now been made mostly through targeted service cost savings for Brent Council overall, totalling around £75m in the three years to 2013/14 and more in the current year. Brent wishes to explore a range of service options including a new delivery model for Youth Services that captures a wider engagement with the local VCS and Charity organisations, against a background of large scale cuts to LA budgets across London in coming years.² This OA report sets out an analysis of the various options available to Brent, supported by some recommendations.

3. Drivers for Options Appraisal

3.1 Maintaining the Legal Requirement

The duty on local authorities in respect of leisure activities for young people is set out in section 507B of the Education Act 1996 (inserted by the Education and Inspections Act 2006) and states that:

‘A local authority must, so far as reasonably practicable, secure for qualifying young persons in the authority’s areas access to-

- (a) Sufficient educational leisure-time activities which are for the improvement of their well-being, and sufficient facilities for such activities;*
- (b) Sufficient recreational leisure-time activities which are for the improvement of their well-being, and sufficient facilities for such activities.*

A qualifying young person means any person between the ages of 13-19 and those with learning difficulties to the age of 24.

The statutory provisions are not prescriptive on the particular activities or services which are to be provided or the way in which the local authority must provide these. The local authority has a wide discretion and a number of options to meet their duty, they may;

- (a) Provide facilities for activities (this may include establishing, maintaining and managing places at facilities)
- (b) Assist others in the provision of such facilities (this may include financial assistance)
- (c) Make arrangements for facilitating access to such facilities (this may include the provision of transport, finance or information)
- (d) Organise activities
- (e) Assist others in the organisation of such activities (this may include financial assistance)
- (f) Make arrangements for facilitating access to such activities
- (g) Enter into agreements or make arrangements with any person in connection with anything done or proposed to be done under any of the above
- (h) Take any other action which the authority thinks appropriate.

¹ Brent Council, Children and Young People – Youth Support Services Plan 2014/15 March 2014 updated October 2014

² HARD TIMES, NEW DIRECTIONS? THE IMPACT OF THE LOCAL GOVERNMENT SPENDING CUTS IN LONDON, 2014, LSE. <http://sticerd.lse.ac.uk/dps/case/spcc/wp07.pdf>.

Funding of youth services is not mandatory.

Before taking any action, the local authority must consider whether it is beneficial for the proposed action to be undertaken by another person and if so take all reasonable steps to enter into an agreement or arrangement with that person. This should include any consultation that the local authority thinks appropriate.

In addition there is a particular duty on the local authority to involve qualifying young persons in deciding how their functions shall be exercised and the activities that are to be provided. The local authority must take steps to ascertain the views of qualifying young persons about the activities and facilities in their area, the need for any additional activities and facilities and access to these activities. As well as seeking their views, the local authority must ensure that these views are taken into account when determining their local offer.

The duty to secure activities is supplemented by a duty to publicise information about the activities/facilities available and to keep this information up to date.

A local authority is permitted to charge for any provision they provide.

In meeting their above duties, the local authority should bear in mind any guidance published by the Government under section 507B for meeting this duty. The current guidance, Statutory Guidance for Local Authorities on Services and Activities to Improve Young People's Well-being, was published by the Department for Education in June 2012 (although the responsibility for youth strategy and policy was transferred to the Cabinet Office in July 2013).

The guidance sets out the types of activities which a local authority could provide as part of meeting their duty and how these could benefit young people, for example having activities that:

- Connect young people with their communities
- Offer young people opportunities in a safe environment to take part in a wide range of sports, arts, music and other activities
- Support the personal and social development of young people
- Improve young people's physical and mental health and emotional wellbeing
- Help those young people at risk of dropping out of learning to engage and attain education or training
- Raise young people's aspirations, build their resilience and inform their decisions.

Structured arrangements should be put in place for consulting with young people (for example allowing young people to inspect and report annually on the quality of the services). The guidance also suggests that it may be beneficial to involve young people actively in service design, delivery and governance.

The local authority should take the strategic lead in setting their local offer which is sufficient to meet local needs. They should work with young people; the voluntary, community and social enterprise sector; health and well-being boards; schools and colleges; and agencies including health and police. Working together they should understand the needs of young people; determine what facilities and activities are available and what is required and the level of funding available and needed; ensure the inclusion of third parties and other voluntary organisations; effectively publicise the local offer; and ensure providers have capacity and skills to offer a quality service.

3.2 Funding Constraints – Brent Council Overall

The latest Draft Brent Corporate Plan April 2015-December 2016 sets out clear goals to maintain a wide range of services across Brent, whilst being mindful of Brent's overall budget envelope reduction of £55.8m by March 2017, and a further £5.9m in future years from its 2014/15 current position.

Planned Budget reductions by Brent Council¹

2015/2016 (£m)	2016/2017 (£m)	Future Additional Years (£m)	Total (£m)	Comments
20.6	12.5	1.8	34.9	Driving organisational efficiency
2.6	8.4	3.3	14.3	Building independence and community resilience
2.0	0.9	0.5	3.4	Leveraging in resources and income
8.1	0.7	0.3	9.1	Stopping Services Completely

3.3 Funding Constraints – Youth Services

Youth Services falls under the category of cost reductions through building independence and community resilience within its delivery and operating model. We understand the intention that Brent is considering scaling down the net cost of this overall service provision from £1.414m (including external income and grants) in 2014/15 to £1.3m in 2015/16 and to £0.4m in 2016/17, with the possibility of further budget cuts which may remove the expenditure entirely from 2017/18 onwards². The scope for further savings is limited without a major service redesign and the ability to attract external financing which this report will inform. Major budget cuts would leave a minimal core service with signposting by Brent going forward. **On 2nd April 2015, Brent Council's Cabinet will review this Options Appraisal to decide on the future of Youth Services from April 2016 onwards.**

The “do something” and “do minimum” options involve exploring alternative delivery methods, including the development of an independent commissioning body e.g. the BYO, which could access funding which currently neither the council nor Brent's youth voluntary sector organisations are able to access. This could put Brent's youth provision on a more sustainable footing, with a new organisation able to act as a consortium lead and enabler for local organisations harnessing the expertise of Brent's experienced and skilled youth workers. As part of this process, alternative funding sources would have to be identified to mitigate the potential loss of services from the possible budget reduction of at least £900k in 2016/17. Staff primarily assigned to existing Youth Services that are carried out by a new delivery organisation are likely to transfer under their existing terms and conditions of employment to that organisation. This may result in a number of tiered employees, each employed under their original terms of employment. A new organisation may not be able to deliver the same range of services – either because an alternative offer is preferred, or due to financial constraints.

The “do nothing” option may effectively terminate or at best, leave a minimal provision of Youth Services and will probably lead to the termination of the current delivered service (signposting on Brent website may continue) and redundancies will ensue. This would probably lead to wholesale staff redundancies (full time and sessional workers as well as managers). The services terminated could be:

- Outreach and Detached Team and Youth Bus – which has a key preventative role in relation to youth disorder and gang violence
- Poplar Grove Youth Club – year round provision targeting young people from Chalkhill and surrounding areas.
- Mosaic LGBT Project – award winning provision for a key group of young people liable to risk and discrimination
- Duke of Edinburgh Award – Brent is a very successful provider with a high success rate
- Granville Youth Arts Centre – youth arts provision which supports re-engagement in education and work
- Brent in Summer – the youth contribution to this programme has good attendance
- Brent Youth Parliament
- Wembley Youth Centre – high quality provision
- Roundwood Youth Centre may have to be transferred to an organisation willing to meet all running costs and TUPE relevant staff, since closure may require very large scale repayment of government grant on demand.

¹ <http://democracy.brent.gov.uk/documents/s28287/budget-app1.htm>

² Supplement Budget Report 2015/16 and 2016/17 and Appendices – Brent Council 15 December 2014

Some of the present services have partial external funding¹, (in Particular Right Track – funded by Schools/DSG) and with alternative funding sources being found, some provision could remain and officers would need to work with partners to ensure this happens.

3.4 Key Issues

We have identified some key issues that need to be addressed by any new Youth Services organisation that reflect the more challenging financial context and changes in national and local policy context including:

- Fragmented commissioning with key partners, specifically local charities, other departments within Brent Council, i.e. Public Health and wider stakeholder organisations including but not limited to the Metropolitan Police, Probation Service, Schools, Health and MOPAC.
- A need for an increased engagement with the VCS sector and working more closely with successful, well-funded larger charities i.e. John Lyon Trust and partner organisations such as Housing Associations (some of whom have their own youth services provision resource).
- Increased local delegation through a potential new commissioning and/or new delivery model for local decision making and local involvement of young people.
- Better targeted, early help interventions to reduce demand on statutory services through direct commissioning through a better commissioning model.
- Identifying alternative sources of soft and hard revenue i.e. grants (soft) in the light of reduced direct Brent Council commissioning (from April 2016) for core youth services still retained under direct Council responsibility and commercial revenue opportunities (hard) in a new commissioning or delivery model
- Improving quality, co-production and focus on outcomes. This would include use of the Outcomes Framework for Young People's Services to measure impact of youth services provision for providers and commissioners².
- Encouraging VCSE bodies to drive innovation and transformation of service delivery through greater collaboration and joint working in service delivery, and sharing of assets and resources to improve outcomes and achieve efficiencies that can be re-invested
- Increasing value for money and evidence of impact achieved.

Tackling these in a cohesive manner will require improvements in funding capacity and capability, improving co-production, more focus on alliance contracting (providers partnering together), monitoring of outcomes and quality as part of the commissioning process, to evaluate social returns on investment as well as specific youth/health/crime/education outcomes.

4. Our Methodology

We have considered a range of service delivery options that are not mutually exclusive (linking back to key issues and drivers) and suggestions for the options for the future delivery of services include:

- A Brent Youth Organisation (as an independent commissioning organisation) – a voluntary sector organisation at arms-length from the council, with council involvement alongside local voluntary sector representation and other stakeholders – a key aspect here is not just examining the availability of VCSE groups to provide staffing and support to young people, but of overall funding and how resources can be most effectively mobilised and/or shared. We have identified potential funding partners for such a venture, although the scale of such funding could be significant i.e. capacity building or funding to outsource commissioned services.
- Moving specific aspects of services to different management arrangements e.g. management oversight by schools, greater role for housing providers, youth offending services or alternative education and/or full-cost recovery, given that many such savings have already been made in the past 5 years, further options need to be explored;
- Charitable and non-charitable entities. Charitable status organisations are able to access wider sources of funding streams and tax benefits that are not available to non-charitable entities;
- Traditional fully Integrated Youth Support Service (IYSS) outsourcing. This might be in an independent body i.e. a youth organisation or could be a mixed market model e.g. possibly to envisage a commissioning body and some outsourcing of key services in tandem. Some existing Brent assets i.e. hubs, may go due to alternative uses found by the Council; and
- A staff led mutual.

¹ Youth Support Services, Youth Service - External Funding during 2013-2014 and 2014-2015 year to date

² <https://www.gov.uk/government/publications/framework-of-outcomes-for-young-people>

We have considered 'do-something', 'do-minimum' and 'do nothing' options to assess how best to achieve significant improvements to the efficiency and effectiveness of the service in-house, knowing that a 'do-nothing' option is just a measure to compare with other options, not a default position, i.e. there should be no 'do nothing' option. **All the options we have mapped will be compared against the present in-house delivery base line shown in our financial model. This is reflected in an accompanying Financial Overview of Youth Services Financial Paper to support this Options Appraisal report with an outline 5 year financial model based on a delivery organisation maintaining a similar level of service in 2016/17 from 2015/16 levels. Our model is based on the minimum annual revenue requirement required to broadly continue the existing youth service provision "as is".**

4.1 Viability Assessment of Current Service Provision

Brent's Youth Services provision has been a success in recent years against a challenging financial and budgeting backdrop, by using a commissioning approach that focuses on the desired outcomes for young people rather than the specifics of what is to be delivered. Commissioning intentions are developed which then in turn shape future commissioning and front line services. The commissioning intentions for the re-commissioning of Youth Services from 2016-17 onwards are clear from a financial envelope perspective. Our 5 year financial model (discussed later in this report) reflects the 2014/15 baseline and adjusted 2015/16 budget position and can be interrogated with a series of flexible "what if" assumptions, based on adjusted staffing costs included, following discussions between Geldards and Brent Finance Team during March 2015, available Brent funding, and other asset costs. Our baseline model assumes a tapering down of the 2015/16 Youth Services budget figure of c. £1.3m by £100k pa over a 5 year period. At worst, a one off £900k budget reduction in 2016/17 could result in a very basic Youth Service of signposting and limited service provision (commissioning and/or delivery) for around £400k pa. We have to consider the loss of service in 2016/17 if a new independent commissioner / provider organisation that may be established is unable to secure enough sustainable funding for continued Youth Services commissioning (and thus delivery) provision.

However, our work has reaffirmed the need for Brent to maintain key aims:

- Pathways to employment for all
- Early help for young people in need
- Integrated specialist youth support
- Management of crime and disorder issues with young people
- Early prevention and intervention in key youth public health issues and substance misuse episodes

Commissioning intentions from Brent from 2016/17 onwards will be shaped by the findings from our report and the decisions arising from the Cabinet and Brent Council upon review of our findings.

It is clear from our financial assessment of the present youth service (see later in this report), that the viability of a new organisation that is based on retaining the current service delivery model is just not feasible with a reduced budget envelope of £400k that may be provided by Brent from 2016/17, together with the attendant costs that have been centralised within Brent over the past 5 years. We have produced a model reflecting this scenario.

As our financial model is predicated on the 2014-15 financial envelope, we are using the 2014-15 figures but note that a further review has taken place that identifies that the true costs of providing current Youth Services are considerably higher than the 2014-15 budget. Additional cost pressures of around £175k have been identified.

If a "no service" option was taken it would relieve an additional cost pressure going forward.

Had this options appraisal review of youth services taken place in 2008/09, then an option to reduce the staff cohort in Brent and still maintain current core services may have been possible, supported by a core, block contract for 5 years, to facilitate a smooth period of transition, as has been the case with a number of mutualising spin outs of LA services elsewhere in England.

By way of a recent example, more radical mutualisation organisational transfers are now being put into place. It was announced by Northamptonshire County Council (NCC) in February 2015, that its 4000 staff would be reduced to 150 core organisational staff as 4 new commissioning/delivery bodies were established for child protection, health and wellbeing, care of vulnerable adults and improving the county which will receive a collective cash contract envelope that is £68m

below current 2014/15 levels.¹ **The key here is that NCC is supporting all of its new bodies with a 5 year core contract each, albeit with a reduced funding envelope, but retaining the same staff cohort largely, with some staff savings.** . This has separated the commissioning role and spinning out delivery organisations by NCC. This allows time to facilitate transformation and mutualisation and to develop efficiencies and flexibility in each organisation. NCC also owns 100% of each of the bodies, during this process. If successful, then NCC has the option to spin these entities out as independent organisations in the future.

4.2 Options Appraisal

We have reviewed 5 options in a review matrix analysis.

1. No service – subject to delivery of statutory duties
2. Restricted service – in house
3. Restricted service – commissioned
4. Independent Commissioning/Delivery Organisation
5. Employee/Staff Led Mutual

As outlined in 4.1, the first three options shown above have been addressed in our risk matrix appraisal table hereafter and that any reduction in budget or removal of budget will have an adverse impact on Youth Services. The no service option is the default position realising full service cuts and immediate cash releasing savings to Brent of £1.3m in 2016/17 apart from whatever would be required to meet the council's statutory duties.

A more detailed explanation of models 3 to 5 can be found in section 4.3.

Our review matrix set out below has considered the potential advantages, disadvantages, risks and benefits that may arise under each of these options.

¹ <http://www.bbc.co.uk/news/uk-england-northamptonshire-31544256> - 19 February 2015

4.2.1 Options Review Matrix for Potential Organisational Structures

Options (across Risks/Dependencies/Benefits/Dis-benefits (below))	No service	Reduced Service – in house	Reduced Service – Commissioned	Independent Commissioning and Delivery organisation	Staff Led Mutual
Structural and Organisational Impacts on Brent Council					
Continuity	N/A – but still required to meet duties under Education Act.	Small staff cohort retained –in key strategic and operational posts. Some dis-benefit and associated risk in losing core staff and support assets e.g. hubs, Youth Bus etc.	As reduced service –in house –may require strategic staff, and make all operational staff redundant. Could lead to fragmented delivery	Reduced risk and dis-benefit from this. Could become major benefit, although dependency risk increases over time regarding the chosen organisations with whom Brent partners with. Brent controls continuity and service levels through contract	As Independent Commissioning/Delivery organisation. High financial risk against backdrop of financial budget reductions. Low risks for young people seeing “business as usual”. Brent dependency by mutual is high and overall this is a higher risk option for Brent to consider.
Legal	Removal of universal open access provision (Risk and Dis-benefit). Continuing requirement to meet core statutory duties	As no service –but with core retained services. Brent retains legal responsibilities and control of in house services. (Risk and Dis-Benefit to Brent and Young People)	Retain legal responsibilities and control of service delivery through contract management.	Potentially fully funded services by LATCO. Commissioned services overseen via BYO. Brent retains statutory duties but delivered via LATCO and BYO. Subject to confirming details of services, this model is capable of meeting Brent’s core statutory duties under the Education Act.	Services contracted to and delivered through mutual but Brent retains statutory duty. Subject to confirming details of services, this model is capable of meeting Brent’s core statutory duties under the Education Act.
Financial	Short Term Saving of £1.3m from 2016/17 less costs of meeting statutory duties; potentially resulting in unintended consequences and expensive downstream costs and community issues -	As no service - Short Term Saving of £900k from 2016/17 – unknown longer term benefits/costs. Short term cash releasing benefit –	As reduced service – in house. Some cost of contract management. Cash releasing benefit also from reallocation of current hub property facilities. May also be a	Potential services uplift through efficiencies from independent organisation augmented by additional funding that independent organisation sources.	Brent – gains from transferring costs of TUPE and Pensions funding – Mutual potentially at risk for future pension and TUPE liabilities – and reduced budget envelope. Mutual

Options (across) Risks/Dependencies/Benefits/Dis-benefits (below)	No service	Reduced Service – in house	Reduced Service – Commissioned	Independent Commissioning and Delivery organisation	Staff Led Mutual
	<p>unknown longer term benefits/costs associated with loss of service (potential risk and community dis-benefit). Potential empty property costs (4 hubs) – on-going maintenance and running costs and debt service costs (Roundwood). Also associated staff cost issues managing centres e.g. duty managers, etc. (risk of redundancy costs inside CYP and for other departments in Brent).</p>	<p>longer term dis-benefit for young people. Also dis-benefit to related CYP services (put under more pressure). Benefit for external providers – may provide better integration of commissioning.</p>	<p>risk and cost to Brent for voids/vacant hub properties in short term.</p>		<p>will need to raise additional funds for capacity building to be sustainable.</p>
Staff	<p>Redundancies – after formal consultation period (initial cash releasing benefit and longer term pension liability reduction). Need to examine cost of pensions as “strain cost” for redundant staff could be significant. Risk of loss of staff expertise and commitment and local experience and knowledge of young people community.</p>	<p>Retain core cohort of key service staff. Partial Redundancies required. Perhaps benefit to Brent CYP reshaping into targeted only Youth Service.</p>	<p>Commission external providers to deliver services either with own staff or taking on some Brent staff possibly subject to TUPE. Partial or full Redundancies. Some dis-benefits losing control of service provision and ceding trust to other providers. If TUPE applies, LGPS membership would also be relevant and would have to be funded.</p>	<p>In the event that TUPE does not apply, same as no service. If TUPE does apply, some Brent staff could transfer. If TUPE applies, LGPS membership would also be relevant and would have to be funded.</p>	<p>In scope employees, could be subject to TUPE. Brent could “draws line in sand” on Pensions Liability risk from date of transfer. Potential risk transfer here. Mutual needs to fund “Admitted Body” status under LGPS scheme for Brent. Greater control for staff</p>

Options (across) Risks/Dependencies/Benefits/Dis-benefits (below)	No service	Reduced Service – in house	Reduced Service – Commissioned	Independent Commissioning and Delivery organisation	Staff Led Mutual
<p>Governance (please see more detailed analysis in section 4.3)</p>	<p>Cabinet/Council officers to oversee provision and outcomes management. (Benefit to Brent for less organisational risk management –but retains legal obligations)</p>	<p>CYP overall responsible for smaller staff cohort and reduced budget. No major OD changes.</p>	<p>As reduced service in house except CYP manages contract letting and oversees outcomes and reporting. Contract management provides benefit through contractual tool to measure outcomes and reporting – dis-benefit is lack of direct council engagement” with young people.</p>	<p>Controlled by Brent through contracts, linked to legal obligations for service provision. Brent controls LATCO but BYO (if charity) will have degree of independence from the Council. Brent will not necessarily have control over how charity distributes funding.</p>	<p>Mutual could be majority ‘owned’ and controlled by employees. Brent will control delivery of services via services contract with mutual. Brent could have a “non-conflicted seat” on Mutual Board. Scope for Young People to become actively involved in Mutual Board and Strategic management.</p>
<p>Funding from Brent</p>	<p>N/A apart from statutory duties – Immediate Cash releasing saving (short term advantage). Longer term costs of funding vacant or void property assets, and potential downstream costs and community issues</p>	<p>Potentially £400k pa 2016-17 and beyond</p>	<p>Potentially £400k pa 2016-17 and beyond</p>	<p>Potentially £400k pa 2016-17 or possibly more, if Brent decides to increase funding envelope up to £1.3m. Brent can choose to decrease (or increase) funding on contractual, outcomes basis of contracts offered. More targeted service. Risk of BYO not being able to lever in sufficient funding to sustain this model. Reputational risk for Council if model is not sustainable.</p>	<p>Requires £1.3m budget in 2015/16 transferred as a block 5 year contract for mutual subject to procurement requirements (see section relating to procurement below) – as core funding to support transfer of present service. Mutual has time to develop new funding sources during 5 year Brent core contract period and replace funding in future. Risk for mutual of competitive providers bidding in 5 years. Risk that mutual unable to diversify its ‘offer’ beyond spin out contract.</p>

Options (across) Risks/Dependencies/Benefits/Dis-benefits (below)	No service	Reduced Service – in house	Reduced Service – Commissioned	Independent Commissioning and Delivery organisation	Staff Led Mutual
Property (please see more detailed analysis in section 6)	4 empty hubs with on-going maintenance costs – need to find alternative use/occupiers – possible development potential in keeping with wider council plans - possible claw-back of capital grant (where relevant) on disposal/change of use – potential for disposal resulting in income stream/capital receipt – potential to maximise use of currently underused facilities and fill unmet need elsewhere within local services.	Reduction in number of hubs resulting in empty properties with on-going costs including maintenance costs – need to find alternative use/occupiers of hubs surplus to requirements – possible development of surplus hubs in keeping with wider council plans - possible claw-back of capital grant (where relevant) on disposal/change of use – potential for disposal of surplus hubs resulting in income stream/capital receipt – opportunity to use better performing hubs for youth service delivery and off-load others under new arrangements to maximise use and fill unmet need elsewhere.	If services delivered from provider facilities see “no service” – if services delivered in whole or part from existing hub facilities see “reduced service – in house” – also need to settle new occupational arrangements between Brent and commissioned providers and decide how property costs/liabilities will be apportioned.	Brent decision required as to extent of use of existing hub facilities by new independent commissioning/delivery organisation – use of all hubs considered unlikely (Roundwood being seen as most likely hub for continued use) so see “reduced service – in house” – also need to settle new occupational arrangements between Brent and new independent commissioning/delivery organisation and decide how property costs/liabilities will be apportioned.	See “independent commissioning/delivery organisation”.
Other Grant & External Funding	N/A	Limited provision (based on current position)	As reduced service in house.	Has wider scope to bid for funding outside Brent availability – so potentially positive for service in future.	Depends on legal framework for mutual. Charitable and other not for profit vehicles likely to be more successful in securing funding

Options (across) Risks/Dependencies/Benefits/Dis-benefits (below)	No service	Reduced Service – in house	Reduced Service – Commissioned	Independent Commissioning and Delivery organisation	Staff Led Mutual
Procurement (please see more detailed analysis at para 4.3)	N/A	N/A	Contracts potentially subject to Public Contract Regulations and “light touch” regime.	Contract with LATCO potentially exempt under Public Contract Regulations. Management contract subject to Public Contract Regulations dependent upon value.	Services contract potentially subject to Public Contract Regulations and “light touch” regime. Possible use of procurement restriction to “mutuals” but limited to a 3 year contract.
Monitoring & Reporting	Minimal work required – small core Brent CYP executive team to manage? (Potential cost and time dis-benefit for CYP team)	In proportion to size of service.	Contract(s) to specify monitoring and reporting requirements. In house capacity required to manage the contracts. External reporting as separate entity.	Contract(s) to specify monitoring and reporting requirements. In house capacity required to manage the contracts. External reporting as separate entities.	Contract(s) to specify monitoring and reporting requirements. In house capacity required to manage the contracts. External reporting as separate entities.
Strategic Involvement of Young People	Limited scope for strategic involvement. Absence of youth services support team and possibly hubs, could alienate Youth Parliament and Young people in Brent. Risk of deterioration in social cohesion.	Reduced capacity for engagement.	Reduced capacity for engagement	Could have young people representatives on the Board	Could have young people representatives on the Board
Impacts on Other Services in Brent					
Safeguarding	CYP to liaise with Youth Support Services team overall. (increase in operational risk and time/cost dis-benefit over time). Greater dependency on other provider organisations and remaining staff cohort.	As No Service	As No Service. Risk of fragmented service delivery affecting young people. Safeguarding obligations to be addressed in contracts.	Safeguarding obligations to be addressed in contracts.	As independent commissioning/delivery organisation

Options (across) Risks/Dependencies/Benefits/Dis- benefits (below)	No service	Reduced Service – in house	Reduced Service – Commissioned	Independent Commissioning and Delivery organisation	Staff Led Mutual
Police and YOS	CYP to liaise with remaining service teams. Will need to report outcomes of no service over time. Increased pressures on YOS team and related services.	As no service	As no service. Risk of fragmented service delivery affecting young people.	Will need to use contractual KPI's to report back on targeted services let.	As independent commissioning/delivery organisation
NHS/CCG	No direct cost to Brent – but risk of increased cost burden of management of young people with mental health, substance misuse and sexual health conditions to NHS and GPs. Benefits could be through greater use of PH budget to create new targeted Youth services.	As no service	As no service	As no service Strategic approach to commissioning could drive significant benefits and efficiencies across public services	As independent commissioning/delivery organisation
Schools	No cost – Right Track is paid for direct to CYP by schools – Brent assumed to run cost neutral service. Dis-benefit to young people if schools refuse to collaborate to use existing assets after school for young people.	As no service	As no service – might be commissioned out to schools (some of Right Track is already delivered by teachers)	Might be commissioned to third party by Brent – based on CYP team being able to manage service – some of which is provided by schools staff under CYP control and guidance -	As independent commissioning/delivery organisation
Housing Associations	Could take up some slack from Brent service cessation – but only within their existing cost and staff envelopes. May cherry pick targeted service delivery work from Brent for them? Indirect benefit to Brent (cost and services).	N/A	Might be commissioned out to HA's with teams and sites that can become hubs – depends on targeted services -	As Reduced service – commissioned. Body may be able to leverage greater partnership working with housing associations	Mutual may need to establish links with HA's as part of its approach to delivering services that may be transferred under an initial block contract agreement from Brent.

Options (across) Risks/Dependencies/Benefits/Dis-benefits (below)	No service	Reduced Service – in house	Reduced Service – Commissioned	Independent Commissioning and Delivery organisation	Staff Led Mutual
Charities and VCS Orgs	No cost to Brent. Some VCS organisations may take up specific challenges but not a “whole service” replacement. Depends on VCS funding availability to deliver “ceased services”.	N/A	No cost to Brent apart from CYP management of let contracts and attendant outcomes reporting and management.	Real need to leverage income and greater partnership working. CYP management of contracts and outcomes.	Requires mutual to forge new links either as co-providers or collaborators to source additional funding and /or bidding for more contract work. Mutual may be established as a charity.
Other Organisations (including business)	Only if interested, otherwise N/A	As no service	As No Service	There is a real need to leverage income and greater partnership working from as wide a range of partners as possible.	Requires engagement by Mutual to develop new sources of funding, assets, people or combination of these.
Borough Wide Impacts					
Socio/Demographic Challenges	Increased risks of more NEET, FGM, and CSE, incidence and declining health and wellbeing of young people. More young people over next decade will reach 13-19 key demographic – harder to manage young people’s expectations and aspirations. Greater dependency on VCS/Police/YOS/Probation/NHS/GP services.	As no service but reduced negative impacts over longer period.	As reduced service in house	If achieves improved and more flexible delivery/commissioning methods may yield better value for money and other outcomes	As independent commissioning/delivery organisation
Families and Community	Given diverse nature of families in Brent, will put increasing transfer of risk onto this group from Brent Council – unsure of impacts at this stage, but likely to become	Some transfer of risk to families	Impact will depend upon level, volume and quality of work commissioned.	Impact will depend upon level, volume and quality of work commissioned.	As reduced service-commissioned but with added benefit that staff delivering services will have the opportunity to focus on core and sustainable

Options (across) Risks/Dependencies/Benefits/Dis-benefits (below)	No service	Reduced Service – in house	Reduced Service – Commissioned	Independent Commissioning and Delivery organisation	Staff Led Mutual
	increasing dis-benefit to community overall.				positive outcomes in key targeted areas.
Young People as Service Users	May fall away from positive activities i.e. Duke of Edinburgh, and at same time, increased risk of becoming susceptible to lower academic attainment and more exclusion risk. In turn this could create higher risk of substance misuse, criminal activity etc. Gradually increasing dis-benefits.	As no service but effects potentially mitigated.	As no service but effects potentially mitigated.	Potential to sustain engagement and usage of youth services in a more creative, and flexible manner, working with young people in a proactive and innovative manner.	As independent commissioning/delivery organisation.
Young People's Health	May deteriorate increasingly over time – hard to quantify at this stage.	As no service	As no service	Will have young people's health as a priority outcome.	Will have young people's health as a priority outcome.
Direct benefits/dis-benefits of Youth Services for Young People in Brent					
Value of Youth Parliament	Political and reputational risk of "not being seen to care for Youth Services". Already picked up in local press.	Potential to sustain meaningful Youth Parliament engagement	As reduced service in house. Contracts could make provision for Youth Parliament engagement.	As reduced service in house. Contracts could make provision for Youth Parliament engagement.	As independent commissioning/delivery organisation
Service Innovation	N/A – None – long term dis-benefit.	Possible opportunity to do this through service redesign and focus on key retained targeted outcomes	As reduced service in house – but third party providers incentivised to offer innovative delivery solutions through bidding	Potentially more capacity to secure innovative delivery solutions.	As for Independent Commissioning/Delivery Organisation but mutually contractually required to secure continuous improvement.
Direct Engagement with Young People	Likely to decline over time. Reputational risk of being perceived as not concerned about young people.	As no service – but effects may be reduced.	As reduced service in house	Could be positive if the reduced budget sums commission targeted work	Potentially good outcomes if staff adapt to new, more empowered regime where they make key decisions working with young people.

Options (across) Risks/Dependencies/Benefits/Dis-benefits (below)	No service	Reduced Service – in house	Reduced Service – Commissioned	Independent Commissioning and Delivery organisation	Staff Led Mutual
Flexibility	N/A – No flexibility.	Limited based on what CYP considers a “core retained targeted service need”	Subject to budget could be written into contracts.	Flexibility can be built into objects although charities can only deliver exclusively charitable objects. Also dependent on budget envelope.	Flexibility can be built into objects although charities can only deliver exclusively charitable objects. Also dependent on budget envelope.
Time	Impact of no service likely to be felt at an early stage although time period unknown.	Impact on outcomes likely to be over a longer period than for No service.	As Reduced Service in house	Full impact will probably not be apparent for at least 12 months.	Full impact will probably not be apparent for at least 12 months.
Wider Community Benefits/Dis-Benefits					
Integrated Commissioning/Service Delivery	N/A	Brent could consider working more closely with public health and CCG to provide an integrated pathway for youth services – preventative commissioning i.e. early stage interventions to prevent more costly reactive commissioning at future stage.	As reduced service in house – opportunity to commission providers already working in an integrated pathway and with youth services experience.	As reduced services – commissioned	As reduced services – commissioned but with mutual organisation forging its own relationships with other providers and /or commissioners in a new delivery model. Potential for more widespread working with VCS organisations who have previously not engaged with Brent.
Reputational	High Risk of poor public perception and adverse media coverage.	Reduced but still negative risk of poor public perception	As reduced service in house	Unless the BYO is perceived as genuinely independent stakeholders may not be prepared to engage	Unless placed on a reasonable robust platform at the outset could be perceived as being set up to fail.
Alliance Contracting (with other providers/orgs)	N/A	May provide further opportunities for alliance contracting	May provide further opportunities for alliance contracting	As reduced services – commissioned	Limited scope if mutual is main provider.

Options (across) Risks/Dependencies/Benefits/Dis- benefits (below)	No service	Reduced Service – in house	Reduced Service – Commissioned	Independent Commissioning and Delivery organisation	Staff Led Mutual
Business	Perhaps lack of young people employment engagement without Youth Services active involvement in apprenticeships/mentoring	As no service – insufficient staff resource within Brent to develop	Potential benefit if providers have strong links in local business community	As reduced service – commissioned. Some stakeholders may have active business links so potential benefit	Potential for mutual to develop beneficial relationships with businesses.

4.3 Delivery Models

4.3.1 Contracting / commissioning with third party organisations

One delivery option would be for Brent to enter into contract(s) with VCS bodies or other organisations like Prospects, Children’s Society or other similar organisations for the provision of youth services. The contractual arrangements between Brent and the organisation will be contained in an agreement (either an outsourcing agreement or contract). The agreement will set out the responsibilities of both of the parties.

Key issues for Brent to consider would include:

- Whether or not the Council would have a budget to externally commission such services
- Economic and financial standing of the organisation – this should be considered to ensure that the organisation will be able to fulfil its contractual obligations under the agreement.
- Taking into account the views of young people, including service users and Youth parliament members, and integrating them into decisions on future provisions – to evolve, innovate and keep relevant and up-to-date the portfolio of youth services offered.
- Increasing socio-demographic pressures – not just from incoming migrants, but also from a growing pressure from adjacent central London boroughs “pushing” more people into Brent due to lack of affordable housing, jobs etc.
- Key young people outcomes i.e. safeguarding, need to be protected
- Contract management – a contract with a separate organisation should contain appropriate and proportionate provision to regulate the relationship and ensure the services are being provided in accordance with the contract i.e. service quality, measurable outcomes (KPI’s).
- TUPE and pension implications
- Property – would commissioned providers have use of any of the existing hub facilities, and if so, under what type of occupational arrangements? What alternative use(s) of surplus sites might there be? Restrictions/conditions on proposed disposals by Brent to be considered.
- Procurement requirements

Procurement – Contract(s) with third parties

We have assumed for the purposes of this Report that the commissioning of youth services with third parties will be via contracts for the supply of services rather than via grant funding arrangements. The former, unlike the latter, may be subject to the public procurement rules. The key difference between a contract for the supply of services and a grant funding arrangement is that the former creates legally binding obligations on the organisation to deliver the services and on the council to pay the organisation for the provision of the services. Whereas under the latter there is no legally binding obligation on the recipient organisation to deliver the services although the latter could and usually would include an obligation to repay the grant if it is not used for the purposes intended.

The Public Contract Regulations 2015 (2015 Regulations) came into force in February 2015 and replaces the previous 2006 regulations. Like the 2006 regulations, the 2015 Regulations require public sector contracts above certain specified threshold values that are not expressly excluded from the scope of the 2015 Regulations to be competitively tendered.

Where it can be demonstrated for some or all of the services there is no market for them it may be possible to utilise a single negotiated tender procedure.

Although there is no longer a distinction between Part A and Part B services in the 2015 Regulations, there is a new light touch regime for health, social, education and certain other services contracts (regulations 74 to 77). Those services which fall with the light touch regime are set out in Schedule 3 to the 2015 Regulations and are based on the CPV codes. We have considered whether youth services fall within the light touch regime and it is possible that some or all of the contracts may fall within this regime depending on the type of services in question (for example, relevant CPV codes to which the light touch regime applies include youth education services, services to the community and services provided by youth associations). Careful consideration will need to be given to the types of services to be included in each contract to ascertain whether or not such services fall within Schedule 3 to the 2015 Regulations.

The light touch regime will apply to contracts for any of those services listed in Schedule 3 where the value of the contract is above the relevant threshold (currently £625,000). The light touch regime is designed to give as much flexibility as possible to contracting authorities and allows them to design the procurement process to be used. The new light touch regime for above threshold contracts includes the following requirements:

- The publication of a contract notice or prior information notice in the OEJU (except where the negotiated procedure without prior publication could have been used)
- The publication of a contract award notice following each procurement
- Compliance with the treaty principles of transparency equal treatment and non-discrimination
- The procurement must be conducted in accordance with the information provided in the OJEU advert (i.e. conditions for participation, time limits, award procedure)
- Any time limits imposed on suppliers must be reasonable and proportionate.

If the value of the contract for services is below the threshold, these do not need to be advertised in the OJEU unless there are concrete indications of cross border interest. The general rules on below threshold contracts would then apply to these contracts (see further below).

The 2015 Regulations include a new provision which allows contracting authorities to limit participation in the procurement procedure for contracts for the provision of certain specified Schedule 3 services to qualifying organisations such as mutual and social enterprises (regulation 77). This is not a direct award, rather the Council will need to follow the light touch regime in running the procurement (as explained above) but participation will be limited to these particular types of organisations. Not all of the Schedule 3 services are covered by this provision so again the services falling within the particular contract will need to be checked to see if this provision is available. If the procurement is to be restricted, qualifying organisations would need to meet the following conditions in order to participate in the procurement: (1) its objective is the pursuit of a public service mission linked to the delivery of services, (2) its profits are reinvested with a view to achieving the objective, (3) the structures of management and ownership of the organisation are based on employee ownership or require the active participation of employees, users and stakeholders, and (4) the organisation has not been awarded a similar contract of services by the council in the previous three years. A key point to note with regard to this provision is that any contract awarded pursuant to this provision cannot exceed three years in duration.

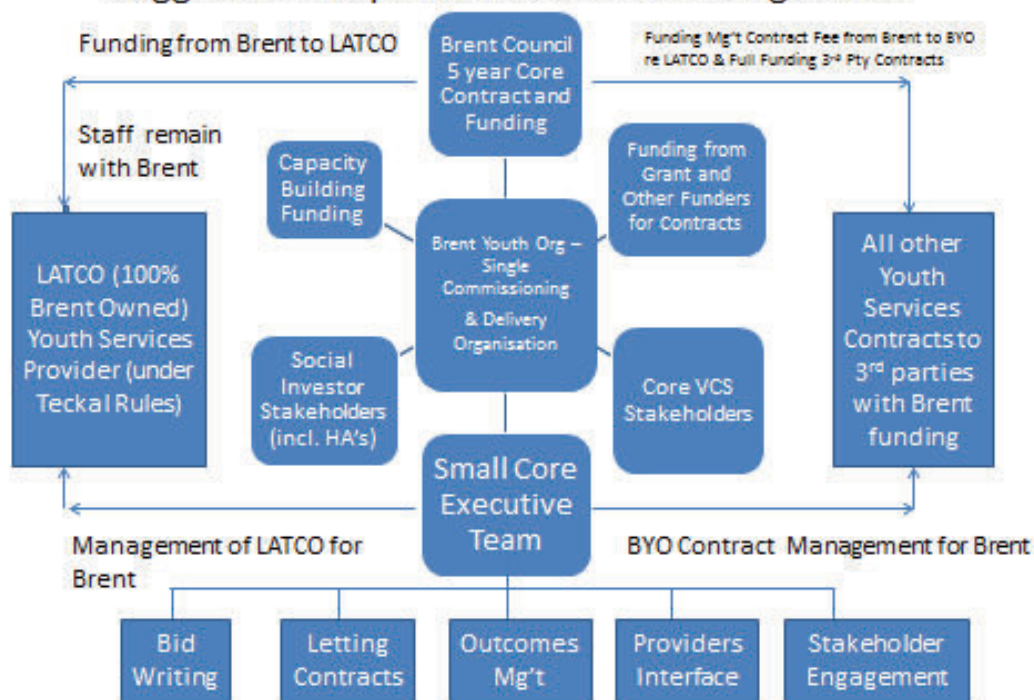
For services that fall outside Schedule 3 and the value of which exceed the relevant threshold the full procurement regime will apply to contracts which have a value above the threshold (and this is explained further on page 28). If below threshold, there is also a small number of requirements which we explain below on page 28.

Another possible option could be a number of below threshold outsourcing contracts and/or grant funding or a mix to such existing third party organisations with perhaps the Brent Youth Organisation managing all of the contracts to ensure consistency and no gaps in provision.

4.3.2 Independent Commissioning Organisation – Brent Youth Organisation / a Possible New Delivery Model

We illustrate our independent commissioning/delivery model structure in more detail. The model we have suggested is a commissioning only model initially, but could expand into a commissioning/delivery organisation over time. This is predicated on the assumption that the organisation is supported by a fully funded core contract that Brent lets to the organisation to manage on its behalf (subject to the procurement rules), and that the organisation raises its own funds to capacity build itself and to start to become both a recipient of new funds for youth service provision (mostly targeted) and to manage contracts such as Brent on their behalf.

Suggested Independent Brent Youth Org Model



This suggested new delivery model is a “single independent commissioning/delivery organisation” that takes on the sole commissioning responsibility for Brent Council to discharge its legal obligations to provide Youth Services, both directly and through this new organisation. Our proposed structure assumes that a new Brent Youth Organisation (BYO) will also capacity build and increase its pool of funding so that overall, over time, the current level of services can be maintained. It blends a variety of attributes seen in social business organisations into one new structure.

In outline, Brent would commission the LATCO to deliver Youth Services (scope to be confirmed) on its behalf. The LATCO is wholly owned and controlled by the Council (a Teckal entity). Brent commissions BYO to manage this and other third party youth services contracts on its behalf. This is explained in more detail below.

The illustration above does require the core support of Brent Council as a core starter contract, with a long term commitment based on a “tapered” core contract value from Brent to LATCO (as reflected in our baseline financial modelling) based on £1.3m 2015/16 budget carried forward less £100k taper reduction as follows:

- 2016/17 - £1.2m
- 2017/18 - £1.1m
- 2018/19 - £1.0m
- 2019/20 - £0.9m
- 2020/21 - £0.8m

The thinking behind this model is that BYO as a new commissioning organisation would take a management fee from all contracts it manages, including the proposed core block contract from Brent for existing in house services (5 years + 1 + 1). Five years contract duration provides a platform from which BYO can build and evolve sustainably. The core contract should have an extension option, at the discretion of Brent Council for extension by 1 or 2 further years on a “1 + 1 basis”.

Our financial modelling is predicated on the existing budgeted provision, including the £100k reduction in 2015/16 to cover staffing. What we have not modelled is the commissioning arrangements for this new proposed model. The LATCO arrangement proposed is 95% funded Brent to LATCO and 5% management fee from Brent to BYO that manages the LATCO contract for Brent. Other Brent contracts that may be let to 3rd party contractors would be managed through BYO which would take a 10% management fee from Brent i.e. using 90% of Brent funding for 3rd party providers.

We have also considered the costs of retaining the current staff cohort. Clearly a new organisation will not have the wherewithal to be able to sustain TUPE/Pensions obligations even with a core contract for a 5 year period, with a reducing cash value year on year, as suggested above. Therefore, we propose that the staff remain under the umbrella of Brent Council, and instead work for a 100% owned LATCO (Local Authority Trading Organisation) as secondees. Brent may have more opportunities for managing displaced staff and to better control the management of its core contract through BYO. Brent can retain the staff cohort under existing contracts through the LATCO, and have direct responsibility for its continued service. Over time, BYO may be able to reshape the provision of services, perhaps in a more targeted manner, as opposed to a more universal service offering, as is the current case, to meet the ever changing needs of young people in Brent in the future.

In addition, we would suggest that Brent passes over full management responsibilities for all third party contracts let by Brent, so that BYO has full control over all Youth Service activities in Brent. There would need to be a financial adjustment from Brent to the new organisation to cover the cost of “contract management” for all other contracts, including those with Connexions and other third party VCS providers. As those contracts fall due for renewal, then Brent and BYO can agree the available financial envelope and scope of each contact, so that BYO can action this for Brent. This creates a simplified, more flexible arrangement for Brent, whilst retaining the community facing provision and resultant outcomes. It also promotes co-commissioning and encourages alliance contracting by providers working together.

BYO may also be able to raise additional funds in its own right, and may then be able to make up any shortfalls in funding from existing let youth services contracts by Brent to third party providers. BYO will also focus on the VCS providers in particular, who are most vulnerable to contract value reductions or increased work scope for the same value as maturing contracts. By being able to attract additional funding, not available to Brent previously through its in house service provision, BYO may be able to “gap fill” any funding shortfalls, where services providing good or excellent outcomes need to be maintained and in some cases developed and expanded. The structure would potentially be flexible and enable services to be sustained and maintained whilst allowing flexibility in delivery and management of these and future contacts over time.

If there is the possibility that BYO could commission some services in future on its own behalf as well as on behalf of Brent, careful consideration would need to be given to whether BYO is itself a contracting authority subject to the procurement rules or whether it is only subject to the rules when acting on behalf of Brent.

In order to make up the funding / working capital shortfall for BYO, BYO will then identify and seek to raise funds from various grant and social investors sources e.g. BLF, JLT, City Bridge Trust, Henry Smith Trust, HA's and local business organisations to make up the difference. This will require a significant stakeholder engagement and influencing by a new organisation to secure and sustain this level of new funding. It will not be easy. The extra funds required (in our baselined financial model, we have estimated c £525k in 2016/17 rising to c £1m, by 2020/21 (assuming a 5 years contract between Brent and LATCO) would then be used to support and create additional youth services provision, either by making up the full value of contracts let to third parties, on a fully funded (as opposed to mostly funded) basis. Also there is scope to create new and more targeted services. Also, there is a need to manage the cost of covering shared services costs like HR, Finance, Legal and Insurance currently undertaken by Brent centrally.

This model also deals with the existing support staff by allowing them to continue to remain as Brent employees, working for the LATCO and BYO does not have the burden of staff transfer risk from Day 1. BYO could even be staffed by secondees from other organisations (and paid by them) as part of the delivery model, with a strong, but compact Board of Trustees overseeing the organisation on behalf of the Brent community.

Legal analysis

Power to establish and participate in corporate vehicles

Section 1 of the Localism Act 2011 provides the Council with a general power of competence. This provides that the Council ‘has the power to do anything that individuals generally may do’. The Council is no longer obliged to identify a particular benefit accruing to its area. Under this power, it is not possible to delegate a function to a company and therefore it will be necessary to enter into a contract with the entity (see further below).

In our opinion this power would allow the Council to enter into these arrangements with the BYO and to establish the BYO and the LATCO.

Legal Structure – BYO

The Brent Youth Organisation could take the form of a number of corporate structures i.e. Company limited by guarantee, Community Interest Company, Charitable Incorporated Organisation or Community Benefit Society. More details on each of the different corporate structures can be found in our table in para 4.3.5.

In order for BYO to obtain additional funding for third parties, it may be beneficial for it to become a charitable entity (either a charitable CLG, CIO or a charitable community benefit society).

Of the three charity structures above, perhaps the least likely to fit the desired model would be the charitable community benefit society. At present these bodies cannot register with the Charity Commission and are exempt charities. As such their charitable position is more difficult for the public and funders to understand. In addition they are more time consuming, problematic and expensive to establish.

Therefore, in reality BYO would need to be either a charitable CLG (incorporated with Companies House and then registered with the Charity Commission and HMRC) or a Charitable Incorporated Organisation (CIO) (incorporated by way of registration with the Charity Commission and then registered for tax relief with HMRC).

The advantages of using a CLG are that it is the more common model, the CIO only having been available since January 2013. The only other advantage that some within the sector perceive is that Companies House maintains a register of company mortgages which is searchable by external bodies. No such register exists for charges granted by CIOs.

That said, the more modern governance approach is the CIO as it is designed specifically for charities, does not involve regulatory or administrative interaction with Companies House only the Charity Commission and can be set up with either a wider membership (“association”) model or a narrow membership (restricted to those who are the charity trustees) (“foundation”) model.

A further advantage of a CIO is that at present it can be set up with a local authority member without any of the provisions relating to local authority controlled or influenced companies applying.

If Brent were to be one of the members of the CIO, then even if it were the only member, who was not also a charity trustee of the CIO, the association model constitution for the CIO would be used. This “association” model would allow for other stakeholders to be members if they wished. For example this might be a suitable way to engage with bodies such as the CVSs or the Youth Parliament. Like a CLG, a CIO can have some charity trustees aged 16-18. The individuals who would serve as the charity trustees could be elected by the members, appointed by external bodies, appointed by trustees themselves, or any combination of these options (e.g. some elected, some appointed by Brent or other bodies and some appointed by the trustees themselves).

Other administrative issues such as appointment/election of a chair of charity trustees would also need to be determined and can be dealt with in a variety of different ways to suit the needs of Brent and the youth sector served.

The fundamental issues to enable registration as a charity are that BYO must have:

- Exclusively charitable objects (such as “the relief of needs of children and young people”);
- Exclusively charitable activities in furtherance of those objects (conducted itself or in conjunction with others);
- AND
- It must be independent of the state (and this includes local government);
- It must benefit the public or a sufficient section of the public;
- Any private benefit must be incidental (i.e. a mutual set up by and for the benefit of employees cannot be a charity)

Independence does not totally preclude Brent involvement but the application to the Charity Commission for registration will need to demonstrate that any such involvement is limited in such a way as to ensure that the charity trustees are not simply following a local authority agenda and are able to make decisions at their own discretion.

The first trustees would be individuals identified by Brent on the recommendation of a more detailed consideration of the requirements for governance of the BYO charity. This would also determine the other matters which are mentioned including who the members would be; how trustees were elected/appointed; length and number of terms of office and identity of the chair of the trustee and other officers, their role and delegated responsibility.

BYO could provide funding to third party youth services providers (whether charitable or non-charitable) as long as the funding is to be used by the recipient for an activity to further the charitable purposes of BYO. This would need to be made clear in an appropriate grant agreement.

More information regarding charitable status is set out in section 4.3.6.

Legal Structure – LATCO

The LATCO could take the form of any of the vehicles explained in paragraph 4.3.5 except for charitable entities and their key characteristics are set out in section 4.3.5.

Local authority companies

If the LATCO is controlled by the Council, the Council will need to bear in the mind the provisions relating to controlled companies and ensure they meet any requirements.

The criteria for local authority companies is set out in the Local Government and Housing Act 1989 which provides that the following entities could satisfy the criteria of a ‘company’ for the purposes of the Act – a company limited by shares, a company limited by guarantee, a co-operative or community benefit society. Therefore any of the possible vehicles, except for a charitable incorporated organisation would meet this definition.

The Company will be controlled by the Local Authority if:

- the company is at that time a subsidiary of the local authority; or
- the local authority have the power to control a majority of the votes at a general meeting; or
- the local authority have the power to appoint or remove a majority of the board of directors; or
- the company is under the control of another company which is itself under the control of the local authority.

In relation to the power to control a majority of votes at a general meeting, this can be through the holding of votes by the local authority, by a group of members of the company the composition of which is controlled by the local authority and by persons who have contractually bound themselves to vote in accordance with the instructions of the local authority.

In order to meet the Teckal requirements (in Regulation 12 of the 2015 Regulations) set out below, the Council will need a high level of control over the entity (i.e. sole ownership by the Council), and therefore if it meets those requirements it will also meet the test for controlled companies under the 1989 Act.

There may be accounting implications if the company is controlled and we would advise that the Council consults with its own accountants, in particular as to whether or not there is any requirement to consolidate the accounts of the company with those of the Council for the period that the company is and remains controlled.

The Local Authorities (Companies) Order 1995 applies to England and Wales and sets out a number of requirements applicable to companies subject to the control of local authorities. The requirements are as follows:

- The company shall mention on all relevant documents (i.e. business letter, notices) the fact that it is a company controlled by a local authority and the name of that local authority
- The company shall not pay a director of the company, who is also a member of the authority, remuneration and expenses in excess of the maximum amount payable to the member by the authority
- The company shall not publish any material which the authority would be prohibited from publishing by section 2 of the Local Government Act 1986 (as amended)
- The company must make arrangements to remove any Directors who have been disqualified from membership of the authority otherwise on the grounds of being employed by a local authority or controlled company
- The company shall provide or instruct its auditors to provide
 - To the auditors in relation to the accounts of the authority, such information and explanation about the affairs of the company as they may require for the purposes of the audit of the authority’s accounts; and

- To any person authorised by the Audit Commission (or its successor), such information as that person or the Commission may require for the discharge of any function under Part III of the Local Government Finance Act 1982 (as amended)
- The company shall provide to a member of the authority such information about the affairs of the company as the member reasonably requires for the proper discharge of his/her duties
- A controlled company shall, before it appoints an auditor of the company, obtain the consent of the Audit Commission to that appointment.
- A company shall make available for inspection by any member of the public a copy of the minutes of any general meeting of the company for up to four years after that meeting. However, this will not apply to any matter the disclosure of which would be in breach of any enactment or of an obligation owed to any person.

Power to trade commercially

Subject to the requirements below on Teckal entities (in Regulation 12 of the 2015 Regulations) and their limitations, it may be possible for the Council to set up the LATCO so it has the ability to trade services. Section 4 of the Localism Act 2011 permits the council to do, for a commercial purpose, anything that they are empowered to do by statute, as long as they do so through a company. However there are restrictions on local authorities trading mandatory functions and, if this option was pursued, it would be necessary to undertake an assessment of which youth services functions could be traded and how. . The company must be set up in one of the forms prescribed by the Act which includes a company within the meaning of the Companies Act 2006 (company limited by shares or company limited by guarantee which in our opinion includes CICs) or a co-operative or community benefit society.

Procurement - Contract for Services between Brent Council and LATCO for provision of youth services

As explained above there are a number of contracts which may be excluded from the provisions of the 2015 Regulations. One exception is in relation to contracts awarded to controlled entities. This was previously known as the Teckal exception but has now been codified in the 2015 Regulations.

Regulation 12(1) states that: A public contract awarded by a contracting authority to a legal person falls outside the scope of the full regime of the 2015 Regulations where **all** of the following conditions are fulfilled:

- The contracting authority exercises over the legal person concerned a control similar to that which it exercises over its own departments.
- More than 80% of the activities of the controlled legal person are carried out in the performance of tasks entrusted to it by the controlling contracting authority or by other legal persons controlled by that contracting authority.
- There is no direct private capital participation in the controlled legal person with the exception of non-controlling and non-blocking forms of private capital participation required by national legislative provisions, in conformity with the Treaties, which do not exert a decisive influence on the controlled legal person.

A contracting authority shall be deemed to exercise the required level of control where it exercises a decisive influence over both strategic objectives and significant decisions of the controlled legal person, or the control is exercised by another legal person, which is itself controlled in the same way by the contracting authority (Regulation 12(3)).

If the LACTO is set up and operates in such a way as to comply with these conditions Brent will be able to award the contract for youth services to the LACTO without going through a competitive procurement exercise under the public procurement rules.

If the LATCO is wholly owned by Brent Council, there will be no private participation and as Brent will be the sole member/shareholder and responsible for the strategic decisions, it would meet part of the first requirement. The entity would need to remain as a wholly owned company and the Council should not divest itself of all or part of ownership or admit private owners into the entity otherwise this would trigger a requirement to re-tender the contract competitively. The Council would also need control at board/management level to be able to fully satisfy the requirements, although this would not prevent them from having young people representatives or other stakeholders on the board provided they are in the minority for decision making and that Brent retains control over decision making and there is no private capital being invested. It is also important to recruit a range of people to the board who have the necessary skill set, for example finance, HR, legal and governance.

The current proposal is for the LATCO to deliver the youth services on behalf of Brent Council through a services contract and therefore, at least initially, the only activities undertaken by LATCO would be for Brent Council. In order to continue to meet the requirements, more than 80% of the LATCOs activities must always be for Brent.

Procurement - Contract for the Management of Services between Brent Council and BYO

As explained above the Public Contract Regulations 2015 came into force in February 2015. The rules on procedures for procurement set out in the regulations will apply to public services contracts where they are above the threshold and are not excluded from the scope of the rules.

The detailed scope of services would need to be considered to ascertain what procurement regime would apply. The provision of contract management services are not likely to fall within Schedule 3 and the light touch regime nor any other exemption set out in the 2015 Regulations.

Therefore, the full procurement regime will apply if the value of the contract is above the threshold (the current threshold for services contracts is £172,514). This will mean the contract must be competitively tendered through a contract notice in the OJEU using one of the prescribed procedures.

If the value of the contract is below the threshold but above £25,000, although the main procurement regime does not apply, regulations 109 to 114 do set out some requirements for below threshold procurements including:

- If the contract opportunity is put in the public domain, it must also be published on the government Contract Finder website. The advert must clearly specify the time limits to respond, how to respond and any other conditions for participation.
- Pre-qualification questionnaires cannot be used for these contracts.

If below threshold, consideration would also need to be had as to whether there is the possibility of any cross border interest and if so the need to comply with the general treaty principles (transparency, equal treatment, non-discrimination).

One possible alternative to avoid a procurement requirement would be to constitute BYO also as a Teckal entity. However this would mean it could not be established as a charity and may not attract external funding if it is controlled by the Council. Also this appears to contradict the rationale for BYO. Another option would be to let the management contract(s) at a value which was below the procurement threshold (subject to compliance with the anti-avoidance provisions in the 2015 Regulations).

Alternative variation to this model

Note there is a possible variation to our proposed independent commissioning/delivery model structure. One of our stakeholder consultation meetings with John Lyon Trust, a Charity focused on Children and Young People that has existed in the Brent Area since 1572, has proposed an organisational model, which is a commissioner based organisation. It makes a tacit assumption that the existing Youth Service would cease and that Brent Council will handle and fund all associated redundancies, or if staff are primarily assigned to the services carried out by the new service provider (provided they retain their identity) the staff would transfer under their existing terms and conditions of employment, together with all rights, obligations and liabilities. In the event the youth services are sufficiently distinct from the previous, it may well be that there is not a relevant transfer under the TUPE regulations or that staff are primarily assigned to any residual services retaining their identity, in such circumstances TUPE would not apply. In its place, there would be a Youth Brent Foundation (which may inherit some or all of the services), as a commissioning trust only or commissioning and delivery based organisation. It would have a dual role, as a funding organisation supported by a range of funding providers, including local charities, larger national charitable organisations, Brent Council (subject to any state aid issues) and interested social investors. It would be a charity organisation and be accountable to the Charity Commission and provide a central hub for both commissioning and intelligence gathering and reporting. We include this proposal for information only having not analysed it in any detail.

- Registered Charity
- Membership organisation available to any group that works with Children and Young people in the borough
- Trustee Board that will include the voluntary sector as well as other partners.

- Representation from Local Authority, Voluntary sector, Police , CCG, Housing Associations, Faith organisations, uniformed groups, Corporate sector and funders
- Activities in furtherance of a recognised charitable purpose (in simple terms - to relieve the needs of young people) :
 - To work as a consortia to fundraise collectively from sources such as Lottery and ESF, attracting funds to a sector that needs more income
 - Support the sector to build an organisation strong enough that can be commissioned by the Local Authority
 - To deliver sector specific capacity building
 - Share venue space
 - Grow the Children and Young People’s sector in the borough and safeguard existing provision
- Three main strands of work
 - Capacity building, central fundraising based on a consortia approach
 - Venue Bank (Youth Centres, Churches, Scout Huts)
 - Small grant fund devolved
- Communication through interactive website, app and events and Venue calendar
- Key stakeholders in Brent
 - Making the Leap
 - BANG
 - MAMA Youth
 - Hornstars
 - CVS Brent
 - Firm Foundations
 - SWAY
 - Brent Play Association
 - QPR
 - Tricycle
 - Brent Centre for Young People
 - Help Somalia Foundation
- Funders - Local Authority, CCG, Police, Housing associations, JLC, possibly City Bridge and Lottery
- Other partners
 - London Youth
 - Children England
 - Partnership for Young London
 - TSIP/Project Oracle
 - GLA Young Peer Advisors
 - NRCSE

This example highlights the need to consider a wide range of options in looking at a new youth service model. This would need to address:

- Fragmented commissioning
- Better co-operation, collaboration and co-production
- Increased use of CVS youth service providers and related CVS organisations.
- Integrated commissioning using a wide cohort of suppliers and commissioners

4.3.3 Employee/Staff Led Mutual

Over the past 10 years, there has been a gradual trend towards “mutualisation” in England of in-house public services into new independent organisations that can successfully compete and be competitive and effective in delivering services as an autonomous body. The term ‘mutual’ is now used rather loosely to include co-operative and community benefit societies, social enterprise businesses, and employee-owned businesses. There are four key features of a mutual:

1. Purpose - Mutuals are established for a shared purpose – that can be to serve a closed community of members and share economic benefits among them; or they can be set up for an altruistic community purpose
2. Ownership - Mutuals are ‘owned’ by their members (often the employees). This ownership is vested in the membership community but is held in common – no individual is entitled to a share of the underlying assets.

3. Control - Mutuals normally operate democratic voting systems, on the basis of 'one member: one vote', so there are no interest groups or 'majority shareholders' who can automatically outvote the others.
4. Representation of Stakeholders - Mutuals have a governance structure which ensures that different stakeholders can play an appropriate role i.e. advisory role, in running the organisation; this could include staff, service users and external participants. There are a variety of ways to achieve this.

The term 'public service mutual' is used by the Cabinet Office to describe an organisation that has spun out of the public sector, continues to deliver public services and involves a high degree of employee control.

As to the legal form of a mutual, a company limited by guarantee, a company limited by shares, a community interest company, community benefit society, a charitable company, and a charitable incorporated organisation could all qualify as mutuals, provided that their constitutional documents include these features. An explanation of each of these is set out in the table in para 4.3.5.

It is important to recruit a range of people to the board who have the necessary skill set, for example finance, HR, legal and governance. Consideration should also be had as to whether there are to be employee representatives or youth representatives (although note the minimum age for persons on the board is 16 years old) on the board or whether there are to be separate advisory groups for these stakeholders who can report back to the board but in an advisory capacity only. Further, the Council may wish to have a representative on the board either in a voting or non-voting capacity.

Consideration would need to be had by the Council as to how the mutual will be awarded the contract to deliver the services and what the requirements under the public procurement rules may be. The position will be similar to the commissioning model with third parties. It may be that the light touch regime, new provisions for mutuals and the possibility of use of a single negotiated bid are relevant in this model in the same way (please see explanation above in 4.3.1). Alternatively, (subject to what we advise above and to any state aid issues) a grant agreement could be considered as the commissioning mechanism.

The potential benefits of a mutual are:

- Likely to be popular with end-users because they are rooted in community involvement and is likely to enhance the level of trust and engagement with the entity
- If well run, more tailored and responsive services through deeper understanding of client group
- Increase efficiency as front-line staff more motivated by holding a stake in the organisation. It can empower staff (more control over destiny) and has a beneficial impact on involvement, commitment, creativity and performance.
- Leaner structures - free of corporate overheads and recharges and can review and assess the resources required
- They are accountable to the wider stakeholders and community
- Front line professionals are given the freedom to improve their business, they can innovate and act as "social entrepreneurs" (i.e. power to trade, control over budget, generate independent revenue streams)
- Publicly-funded assets can be safeguarded for future public benefit

The potential disadvantages of a mutual are:

- Employees, service users and wider community may not have appetite & skills for the enterprise
- Mutual may not be able to improve service quality and scale up to size
- Offers no particular guarantee of job security - subject to market pressures (applies to all model options discussed)
- May struggle to achieve cost-savings and innovation
- Commissioner/host may perceive high degree of risk?
- TUPE/pensions/assets may be inherited from the local authority

Any team contemplating setting up a mutual for service delivery will need to give careful thought to the business plan. Starting a business is a demanding and potentially life-changing experience and therefore the team will need to have the appetite to do so and have the right skills, expertise and experience (or be able to access these skills).

A staff led mutual can replicate the provider position of LATCO, as an independently owned organisation. However, that independent mutual organisation would:

1. Need a five year block contract from Brent for Youth Services with the 2015/16 budget envelope to give the mutual a fighting chance of survival and evolution ~ (subject to the procurement restriction referred to above);
2. Bear the direct full financial and operational risk (Brent can help initially by providing this support for an initial period) for creating a back office resource (it will have to get HR, Finance, Legal and Governance experience very quickly);
3. Require some staff to assume strategic and governance risk from day 1 i.e. becoming directors, of the mutual, when previously they were Brent employees;
4. Be expected to transition into a new organisation by 31 March 2016 – mutuals have often operated in shadow and parallel running form, within a Teckal organisation owned by the local authority or just a shadow organisation (with no direct organisational change) until ready to formally spin out as a mutual organisation; and
5. Possibly bear some or all of the full financial risks of TUPE and Pension Liability

In the case of Brent Youth Services, this is not likely to be a mutual “spin-out” of existing services, by which it becomes a stand-alone new entity. This is because the underlying financial budget envelope is being reviewed to explore a possible cut from £1.4m in 2014/15 to £0.4m in 2016/17 with the possibility of a cessation of a substantial part of current Youth Services. **This means that the present staff cohort is at risk as a new organisation would be unable to assume the financial burdens of TUPE/Pensions transfer risk of some or all of the staff presently employed.**

We believe the staff led mutual option, in the current circumstances and the potential financial cuts, is not a viable option for either Brent or its staff, without serious commitment to make it succeed on both sides, both financially and organisationally.

4.3.4 State Aid

A preliminary state aid assessment is set out on page [] on the Implementation Plan.

4.3.5 Corporate Vehicles

As described earlier, there are a number of corporate vehicles which could be used for the chosen delivery model. **For the purposes of this report, we are not considering any corporate vehicles that have a private sector structure primarily designed to generate profits for investors and shareholders, for example, Joint Ventures, Companies Limited by Shares (except as they may be relevant for Community Interest Companies), Limited Liability Partnerships, Management Buy Out companies and Asset Backed Vehicles.** These forms of organisations would not be able to access the routes to grant and other soft revenue funding sources that a new Youth Services organisation will require in delivering its objectives and achieving its outcomes. We also believe that these forms of private sector structured organisations have limited scope to secure any commercial value from a contract commensurate with the present service and associated budget currently in place for Youth Services within Brent Council, e.g. Roundwood with its planning consent restrictions on opening times and restricted use conditions.

Instead, we are focusing on a blend of employee or community owned and charitable organisation structures which would be able to access routes to funding outside the present compass of Brent Council, especially regarding grant and other funding streams to support a future Youth Services provision vehicle. This also potentially could involve Brent Council taking an active and inclusive stakeholder role.

The table below sets out the key differences between the corporate vehicles.

Relevant Legislation and Regulator	Company Limited by Guarantee (and Company Limited by Shares) (CLG/CLS)	Community Interest Company (CIC)	Community Benefit Society [and Co-operative Societies] (formerly Industrial and Provident Societies)	Charitable Incorporated Organisation (CIO)
	<p>Governed primarily by the Companies Act 2006.</p> <p>Regulated by Companies House and the Charity Commission where a CLG is registered with the Commission.</p>	<p>CICs are governed primarily by the Companies (Audit, Investigations and Community Enterprise) Act 2004 and The Community Interest Company Regulations 2005.</p> <p>Regulated by Companies House and CIC Regulator.</p>	<p>Governed by the Co-operative and Community Benefit Societies Act 2014</p> <p>Regulated by the Financial Conduct Authority.</p>	<p>The legal framework for CIO's is set out in the Charities Act 2011 and two sets of Regulations which came into force at the beginning of 2013; the Charitable Incorporated Organisations (General) Regulations 2012 (General Regulations) and the Charitable Incorporated Organisations (Insolvency and Dissolution) Regulations 2012 (Dissolution Regulations). Regulated by the Charity Commission.</p>
<p>Explanation of corporate vehicle</p>	<p>The members of the CLG give a guarantee for a nominal sum which will be the maximum amount that they will be liable to contribute if the company is wound up. Compare this against a Company Limited by Shares where the members own the shares in the company and the extent of their liability on winding up does not extend beyond any sums that they have yet to pay to the company to purchase their shares.</p> <p>Perhaps the most significant distinction between the two forms of company is the ability to pay dividends to members/shareholders. A company limited by shares may pay dividends but this means of profit distribution is not available to companies limited by guarantee. In that sense a company limited by guarantee can operate as a not for profit/asset locked body and can be registered as a charity.</p>	<p>A CIC is a form of company regulated by the CIC Regulator. It can either be a share or guarantee company (CLS/CLG). It has the same governing documents as a limited company and is subject to the same procedures as a company, such as a duty to inform Companies House if a director or company secretary is appointed or resigns.</p>	<p>Societies have separate corporate legal personality and limited liability for participants and fall into two categories:</p> <ul style="list-style-type: none"> • Co-operatives Society – an organisation formed for the benefit of its members, rather than the society at large, and which represents the core values of a co-operative. In our opinion, this has no relevance to Brent and will not be examined any further in this report. • Community Benefit Society – one which pursues a wider public good rather than just its members' interests. It cannot distribute profits to members nor can assets be distributed to members on dissolution. Consequently, the Community Benefit Society will often qualify as an 'exempt charity' if it meets the criteria for charitable status. 	<p>The CIO is a new form of incorporated vehicle which has been available since January 2013.</p> <p>A CIO provides some of the benefits of being a company but without some of the burdens. The CIO was introduced as it was felt that there were too many problems for charities with the existing formats.</p> <p>A CIO is an incorporated structure for a non-profit making organisation with limited liability where there are one or more members. The organisation is solely registered with, and regulated by the Charity Commission. A CIO is a corporate body that can own property, employ staff and enter into contracts in its own name (rather than in the name of the trustees).</p>

Key Features to Note / Principles	Company Limited by Guarantee (and Company Limited by Shares) (CLG/CLS)	Community Interest Company (CIC)	Community Benefit Society [and Co-operative Societies] (formerly Industrial and Provident Societies)	Charitable Incorporated Organisation (CIO)
<p>CLGs are traditionally associated with profit-making enterprises but along with CLGs have been increasingly used by the social enterprise sector as purpose built vehicles to pursue social or not for profit objectives.</p> <p>Companies represent a recognised corporate structure and provide for transparency. They are likely to be vehicles that are familiar to commissioners and other stakeholders.</p> <p><i>Limited liability</i> – the liability of the members is restricted to the amount guaranteed.</p> <p><i>Two-tier management and governance system</i> – members will decide the most important decisions regarding the company such as changing the governing documents and winding up, whilst the directors will carry out the day-to-day running of the company</p> <p>A <i>separate legal entity</i> – the company is able to borrow money (secured or unsecured including by way of overdraft), employ people, trade, enter into contracts with third parties and hold assets and interests in land in its own name if it makes provision for such in its articles of association.</p> <p>For a company, only one member and one director is required (although at least one director must be a person) and the roles of</p>	<p>Launched as a custom made vehicle for social enterprises in 2005. It must have objects which are exclusively for the benefit of the community.</p> <p>An important point to note about CICs is that they are dual-regulated both by Companies House and the CIC Regulator. They therefore have obligations above and beyond what is required for other limited companies and this additional paperwork must be borne in mind.</p> <p>The CIC format is popular amongst the social enterprise/not-for-profit sector as it is considered to allow more flexibility and less regulation than a charity, but still offers a reassuring brand which third parties can feel confident in engaging with. Commissioners are also becoming more familiar with CICs. Becoming a CIC may also open new avenues of funding such as grants and loans available to social enterprises / not for profit organisations.</p> <p><i>The ‘Asset Lock’</i> – assets, cash and property can only be used for the stated community purpose. Organisations can name another ‘asset-locked’ body to receive any surplus assets upon winding up. If no such body is named, the Regulator will award the assets to an asset-locked body which has similar objects</p> <p><i>The Community Interest Test</i> – organisations must demonstrate that a</p>	<p>The FCA provides guidance on what conditions it would normally expect a Community Benefit Society to satisfy in order to be registered. These are:</p> <ul style="list-style-type: none"> • The business must be run primarily for the benefit of people who are not members of the society, and must also be in the interests of the community at large. It will usually be charitable or philanthropic in character. • It is unusual for a community benefit society to issue more than nominal share capital (for example, one £1 share per member). • The society’s rules must not allow either profits or the society’s assets to be distributed to the members. Profits must generally be used to further the objects of the society by being ploughed back into the business. Where the rules of the society allow assets to be sold, the proceeds of the sale should be used to further the society’s business activities only. • The society’s rules must not allow its assets to be distributed to its members on dissolution. The rules should state that the assets should be transferred, for example, to some other body with similar objects or used for similar purposes. 	<p>Separate legal entity which can enter into contracts in its own right.</p> <p>Trustees better protected from liability than an unincorporated form (i.e. a charitable trust).</p> <p>Accountable only to the Charity Commission i.e. not subject to regulation by Companies House.</p> <p>One of the most distinguishing features of the CIO is the opportunity for a charity to obtain the benefits of limited liability without the confusion and extra administration of dual regulation.</p> <p>Otherwise a charity wanting limited liability has to incorporate as a company limited by guarantee. This entails registering with and being regulated by two bodies, the Charity Commission and Companies House. A CIO avoids this.</p>	

	Company Limited by Guarantee (and Company Limited by Shares) (CLG/CLS)	Community Interest Company (CIC)	Community Benefit Society [and Co-operative Societies] (formerly Industrial and Provident Societies)	Charitable Incorporated Organisation (CIO)
	<p>member and director can be fulfilled by the same person or entity.</p> <p>Companies have basic requirements under company law which they must adhere to, but otherwise are allowed a degree of flexibility as to how they are structured internally. A company may have sub-tiers of management, such as directors delegating to committees. They may also have rules such as a certain number of members or directors having to represent a particular stakeholder group or organisation.</p>	<p>reasonable person would perceive their activities as being for the benefit of the community. The community must not be an unduly restricted group or have political motives or activities. It is possible for employees of a CIC to benefit from its activities but only if such benefit is incidental to a wider primary community purpose.</p> <p><i>The Dividend Cap</i> – payments out of a CICs profits to private investors are restricted by a dividend cap. Private investors are essentially any persons or bodies who are not asset locked bodies. The maximum aggregate dividend cap is currently 35% of the funds available to pay dividends.</p> <p><i>Two-tier management and governance system</i> – members will decide the most important decisions regarding the company, such as changing the governing documents and winding up, whilst the directors will carry out the day to day running of the company.</p> <p><i>A separate legal entity</i> – the company is able to borrow money, employ people, trade and enter into contracts with third parties, hold assets and land in its own name provided it has made provisions for this in its articles</p>	<p>Community Benefit Societies can apply an 'asset-lock' which prevents any assets or cash from being distributed other than to creditors on a winding up or to another asset-locked body, such as a charity or a CIC.</p> <p>Societies benefit from a privileged position in their ability to issue shares to the public which can be useful if the body wishes to raise substantial capital from members of the public.</p> <p>One of the drawbacks of this format is undoubtedly that it is a less familiar creature to funders and investors than a company.</p>	
<p>Governing Document and Process</p>	<p>A limited company's governing document is known as the articles of association. The memorandum of association contains the</p>	<p>The governing document of a CIC is the articles of association. This will be the same in nature as the articles of a</p>	<p>The participants agree to be bound by a set of Rules which represent the constitution of the Society. All Rules must be registered</p>	<p>To set up a CIO an application will need to be made to the Charity Commission, and will need to include a copy of the</p>

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	<p>names and signatures of the subscribers or founders that wish to form the company and, in the case of a company limited by shares, a commitment by the subscribers to take at least one share each.</p> <p>The articles of association give details of the company's structure, scope of activity, internal management affairs, the running of the company and its liability and can be tailored to the particular circumstances of the company. Thus, it is possible to include provision that specified articles can only be amended or repealed if conditions are met requiring a majority vote of members exceeding 75%.</p> <p>The fees payable to Companies House for incorporating a company are £40 for standard incorporation and £100 for same day incorporation.</p>	<p>company, but there are some mandatory provisions which have to be included. The CIC Regulator is very strict about the inclusion of these provisions and will reject an application which does not adhere to the exact wording required. There are three schedules of mandatory provisions in the CIC Regulations:</p> <ul style="list-style-type: none"> • Schedule 1 is for a CIC with no share capital i.e. limited by guarantee • Schedule 2 for a CIC with share capital but where dividends will only be paid to 'Asset-Locked' bodies (i.e. charities, other CICs or Community Benefit Societies) • Schedule 3 is for a CIC with shares where dividends can be paid to private investors <p>Along with the memorandum and articles, a Form CIC 36 must be completed. In this Form, the organisation must define the community they wish to benefit, state what its activities are and how these activities will benefit the community. The processing fee payable to Companies House for setting up a CIC is £35. The registration process should take up to 3-4 weeks provided there are no complications.</p>	<p>with the FCA on incorporation. The legislation sets out a number of pieces of information which must be included in the rules including objects, registered office, voting etc.</p> <p>The rules of a Society must also provide for the scale and right of voting, and technically at least it seems that on both these matters the rules may make such provision as is desired. The rules of a Society may make provision for different classes of shares. Society members typically have equal voting rights regardless of their shareholding ('one member = one vote').</p> <p>Application for Registration is submitted to the FCA and there are model rules for Societies produced by various sponsoring bodies in particular sectors and the use of these models reduces the cost and time for incorporation. The cost of registration is £40 if model rules are used rising to £950 if a bespoke draft is submitted.</p>	<p>organisation's Constitution containing the required provisions as well as other administrative documents.</p> <p>A CIO will be governed by a Constitution which will need to include details of the name of the CIO, its principal office and the amount which the members will be liable for upon winding up. It will also detail who is eligible to be a member or trustee, conditions of eligibility and the process for appointment. Using these models will ensure that new CIOs meet all the necessary legal requirements (i.e. that it contains all the mandatory provisions) and that it complies with good practice.</p> <p>The objects of the CIO must be exclusively charitable and for the public benefit (and regard will need to be had to the Charity Commission's Public Benefit Guidance).</p> <p>Once the constitution has been decided, an online application will need to be made to the Charity Commission to register the CIO. There is no charge for registration or for the filing of information. The Charity Commission may refuse to register a CIO if it is not satisfied that the CIO would be a charity at that time, or if its constitution does not meet the requirements set out in the Regulations. The Charity Commission will normally be able to make a decision within 30 working days where the model governing document and objects are used.</p>

	Company Limited by Guarantee (and Company Limited by Shares) (CLG/CLS)	Community Interest Company (CIC)	Community Benefit Society [and Co-operative Societies] (formerly Industrial and Provident Societies)	Charitable Incorporated Organisation (CIO)
Management and Structure	In a company there is usually a two tier management structure. The members will approve the important decisions such as changing the articles, whilst the board of directors will make the key day-to-day decisions. The articles of association will set the parameters within which the board of directors operate, such as how many directors are required to make a quorum and how votes are conducted.	A CIC will have the same management structure as a Company.	Unlike the Company structure, there is very little statutory interference in the role of the board and membership. The detailed distribution of powers and functions between the board and the membership is highly flexible and a matter for the Society Rules and therefore can be tailored to particular circumstances. The management structure is essentially two-tier with a management committee or 'board' accountable to a wider membership. In theory, the members hold the board to account at general meetings since they elect or approve board members, appoint auditors, receive the accounts, and amend the Society's rules. It is possible to create an executive committee made up of a smaller number of officers who meet more frequently and make day-to-day decisions. A Society must have at least 3 members. All Societies must have a Secretary who looks after the corporate administration.	If the application is more complex or there are significant amendments to the model documents, it may take longer. Like a company, a CIO has a two tier management system; the members will be responsible for making the key constitutional decisions and the charity trustees will be responsible for managing the affairs of the CIO. The constitution will set out how members and charity trustees can be appointed and what their duties and responsibilities are. The Charity Commission have published two model constitutions for use by CIOs: 1. Association Model Constitution – for use by CIOs with voting members other than its charity trustees. The membership can be open to anyone who is interested in furthering the purposes of the CIO. In this model the wider voting membership will have the power to make certain decisions (i.e. amending the constitution) and will appoint some or all of the charity trustees who will be responsible for the affairs of the CIO and who will make the day to day decisions. 2. Foundation Model Constitution – for use by CIOs whose only voting members are the same as its charity trustees. In this model, a small group of charity trustees will make all the key decisions as they will be both the members and trustees

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Roles and Responsibilities of Directors/Board Members	<p>Directors must comply with a number of general duties to the company. These duties are now set out in the Companies Act 2006 and include:</p> <ul style="list-style-type: none"> • Acting within the powers set out in the Articles; • Promoting the success of the company in terms of: <ul style="list-style-type: none"> ▪ Exercising independent judgement; • Exercising reasonable care, skill and diligence; • Avoiding conflicts of interest; and • Declaring personal interests in any proposed transaction or arrangement with the company (the last two being of particular significance for elected members who are also directors) 	<p>The same director's duties under the Companies Act apply.</p>	<p>The Board Members/Directors of a Society owe a number of duties to the Society. Unlike for Company Directors there is no codified set of duties in the legislation for Societies. However there are similar duties which have been developed by the courts and which are owed to the society as a separate legal person and not to individual members. These are</p> <ul style="list-style-type: none"> • Duty to obey the law and comply with the society's rules • Duty to use powers only for the purposes for which they were conferred • Duty to act in good faith in the best interests of the society and to act fairly between different classes of membership • Duty to exercise independent judgment • Duty to exercise reasonable skill, care and diligence • Duty to avoid conflicts of interest • Duty not to misapply society assets or make a secret profit 	<p>of the charity.</p> <p>In addition to the constitution, the charity trustees have the power to make reasonable rules or bye-laws which are necessary for the running of the CIO, provided they do not contradict the constitution.</p> <p>The primary duties of charity trustees are:</p> <ul style="list-style-type: none"> • To act independently and in the charity's best interests, bearing collective responsibility for decisions • To use reasonable skill and care in their work to ensure the charity is well run and efficient, taking professional advice when in doubt • Not to profit personally from their role as a trustee • To act with integrity and objectivity and avoid any personal conflicts of interest or misuse of the charity's assets or money • To ensure that there is no breach of the charity's rules as set out in the governing document and that it remains true to its purposes • To ensure that the charity complies with relevant laws and regulations and that it submits returns, accounts and reports on time • To take special care when investing the charity's funds, borrowing money for

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Statutory Requirements	<p>The company will have a duty each year to produce annual accounts, containing the directors' report. The first accounts must be submitted within 21 months of incorporation. The deadline for submitting subsequent accounts is 9 months after the company's accounting reference date. The company also has to submit an Annual Return within 28 days after the specified date (i.e. date of anniversary of incorporation). The annual accounts are subject to audit unless exemption (as a small company) is claimed in accordance with Companies Act 2006.</p>	<p>The CIC is required to complete an Annual Community Interest Company Report which contains information such as directors' salaries, any assets transferred and a description of how it has benefited the community and involved stakeholders. The aim is to satisfy the Regulator that the CIC is continuing to satisfy the community benefit test. This Report will be submitted alongside the Annual Accounts and Directors' Report. The CIC also has to submit an Annual Return like other companies. Other requirements which apply to limited companies are also applicable to CICs.</p> <p>The CIC Regulator is described as a 'light touch' regulator. The Regulator will monitor CICs by means of the Annual CIC Report but will not actively investigate a CIC unless it has received a complaint or a concern has been raised.</p>	<ul style="list-style-type: none"> Duty of confidentiality <p>The Society is required to file an annual return plus revenue accounts and balance sheet within 7 months after the end of a specified accounting period.</p> <p>In this context the FCA can fairly be described as a light touch regulator, in that it makes an initial check on the Rules of the Society at the time of registration and thereafter requires an annual return of board members and shareholders, but otherwise leaves the participants to their own devices, unless someone makes a complaint about the Society's activities. Ultimately, the FCA has the power to cancel or suspend registration if the Society does not adhere to its stated purposes.</p>	<p>the charity to use or when disposing of land</p> <ul style="list-style-type: none"> To ensure that they carry out their charity's aims for the public benefit and to report on their charity's public benefit in their Trustees' Annual Report <p>The CIO will be required to submit annual returns and accounts to the Charity Commission. The accounts will be produced under charity law, rather than company law, which will allow smaller CIOs to submit simpler accounts. Unlike companies, there are no fines for late filing of documents however some breaches of the Regulations may result in legal offences.</p>
Charitable Status	<p>A company limited by guarantee can become a registered charity if it has objects which are exclusively charitable and for the public benefit, but a company</p>	<p>A CIC cannot be a charity.</p>	<p>A Community Benefit Society can be charitable if it has exclusively charitable objects. Charitable Societies are currently exempt charities and therefore they</p>	<p>A CIO is a charity and solely registered with the Charity Commission.</p>

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	<p>with a shareholding will usually not qualify. See further details below on charitable status.</p>		<p>cannot register with the Charity Commission, but are otherwise subject to charity law. Currently, to benefit from charitable tax reliefs the society will have to register with HMRC using form ChA1 and comply with HMRC requirements. It may then benefit from the same tax privileges as a registered charity, but without coming under the regulatory scrutiny of the Charity Commission.</p>	
Tax	<p>A company limited by shares and a company limited by guarantee (unless CLG is a registered charity) are liable to corporation tax. It will be chargeable on trading profits and on investment income and gains.</p> <p>The regulations relating to VAT apply for all business entities. Specific rules can apply to charities relating to the nature of the supply that can give rise to irrecoverable VAT input. If charity some minor reliefs of VAT may be available. Charities can be entitled to relief on business rates.</p> <p>If a charitable vehicle is chosen we recommend that the Council commission specialist VAT advice to assess the VAT implications of the model.</p>	<p>A CIC (as a limited company) is liable to corporation tax under the same rules as a limited company. It will be chargeable on trading profits and on investment income and gains. It will be eligible for any reliefs available to companies, however, there are no specific tax exemptions or reliefs available.</p> <p>The regulations relating to VAT apply for all business entities.</p>	<p>Unless registered as a Charity, a Community Benefit Society is a corporate body and therefore liable to corporation tax in respect of profits which are computed in accordance with normal rules, subject to some specific exemptions.</p> <p>The regulations relating to VAT apply for all business entities.</p>	<p>Principles and regulations governing tax and excise duties for Charities also apply to CIOs.</p>

4.3.6 Charitable Status

It is important from the outset to note that apart perhaps from the CIO a charity is not a legal form in itself. An organisation will establish a legal form and then this form can become charitable. One way of thinking of it is a charitable 'wrapper' around the legal form, which brings with it additional benefits and burdens. Regardless of their legal form, they will all be bound equally by the law and principles of charities. As discussed earlier, several kinds of organisations can qualify as a charity:

- Registered Charity:
 - Company limited by Guarantee
 - Charitable Incorporated Organisation
- Exempt Charity:
 - Community Benefit Society

What is Charitable?

In order to be a charity, an organisation must have purposes that are recognised as charitable in law and must be able to demonstrate that it exists to benefit the public in some way. To be charitable, an organisation must have exclusively charitable purposes and be established for public benefit. The Charities Act 2011 sets out the list of established charitable purposes.

Public Benefit Test

'Public Benefit' is the legal requirement that every organisation set up for one or more charitable purposes must be able to demonstrate that its purposes are for the public benefit if it is to be recognised, and registered, as a charity in England and Wales. There are two key aspects of the requirement, both of which must be met in order to show that an organisation's purposes are for the public benefit.

1. Benefit Aspect – is the purpose beneficial?
 - a) a purpose must be beneficial
 - b) any detriment or harm that results from the purpose must not outweigh the benefit
2. Public aspect – to whom the purpose benefits?
 - a) the purpose must benefit the public in general or a sufficient section of the public
 - b) it must not give rise to more than incidental personal benefit

The Public Benefit requirement must be met for each of the charity's purposes and the Charity Commission will look at each purpose on its own to determine whether it meets the requirement. The fact that one purpose meets the public benefit cannot be used to offset any lack of public benefit in another.

Within each of these requirements there are further factors which must be considered in all cases. These are:

1. Identifiable benefit or benefits (Benefit Aspect)

- (a) It must be clear what the benefits are and these must be identifiable.

The benefits to the public should be capable of being recognised, identified, defined or described but that does not mean that they also have to be capable of being quantified or measured. However, in some cases an organisation's purposes may be so clearly beneficial to the public that there will be no need for the organisation to provide evidence to demonstrate that there is a benefit. Where it is not so clear, the Charity Commission may seek evidence to show that it is beneficial. The benefit cannot be based on personal views.

- (b) Benefits must be balanced against any detriment or harm. The purpose will not be charitable where any detriment or harm resulting from it outweighs the benefit. 'Benefit' means the overall or net benefit to the public. Again this will need to be based on evidence and not on personal views.

2. Benefit to the public, or a section of the public (Public Aspect)

- (a) The purpose must benefit either the public in general or a sufficient section of the public. The beneficiaries must be appropriate to the purposes of the charity.

'Public in general' means that all of the public can benefit. If the purpose does not state the intended beneficiaries, it will generally be taken to mean the public in general.

'Sufficient section of the public' means an appropriate group or section of the public (public class) which relate to the specific purpose. There is no set minimum number of people required in a public class and it will vary depending on the purpose in question. Whether the section in question is sufficient will be determined on a case by case basis.

A section of the public can be defined in a number of ways, for example:

- by people living in a geographical location
- by people or communities with particular charitable needs
- by reference to a 'protected characteristic' in the Equalities Act provided that the restriction is justified in relation to the purpose. The protected characteristics include age, disability, sex, sexual orientation, gender reassignment, marriage or civil partnership, pregnancy and maternity, race or nationality, and religion or belief
- by reference to a person's occupation or profession (although this will be dependent on the particular circumstances)
- in the case of relief of poverty only, by reference to family relationship, employment or membership of an association

The Charity Commission guidance sets out examples of where a public class will not be a sufficient section of the public. In particular, a purpose cannot be defined by reference to their skin colour.

- (b) Any private (or personal) benefits must be incidental to carrying out the purpose. Charities can provide private benefits to people other than their beneficiaries, so long as those benefits are incidental.

Private benefits will be incidental if it can be shown that it is a necessary result or by-product of carrying out those purposes, having regard to both the nature and amount of the benefit. Some examples of personal benefits include:

- financial benefits
- non-financial benefits or payments in kind
- benefits to trustees
- benefits to owners of property that a charity uses or occupies
- enhancing the reputation of a person or organisation
- benefits to funders
- business benefits to commercial organisations

The need for independence

For the proposed vehicle to be a charity, it must be independent. It must exist in order to carry out its charitable purposes, and not for the purpose of implementing the policies of a government authority (including local government), or of carrying out the directions of a governmental authority, i.e. trustees fundamental discretions as to selection of beneficiaries and the provision of services would be preserved. A body set up to carry out the policies or directions of a government authority might engage in much the same sort of activities that a charity might undertake. But it would be carrying out those activities to further the purposes of a non-charitable body, not to further a charitable purpose.

Process of applying to become a charity

The first step is for the organisation concerned to put together a governing document, with objects that are exclusively charitable and satisfy the public benefit test. The Charity Commission provides model governing documentation on its website. The advantage of this is that the Commission has already approved the documents, which will speed up the application process. However, template documents may not meet an individual charity's needs in the long run.

The Commission will also require supporting documentation to demonstrate how the organisation will meet its charitable aims, such as newspaper cuttings, annual reports, pamphlets, and advertising materials and so on. Lastly, if applicable, the last three years financial accounts must be included or a business plan showing future projections. There is no fee payable to the Charity Commission for processing the application.

Exempt Charities

Up to now, certain charities have been classified as 'exempt charities' and have benefited from a lighter regulatory regime. In particular, they have not been under the supervision of the Charity Commission. The Charities Act 2011 now distinguishes between exempt charities that have a Principal Regulator and those that do not. Principal Regulators will be an existing regulatory body, and their role will be to promote charity law compliance. In order to implement these proposals, the Government now intends that where proposed Principal Regulators are ready to take on their new role, they will be so appointed. Where there are exempt charities for whom no Principal Regulator has been appointed they will become 'excepted' charities. However, charities with more than £100,000 income will still be required to register with the Charity Commission. For those organisations where a Principal Regulator has not been identified and their annual income is over £100,000, they will become excepted charities, and will have to register with the Charity Commission. Arrangements are yet to be confirmed for some groups of exempt charities, including charitable Community Benefit Societies, and no timetable has been set for these.

Trustee Responsibility

Charity trustees are the individuals who serve on the governing body of a charity. Charity trustees are responsible for the general control and management of the administration of a charity. Charity trustees must accept responsibility for directing the affairs of the charity, ensuring it is solvent, well-run and delivering charitable outcomes. A charity may refer to its trustees by some other title, such as governor or director, but a member of the board with responsibility will be a charity trustee. The responsibilities of a charity trustee will be above and beyond the responsibilities they have as, for example, a company director.

The primary duties of charity trustees are:

- To act independently and in the charity's best interests, bearing collective responsibility for decisions
- To use reasonable skill and care in their work to ensure the charity is well run and efficient, taking professional advice when in doubt
- Not to profit personally from their role as a trustee
- To act with integrity and objectivity and avoid any personal conflicts of interest or misuse of the charity's assets or money
- To ensure that there is no breach of the charity's rules as set out in the governing document and that it remains true to its purposes
- To ensure that the charity complies with relevant laws and regulations and that it submits returns, accounts and reports on time
- To take special care when investing the charity's funds, borrowing money for the charity to use or when disposing of land
- To ensure that they carry out their charity's aims for the public benefit and to report on their charity's public benefit in their Trustees' Annual Report

Role of the Charity Commission

The Charity Commission is the independent regulator of charities in England and Wales and ensures that charities are accountable, adhere to the legal requirements and that they are run effectively. The Commission provides a central register where the public can access information on registered charities. The Charity Commission will usually investigate if a complaint is made about a charity and, although it is not a prosecuting authority, it will work in conjunction with other authorities such as the HM Revenue and Customs and the police if necessary.

Advantages of Charitable Status

- Public Confidence – a charity has a certain respectability that gives confidence to the public, businesses and lenders. It is a form which is generally familiar to commissioners
- Tax Benefits – there are considerable tax benefits to a charity, such as no corporation tax payable on profits as long as it is derived from primary purpose trading and is applied to furthering the charity's objects. Gifts by individuals and organisations also attract tax relief. The acquisition of property is exempt from Stamp Duty Land Tax
- Rate Relief – charities can get up to 100% (80% mandatory minimum) relief from business rates for the premises which they mainly or wholly occupy for charitable purposes
- Asset Lock – the founders of the charity are able to ensure that the assets of the charity are always applied to its objects and that future participants cannot profit personally from the charity

Disadvantages of Charitable Status

- Charity trustees cannot normally be paid for their services. There are also restrictions on trading activities between the charity and bodies in which the charity's directors have an interest. Any inter-group activity would require disclosure in the accounts and transactions be at a commercial rate at "arms-length"
- The Charity Commission have adopted a general assumption against employees being trustees of a Charity. Individual consent applications have to be made to the Commission to enable employees to become trustees. If such an application was not approved this could mean that an employee led mutual would have no employee directors.
- Trading restrictions – a charity is restricted in the trading activities in which it may become involved. Trading must usually be 'primary purpose' i.e. it is carried out in fulfilment of what the charity is set up to do. However charities are permitted to trade through subsidiary companies.
- A Charity's activities are constrained by its objects which must be exclusively charitable. It cannot pursue objectives which are not charitable and this may limit its ability to diversify its activities
- Administration and regulation – charities are subject to regulation by the Charity Commission and part of this entails providing regular information at least annually, including audited accounts

4.4 Diversification Assessment

We have identified that there are many partners with a young people focus who have had limited direct engagement with Brent Council over time. This is because the core universal services have been retained in house by Brent Council. It may also reflect historic weaknesses in local CVS leadership and management and their interaction with Brent. The sheer diversity of groups/organisations can also be a barrier to successful integration and shared values. However, this has created a vacuum in terms of wider community engagement (and its attendant funding) over time.

Young people in education provide a bedrock of achievement, attainment and self-esteem until age 16 (or beyond) and the Education provision in Brent is broadly speaking effective, from an academic perspective. However, there seems to be a general disconnect strategically, as opposed to operationally at ground level with young people directly, between all of the various commissioners with an interest in helping and supporting young people. There is not a clear integrated commissioning strategy. **This is a central commissioning conundrum.**

The Dedicated Schools Grant (DSG) for 2013/14¹ (and 2014/15) has been ring fenced by the present government but in the next 5 years from 2015/16 onwards, will not keep pace with the rate of inflation, but be provided as a ring-fenced flat cash sum i.e. same cash value as 2014/15. This will directly affect funding that schools have to manage in areas such as exclusion, health and wellbeing and extra curricula activities.

The National Careers Service² now part of the Skills Funding Agency within Department for Business Innovation and Skills, has taken their link with Education to relate directly to academic attainment, starting with Year 9 choices for GCSE and working beyond into higher education or adult employment. There does not seem to be a clear strategy between schools to provide more than the basic tools to support young people with a lower academic attainment (or no academic attainment) capability, who leave school at 16 (or sometimes earlier) to then become "lost" to the Education system. Schools may disagree with this view. Youth Services does its best to pick these young people up, and working with VCS organisations provide some practical mentoring and organised learning and activities to at least mitigate this problem. However, it is not fail safe, and as demographic pressures increase over the coming decade, so this problem could worsen, linked to housing shortages and increases in multi-family units living in cramped, single or double room conditions. Brent has low NEET levels compared to other London Boroughs, but socio-economic pressures on Brent may adversely impact on this in future.

There seems to be a disconnect between the work of the National Careers Service and the National Citizen's Service and that there is a lack of co-ordinated strategic thinking, which in turn directly affects service commissioning decisions.

¹ Dedicated Schools Grant 2013/14 – December 2013 (updated February 2014) - https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/284955/DSG_Operational_Guide_2014-15_-_Feb_2014.pdf

² National Careers Service – Age 13-16 - <https://nationalcareersservice.direct.gov.uk/youngpeople/Pages/School-yourFAQs.aspx>

More work needs to be done by Brent Council in future, particularly in public health i.e. better understanding of mental health issues in young people through early interventions identified in the Brent Joint Strategic Needs Assessment iterative review work (JSNA). There is still work to be done to improve Youth Services collaboration and co-delivery with the Education leads and Head Teachers Association for Secondary schools in Brent, the Brent Schools Partnership and with Youth Services, linked to Health, Police, Probation, Housing Association organisations, and the VCS community, many of whom deal with young people outside school hours, to provide much needed direct support.

What needs to happen in Brent in our view is a “holistic young people’s service approach” that captures all of the good work and networks of people providing direct (and indirect) services to young people and to integrate this in a focused manner. This requires thought around

- Pioneering approaches to solving social issues
- Link Brent JSNA to stakeholder engagement
- Identifying and accessing potential new revenue streams and diversify service offerings
- Risk assessment of a new Youth Services venture
- Assembling and managing project teams
- Develop comprehensive and actionable plans for implementation
- Increased focus on brokering partnerships.

What is clear is that a new vision for Youth Services in Brent will have to be very different from the present offering. We have examined the current model and used this and the 2014-15 financial budgets as our baseline from which to draw out our findings.

With a reduced budget envelope for the present provision of universal services, the new model structure will need to harness the offerings from other organisations that are funded through a variety of mechanisms, including grant, public body funding, and to shape this into a single, cohesive Youth Services strategy. This would build in some discipline and resilience to the current diverse range of provider services and providers themselves, under a single unitary model. Each provider would continue to provide its services, but may find over time, as existing funding arrangements and contract arrangements fall away and end, that a new integrated commissioning model is the way forward. In order to manage diversification effectively, there needs to be a central organisation that oversees both the way services are commissioned, and measures and reports the outcomes in order to assess value for money on fiscal, economic and social benefits derived from all Youth Services provided. This would be reflected in contracts that are let to provider organisations.

4.4.1 Critical Success Factors for Diversification of Services

Under a single independent commissioner/delivery model we observe the need to achieve:

FINANCIAL	OPERATIONAL
1. Deliver approved targets for income, expenditure and contribution to the organisational reserves (for future capacity and organisational building).	1. Demonstrate and promote good scoping and good contract letting, and support to providers for contract compliance and reporting.
2. Manage income and expenditure effectively (through well scoped and targeted commissioning linked to all grant and other revenue funding obtained to support service provision across Brent).	2. Encourage innovation from providers as well as from intelligent commissioning. Allow staff to develop a flexible working relationship with all providers.
3. New Organisation to be financially sustainable – about long term planning for Youth Services and to ensure continuity for the young people of Brent.	3. Always refresh engagement with young people – seek to iterate review of outcomes to ensure that aims and objectives set for each service is delivered, is maintained and strive for improvements constantly.
4. Maintain sufficient assets including reserves to meet and match needs.	4. Create a broader, more integrated evidence base, not just focusing on single or set service provision, but examining the indirect effects on other services. Again, linked to a cost benefit appraisal approach.
5. Diverse income sources (whilst Brent can upskill front line staff in running services, an independent commissioner organisation may need to capacity build a central bid writing team to secure as wide a range of funding money as possible from a diverse investor and lender base).	5. Demonstrate delivery of appropriate quality services.
6. Provide and demonstrate value for money – e.g.	6. Share the knowledge and raising quality standards – find ways of communicating good work to as wide an audience, not just Young People as service users.

Youth Outcomes Framework approach or by using the Cost Benefit Analysis tool used for the evaluation of Social Impact Bonds – but applying this across all services commissioned and provided.	
HUMAN RESOURCES	CUSTOMERS
<ol style="list-style-type: none"> 1. Ensure that staff is appropriately skilled – both internally within the organisation and for staff from each provider delivering services. 2. Retain and develop successful staff. 3. Create a culture of engagement through a committed staff team promoting advocacy and support across Brent Youth Services, and others. 	<ol style="list-style-type: none"> 1. All stakeholders’ needs help to shape Youth Services especially the needs of Young People. 2. Maintain funder and stakeholder bases and develop new and diverse ones – create a sustainable organisation. 3. Ensure young people satisfaction of all Youth Services is high.

Our overall view is that there should be a more direct, and integrated commissioning structure to Youth Services, and involving young people within this process. This needs to tie in with Brent’s strategic commissioning function. CYP can co-ordinate this within Brent working with other service providers that Brent commissions that directly or indirectly affect the daily lives of young people. This would also involve working with CCG/NHS and other organisations in some form of alliance contracting structure¹ seen in health and social care commissioning. This can have a positive impact on young people in relation to their own perceived place in the Brent community.

An alliance contract is a contractual arrangement between the commissioner(s) and an alliance of parties who deliver the project or service. There is a risk share across all parties and collective ownership of opportunities and responsibilities associated with delivery of the whole project or service. Any ‘gain’ or ‘pain’ is linked with good or poor performance overall and not to the performance of individual parties.

This may mean that Brent may need to create some internal co-commissioning structure, or creating a new commissioning protocol. The 'Partners for Brent' (PFB) is the borough's Local Strategic Partnership (LSP) - a multi-agency partnership. This can be better used to promote and encourage change in strategic commissioning and in provider behaviours towards a new Youth Services organisation to take on the current role and remit that Brent Council currently staffs and funds.

5. Finance, HR and Resources Issues with Governance

We have spent some time with the Brent Council Finance team discussing the current costs of running the service. Over the past few years, Brent has centralised its finance function and has also brought back to the core, all costs relating to HR, Legal, Finance, and Estates.

It has been challenging to be able to unpick all costs that would be incurred by a “stand alone, cost centred” service, as many of the costs incurred in past years have been absorbed centrally.

However, we have managed as far as possible, to identify the key costs and have prepared a high level analysis of the overall costs of the Youth Service today, but have had to make a number of assumptions to enable us to baseline costs to reflect a fully costed model. We have had to baseline this by extracting data for centrally held costs and putting these into our five year financial model, to show the full and true current cost of the present Youth Service and then to extrapolate this over 5 future years from 2016/17 in order to understand the true cost of maintaining the present services in their current form. This forms our baseline for our 5 year financial model i.e. comparing today’s position with a range of future service options.

To put this into context, our baseline financial analysis reflects the core options principles we are examining in our report.

1. Current services are withdrawn by Brent. Some employees are likely to be made redundant. Some may be employed by other organisations. Others primarily assigned to the services, may transfer to a new employer under TUPE if there is a service provision change. This is the “do nothing” option. We have not modelled this.

¹ http://www.kingsfund.org.uk/sites/files/kf/media/linda-hutchinson-alliance-contracting-27.03.14_0.pdf

2. Some staff are retained in a scaled down service, perhaps with a budget as small as £400k pa offering essential targeted Youth Services only. Some staff will be made redundant. This is the “do minimal” option of which there are two – in house and commissioned out. We have not modelled these.
3. We have explored a new Commissioning / Delivery Model created to offer a potentially broader youth service. This would use most if not all of the 2015/16 budget available, from 2016/17 onwards supplemented by third party funding from other sources. Our model suggests the creation of a second organisation – a Local Authority Trading Company (LATCO) under Teckal rules (regulation 12 of the 2015 Regulations), that is 100% owned by Brent, and which has its direct funding from Brent managed by a new Youth Organisation on Brent’s behalf. Other currently 3rd party let contracts by Brent to outside providers would also in future be fully managed by the Youth Organisation. The independent organisation would charge Brent a management fee for all contracts. The key element here is that the staff remain within Brent’s control and responsibility. The new organisation manages a youth services contract from Brent to its 100% owned LATCO. We have modelled this.
4. We also considered a staff led mutual. This would in some ways look similar to the independent organisation but with one crucial and critical difference. Staff would be TUPE transferred across to the new mutual organisation. This would transfer Pension Liability risk to the new mutual. This materially places the mutual at financial risk without the support of a fully funded long term (5 year) contract at 2015/16 budget levels, with appropriate adjustments regarding services and attendant delivery costs. We have not modelled this, as the financial risks to the mutual would be too great, notwithstanding the financial benefits Brent could receive.

5.1 Emerging 5 Year Financial Plan for the Independent Commissioning/Delivery Organisation – the headlines

A summary financial plan covering the 5 years 2016-17 to 2020-21 is set out below. The Council has agreed to reduce the funding available for providing the youth service by £100k in 2015-16 with possible further reductions in 2016-17 and beyond. The 5 year financial plan assumes the core funding from Brent Council will be tapered by a further year on year reduction of £100k per annum but allows this to be changed, and identifies the level of external income that then will be required to maintain the existing service provision based on a range of assumptions. The model shows the funding that would be needed to support a new commissioning/delivery model. In 2016/17, this would amount to c. £525k to establish this BYO through additional external grant funding in addition to funding from Brent. It does require the core support of Brent Council to make this happen, with a long term funding commitment based on a “tapered” core contract value (as reflected in our baseline financial modelling) as follows¹:

- 2016/17 - £1.2m (down from £1.3m in 2015/16)
- 2017/18 - £1.1m
- 2018/19 - £1.0m
- 2019/20 - £0.9m
- 2020/21 - £0.8m

The core contract should have an extension option, at the discretion of Brent Council for extension by 1 or 2 further years on a “1 + 1 basis”. This will help sustain transition into a new organisation. This is a gradual budget tapering reduction and not the current levels of budget reductions being contemplated.

The 5 year financial model spreadsheet is designed to be interrogated by Brent to provide a series of “what if” scenarios for funding streams, which it can investigate. There is also a cost of service breakdown based on Brent’s budget provisions, including, , staffing levels and their attendant costs, contract income and revenue figures and property costs (i.e. if 4 hub model becomes 1 or 2 hub model –what will the cost implications be?).

Our Financial Model Background Paper and 5 year financial model supporting this Options Appraisal sets out the current budget provision directly allocated for the service within the Children and Young People division, and in the context of likely future funding intentions of Brent Council , gives consideration to the issues and related financial challenges, opportunities and risks that will arise for the service as an autonomous entity outside of the direct control of the Council. A range of assumptions have had to be made in developing the plan and a number of discussions still need to take place.

The Youth Services Financial Paper covers:

- historical and current position for 2014-15
- future funding intentions and what this means

¹ Before 5% proposed fee payable to BYO to manage the LATCO contract

- maintaining the service – 5 year financials and income requirements
- key lines of enquiries and assumptions to underpin the 5 year financial plan and income requirements covering such areas as tax, staff, property, infrastructure and governance costs, operating surplus
- emerging 5 year operating plan – the headlines
- references to cash flow, balance sheet and future financial reporting requirements
- key financial risks

The financial plan highlights that in 2016-17 further income totalling c £525k will need to be secured to maintain the existing service provision rising to c £1m by 2020/21. The key components giving rise to this are:

- reduction in 2016-17 base plus alternative model commission - £160k
- exclusion of non-recurrent income with the exception of Right Track - £60K
- governance costs and additional support - £80k
- potential VAT exposure c £110k
- inflationary pressures c £25k
- national insurance £25k
- generation of surplus £65k

The amount of external income that needs to be secured to maintain the existing service provisions, increases to almost £1m by 2020-21, which reflects the tapering down of value of the present budget baseline in 2014/15. The challenge to a new organisation wishing to maintain the present level of service (with staff cohort) is to find at least £525k in Year 1 and more each year thereafter.

However, if Brent was able to provide only £400k pa budget, then this smaller budget could potentially provide a reduced youth service offering that could allow:

- Keeping Roundwood open providing similar levels of youth services from Roundwood – c £155k plus £110k = £265k (or reduced services via Roundwood combined with a small outreach service);
- Keeping a slightly slimmed down Youth Parliament - £60k;
- A very much reduced but appropriate management structure;
- Right Track service as fully funded from schools - £75k; and
- Minimal signposting through social media and internet via the Brent website.

We have modelled this smaller financial budget from Brent in the context of our suggested LATCO model, which illustrates the additional external funding needed to sustain the present level of youth services Brent offers.

We with Brent have identified further cost pressures relating to property hub costs. There could be some global potential savings (reduction in required external income and grants requirement) that could be made by reducing a 4 hub service down to a one hub service at Roundwood, according to Brent’s finance team. However, Brent may centrally carry additional costs of maintaining empty buildings. This would not affect Youth Services’ budget as we understand. The potential property cost figures are shown below. The 2015/16 update position reflects the inherent financial pressures within the existing baseline, and therefore the additional amount cannot be treated as a saving from the baseline envelope, although it will alleviate an increasing pressure that will require funding unless alternative options are agreed.

Property costs	2014/15 budget	2015/16 updated
	£K	£K
Granville	90	180
Poplar Grove	57	111
Total	147	291

	Youth Entity 5 Year Summary				
	2016-17 Year 1	2017-18 Year 2	2018-19 Year 3	2019-20 Year 4	2020-21 Year 5
	£	£	£	£	£
Income					
Service delivery - Brent Council	1,140,000	1,045,000	950,000	855,000	760,000
Funding of corporate costs -flow through	308,700	311,900	315,164	318,493	321,889
Fees and charges inc Right Track	273,997	279,477	285,067	290,768	296,584
External Income and Grants required	528,862	645,938	763,451	881,410	999,822
Total Income	2,251,559	2,282,315	2,313,682	2,345,671	2,378,295
Employee related	1,140,873	1,163,690	1,186,964	1,210,703	1,234,917
Premises related	314,207	315,586	316,988	318,413	319,862
Transport	42,862	42,862	42,862	42,862	42,862
Supplies and Services	318,857	318,857	318,857	318,857	318,857
Corporate support and governance	261,000	265,800	270,696	275,690	280,784
Vat exposure	108,181	109,045	109,926	110,825	111,742
Total Expenditure	2,185,980	2,215,840	2,246,293	2,277,351	2,309,024
Operating Surplus	65,579	66,475	67,389	68,321	69,271
% return on total expenditure	3%	3%	3%	3%	3%

Note to table:

The income line 'funding of corporate costs flow through' represents the estimated costs/value of corporate support services, building insurances and certain supplies and services that are currently paid for by the Council and the indicative rental/lease cost for premises. These costs will need to be met by the new entity. As often with public sector spin-outs the value of these services is provided for in the funding stream, enabling the entity to buy back the service from the Council. The arrangements are cost neutral to both parties in the short-term.

6. Property

We understand that Brent currently delivers youth services from a number of sites across the Borough, namely four hub facilities known as Roundwood Youth Centre, Granville Youth Arts Centre, Poplar Grove Youth Centre and Wembley Youth Centre.

We are instructed that only RYC is currently within scope in terms of appraising future options for service delivery and alternative organisational structures. The other sites are earmarked for potential alternative primary use and/or redevelopment pursuant to Brent's wider strategic estate plans.

[Note: further clarification needed regarding possible future use of Poplar Grove.]

6.1 Roundwood Youth Centre

RYC is considered a key youth services hub delivering a wide range of services to meet a wide range of objectives. RYC opened its doors in 2012 and is a new-build facility funded through the MyPlace programme by a £5m capital grant.

RYC is owned by the London Borough of Brent under freehold title number NGL220638. The Land Registry information does not reveal any third party interests (such as a Lease) in the facility.

[Note 1: further consideration required regarding possible additional titles following receipt of additional information from Brent/Land Registry.]

[Note 2: Brent to provide information regarding any unregistered interests, informal arrangements and any third party use/occupation.]

6.2 New Occupational Arrangements

Proposals for the new organisational model may include a transfer or creation of a property interest in RYC (depending on what is eventually decided by Brent). For example, based on the "do something" option and the possible creation of a new independent commissioning/delivery organisation, Brent will need to determine whether such an organisation will acquire its own property interest in RYC, and if so, on what terms.

In formulating any disposal proposals, Brent will need to consider the following options:

Freehold transfer

A full transfer of ownership (i.e. a transfer of the freehold interest) from Brent would result in Brent losing its entire interest in the asset and therefore control of the premises. The opposite would be the case for the new delivery body: it would acquire a valuable asset, one which might constitute adequate security for future borrowing. If such a transfer is contemplated, Brent needs to consider a number of issues carefully including appropriate terms of transfer (namely the price payable for the asset) and any restrictions on its ability to deal freely with the premises in this way. The new delivery body would be concerned as to the state of repair and condition of the premises, their suitability for current/intended use and how acquisition costs are to be funded.

Grant of a lease

A Lease to the new delivery body would mean that Brent retains its superior freehold title in the premises (and therefore ultimate ownership) as well as some control over its asset through tenant covenants and reserved access rights. The new delivery body would have the benefit of exclusive occupation of the premises for a fixed period to the exclusion of Brent (except to the extent that there are reserved rights of entry in favour of Brent) and others (unless it chooses to share occupation with others under separate arrangements). As with any freehold transfer, the terms of any Lease would require careful consideration, particularly length of term, rent and repairing obligations.

This type of arrangement is more common in service delivery transformation projects, with the term of the Lease being co-terminus with the services contract between the local authority and service provider. Advantages for Brent would include

retention of its asset while securing a fixed period of income (through rent) and having the certainty of regaining possession of the premises at the end of the Lease (on the basis that it has been properly contracted out under the 1954 Landlord & Tenant Act). For the tenant entity, such an arrangement would offer certainty of occupation for a fixed period, aiding business/operational planning, with Brent having only limited rights to access the premises and interfere with the tenant's use/occupation.

Informal/flexible arrangements

Alternatively a Licence to Occupy might be contemplated – this would be a more informal arrangement compared with a freehold transfer or grant of a Lease in that the new delivery entity would enjoy use with permission on a non-exclusive basis. This would be appropriate if a number of different organisations were to share use of the same premises (e.g. to maximise use/occupation and to share costs), with users occupying under separate occupational arrangements. Any such Licence might impose a 'licence fee' but this is to be distinguished from a 'rent'.

A Tenancy at Will is unlikely to be acceptable as a basis for future occupation – such an agreement is not an estate in land and gives very little security/certainty to either party. This type of tenancy is regarded as a personal agreement which can be ended at any time by either party on no notice.

Licences and Tenancies at Will are often attractive options where an occupier is seeking only short term occupational arrangements. However, as mentioned above, in service transformation projects, it is common to see property arrangements which are co-terminus with the contractual arrangements between council and provider regarding service provision. Such contractual arrangements normally run for a number of years and can be for up to 5 years.

We understand from Brent's Strategic Property team that Brent will consider the grant of a Lease if new property arrangements are to be put in place. However, the different types of occupational arrangements outlined in this section 6 should be revisited in more detail once a preferred organisational model is identified and more detail emerges on possible terms of disposal.

6.3 Additional Considerations

Restriction(s) on future dealings/use

Brent's freehold title is burdened by a restriction on dealings in favour of the Big Lottery Fund ("the BLF"). The restriction requires the consent of the BLF to any freehold transfer or Lease in excess of seven years because the Land Registry will not register such dealings without evidence of the BLF's consent.

This title restriction is likely to relate to the MyPlace capital grant referred to above. Although Brent has not been able to provide us with a copy of any Grant Agreement and project specific documentation, we have seen a copy of the standard terms and conditions for the MyPlace grant scheme. Assuming these were incorporated into the Grant Agreement for RYC, we note:

- The BLF's written agreement is required to particular changes including aims, structure, delivery, outcomes, duration or ownership – arguably this might not apply post project delivery but may still be subsisting (clause 2.1)
- Notification of any disposals (within 20 years from the date of the Grant Agreement) is required – this includes sales, lettings and other types of disposal – we understand we are still within the 20 year period (clause 8.7)
- On any sale or disposition the BLF may require repayment of the whole or part of the grant and the BLF may impose further conditions (clause 8.7)
- The BLF may demand repayment at its absolute discretion if there is a significant change of purpose or ownership within a reasonable period after project completion meaning that the grant is unlikely to fulfil the purpose for which it was made (clause 12.3)

The practical effect of this is that consultation with the BLF (or the scheme's successor body) is likely to be required regarding future plans affecting RYC, especially if changes are proposed to the use of the premises and to ownership. Brent is aware of this requirement and will consult with regards its proposals.

The Grant Agreement (and any associated documentation) may include further provisions relating to proposed disposals, and in particular might restrict use and provide for repayment (or claw-back) of all or some of the capital grant in

additional circumstances. A copy should be located and considered before any proposals for future occupational arrangements of the premises are settled.

Redevelopment of RYC was authorised under a planning consent granted in September 2010. A number of planning conditions were imposed under the consent which affect and/or restrict operations at RYC. Condition 5 restricts general hours of use; condition 6 restricts use of outdoor space and terraces and the making of amplified noise from external parts; condition 7 restricts use of the MUGA and requires lights to be turned off during particular hours; and condition 9 imposes noise restrictions so that no music/amplified sound is audible beyond the site boundary.

Tax

A freehold transfer or grant of a Lease would potentially attract a charge to Stamp Duty Land Tax (SDLT) depending on the terms of the transfer or letting (e.g. sale price/rent) and the status of the new delivery body (e.g. charitable or non-charitable). This would be payable by the new delivery body as transferee or lessee.

Genuine Licences to Occupy and Tenancies at Will are outside the scope of SDLT and are exempt.

Potential SDLT liability should be revisited in more detail as and when more detailed disposal terms emerge, as well as any VAT implications. Specialist tax advice should be commissioned by the Council.

Disposal at undervalue

Should proposals emerge involving a gift of RYC or disposal on terms other than market terms, Brent will need to consider whether this is within its statutory powers and whether any specific consents will be required. In addition to potential issues raised by restrictive grant funding conditions, as a starting point the best consideration reasonably obtainable must be obtained under the Local Government Act 1972. If a disposal at under value is proposed, the specific consent of the Secretary of State might be needed unless (1) the disposal is a short tenancy (e.g. a Lease of less than 7 years) or (2) the disposal will help secure the promotion or improvement of the economic, social or environmental well-being of the area (where the undervalue can be properly assessed at £2m or less). This should be revisited in more detail as and when more detailed disposal terms emerge with reference to Brent's established strategy/policy on Community Asset Transfers (if any).

State aid

Any disposal on terms other than market terms would require Brent to consider European state aid rules. When disposing of land at less than best consideration authorities are providing a subsidy and must ensure that the nature and amount of subsidy complies with the state aid rules, particularly if there is no element of competition in the disposal process. Failure to comply might mean that the aid given is unlawful, and may result in the benefit being recovered with interest from the recipient.

7. High Level Risk Analysis

Based on our assessment of the potential loss of the present Youth Service provision in its current form in March 2016, we refer to the findings from the recently published report on Rotherham Metropolitan Borough Council¹ that was commissioned on the 10th September 2014 by the Secretary of State, who appointed Louise Casey CB under section 10 of the Local Government Act 1999 to carry out an inspection of the compliance of Rotherham Metropolitan Borough Council in relation to some of its services, including those for children and young people. The report emerged from a series of extreme events over a long period affecting 1400 children. The context of mentioning this within the body of this report, is to highlight the potential for increased risks for the wellbeing and health of children and young people in Brent, through a loss of the current universal Youth Services provision, unless it is suitably replaced by similar services provided by a range of accredited and acceptable organisations within Brent and external providers working in Brent to "gap fill" the potential void created from loss of current Brent funded and provided Youth Services.

¹ Report of Inspection of Rotherham Metropolitan Borough Council Author: Louise Casey CB reported to the House of Commons on 4 February 2015.

It is critical that Brent Council ensures that a new delivery organisation is able to use and capture the information gathered, and wherever possible, to retain the human capital (i.e. the youth support staff workers) that have the local knowledge and trust of young people in Brent, especially those in more challenging and less advantaged situations either from a family, drugs / substance misuse, or sexually related risk profile.

From our stakeholder meetings and review of outcomes achieved in recent years, the strengths of Brent Council's current Youth Service staff show that–

- They have collected information about young people for Brent Council, (noting the recent Brent Council young people consultation survey outcomes – Autumn 2014). This must be retained and shared with all organisations that require it to deliver and/or sustain services in future.
- They developed relationships with young people. The trust they develop potentially allows a greater engagement and encouragement to become more involved in Youth Services activities and to avoid slipping into problems leading to marginalisation, criminality, abuse or homelessness, amongst other potential negative outcomes.
- They take a proactive approach to helping young people. This is especially true with work done in Right Track, Mosaic LGBT, Youth Bus and other relevant initiatives that are in tune with the ways young people socially engage in today's society.


8. Plan for Implementation

This Options Appraisal is accompanied by a high level Implementation Plan.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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 Brent	<p style="text-align: center;">Cabinet 1 June 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 Stonebridge Primary School</p>	

1. Summary

- 1.1. In line with the School Place Planning Strategy approved by Cabinet in October 2014, the proposal to permanently expand Stonebridge Primary School by one form of entry (1FE) has been put forward by the governing body in partnership with Brent Council.
- 1.2. This report informs the Cabinet of the outcome of the statutory consultations on the proposals to alter Stonebridge Primary School through permanent expansion from September 2015 and recommends that the statutory proposals to expand the school be approved.
- 1.3. The representation period on the proposals ended on 2 April 2015. This report also informs the Cabinet of the responses to the consultation.

2. Recommendations

- 2.1. The Cabinet is recommended to:
- 2.2. Approve the permanent expansion of Stonebridge Primary School, a community school, by one form 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).
- 2.3. Note that the reason for approving the alterations 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. The strategy also established that the council would aim to meet the Department for Education 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.
- 3.1.2. The Strategy identified a total primary requirement for the opening of 23 additional forms of entry by 2018. Members will recall that the strategy set out the list of planned permanent new places in Brent which included Stonebridge Primary School:

Table 1: Planned permanent new places for September 2015

	No. of places	No. of additional 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 additional 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

- 3.1.3. This shows a programme of expansion right across the borough. Stonebridge Primary School is situated in Planning Area 4 where, even with the new places as planned, there is a potential shortfall in this Planning Area (Stonebridge/Harlesden) in almost every school year.
- 3.1.4. To meet additional demand, from Autumn 2012 Stonebridge Primary School commenced accepting pupils in a temporary Annexe building. Its Annexe facility has 180 places. 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 Stonebridge Annexe pupils becoming part of a permanently expanded Stonebridge Primary) 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.
- 3.1.5. Brent primary schools continue to be popular with parents of the increasing child population. 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 2015. 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)

- 3.1.6. Stonebridge Primary School was judged Good by the Office for Standards in Education (Ofsted) at the inspection in March 2013. Pupils of Stonebridge Primary are attaining higher results year on year. The percentage of Key Stage One pupils attaining Level 2 and above in reading, writing and national curriculum tests has increased by at least 2 per cent between 2013 and 2014, and in mathematics assessments have seen improvements of 15 percent in the same period.
- 3.1.7. The school utilises effective methods for closing the gap between disadvantaged and other pupils. In 2014, 100 per cent of disadvantaged pupils achieved expected progress.
- 3.1.8. The Brent Schools Partnership has recognised Stonebridge Primary as Specialist Centre for Safeguarding. Becoming a specialist centre gives Stonebridge a leading role in working with a number of agencies to share good practice and ensure a safe learning environment for all children. This includes offering child protection training for others.
- 3.1.9. In order to become a Specialist Centre Stonebridge Primary School provided evidence of its successful safeguarding practices and demonstrated its track record for supporting other schools.

3.1.10. **Proposals to alter Stonebridge Primary School**

3.1.11. 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.

3.1.12. The expansion of the 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. Stonebridge School serves a range of ethnic minority children, both boys and girls, and the proposals will be of benefit to them.

3.1.13. 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 help meet for current and future need.

3.1.14. 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.
- 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.

3.1.15. In line with the criteria for school expansion approved by Cabinet in January 2015, a strategic view of anticipated costs of significant items of building condition work is sought. As a result the proposed works will include some work to the existing buildings in order to both avoid future cost in significant maintenance in the near future and to achieve an optimal layout from a school management perspective.

3.1.16. Subject to planning application approval and detailed programme review, it is anticipated that, the building works will commence at the beginning of 2016 and last for approximately one year.

3.1.17. 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.

3.1.18. Capacity

3.1.19. The current capacity of Stonebridge Primary School is 420. The school's admission number is 60 pupils per year (two forms of entry).

3.1.20. As stated above, the school also has 180 places offsite at the Stonebridge Annexe (see paragraph 3.1.4 for details). These children would move onsite from September 2015, depending on the phasing of building works on the main site.

Table 4: Numbers on roll at Stonebridge Primary

Year	Stonebridge Primary Main Site	Stonebridge Primary School Annexe
2014/15	420	180
2015/16	630	0

3.1.21. Therefore the current total number of places at both sites is 600. The expansion plans to increase the school's capacity to 630 places and its admission number to 90 (three forms of entry). In real terms this means an increase of 30 pupils.

3.1.22. The non statutory informal consultation process commenced on 6 October 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.

3.1.23. 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.

3.1.24. The council will complete the permanent building works in 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 in the most part during the 2015/16 academic year (dates to be confirmed based on approvals).

3.1.25. The additional classrooms for September 2015 will be provided in existing accommodation.

3.2. **Background details of Stonebridge Primary School**

3.2.1. Stonebridge Primary School is located at Shakespeare Avenue, Stonebridge, NW10 8NG. 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. Stonebridge Primary School building was first opened as a school in 1899. It has been maintained and modernised as far as possible and continues to accommodate many functioning teaching spaces. The main aspect of the school that continues to restrict its use is the circulation and access

arrangements to all floors, something that will be addressed as part of this project.

- 3.2.3. Stonebridge Primary School was classified as Good by Ofsted in their inspection in March 2013. This contributes to the popularity of the school – see paragraph 3.1.7.
- 3.2.4. Stonebridge Primary School is very popular and there are few vacancies in the school overall.

3.3 Statutory Consultation Process – Four Stages

Pre- statutory consultation (informal)

- 3.3.1 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 prior to Publication is not legally required but is good practice as advised by the Department for Education.
- 3.3.2 The Governing Body of Stonebridge Primary School in partnership with the local authority carried out an informal consultation with key interested parties on the proposals of Stonebridge Redevelopment which included details of the School Expansion. The consultation document is attached as Appendix 2. Over 6,700 copies of the consultation document were distributed through hand delivery, email and/or internal/external post:
 - the document was available at the consultation meetings
 - the document was placed on the school website and the Brent consultation website
 - approximately 400 copies were emailed out, including to all Councillors in Brent, all Brent schools, neighbouring boroughs and other statutory consultees.
- 3.3.3 The informal consultation began on 6 October 2014 and ended on 17 November 2014. All applicable statutory requirements to consult in relation to these proposals have been complied with.
- 3.3.4 Five consultation events with the community were held at various dates and locations (the responses to these events can be found in Appendix 3)

Table 5: Stonebridge consultation meetings

Date	Venue	
14/10/2014 3.30-5.30pm	Stonebridge Primary School	Drop in consultation event for parents, teachers and pupils
21/10/2014 7pm	Bridge Park	Brent Connects – Presentation and Question and Answer Session
29/10/2014 9.30-11.30am	The Hub, Hillside	Drop in consultation event
05/11/2014 5.30 – 7.30pm	The Hub, Hillside	Drop in consultation event
12/11/2014 5.00 – 7.00pm	Stonebridge Primary School	Drop in consultation event

3.3.5 The consultation posed two open questions:

1. Please tell us what you like about the proposals and why?
2. Please tell us what you would like changed and why?

3.3.6 The Stonebridge Primary proposal received 90 responses in total this first informal consultation. Included in the total were 17 identical letters against the proposal referred to in this report as a group letter (see Appendix 4). Some people may have submitted a written response as well as the group letter therefore submitting two responses each. In this report we have treated them as separate submissions and counted every response in the total.

3.3.7 In addition a petition was submitted with over 1000 signatures protesting against the closure of the Adventure Playground. This was dealt with separately and does not form part of the consultation responses.

3.3.8 This consultation was linked to a wider consultation on regenerating the Stonebridge area. As a result a number of responses did not refer to the school expansion, or referred to the school expansion in conjunction with another aspect of the regeneration- particularly the Adventure Playground. Out of the 90 responses there were 47 responses that referred to the Stonebridge Primary School expansion.

3.3.9 Breakdown of responses from the informal consultation

Table 6: Breakdown of responses received for Stonebridge Primary (informal)

	Number of responses received	Percentage of response overall
Group Letter	17	36%
Agree with expansion	11	23%
Disagree with expansion	18	38%
No decision reached	1	2%
Total responses	47	100%

3.3.10 The 47 responses on the school expansion were assessed in terms of 18 reoccurring themes:

Themes

Educational

1. School improvements
2. Unification of the school
3. Impact on the Welsh School
4. Disruption of construction on children's education

Necessity

5. The need for school spaces
6. The scale of the school expansion- mostly arguing expansion is too small

7. Need to build on this site- arguments the annexe should remain, other schools could be built or the annexe could be developed

Health and Safety

8. Potential car accidents

Environmental

9. Traffic, congestion and pollution
10. Environmental impact- especially on mature trees

Community

11. Parking
12. Impact on the greater community - including an increase of crime
13. Impact on the adventure playground
14. Disruption of construction on residents
15. Housing and overcrowding
16. Regeneration in the Stonebridge Area
17. Conservation of the school building as a listed building

Transparency

18. Unfair process- particularly the pupils numbers appear misleading, lack of consultation on the Welsh School

3.3.11 Frequency of each theme:

3.3.12 The 18 themes were mentioned a total of **252** times in the 47 responses. The tables below highlight the frequency of responses to each theme. The most popular theme was theme number 13- the impact on the Adventure Playground, with 35 responses out of 252, followed by housing and overcrowding (theme 15). Themes 4, 8 and 14 were equally unpopular with only 1 response each out of a possible 252.

3.3.13 As the group letter against the expansion accounts for 36% of all responses any topic that was listed on this letter has a very large number of responses compared with topics that are not listed on the petition.

3.3.14 The 18 themes were later grouped into 6 headings to provide a summarised version of the results. A table containing the frequencies and percentages of all themes can be found in Appendix 5.

Table 7: Frequency of themes - Stonebridge

Theme groups	Frequency of themes	Percentage
Education (1-4)	26	10.3%
Necessity (5-7)	40	15.9%
Health and Safety (8)	1	0.4%
Environmental (9-10)	43	17.1%
Community (11-17)	139	55.2%
Transparency (18)	3	1.2%
TOTAL:	252	100%

3.3.15 The overall tone of the points made in the responses

3.3.16 These themes generated a mixture of responses which were graded as positive (for the expansion), concerned and negative (against the expansion).

	Education (1-4)		Necessity (5-7)		Health & Safety (8)		Environmental (9-10)		Community (11-17)		Transparency (18)	
Positive responses	5	19%	8	20%	0	0%	2	5%	6	4%	0	0%
Concerns	3	12%	1	3%	0	0%	17	40%	23	17%	0	0%
Negative responses	18	69%	31	78%	1	100%	24	56%	110	79%	3	100%
Total Responses per theme group	26		40		1		43		139		3	

Negative responses to expansion are highest in every theme, accounting for 74 per cent of all responses.

3.3.17 The area with the greatest number of negative comments was theme 13- the impact on the adventure playground. This has been the subject of separate decision making by Cabinet and the Stonebridge Adventure Playground has now been vacated by the Brent Play Association.

3.3.18 The need for school places (theme 5) generated the most positive responses. The table above highlights the tone of responses to each theme group.

3.3.19 The written analysis is also considered in two parts, those identified as from within Brent and those who are not. This is in order to understand if there is a different response to those who are “local” and those who are not.

3.3.20 Response from the informal consultation from within Brent

3.3.21 Over a third of respondents discussed the school expansion proposals. The response to whether to expand the Stonebridge Primary School was mixed.

3.3.22 There were a number that did not want the proposed expansion due to the impact on the Adventure Playground, and would want the school expansion re-planned or relocated, including the school remaining on two sites.

3.3.23 Some respondents did not view that there was a need for the school expansion or that the proposed expansion was not producing any significant increase in spaces. This was due to the school having the annexe site and it being felt that the expansion was only producing a further 30 spaces.

3.3.24 Some respondents were against the expansion as they viewed Stonebridge as too crowded, whilst there were respondents who were in favour of the proposals.

3.3.25 Responses from the informal consultation that did not identify Brent

3.3.26 Just over a quarter of respondents discussed the school proposals. The majority of responses that discussed the school expansion or the need for additional school places were positive.

3.3.27 All tables containing all of the consultation responses related to the school expansion can be found in Appendix 6.

Formal consultation

3.3.28 Following careful consideration of the responses in the consultation stages outlined above, the governing body of Stonebridge Primary School in partnership with the local authority published the Statutory Notice in the Brent and Kilburn Times on 5 March 2015 for altering the school by 1FE 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.

3.3.29 On 23 February 2015 a decision was made by Cabinet not to renew the contract for Brent Play Association to run the Adventure Playground and for BPA's occupation of the site to be terminated. Individuals who had responded to the informal consultation by email were informed of this decision when the statutory notice was published.

3.3.30 The statutory notice is attached as Appendix 7.

Stage Two – Representation (formal consultation)

3.3.31 The statutory notices (issued on 5 March 2015) were followed by a four week statutory period (Representation stage), which ended on 2 April 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.

3.3.32 In total 1 representation was received during statutory period. The objection is listed below.

"I strongly oppose this expansion on the grounds that it will demolish the Stonebridge adventure Playground which has been there for 40 years. Any proposals should take this into consideration and make sure the expansion does NOT affect the adventure Playground which is needed and loved by the entire community. If this goes ahead it will not be with the agreement of the Stonebridge community"

Conclusion

3.3.33 The majority of negative responses (informal and formal) related to the future of the Stonebridge Adventure Playground, a matter already determined by the Cabinet earlier in the year. Environmental and safety concerns will be addressed through the planning process, while the necessity for the places and the education value of the expansion is clearly demonstrated.

3.3.34 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 Stonebridge Primary

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.

3.4 Next Steps

- 3.4.31 The anticipated dates for the key project milestones following a decision by the Cabinet to determine this proposal to alter Stonebridge Primary School are set out in the timetable below:

Table 9: Project milestones

Milestone	Date
Cabinet Decision to expand the school	June 2015
Planning Application submitted	July 2015
Planning Approval anticipated by	September 2015
Award of contract for building works by the Cabinet	October 2015
Reception class with 30 new places	September 2015
Building work finishes	January 2017
Full New Capacity (R-Y6) available from	September 2017

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 Stonebridge 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.

- 4.2 The proposed expansion of pupil numbers at the school will result in increased revenue costs associated with the additional provision. These costs will be met from the individual school's budget, which will increase proportionately based on the formula allocation from the DfE. However, the proposed intake of additional pupils from September 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 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 Stonebridge 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 Stonebridge 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 Annexe 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 closed on 2 April 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?

Yes, Stonebridge redevelopment proposals including Primary School Expansion and the Stonebridge Day Centre – (Report recommendations resolved at Cabinet, 23 February 2015, Item 8)

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 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 Stonebridge School has an ethnically diverse pupil population and catchment of pupils who need places. The expanded schools 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 An Equality Assessment has been completed for the proposed expansion of Stonebridge Primary School (Appendix 8).

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.

8 **Background Papers**

Stonebridge Consultation Report

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

9 **Appendices**

- Appendix 1 Map of Brent Schools
- Appendix 2 Stonebridge Primary School – consultation document
- Appendix 3 Stonebridge Primary School – notes to meetings
- Appendix 4 Stonebridge Primary School group letter
- Appendix 5 Stonebridge Primary- Informal consultation analysis
- Appendix 6 Stonebridge Primary School informal consultation responses
- Appendix 7 Stonebridge School Statutory notice (Stage 1 of the statutory process)
- Appendix 8 Equality Impact Assessment for Stonebridge Primary School and the area surrounding the school

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 <p>Brent</p>	<p>Cabinet 1 June 2015</p> <p>Report from the Strategic Director of Regeneration and Growth</p>
<p>Wards affected: All</p>	
<p>West London Waste Plan</p>	

1.0 Summary

- 1.1 This report explains that the Council has received an Inspector's report into the Examination of the joint West London Waste Plan Development Plan Document and that the Inspector finds the document sound subject to recommended changes being made. It asks Cabinet to recommend to Full Council that the Plan be adopted with the changes incorporated.

2.0 Recommendations

- 2.1 That Cabinet recommend Full Council adopt the West London Waste Plan, incorporating the recommended changes set out in the Inspector's report.

3.0 Detail

Background

- 3.1 The six London Boroughs which comprise the West London Waste Authority (Brent, Ealing, Harrow, Hillingdon, Hounslow and Richmond upon Thames) agreed to prepare a Joint West London Waste Plan (WLWP). The Plan, when adopted, will form part of Brent's development plan. The purpose of the WLWP is to set out a planning strategy to 2026 for sustainable waste management, deliver national and regional targets for waste recycling, composting and recovery and provide sufficient waste management capacity to manage waste arising across the six west London boroughs. Planning applications for any new waste management facilities will be considered in the light of the WLWP policies, and they will also be assessed by each council against their local planning policies.
- 3.2 The Plan identifies sites in west London which are allocated for waste processing. There are no additional sites proposed within Brent. The Brent sites included in the Plan are two existing waste management sites:
Twyford Waste Transfer Station

Examination of the West London Waste Plan

- 3.3 In February 2014, the Boroughs published the Proposed Submission Version of the WLWP to allow for representations to be made on its "soundness" and "legal compliance". The Plan and the representations received were then submitted to the Secretary of State for examination of its soundness and legality. The Boroughs wrote to the Inspector on 1 September 2014 requesting that, as part of the Examination process, and pursuant to section 20(7) (c) of the Planning and Compulsory Purchase Act (2004) (as amended), modifications be recommended to the WLWP to ensure it satisfies the requirements in subsection (5) (a) of the Act and is sound. Between 7 October and 10 October 2014, the Inspector held hearings on aspects of the WLWP as part of the Plan's Public Examination. During the hearings the Inspector indicated that, in order for the Plan to be sound, the Boroughs should modify the Plan in a number of areas. Proposed Main Modifications to the Plan were published for representations on their "soundness" and "legal compliance" during a six week consultation period running from 7 November to 19 December 2014. The Inspector has now issued his Report to the Boroughs and subject to the inclusion of certain modifications he concludes that the Plan is legally compliant and sound.

Inspector's Report

- 3.4 As indicated above, the Inspector has found the WLWP sound subject to a number of recommended changes. This means that the Council can adopt the document with the changes incorporated. The Inspector's report including detailed recommendations is available as a background document.
- 3.5 The non-technical summary of the Inspector's report is repeated below:

This report concludes that the West London Waste Plan provides an appropriate basis for waste planning in the west London boroughs over the next 17 years providing a number of modifications are made to the Plan. The borough councils have specifically requested me to recommend any modifications necessary to enable the Plan to be adopted. All of the modifications to address this were proposed by the boroughs and I have recommended their inclusion after considering the representations from other parties on these issues.

The principal main modifications can be summarised as follows:

- *adding reference to superseded policies;*
- *recognising updated national policy (National Planning Policy for Waste);*
- *aligning the Vision and Strategic Objectives with national policy;*
- *encouraging appropriate provision for construction, demolition and excavation waste and hazardous waste;*
- *adding a policy on the provision of new waste management capacity;*
- *ensuring the effectiveness of policies on safeguarding, the location of development, high quality development, decentralised energy and sustainable site waste management;*
- *correcting details regarding allocated sites;*
- *adding site descriptions and relevant considerations; and*
- *introducing monitoring triggers.*

3.6 When the WLWP is adopted, it will supersede saved UDP policies W3 (New Waste Management/ Manufacturing Proposals – Environmental and Access Criteria), W4 (Waste Management / Manufacturing Areas), W5 (Safeguarding of Waste Facilities), W6 (Proposals for Waste Management Facilities outside Waste Management/Manufacturing Areas) and W11 (Waste Transfer Facilities/Waste to Landfill).

4.0 Financial Implications

4.1 The preparation and ultimate adoption of the WLWP will provide a more up to date statutory Plan which carries greater weight in making planning decisions, which leads to fewer appeals and reduced costs associated with this. It also provides greater certainty for developers who are more likely to bring forward sites for development in the knowledge that schemes which comply with the requirements of the Plan have a good chance of receiving planning consent.

4.2 The cost of preparing the WLWP has been divided equally amongst the six boroughs. Brent's financial contribution has been met from the Planning & Regeneration budget (formerly Planning & Development). To date the total cost of taking forward the WLWP to Brent has been approximately £144,000.

5.0 Legal Implications

5.1 The preparation of the Local Plan, including the WLWP, is governed by a statutory process set out in the Planning and Compulsory Purchase Act 2004 and associated Government planning guidance and regulations. Once adopted the WLWP will have substantial weight in determining planning applications and will supersede part of the UDP.

6.0 Diversity Implications

6.1 Full statutory public consultation has been carried out in preparing the Waste Plan. An Equalities Impact Assessment has also been carried out.

7.0 Staffing/Accommodation Implications

7.1 There are no staffing or accommodation implications arising directly from this report.

8.0 Environmental Implications

8.1 The identification and use of appropriate sites will mean that the environmental impact is controlled and minimised, particularly upon residential areas, and managing waste locally rather than it being sent to landfill will help mitigate the effects of climate change. A Sustainability Appraisal has been undertaken at all stages of preparing the Waste Plan.

9.0 Background Papers

Report to the Council of the London Borough of Brent, Harrow, Hillingdon, Hounslow and Richmond, The Planning Inspectorate, 16 March 2015

Submission West London Waste Plan, London Boroughs of Brent, Ealing, Harrow, Hillingdon, Hounslow and Richmond, July 2014

Contact Officers

Any person wishing to inspect the above papers should contact Claire Jones, Policy & Projects, 020 8937 5301

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Report to the Councils of the London Boroughs of Brent, Ealing, Harrow, Hillingdon, Hounslow and Richmond upon Thames

by Andrew S Freeman BSc(Hons) DipTP DipEM FRTPI FCIHT MIEnvSc

an Inspector appointed by the Secretary of State for Communities and Local Government

Date: 16th March 2015

PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

**REPORT ON THE EXAMINATION INTO THE
WEST LONDON WASTE PLAN**

Document submitted for examination on 30 July 2014

Examination hearings held between 7 and 10 October 2014

File Ref: PINS/R5510/429/9

ABBREVIATIONS USED IN REPORT

Examination documents (referenced in parentheses in the text) are prefixed by the letters EB, ED, PMM or SD. Duly-made representations have the prefix SU.

AA	Appropriate Assessment
BREEAM	Building Research Establishment Environmental Assessment Method
CEEQUAL	Civil Engineering Environmental Quality Assessment and Award Scheme
cu	cubic
ha	hectares
LDSs	Local Development Schemes
m	metres
MM	main modification
Para	Paragraph
PPS	Planning Policy Statement
PSED	Public Sector Equality Duty
SA	Sustainability Appraisal
SCIs	Statements of Community Involvement
SCSs	Sustainable Community Strategies
WLWP	West London Waste Plan

Non-Technical Summary

This report concludes that the West London Waste Plan provides an appropriate basis for waste planning in the west London boroughs¹ over the next 17 years providing a number of modifications are made to the Plan. The borough councils have specifically requested me to recommend any modifications necessary to enable the Plan to be adopted. All of the modifications to address this were proposed by the boroughs and I have recommended their inclusion after considering the representations from other parties on these issues.

The principal main modifications can be summarised as follows:

- adding reference to superseded policies;
- recognising updated national policy (National Planning Policy for Waste);
- aligning the Vision and Strategic Objectives with national policy;
- encouraging appropriate provision for construction, demolition and excavation waste and hazardous waste;
- adding a policy on the provision of new waste management capacity;
- ensuring the effectiveness of policies on safeguarding, the location of development, high quality development, decentralised energy and sustainable site waste management;
- correcting details regarding allocated sites;
- adding site descriptions and relevant considerations; and
- introducing monitoring triggers.

¹ The London Boroughs of Brent, Ealing, Harrow, Hillingdon, Hounslow and Richmond upon Thames and including also the area administered by the Old Oak and Park Royal Development Corporation (see Footnote 3)

Introduction

1. This report contains my assessment of the West London Waste Plan in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (Paragraph 182) makes clear that, to be sound, a local plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the borough councils have submitted what they consider to be a sound plan. The basis for my examination is the "Proposed submission plan" dating from February 2014 (SD8). This is the document upon which consultation took place between 28 February and 11 April 2014.
3. My report deals with the main modifications that are needed to make the Plan sound and legally compliant and they are identified in bold in the report (**MM**). In accordance with Section 20(7C) of the 2004 Act the borough councils requested that I should make any modifications needed to rectify matters that make the Plan unsound/not legally compliant and thus incapable of being adopted. These main modifications are set out in the Appendix.
4. The main modifications that are necessary for soundness and legal compliance all relate to matters that were discussed at the examination hearings. Following these discussions, the boroughs prepared a schedule of proposed main modifications (PMM1) and carried out sustainability appraisal (PMM2). These were subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report.
5. In the light of the consultation responses, and as proposed by the boroughs,² I have made some amendments to the detailed wording of the main modifications. None of these amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and sustainability appraisal that has been undertaken.

Assessment of Duty to Co-operate

6. Section 20(5)(c) of the 2004 Act requires that I consider whether the borough councils complied with any duty imposed on them by Section 33A of the 2004 Act in relation to the Plan's preparation. Section 33A requires constructive, active and on-going engagement with local authorities and a variety of prescribed bodies in order to maximise the effectiveness of plan preparation.
7. The way in which the duty to co-operate was met is documented in the report "Statement of Duty to Cooperate" (SD6). In particular, the boroughs:
 - consulted with the duty to co-operate bodies, and other bodies, at various stages of the plan preparation process;

² See PMM7

- were represented at meetings of the London Regional Technical Advisory Board;
- carried out repeat engagement with a large number of waste planning authorities; and
- were represented through regular attendance at meetings of the South East Waste Planning Advisory Group.

The various iterations of the emerging Plan were amended in response to the consultations and discussions.

8. I conclude that the boroughs have collaborated with other authorities and bodies and have co-operated effectively through a continuous period of engagement. The local planning authorities have fulfilled the duty to co-operate with regard to the West London Waste Plan.

Assessment of Legal Compliance

9. My examination of the compliance of the Plan with the legal requirements is summarised in the table below Paragraph 23. I conclude that the Plan meets them all. However, I have comments with regard to Local Development Schemes, the Spatial Development Strategy, superseded policies, inviting representations, Sustainability Appraisal and National Policy.³

Local Development Schemes

10. As stated in the following table, the content and timing of the Plan are compliant with all but the Local Development Scheme for Hillingdon. However, up-to-date information is set out on Hillingdon's Local Plans web page. In addition, readers of the web page are directed to the West London Waste Plan web site which contains full current details of the timescales involved with regard to consultation, submission, examination and adoption. As such, I am satisfied that there is no significant impediment regarding accordance with the local development schemes.

Spatial Development Strategy

11. Given that the West London Waste Plan has been prepared by six London boroughs, regard must be had to the spatial development strategy and the Plan must be in general conformity with that strategy. The spatial development strategy that is in force at the time of the writing of this report is the London Plan (2011). This is the version of the London Plan upon which the West London Waste Plan is predicated. It is the opinion of the Greater London Authority that the West London Waste Plan is in general conformity with the London Plan.⁴

³ Shortly before completion of this report, I was advised of the creation of a Mayoral Development Corporation (Old Oak and Park Royal Development Corporation) which would have planning powers over related parts of the boroughs of Brent and Ealing. Having considered the notes on this matter (ED36 and ED37), I am satisfied there are no significant implications, at present, concerning the preparation and content of the Plan. However, the consequences of the establishment of the Development Corporation will need to be considered by the west London boroughs.

⁴ See the duly-made representation of the Greater London Authority, 14 April 2014 (SU52)

12. In parallel with the examination of the West London Waste Plan there has been an examination in public into Further Alterations to the London Plan. Adoption of the Further Alterations is envisaged in Spring, 2015. Amongst other things, the Further Alterations include revision of the waste arising figures and a change to the apportionment to the west London boroughs. A new Carbon Intensity Floor policy is also proposed.
13. The emerging West London Waste Plan has not been fully assessed for general conformity with the Further Alterations to the London Plan. However, there are not considered to be any potential issues.⁵ Under the Further Alterations, the apportioned amount of waste to be managed in west London would be lower. The Waste Plan would then have identified land in excess of that required to meet the apportionment. Any sites allocated for waste management purposes could be de-allocated in a subsequent revision of the West London Waste Plan.
14. With regard to the proposed introduction of the Carbon Intensity Floor, this may go no further than Policy WLWP 4 in the West London Waste Proposed submission plan but the policy is still in general conformity with the Further Alterations. Also, any development triggering Policy WLWP 4 would likely be referable to the Mayor of London and therefore must also be compliant with the Carbon Intensity Floor policy.

Superseded Policies

15. Regulation 8(5) of the Town and Country Planning (Local Planning) (England) Regulations 2012 states that, where a local plan contains a policy that is intended to supersede another policy in the adopted development plan, it must state that fact and identify the superseded policy. In the case of the West London Waste Plan, there are a large number of policies that would be superseded. However, through an omission, these policies and the replacement policies have not been identified. This matter would be corrected under main modifications **MM1A and MM25**.

Inviting Representations

16. Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 sets out requirements with regard to the notification of prescribed persons and bodies in the preparation of a local plan and invitations to make representations. At the examination hearings, it was argued that adjoining land owners should have been directly notified; also that, where there was a potential impact on a particular business, notification should certainly have taken place.
17. For my part, I find that there has been no failure to comply with the Regulations. They require the boroughs to invite representations from such residents and other persons carrying on business in the area *as they consider appropriate*.⁶ Further, in the particular case at issue, the e-mail trail demonstrates consultation with agents of the business throughout plan preparation. Bearing in mind also that the representor had an opportunity to

⁵ See ED34; also ED35

⁶ Regulation 18(2)(c)

make statements to and participate in the examination hearings, there has been no related failing on the part of the boroughs.

Sustainability Appraisal

18. The relevant Sustainability Appraisal is set out in the document "Proposed submission plan - Sustainability appraisal: pre-submission version" (SD9). This has been criticised for reasons that include:
- a failure to properly consider negative effects on adjoining land uses and Green Belt issues;
 - a failure to consider alternative sites; and
 - a failure to make provision for waste development in a sustainable way.
19. For my part, I consider it sensible to concentrate on the sites that are deemed to be appropriate and reasonable. Deliverable sites are appraised in Section 6 of the Appraisal with an assessment against 27 headings. I would not expect any general assessment against Green Belt matters bearing in mind that Green Belt sites were excluded at the site selection stage. However, the inclusion of relevant comments would have been informative where, for example, there were issues concerning adjacent Green Belt. With regard to negative effects on adjoining business land uses, I was told that these could be recorded against "Local Employment".
20. The "failure" to make provision for waste development in a sustainable way essentially refers to a concern that alternative sites for anaerobic digestion and the production of energy have not received adequate attention. However, as discussed below, I consider that the allocated sites could accommodate an adequate range of waste management developments.
21. I appreciate that, in the light of current knowledge, it would have been helpful to record in particular the presence of sensitive land uses where adjacent to sites proposed for allocation. However, I do not find that the conclusions of the boroughs are significantly flawed. The sustainability appraisal is part of an overall assessment of the environmental effects of the West London Waste Plan. Even if some of the comments were varied to reflect up-to-date circumstances, I do not consider that the conclusions of the exercise would be materially different. I conclude that the sustainability appraisal is adequate.

National Policy

22. Shortly after the final adjournment of the examination hearings, the Government published replacement planning policy on waste.⁷ At the same time, updated guidance was added to Planning Practice Guidance. The West London boroughs subsequently produced a Statement of Consistency on the matter (PMM5). The consultation version of the emerging policy⁸ was before the hearings and was referred to as appropriate. However, views on the new

⁷ National Planning Policy for Waste, Department for Communities and Local Government, October 2014

⁸ Updated national waste planning policy: Planning for sustainable waste management, Consultation, Department for Communities and Local Government, July 2013

documents were invited as part of the consultation on the proposed main modifications. I have had regard to the responses in writing this report.

23. Under the heading of National Policy, the Plan makes reference to the former Planning Policy Statement 10. The updated national policy would be recognised through main modification **MM1BB**.

LEGAL REQUIREMENTS	
Local Development Schemes (LDSs)	The Local Plan is identified within the approved LDSs of the various London Borough Councils (EB7 to EB12). The LDSs date from between April 2009 and March 2014. The Hillingdon scheme (EB10) sets out an expected adoption date of February 2012. All the other schemes show an expected adoption date of Spring or Summer 2015. The Local Plan's content and timing are compliant with all but the Hillingdon Local Development Scheme (see above).
Statements of Community Involvement (SCIs) and relevant regulations	The SCIs (EB1 to EB6) were adopted between June 2006 and June 2013. Consultation has been compliant with the requirements therein including consultation on the post-submission proposed "main modification" changes (MM).
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Appropriate Assessment (AA)	The Habitat (sic) Regulations Appropriate Assessment Screening Report December 2010 including 2014 update (SD11) sets out why AA is not necessary.
National Policy	The Local Plan complies with national policy except where indicated and modifications are recommended.
Spatial Development Strategy	The Local Plan has regard to and is in general conformity with the Spatial Development Strategy (London Plan (2011)).
Sustainable Community Strategies (SCSs)	Satisfactory regard has been paid to the SCSs.
Public Sector Equality Duty (PSED)	The Local Plan complies with the Duty and is adequate.
2004 Act (as amended) and 2012 Regulations.	The Local Plan complies with the Act and the Regulations except where indicated and modifications are recommended.

Assessment of Soundness

Preamble

24. The West London Waste Plan (SD8) is intended to provide the policy framework for decisions by the west London boroughs on waste matters over the period to 2031. In this regard, the Plan:

- details the estimated amounts of the different types of waste that will be produced in west London over the Plan period;
 - identifies and protects sites that currently deal with waste;
 - identifies the shortfall of facilities that will be needed over the life of the Plan; and
 - allocates sites that it is envisaged will meet the shortfall.
25. One of the key tasks is to meet the apportionment set out in the London Plan (2011). As such, over the plan period, there is a need for about 614,000 tonnes of additional annual capacity in the municipal solid waste and commercial and industrial waste categories.
26. The sites allocated in the Proposed submission plan include what are stated to be seven existing waste sites. Here it is envisaged that substantial new capacity would be generated through part or complete redevelopment. In addition, there are two sites (not existing waste sites) that are allocated for waste development.
27. In considering the soundness of the Plan, I have had regard to Government policy and guidance. This includes the National Planning Policy Framework, National Planning Policy for Waste and the Waste Management Plan for England. In addition, certain provisions of the Waste Framework Directive⁹ are relevant. Article 34 of the Directive concerns inspections. This has been implemented in Part 6 of the Waste (England and Wales) Regulations 2011. However, specific reference would be included within the West London Waste Plan under main modification **MM21B**.
28. Specific waste policies are set out in the document National Planning Policy for Waste rather than in the National Planning Policy Framework. However, other policies in the Framework are relevant to the content of local plans. In particular, when testing soundness, it is necessary to consider whether the Plan has been "positively prepared".
29. For my part, I find that the West London Waste Plan has been positively prepared. An assessment of waste arisings in West London has been undertaken and the results are set out in the Data Compendium report (EB59). This report has been taken into account in formulating the approach to the future management of waste in West London as well as the management of imports.
30. Section 4 of the Plan specifically considers how much waste will need to be managed in west London and how much capacity will be needed. In response to this information, the Plan sets out a strategy of safeguarding existing sites and specifically allocating sites for waste management purposes thus providing the capacity that will be needed to meet the London Plan (2011) apportionment.
31. A presumption in favour of sustainable development is set out in WLWP Policy 6 of the Plan. This confirms that the boroughs will take a positive

⁹ Directive 2008/98/EC on waste and repealing certain Directives

approach in considering waste management proposals. Planning applications that accord with the Plan will be approved unless material considerations indicate otherwise. However, WLWP Policy 2 is couched in negative terms. To ensure that the Plan has been positively prepared in all respects, and to be consistent with national policy, main modification **MM5D (part)** is recommended.

Main Issues

32. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings I have identified six main issues upon which the soundness of the Plan depends.

Issue 1 – Whether the Plan sets out a positive and collective vision for the sustainable management of waste within the area

33. Chapter 2 of the Plan includes a Vision of how enough provision for waste management facilities will have been made by 2031. The Vision is supported by a number of Strategic Objectives. The Vision and Strategic Objectives have been prepared in the context of national policy and guidance on waste management.

34. I would expect the Vision to set out matters that are of fundamental importance to waste planning in west London. However, the Vision is lacking in a number of respects:

- The Vision refers to 2031 as the date by which sufficient provision will have been made. However, provision should be a continuous and on-going process with facilities being provided in a progressive manner. "Over the period to 2031" should be referred to as the appropriate timeframe.
- There is no reference to making provision "of the right type". However, the need for a mix of types of facilities is emphasised in national policy.
- There is an absence of any reference to the waste hierarchy. Driving waste management up the waste hierarchy is a fundamental plank of waste management planning.
- There is no indication as to whether the boroughs are aiming to achieve net self-sufficiency of provision within the Plan area. As such, the geographic context of the Plan is unclear.
- It would be appropriate to refer to meeting the needs of local communities as part of the Vision.

35. These matters would be addressed under main modification **MM1C**. In this way, the Vision would be aligned with national policy.

36. In terms of the Strategic Objectives, Objective 1 deals with the identification of land sufficient to meet the apportionment set in the London Plan (2011). However, in line with the Vision as proposed to be modified, it should be made clear that provision is to be made for the sustainable management of an

amount of waste equivalent to the amount arising within the Plan area. Main modification **MM1D** refers.

37. Strategic Objective 5 indicates that the Plan will support the key aims and objectives of the Sustainable Community Strategies of the respective boroughs. However, there is no further reference to these aims and objectives within the Plan. To address this matter, it is proposed to set out, in the Plan, the pillars of sustainable development which underpin the Sustainable Communities Strategies of the boroughs. This would be dealt with under main modification **MM1B**. There would then be clear measures against which the effectiveness of actions, and of the Plan, could be judged.

Issue 2 - Whether sufficient new waste management capacity of the right type would be provided in the right place and at the right time

Construction, Demolition and Excavation Waste

38. Section 4.4 of the Plan discusses the need for facilities for the treatment of construction, demolition and excavation waste. Attention is drawn to a background paper on arisings, forecasts and targets (EB55). The Plan concludes that the area has sufficient permitted capacity for this waste stream and that city-wide targets with regard to net self-sufficiency are close to being met.
39. There are, in fact, two relevant targets. The London Plan (2011) has a city-wide target of 95% recycling and reuse by 2020. This is the target that is close to being met in west London. However, it is also intended that 80% of that recycling should be met in the form of aggregates. It is not possible to meet this more specific target in the Plan area due to a lack of suitable waste.
40. Nonetheless, encouragement for the increased use of materials suitable for use as substitutes for virgin materials such as recycled aggregates is a matter of national policy. To reflect that policy, and to correct the Plan text on construction, demolition and excavation waste, main modifications **MM1F and MM3B (part)** are recommended.

Hazardous Waste

41. Hazardous waste is one of the types of waste for which waste planning authorities should plan for sustainable management. Section 3.5 of the Plan discusses the existing management of hazardous waste. However, this is lacking in detail. Some of the key facts are that just over 88,000 tonnes of hazardous waste was produced in west London in 2012 of which about 85% was exported. At the same time imports amounted to some 20,000 tonnes. Overall, the Plan area achieved 40% net self-sufficiency.
42. The topic is also one that is addressed in the London Plan (2011). It is noted that the Mayor will prepare a Hazardous Waste Strategy for London¹⁰ and that London as a whole will require more and better waste treatment facilities. Without sustained action there remains the risk of a major shortfall in the capital's capacity. There is a need to continue to identify hazardous waste

¹⁰ The commitment to prepare a strategy has now been removed (Further Alterations to the London Plan, Policy 5.19)

capacity for London although the main requirement is for sites for regional facilities.

43. Under the West London Waste Plan, it is not anticipated that a substantial need for new capacity will arise. There is no necessity for allocations specifically for the development of additional hazardous waste management facilities. Nevertheless, in line with national policy and the Spatial Development Strategy, the Plan should not be unsupportive of hazardous waste proposals. Additional modifications **MM1E, MM1G and MM3B (part)** are proposed in order to address the above matters.

Issue 3 - Whether there are clear and effective policies that will help secure the appropriate and timely provision of waste management facilities in line with the London Plan (2011) and national policy and guidance

New Waste Management Capacity

44. As noted in the preamble to this report, one of the key tasks of the Plan is to meet the apportionment set out in the London Plan (2011). The apportionment covers the municipal solid waste and commercial and industrial waste categories. Over the period to 2031, there is a need for about 614,000 tonnes of additional annual capacity. Of this, 162,000 tonnes would be needed in the period up to 2016. A further 221,000 tonnes would be required in the period 2021 to 2026. A final 231,000 tonnes would be needed post-2026.
45. Although these requirements are identified in the London Plan (2011), and discussed in the supporting text of the West London Waste Plan, the requirements are not expressed as a policy commitment. As such, the effectiveness of the Plan would be undermined. There would be no policy driving provision including provision by key dates.
46. To address these shortcomings, a new policy and supporting text are recommended. The policy would be directed at delivering the necessary minimum amount of additional waste management capacity of the right type and at the right time. The provisions would also recognise that net self-sufficiency, in accordance with the stated apportionment, would not be achieved until 2029. In the circumstances, provision of capacity at a faster rate would be encouraged.
47. The new policy would govern provision in the re-use, recycling and other recovery categories. Provision should be made in accordance with the waste hierarchy and this would need to be addressed and justified as a pre-requisite of the grant of planning permission.
48. The new policy and supporting text would be given effect through main modification **MM3B**. The new policy would also support the provision, in appropriate circumstances, of new facilities for the treatment of construction, demolition and excavation waste, and hazardous waste, as discussed above.

Safeguarding and Protection of Existing and Allocated Waste Sites

49. The safeguarding and protection of existing and allocated waste sites are dealt with in WLWP Policy 1 and the related text. In this regard, a list of all the sites that are in existing waste management use is to be found in Appendix 1 of the Plan. However, the list is incomplete and the Plan is not fully effective. Corrections would be made under main modifications **MM22, MM22A, MM22B and MM23**.
50. There are a number of other matters whereby the effectiveness of the Plan is questionable:
- The spatial extent of the safeguarded existing permitted facilities is not shown. This will need to be identified on the policies maps of the Local Plans of the west London Boroughs.
 - Through the wording of the policy, there is a (false) implication that waste transfer and civic amenity sites are *not* waste management uses.
 - Superfluous terminology is included.
 - The policy should deal with compensatory and equal provision of *capacity* not compensatory and equal provision of *sites*.
 - The status of the Quattro site should be clarified given that it would not be available until 2024.
51. A number of related modifications are recommended. These are main modifications **MM4A, MM4B and MM4C**.

Location of Waste Development

52. The main provisions with regard to the location of waste development are set out in Section 6.2 and WLWP Policy 2 of the Plan. However, the supporting text is ineffective in a number of respects.
53. First, there is inaccurate use of terminology. The Plan needs to refer to waste management development (not use) and waste management capacity (not facilities). Secondly, reference to one of the purposes of the policy needs to be included. This is the circumstances under which development proposed on unallocated sites may come forward. Thirdly, there needs to be identification of matters that will be taken into account in assessments of on-going requirements for capacity to meet the London Plan (2011) apportionment.
54. Turning to the policy itself, a number of main modifications are necessary in order to ensure the effectiveness of the policy and the Plan:
- Deletion of the reference to waste transfer stations and civic amenity sites and thus the implication that they are not existing waste management sites.

- Correction of the reference to development plans to ensure consideration of the development plan as a whole, not just the boroughs' development plans.
- Addition of a footnote defining existing waste management sites.
- Re-phrasing of the proviso regarding suitability of development to state that it is the availability and suitability of existing waste management sites or allocated sites that is the consideration.
- Addition of a footnote on suitability.
- Modification of Clause b to ensure that the policy does not act as a cap on capacity outside the London apportionment.
- Identification in a new appendix of the sustainability objectives referred to in Clause c.
- Clarification of the role of other Plan policies.

55. The supporting text would be modified under main modifications **MM5, MM5A and MM5C**. Main modifications **MM5D, MM5E, MM5F, MM5G, MM5H, MM5I and MM5J** refer to the necessary changes to the policy. The appendix setting out the sustainability objectives would be added under main modification **MM21C**.

Ensuring High Quality Development

56. Paragraph 7 of the National Planning Policy for Waste seeks to ensure that waste management facilities are well-designed and hence contribute positively to the character and quality of the area in which they are located. This aim is reflected in Section 6.3 of the Plan and under WLWP Policy 3. However, a number of modifications are necessary in order to make sure that the Plan is effective in this regard:

- Indicating, by way of a footnote, the surveys, assessments and mitigation measures that would be necessary to address the various potential nuisances referred to in the policy.
- Stating that Design and Access Statements will be required *as appropriate* (clarified by reference to a footnote).
- With regard to the movement of waste by modes other than road, requiring incorporation of provision within the scheme or demonstration that this would not be practicable.
- Correcting the reference to Transport Assessments and including a footnote to indicate when such assessments are likely to be necessary.
- Removing Clause f (climate change adaptation and mitigation). This is covered under Clause g.

- Indicating that the achievement of appropriate BREEAM and CEEQUAL ratings will be as specified in borough development plans.
- Adding footnote reference with regard to BREEAM and CEEQUAL.
- Clarifying the provisions relating to quality of surface and groundwater.
- Clarifying the circumstances under which a Flood Risk Assessment would be required.
- Indicating by way of a footnote the circumstances under which a Green Travel Plan would be likely to be required.
- With regard to heritage assets, ensuring consistency with the wording in the National Planning Policy Framework.

57. The relevant main modifications are **MM6, MM7, MM8, MM9, MM10, MM11A, MM11B, MM12, MM13A, MM13B, MM14, MM15, MM16 and MM17**. They are hereby recommended.

Decentralised Energy

58. In common with the policies discussed above, modifications to the provisions relating to decentralised energy are necessary to ensure effectiveness. The necessary modifications are **MM18 and MM19**. The policy would be modified by stating that:

- The policy provisions relate to waste *management* facilities.
- Energy from waste facilities will only be considered where they qualify as recovery operations.
- Energy from waste proposals would need to demonstrate that they would not compromise the management of waste in accordance with the waste hierarchy.

Sustainable Site Waste Management

59. To ensure effectiveness, WLWP Policy 5 Clause a needs to be modified to state that at least 10% of the materials or products used in construction *and* operation of the development are re-used or recycled and sourced from within 100 km of the site. In addition, Clause b needs to refer to the minimisation of construction, demolition and excavation waste. This is to ensure compliance with the waste hierarchy. Further, a new clause is necessary to address circumstances where on-site management is not possible. Active consideration would have to be given to transportation by modes other than road.

60. The necessary modifications are set out in main modifications **MM20, MM20A and MM21**. They are hereby recommended.

Issue 4 - Whether the site selection process has led to the identification of sites that would meet appropriately the need for new waste management capacity in West London

Non-Apportioned Capacity Gap

61. As indicated above, one of the key tasks of the West London Waste Plan is to meet the apportionment set out in the London Plan (2011). At present, the apportionment is below existing capacity. However, up until about 2029, arisings will exceed capacity by a significant margin (presently about 470,000 tonnes of capacity a year). This margin represents the "non-apportioned capacity gap".
62. In terms of provision a number of arrangements are in place. First, the West London Waste Authority has entered into a contract that involves the annual export of 300,000 tonnes of municipal solid waste to an energy from waste facility in South Gloucestershire. Secondly, there is a contract to supply waste to the Lakeside energy from waste plant. From 2015/16 this will be at a level of 90,000 tonnes a year. Thirdly, around 70,000 tonnes of waste may be sent annually to the Slough Heat and Power facility or exported abroad. In total, these arrangements amount to the treatment of some 460,000 tonnes of waste a year.
63. Representors have indicated that energy from waste is low down in the waste hierarchy and that it would be better to allocate additional sites in the re-use, recycling and materials recovery categories rather than to send large quantities of waste across country. This is a point that would be partly addressed by encouraging provision over and above the tonnages required to meet the London apportionment as addressed in the new policy on provision. However, the existence of the long-term contacts cannot be ignored. They largely fill the non-apportioned capacity gap. No allocations are needed in this regard.

Meeting the London Apportionment

64. The London apportionment concerns municipal solid waste and commercial and industrial waste. The requirement is to supply 614,000 tonnes of additional capacity by 2030. Under the West London Waste Plan, this would be met by the allocation of nine sites. Based on the assumptions discussed elsewhere, these sites could provide annual capacity in excess of 800,000 tonnes.
65. Some representors are concerned that the provision is too high; others too low. For my part, I recognise the possibility that not all the sites will be developed as envisaged or developed at all. A degree of flexibility is necessary. I do not consider that the provision is too high. As to whether the provision is too low, part of the argument is to the effect that the site selection process was flawed. Certain allocated sites should not have been selected. Others should have been included.
66. In large measure, sites have been selected based on the scores as recorded in reports such as the Potential Sites Assessment Technical Report (EB65). I appreciate that the methodology could be criticised on a number of levels. For example, different parameters could have been included, different multipliers

could have been applied and different scores could have been accorded. Nevertheless, I consider that the methodology adopted was perfectly reasonable. Even if the scores were varied in the light of up-to-date information, I do not consider that the selection of the allocated sites would be significantly undermined.

67. In determining whether the provision is too low, I have also had regard to the suitability of the allocated sites. To my mind they are all suitable for waste management development of one sort or another. They would provide for a mix of types of waste management development in appropriate locations across the boroughs. Bearing in mind also the fact that, under the Further Alterations to the London Plan, the apportionment to the west London boroughs is likely to be lower, I do not consider that any further allocations are necessary.
68. Notwithstanding the forgoing conclusion, I have considered the merits of all the omission sites that have been proposed for allocation. As discussed at the examination hearings, there are two main contenders. One site is known as Harlington Quarry. The other is the former coal yard at Tavistock Road.

Harlington Quarry

69. The Harlington Quarry site lies in the Green Belt south of the M4 motorway and generally to the northeast of Heathrow Airport. The site area is 2.59 ha. Representors envisage that an anaerobic digestion biogas plant would be erected on the site. This would be designed to process 49,500 tonnes of food waste a year sourced from within west London. Allocation of the site within the West London Waste Plan is sought although planning permission for a project specific proposal was refused by notice dated 30 October 2014.¹¹
70. In terms of potential allocation of the site, I start by recognising that development of the nature proposed would represent inappropriate development in the Green Belt. In this regard, national policy states that waste planning authorities should first look for suitable sites and areas outside the Green Belt.¹²
71. The representors have carried out an extensive search for potential sites. They have been looking for a site of some 2 ha and have dismissed smaller sites such as the Greenford Depot site (1.78 ha) and Twyford Waste Transfer Station (1.24 ha). The Western International Market site was dismissed principally because it was deemed to be unavailable.
72. For my part, I do not accept that smaller sites could not house an anaerobic digestion facility. The research study "Planning for Waste Management Facilities" points to sites with a typical area of 0.6 ha in the context of a development with a throughput of 40,000 tonnes a year.¹³ In addition, the West London Waste Authority is considering the suitability of the Twyford site for a facility with a capacity of 50,000 tonnes a year (ED29, Para 2.3). With regard to the Western International Market site, this was confirmed as available at the examination hearings.

¹¹ Application Ref: 2373/APP/2012/2011 (London Borough of Hillingdon)

¹² National Planning Policy for Waste, Para 6

¹³ Office of the Deputy Prime Minister, August 2004, Page 80

73. It is appropriate to consider the particular locational needs of some types of waste management facilities when preparing Local Plans. When developing anaerobic digestion plants, particular regard must be paid to operational considerations and surrounding land uses. However, whatever the merits of anaerobic digestion, and on the evidence before me, there are no exceptional circumstances that would warrant the allocation of the proposed Green Belt site at Harlington Quarry.

Tavistock Road

74. The Tavistock Road site is a former coal depot site, with rail siding, towards the western fringe of the Plan area. The site is designated as local employment land and has an area stated to be 8.96 ha. Planning permission for a materials recovery and recycling facility and Civic Amenities Site with an annual throughput of 950,000 tonnes of waste was refused in March 2014. The proposal was said to broadly comply with the London Plan. At the time of the examination hearings plans for a smaller scheme (450,000 tonnes) were in preparation.¹⁴
75. Opposition to the proposed allocation by the local residents' group and others has been well articulated. Nevertheless, there are points in favour of the site. In the Potential Sites Assessment report (EB65), a high score is awarded in recognition of the separation of the site from residential areas. It is also recorded that the site is large enough for co-location and that the development of a homogeneous structure could lead to an improvement in appearance, noise and dust impacts.
76. At the examination hearings, I was told that the designation as local employment land was to be removed. No information was forthcoming on proposed uses notwithstanding the size and value of the site. I do not necessarily see the removal of the designation as an impediment to waste development. Indeed, Planning Practice Guidance on waste (Paragraph 018) states that, as reviews of employment land are undertaken, it is important to build in the needs of waste management before releasing land for other development.
77. On the other hand, Planning Practice Guidance points to the suitability of local transport infrastructure as one of the factors likely to drive the identification of suitable sites and areas (Paragraph 037). In this regard, I saw that the access to the site, at its junction with Tavistock Road, is totally inadequate. In addition, heavy goods vehicles accessing the site would have to pass through areas and along highways that are unsuited to the volumes likely to be associated with a major waste use.
78. I appreciate that the site is and has the potential to be a major traffic generator in any event. However, I was told that there are no proposals to improve the access. In addition, I am concerned that the nature of the traffic would be damaging to the environment and local communities. In the circumstances, allocation of the site would not be appropriate.

¹⁴ The applicant company is now considering options for the site following a decision not to appeal against the refusal of planning permission or to proceed with the smaller scheme (Press Statement, Powerday, 20 January 2015)

Conclusions

79. I consider that the sites selection exercise was satisfactory. Sites suitable in nature, size, number and distribution to meet the on-going needs of the Plan area have been identified and allocated. The West London Waste Plan is sound without the inclusion of any other sites.

Issue 5 – Whether the allocated sites are acceptable in environmental terms and in other respects; whether the locations are deliverable; and whether the Plan provides an appropriate context for the successful development of waste management facilities

Preliminary Points

80. On a preliminary point, I note that there are a number of factual aspects of the Plan that are not supported by the evidence. In particular:

- The areas of the allocated sites need to be corrected in a number of instances (also the totals).
- The boundary of the Quattro site does not accurately reflect the potential developable area of the site.
- The boundary of the Forward Drive Council Depot site needs to be adjusted to accord with that shown in Policy AAP21 of the Harrow Action Area Plan. With this change, the allocated site would incorporate an existing household waste recycling centre and would require re-categorisation as an "existing site".

81. To correct these matters, a number of main modifications are proposed. These are main modifications **MM1, MM2A, MM2B, MM2C, MM3a and MM3**. The allocated sites would then be as follows:

Existing waste management sites as proposed for allocation

Twyford Waste Transfer Station
Veolia Transfer Station, Marsh Road
Greenford Reuse and Recycling Site
Greenford Depot, Greenford Road
Quattro, Victoria Road, Park Royal
Rigby Lane Waste Transfer Site
Council Depot, Forward Drive
Twickenham Depot

Additional site allocated in the Plan for waste management uses

Western International Market

82. A second preliminary matter concerns description of the various allocated sites and the considerations that would apply in bringing forward development proposals. Such provisions are central to the effectiveness of the Plan but are

absent from the Proposed submission version. Main modification **MM25** is recommended. As a result, a new appendix would be added to the Plan. This would contain a description of all the allocated sites and identify matters relevant to the determination of planning applications.

Capacity Assumptions

83. In matching the apportionment requirement with a sufficient array of sites, the boroughs have made assumptions as to the capacity of the allocated sites. They have assumed that the sites could be developed or redeveloped with facilities having an annual capacity of 65,000 tonnes a hectare. This nominal potential throughput is based on work carried out in connection with the London Plan. Where appropriate, a deduction has been made for existing capacity to represent the contribution to be provided from retained facilities.
84. Many of the existing waste management sites that are proposed for allocation house substantial buildings and structures that would pose a significant impediment to redevelopment. In addition, they are busy, active sites often providing important space for the parking of heavy goods vehicles such as refuse collection vehicles. These conditions, and constraints posed by adjacent land uses, have led representors to question the assumed capacity of the sites.
85. In response to doubts about how the sites might be developed and brought forward, the boroughs produced a paper entitled "Position Statements on Practicalities of Reorientation" (ED29). Amongst other things, this paper seeks to demonstrate that redevelopment of the sites in line with the boroughs' assumptions is indeed a realistic proposition.
86. The concerns of representors tended to be of a general nature. There was no worked demonstration of difficulties at any particular site. For my part, I acknowledge that redevelopment of many of the sites will prove to be a challenge. However, bearing in mind the work presented in the boroughs' paper, I have no reason to dismiss the broad assumptions that have been made.

Twyford Waste Transfer Station

87. I continue with an assessment of sites where significant issues have been identified. The first of these is the Twyford Waste Transfer Station, Abbey Road, Brent. This is a site of 1.24 ha that is currently used as a household waste recycling centre and as a waste transfer station for trade waste that also hosts a wood processing operation. It is owned and operated by the West London Waste Authority.
88. The adjacent site has the benefit of planning permission, granted in 1993, for an hotel, television centre and social, community and leisure facilities. There has been a commencement of development and the sponsors are intent on proceeding with the scheme. The key issues, to my mind, are compatibility with the proposed allocation and the availability of access.
89. Dealing with the access point first, I note that part of the access is in the ownership of the representors. They have questioned the right to redevelop the allocated site for the purposes proposed bearing in mind their interests in

the access. This was a matter that was considered at the examination hearings. Guidance was given by the barrister representing the London Borough of Hillingdon. My conclusion, having heard the evidence, is that use of the access in connection with waste development can lawfully take place (subject to consideration of the level of interference). Therefore, there would be no impediment to the allocation.

90. On the matter of the compatibility of the land uses, I have no doubt that a very prestigious development is planned by the representors. To avoid prejudicial effects, considerable care would need to be taken in developing and operating the waste management site. Policies in the development plan provide a degree of protection in this regard.
91. Proposals for waste development should carefully consider existing and proposed neighbouring land uses and ensure that any development would not result in any significant adverse impact on permitted uses. In particular, such impacts would include those which might arise from the construction and operation of the site and the movement of vehicles associated with any proposal. To draw attention to the need to address this particular matter, I am recommending the addition of related wording to the boroughs' appendix containing descriptions of allocated sites. Main modification **MM24 (part)** refers.

Western International Market

92. The Western International Market site comprises level and undeveloped land extending to 3.2 ha. It is the only allocated site that is not an existing waste management site. It lies adjacent to the Green Belt and north of the M4 motorway. Developments to the north of the site include a Costco warehouse and a data centre. The Costco warehouse sells foodstuffs and includes a café. As to the data centre, evidence submitted on behalf of the operator suggested that this is extremely sensitive to dust emissions including corrosive gaseous compounds.
93. It is apparent that, in the past, there may have been an intention to retain the allocated site as open space. This was as part of a deal to off-set the loss of Green Belt land occasioned by the relocation and redevelopment of the Western International Market. This intention has featured in negotiations regarding other developments in the area.
94. However, there is no contractual commitment or covenant in this regard. Whilst land to the south, west and east is subject to a Green Belt-related policy, there is no related policy or designation that affects the allocation site. In my view, the site is ripe for development. Given adequate safeguards to respect the Green Belt and other matters, I see no related grounds for denying the allocation. A suitable modification would be introduced under main modification **MM24 (part)**.
95. With regard to adjacent land uses, it is clear that, amongst other things, potential pollution from the allocated site is a major issue. The data centre is particularly vulnerable in this regard. In this regard, a degree of protection is available under the existing and emerging development plan. Relevant policies include WLWP Policy 3, Policy ENV-P.1.6 of Hounslow's Unitary

Development Plan and Policy EQ4 of the emerging Hounslow Local Plan (EB30).

96. In addition, and in common with the Twyford Waste Transfer Station site, I am recommending a modification highlighting the need to consider existing and proposed neighbouring land uses (main modification **MM24 (part)**). It may be that waste management development on the Western International Market sites would have to be curtailed. Nevertheless, this does not rule out allocation of the site. The precise extent of appropriate development can be determined at the application stage.

Issue 6 - Whether there are clear arrangements for monitoring the Plan and reporting the results as part of a delivery strategy with clear targets and measurable outcomes

97. With regard to Plan review, matters relevant to monitoring and reporting are identified in Paragraph 9 of the National Planning Policy for Waste. However, the simple recording of raw data would be insufficient. I would expect to see triggers that would prompt a review of the provisions of the Plan.
98. The proposed submission West London Waste Plan is lacking in this regard. In response, it is proposed to introduce triggers that would set in train a review or partial review of the Plan. In this way, and to give effect to national policy, there would be clear arrangements for monitoring the Plan and reporting the results as part of a delivery strategy that has clear targets and measurable outcomes. Main modification **MM21A** refers. The revised table would also identify the Strategic Objectives that would be monitored.

Overall Conclusion and Recommendation

99. The Plan has a number of deficiencies in relation to soundness and/or legal compliance for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the main issues set out above.
100. The borough councils requested that I recommend main modifications to make the Plan sound and/or legally compliant and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the West London Waste Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

Andrew S Freeman

INSPECTOR

This report is accompanied by the Appendix containing the main modifications

Appendix A – Main Modifications

Key to the Schedule of Main Modifications:

- Additions of new text are shown in bold, green and italicised ***like this***
- Deleted text is shown with a strike through and yellow highlight ~~like this~~

The page numbers and paragraph numbering below refer to the “Proposed submission plan” (SD8) and do not take account of the deletion or addition of text.

Ref. No.	Page	Policy/ Paragraph	Main Modification																																						
MM1	Throughout Plan Pages ii and iii	Throughout Plan Table i and ii	<p>Reference to the combined total area of sites allocated in the Plan changed from '15.24'ha to '15.52'ha</p> <p>Modifications made to reflect those made to tables 5-1 and 5-2</p> <p><i>Table i: Existing waste sites proposed for allocation</i></p> <table border="1"> <thead> <tr> <th>Site Number</th> <th>Name</th> <th>Site Area (ha)</th> <th>Borough</th> </tr> </thead> <tbody> <tr> <td>352</td> <td>Twyford Waste Transfer Station</td> <td>1.24</td> <td>Brent</td> </tr> <tr> <td>1261</td> <td>Veolia Transfer Station, Marsh Road</td> <td>2.71</td> <td>Brent</td> </tr> <tr> <td>309*</td> <td>Greenford Reuse & Recycling Site</td> <td rowspan="2">1.78</td> <td rowspan="2">Ealing</td> </tr> <tr> <td>310*</td> <td>Greenford Depot, Greenford Road</td> </tr> <tr> <td>328#</td> <td>Quattro, Victoria Road, Park Royal</td> <td>0.97</td> <td>Ealing</td> </tr> <tr> <td>222</td> <td>Council Depot, Forward Drive</td> <td>2.31</td> <td>Harrow</td> </tr> <tr> <td>331</td> <td>Rigby Lane Waste Transfer Station</td> <td>0.9184</td> <td>Hillingdon</td> </tr> <tr> <td>342</td> <td>Twickenham Depot</td> <td>2.67</td> <td>Richmond</td> </tr> <tr> <td>Total</td> <td></td> <td>10.24</td> <td>12.32</td> </tr> </tbody> </table> <p>*These two sites are contiguous and part of a larger site: for the purposes of the Plan, they are considered as a single, consolidated site # This site is subject to a High Speed 2 (HS2) Safeguarding Direction and will not be available from 2017 until 2024</p> <p><i>Table ii: Additional sites identified allocated in the Plan for waste management uses</i></p>	Site Number	Name	Site Area (ha)	Borough	352	Twyford Waste Transfer Station	1.24	Brent	1261	Veolia Transfer Station, Marsh Road	2.71	Brent	309*	Greenford Reuse & Recycling Site	1.78	Ealing	310*	Greenford Depot, Greenford Road	328#	Quattro, Victoria Road, Park Royal	0.97	Ealing	222	Council Depot, Forward Drive	2.31	Harrow	331	Rigby Lane Waste Transfer Station	0.9184	Hillingdon	342	Twickenham Depot	2.67	Richmond	Total		10.24	12.32
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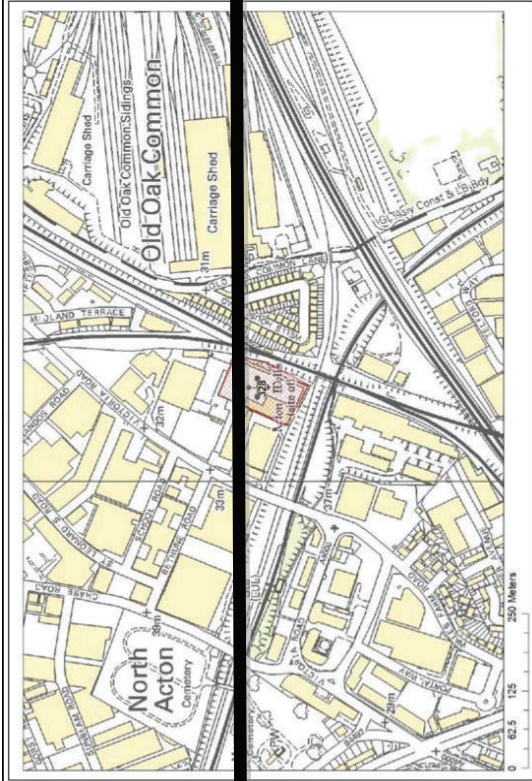
				Site Number	Name	Site Area (ha)	Borough
				222	Council Depot, Forward Drive	4.83	Harrow
				2861	Western International Market	3.20	Hounslow
				Total		5.03 3.20	
				<div style="border: 1px solid black; padding: 5px; display: inline-block;"> Combined Total Area = 15,2452 hectares </div>			
MM1A	Page 3	1.2.3	After "The West London Waste Plan will form part of the Development Plan for each of the boroughs." Insert new sentence: <i>This Plan supersedes certain policies in other Borough Development Plan Documents as set out in Appendix 7.</i>				
MM1B	Page 3	1.3.1	<p>Add new sentence:</p> <p><i>The Plan supports the implementation of the boroughs' Sustainable Community Strategies in several ways which follow the three pillars of sustainable development, which underpin the Sustainable Community Strategies, as follows:</i></p> <ul style="list-style-type: none"> <i>– Social: The Plan ensures that waste is managed in a way that protects communities and their health;</i> <i>– Environmental: The Plan ensures that waste will be managed in a manner that does not harm the environment</i> <i>– Economic: The Plan seeks to provide sufficient opportunities for the management of waste that is an essential part of a high performing economy.</i> 				

MM1BB	Page 5	1.3.6	<p>National Planning Policy for Waste Statement 10</p> <p>1.3.6 National Planning Policy for Waste Statement 10: Planning for Sustainable Waste Management⁴ sets out national objectives and guidance to be considered when producing planning policies for waste development and consideration of applications for waste development. The Government intends to update this policy.</p> <p>Change to related footnote:</p> <p>4 National Planning Policy for Waste, October 2014 https://www.gov.uk/government/publications/national-planning-policy-for-waste Planning Policy Statement 10, revised March 2011 – http://www.communities.gov.uk/documents/planningandbuilding/pdf/1876202.pdf</p>
MM1C	Page 13	West London Waste Plan Vision	<p>By Over the period to 2031, the West London Waste Plan area will have made provision for enough waste management facilities of the right type and in the right locations to provide for the sustainable management of waste guided by the waste hierarchy to achieve net self-sufficiency and meet the needs of local communities. It will seek to do so, in a progressive manner, whilst protecting the environment, stimulating the economy and balancing the needs of West London's communities.</p>
MM1D	Page 13	West London Waste Plan Strategic Objectives 1	<p>To identify sufficient land for the management of the six boroughs' pooled waste apportionment as set out in the London Plan (2011), including safeguarding existing waste sites and maximising their use as waste management sites and to provide for the sustainable management of an amount of waste equivalent to the amount arising within the Plan Area.</p>
MM1E	Page 20	3.5.1	<p>Hazardous Wastes</p> <p>Hazardous wastes are categorised as those that are harmful to human health, or the environment, either immediately or over an extended period of time. They range from asbestos, chemicals, and oil through to electrical goods and certain types of healthcare waste. A detailed study of arisings¹⁸ has been undertaken which found the following:</p> <ul style="list-style-type: none"> • In 2012, West London produced just under 100-over 88,000 tonnes of which approximately 87.5% was exported for management.

			<ul style="list-style-type: none"> At the same time 20,000 tonnes was imported from outside the Plan area. Overall the Plan Area achieved 40% net self sufficiency in 2012. Compared with other waste streams generated in West London, <p>Hazardous waste is not a large waste stream, but does require a range of specialist facilities for treatment and disposal, but it is not anticipated that substantial additional need for new capacity locally will arise and so land allocations specifically for the development of additional hazardous waste management capacity have not been identified in this Plan.</p> <p>Insert related footnote:</p> <p>¹⁸Estimate of Baseline, Forecast, Management & Flows for Hazardous Waste Arising in west London Final issue v1.0 27.02.14, BPP Consulting</p> <p>Construction, Demolition and Excavation (CD & E) waste is a large waste stream within London, although it is not included within the London Plan (2011) apportionment target assigned to boroughs. Work undertaken in support of the Plan has established that the Plan Area has a substantial quantity of processing capacity for this waste stream and that the London Plan (2011) city-wide targets of 95% recycling and reuse by 2020 are close to being met. This is expected to continue into the future and accordingly no allocations are made in this plan for facilities dealing specifically with such wastes. However the evidence also indicates that it is not possible for the more specific target of 80% of that recycling to be met in the form of aggregates by 2020 due to the lack of suitable waste. The preference in West London is to ensure more on-site recycling and re-use on construction sites together with effective use of existing waste management sites and the appropriate provision of facilities at mineral extraction sites to ensure adequate provision of treatment capacity for this waste stream. Particular policy encouragement will be given to development of capacity for the production of material suitable for use as substitutes for virgin materials such as recycled aggregates.</p>
MM1G	Page 29	4.5.2	<p>Work undertaken in support of the Plan²⁵ has established that the Plan area has a moderate level of capacity for this waste stream with a number of sites managing hazardous waste within the Plan area. Other flows have been tracked</p>

MM2A	Page 31	Table 5-1	<p>with the general finding being that waste of this type travels within 1.5 hours of the Plan area for treatment. These resilience of these flows are subject to further have been confirmed by contacting the appropriate receiving authorities. investigation under the Duty to Co-operate requirements but it is not anticipated that a substantial local need for capacity will arise be identified. The West London Waste Plan therefore makes no specific provision for hazardous wastes and so land allocations specifically for the development of additional hazardous waste management capacity have not been identified in this Plan. However policy WLWP 1 is included to encourage the development of further capacity where it is identified as being needed in the regional context. Planning applications for new hazardous waste facilities will be determined in the same way as applications for all waste management facilities and the capacity of hazardous waste facilities will be monitored closely to establish whether additional provision is required at a later date.</p> <p>Insert related footnote:</p> <p>²⁵ <i>Estimate of Baseline, Forecast, Management & Flows for Hazardous Waste Arising in west London Final issue v1.0 27.02.14, BPP Consulting</i></p>																																
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MM2B	Page 35	Table 5-2	<table border="1"> <tr> <td>331</td> <td>Rigby Lane Waste Transfer Station</td> <td>Transfer Station</td> <td>0.8691</td> <td>Hillingdon</td> </tr> <tr> <td>342</td> <td>Twickenham Depot</td> <td>Depot Facility</td> <td>2.67</td> <td>Richmond</td> </tr> <tr> <td>Total</td> <td></td> <td></td> <td>40.23 40.24</td> <td>12.32 12.32</td> </tr> </table>	331	Rigby Lane Waste Transfer Station	Transfer Station	0.8691	Hillingdon	342	Twickenham Depot	Depot Facility	2.67	Richmond	Total			40.23 40.24	12.32 12.32	
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MM2C	Page 26	Para 4.2.7	<p>To meet this land requirement, six eight existing waste sites (accounting for 40.23 12.32 hectares) have been identified as suitable and available for redevelopment. An additional 5.03 3.20 hectares of land currently not developed for waste management use has also been identified as suitable and deliverable</p> <p>Amend Para 4.2.7 to read '5.51 hectares' and para 4.2.8 to read '15.52 hectares'</p>																
MM3a	Page 33	Plan for Site 328, Quattro, Park Royal, Ealing	Replace plan for Site 328, Quattro, Park Royal, Ealing																



MM3	Page 35	Plan for Site 222 Council Depot, Forward Drive Harrow	
		Replace plan for Site 222 Council Depot, Forward Drive Harrow	



MM3B	Throughout Plan Page 43	All policies New policy WLWP 1	<p>Policy numbers to change in light of insertion of new policy WLWP1</p> <p>Insert the following new paragraphs and Policy WLWP1:</p> <p><i>Policy WLWP 1 - Provision of New Waste Management Capacity</i></p>

			<p><i>The following policy is aimed at delivering the necessary minimum amount of additional waste management capacity of the right type and at the right time. Developments are to accord with all parts of the development plan unless material considerations indicate otherwise. Particular attention will be given to avoiding unacceptable harm to the environment and adverse effects on the well-being of communities.</i></p> <p><i>In respect of Municipal Solid Waste, and Commercial and Industrial Waste, the main requirement arising out of the London Plan (2011) is to meet the stated apportionment for the six West London boroughs combined. This is the principal aim of the policy. However, the current London Plan (2011) projections indicate that net self-sufficiency would not be achieved until 2029 for London as a whole. In the interim, there would be a gap between the quantity of eligible existing capacity within West London (the apportionment baseline of 1.64 million tpa) and the quantity of MSW and C&I waste forecast to arise in West London. In these circumstances, the provision of capacity to manage the requisite London Plan tonnages at a faster rate than indicated will be encouraged. The expectation is that substantive provision would be made on allocated sites (Policy WLWP 2) in the first instance. Any such provision should be consistent with the waste hierarchy.</i></p> <p><i>Policy WLWP 1 - Provision of New Waste Management Capacity</i></p> <p><i>Apportioned Waste – MSW & Commercial and Industrial Waste</i></p> <p><i>Over the period to 2031, there is a need for about 614,000 tonnes of additional annual capacity to meet the apportionment set in the London Plan (2011). This is to be delivered on the allocated sites identified in Policy WLWP 2 as follows:</i></p> <ul style="list-style-type: none"> <i>• 162,000 tonnes in the period up to 2021</i> <i>• A further 221,000 tonnes (total 383,000 tonnes) in the period 2021 to 2026</i> <i>• A further 231,000 tonnes (total 614,000 tonnes) in the period 2026 to 2031</i> <p><i>The requirement is for capacity in the re-use, recycling, and other recovery categories.</i></p> <p><i>Provision over and above the tonnages required to meet the London Plan (2011) apportionment and of a nature similar to that identified above will be encouraged where this would contribute towards net self-sufficiency.</i></p> <p><i>Provision should be made in accordance with the waste hierarchy^{27A} and this should be addressed and justified as a pre-requisite of any grant of planning permission.</i></p>
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MM4A	Page 37	Policy WLWP 2 (previously policy WLWP 1)	<p><i>Non apportioned Waste Development of management capacity will be supported in principle that contributes towards net self sufficiency across the Plan Area for:</i></p> <p><i>a. Construction, Demolition and Excavation Waste in accordance with the waste hierarchy with particular support for the production of material suitable for use as substitutes for virgin materials such as recycled aggregates; and</i></p> <p><i>b. Hazardous waste treatment capacity that accords with any hazardous waste strategy, or similar, prepared by the Mayor of London.</i></p> <p>Insert footnote: <i>27A Provision would not constrain movement up the waste hierarchy</i></p> <p>Land accommodating existing waste management uses in West London will be protected for continued use for waste management^{27b} together with waste transfer and civic-amenity sites required for the delivery of the West London Waste Authority's (WLWA) Municipal Waste Strategy.</p>
MM4B	Page 37	Policy WLWP 2 (previously policy WLWP 1)	<p>Insert footnote: <i>27b Existing waste management sites are those sites managing waste which are lawfully permitted to do so as set out in Appendix 2. The latest list of existing waste management sites will be found in Authority Monitoring Reports. Safeguarded existing permitted facilities will be shown on the Policies Maps associated within each Boroughs' Local Plan</i></p>

MM4C	Page 37	Policy WLWP 2 (previously policy WLWP 1)	<p>Existing waste transfer sites which have been allocated as having the potential for capacity expansion by redevelopment to waste management (Table 5-1) and new sites with potential for development for waste management facilities (Table 5-2) will also be safeguarded.</p> <p>Development for non-waste uses will only be considered on land in existing waste management use ^{27C}, waste transfer sites, civic amenity sites or land allocated in Table 5-2 if compensatory and equal provision of capacity sites for waste, in scale and quality, is made elsewhere within the West London boroughs.</p> <p>Insert footnote 27C As stated in paragraph 5.14 the Quattro site is subject to HS2 safeguarding direction and therefore may be expected to be developed as an exception to this policy until 2024</p>
MM5	Page 38	Paras 6.2.3 to 6.2.6 and policy WLWP 3 (previously policy WLWP 2)	<p>The Plan identifies the safeguarded existing sites and proposed sites considered appropriate and suitable for waste management use development as set out in Table 5-1 and Table 5-2. Policy WLWP 2 sets out the key criteria against which planning applications for waste management capacity facilities will be determined for the proposed sites.</p>
MM5A	Page 38	Ditto	<p>Policy WLWP 3 also sets out the circumstances under which development proposed on unallocated or new sites may also come forward.</p>
MM5C	Page 38	Ditto	<p>Assessments of ongoing requirements for capacity to meet the London Plan apportionment will take account of the most recent monitoring of the implementation of the Plan.</p>
MM5D	Page 38	Ditto	<p>Policy WLWP 23 – Location of Waste Development Waste development proposals on existing waste management sites ^{28A} waste transfer and civic amenity sites and the</p>

MM5E	Page 38	Ditto	<p>sites listed in Table 5-2 will generally be supported, provided that the proposals comply with the Development Plan for the area other WLWP policies and the boroughs' adopted development plans. Waste development on other sites may be permitted will be supported in principle if the proposals comply with the other WLWP policies and the boroughs' adopted development plans, and:</p> <p>a. It can be demonstrated that the development is not suitable for of cannot be delivered at any available and suitable existing waste management sites within the Borough ²⁹ where the development is proposed, waste transfer sites, civic amenity sites and at the sites listed in Tables 5-1 and 5-2; and</p> <p>b. In the case of facilities proposed for the management of MSW and C&I waste, identified sites in Tables 5-1 and 5-2 have not come forward and it can be demonstrated that there is will be a shortfall in the waste management capacity required to meet the boroughs' joint apportionment target as specified in Policy WLWP 1; and</p> <p>c. There is no adverse cumulative effect, when taken together with existing waste management facilities, on the well-being of the local community, including any significant adverse impacts against the WLWP sustainability objectives (see Appendix 1); and</p> <p>d. The proposed site meets the criteria set out in the subsequent WLWP Policies where if applicable.</p> <p>Insert new footnote:</p> <p>28A Existing waste management sites are those sites managing waste which are lawfully permitted to do so as set out in Appendix 2. The latest list of existing waste management sites will be found in Authority Monitoring Reports.</p> <p>Insert new footnote:</p> <p>29 Prospective developers are encouraged to contact the local planning authority for pre-application advice on suitability of existing sites. Suitability may be taken to mean capable of accommodating the type and scale of activity proposed including consideration of any specific requirements that arise from the Plan policies and operational needs.</p>
MM5F	Page 38	Ditto	
MM5G	Page 38	Ditto	
MM5H	Page 38	Ditto	
MM5I	Page 38	Ditto	
MM5J	Page 38	Ditto	

MM6	Page 40	Policy WLWP 4 (previously policy WLWP 3)	b. Adequate means of controlling noise, vibration, dust, litter, vermin, odours, air and water-borne contaminants and other emissions are incorporated into the scheme ³¹ ;
MM7	Page 41	Policy WLWP 4 footnote	³¹ <i>Where necessary, this is to be demonstrated through the submission of noise, air, odour and vibration surveys, impact assessments and proposed mitigation measures</i>
MM8	Page 40	Policy WLWP 4 (previously policy WLWP 3)	The development is of a scale, form and character appropriate to its location and incorporates a high quality of design, to be demonstrated through the submission of a Design and Access statement ³² <i>as appropriate</i> ;
MM9	Page 41	Policy WLWP 4 footnote	³² <i>Not all developments will need a Design and Access Statement - the need for such a statement is specified in legislation and reflected in local validation lists.</i>
MM10	Page 40	Policy WLWP 4 (previously policy WLWP 3)	c. Active consideration has been given to the transportation of waste by modes other than road, principally by water and rail <i>and this has been incorporated into the scheme or proven not to be practicable</i> ;
MM11A	Page 40	Policy WLWP 4 (previously policy WLWP 3)	d. Transport directly and indirectly associated with the development will not exceed the capacity of the local road network or result in any significant adverse impact on the amenities of the area. Where necessary, this is to be demonstrated by a Transport Impact Assessment ^{31A} ;
MM11B	Page 41	Ditto	Insert footnote 31A: <i>It should be assumed that waste management proposals will require a Transport Assessment although the need for one should be confirmed with the Highway Authority at the earliest opportunity.</i>
MM12	Page 40	Policy WLWP 4	e. The development makes a positive contribution to climate change adaptation and mitigation to be

			demonstrated through the submission of a Sustainable Design and Construction statement;
MM13A	Page 40	(previously policy WLWP 3) Policy WLWP 4 (previously policy WLWP 3)	g.f. An appropriate BREEAM ²⁴³³ or CEEQUAL ²²³⁴ rating, as specified in <i>borough Development Plans</i> , will be achieved in order to comply with adopted borough Development Plans;
MM13B	Page 40	Policy WLWP 4 (previously policy WLWP 3)	h. There would not be a significant impact on the quality of surface and groundwater. The development should incorporate the principles of Sustainable Drainage Systems (SUDS) unless evidence is provided to justify alternative drainage methods;
MM14	Page 41	Policy WLWP 4 (previously policy WLWP 3)	i.i. Where necessary ^{33A} , this is to be demonstrated by a Flood Risk Assessment; Insert footnote 33A: <i>As specified by the National Planning Practice Guidance</i>
MM15	Page 41	Policy WLWP 4 (previously policy WLWP 3)	j. Green Travel Plans have been considered, where appropriate ^{33B} . Insert footnote 33B: <i>It should be assumed that waste management proposals will require a Green Travel Plan although the need for one should be confirmed with the Highway Authority at the earliest opportunity.</i> f.—
MM16	Page 41	Policy WLWP 4 (previously policy WLWP 3)	k.l. The site does not contain features, or will have a significant adverse effect on <i>will not lead to substantial harm to, or loss of significance of</i> , any heritage assets such as conservation areas, archaeological sites, listed buildings etc;
MM17	Page 41	Policy 4 Footnotes	³³ BREEAM: <i>Building Research Establishment Environmental Method – an established method of assessing, rating and certifying</i>

				<p><i>the sustainability of buildings. www.breeam.org</i></p> <p>³⁴<i>CEEQUAL: Civil Engineering Environmental Quality Assessment and Award Scheme – a UK industry evidence scheme for assessing environmental and sustainability performance in civil engineering, infrastructure, landscaping and public realm projects. www.ceequal.com</i></p>
MM18	Page 42	Policy WLWP 5 (previously policy WLWP 4)	All waste management facilities that are capable of directly producing energy or a fuel must secure, where reasonably practicable:	
MM19	Page 42	Policy WLWP 5 (previously policy WLWP 4)	Energy from waste facilities will only be considered where it can be demonstrated that they are a quality as a recovery operation facility as defined in the Waste Framework Directive. Proposals for Energy from Waste should demonstrate that they will not compromise the management of waste in accordance with the waste hierarchy requirement of the Waste Framework Directive.	
MM20A	Page 43	Policy WLWP 6 (previously policy WLWP 5)	At least 10% of the materials or products used in the construction and for operation of the development are re-used or recycled and sourced from within 100km from the site;	
MM20	Page 43	Policy WLWP 6 (previously policy WLWP 5)	b. Construction, demolition and excavation wastes are minimised and then reused or recycled on site, where practicable and environmentally acceptable; and	
MM21	Page 43	Policy WLWP 6 (previously policy WLW P5)	Insert additional clause 'd': d. Where on-site management of waste is not possible, active consideration has been given to the transportation of construction, demolition and excavation wastes away from the site by modes other than road, principally by water and rail and this has been incorporated into the scheme or proven not to be practicable.	

MM21A	Page 46	Table 7-1	<p>Changes to Table 7-1 "Monitoring programme for the West London Waste Plan" to be main modifications (see below)</p> <table border="1"> <thead> <tr> <th data-bbox="312 1451 544 1581">WLWP Policy & Strategic Objective</th> <th data-bbox="312 1290 544 1451">Indicator</th> <th data-bbox="312 1128 544 1290">Reason</th> <th data-bbox="312 967 544 1128">Delivery</th> <th data-bbox="312 806 544 967">Delivery Agency</th> <th data-bbox="312 645 544 806">Trigger for review of Plan/policy</th> </tr> </thead> <tbody> <tr> <td data-bbox="552 1451 919 1581"> Policy WLWP 1, 2 & 3 Objectives 1, 2, 5 </td> <td data-bbox="552 1290 919 1451"> Number and capacity of safeguarded sites and amount of any compensatory land provided </td> <td data-bbox="552 1128 919 1290"> To ensure no loss of waste capacity in the West London area </td> <td data-bbox="552 967 919 1128"> The planning process </td> <td data-bbox="552 806 919 967"> Local Authorities Waste industry Developers </td> <td data-bbox="552 645 919 806"> <i>The waste management capacity provided by existing and allocated sites falls to a level 10% below or rises to a level 10% above that required by the London Plan apportionment.</i> </td> </tr> <tr> <td data-bbox="927 1451 1327 1581"> Policy WLWP 3, 4 </td> <td data-bbox="927 1290 1327 1451"> Number, type and capacity of </td> <td data-bbox="927 1128 1327 1290"> Compliance with sequential policy approach </td> <td data-bbox="927 967 1327 1128"> The planning process </td> <td data-bbox="927 806 1327 967"> West London Waste Authority </td> <td data-bbox="927 645 1327 806"> 1. 10% of existing sites are </td> </tr> </tbody> </table>						WLWP Policy & Strategic Objective	Indicator	Reason	Delivery	Delivery Agency	Trigger for review of Plan/policy	Policy WLWP 1, 2 & 3 Objectives 1, 2, 5	Number and capacity of safeguarded sites and amount of any compensatory land provided	To ensure no loss of waste capacity in the West London area	The planning process	Local Authorities Waste industry Developers	<i>The waste management capacity provided by existing and allocated sites falls to a level 10% below or rises to a level 10% above that required by the London Plan apportionment.</i>	Policy WLWP 3, 4	Number, type and capacity of	Compliance with sequential policy approach	The planning process	West London Waste Authority	1. 10% of existing sites are
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			<p>Objectives 1, 3, 4, 5</p>	<p>waste facilities approved and completed at safeguarded sites and new identified sites</p> <p>Impact of new sites measured using:</p> <ol style="list-style-type: none"> 1. Number of sites failing to comply with any relevant environmental permit 2. Number of enforcement complaints breaches of conditions 3. Negative 	<p>To ensure adequate waste capacity is being provided</p> <p>To ensure sites are not causing harm to the environment or communities including heritage assets.</p>	<p>and combined private and public initiative to provide waste management developments</p>	<p>Waste industry</p>	<p>failing to comply with any relevant environmental permit.</p> <ol style="list-style-type: none"> 2. Substantiated complaints regarding permitted waste sites exceed one per borough in any six month period. 3. Breaches of conditions exceed one per borough in any six month period. 4. One existing waste site 	
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			<p>Policy WLWP 4 5 <i>Objectives 1, 3, 5</i></p>	<p>Amount of energy produced and delivered</p>	<p>To ensure compliance with the aims of the London Plan (2011) and prescribed carbon savings</p>	<p>Through the planning and permitting process.</p>	<p>Local Authorities Waste industry Developers</p>	<p>One existing permitted thermal treatment facility operating without harnessing energy</p>	<p>causes a negative impact or damage to a heritage asset or setting (confirmed by English Heritage).</p>
			<p>Policy WLWP 5 6 <i>Objectives 1, 2, 5</i></p>	<p>Amount of construction waste sent to landfill</p>	<p>To monitor progress towards Plan strategy of zero waste to landfill.</p>	<p>Use of Site Waste Management Plans; monitoring and enforcement of these and planning conditions</p>	<p>Developers West London Boroughs</p>	<p>Amount of construction waste sent to landfill (for non-engineering purposes) exceeds London Plan landfill diversion</p>	

			<p>Policy WLWP 6-7</p> <p>Objectives 1, 5</p> <p>The success of the implementation of Policy WLWP 6 7 will be dependent on the success of implementation of all other policies</p>	To ensure compliance with the NPPF	Through the planning process	Developers West London Boroughs	<p>targets</p> <p>N/A</p>		
MM21B	Page 47	7.2 (Para 7.2 to become para 7.3)	a.	<p><i>Insert "The Boroughs will carry out appropriate inspections of waste facilities when investigating compliance with planning conditions and possible breaches of planning control."</i></p>					
MM21C	Page 58	Insert new Appendix 1	<p>No</p> <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p>	<p>Objectives</p> <p><i>To create conditions to improve health and well being of the community</i></p> <p><i>To improve health and safety of workers</i></p> <p><i>To reduce waste related crime</i></p> <p><i>To actively challenge discrimination in a consistent and comprehensive way and ensure equal access to waste management services</i></p> <p><i>To promote social inclusion and ensure that waste management sites do not have a disproportionate effect on communities</i></p>					

6	<i>To protect, manage and, where possible, improve local environmental quality (noise, air quality, light, vermin etc.)</i>	
7	<i>To ensure active voluntary and community engagement in decision making for waste planning</i>	
8	<i>To provide opportunities for waste education and awareness raising</i>	
9	<i>To reduce the need to travel and improve choice and use of more sustainable transport modes</i>	
10	<i>To minimise the impacts of waste related transport by promoting sustainable transport including rail and water freight transport options</i>	
11	<i>To protect and, where possible, enhance biodiversity</i>	
12	<i>To protect and improve surface and Groundwater quality</i>	
13	<i>To reduce the risk and impacts of flooding</i>	
14	<i>To use derelict, vacant or previously developed land and buildings</i>	
15	<i>To prevent air pollution or limit it to levels that do not damage natural systems (including human health)</i>	
16	<i>To encourage energy efficiency, maximise use of renewable energy sources and minimise greenhouse gas emissions</i>	
17	<i>To mitigate the impacts of climate change</i>	
18	<i>To protect maintain and enhance the quality, integrity and distinctiveness of West London's open space/green infrastructure, landscape and townscape including its historic environment and cultural assets</i>	
19	<i>To minimise the production of waste and increase reuse, recycling, composting and recovery rates</i>	
20	<i>To improve utilisation of waste related resources</i>	
21	<i>To minimise the impacts of hazardous waste</i>	

						<p><i>To actively promote clean technologies, particularly potential growth sectors of the economy</i></p> <p><i>To ensure that West London uses natural resources more efficiently and sustainably in particular land, mineral aggregates and water</i></p> <p><i>To promote sustainable design and construction techniques for both new and existing waste management facilities</i></p> <p><i>To maximise economic opportunities and benefits for development of waste management facilities</i></p> <p><i>To ensure that inward investment projects are environmentally, socially and economically sustainable</i></p> <p><i>To maximise opportunities for the local workforce</i></p>	
MM22	Page 58	(Former) Appendix 1	Added: F M Conway Ltd (and details)	22			
MM22A	Page 59	Ditto	Bridgemarts (and details)	23			
MM22B	Page 59	Ditto	Modify entry for Iver Recycling (UK) Ltd in Hillingdon as follows: Add tick in 'apportionment' and modify description to 'MSW/C&I Waste Processing/Transfer'	24			
MM23	Page 61	Ditto	Deleted: Quattro (UK) Ltd (and details)	25			
MM24	After Page 64	New Appendix 6	Entirely new appendix to be added with particulars of each site allocated in the Plan (see below)	26			
MM25	After Page 64	New Appendix 7	Add new appendix: "Relationship between WLWP policies and previously adopted policies in Boroughs' DPDs" (see text below)	27			

Appendix 6: Descriptions of Allocated Sites

[MM24]

Descriptions of each site allocated in the WLWP are provided below. The descriptions bring together information collected as part of the process of selecting these sites as well as that received during stages of consultation on the Plan.

General Information

Suitable waste management technologies

It is considered that the sites would be likely able to accommodate most non-landfill waste management technologies. Environment Agency permitting rules do not allow certain activities to operate within certain distances of a sensitive receptor, which includes a dwelling or workplace, under a standard permit.

Land Contamination

Each allocated site is located on previously developed land but no investigation has been carried out to establish whether the ground itself is contaminated³⁷. Redevelopment of the sites might therefore require work to decontaminate the sites.

Setting Back from Rivers

Where a site is adjacent to a river the Environment Agency has advised that a setback of a minimum of 8 metres from the top of the bank be incorporated into any redevelopment proposals. Setting back development from watercourses and providing an undeveloped buffer zone free from built structures is important for maintaining access to the river, to allow the riparian landowner access for routine maintenance activities and for the Environment Agency to carry out Flood Defence duties. It is also important that a sufficient wildlife and riverside corridor should be maintained to minimise the potential adverse impacts to the water quality and riverine habitats. This will provide opportunities for flood risk management in line with the Environment Agency Catchment Flood Management Plans. Opportunities for river restoration through the redevelopment of sites should also be encouraged which will also ensure compliance with requirements under the Water Framework Directive.

Air Quality Management Areas

All sites are located within Local Authority Air Quality Management Areas.

Waste Input tonnages

The input tonnages provided are taken from records provided by the Environment Agency Waste Data Interrogator for waste inputs for 2011. This information is only supplied for sites that hold an environmental permit and received waste during the course of that year.

³⁷ *In all cases, in light of current and previous uses it is possible that the sites might be classified as 'contaminated land' under the Environment Act 1995.*

Site Name	Twickenham Depot		
Site Ref. No.	342		
Locational Information			
Borough	Richmond Upon Thames	Site Area (hectares)	2.67
Easting	TQ 15163	Northing	73590
Site Address	Twickenham Central Depot, Langhorn Drive, Twickenham Middlesex, TW2 7SG		
Site Location	<i>To the north is the Harlequins Rugby ground (The Stoop). The land immediately abutting the northern edge of the Depot is an open tarmacked area (used for a hospitality marquee by Harlequins Rugby stadium on match days). To the North East is a 4 storey residential block fronting Langhorn Drive. To the east is public open space including a children's playground. To the south is a railway line and across the railway line is open space. To the west is the Duke of Northumberland's River (a branch of the River Crane) beyond which is a residential area (Conservation Area).</i>		
Neighbouring Uses (within 250 metres)	<i>The site is immediately adjacent to the Harlequins Rugby ground and stadium. A block of 4 storey residential apartments is located along Langhorn Drive to the north, and Richmond upon Thames College lies to the north east. A playing field with children's playground is located to the east. Allotments are just to the south of the railway line. To the west of the site, a residential area of detached houses is located on the opposite bank of the Duke of Northumberland's River (branch of the River Crane).</i>		
Planning Status	<i>The Depot site has been, amongst other things, used for the following purposes for in excess of 10 years:</i> <ul style="list-style-type: none"> • <i>Facilities for the parking of refuse and recycling vehicles</i> • <i>Material Recovery Facility and bulking facilities to support municipal recycling services.</i> 		
Allocation in Borough Local Plan	<i>The site is identified as a Proposals site in the London Borough of Richmond Site Allocations Plan for Council Depot facilities and continued waste management (TW 9). "To improve and rationalise the Council's existing depot facilities, and repositioning, intensification and improvement of the waste and recycling facilities." The adjacent Harlequins Site (TW8) and the Richmond upon Thames College site (TW10) are also identified.</i>		
Current Use	<i>Civic Depot hosting contractors for LB Richmond and some DSO staff and services, including a number of waste related operations. Waste related use includes bulking of: source separated and partially commingled kerbside collected recyclables, arboriculture wood/ green wastes, street cleansing waste and construction and demolition waste from pavement repairs. There are many buildings on site including prefabricated offices, a Victorian brick building, bulking bays, workshops and covered vehicle storage. There is a two storey detached house (owned by LB Richmond and occupied by former employees) located immediately adjacent to the boundary at the south of the site.</i>		

Current Vehicle Movements	<i>The site is currently accessed by employee's private vehicles and light vans and HGVs of various sizes.</i>
Current Waste Inputs	<i>This site was recently permitted (May 2013) but contractors operate under exemptions. Input tonnage not counted in existing capacity.</i>
Nominal potential throughput (tpa) (based on 65,000 per hectare)	<i>173,550 tpa.</i>
Environmental Considerations	
Access/Highway	<i>Primary access to the site is from the A316 along Langhorn Drive which is also used for access to Harlequins Rugby Club, Richmond College and residential properties. Access may also be gained from Craneford Way through a controlled gate.</i>
CCHP Potential	<i>The Site Allocations Plan identifies the Harlequins Site and the Richmond upon Thames College site as proposals sites which will have significant power requirements. A part of the site may be used for ancillary educational facilities or limited residential development and this might provide a heat load opportunity.</i>
Archaeology/Historic Interest	<i>There is a disused Victorian pump house in the middle of the site. This building is designated as a Building of Townscape Merit which would need to be retained, potentially constraining development. Lies within the Crane Valley Archaeological Priority Area.</i>
Ecology/HRA	<i>The site is greater than 1km from any internationally/nationally designated site. However parts of the Crane Valley are identified as a Local Site of Nature Conservation Importance.</i>
Flood Risk/Water Protection	<i>The site is not located within a Flood Zone. But as the site is greater than 1ha, a flood risk assessment that focuses on the management of surface water run-off will be required for any re-development.</i>
Green Belt/MOL	<i>The site is not in or near Green Belt. There is MOL (Metropolitan Open Land) to the south and east of the site and along the Duke of Northumberland's River to the west.</i>
Landscape/Visual Impact	<p><i>Existing buildings on the site range between 2 and 6 metres high. Apart from a small raised area in the middle of the site, the site is level with the surrounding area. There is a mixture of buildings, fencing and trees which offer partial or full screening of the site from all directions.</i></p> <p><i>Views of the site from the north would be from the Harlequins Rugby stadium, and a new 4 storey block of residential apartments on Langhorn Drive, and across open ground from Richmond College.</i></p> <p><i>Views of the site from the east can be gained across the open space and the access from Craneford Way. This may be obscured if the additional land on the eastern portion of the site were to be developed.</i></p> <p><i>Views of the site from the south would be screened by trees on the boundary and the undeveloped land south of the railway line designated as Public Open Space.</i></p> <p><i>Views of the site from the west would be partially screened by the vegetation and trees along the site boundary adjacent to the river.</i></p>

<i>Public Rights of Way (PRoW)</i>	<p><i>There are no PRoW crossing the site.</i></p> <p><i>The site is bounded by public footpaths including the River Crane path that provides pedestrian access to the Harlequins Stadium.</i></p>
Key Development Criteria	
<i>Archaeology</i>	<i>Proposals should be supported by a desk-based assessment unless agreed with English Heritage</i>
<i>Flood Risk/Water Protection</i>	<p><i>Redevelopment of this site is likely to require a Stage 2 Flood Risk Assessment. National Planning Practice Guidance advises that waste treatment is compatible with Floodzone 3a. Although the site is not within a Flood Zone, a flood risk assessment that focuses on the management of surface water run-off will be required.</i></p> <p><i>The Environment Agency has advised that a setback of a minimum of 8 metres from the top of the bank of the River Crane - a tributary of the River Thames - should be incorporated into any re-development proposals. Prior written consent will be required from the Environment Agency for any works within 8 metres of the River Crane and the Duke of Northumberland's River; this is irrespective of planning permission.</i></p>
<i>Access/Highway</i>	<i>Redevelopment of the site would need to pay particular attention to the site access along Langhorn Drive which is shared with the occupiers of residential dwellings and visitors to the rugby stadium (especially on match days). The emerging LB Richmond Site Allocations Plan recognises that any intensification of uses is likely to require the provision of a signalised junction between Langhorn Drive and the A316, subject to TfL approval. Vehicular access from Craneford Way should be kept to a minimum.</i>
<i>Archaeology/Historic Interest</i>	<i>Any new scheme would be required to retain the Victorian pump house; result in improvement and extension of the public open space adjoining the Duke of Northumberland River and the backdrop to the Craneford Way playing fields; and preserve or enhance the character or appearance of the Rosecroft Conservation Area.</i>

Site Name	Quattro Park Royal		
Site Ref. No.	328		
Locational Information			
Borough	Ealing	Site Area (hectares)	0.7
Easting	TQ 20931	Northing	82109
Site Address	Quattro Ltd, Park Royal, Regency Street (off Victoria Road), Park Royal NW10 6NR		
Site Location	The site is situated within the Park Royal Industrial Estate situated just off the A4000 (Victoria Road) adjacent to Old Oak Common rail sidings.		
Neighbouring Uses (within 250 metres)	The site adjoins a distribution depot to the north (this includes the handling of foodstuffs), a railway line runs along the eastern and southern boundary on an embankment and to the west is an office block and distribution warehouse. The nearest residential properties are approximately 40 metres away at Wells Road (East) with their gardens as close as 25 metres on the other side of the railway embankment.		
Planning Status	Permanent consent granted in 2001 on appeal for continued use of premises as waste transfer station (ref P/2000/0570). Site is within the Park Royal Opportunity Area. Site is subject to HS2 safeguarding (see paragraph 5.1.4).		
Allocation in Borough Local Plan	No		
Current Use	A construction materials distribution, concrete batching and waste bulking depot for excavation waste from utility works. There are two industrial units on site and several portacabins.		
Current Vehicle Movements	The site is currently accessed by HGVs delivering and removing materials and waste to the site plus employees' private vehicles.		
Current Waste Inputs	Input tonnage not counted in existing capacity as this is currently utilised for CDEW.		
Nominal potential throughput (tpa) (based on 65,000 per hectare)	45,000tpa		
Environmental Considerations			
Access/Highway	The site is accessed from the A4000 (Victoria Road.) Routing is via Victoria Road to the A40, a route carrying industrial estate traffic.		
Archaeology/Historic Interest	Acton Wells was a mineral bearing spring discovered in the 17th century but which ceased to be used from the 18th century. No apparent evidence of the spring onsite.		
	The site is less than 500m from local nature reserve Wormwood Scrubs.		
CCHP Potential	The site is located in a predominately light industrial area which may offer opportunities for use of space heating generated at the site. In the event that redevelopment associated with HS2 goes ahead there may be opportunities to redevelop adjacent land in a manner that allows for the use of any heat and power generated at this site.		

Ecology/HRA	<i>The site is greater than 1km from any internationally/nationally designated site.</i>
Flood Risk/Water Protection	<i>There are no open water bodies in proximity to the site.</i>
Green Belt	<i>The site is not in or near Green Belt.</i>
Landscape/Visual Impact	<p><i>Existing buildings on the site are around 6 metres high.</i></p> <p><i>Views of the site from the north would be obscured by the distribution warehouse.</i></p> <p><i>The site currently has 8-10 metre high boundary structures on the eastern boundary which combined with the railway embankment would reduce any potential impacts on the residential properties to the east beyond the railway line.</i></p> <p><i>Views of the site from the south would be obscured by a railway embankment.</i></p> <p><i>Views of the site from the west would be obscured by the office block/warehouse on the adjacent site.</i></p>
Public Rights of Way	<i>There are no PRoW crossing or adjacent to the site.</i>
Key Development Criteria	
Archaeology	<i>Applications involving groundworks should be supported by desk-based assessment, and may require evaluation trenching.</i>
Visual amenity	<i>Careful attention would be needed to avoid adverse impact on sensitive receptors formed by residential area at Wells House Road (East).</i>

Site Name	<i>Twyford Waste Transfer Station</i>		
Site Ref. No.	<i>352</i>		
<i>Locational Information</i>			
Borough	<i>Brent</i>	Site Area (hectares)	<i>1.24</i>
Easting	<i>TQ 19380</i>	Northing	<i>83461</i>
Site Address	<i>Twyford Waste & Recycling Centre, Abbey Road, Brent, NW10 7TJ</i>		
Site Location	<i>The site is located in a predominantly industrial area.</i>		
Neighbouring Uses (within 250 metres)	<i>The Paddington Branch of the Grand Union Canal, which is a navigable waterway, follows the south western boundary of the site divided by a 22 metre wide strip of land owned by the adjacent landowner. There are other industrial properties at varying distances to the north, east, south and west. The nearest residential properties are located 150m to the west of the site boundary beyond the industrial estates.</i>		
Planning Status	<i>The site benefits from a Certificate of Lawfulness for use as a waste transfer station (CLUD 92/1830). Site is within the Park Royal Opportunity Area.</i>		
Allocation in Borough Local Plan	<i>No</i>		
Current Use	<i>Waste Transfer Station (for trade waste, processing site for waste wood from WLWA) and Household Waste Site.</i>		
Current Vehicle Movements	<i>HGVs (including articulated lorries and Rollonoffs) and private vehicles currently deliver waste to the site. Waste is removed by articulated lorries and Rollonoffs.</i>		
Current Waste Inputs	<i>Input tonnage counted as 22,714 tpa in existing capacity.</i> <i>Site once operated as a transfer station with an approximate throughput of 125,000tpa.</i> <i>Maximum current capacity is estimated to be 85-90,000tpa.</i>		
Nominal potential throughput (tpa) (based on 65,000 per hectare)	<i>57,886 tpa (after deduction of existing capacity contribution)</i>		
<i>Environmental Considerations</i>			
Access/Highway	<i>The site has a dedicated 100m access onto Abbey Road near to the junction of the A406 North Circular Road.</i> <i>The Grand Union Canal follows the south western boundary of the site divided from the site by a 22 metre wide strip of land owned by the adjacent landowner.</i>		
Archaeology/Historic Interest	<i>Site contains no known archaeological sites.</i>		
CCHP Potential	<i>The site is adjacent to other industrial areas which may be able to utilise heat and power generated although no anchor load has been identified.</i>		

Ecology/HRA	<i>The site is greater than 1km from any internationally/nationally designated site.</i>
Flood Risk/Water Protection	<i>The Grand Union Canal follows the south western boundary of the site.</i>
Green Belt	<i>The site is not in or near Green Belt</i>
Landscape/Visual Impact	<p><i>The site is on a number of levels. Existing buildings on the site are no more than 10 metres high at the lower level. There is a 10m high structure on the highest part of the site.</i></p> <p><i>Views of the site from the north - across the north circular or Abbey Road are obscured by the old landfill mound.</i></p> <p><i>Views of the site from the south are obscured by large warehouse buildings on the adjacent site.</i></p> <p><i>Views of the site from the west are across the Grand Union Canal and from the residential area would be across an industrial area with chimney stacks.</i></p>
Public Rights of Way	<i>There are no PRow crossing or immediately adjacent to the site. The Grand Union Canal Walk runs along the opposite side of the Grand Union Canal with views into the site.</i>
Key Development Criteria	
Flood Risk	<i>The site is greater than 1ha and so a flood risk assessment that focuses on the management of surface water run-off will be required.</i>
Neighbouring Land Uses	<i>Proposals should carefully consider existing and proposed neighbouring land uses and ensure that any development will not result in any significant adverse impact on these uses. In particular, such impacts will include those which might arise from the construction and operation of the site and the movement of vehicles associated with any proposal.</i>

Site Name	Veolia/Brent Transfer Station, Marsh Road		
Site Ref. No.	1261		
Locational Information			
Borough	Brent	Site Area (hectares)	2.71
Easting	TQ 17784	Northing	83085
Site address	Veolia Waste Transfer Station, Marsh Road, Wembley, HA0 1ES		
Site Location	This site is located in the Alperton Lane Industrial Estate and borders the River Brent, a railway line, Alperton Lane, a scrap yard and another waste facility.		
Neighbouring Uses (within 250 metres)	There is housing 170 metres to the north west of the site across Alperton Lane and 130 metres to the south. There are sports fields on the other side of Alperton Lane. A railway line runs past the southern corner of the site. The site is above the River Brent which runs adjacent to the south eastern boundary. There are industrial areas immediately to the west and east of the site.		
Planning Status	94/1413 Erection of single detached building in connection with the use of the site as a waste transfer station.		
Allocation in Borough Local Plan	Site is a designated site in the 'saved' Brent UDP as a 'Waste Management Manufacturing Area'.		
Current Use	Permitted Waste Transfer Station plus Vehicle Depot for Veolia refuse vehicle fleet serving Westminster & Camden collection contracts and salt store serving Westminster, Camden and Brent. There are existing, large waste transfer station buildings on site, and open hard stand areas for storage and vehicle depot facilities. Existing building heights are approximately 10-18 metres.		
Current Vehicle Movements	Waste is delivered to the site in refuse vehicles and removed in articulated HGVs.		
Current Waste Inputs	Input tonnage 82,691 tpa counted in existing capacity.		
Nominal potential throughput (tpa) (based on 65,000 per hectare)	93,459 tpa (after deduction of existing capacity contribution)		
Environmental Considerations			
Access/Highway	The site is close to strategic roads A4005, A40 and A406. The site is currently accessed from the A4005 from Alperton Lane and then along Marsh Road which runs through an industrial estate including another waste transfer station. The site has in the past been accessed directly from Alperton Lane. The River Brent runs along the southern boundary of the site, being a small tributary running from Brent Reservoir to the River Thames at Brentford.		
Archaeology/Historic Interest	No internationally or nationally designated site present. There is potential for palaeo – environmental remains alongside the River Brent.		
CCHP Potential	The site is adjacent to other industrial areas which may be able to utilise heat and power generated.		

Ecology/HRA	<i>Site is within 250m of a SINC designated in the Ealing Local Plan which is of Grade 1 Borough Importance. It forms part of the much larger 'Brent River Park: Hanger Lane to Greenford Line' SINC (site 15/EaBI14A).</i>
Flood Risk/Water Protection	<i>Southern boundary is adjacent to the River Brent</i>
Green Belt	<i>The site is not in or near Green Belt</i>
Landscape/Visual Impact	<p><i>The site is level with the surrounding area. Existing buildings on the site are between 10 and 18 metres high which is in keeping with heights of buildings on adjacent land.</i></p> <p><i>Distant views from the north would be across the open Alperton Sports Ground.</i></p> <p><i>Views from the east would be from Marsh Lane and would be obscured by light industrial units.</i></p> <p><i>Views from the south would be from low and high rise office space with views from the residential area obscured by the railway embankment.</i></p>
Public Rights of Way	<i>The pedestrian pavement of Alperton Lane runs adjacent to the site's northern boundary.</i>
Key Development Criteria	
Archaeology	<i>Proposals should be supported by a desk-based assessment unless agreed with English Heritage</i>
Flood Risk/Water Protection	<i>The site is greater than 1ha and so a flood risk assessment that focuses on the management of surface water run-off will be required. The Environment Agency advises a setback of a minimum of 8 metres from the top of the bank of the River Brent must be incorporated into re-development proposals. The site boundary is itself over 8 metres from the bank.</i>
Visual amenity	<i>Careful attention would be needed to avoid adverse impact on sensitive receptors including the sports fields to the north of the site.</i>
Access	<i>Any redevelopment would need to pay particular attention to impacts on Marsh Lane which can be constricted due to vehicles parking on this highway.</i>

Site Name	Greenford Reuse & Recycling Site & Greenford Depot, Greenford Road		
Site Ref. No.	309 & 310		
Locational Information			
Borough	Ealing	Site Area (hectares)	1.78
Easting	TQ 14334	Northing	81848
Site Address	Greenford Road Reuse and Recycling Centre & Greenford Depot, Greenford Road, Middlesex, UB6 9AP		
Site Location	The site is adjacent to the Greenford Bus Depot and near to Brent River Park.		
Neighbouring Uses (within 250 metres)	There is a bus depot adjacent to the northern boundary of the site. The River Brent runs along the south-eastern boundary. Beyond the river is Brent River Park Metropolitan Open Land (MOL). There are residential properties to the west (separated from the site by a large bus maintenance garage) and also a school to the north of site.		
Planning Status	Consent granted in 1973 for waste use. More recent consents have however been granted. These include: P/2000/4510 (completed 2004) - The erection of building for paper and leather storage and two additional bays for storage of paper and glass for recycling. P/2005/2560 (completed 2006) - The installation of a new organic waste recycling facility enclosure.		
Site Identified in Borough Local Plan?	Redevelopment of Greenford Depot is covered by policy 4.3 of Ealing Development (Core) Strategy.		
Current Use	<p>Part of the site is a raised split level household waste recycling centre, located in the north-eastern corner. The recycling centre includes a three-sided covered tipping and bulking area (10 metres high from site level 15 metres from ground level) and the remainder of the site is open. Commercial waste may also be tipped at the re-use and recycling centre.</p> <p>The adjacent depot site incorporates various Ealing Council services including the Ealing Council highways services, street cleansing, grounds maintenance and refuse vehicle depot. The majority of the allocated depot site is used for open storage of refuse vehicles. There are two waste/recycling bulking areas: a small open one and a larger enclosed area. Baling of recyclable materials takes place on the depot site. Building heights range from approx. 3-8 metres.</p>		
Current Vehicle Movements	At peak periods approximately 600 vehicles deliver waste to the re-use and recycling centre which can cause vehicles to queue back to, and onto, the main highway. Approximately 30% of the waste deliveries is from commercial sources including transit vans and small lorries. These movements are additional to those associated with the depot including the waste use.		
Current Waste Inputs	<p>The re-use and recycling and recycling centre handles approximately 15,000 tonnes of waste per annum.</p> <p>The depot receives source segregated and comingled recyclables from recycling rounds. In total approximately 30,000 tonnes per annum of</p>		

	<p>food waste and bulky waste is also brought into the depot.</p> <p>Combined input tonnage 35,610 tpa is counted in existing capacity.</p>
Nominal potential throughput (tpa) (based on 65,000 per hectare)	80,285 tpa (after deduction of existing capacity contribution)
Environmental Considerations	
Access/Highway	The nearest strategic road (A40) is over a mile away to the north with access via Greenford Road (a busy thoroughfare). The Depot and Re-use and Recycling Centre have separate entrances onto the shared access road which are adjacent to each other. The access onto the highway is shared with the bus depot to the north of the site. The entrances are lower than the main highway.
Archaeology	The site is located within the Brent River Valley Archaeological Interest Area as defined in Ealing Local Plan with some potential for palaeo-environmental remains but largely former landfill.
CCHP Potential	There are industrial areas adjacent to the site.
Ecology/HRA	The site is greater than 1km from any internationally/nationally designated site.
Flood Risk/Water Protection	Site within Flood Zone 2
Green Belt	The site is not in or near Green Belt.
Landscape/Visual Impact	There are sensitive receptors in proximity to the site in the form of residential areas and the River Brent Park. Current noise impact has been mitigated by erection of an acoustic barrier along north eastern boundary to the rear of bays.
Public Rights of Way	A PRoW runs alongside the River Brent on the opposite bank but diverts away before it passes the main body of the depot.
Key Development Criteria	
Archaeology	Proposals should be supported by a desk-based assessment unless agreed with English Heritage
Flood Risk/ Water Protection	A setback of a minimum of 8 metres from the top of the bank of the River Brent must be incorporated into re-development proposals. The site is greater than 1ha and so a flood risk assessment that focuses on the management of surface water run-off will be required.
Visual and amenity impact	Redevelopment of the site would need to consider views of the site from the River Brent Park in particular. Policy 7D of Ealing Development Management DPD expects a buffer strip to be provided around existing or proposed open spaces. The depth of the buffer is to be determined having regard to the particular circumstances of the site and the open space, but would typically be in the region of 5-10m (see para. E7.D.5). Policy 2.18 of the same document is also relevant as regards views to and from open space. In addition impact on residential uses including noise would need to be mitigated.
Highways	Any redevelopment should seek to mitigate the current congestion on the highway which occurs at peak times.

Site Name	Council Depot, Forward Drive		
Site Ref. No.	222		
Locational Information			
Borough	Harrow	Site Area (hectares)	1.83¹
Easting	TQ 15830	Northing	89266
	Harrow Council Depot, Forward Drive, Harrow, HA3 8NT		
Site Location	The site is located directly adjacent to the Forward Drive Civic Amenity (CA) Site.		
Neighbouring Uses (within 250 metres)	A residential area of two storey dwellings lies immediately to the north of the site. To the east there is a religious temple and a school across Kenmore Avenue. To the south is a railway line which runs on an embankment above the level of the site. Beyond the railway line are prominent industrial units.		
Planning Status	Various permissions depending on Unit No and inclusion of adjacent CA site. Secure Parking Area On Site Of Garages & Loading Platform With Fencing & Lighting EAST/477/01/LA3 Granted 09/07/2001. (Unit 1). Change Of Use: Warehouse Storage To Training Facility And Alterations Including: Fire Escape Canopy Disabled Ramps Bin Enclosure & New Pedestrian Access To Kenmore Avenue (unit 4) Granted 11/02/2005.		
Allocation in Borough Local Plan	Allocated for waste management and depot functions.		
Current Use	The site comprises a current council works depot and base for other Harrow Council services. The site has a mixture of vehicle workshops, open hard stand areas, car parking, office blocks and other buildings varying in size and construction.		
Current Vehicle Movements	The site is very busy and there is a range of HGVs entering the site as well as school buses and private vehicles. At peak periods vehicles visiting the adjacent household waste recycling site queue back to the main road which hinders access to the depot.		
Current Waste Inputs	The Depot site has a registered exemption which recognises existing limited waste inputs. The household waste site and WTS component input tonnage of 25,780 tpa is already counted toward the apportionment so is discounted from overall capacity contribution.		
Nominal potential throughput (tpa) (based on 65,000 per hectare)	124,370tpa		

¹ This represents the portion of the depot site which may be redeveloped with the CA/WTS site immediately to the west.

Environmental Considerations	
Access/Highway	<i>The nearest strategic road is the A409 with the routing via residential/commercial areas. Emergency access is from Kenmore Avenue.</i>
Archaeology/Historic Interest	<i>No internationally or nationally designated site present.</i>
CCHP Potential	<i>There are industrial areas adjacent to the site.</i>
Ecology/HRA	<i>The site is greater than 1km from any internationally/nationally designated site.</i>
Flood Risk/Water Protection	<i>There are no open water bodies in proximity to the site.</i>
Green Belt	<i>The site is not in or near Green Belt.</i>
Landscape/Visual Impact	<i>The site is generally well screened. Acoustic screening has been erected between the residential area in the north and the adjacent CA site. This screening does not currently extend along the northern boundary of the depot where normal fencing is in place.</i>
Public Rights of Way	<i>There are no PRow crossing or immediately adjacent to the site.</i>
Key Development Criteria	
Local amenity	<i>Development of a waste facility on site would need to result in an overall improvement to the existing levels of amenity (noise, odour and dust emissions) experienced by neighbouring uses, especially the residential area to the north of the site, through enclosing any new facility, as well as the existing civic amenity facility.</i>
Access	<i>Redevelopment of the site would need to take into account the cumulative congestion created by vehicles entering the depot and the adjacent household waste recycling site. Proposals would need to provide for adequate circulation arrangements within the site. There is scope for one way routing to be established on approach roads for HGVs.</i>

Site Name	<i>Western International Market</i>		
Site Ref. No.	2861		
Locational Information			
Borough	<i>Hounslow</i>	Site Area (hectares)	<i>3.2</i>
Easting	<i>TQ 5109</i>	Northing	<i>1785</i>
Site Address	<i>Western International Market, Southall, UB2 5XH</i>		
Site Location	<i>Site is located in an industrial area to the northeast of Junction 3 of the M4 motorway. The site is located to the south of Hayes Road and to the west of Southall Lane. To the north of Hayes Road is Bulls Bridge Industrial Estate.</i>		
Neighbouring Uses (within 250 metres)	<i>There is a raised soil embankment on the southern site boundary and no buildings currently overlooking the site. The land to the west has been developed in association with the redevelopment of Western International Market which sells food and horticultural produce, open land to south, and industrial/retail areas to the east and north with the most proximal use being Costco and data centre. The M4 is audible from the site.</i>		
Planning Status	<i>In March 2006, planning permission was granted subject to a legal agreement which provided for the demolition of buildings on the site and development of a wholesale horticultural market with offices, food wholesale facilities, loading bays, storage areas, associated buildings, ancillary facilities and surface car parking to the west of the site. This included the provision of a public weekend market and development of an employment building (B1, B2, and B8 uses) with associated car parking, loading and access (Ref No: 01032/E/25).</i>		
Allocation in Borough Local Plan	<i>No</i>		
Current Use	<i>The large site comprises land which is level and undeveloped. The international market has been demolished, so the site is clear of any buildings or other structures.</i>		
Current Vehicle Movements	<i>None</i>		
Current Waste Inputs	<i>None</i>		
Nominal potential throughput (tpa) (based on 65,000 per hectare)	<i>208,000 tpa</i>		
Environmental Considerations			
Access/Highway	<i>The site has very good access to strategic roads A312 and M4 via Hayes Road which is primary road.</i>		
Archaeology/Historic Interest	<i>Major prehistoric/Saxon site excavated to northwest. The Brentford Fountain Western International Market - a Grade II Listed Monument is adjacent to the site.</i>		
CCHP Potential	<i>There are industrial areas adjacent to the site.</i>		

<i>Ecology/HRA</i>	<i>The site is greater than 1km from any internationally/nationally designated site.</i>
<i>Flood Risk/Water Protection</i>	<i>There are no open water bodies in proximity to the site.</i>
<i>Green Belt</i>	<i>The Site is adjacent to Green Belt</i>
<i>Landscape/Visual Impact</i>	<i>The site is in an industrial/retail setting and so there are few sensitive receptors. There is at least one gas holder in the vicinity of the site that forms a prominent landmark and draws the eye when viewing the site from the south.</i>
<i>Public Rights of Way</i>	<i>There are no PRow crossing or immediately adjacent to the site.</i>
Key Development Criteria	
<i>Archaeology</i>	<i>Applications involving groundworks should be supported by desk-based assessment, and likely to require evaluation trenching.</i>
<i>Flood Risk/Water Protection</i>	<i>The site is greater than 1ha and so a flood risk assessment that focuses on the management of surface water run-off will be required.</i>
<i>Visual amenity</i>	<i>Some screening of the site would be required depending on the nature and scale of any development. Particular attention would need to be paid to building siting, materials, height, design and landscaping so as to be sympathetic to the adjacent Green Belt.</i>
<i>Neighbouring Land Uses</i>	<i>Proposals should carefully consider existing and proposed neighbouring land uses and ensure that any development will not result in any significant adverse impact on these uses. In particular, such impacts, including those on air quality, will include those which might arise from the construction and operation of the site and the movement of vehicles associated with any proposal.</i>

Site Name	Rigby Lane Waste Transfer Station		
Site Ref. No.	331		
Locational Information			
Borough	Hillingdon	Site Area (hectares)	0.91
Easting	TQ 082	Northing	798
Site Address	Sita Uk Ltd, 1 Rigby Lane, Hayes, Middlesex, UB3 1ET		
Site Location	The site is located within an established industrial estate approximately 1.3 kilometres south west of Hayes town centre, 1.3 kilometres north of the M4 Motorway and south of the Grand Union Canal.		
Neighbouring Uses (within 250 metres)	The site is surrounded immediately to the north, east and west by commercial/industrial units. To the south it adjoins an elevated section of land occupied by Crossrail and the existing railway. To the north of the site is the Grand Union Canal. The nearest residential housing is approximately 70m away beyond the railway embankment. The northern boundary of the site faces onto the main access road (Rigby Lane) to the industrial estate. Across the road is an industrial unit and beyond that a band of trees shields the Grand Union Canal from view. The surrounding building heights vary greatly between 3-35m high with a concrete batching plant circa 15m high in view from the site.		
Planning Status	Planning permission exists for waste management comprising a Waste Transfer Station and overnight parking for goods vehicles. The existing permission also consents operation of a Civic Amenity Site (CA) in the north-western corner of the site, although this has not been implemented.		
Allocated in Borough Local Plan	No		
Current Use	The site currently operates as a waste management facility comprising a Waste Transfer Station (WTS). The Transfer Station building is approximately 8 metres in height. There is also an office building and weighbridge on site. The site has been operating as a waste facility for over two decades and did until 2008 operate a dual facility including a CA site for members of the public.		
Current Vehicle Movements	The site is accessed by HGVs and employee's private vehicles. N.B. There is no planning condition that limits the number of vehicle movements that may be used to deliver waste.		
Current Waste Inputs	Input tonnage 25,280 tpa counted in existing capacity. Existing planning condition limiting daily inputs to 1,030 tonnes.		
Nominal potential throughput (tpa) (based on 65,000 per hectare)	33,870 tpa (after deduction of existing capacity contribution).		
Environmental Considerations			

Access/Highway	<i>Vehicular access to the site is from three priority junctions that connect onto Rigby Lane at the site's north-eastern and north-western boundaries. The north-eastern boundary of the site is currently designed to accommodate vehicular traffic movements associated with the WTS whilst the north-western access combines public access to the consented (as yet unbuilt) CA alongside HGV ingress for permitted CA collections. Egress by HGVs collecting from the CA occurs from the WTS access.</i>
Archaeology/Historic Interest	<i>Lies in vicinity of significant Palaeolithic finds.</i>
CCHP Potential	<i>There are industrial areas adjacent to the site.</i>
Ecology/HRA	<i>The site is greater than 1km from any internationally/nationally designated site.</i>
Flood Risk/Water Protection	<i>There are no open water bodies in proximity to the site. Grand Union Canal across the road & Stockley Road lake is to south west.</i>
Green Belt	<i>The site is near (55m) to Green Belt north of the Grand Union Canal.</i>
Landscape/Visual Impact	<i>The site is not overlooked by sensitive receptors. Tall structures including concrete batching plant visible from site.</i>
Public Rights of Way	<i>The pedestrian pavement of Rigby Lane runs alongside the road adjacent to the main access road.</i>
Key Development Criteria	
Archaeology	<i>Proposals should be supported by a desk-based assessment unless agreed with English Heritage</i>
Landscape/Visual Impact	<i>The site falls within a height restriction zone with limits applied.</i>

Appendix 7 - Relationship between WLWP policies and previously adopted policies in Boroughs' DPDs [MM25]

The following tables show how the policies of the West London Waste Plan have superseded previously adopted policies contained in the six constituent Boroughs' Development Plan Documents.

London Borough of Brent

Superseded Policy in Core Strategy (Adopted 2010)		Replacement West London Waste Plan Policy	
Policy No.	Policy Title	Policy No.	Policy Title
N/A	N/A	N/A	N/A

Brent Unitary Development Plan (UDP), 2004 (Planning Policy Relevant in Brent, June 2011)³⁹		Replacement West London Waste Plan Policy	
Policy No.	Policy Title	Policy No.	Policy Title
W3	New Waste Management/ Manufacturing Proposals – Environmental and Access Criteria	WLWP 4	Ensuring High Quality Development
W4	Waste Management / Manufacturing Areas	WLWP 3	Location of Waste Development
W5	Safeguarding of Waste Facilities	WLWP 2	Safeguarding and Protection of Existing and Allocated Waste Sites
W6	Proposals for Waste Management Facilities outside Waste Management/Manufacturing Areas	WLWP 3	Location of Waste Development
W11	Waste Transfer Facilities/Waste to Landfill	WLWP 4	Ensuring High Quality Development

³⁹ Some of the policies in the Brent UDP (adopted in 2004) still make up part of the development plan for Brent. A Development Management Development Plan Document (DPD) will replace the remaining saved UDP policies once adopted. Consultation took place from 20 June to 31 July 2014. Development will need to be in accordance with the relevant development management policies of the UDP policies and in due course the Development Management DPD.

Superseded Policy in Site Specific Allocations DPD July 2011		Replacement West London Waste Plan Policy	
Policy No.	Policy Title	Policy No.	Policy Title
N/A	N/A	N/A	N/A

London Borough of Ealing

<i>Superseded Policy in Local Plan Core Strategy (Adopted April 2012)</i>		<i>Replacement West London Waste Plan Policy</i>	
<i>Policy No.</i>	<i>Policy Title</i>	<i>Policy No.</i>	<i>Policy Title</i>
<i>1.2 (i)</i>	<i>Delivery of the Vision for Ealing 2026 (clause (i))</i>	<i>WLWP 2</i>	<i>Safeguarding and Protection of Existing and Allocated Waste Sites</i>
		<i>WLWP 3</i>	<i>Location of Waste Development</i>
		<i>WLWP 4</i>	<i>Ensuring High Quality Development</i>
		<i>WLWP 5</i>	<i>Decentralised Energy</i>
		<i>WLWP 6</i>	<i>Sustainable Site Waste Management</i>
		<i>WLWP 7</i>	<i>National Planning Policy Framework: Presumption in Favour of Sustainable Development</i>

London Borough of Harrow

The table below lists the relevant waste policies of the Harrow Unitary Development Plan (2004) that were deleted by the Secretary of State on 28th September 2007 and those deleted upon the adoption of the Harrow Development Management Policies DPD on 4th July 2013.

<i>Policy</i>	<i>Title</i>	<i>Date of Deletion</i>
<i>SEP3</i>	<i>Waste General Principles</i>	<i>28th September 2007</i>
<i>EP16</i>	<i>Waste Management, Disposal and Recycling</i>	<i>4th July 2013</i>
<i>EP17</i>	<i>Waste Generating Activities</i>	<i>28th September 2007</i>
<i>EP18</i>	<i>Landfilling</i>	<i>28th September 2007</i>
<i>EP19</i>	<i>Aggregates</i>	<i>28th September 2007</i>
<i>D8</i>	<i>Storage of Waste, Recyclable and Reusable Materials in New Development</i>	<i>28th September 2007</i>

<i>Superseded Policy in the Harrow Core Strategy (Adopted 16th February 2012)</i>		<i>Replacement West London Waste Plan Policy</i>	
<i>Policy No.</i>	<i>Policy Title</i>	<i>Policy No.</i>	<i>Policy Title</i>
<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>

<i>Superseded Policy in the Harrow Development Management Policies DPD (Adopted 4th July)</i>		<i>Replacement West London Waste Plan Policy</i>	
<i>Policy No.</i>	<i>Policy Title</i>	<i>Policy No.</i>	<i>Policy Title</i>
<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>

<i>Superseded Policy in the Harrow & Wealdstone Area Action Plan DPD (Adopted 4th July)</i>		<i>Replacement West London Waste Plan Policy</i>	
<i>Policy No.</i>	<i>Policy Title</i>	<i>Policy No.</i>	<i>Policy Title</i>
<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>

<i>Superseded Policy in the Harrow Site Allocations DPD (Adopted 4th July)</i>		<i>Replacement West London Waste Plan Policy</i>	
<i>Policy No.</i>	<i>Policy Title</i>	<i>Policy No.</i>	<i>Policy Title</i>
<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>

London Borough of Hillingdon

<i>Superseded Policy in Local Plan Strategic Policies (Adopted November 2012)</i>		<i>Replacement West London Waste Plan Policy</i>	
<i>Policy No.</i>	<i>Policy Title</i>	<i>Policy No.</i>	<i>Policy Title</i>
<i>EM11</i>	<i>Sustainable Waste Management</i>	<i>WLWP 2</i>	<i>Safeguarding and Protection of Existing and Allocated Waste Sites</i>
		<i>WLWP 3</i>	<i>Location of Waste Development</i>
		<i>WLWP 4</i>	<i>Ensuring High Quality Development</i>
		<i>WLWP 5</i>	<i>Decentralised Energy</i>
		<i>WLWP 6</i>	<i>Sustainable Site Waste Management</i>
		<i>WLWP 7</i>	<i>National Planning Policy Framework: Presumption in Favour of Sustainable Development</i>

London Borough of Hounslow

<i>Superseded Policy in Unitary Development Plan (December 2003)</i>		<i>Replacement West London Waste Plan Policy</i>	
<i>Policy</i>	<i>Policy Title</i>	<i>Policy</i>	<i>Policy Title</i>

No.		No.	
ENV-P.2.2	Landfill	WLWP 3	Location of Waste Development
ENV-P.2.1	Waste management	WLWP 6	Sustainable Site Waste Management
ENV-P.2.3	Waste management facilities	WLWP 2	Safeguarding and Protection of Existing and Allocated Waste Sites

London Borough of Richmond

Saved Policy in the Unitary Development Plan (Adopted 2005)		Replacement West London Waste Plan Policy	
Policy No.	Policy Title	Policy No.	Policy Title
CCE22	Waste Collection and Disposal	WLWP 2	Safeguarding and Protection of Existing and Allocated Waste Sites
		WLWP 3	Location of Waste development
		WLWP 4	Ensuring High Quality Development
		WLWP 5	Decentralised Energy
		WLWP 6	Sustainable Site Waste Management
		WLWP 7	National Planning Policy Framework: Presumption in Favour of Sustainable Development

Core Strategy (Adopted 2009)		Replacement West London Waste Plan Policy	
Policy No.	Policy Title	Policy No.	Policy Title
CP6	Waste	WLWP 2	Safeguarding and Protection of Existing and Allocated Waste Sites
		WLWP 3	Location of Waste development
		WLWP 4	Ensuring High Quality Development
		WLWP 5	Decentralised Energy
		WLWP 6	Sustainable Site Waste Management
		WLWP 7	National Planning Policy Framework: Presumption in Favour of Sustainable Development

Submission plan

July 2014



West London Waste Plan

Submission Version

July 2014

A Joint Waste Plan for the London Boroughs of Brent,
Ealing, Harrow, Hillingdon, Hounslow and Richmond upon
Thames

Executive Summary

1. For some time, both the European and UK Governments have been concerned that we are sending too much of our waste for disposal – not enough is being recycled and re-used.
2. Consequently, every local authority must produce a plan detailing how it will deal with waste generated in its area over the next 15 years. These plans make up a part of the authority's Local Plan and show which factors they will take into account when deciding on whether to grant planning permissions for new waste management facilities or extensions and substantive changes to existing ones.
3. In West London, six London boroughs have agreed to co-operate to produce a single waste plan for their combined area. When adopted, this plan will form part of each of their respective Local Plans.
4. Preparation of the West London Waste Plan involves a number of stages including evidence gathering, technical assessment and public consultation. This version of the Plan has been submitted to Government for testing of its 'soundness' and legality. Prior to its submission, this Plan was published to allow for representations to be made on its soundness and legality. This version of the Plan includes minor, non material, changes made for the following reasons:
 - to improve the clarity of the Plan
 - correction of grammar or spelling mistakes
 - factual updates to do with the context of the Plan
5. In London, the Mayor has set out in the London Plan (adopted in 2011) projections of how much municipal waste and commercial and industrial waste is likely to be generated in the capital over the next 20 years. Each borough has been allocated an amount of London's waste that it is required to positively plan for and manage. This includes ensuring that sufficient sites are identified to meet the apportioned targets in the London Plan (2011). By each borough meeting its apportionment, London will dramatically reduce its reliance on landfill and move towards being net self-sufficient¹ overall.
6. This submission version of the West London Waste Plan:

¹*'Net self sufficient' means that the equivalent of 100 per cent of London's waste will be managed within London.*

- details the estimated amounts for the different types of waste that will be produced in West London up to 2031;
 - identifies and protects the current sites to help deal with that waste;
 - identifies the shortfall of facilities needed over the life of the Plan; and
 - proposes a set of sites to meet the shortfall which are preferred for waste related development
7. This Plan has been prepared with the objective of ensuring consistency with national Government policy and general conformity with the London Plan (2011).
8. All policies of this Plan will be taken into account when decisions are made on planning applications for waste development along with any relevant policies in the relevant Borough's local plan.
9. The Plan comprises seven sections, covering:
- i. An introduction to the West London Waste Plan;
 - ii. The Vision and Objectives of the Plan;
 - iii. How waste is managed at present;
 - iv. An explanation of what will be needed in the future to manage waste;
 - v. Details of the sites identified for future waste facilities;
 - vi. Policies to guide the determination of planning applications for new waste facilities; and
 - vii. An explanation of how the Plan will be monitored in future.
10. The existing sites and additional sites proposed for inclusion in the Plan are set out in the tables below:

Table i: Existing waste sites proposed for allocation

Site Number	Name	Site Area (ha)	Borough
352	Twyford Waste Transfer Station	1.24	Brent
1261	Veolia Transfer Station, Marsh Road	2.71	Brent
309*	Greenford Reuse & Recycling Site	1.78	Ealing
310*	Greenford Depot, Greenford Road		
328#	Quattro, Victoria Road, Park Royal	0.97	Ealing
331	Rigby Lane Waste Transfer Station	0.91	Hillingdon
342	Twickenham Depot	2.67	Richmond
Total		10.28	

**These two sites are contiguous and part of a larger site: for the purposes of the Plan, they are considered as a single, consolidated site*

This site is subject to a High Speed 2 (HS2) Safeguarding Direction and will not be available from 2017 until 2024

Table ii: Additional sites identified for waste management uses

Site Number	Name	Site Area (ha)	Borough
222	Council Depot, Forward Drive	1.83	Harrow
2861	Western International Market	3.20	Hounslow
Total		5.03	

Combined Total Area = 15.24 hectares

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1 The West London Waste Plan

1.1 Preparation of the Plan

1.1.1 The West London Waste Plan has been prepared jointly by the six West London boroughs of Brent, Ealing, Harrow, Hillingdon, Hounslow and Richmond upon Thames. The area covered by the plan, and how it is split into its constituent boroughs is shown in Figure 1-1. How the West London Waste Plan area sits within its wider regional context is illustrated at Figure 1-2.

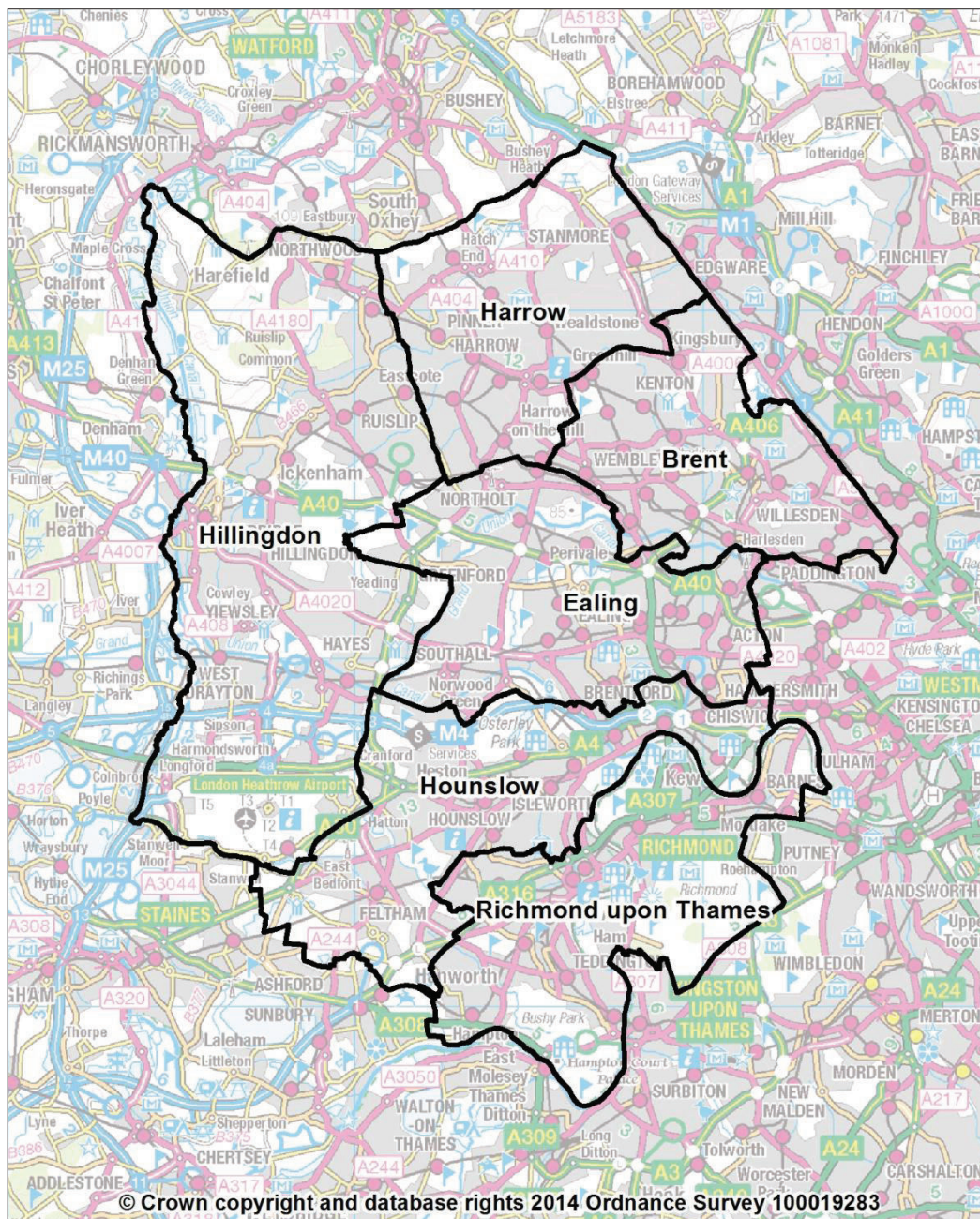


Figure 1-1: The West London Waste Plan Area



Figure 1-2: The West London Waste Plan Area context

1.2 Why Is The West London Waste Plan Needed?

1.2.1 The West London Waste Plan (the Plan) provides a planning framework for the management of all waste produced in the six boroughs over the next 15 years. The boroughs are required by Government to prepare local planning policy for waste management which needs to be in general conformity with the Mayor’s London Plan (2011)². The London Plan (2011) is the Mayor of London’s planning strategy for the capital that sets out targets for recycling and composting for waste from households, businesses and industry (See Table 1-1 below).

Table 1-1: Recycling /composting/reuse targets set in the London Plan (2011)

Waste stream	2015	2020	2031
Municipal Solid Waste	45%	50%	60%
Commercial & Industrial Waste	-	>70%	-
Construction, Demolition & Excavation	-	>95%	-
Diversion of biodegradable/recyclable wastes from landfill	-	-	100%

Source: London Plan (2011)

²See <http://www.london.gov.uk/priorities/planning/london-plan>

- 1.2.2 A significant amount of waste is transferred outside of London for treatment or disposal. The London Plan (2011) aims to ensure that as much of London's waste is managed within London as practicable working towards managing the equivalent of 100% of London's waste within London by 2031.
- 1.2.3 The West London Waste Plan will form part of the Development Plan for each of the boroughs. The Development Plan comprises a number of development planning documents containing both specific policies for waste and sites identified for waste management. These planning documents must be in general conformity with the London Plan (2011), in addition to national planning policy. Before the Plan can be adopted it has to be independently tested through a public examination to ensure it meets all of the key tests for a 'sound' plan.
- 1.2.4 This Submission Plan identifies the sites proposed for waste management development in the plan area and provides policies with which planning applications for waste developments must conform. This Plan reflects the London Plan (2011) apportionment targets providing management of waste from households, business and industry in the Plan area up to 2031. The timetable for the production of the Plan and for its final adoption is shown in Table 1-2.

Table 1-2: Timetable for the development of the West London Waste Plan

Period	Stage of development
January - March 2009	Issues and Options Consultation
February - March 2011	Proposed Sites and Policies Consultation
March - April 2014	Proposed Submission Consultation
July 2014	Submission to the Secretary of State c/o Planning Inspectorate
Autumn 2014	Public Examination
Spring 2015	Adoption by the West London Boroughs

1.3 Relationship with Other Planning Strategies and the Plan's Status

- 1.3.1 The Plan is influenced by, and has to give consideration to, relevant European, national, regional and local policy in relation to waste development (both adopted and emerging).
- 1.3.2 Subject to the Plan being found sound and legally compliant, the Plan will be adopted by each of the constituent boroughs. It will then take on the status of a statutory Local Development Document, and its policies will be accorded considerable weight by each local planning authority and the Secretary of State in determining planning applications for waste management facilities within the Plan area. Prior to its adoption, it will be a material consideration but accorded limited weight in decision making.

European Legislation

- 1.3.3 The revised Waste Framework Directive [2008/98/EC]³, which has been implemented by The Waste (England and Wales) (Amended) Regulations 2012⁴, is the over-arching European Union (EU) legislation for waste. The directive requires member states to take appropriate measures to encourage firstly, the prevention or reduction of waste and its harmfulness and secondly, the recovery of value from waste by means of recycling, re-use or reclamation or any other process with a view to extracting secondary raw materials, or the use of waste as a source of energy. This management scheme is called the waste hierarchy (see Figure 1-3), and the objective is to manage waste as near to the top of the hierarchy as possible with safe disposal of waste as a last resort. The Directive also requires Member states to prepare a national waste plan.
- 1.3.4 The West London Waste Plan provides for the management of waste according to the waste hierarchy (Figure 1-3 below).

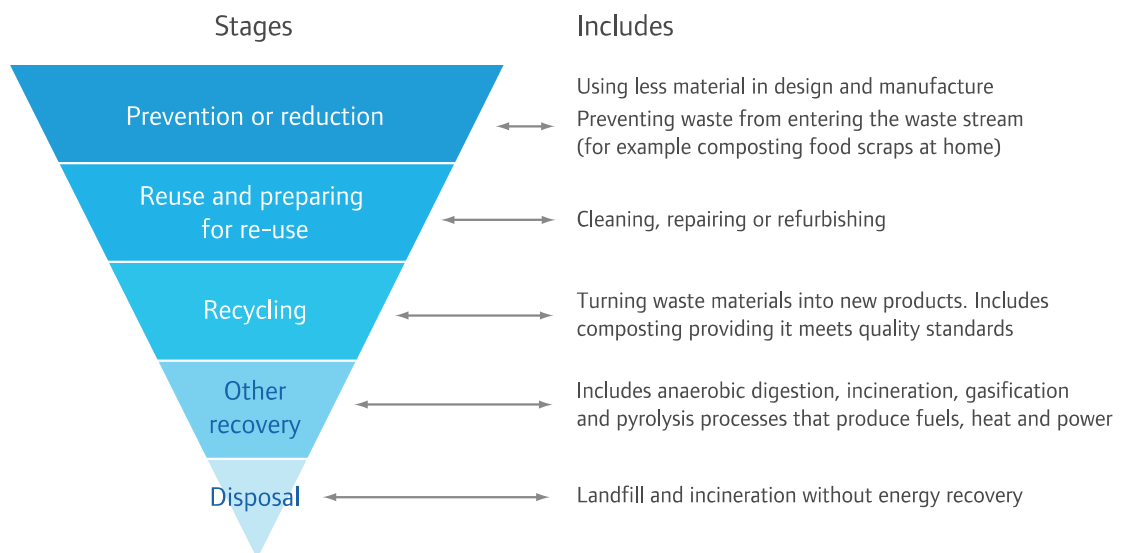


Figure 1-3 The Waste Hierarchy

National Policy

- 1.3.5 The planning system, as well as the waste management industry has undergone significant changes over the past few years. The National Planning Policy Framework (March 2012) sets out the national policy approach to ensuring sustainable development.

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³ Waste Framework Directive (Directive 2008/98/EC): <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:312:0003:0030:en:PDF>

⁴ See: <http://www.legislation.gov.uk/ukxi/2012/1889/made>

- 1.3.6 Planning Policy Statement 10: Planning for Sustainable Waste Management⁵ sets out national objectives and guidance to be considered when producing planning policies for waste development and consideration of applications for waste development. The Government intends to update this policy.

Waste Management Plan for England

- 1.3.7 To meet the requirement of the Waste Framework Directive for a national waste plan, in December 2013, the Government published an updated waste strategy for England in the form of a National Waste Management Plan (known as the 'Waste Management Plan for England' December 2013) along with a separate National Waste Prevention Plan. Production of local waste plans is also intended to contribute towards meeting this requirement.
- 1.3.8 Publication of the Waste Management Plan for England followed 'The Government Review of Waste Management Policy in England 2011'⁶ which was published following a comprehensive review of The Waste Strategy for England 2007. The key objectives of these documents are to:
- Separate waste growth from economic growth and put more emphasis on waste prevention and re-use;
 - Increase diversion of municipal and non-municipal waste from landfill;
 - Secure investment in waste infrastructure; and
 - Get the most environmental benefit from the investment through increased recycling of resources and recovery of energy from residual waste.

Localism Act 2011 and the Duty to Co-operate

- 1.3.9 The Localism Act 2011 provides for the abolition of all Regional Spatial Strategies (RSSs), except the London Plan (2011) which is retained in the capital. The RSSs apportioned quantities of waste to be managed in each sub-regional area which generally corresponded to a Waste Planning Authority (WPA) area. WPAs outside London are no longer required to be in conformity with the now abolished RSSs or meet waste management apportionments for London. In the South East and East of England, this included provision for landfill of some residual waste from London. This means that some counties that previously considered West London's residual waste management needs when planning landfill capacity may no longer be doing so.

⁵ *Planning Policy Statement 10, revised March 2011 -*
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/1876202.pdf>

⁶ *Government Review of Waste Management for England 2011 -*
<http://www.defra.gov.uk/publications/files/pb13540-waste-policy-review110614.pdf>

Clearly this has a significant implication for the management of waste from London boroughs where waste is exported to be managed outside the London area. The London Plan (2011) expects London boroughs to plan for 100% net self sufficiency in waste management by 2031, whilst recognising that there is likely to be ongoing management of waste arising in London outside of the capital, albeit in decreasing amounts.

- 1.3.10 The Localism Act 2011 introduced the 'Duty to Co-operate' requiring local planning authorities (and other public bodies) to co-operate in relation to the planning of sustainable development. All public bodies have a duty to co-operate on planning issues that have cross administrative boundary impacts, particularly those relating to the strategic priorities⁷ set out in the NPPF, such as the provision of infrastructure for waste management and wastewater. In carrying out their duty, the Act expects bodies to "engage constructively, actively and on an ongoing basis". In the case of West London the particular cross boundary movements of waste considered are as follows:
- Management of residual waste
 - Management of hazardous waste
- 1.3.11 The extent of these movements is detailed in Section 3. In considering this, the West London boroughs have engaged formally with the Environment Agency as well as relevant WPAs. Contact was made with all WPAs currently accepting waste from the Plan area. Emails, meetings and telephone conversations were used to exchange and confirm information on waste flows between areas and to agree significant cross boundary issues regarding the waste flows, future requirements and other, related matters. Attendance at meetings of regional groupings of Waste Planning Authorities such as the London Regional Technical Advisory Board (RTAB) and the South East Waste Planning Advisory Group (SEWPAG) provided further opportunities to discuss cross boundary issues.
- 1.3.12 Published and emerging waste planning documents of the counties concerned were also consulted to assess current and projected capacities and policies regarding accepting waste from West London in the future.
- 1.3.13 Throughout the Plan process there has been ongoing engagement with other WPAs.
- 1.3.14 Details of how the West London boroughs engaged with bodies to meet the Duty to Co-operate requirements contained in a separate Duty to Co-operate Schedule.

⁷ *National Planning Policy Framework 2012, paragraph 156*

Regional Policy

- 1.3.15 The London Plan (2011) currently provides the regional planning framework for the six West London boroughs jointly preparing the Plan and outlines the principal guidelines for waste development. The Government has agreed that, although Regional Spatial Strategies (RSS) for other parts of England have been revoked, the London Plan (2011) will continue to provide strategic guidance for the capital and thus be accorded significant weight in guiding the formulation of development plans and in determining planning applications.
- 1.3.16 This Plan is in general conformity with the policies in the London Plan (2011) and in particular those regarding waste management. As mentioned above, this includes an apportionment of the tonnages of municipal and commercial and industrial waste to be managed by each London borough; revised targets for recycling of municipal waste; and new targets for recycling of commercial and industrial waste and recycling or reuse of construction and demolition waste and diversion of waste from landfill (see Table 1-1).
- 1.3.17 Implementation of the policies in this Plan will ensure that the boroughs contribute towards the London Plan (2011) aim of net self-sufficiency by 2031.
- 1.3.18 The Mayor published a schedule of proposed Further Alterations to the London Plan (FALP) for consultation in January 2014. This included proposals to amend the forecast quantities of commercial and industrial waste arising within London, based on baseline data adjusted down to reflect the findings of the national C&I waste survey of 2010. As a consequence, the revised projected overall capacity shortfall identified has fallen and hence the revised Borough apportionment targets proposed are reduced. The proposed changes have undergone public consultation and are now due to be subject to public examination in September 2014. The need for changes to this Plan in light of the FALP will be considered at its first review.

Local Policy

- 1.3.19 Each borough must produce a Local Plan which replaces what was previously called the Local Development Framework or Unitary Development Plan. The Local Plan is a collection of local development documents that include policies, strategies and plans such as this Plan.
- 1.3.20 This Plan has been prepared jointly by the six West London boroughs and must be aligned with their individual Local Plans and help deliver their Sustainable Community Strategy as well as be in general conformity with the regional strategy set out in the London Plan (2011).

1.4 Sustainability Appraisal and Other Assessments

- 1.4.1 The Plan has been subjected to a Sustainability Appraisal (SA) during the course of its development. An SA appraises whether planning documents accord with the principles outlined in the Government's UK Sustainable Development agenda⁸ and implement the EU Strategic Environmental Assessment Directive. The SA aims to ensure that sustainability considerations are taken into account early in the process of policy development.
- 1.4.2 A Habitats Regulations Assessment (HRA); an Equalities Impact Assessment (EqIA) and a Strategic Flood Risk Assessment (SFRA) have also been undertaken as part of the development of this Plan. Appendix 2 provides details on the processes followed for each of these assessments.

1.5 Community and Stakeholder Consultation

- 1.5.1 The West London Waste Plan has been informed by consultation with statutory bodies, local organisations, key stakeholders and the wider community throughout its preparation. This has been carried out in accordance with each borough's "Statement of Community Involvement". Initial consultation took place in January and February 2009 on the key issues which the West London Waste Plan needs to address, as set out in the West London Waste Plan Issues and Options report⁹. A wide range of responses was received at various public workshops and meetings held across the six boroughs, and by written representations.

1.5.2 The boroughs' preferred approach to deal with the issues raised, as well as a list of the proposed sites, was published for comment in February 2011 in the Proposed Sites and Policies report¹⁰. Staffed drop-in sessions in each of the six boroughs were attended by over 120 people, with 64 people attending further meetings. In addition to responses received at these events, 248 questionnaires were completed, and a further 133 additional written and email submissions were made. Two petitions containing 2,399 signatures were also submitted. A summary report on this consultation is available on the West London Waste Plan website (www.wlwp.net).

1.6 Proposed Submission WLWP

- 1.6.1 Representations were received on the Proposed Submission draft of the West London Waste Plan, including the Sustainability Appraisal and Equalities Impact Assessment during a six week period between 28 February and 11 April 2014.
- 1.6.2 All representations (which have not been withdrawn) have been submitted with this Plan for consideration by a Planning Inspector at a formal examination. The purpose of the examination is to consider whether the Waste Plan complies with the legal and

⁸ See DEFRA: <http://sd.defra.gov.uk/what/>

⁹ West London Waste Plan Issues and Options Report (February 2009) available to download from <http://www.wlwp.net/documents.html>

¹⁰ Proposed Sites and Policies Report (February 2011) available to download from <http://www.wlwp.net/documents.html>

procedural requirements and is 'sound'.

1.6.3 Since the Planning Inspector's purpose is to answer these questions, the representations relate to legal compliance and "soundness", as set out in the National Planning Policy Framework, 2012 (NPPF). This includes being prepared in accordance with the Duty to Co-operate.

1.6.4 In summary, comments on the "soundness" of this Plan address the following issues:

- Is it 'positively prepared'? This means that the document must be:
 - based on a strategy which seeks to meet objectively assessed development and infrastructure requirements
 - seeking to meet unmet requirements from neighbouring authorities where it is reasonable to do so
 - consistent with achieving sustainable development.
- Is it 'justified'? This means that the document must be:
 - founded on a robust and credible evidence base
 - the most appropriate strategy when considered against the reasonable alternatives
 - able to demonstrate how the social, environmental, economic and resource use objectives of sustainability will be achieved.
- Is it 'effective'? This means that the document must be:
 - deliverable over its period
 - based on effective joint working on cross boundary strategic priorities
 - flexible, so that the local authorities can adapt the plan to respond to unexpected changes in circumstances
 - able to be monitored against clear, and measurable criteria.
- Is it consistent with national policy? This means the document must be:
 - able to deliver sustainable development
 - able to specify how decisions are to be made against the sustainability criterion.

- 1.6.5 More guidance on the meaning of these terms is available from the Planning Inspectorate¹¹ and in the National Planning Policy Framework, 2012¹² which outlines the requirements for Local Plans and Planning Policy Statement 10 which provides specific guidance for planning for sustainable waste management.

Public Examination

- 1.6.6 Following submission, the Secretary of State appoints a Planning Inspector to hold an independent examination of the Plan. This examination may include public hearings and the Inspector may decide to hold a pre-hearing meeting at which they will set out the programme for the examination and discuss any administrative or procedural issues. The current timetable anticipates that the examination will commence during the summer of 2014 with public hearings in the autumn.

The examination will be administered by a Programme Officer. The Programme Officer can be contacted using the following details:

**Programme Officer West London Waste Plan
Planning Policy Team
3N/02 Civic Centre
High Street, Uxbridge, Middlesex, UB8 1UW**

Email: wlwpprogrammeofficer@gmail.com

- 1.6.7 Further information can also be obtained via the website:

www.wlwp.net

- 1.6.8 The West London Waste Plan Submission document and an accompanying Consultation Statement, Sustainability Appraisal and Equalities Impact Assessment are available for download via the West London Waste Plan website at: www.wlwp.net. Hard copies are also available to view at:

1. All Libraries across the six boroughs; and
2. Local Council Offices across the six boroughs.

- 1.6.9 All other submission documents, including the evidence base, are available for download. The West London boroughs will seek to ensure that all reports are accessible to everyone and will offer assistance to those who are blind or partially sighted or do not speak English fluently.

¹¹ See: http://www.planningportal.gov.uk/uploads/pins/dpd_brief_guide_examining.pdf

¹² See: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

1.6.10 In the event that the Inspector reports that the Plan is sound and legally compliant (possibly subject to modifications), the boroughs may then adopt the Plan. It is envisaged that this will take place in spring 2015.

1.7 Planning applications for waste management facilities

1.7.1 Once adopted, the West London Waste Plan will be the primary policy framework against which planning applications for waste management facilities in the West London boroughs will be assessed. In the first instance developers should use the plan to guide them in identifying suitable sites to accommodate new waste management facilities. These site allocations are also supplemented by development management policies which provide a framework to assess the acceptability of individual proposals. Developers should also consider requirements and policies within the following documents before submitting a planning application for a waste management facility in West London:

- Any national statutory guidance, including planning policy on waste management;
- Borough Local Development Documents;
- London Plan, 2011 and any subsequent revision;
- Mayor of London Order (2008); and
- Supplementary Planning Guidance from the Mayor or relevant Supplementary Planning Documents from the boroughs.

1.7.2 Certain types of waste development need to be referred to the Mayor. Under the Mayor of London Order (2008) the Mayor has powers to take a decision on the following types of waste development applications as follows:

- Waste development to provide an installation with capacity for a throughput of more than 5,000 tonnes per annum of hazardous waste, 50,000 tonnes per annum of waste or occupying more than one hectare.
- Waste development that does not accord with one or more provisions of the Local Plan (including this Plan once adopted) and either occupies more than 0.5 hectares or has capacity for more than 20,000 tonnes per annum of waste or 2,000 tonnes per annum of hazardous waste.

1.8 West London Waste Authority

1.8.1 The West London Waste Authority (WLWA) is the statutory Waste Disposal Authority for the six West London boroughs and as such is solely responsible for the transport, treatment and disposal of municipal solid waste (MSW) collected by the boroughs. The WLWA is not responsible for Commercial and Industrial Waste (C & I), Construction, Demolition and Excavation Waste (CD & E) or forms of non-municipal hazardous waste.

- 1.8.2 The WLWA and its constituent boroughs consulted on and subsequently adopted a Joint Municipal Waste Management Strategy¹³ in 2005. The strategy sets out the future waste and recycling plans and targets for the Authority and each of the six boroughs to 2020. This was updated in 2009.

¹³ See: *WLWA Draft Joint Municipal Waste Management Strategy, September 2005* - <http://westlondonwaste.gov.uk/about-us/waste-strategy/>

2 Vision and Objectives of the Plan

2.1 Vision

- 2.1.1 The unique characteristics of West London, as well as the key challenges and opportunities that have been identified in developing the Plan, have fed into the vision of the Plan, which is supported by its aims and objectives.
- 2.1.2 The vision of the Plan sets out how the boroughs wish to see waste managed in West London by 2031. Its formulation has been informed by national, regional and local guidance along with the views of key stakeholders and the evidence base that underlies the Plan.

West London Waste Plan Vision

By 2031, the West London Waste Plan area will have made provision for enough waste management facilities in the right locations to provide for the sustainable management of waste. It will seek to do so whilst protecting the environment, stimulating the economy and balancing the needs of West London's communities.

2.2 Strategic Objectives

- 2.2.1 The West London Waste Plan strategic objectives underpin the achievement of the vision and were developed in response to the key issues for West London and responses received through community consultation.

West London Waste Plan Strategic Objectives

1. To identify sufficient land for the management of the six boroughs' pooled waste apportionment as set out in the London Plan (2011), including safeguarding existing waste sites and maximising their use as waste management sites.
2. To ensure that waste is managed as far up the waste hierarchy as possible, by encouraging the minimisation of waste and the use of waste as a resource.
3. To reduce the impact of waste management on climate change by encouraging the use of sustainable transport and new, clean technologies, whilst seeking to locate waste management facilities as close to waste sources as practicable.
4. To ensure that, through appropriate policies, waste facilities meet the highest standards possible of design, construction and operation to minimise adverse effects on local communities and the environment.
5. To support the key aims and objectives of Brent, Ealing, Harrow, Hillingdon, Hounslow and Richmond's Sustainable Community Strategies.

3 Existing Waste Management

3.1 Existing Waste Management

3.1.1 West London produces, and is expected to continue to produce, a significant quantity of waste. This section looks at the different types of waste being generated in West London and how it is currently being managed, along with future trends allowing for the West London boroughs to determine what policies and sites are needed that will facilitate the development of the sustainable infrastructure required to meet the London Plan (2011) waste apportionment figures (Table 4-2) and net self sufficiency. The main types of waste produced include:

- Municipal Solid Waste
- Commercial and Industrial Waste
- Construction, Demolition & Excavation Waste
- Hazardous Waste
- Wastewater and Sewage Sludge

It should be noted that the London Plan (2011) apportionment targets are for municipal and commercial & industrial wastes, including the hazardous element of both, only.

3.2 Municipal Solid Waste

3.2.1 Municipal Solid Waste (MSW) in the West London boroughs is managed by the WLWA and includes household waste, kerbside collected recyclables, green waste and waste and recyclables collected at household waste recycling centres.

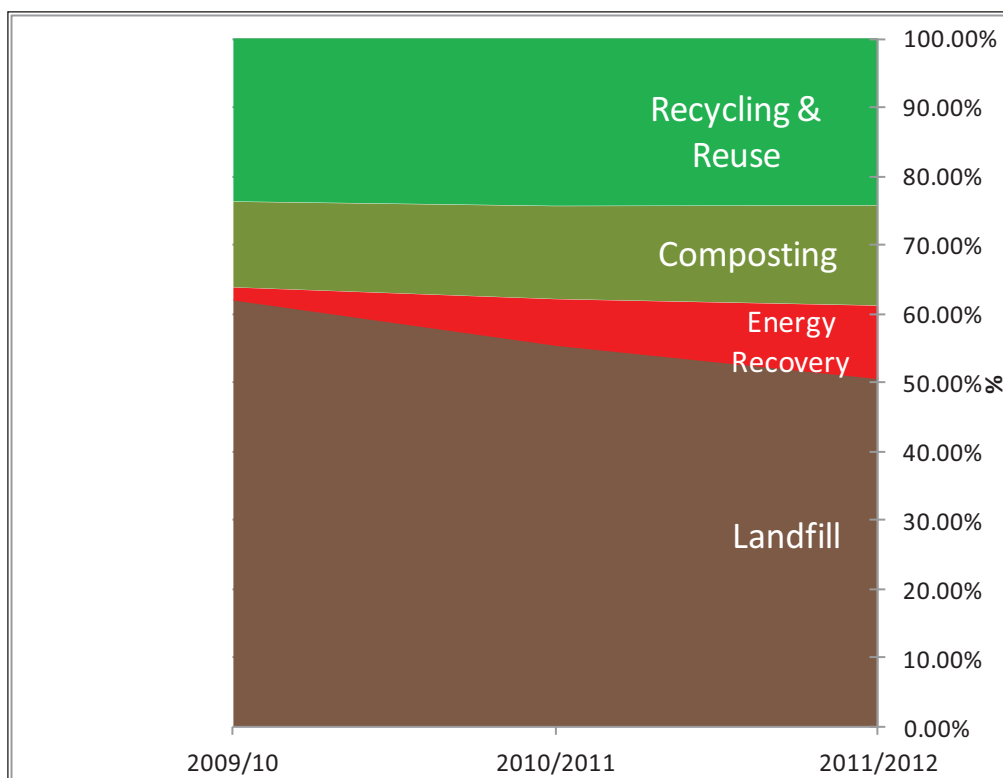
3.2.2 As the statutory body responsible for managing MSW generated in the West London boroughs, the WLWA has in place long term contracts for the management of this waste. The main objective of the contracts is to end the landfilling of residual municipal waste. The contracts involve the management of up to 390,000 tonnes of MSW per year.¹⁴

3.2.3 Since 2008 there has been a steady decline in MSW sent to landfill from the Plan area, both in terms of the total tonnage sent and the percentage this represents of the area's total waste stream. Figure 3-1 below uses financial year data since 2008 and shows the different waste management routes used for the MSW stream. Note that the material initially sent to Materials Recovery Facilities (MRFs) is then sent on for management via other waste management routes.

¹⁴ See WLWA website for further detail <http://westlondonwaste.gov.uk/about-us/where-your-waste-goes/>

Figure 3 – 1 West London Waste Authority MSW management (2009 – 2012)

Financial years



Source: WLWA

- 3.2.4 In 2012 the WLWA and its constituent boroughs dealt with around 657,000 tonnes of MSW, excluding abandoned vehicles. Of this total some 154,000 tonnes was recycled, 90,000 tonnes was composted, and 93,000 tonnes was sent to Materials Recovery Facilities from which waste went on to other routes. Ultimately, 403,000 tonnes was sent either to Energy from Waste (EfW) or to landfill sites in Oxfordshire and Buckinghamshire (just over 80% by rail from the WLWA's transfer stations in Brentford and South Ruislip). See Table 3-1 below.

Table 3-1: WLWA management of Municipal Solid Waste 2012
Calendar year (tonnes rounded to nearest 000 and percentages (rounded))

Municipal Solid Waste management	Tonnes	Percentage
Recycling	154,000	23
Composting	90,000	14
Energy from Waste	117,000	18
Landfill	296,000	45
TOTAL	657,000	100

3.2.5 From 2009/10 increasing quantities of waste, not recycled or composted, have been diverted from landfill by sending it to EfW. The WLWA has a contract to send residual waste to the Lakeside Energy from Waste plant near Slough, until 2034/35. This contract has an annual tonnage of 25,000 tonnes until 2014/15 when for one year the tonnage increases to 45,000 tonnes. The following year (2015/16) the tonnage increases to 90,000 tonnes and remains at that level until the final year of the contract. In addition materials sent to certain MRFs in the Plan area are then sent to recycling, EfW and landfill respectively. The tonnages of these outputs are included in Table 3-1 and Figure 3-1 above (by financial year). This illustrates how the dominance of landfill has been broken by use of other management routes so that less than 50% of waste managed by the WLWA was actually landfilled in 2012 (calendar year).

3.3 Commercial and Industrial Waste

3.3.1 The most recent and comprehensive national Survey of C&I waste arisings¹⁵ took place in 2009. This survey estimated that West London produced 845,000 tonnes of C&I waste during that year, which is a reduction of 621,000 tonnes (42%) on the previous C&I Survey conducted in 2002/03 (this estimated that 1,466,000 tonnes of C&I waste was produced). Work carried out to underpin the London Plan (2011)'s apportionment targets has estimated that West London produced 1,299,000 tonnes of C&I waste in 2009 and for the purposes of consistency, this estimate has been used in the Plan. However the proposed Further Alterations to the London Plan (FALP) propose aligning the C&I waste baseline and forecasts with the national survey results. If the FALP are adopted, this would mean a significant fall in projected arising of this waste stream.

3.4 Construction, Demolition and Excavation Waste

3.4.1 A detailed study of arisings¹⁶ has been undertaken which estimated that just over 3 million tonnes of Construction, Demolition and Excavation waste (CD&E) waste is produced in West London each year. This is managed at sites within and beyond West London. This estimate is based on consideration of previous national surveys and analysis of data within the most recent Environment Agency Waste Data Interrogator (EA WDI).

3.4.2 According to the EA WDI 2012, around 776,000 tonnes of CD&E was imported for management at facilities within West London in 2012. This estimate is based on an analysis of waste managed at sites permitted for the management of waste by the Environment Agency, and does not account for aggregate production nor uses of CD&E in development (e.g. as an engineering material) which are exempt from the need for a permit. Table 3-2 below shows the management of CD&E waste in West London based on 2012 data from the EA Waste Data Interrogator.

Table 3-2 Management of CD&E waste in West London 2012

¹⁵ DEFRA: Commercial and Industrial Waste Survey 2009 Final Report (May 2011) - <http://archive.defra.gov.uk/evidence/statistics/environment/waste/documents/commercial-industrial-waste101216.pdf>

¹⁶ CDEW Baseline, Forecast & Target Setting Paper Final Issue v1.0 27.02.14, BPP Consulting

	CD&E Arising in West London	CD&E Imported into West London	Total
Managed at sites within West London	>331,000	776,000	1.107million
Managed at sites beyond West London	411,000	N/A	N/A
Total	742,000	N/A	N/A

3.5 Hazardous Wastes

3.5.1

Hazardous wastes are categorised as those that are harmful to human health, or the environment, either immediately or over an extended period of time. They range from asbestos, chemicals, and oil through to electrical goods and certain types of healthcare waste. A detailed study of arisings¹⁷ has been undertaken which found the following:

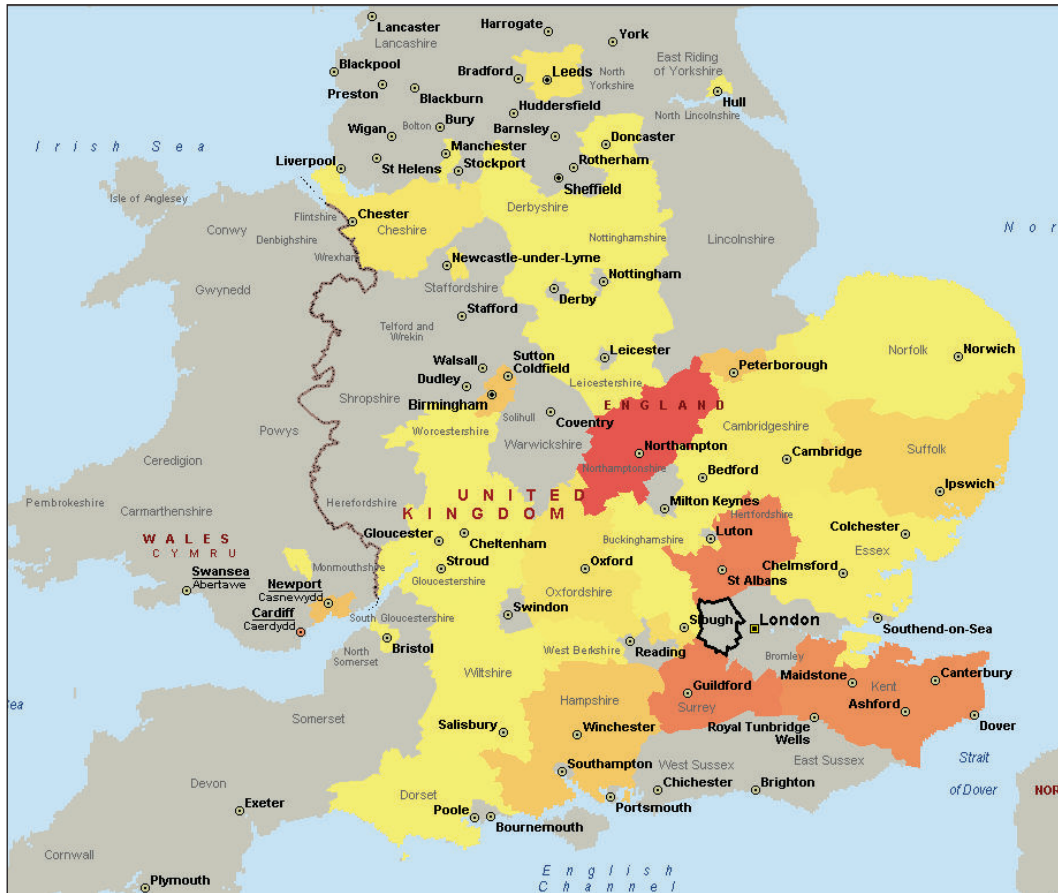
- In 2012, West London produced just over 88,000 tonnes of which approximately 85% was exported for management.
- At the same time 20,000 tonnes was imported from outside the Plan area.
- Overall the Plan Area achieved 40% net self-sufficiency in 2012.

Hazardous waste requires a range of specialist facilities for treatment and disposal and it is not anticipated that substantial additional need for new capacity locally will arise and so land allocations specifically for the development of additional hazardous waste management capacity have not been identified in this Plan.

¹⁷ Estimate of Baseline, Forecast, Management & Flows for Hazardous Waste Arising in west London Final issue v1.0 27.02.14, BPP Consulting

Figure 3-2 - Destination of hazardous waste arisings from West London (2012)

Increasing intensity of colour corresponds to increasing tonnage sent



Source: EA Hazardous Waste Interrogator (HWI) 2012 & EA Waste Data Interrogator 2012

3.5.2 In 2012, West London boroughs exported hazardous waste to 38 different destinations across England, with the main ones being Northamptonshire, Hertfordshire, Surrey and Kent. The primary destinations of hazardous waste exported out of London generated in West London are shown in Figure 3-2 above.

3.6 Wastewater and Sewage sludge

3.6.1 Thames Water Limited is responsible for wastewater and sewage sludge treatment in London and, as part of this responsibility, it manages key pieces of sewerage infrastructure, including a number of sewage treatment works (STW). The majority of wastewater in West London is either treated at Mogden STW in Isleworth, Beckton STW in East London. During 2010, these facilities generated over 100,000 tonnes of sewage sludge (dry solids) with all of this sludge being recovered in some way either through incineration with energy recovery, recycled to agricultural land or used for land restoration.

3.7 Agricultural Waste

3.7.1 The Environment Agency Waste Data Interrogator (WDI) indicates that in 2012, a total of 7, 236 tonnes of waste from agricultural sources (EWC¹⁸ chapter 02 01) in West London was managed at waste management sites with Environmental Permits reporting through the WDI. 99% of this was managed through treatment. However this figure doesn't include waste types which are known to be produced on farms recorded in the WDI under other waste codes. The main types of this type of waste include:

- Agricultural packaging such as plastic film;
- End of Life vehicles such as tractors;
- Tyres; and
- Asbestos construction waste.

Nor does it include waste managed through routes other than permitted sites. However, in light of the predominantly urban character of the Plan area there are limited opportunities for the production of this waste stream and so its management is not considered to be an issue needing specific consideration in this Plan.

3.8 Radioactive Waste

3.8.1 Limited information is available regarding the generation of radioactive waste in West London, with no arisings records held by either the Environment Agency or the Department of Energy and Climate Change. A detailed study of arisings¹⁹ has been undertaken which found the only identified sources that may generate small amounts of low level radioactive waste (LLW) and very low level radioactive Waste (VLLW) are at 21 locations across the boroughs including hospitals, universities, research facilities and a few commercial operations.

3.8.2 Most radioactive waste produced by minor waste producers is not reported in the UK Inventory as it is either low volumes of LLW that can be disposed of by "controlled burial" at landfill sites under special licence, or low volume VLLW that is disposed within the MSW and C&I waste streams. As separate recording of VLLW is not required it is not possible to quantify how much is managed from the Plan area. It is possible that some VLLW is managed at the Hillingdon clinical waste incinerator along with other wastes. The nearest available landfill accepting LLW is a nationally strategic site in Northamptonshire. In addition a High Temperature Incinerator in Fawley, near Southampton has some capability to deal with these types of waste. These facilities are preferred for use than sending it to the national LLW disposal facility near Drigg, Cumbria.

¹⁸ EWC = European Waste Classification

¹⁹ Review of Radioactive Waste Arising in west London Final Issue, BPP Consulting

3.8.3 There is no apparent market appetite or demand for a LLW management facility to be developed in the Plan area and so the practice of exporting those quantities that may be produced for management elsewhere is likely to continue. In light of this, the Plan does not include specific policies to cover such development.

3.9 Cross boundary Movement of Waste

3.9.1 Whilst around 1 million tonnes of West London's own waste is managed within West London boroughs, waste also moves into and out of the Plan area for management. It is important to assess the level of this cross boundary movement of waste and to identify potential implications for the West London Waste Plan during the Plan period, particularly to meet the 'Duty to Co-operate'.

*Table 3-3: Principal Flows of West London Waste out of West London, 2012 & data sources
(% shown is expressed as total of waste stream exported)*

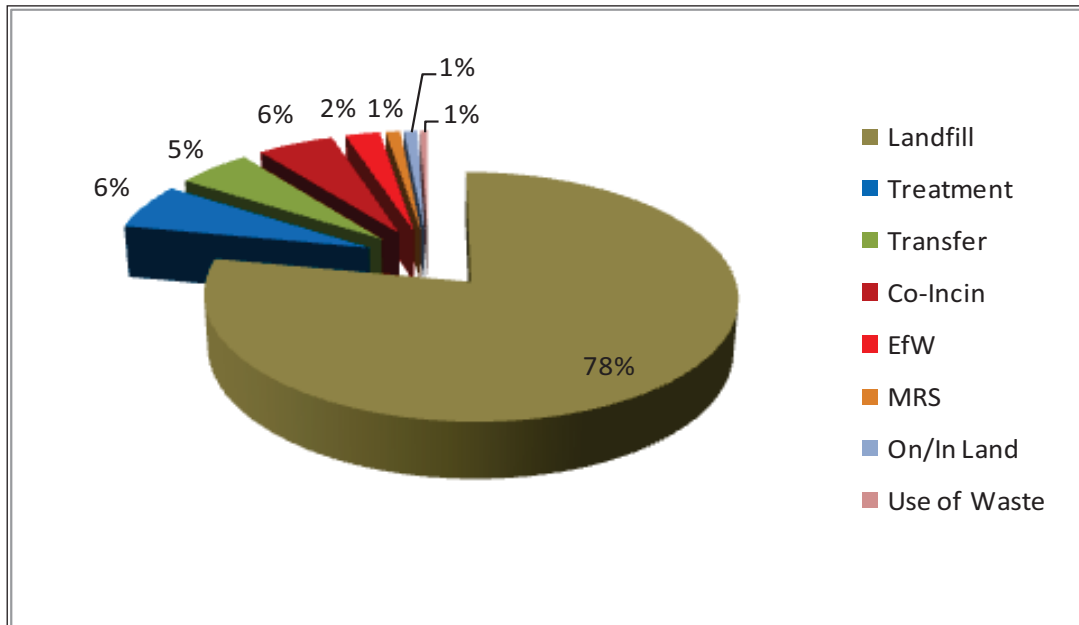
	Tonnes	Principal Destination	Principal Management Route
Municipal Solid Waste (from WDF)	340,000	Bucks (45%) Oxon (30%) Slough (9%)	Landfill Landfill EfW
Hazardous waste (WDI plus HWI)	74,000	Northants (9%) Herts (7%) Kent (6%) Surrey (6%) Hants (4%) Peterboro (4%)	Treatment Treatment Recovery/Treatment/Landfill Treatment Transfer Treatment /Landfill
Commercial and Industrial Waste (from WDI +)	418,000	Bucks (84%) Berks (14%) Herts (7%)	Landfill Landfill Landfill
Construction, Demolition and Excavation Waste (from WDI)	365,000	Bucks (56%) Berks (20%) Herts (12%)	Landfill Landfill Landfill
TOTAL	1.3 million		

NB: CD&E value excludes substantial quantities managed through activity that do not require permits

3.9.2 Around 1.3 million tonnes of West London's waste were exported out of London in 2012. This comprises Municipal Solid Waste (MSW), Commercial and Industrial Waste (C & I), Construction, Demolition and Excavation Waste (C, D & E) and certain types of hazardous waste. A proportion of this waste is handled by the WLWA. Table 3-3 above shows the level of exports or flows out of the West London area.

3.9.3 Landfill accounted for almost 80% of the movements of all waste out of the Plan area in 2012 as shown in Figure 3-3 below which while varying from year to year is following a reducing trend.

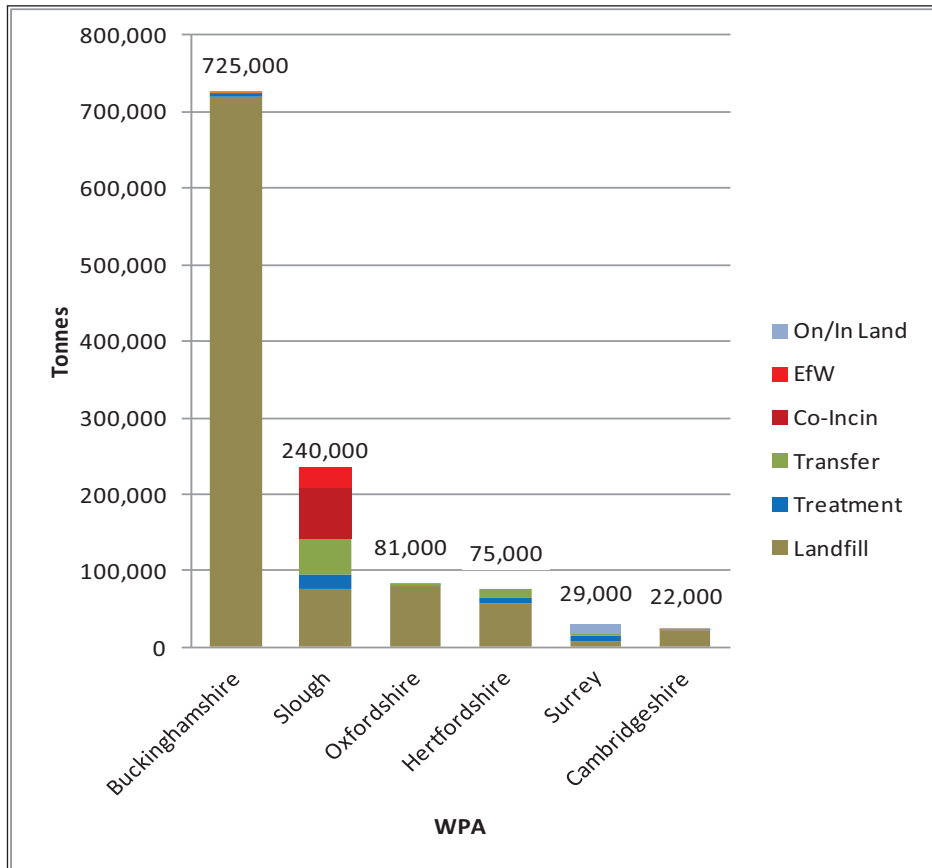
Figure 3-3: Exports of waste out of West London by management type, 2012



Source: WDI 2012

- 3.9.4 Figure 3-4 below illustrates that the majority of waste exported in 2012 was sent to Buckinghamshire (60%) and Slough (20%) followed by Oxfordshire (7%) with the remaining 11% divided between 76 other authorities. This has changed significantly from previous years when Bedfordshire received substantial quantities of waste for landfilling (just under 200,000 tonnes in 2011).
- 3.9.5 A high level totalling exercise of WDI 2012 data alone indicates that of the 2.37 million tonnes of waste received by permitted sites in West London from within the capital, up to 1.3 million tonnes comes from outside West London. This compares with 132,000 tonnes of waste from West London managed within the rest of London, which represents only 10% of the import from London into West London. This demonstrates the significant contribution facilities within West London already make to the management of London's waste and overall target of achieving net self sufficiency by 2031.

Figure 3-4: Where West London sent waste in 2012 by fate & WPA



Source: WDI 2012

3.10 Role of Landfill in the Management of Residual Waste

3.10.1 Landfill disposal accounted for approximately 1,143,000 tonnes of waste arising in West London in 2012, with 90% of that exported to landfill facilities outside of the Plan area. The remaining 107,400 tonnes was managed at Harmondsworth Landfill located in southwest Hillingdon.

3.10.2 There are several different types of landfill, all of which play a different role in helping to manage waste from West London. Generally these are categorised by the types of waste they can accept for disposal. Table 3-4 below shows the types and amounts of waste sent to landfill from West London in 2012

3.10.3 Non-hazardous landfill usually receives residual MSW and C&I waste plus inert CD&E waste that is used for engineering and operational purposes, whereas Inert Landfill only receives inert waste from the CD&E waste stream. Hazardous waste landfills are highly specialised and only accept certain hazardous waste, while stable, non-reactive hazardous waste (SNRHW) (e.g. asbestos) sent to non-hazardous landfill can be deposited in an area specifically designed to accept SNRHW isolated from biodegradable waste.

Table 3-4 Waste sent to landfill from West London in 2012, by receiving site type

Type of waste received by site	Tonnes
Hazardous (SNRHW) via Separate Cell	5,459
Non Hazardous	1,079,915
Inert	57,655
Total	1,143,029

Source: WDI & HWI, 2012

4 Future Waste Management

4.1 How much waste will need to be managed in West London?

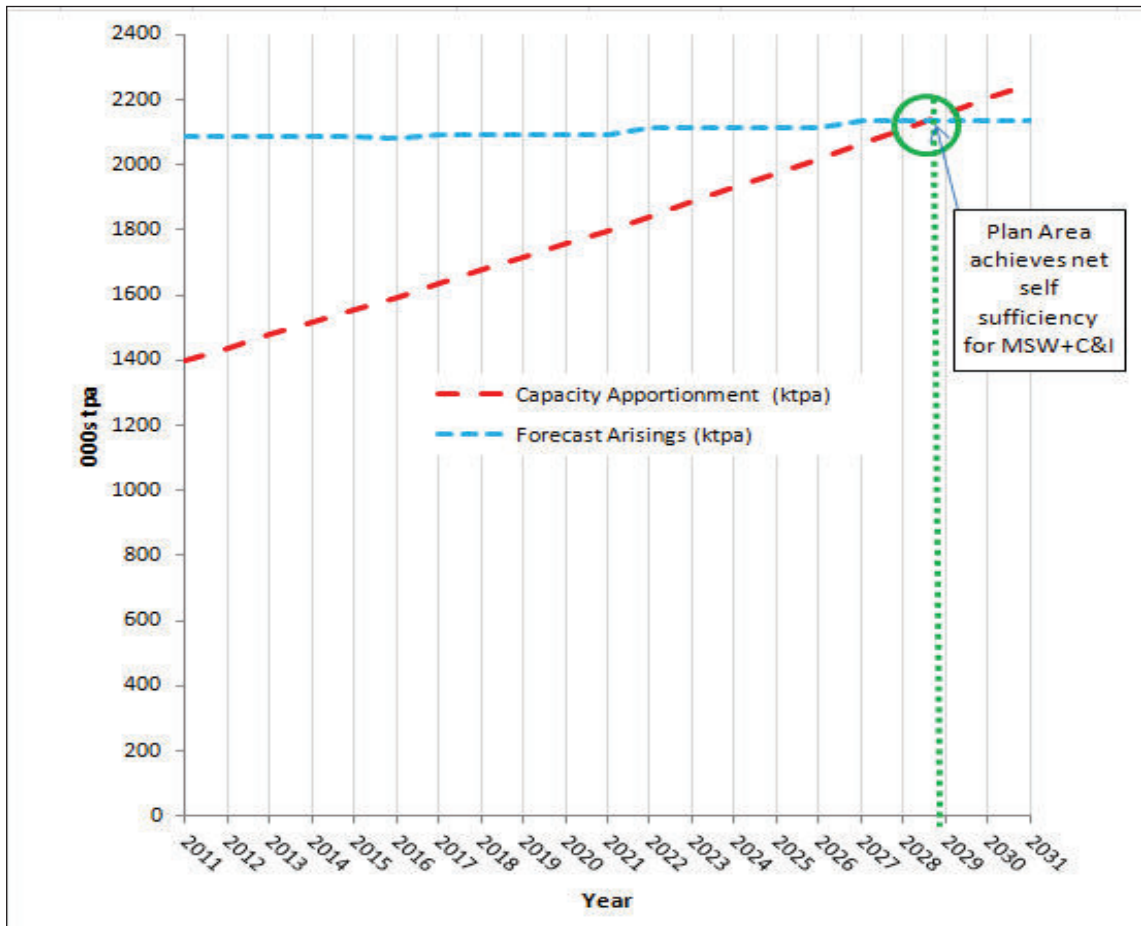
4.1.1 The London Plan (2011) sets a target for London of becoming net self-sufficient in the management of waste by 2031. To help achieve this target each borough has been given a share of London's total MSW and C&I waste to manage (called the borough's "apportionment" figure) for which it must identify sufficient and suitable existing waste management capacity or sites for the development of waste management capacity. The West London boroughs have pooled their apportionments and will meet the collective apportionment figures through this Plan.

4.1.2 MSW and C&I waste arisings projections are also included in the London Plan (2011). These figures were considered the most up-to-date for West London at the time and were also used by the Mayor to determine the apportionment figures. The waste arisings and apportionment figures for West London are displayed in Table 4 -1 below. Figure 4 -1 below shows the forecast arisings plotted against capacity apportionment targets from 2011 to 2031. It should be noted that CD&E wastes are not included in the waste projections but hazardous wastes from MSW and C&I sources are. These wastes are discussed in paragraphs 4.4 and 4.5 below.

Table 4-1: Quantity of MSW and C&I waste forecast to be produced in West London and the apportionment figures from the London Plan (2011) for target years

	2011	2016	2021	2026	2031
MSW arisings (tonnes per annum)	798,000	826,000	852,000	879,000	900,000
C&I waste arisings (tonnes per annum)	1,287,000	1,258,000	1,240,000	1,233,000	1,236,000
Total (MSW and C&I waste) arisings (tonnes per annum)	2,085,000	2,084,000	2,092,000	2,112,000	2,136,000
London Plan (2011) Apportionment (tonnes per annum)	1,399,000	1,595,000	1,798,000	2,019,000	2,250,000

Figure 4-1: Forecast arisings and capacity apportionment for West London boroughs as set out in the London Plan (2011)



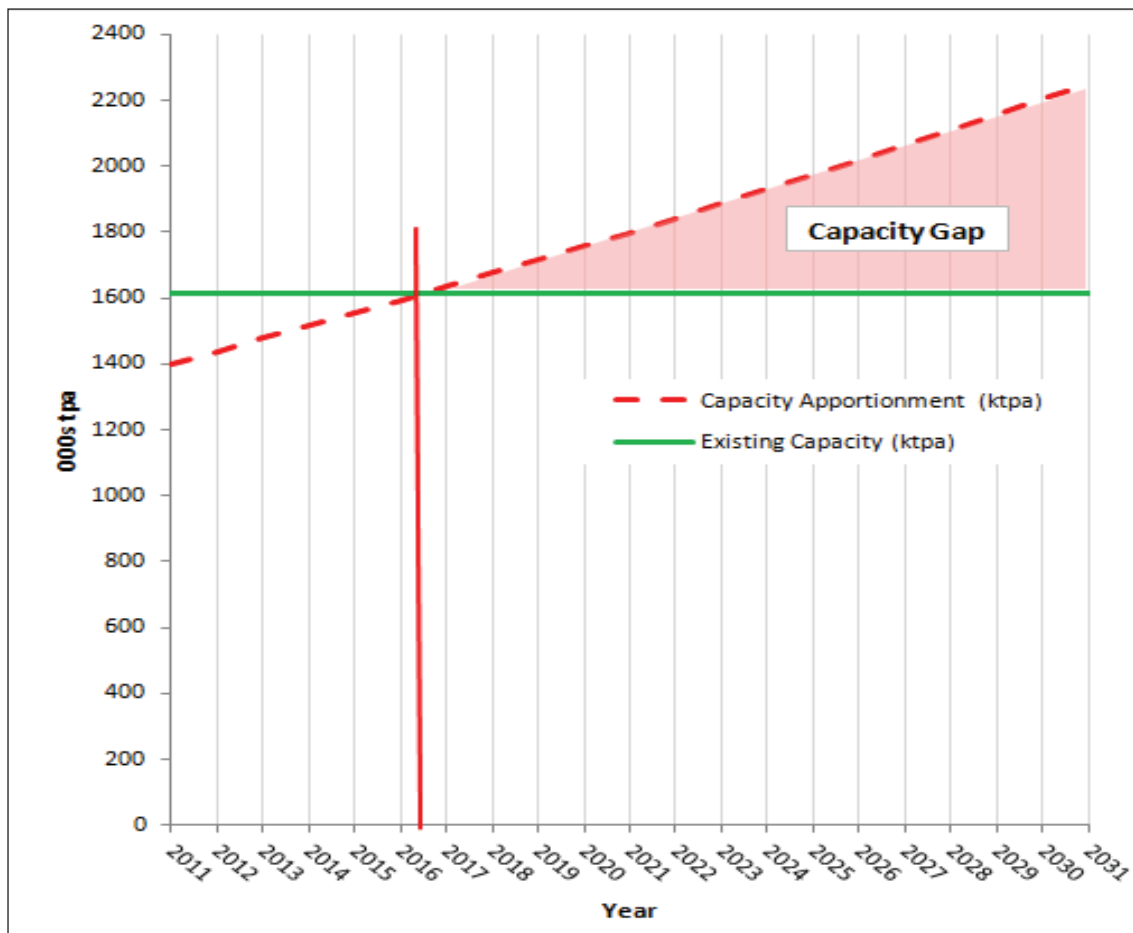
4.2 How much capacity is needed?

London Plan 2011 apportionment

- 4.2.1 The West London Waste Plan is being prepared in accordance with the waste projections and apportionment figures contained in the London Plan (2011). The West London boroughs are not required to meet the individual MSW and C&I waste apportionment figures in the London Plan (2011) separately as long as the total combined apportionment figure is addressed. This will require the delivery of sites and capacity as set out in the Plan.
- 4.2.2 Currently, West London has a range of sites where the management of MSW & C&I waste is taking place. The intention of the Plan is to prioritise the use of the existing sites in West London, including redevelopment of some waste management sites and depots, and then adding some new sites for waste management uses, as necessary.

4.2.3 The current existing waste management capacity (excluding any landfill) in West London is 1.64 million tonnes per annum including both waste processing sites and the recycling undertaken at household waste and recycling centres(see Appendix 1). Subsequently, additional waste management facilities will need to be developed in West London during the Plan period up to 2031 to address the 'gap' between the apportionment target and the waste management capacity that currently exists (see Figure 4-2 below). Table 4-2 below sets out the existing and projected waste management capacity in West London and the additional capacity required to address the apportionment 'gap' for target years.

Figure 4-2 Projected capacity gap (in pink) between London Plan (2011) apportionment and existing capacity



NB vertical red line indicates point at which apportionment exceeds existing capacity

4.2.4 For the six West London boroughs to meet the London Plan (2011) apportionment targets for MSW & C&I waste, additional capacity of 162,000 tonnes by 2021, 383,000 tonnes by 2026 and 614,000 tonnes by 2031 will be needed (see Table 4-2 below). To determine what area of land will be required to provide this additional capacity, an

average capacity of 65,000 tonnes per annum per hectare was used to calculate the amount,²⁰ based on the range of possible processes and their processing intensity.

4.2.5 The London Plan (2011) does not prescribe the specific waste management technologies, their scale, or the number that will need to be implemented across London. Accordingly, the West London Waste Plan also does not take a prescriptive approach to what types of waste management facilities/technologies are required. This approach allows for innovation in the management of waste to be incorporated into proposed development in West London.

4.2.6 The land required to meet the apportionment capacity gap is also displayed in Table 4-2 below. This shows that by 2031, West London boroughs will need to have an additional 9.4 hectares of land available for waste management.

Table 4-2: West London Capacity Requirements for Target Years based on the London Plan (2011)

	2011	2016	2021	2026	2031
Apportionment (tonnes per annum)	1,477,000	1,595,000	1,798,000	2,019,000	2,250,000
Total existing waste management capacity (tonnes per annum)²¹	1,636,000	1,636,000	1,636,000	1,636,000	1,636,000
Additional capacity required to meet the apportionment (tonnes per annum)	0	0	162,000	383,000	614,000
Land required to address the capacity gap (hectares)	0	0	2.5	5.9	9.4

4.2.7 To meet this land requirement, six existing waste sites (accounting for 10.28 hectares) have been identified as suitable and available for redevelopment. An additional 5.03 hectares of land currently not developed for waste management use has also been identified as suitable and deliverable (see Section 5 for details of the sites).

4.2.8 Overall, it is thus estimated that within West London there are at least 15.31 hectares of land suitable and deliverable for development for additional waste related uses. This exceeds the notional land requirements of the London Plan (2011) apportionment targets and creates some flexibility in the Plan should some sites not come forward for development during the lifetime of the Plan. Annual monitoring of the Plan will help assure that provision of capacity remains sufficient for the Plan period.

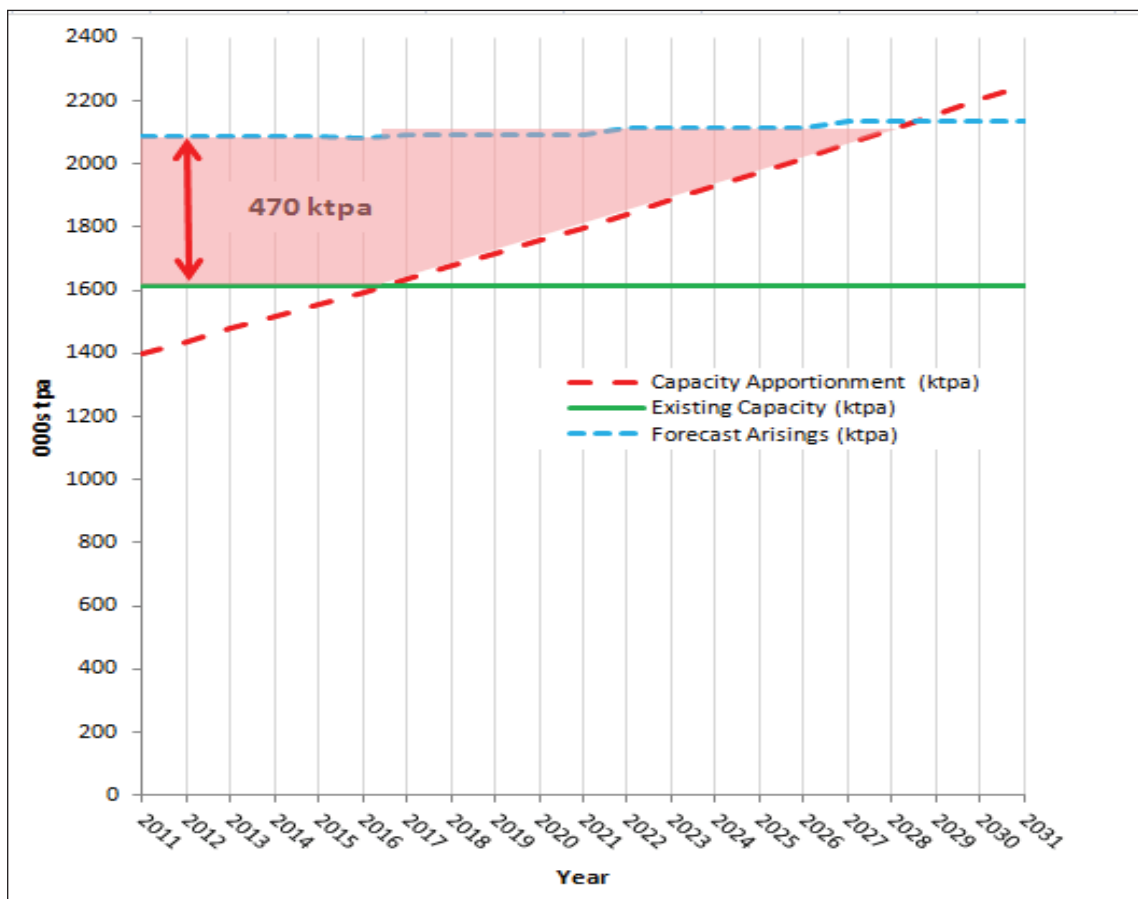
²⁰ Calculations based on 'Table 4A.7 - throughput and land take of different types of facilities' from the London Plan (2008) and further discussions and agreement with the GLA in 2013.

²¹ This assumes that existing capacity remains constant via the operation of the safeguarding policy

Providing for the Plan area waste before net self sufficiency is achieved

4.2.9 PPS10 has a stated expectation that development plan documents should make provision for all waste arising within the Plan area. In this case the London Plan apportionment trajectory only aims for self sufficiency at 2029 (Figure 4 -1 above). Before that date a shortfall of capacity between forecast arisings and existing capacity is indicated if the apportionment targets are met on a progressive basis as suggested by the London Plan. This is illustrated in Figure 4 - 3 below. The pink section shows the theoretical gap were provision to be solely driven by the London Plan trajectory. The maximum amount per annum it represents is around 470,000 tonnes reducing from 2016 when planned provision to meet the apportionment target would start to kick in.

Figure 4-3 Interim capacity gap between existing capacity and arisings as forecast by London Plan (2011)



4.2.10 The following arrangements will operate in the interim. Firstly a long term contract for MSW has been entered into by the WLWA. This will involve the export of up to 300,000 tonnes per annum to an Energy from Waste facility in South Gloucestershire. In addition the WLWA has a contract to supply a minimum annual tonnage of 25,000 tonnes to Lakeside EfW plant until 2014/15 when the tonnage increases to 45,000 tonnes. The following year (2015/16) the tonnage increases to 90,000 tonnes and remains at that level until the final year of the contract in 2034/5. While this export of material to generate energy is not countable towards the apportionment targets under

the terms of the London Plan (2011) it will account for the bulk of the shortfall. In addition around 70,000 tonnes of waste (as refuse derived fuel) may be sent to the Slough Heat & Power facility or exported abroad for energy recovery. So in total 460,000 tonnes per annum are accounted for to address the apparent shortfall. It should be emphasised that these arrangements reflect actual contracts put in place and are not a strategy developed as part of the Plan-making process. However the existence of such long term arrangements catering for significant quantities of West London's waste exist cannot be ignored.

4.3 What kind of facilities will be needed?

- 4.3.1 A range of different waste management facilities may be required to provide for management of waste within West London, including recycling, composting and energy recovery. Modern waste management facilities utilise clean technologies and are subject to stringent regulation and monitoring of their operations and impacts. Innovative design and architecture are important to ensure facilities are acceptable and sensitive to their settings, although many technologies can be housed in industrial building similar in appearance to a warehouse. Appendix 3 to this report gives a brief description of most of the principal waste treatment technologies.
- 4.3.2 It is important that modern methods of dealing with waste are found which also produce value added, usable outputs (including fuel, heat and power). Waste management facilities should be seen positively, as an opportunity rather than a 'bad neighbour', as they can be co- located with developments and industry to provide heat, power and other beneficial products potentially attractive to industrial, commercial and residential developments.
- 4.3.3 The West London Waste Plan identifies sites for general waste management use and sets out policies to ensure development is suitable for the site and its surrounding land uses. The Plan is designed to be flexible to allow for developments and improvements in waste management technologies and the changing habits of consumers and waste producers. Any planning application for additional waste management capacity will be considered against the West London Waste Plan policies and other relevant policies and material considerations and be subject to public consultation.

4.4 Construction, Demolition and Excavation Wastes

- 4.4.1 Construction, Demolition and Excavation (CD & E) waste is a large waste stream within London, although it is not included within the London Plan (2011) apportionment target assigned to boroughs. Work undertaken in support of the Plan²² has established that the Plan Area has sufficient permitted capacity for this waste stream meaning that the Plan area is already achieving net self sufficiency and that the London Plan (2011) city-wide targets are close to being met. This is expected to continue into the future and accordingly no allocations are made in this plan for facilities dealing specifically with such wastes. The preference in West London is to ensure more on-site recycling and

²² CDEW Baseline, Forecast & Target Setting Paper Final Issue v1.0 27.02.14, BPP Consulting

re-use takes place in accordance with Policy 5.18 of the London Plan (2011) and by using Policy WLWP 5 whilst ensuring that boroughs monitor the types and capacities of waste management facilities developed against any new waste arising data that is produced.

4.5 Hazardous Wastes

- 4.5.1 Policy 5.19 of the London Plan (2011) states that the Mayor will prepare a Hazardous Waste Strategy for London and will work in partnership with the boroughs, the Environment Agency, industry and neighbouring authorities to identify the capacity gap for dealing with hazardous waste and to provide and maintain direction on the need for hazardous waste management capacity. This policy also directs that existing hazardous waste sites should be safeguarded unless compensatory provision is made. In January 2014 the Mayor released a report²³ to help inform London's hazardous waste management capacity requirements and planning policy for the next iteration of the London Plan (FALP), due for publication (adoption) in 2015. This study is a non-statutory document and sets out the Mayor's understanding of London's hazardous waste management arrangements.
- 4.5.2 Work undertaken in support of the Plan²⁴ has established that the Plan area has a moderate level of capacity for this waste stream with a number of sites managing hazardous waste within the Plan area. Other flows have been tracked with the general finding being that waste of this type travels within 1.5 hours of the Plan area for treatment. These flows are subject to further investigation under the Duty to Co-operate requirements but it is not anticipated that a substantial local need for new capacity will be identified. The West London Waste Plan therefore makes no specific provision for hazardous wastes although that element from MSW and C&I streams is accounted for in the apportionment. Planning applications for new hazardous waste facilities will be determined in the same way as applications for all waste management facilities and the capacity of hazardous waste facilities will be monitored closely to establish whether additional provision is required at a later date.

²³ *London's Hazardous Waste A Report For The Mayor Of London, January 2014*

²⁴ *Estimate of Baseline, Forecast, Management & Flows for Hazardous Waste Arising in west London Final issue v1.0 27.02.14, BPP Consulting*

5 The Sites

- 5.1.1 In accordance with the criteria outlined in PPS10, the West London Waste Plan identifies 8 sites which it considers will ensure adequate waste management provision for the lifetime of the Plan. The sites have been subjected to a detailed evaluation and assessment which is summarised in an accompanying report on the site selection process²⁵. A description of the sites proposed for allocation is included in Appendix 5.
- 5.1.2 The Plan identifies 15.31 hectares considered to be suitable and available on existing and new sites for future waste management located as per Figure 5-1 below. Table 5-1 sets out existing sites capable of redevelopment to expand existing capacity, while Table 5-2 refers to additional sites that may be developed for waste management purposes. Maps showing the location of the sites and their boundaries are also provided.
- 5.1.3 In order to retain flexibility and avoid stifling innovation, the Plan does not dictate which type of waste management technology could be developed in which location. Any proposal for development at any of the allocated sites will be considered against its consistency with all the policies of this Plan, as well as other policies included in the wider development plan for that area at that time. This means that it is possible that detailed assessment may reveal that certain types of proposal may not prove to be acceptable in certain locations as their predicted impacts on the surroundings cannot be adequately mitigated. However all the allocated sites have been assessed as broadly suitable for the development of additional waste management capacity that would count towards meeting the London Plan apportionment.

²⁵ WLWP Site Selection and Assessment Process – Summary Report February 2014 - <http://www.wlwp.net/documents.html>

Figure 5-1: Location Plan showing all allocated sites (Policies Map)

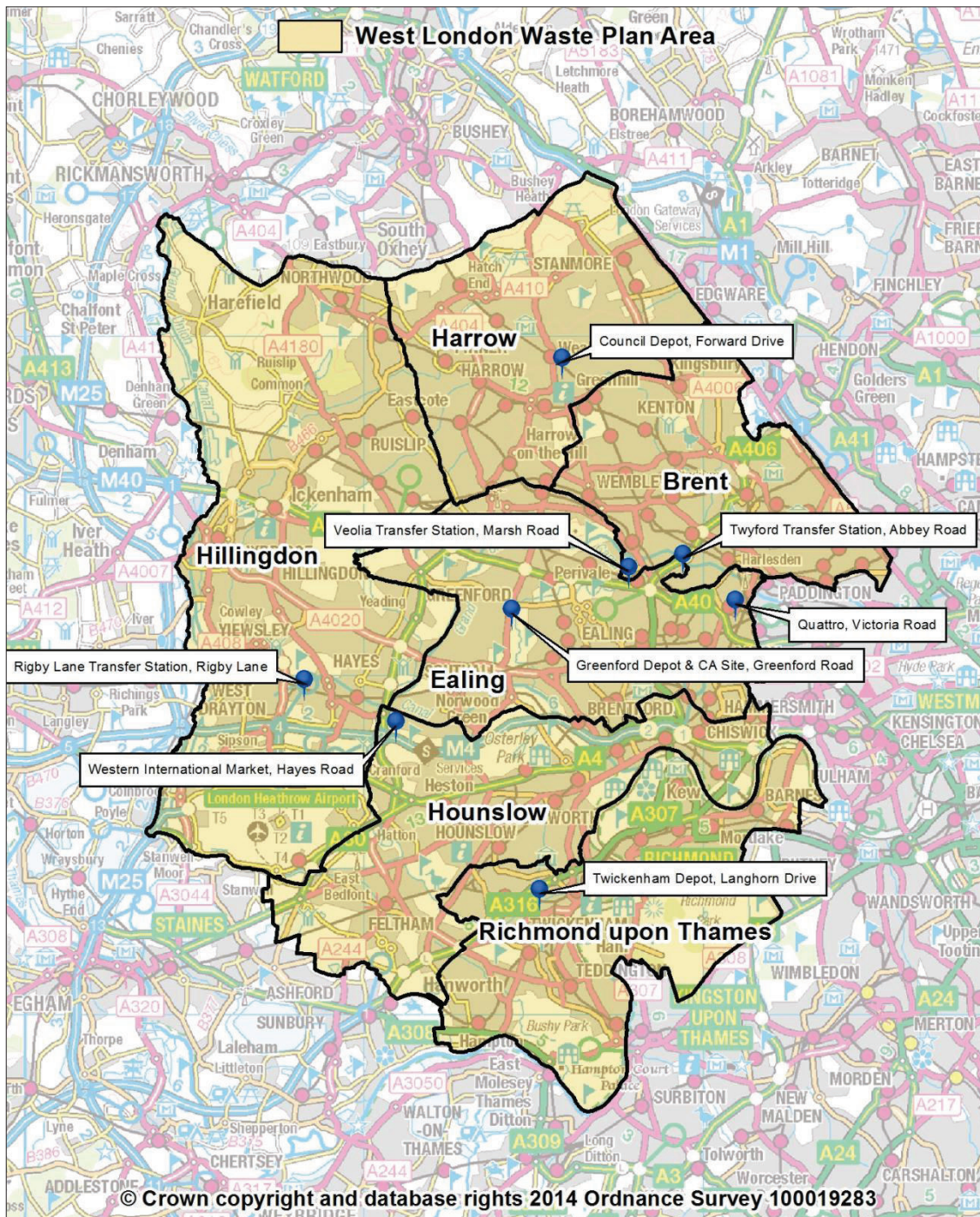


Table 5-1: Existing waste sites considered to have potential for redevelopment²⁶

Site Number	Description	Site Type	Site Area (ha)	Borough
352	Twyford Waste Transfer Station	Transfer Station	1.24	Brent
1261	Veolia Transfer Station, Marsh Road	Transfer Station	2.71	Brent
309*	Greenford Reuse & Recycling Site	Transfer Station	1.78	Ealing
310*	Greenford Depot, Greenford Road	Depot Facility		
328#	Quattro, Victoria Road, Park Royal	Transfer Station	0.97	Ealing
331	Rigby Lane Waste Transfer Station	Transfer Station	0.91	Hillingdon
342	Twickenham Depot	Depot Facility	2.67	Richmond
Total			10.28	

*These two sites are contiguous and part of a larger site: for the purposes of the Plan, they are considered a single consolidated site

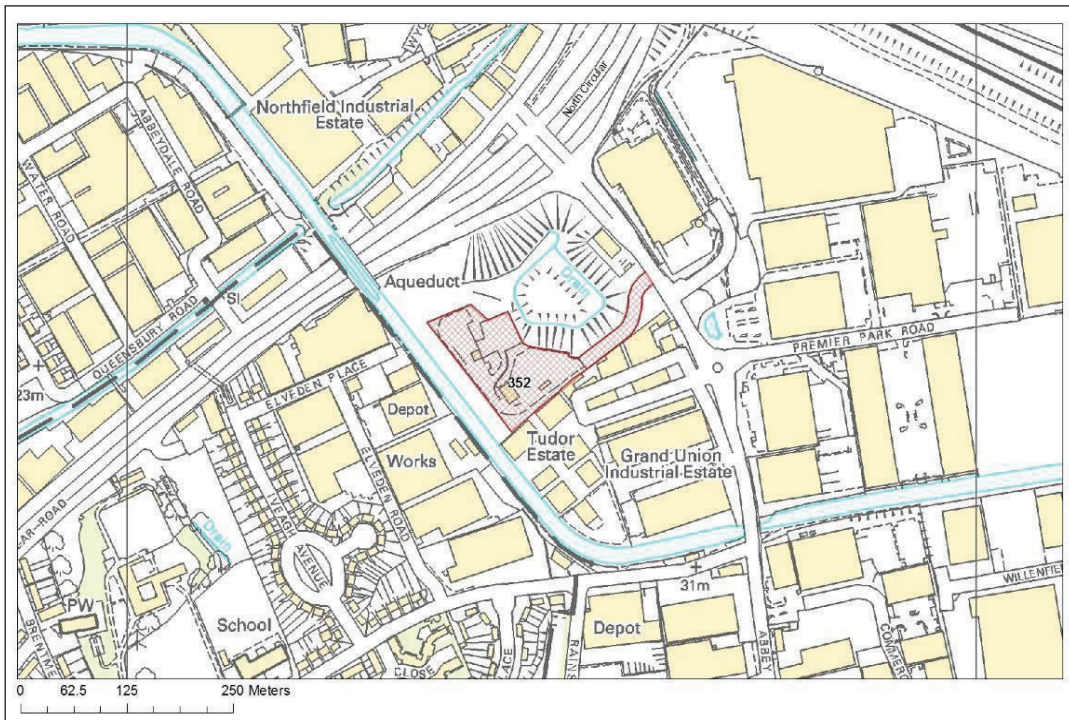
This site is subject to an HS2 Safeguarding Direction and will not be available from 2017 until 2024

High Speed 2 (HS2)

- 5.1.4 It should be noted that one of the sites proposed for allocation - Quattro at Victoria Road - has been identified by HS2 Ltd as requiring safeguarding under the HS2 Safeguarding Direction. This means that if HS2 proceeds it will only become available from 2024 for waste management uses, following its use to host a construction compound. The site has been included to provide a contingency capacity for the latter period of the Plan although it is not essential to meeting the apportionment targets of the London Plan (2011).

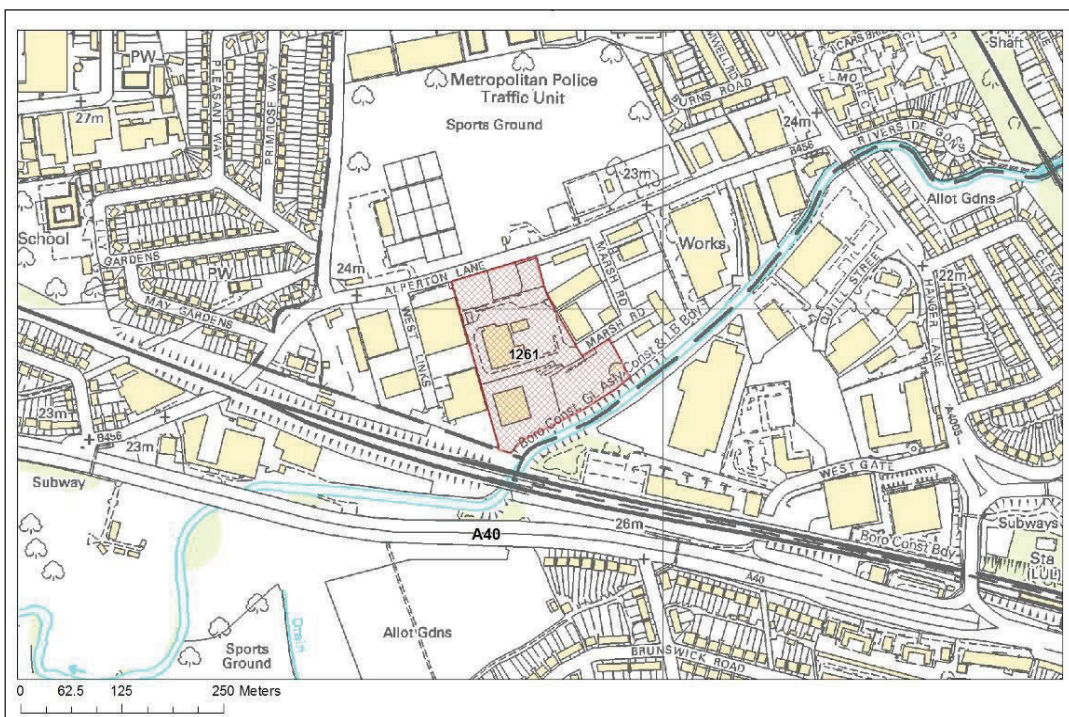
²⁶ 'Redevelopment' means changing existing waste management arrangements such that an increase in the site's recovery capacity is achieved.

Site 352 Twyford Waste Transfer Station, Abbey Road, Brent



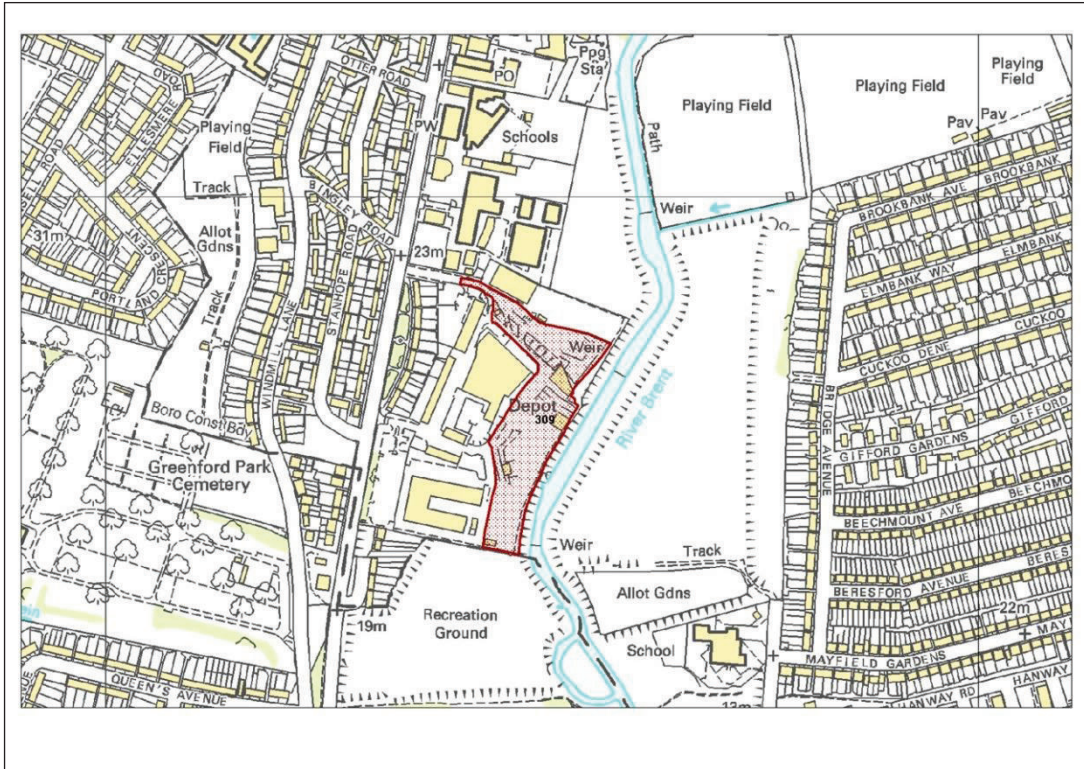
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Site 1261 Veolia Transfer Station, Marsh Road, Alperton, Brent



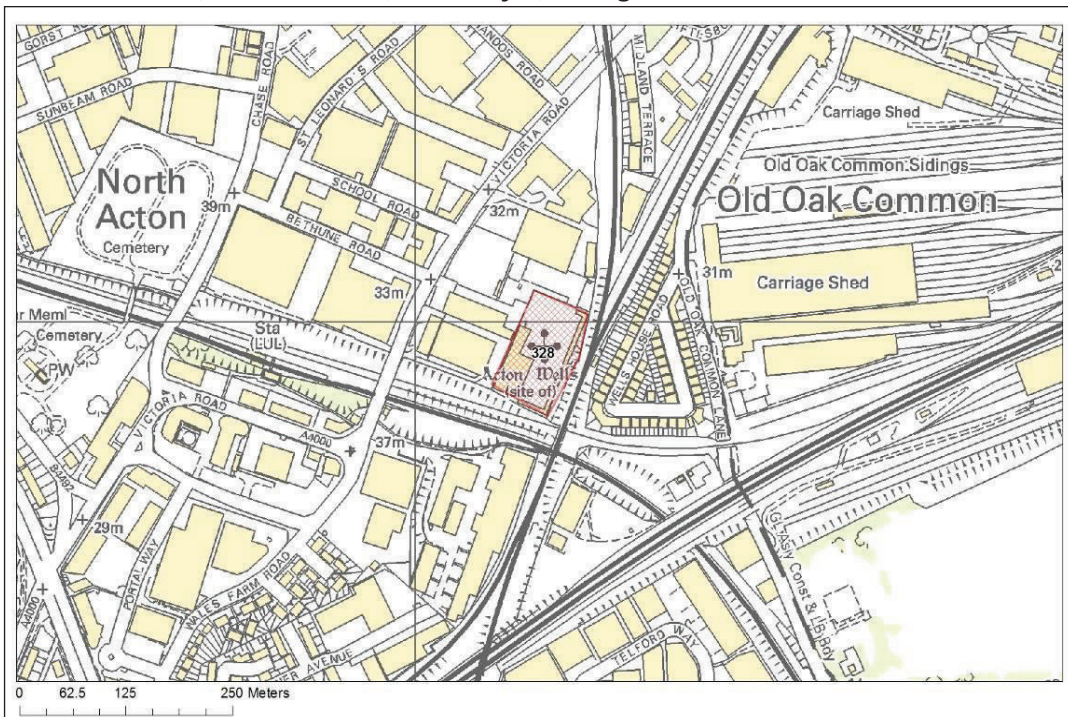
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Site 309 Greenford Reuse & Recycling Site & Site 310 Greenford Depot, Greenford Road, Greenford, Ealing



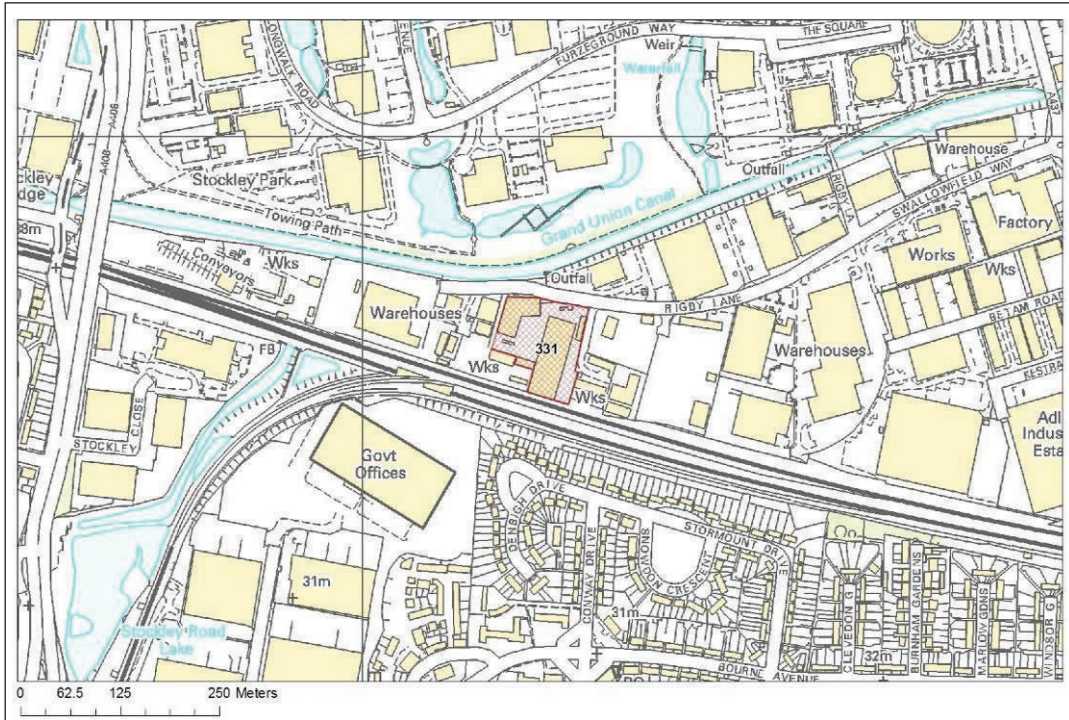
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Site 328 Quattro, Victoria Road, Park Royal, Ealing



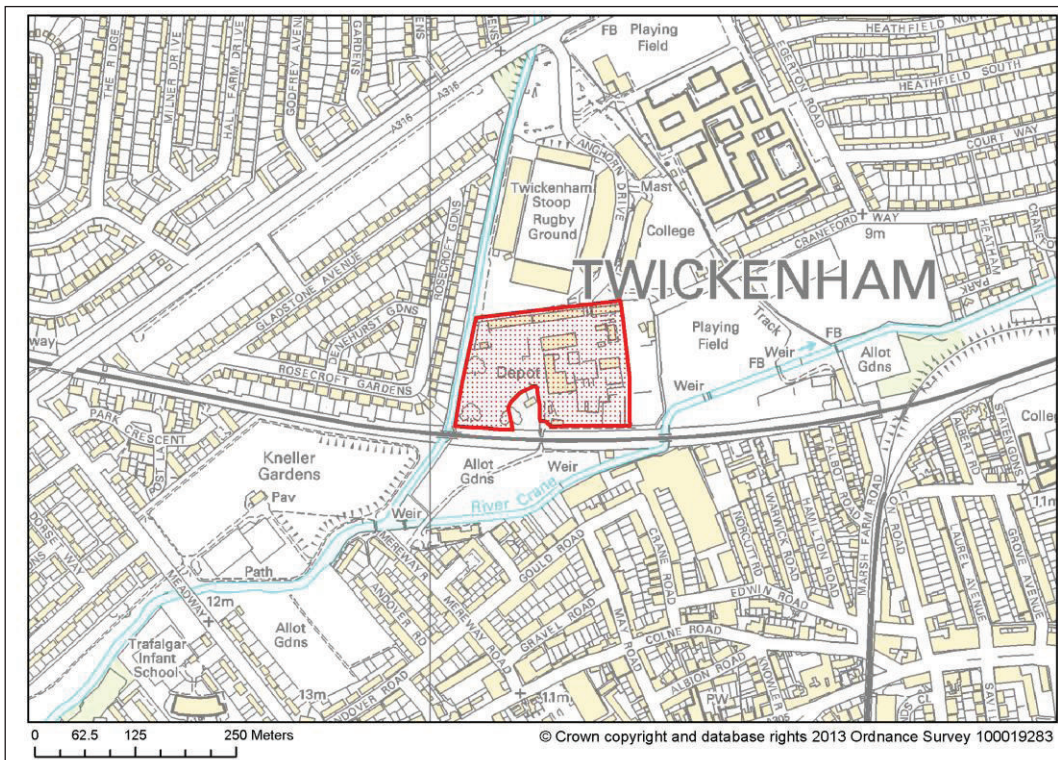
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Site 331 Rigby Lane Waste Transfer Station, Hayes, Hillingdon



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Site 342 Twickenham Depot, Langhorn Drive, Twickenham, Richmond

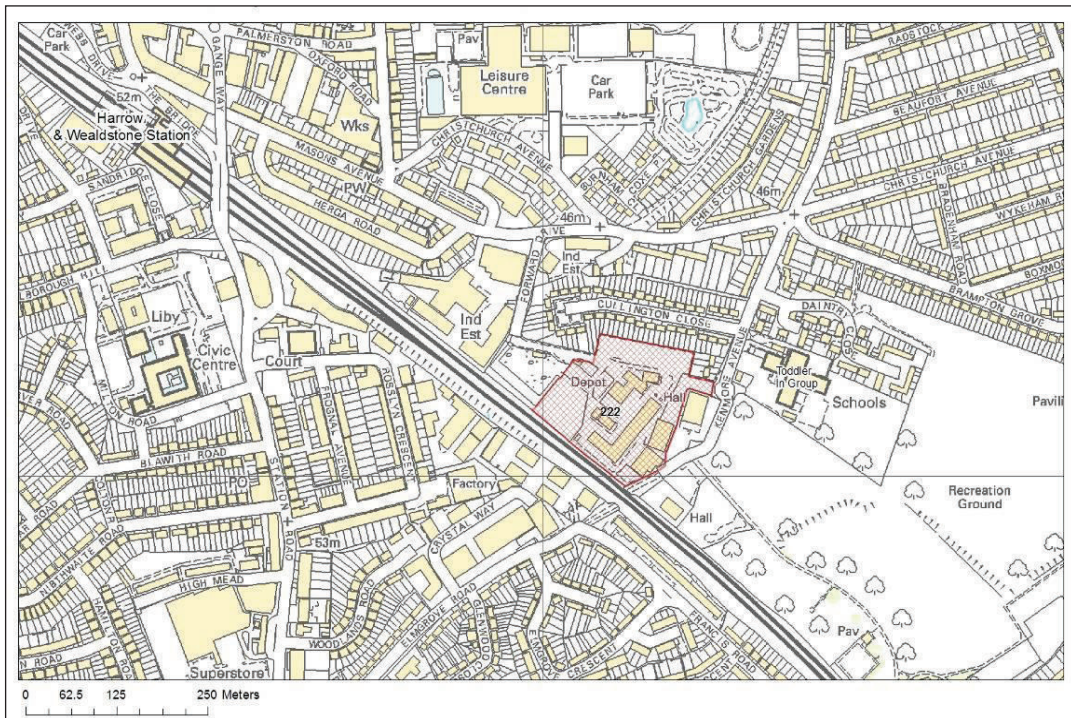


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Table 5-2: Additional sites with opportunity for developing waste facilities

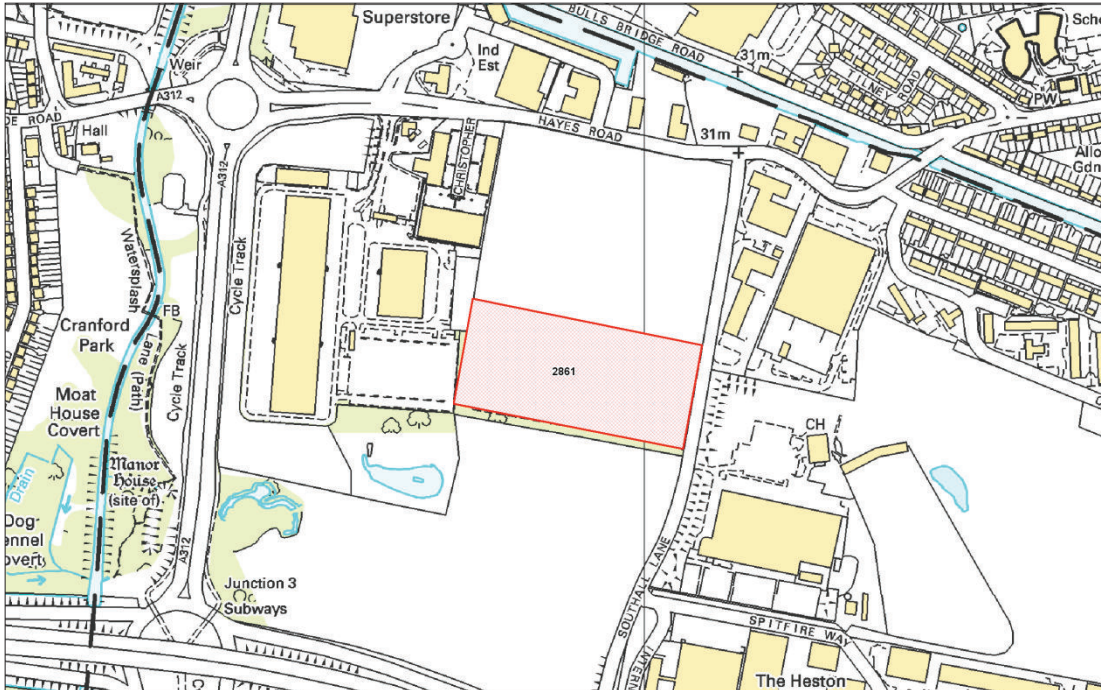
Site Number	Site Name	Site Area (ha)	Borough
222	Council Depot, Forward Drive	1.83	Harrow
2861	Western International Market	3.20	Hounslow
Total		5.03	

Site 222 Council Depot, Forward Drive, Harrow



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Site 2861 Western International Market, Hayes Road, Southall, Hounslow



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6 West London Waste Plan Policies

6.1 Policy WLWP 1 – Safeguarding and Protection of Existing and Allocated Waste Sites

Policy WLWP 1 – Safeguarding and Protection of Existing and Allocated Waste Sites

Land accommodating existing waste management uses in West London will be protected for continued use for waste management, together with waste transfer and civic amenity sites required for the delivery of the West London Waste Authority's (WLWA) Municipal Waste Strategy.

Existing sites which have been allocated as having the potential for capacity expansion by redevelopment (Table 5-1) and new sites with potential for development for waste management facilities (Table 5-2) will also be safeguarded.

To ensure no loss in existing capacity, re-development of any existing waste management sites must ensure that the quantity of waste to be managed is equal to or greater than the quantity of waste which the site is currently permitted²⁷ to manage, or that the management of the waste is being moved up the waste hierarchy.

Development for non-waste uses will only be considered on land in existing waste management use, or land allocated in Table 5-2 if compensatory and equal provision of capacity for waste, in scale and quality, is made elsewhere within the West London boroughs.

- 6.1.1 A list of all the sites that are in existing waste management use in the West London boroughs can be found in Appendix 1. These safeguarded sites form an essential resource for dealing with all waste streams within the Plan area and protection of these sites minimises the need for any additional sites and so they are all safeguarded. This also ensures general conformity with Policy 5.17 G (a) and para 5.82 of the London Plan (2011). Policy WLWP2 provides support for waste development proposals on existing sites.
- 6.1.2 The sites in Table 5.1 are those existing sites that are considered to have particular potential for redevelopment for future waste capacity expansion, including alternative forms of waste management that could result in waste moving up the hierarchy. Table 5.2 contains the list of additional new sites that are allocated in the Plan for future waste

²⁷ "permitted" = granted planning permission

management facilities. The protection of these sites is required to ensure the West London boroughs' pooled apportionment targets are met and thereby demonstrate general conformity with the requirement of the London Plan (2011).

6.2 Policy WLWP 2 – Location of Waste Development

- 6.2.1 To ensure conformity with the London Plan (2011), the Plan identifies 15.31 ha of land for the development of waste management facilities to meet the pooled apportionment for the six west London boroughs up to 2031.
- 6.2.2 All existing waste management sites in the six boroughs, allocated existing sites with potential for redevelopment, and new allocated sites are safeguarded for waste management uses under this Plan, unless an equal and compensatory suitable, acceptable and deliverable site can be provided, or there is an appropriate level of movement up the waste hierarchy.
- 6.2.3 The Plan identifies the safeguarded existing sites and proposed sites considered appropriate and suitable for waste management use as set out in Table 5-1 and Table 5.2. Policy WLWP 2 sets out the key criteria against which planning applications for waste management facilities will be determined.
- 6.2.4 Policy WLWP 2 also sets out the circumstances under which development proposed on unallocated or new sites may also come forward. Developers must demonstrate that it cannot be delivered on existing or allocated sites by considering:
- The availability of land required for the development including the landowner's consent; or
 - The (un)suitability of each of the allocated sites for the type of development being proposed (when considered against the policies of this Plan)
- 6.2.5 Furthermore such proposals will only be considered if:
- a) development of the allocated sites has taken place and there is still a need for such development to meet the London Plan apportionment; or
 - b) the allocated sites have not been developed in a timely fashion and such development is considered to be unlikely.
- 6.2.6 Assessments of ongoing requirements for capacity to meet the London Plan apportionment will take account of the most recent monitoring of the implementation of the Plan.

Policy WLWP 2 – Location of Waste Development

Waste development proposals on existing waste management sites and the sites listed in Table 5-2 will generally be supported, provided that the proposals comply with the other WLWP policies and the boroughs' adopted development plans.

Waste development on other sites may be permitted if the proposals comply with the other WLWP policies and the boroughs' adopted development plans, and:

- a. It can be demonstrated that the development is not suitable for, or cannot be delivered at any existing waste management sites, and the sites listed in Table 5-2; and
- b. In the case of facilities proposed for the management of MSW and C&I waste, identified sites in Tables 5-1 and 5-2 have not come forward and it can be demonstrated that there is a shortfall in the waste management capacity required to meet the boroughs' joint apportionment target; and
- c. There is no adverse cumulative effect, when taken together with existing waste management facilities, on the well-being of the local community, including any significant adverse impacts against the WLWP sustainability objectives; and
- d. The proposed site meets the criteria set out in the subsequent WLWP Policies where applicable.

6.3 Policy WLWP 3 – Ensuring High Quality Development

6.3.1 Modern waste management facilities should bring a benefit to the community and environment. Policy WLWP 3 provides a range of criteria to ensure developers consider and mitigate the impacts of their development on the environment, the community and the appearance of the local area. Developments should also comply with any borough Local Plans, Development Management Policy documents, Site Allocations and Area Action Plans.

6.3.2 As a general principle, all waste management developments will be expected to complement the surrounding area and act as a good neighbour to all existing and proposed uses on neighbouring land and in the vicinity²⁸.

6.3.3 Noise, litter and all other emissions must be adequately controlled so as not to cause any adverse impact on the surrounding area. Developers will be expected to submit

²⁸ Proposed uses are those which have been granted planning permission and those set out in adopted DPDs.

details of proposed control measures with any planning application. Where proposals involve operations which could result in fugitive emissions (e.g. noise, dust, litter etc.) there is an expectation that such operations will be properly contained and normally this will be achieved by enclosing operations within a building.

- 6.3.4 Developers will be expected to have actively considered innovative and sustainable design approaches to ensure that the development is in accordance with best practice and complements the local area in terms of topography, landscape and setting. Where necessary a Design and Access statement should be submitted to set out matters which include how the facility complements the local area and ensure that there is no significant effect on existing transport facilities, Public Rights of Way, or public safety.
- 6.3.5 Where sites include, or are likely to have an impact on the setting of a heritage asset, including archaeology, it should be demonstrated that the development will conserve the asset. Where the site has potential to include assets with archaeological interest, such as if it is in an archaeological area identified in a local plan or may affect a site recorded on the Greater London Historic Environment Record, an appropriate desk based assessment and where necessary, a field evaluation, will be required to accompany the planning application. Where such assessment and evaluation confirms a significant archaeological interest then appropriate mitigation by design or investigation will also be required.
- 6.3.6 The road network within West London is often congested and therefore proposals must demonstrate active consideration of transport modes other than by road. There must not be any significant or unacceptable adverse impacts on the local road network or other road users, in terms of congestion or parking associated with the development. Proposals should demonstrate that adequate parking for all vehicles is available on site.
- 6.3.7 If the proposed waste management development is required to have an Environmental Impact Assessment, then a Health Impact Assessment is also required.
- 6.3.8 The management of waste in accordance with the waste hierarchy is a key element of European, national and regional policy. The West London boroughs support the increased management of wastes as far up the hierarchy as possible and each of the six boroughs has a commitment to waste minimisation and recycling/reuse. Waste minimisation is also an important issue to the residents and community within West London.

- 6.3.9 The West London boroughs support the use of local, reclaimed, renewable, recycled and low environmental impact materials in construction and estate management. Their details should be considered and included within the sustainable design and construction statement. Materials should be sourced from within 100km from the site, where available and appropriate.
- 6.3.10 Development should not exacerbate flood risk and should take place in accordance with the Environment Agency's policies on the protection of groundwater.

Policy WLWP 3 – Ensuring High Quality Development

All waste development proposals will be required to demonstrate, for both the construction and operational phases of the development, that:

- a. Development will be permitted only where it can be shown that unacceptable impact to local amenity will not arise from the construction and operation of a facility;
- b. Adequate means of controlling noise, vibration, dust, litter, vermin, odours, air and water-borne contaminants and other emissions are incorporated into the scheme²⁹;
- c. The development is of a scale, form and character appropriate to its location and incorporates a high quality of design, to be demonstrated through the submission of a Design and Access statement³⁰;
- d. Active consideration has been given to the transportation of waste by modes other than road, principally by water and rail;
- e. Transport directly and indirectly associated with the development will not exceed the capacity of the local road network or result in any significant adverse impact on the amenities of the area. Where necessary, this is to be demonstrated by a Transport Impact Assessment;

²⁹ Where necessary, this is to be demonstrated through the submission of a noise, air, odour and vibration surveys, impact assessments and proposed mitigation measures

³⁰ Not all developments will need a Design and Access Statement - the need for such a statement is specified in legislation and reflected in local validation lists

- f. The development makes a positive contribution to climate change adaptation and mitigation to be demonstrated through the submission of a Sustainable Design and Construction statement;
- g. An appropriate BREEAM³¹ or CEEQUAL³² rating will be achieved in order to comply with any adopted borough Development Plans;
- h. The development has no significant adverse effects on local biodiversity and it can be demonstrated that there will be no significant adverse impacts or effects on the integrity of an area designated under the “Habitats Directive”;
- i. There would not be a significant impact on the quality of surface and groundwater. The development incorporates the principles of Sustainable Drainage Systems (SUDS) unless evidence is provided to justify alternative drainage methods;
- j. There will be no increased flood risk, either to the immediate area or indirectly elsewhere. Where necessary, this is to be demonstrated by a Flood Risk Assessment;
- k. Green Travel Plans have been considered, where appropriate.
- l. The site does not contain features, or will not have a significant adverse effect on any heritage assets such as conservation areas, archaeological sites, listed buildings etc;
- m. There is no foreseeable adverse impact on health, and where necessary this is to be demonstrated by a Health Impact Assessment.

In addition:

- n. Adjacent development proposals which would prevent or prejudice the use of safeguarded sites for waste purposes will be resisted unless suitable alternative provision is made.
- o. Applications shall provide details of the management arrangements for residues arising from any waste management facility.

³¹ BREEAM: Building Research Establishment Environmental Method – an established method of assessing, rating and certifying the sustainability of buildings. www.breeam.org

³² CEEQUAL: Civil Engineering Environmental Quality Assessment and Award Scheme – a UK industry evidence scheme for assessing environmental and sustainability performance in civil engineering, infrastructure, landscaping and public realm projects. www.ceequal.com

6.4 Policy WLWP 4 – Decentralised Energy

- 6.4.1 New waste management and recycling methods can offer more efficient use of resources than existing waste management methods. Waste management facilities can also contribute to the provision of decentralised energy by providing heat and power for use in domestic and industrial processes.
- 6.4.2 The London Plan (2011) and emerging national planning policy guidance encourages boroughs to take opportunities for the development of combined heat and power technologies.

Policy WLWP 4 – Decentralised Energy

All waste management facilities that are capable of directly producing energy or a fuel must secure, where reasonably practicable:

- a. The local use of any excess heat in either an existing heat network or through the creation of a new network;
- b. The use of biogas/syngas in Combined Heat and Power facilities, either directly through piped supply or indirectly through pressurisation and transport;
- c. The use of any solid recovered fuel in Combined Heat and Power facilities or as a direct replacement for fossil fuels in London; or
- d. Any other contribution to decentralised energy in London.

Where it is demonstrated that the provision of decentralised energy is not economically feasible or technically practicable, the development shall not preclude the future implementation of such systems.

Energy from waste facilities will only be considered where it can be demonstrated that they qualify as a recovery facility as defined in the Waste Framework Directive.

6.5 Policy WLWP 5 – Sustainable Site Waste Management

- 6.5.1 The management of waste in accordance with the waste hierarchy is a key element of European, national and regional policy. The West London boroughs support the increased management of wastes as far up the hierarchy as possible and each of the six boroughs has a commitment to waste minimisation and recycling/reuse. Waste minimisation is also an important issue to the residents and community within West London.

- 6.5.2 The West London boroughs support the use of local, reclaimed, renewable, recycled and low environmental impact materials in construction and estate management. Their details should be considered and included within the sustainable design and construction statement and the Site Waste Management Plans. Materials should be sourced from within 100km from the site, where available and appropriate.

Policy WLWP 5 – Sustainable Site Waste Management

To encourage sustainable waste management, waste management developments will be permitted where it can be demonstrated that:

- a. At least 10% of the materials or products used in the construction and/or operation of the development are re-used or recycled and sourced from within 100km from the site;
- b. Construction, demolition and excavation wastes are reused or recycled on site, where practicable and environmentally acceptable; and
- c. Site Waste Management Plans are comprehensive and capable of being delivered.

6.6 Policy WLWP 6 – National Planning Policy Framework: Presumption in Favour of Sustainable Development

- 6.6.1 The National Planning Policy Framework 2012 introduced the presumption in favour of sustainable development which applies to waste development.

Policy WLWP 6 – National Planning Policy Framework: Presumption in Favour of Sustainable Development

When considering development proposals, boroughs will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. They will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this waste plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the borough will grant permission unless material considerations indicate otherwise – taking into account whether:

- a. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or
- b. Specific policies in the NPPF indicate that development should be restricted.

7 Monitoring of the West London Waste Plan

7.1 Monitoring Mechanisms and Proposed Indicators

7.1.1 Once the West London Waste Plan is adopted, the implementation and effectiveness of its policies will be reported each year in each of the boroughs' Authority Monitoring Reports. Monitoring will involve the collation of data to check progress against the Plan's objectives and implementation of the Plan's policies. For example, this mechanism will enable the West London boroughs to compare quantities of waste actually produced with those forecast and to monitor development on the sites identified in the Plan. The boroughs will then consider whether the allocation of sites is sufficient and whether the Plan needs reviewing and updating.

7.1.2 The proposed indicators to be used to report progress for each borough and the six combined West London boroughs include:

- Quantity of each type of waste produced;
- Capacity (maximum permitted throughput in tonnes per annum) of new waste management facilities given planning permission in the previous year:
 - separately for MSW, C&I and CD&E
 - recycling and composting
 - other recovery
 - landfill;
- Additional waste management capacity (maximum permitted throughput in tonnes per annum) on:
 - sites allocated within the West London Waste Plan, and
 - non-allocated sites;
- Loss of capacity on:
 - sites identified as contributing to the London Plan (2011) apportionment
 - other sites;
- The quantity (maximum permitted throughput in tonnes per annum) of consented capacity that is actually active in any given year - active being accepting waste;
- The quantity (maximum permitted throughput in tonnes per annum) of consented capacity that is under construction in any given year;

- The quantity of municipal waste (tonnes) managed in the following ways:
 - Re-use;
 - recycling and composting;
 - other recovery;
 - landfilled (showing whether management took place within or beyond the Plan area, where known);
- Comparison of municipal and commercial & industrial waste that is recovered compared with the apportionment targets set out in the London Plan (2011). This should show whether management took place within or beyond the Plan area (where known);
- Tonnage of construction, demolition and excavation waste managed, showing management method and whether management took place within or beyond the Plan area (where known);
- The quantity of recycled aggregates produced (in the Plan area);
- Tonnage of hazardous waste produced and managed, showing if management took place within or beyond the Plan Area;
- Amount of energy produced and delivered using waste as a fuel source; and
- Other indicators that may be decided to measure performance against policies and/or the Sustainability Indicators set out in the Sustainability Appraisal.
- the number of sites consented that offer non-road transport options, the number of those sites where such options have been implemented and the total tonnage transported through non-road options where known.

7.1.3 Where monitoring identifies that there is a major failure to meet the targets for waste management within the Plan area the six West London boroughs will seek to identify the reasons why this is occurring and take effective management measures to rectify any problems that may put delivery of the Plan’s strategy at risk.

7.1.4 Table 7-1 indicates how the policies of the Plan will be monitored.

Table 7-1 – Monitoring programme for the West London Waste Plan

WLWP Policy	Indicator	Reason	Delivery	Delivery Agency
Policy WLWP 1 & 2	Number and capacity of safeguarded sites and amount of any compensatory land	To ensure no loss of waste capacity in the West London area	The planning process	Local Authorities Waste industry

WLWP Policy	Indicator	Reason	Delivery	Delivery Agency
	provided			Developers
Policy WLWP 3	Number, type and capacity of waste facilities approved and completed at safeguarded sites and new identified sites Impact of new sites measured using: 1. Number of sites failing to comply with any relevant environmental permit 2. Number of enforcement complaints breaches of conditions 3. Negative impact/damage to heritage asset or setting	Compliance with sequential policy approach To ensure adequate waste capacity is being provided To ensure sites are not causing harm to the environment or communities including heritage assets.	The planning process and combined private and public initiative to provide waste management developments	West London Waste Authority Waste industry
Policy WLWP 4	Amount of energy produced and delivered	To ensure compliance with the aims of the London Plan (2011) and prescribed carbon savings	Through the planning and permitting process.	Local Authorities Waste industry Developers
Policy WLWP 5	Amount of construction waste sent to landfill	To monitor progress towards Plan strategy of zero waste to landfill.	Use of Site Waste Management Plans; monitoring and enforcement of these and planning conditions	Developers West London Boroughs
Policy WLWP 6	The success of the implementation of Policy 6 will be dependent on the success of implementation of all other policies	To ensure compliance with the NPPF	Through the planning process	Developers West London Boroughs

7.2 Review of the West London Waste Plan

7.2.1 The Plan will be reviewed at least every five years following its adoption. In part this is to ensure that the Plan is still meeting the apportionment requirements of the London Plan (2011) and to take into account any changes to waste management capacity and the need for the identified sites.

8 Glossary

Term/Acronym	Definition
Anaerobic Digestion (AD)	A process whereby biodegradable material is broken down in the absence of air (oxygen). Material is placed into a closed vessel and in controlled conditions it breaks down into digested material and biogas.
Apportionment	Please see 'London Plan (2011) Apportionment'.
Area Action Plan	Type of Local Development Document focused on a specific location or area which guides development and improvements. It forms one component of a Local Plan.
Autoclave	A method of sterilisation. Waste is loaded into a rotating sealed cylinder and the biodegradable fraction of this waste is then broken down by steam treatment into a homogeneous 'fibre'.
Biodegradable	Biodegradable materials are generally organic, such as plant and animal matter. They can be chemically broken down by naturally occurring micro-organisms into simpler compounds. Waste which contains organic material can decompose producing bio-gas (methane) and other by-products.
Biodegradable Municipal Waste (BMW)	Waste from households and similar that is capable of undergoing natural decomposition such as paper and cardboard, garden and food waste. Typically BMW makes up around 68% of residual municipal solid waste (MSW).
Civic Amenity Site (CAS)	Facilities where members of the public can bring a variety of household waste for recycling or disposal. Materials accepted include, for example: paper, plastic, metal, glass and bulky waste such as tyres, refrigerators, electronic products, waste from DIY activities and garden waste. These sites are also known as 'HWRCs' (Household Waste Recycling Centres), or 'RRCs' (Reuse and Recycling Centres).
Climate Change	Regional or global-scale changes in historical climate patterns arising from natural and/or man-made causes that produce an increasing mean global surface temperature.
Clinical Waste	Waste arising from medical, nursing, veterinary, pharmaceutical, dental or related practices, (where risk of infection may be present).
Combined Heat and Power (CHP)	The use of heat (usually in the form of steam) and power (usually in the form of electricity). The heat can be used as hot water to serve a district-heating scheme while power is generally supplied to the National Grid.

Term/Acronym	Definition
Commercial and Industrial Waste (C&I)	Waste arising from business and industry. Industrial waste is waste generated by factories and industrial sites. Commercial waste is waste produced from premises used for the purpose of a trade or business or for sport, recreation or entertainment and arising from the activities of traders, catering establishments, shops, offices and other businesses. Commercial and Industrial waste may, for example, include food waste, packaging and old computer equipment.
Composting	A biological process which takes place in the presence of oxygen (i.e. it is aerobic) in which organic wastes, such as garden and kitchen waste are converted into a stable granular material. This material (compost) can be applied to land to improve soil structure and enrich the nutrient content of the soil.
Construction, Demolition and Excavation Waste (CD&E)	Waste arising from the construction, maintenance, repair and demolition of roads, buildings and structures. It is mostly composed of concrete, brick, stone and soil, but can also include metals, plastics, timber and glass. Generally collected in skips or trucks.
Department for Communities and Local Government (DCLG)	Government department with overall responsibility for, amongst other things, the planning system.
Department for the Environment Food and Rural Affairs (DEFRA)	Government department with national responsibility for waste management policy amongst other things.
Development Management Document	A set of criteria-based policies in accordance with the Local Plan, against which planning applications for the development and use of land and buildings will be considered. Also known as Site Development Policies.
Energy from Waste (EfW)	Energy that is recovered through thermally treating waste. EfW is also used to describe some thermal waste treatment plants.
Energy Recovery	The combustion of waste under controlled conditions in which the heat released is captured to provide hot water and steam (usually) for electricity generation (see also Recovery). For waste sent to energy from waste plants to qualify as recovery they should meet the R1 formula specified in the revised Waste Framework Directive.
Environment Agency (EA)	Environmental regulatory authority formed in 1996, that issues and monitors compliance with environmental permits. Referred to as a 'pollution control authority'

Term/Acronym	Definition
European Waste Catalogue (EWC)	A comprehensive listing of all wastes. Wastes are categorised using a 6 digit code which identifies the source of the waste. For example, EWC code 20.01.01 is paper and cardboard, separately collected from municipal waste, whereas 20.03.01 is mixed municipal waste. The full catalogue can be downloaded from: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:2000D0532:20020101:EN:PDF
Environmental Permit (EP)	A permit issued by the Environment Agency to regulate the operation of a waste management activity. Formerly known as a Waste Management Licence or PPC permit.
Examination	Process presided over by an Inspector appointed by the Secretary of State; this can consist of hearing sessions, or consideration of written representations to consider whether the policies and proposals of the local planning authority's Local Development Documents are sound. Only persons who have made representations seeking change to a Local Development Document at the submission stage are entitled to an oral hearing at the examination.
Gasification	The thermal breakdown of organic material by heating waste in a low oxygen atmosphere to produce a gas. This gas may then be used to produce heat/electricity or as a fuel/feedstock.
Greater London Authority (GLA)	Strategic citywide government for London. It is made up of a directly elected Mayor – the Mayor of London – and a separately elected Assembly – the London Assembly.
Green Belt	A planning designation intended to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns from merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
Green Waste	Organic waste from households, parks, gardens, wooded and landscaped areas such as tree prunings, grass clippings, leaves etc.
Greenhouse Gas	A gas in the Earth's atmosphere that traps heat and can contribute to global warming. Examples include carbon dioxide and methane.
Ha	Hectare (10,000m ² of area, which is equivalent to 2.47 acres).
Habitat Directive Assessment	This is a requirement of the European Habitats Directive. Its purpose is to assess the predicted impacts of plans and projects on internationally designated sites and nature conservation sites.
Hazardous Waste	Waste that has potentially damaging properties which may make it harmful to human health or the environment. It includes materials such as asbestos, fluorescent light tubes and lead-acid batteries. The European Commission has issued a Directive on the controlled management of hazardous waste; wastes are defined as hazardous on the basis of a list created under that Directive.

Term/Acronym	Definition
Heritage Asset	A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).
Household Waste	Waste from homes or other specified premises, including waste taken to household waste recycling centres.
Household Waste Recycling Centre (HWRC)	Facilities to which the public can bring household waste, such as bottles, textiles, cans, paper, green waste and bulky household items/waste for free disposal. Otherwise known as Reuse & Recycling Centres or Civic Amenity Sites.
Incineration	The burning of waste at high temperatures in the presence of sufficient air to achieve complete combustion, either to reduce its volume (in the case of municipal solid waste) or its toxicity (such as for organic solvents). Municipal solid waste incinerators can recover power and/or heat. Incinerators are often referred to as EfW (energy from waste) plants.
Industrial Business Park (IBP)	Strategic employment location designed to accommodate general industrial, light industrial and research and development uses that require a higher quality environment and less heavy goods access than a Preferred Industrial Location.
Inert Waste	Waste that does not decompose or otherwise change.
In-vessel Composting (IVC)	Process to produce compost from green waste combined with food waste.. It is a controlled process and is capable of treating both food and green waste by achieving the required composting temperatures. It is also known as enclosed composting.
Joint Municipal Waste Management Strategy (JMWMS)	The development of a Municipal Waste Management Strategy is a dynamic process and results in a clear framework for the management of municipal waste, and waste from other sectors as appropriate. It sets out how authorities intend to optimise current service provision as well as providing a basis for any new systems or infrastructure that may be needed. The Strategy acts as an up to date, regularly reviewed, route-map for further investment in management of MSW generated in the Plan Area.
Kerbside Collection	Any regular collection of waste/recyclables from premises, including collections from commercial or industrial premises as well as from households.
ktpa	Kilo-tonnes per annum (a kilo-tonne is 1,000 tonnes).
Landfill	The disposal of waste onto and into land, in such a way that pollution or harm to the environment is prevented and, through restoration, to provide land which may be used for another purpose.

Term/Acronym	Definition
Local Development Document (LDD)	Local Development Documents are statutory documents prepared under the Planning and Compulsory Purchase Act 2004, which set out the spatial planning strategy and policies for an area. They have the weight of development plan and are subject to community involvement, public consultation and independent examination.
Local Development Framework (LDF)	LDFs are now referred to as Local Plans. Formerly a portfolio of local development documents that provides the framework for delivering the spatial planning strategy and policies for an area.
Local Development Scheme (LDS)	A document setting out the local planning authority's intentions for its Local Development Framework; in particular, the Local Development Documents it intends to produce and the timetable for their production and review.
Local Plan	A Local Development Document (formerly known as a Core Strategy) which provides a written statement of the policies for delivering the spatial strategy and vision for a borough, supported by a reasoned justification.
London Plan (2011)	This is the Spatial Development Strategy for London. This document was produced by the Mayor of London to provide a strategic framework for the boroughs' Local Plans. It was first published in February 2004 and alterations have since been published in September 2006, September 2007, February 2008 and July 2011. It has the status of a development plan under the Planning & Compulsory Purchase Act 2004.
London Plan (2011) Apportionment	A given proportion of London's total MSW and C&I waste (expressed in tonnes) allocated to each individual borough for which the borough must identify sufficient sites for managing and processing waste within their Local Plans.
Materials Recycling Facility or Materials Recovery Facility (MRF)	A sorting 'factory' where mixed recyclables are separated into individual materials prior to despatch to reprocessors who prepare the materials for manufacturing into new recycled products or use as a fuel.
Mechanical Biological Treatment (MBT)	A combination of mechanical separation techniques and biological treatment – either aerobic or anaerobic, or a combination of the two, which are designed to recover value from and/or treat fractions of waste to reduce its degradability and amount.
Mechanical Heat Treatment (MHT)	A combination of mechanical and heating techniques which are designed to sterilise, stabilise and treat waste and recover value from it.
Municipal Solid Waste (MSW)	Any waste collected by or on behalf of a local authority. For most local authorities the vast majority of this waste is from the households of their residents. Some is from local businesses and other organisations such as schools and the local authority's own waste.

Term/Acronym	Definition
Net self-sufficiency	Situation where there a balance between incoming and outgoing waste such that the Plan area deals with an equivalent amount of waste to that produced within its area.
Planning Policy Statement 10 (PPS10)	Guidance document produced by central government relating to 'Planning for Sustainable Waste Management' which sets out a number of key concepts which should be considered and statutory requirements of local and regional planning policy documents.
Preferred Industrial Location (PIL)	Strategic employment site normally suitable for general industrial, light industrial and warehousing uses.
Policies Map	Formerly known as the 'Proposals Map', a map showing the location of the sites identified in the Plan
Pyrolysis	The heating of waste in a closed environment, in the absence of oxygen, to produce a fuel and char.
Railhead	This is a terminus of a railway line that interfaces with another transport mode e.g. road network.
RAMSAR	Sites which are wetlands of international importance designated under the Ramsar Convention.
Recovery	The process of extracting value from waste materials, including recycling, composting and energy recovery. For waste sent to energy from waste plants to qualify as recovery they should meet the R1 formula specified in the revised Waste Framework Directive.
Recycling	Recovering re-usable materials from waste for manufacturing into new products .
Refuse Derived Fuel (RDF)	Material produced from waste that has undergone processing that is suitable for use as a fuel. Processing can include separation of recyclables and non-combustible materials, shredding, size reduction, and pelletising. Similar to solid recovered fuel but more generic.
Residual waste	Residual waste refers to the material that remains that cannot practicably be recycled, re-used, or composted any further.
Re-use	The re-use of materials in their original form, without any processing other than cleaning and/or small repairs.
Re-use and Recycling Centre (RRC)	Facilities to which the public can bring household waste, such as bottles, textiles, cans, paper, green waste and bulky household items/waste for free disposal.
Scoping	The process of deciding the scope and level of detail of the strategic environmental assessment (SEA) or environmental impact assessment (EIA) which might be required to support a planning application.
Section 106 Agreement	A legal agreement between the planning authority (borough) and the developer, linked to a planning permission, which requires the developer to carry out works to offset the potential impacts of their development or to benefit the local community.

Term/Acronym	Definition
Site Development Policies	A set of criteria-based policies in accordance with the Local Plan against which planning applications for the development and use of land and buildings will be considered. To set out all qualifying site allocations other than those contained in Area Action Plans.
Site of Special Scientific Interest (SSSI)	A statutory designation that gives legal protection to specifically defined areas which have ecological or geological value.
Site Waste Management Plan (SWMP)	A detailed plan setting out how waste will be managed during a construction project.
Solid Recovered Fuel (SRF)	These are fuels prepared from non-hazardous waste to be used for energy recovery that meet a specified quality specification. (May also be known under more generic name 'Refuse Derived Fuels' or RDF)
Sound (Soundness)	According to the NPPF, for a plan to be "sound" it should be positive, justified, effective and consistent with national policy. "Justified" means that the document must be founded on a robust and credible evidence base and must be the most appropriate strategy when considered against the reasonable alternatives. "Effective" means that the document must be deliverable, flexible, and able to be monitored (see para. 1.6.4).
Spatial Planning	Spatial Planning goes beyond traditional land use planning to bring together and integrate policies for the development and use of land with other policies and programmes which influence the nature of places and how they function.
Special Protection Areas (SPA)	An SSSI which is considered to be of international importance designated under the EC Directive on the Conservation of Wild Birds.
Statement of Community Involvement (SCI)	A statement of a local authority's policy for involving the community in preparing and revising local development documents and for consulting on planning applications.
Strategic Employment Locations (SELs)	These comprise Preferred Industrial Locations, Industrial Business Parks and Science Parks and exist to ensure that London provides sufficient quality sites, in appropriate locations, to meet the needs of the general business, industrial and warehousing sectors.
Strategic Environmental Assessment (SEA)	A process of incorporating environmental considerations into policies, plans and programmes. It is sometimes referred to as a Strategic Environmental Impact Assessment and is a legally enforced assessment procedure required by European Directive 2001/42/EC.
Sub-Regions	Sub-regions are the primary geographical features for implementing strategic policy at the sub-regional level.

Term/Acronym	Definition
Sustainable Waste Management	Using material resources efficiently to cut down on the amount of waste we produce and, where waste is generated, dealing with it in a way that actively contributes to economic, social and environmental goals of sustainable development.
Sustainability Appraisal (SA)	A formal process and statutory requirement which analyses and evaluates the environmental, social and economic impacts of a plan or programme. May be conducted with SEA.
Sustainability Appraisal Commentary	A commentary report that raises sustainability issues relating to the Issues and Options report.
Transport for London (TfL)	Body responsible for London's transport system. The primary role of TfL, which is a functional body of the Greater London Authority, is to implement the Mayor of London's Transport Strategy and manage transport services across London.
Thermal Treatment	Treatment of waste using heat e.g. incineration, pyrolysis, gasification, etc.
tpa	Tonnes per annum.
Unitary Development Plan (UDP)	A type of development plan introduced in 1986, which was replaced by Local Development Frameworks, which in turn have been replaced by Local Plans.
Waste Arisings	The amount of waste generated in a given locality over a given period of time.
Waste Collection Authority (WCA)	Organisation responsible for collection of household wastes e.g. your local council.
Waste Local Plan (WLP)	Planning document which provides a basis for the provision of waste management infrastructure in a sub-region e.g. the West London Waste Plan (see 'West London Waste Plan').
Waste Disposal Authority (WDA)	Organisation responsible for disposing of municipal waste. For West London this is the West London Waste Authority (WLWA).
Waste Hierarchy	An order of waste management methods, enshrined in European and UK legislation, based on their predicted sustainability. The hierarchy is summarised as "prevention, preparing for re-use, recycle/compost, other recovery, dispose".
Waste Management Capacity	The amount of waste currently able to be managed (recycled, composted or recovered) by waste management facilities within a given area.
Waste Management Licence (WML)	Licence required by in most cases where 58585858585858 proposes to deposit, recover or dispose of most waste. These are now known as an Environmental Permit.
Waste Minimisation	Reducing the quantity of waste that is produced. This is at the top of the Waste Hierarchy.
Waste Planning Authority (WPA)	Local authority responsible for waste planning. In West London each of the six boroughs are the Waste Planning Authority for their respective areas.

Term/Acronym	Definition
Waste Transfer Station	A facility where waste is delivered for bulking prior to transfer to another place e.g. landfill. Some sorting may take place there too.
West London Waste Authority (WLWA)	West London's statutory waste disposal authority. The WLWA's main function is to arrange the disposal of waste collected by its six constituent boroughs.
West London Waste Plan (WLWP)	The Waste Local Development Document being produced for West London (see 'Waste Local Plan').

9 Appendices

Appendix 1: Existing Waste Sites in West London

Appendix 2: Supporting Assessments

Appendix 3: General Waste Treatment Facility descriptions

Appendix 4: Borough waste arisings and apportionments

Appendix 5: Descriptions of Allocated Sites

Appendix 1 – Existing Waste Sites in West London

Operator Name	Facility Name	Site Activity	Borough	Counted Against Apportionment?
Ace Waste Haulage Ltd	Neasden Goods Yard	CDE Waste Processing/ Transfer	Brent	
G. Pouncefort	Steele Road, London	CDE Waste Processing/ Transfer	Brent	
X - Bert Haulage Ltd.	Neasden Goods Yard	CDE Waste Processing/ Transfer	Brent	
X- Bert Haulage Ltd (Glynn Skips)	Fifth Way, Wembley	CDE Waste Processing/ Transfer	Brent	
Biffa Waste Services Ltd	Wembley Transfer Station & Recycling Facility	MSW&C&I Waste Processing/ Transfer	Brent	✓
Seneca Environmental Solutions Ltd	Hannah Close, Neasden	MSW&C&I Waste Processing/ Transfer plus biomass CHP	Brent	✓
Veolia	Veolia Transfer Station, Marsh Road	MSW&C&I Waste Processing/ Transfer	Brent	✓
West London Waste Authority	Twyford Waste Transfer Station	MSW&C&I Waste Processing/ Transfer	Brent	✓
Metal & Waste Recycling Ltd	Mitre Works, Neasden Goods Yard	Metal Recycling & Vehicle Depollution	Brent	✓
Brent Oil Contractors Ltd.	Fourth Way Waste Transfer Facility	Oil Reclamation Facility	Brent	✓
Wembley Car Breakers	Edwards Yard Mount Pleasant	Vehicle Depollution	Brent	✓
London Borough Of Ealing Council	Acton Waste & Recycling Centre	Civic Amenity Site	Ealing	✓
London Borough of Ealing	Greenford Reuse & Recycling Site,	Civic Amenity Site	Ealing	✓
O C S Group U K Ltd.	Unit 2 & Yard, Sovereign Park, Park Royal Site	Clinical Waste Transfer	Ealing	✓
Yeoman Aggregates Ltd	Stone Terminal, Acton	CDE Waste Processing	Ealing	
Quattro (UK) Ltd	Victoria Road, Park Royal	CDE Waste Processing/	Ealing	

Operator Name	Facility Name	Site Activity	Borough	Counted Against Apportionment?
		Transfer		
Bridgemart Ltd (Gowing & Pursey)	Atlas Wharf	CDE Waste Processing/ Transfer	Ealing	
Bridgemart Ltd (Gowing & Pursey)	Horn Lane Waste Transfer Station	CDE Waste Processing/ Transfer	Ealing	
Iver Recycling (U K) Ltd	British Rail Goods Yard, Greenford	CDE Waste Processing/ Transfer	Ealing	
D B Schencker Rail (UK) Ltd.	Willesden Freight Terminal	Waste Transfer	Ealing	
Environmental Tyre Disposals Ltd	Chase Road, Park Royal	C&I Waste Processing	Ealing	✓
London Borough Of Richmond	Greenford Depot, Greenford Road,	MSW&C&I Waste Processing/ Transfer	Ealing	✓
London Auto Parts Ltd	Alperton Lane, Wembley	Metal Recycling	Ealing	✓
London Borough of Harrow	Forward Drive C A Site, Harrow	Civic Amenity Site	Harrow	✓
Metronet Rail B C V Ltd	Ruislip Underground Depot	CDE Waste Transfer	Harrow	
Paxton Recycling	Barratt Way, Wealdstone	MSW&C&I Waste Processing/ Transfer	Harrow	✓
R J Gower & G G Gower	Roxeth Green Avenue, South Harrow	Metal Recycling	Harrow	✓
Harrow Breakers	Pinner View, Harrow	Vehicle Depollution	Harrow	✓
Powerday Plc	Yiewsley Rail Sidings, Temporary H W R C	Civic Amenity Site	Hillingdon	
SRCL Ltd	Hillingdon Hospital	Clinical Waste Incinerator	Hillingdon	✓
Personnel Hygiene Services Ltd	Pump Lane Ind. Estate, Hayes	Clinical Waste Transfer	Hillingdon	✓
Country Compost Ltd	Crows Nest Farm, Harefield	Composting	Hillingdon	✓
West London Composting Ltd	High View Farm, Harefield	Composting	Hillingdon	✓
West London Composting Ltd	Pylon Farm, Harefield	Composting	Hillingdon	✓
A & A Recycling Ltd	Wallingford Road, Uxbridge	CDE Waste Processing/ Transfer	Hillingdon	
Bridgemart Ltd (Gowing & Pursey)	Civic Way, Waste Transfer Station	CDE Waste Processing/	Hillingdon	

Operator Name	Facility Name	Site Activity	Borough	Counted Against Apportionment?
		Transfer		
Envirowayste (London) Ltd	Trout Lane Depot, West Drayton	CDE Waste Processing/ Transfer	Hillingdon	
Heathrow Airport Ltd	Cranford Lane T S, Heathrow	CDE Waste Processing/ Transfer	Hillingdon	
P G Allen	Allens Yard, Hayes	CDE Waste Processing/ Transfer	Hillingdon	
Uxbridge Skip Hire Ltd	Harvil Road, Harefield	CDE Waste Processing/ Transfer	Hillingdon	
F M Conway Ltd	Bulls Bridge, Yeading Brook, Hayes	CDE Waste Treatment plus gulley emptying processing	Hillingdon	✓ (gulley emptying only (counts as MSW))
Iver Recycling (UK) Ltd.	Holloway Lane Materials Recycling Facility	CDE Waste Processing/ Transfer	Hillingdon	
L J Grundon & Sons Ltd	High View Farm, Harefield	CDE Waste Processing/ Transfer	Hillingdon	
Hep Oils	Waybeards Farm, Harefield	Oil Reclamation Facility	Hillingdon	✓
Kershire Ltd	Station Goods Yard, West Ruislip	MSW&C&I Waste Processing/ Transfer	Hillingdon	✓
London Borough Of Hillingdon	New Years Green Lane Civic Amenity Site	Civic Amenity Site	Hillingdon	✓
SITA UK Ltd	Victoria Road Waste Transfer Station, South Ruislip	MSW&C&I Waste Transfer	Hillingdon	
Balfour Beatty Rail Projects Ltd.	Ruislip Depot Hazardous Waste Containment Bay	Hazardous Waste Transfer	Hillingdon	
Powerbuild Ltd.	Downes Barns Farm Golf Course, Northolt	Land Recovery	Hillingdon	
B F A Recycling Ltd	New Years Green Lane, Harefield	Metal Recycling	Hillingdon	✓
SITA Wastecare Ltd	Rigby Lane Waste Transfer Station	Metal Recycling	Hillingdon	Inactive
Johal Mya Waste Management Ltd.	Wallingford Road Recycling Facility	MSW&C&I Waste Processing/ Transfer	Hillingdon	✓
Car Spares of West Drayton Ltd	Riverside Cottages, West Drayton	Vehicle Depollution	Hillingdon	✓
London Borough Of Harrow Council	Space Waye Civic Amenity Site	Civic Amenity Site	Hounslow	✓

Operator Name	Facility Name	Site Activity	Borough	Counted Against Apportionment?
Heathrow Airport Ltd	Heathrow Airport Camp 4	Composting	Hounslow	✓
London Borough Of Harrow Council	Bridge Road Depot, Pears Road	CDE Waste Transfer	Hounslow	
Fowles Crushed Concrete Ltd	Bedfont Trading Estate, Feltham	CDE Waste Treatment	Hounslow	
Day Group Ltd	Brentford Aggregate Materials Recycling Facility	CDE Waste, MSW & C&I Processing	Hounslow	✓(MSW/C&I only)
Ron Smith (Recycling) Ltd	St Albans Farm Recycling Facility, Feltham	CDE Waste Processing/ Metal Recycling	Hounslow	✓(Metal only)
Rentokil Initial Services Ltd	Brentford Service Centre, West Cross Ind Park	Clinical Waste Transfer	Hounslow	✓
Veolia E S Cleanaway (UK) Ltd	Bedfont Way, Feltham	General Waste Transfer	Hounslow	Inactive
SITA UK Ltd	Transport Avenue Transfer Station, Brentford	MSW & C&I Waste Transfer & Civic Amenity Site	Hounslow	✓(CA only)
Hounslow Homes Ltd	Ashmead Road Depot	Hazardous waste transfer	Hounslow	
Mayer Parry Recycling Ltd	Transport Avenue, Brentford	Metal Recycling	Hounslow	✓
Thames Water Utilities Ltd	Mogden Sewage Treatment Works, Isleworth	Sewage Treatment	Hounslow	
Goldstar Commercials	North Feltham Trading Est., Feltham	Vehicle Depollution	Hounslow	✓
Whitton Salvage	Kneller Road, Whitton	Vehicle Depollution	Hounslow	✓
London Borough Of Richmond	Townmead Civic Amenity Site, Kew	Civic Amenity Site	Richmond	✓
The Royal Botanic Gardens	The Royal Botanic Gardens, Kew	Composting	Richmond	✓
London Borough Of Richmond	Twickenham Depot	CDE Waste Transfer	Richmond	
Oakland Golf & Leisure Ltd.	Richmond Park Golf Club	Land Recovery	Richmond	
Sharpes Recycle Oil Ltd.	Arlington Oil Reclamation Facility, Twickenham	Oil Reclamation Facility	Richmond	✓

Appendix 2 - Supporting Assessments

Strategic Flood Risk Assessment

The Strategic Flood Risk Assessment (SFRA) was undertaken to ensure that flood risk is considered as part of the spatial planning process. As required by the National Planning Policy Framework, 2012, we have used the findings of the Strategic Flood Risk Assessment on regional and local flood risk issues in the assessment of sites suitable for waste management.

Equalities Impact Assessment

The Equalities Impact Assessment (EqIA) was undertaken to ensure that the West London Waste Plan does not discriminate against specific target groups. The Equalities Impact Assessment of the Issues and Options identified the options that may have a negative impact on certain target groups. Since the development of the Plan's policies, a further assessment has been undertaken and suggested mitigation has been incorporated into the Plan and Sustainability Appraisal Report. We have taken this into account when developing the Proposed Sites and Policies to ensure that no target group experiences a high level negative impact from the West London Waste Plan. The EqIA will be published alongside the draft Proposed Submission Version of the Plan.

Habitats Regulations Assessment

The Habitats Regulations Assessment relates to Natura 2000 sites designated under the European Habitats and Birds Directives³³.

In October 2009 a screening exercise was carried out to determine the need for a Habitat Directive Assessment of the potential impacts of the West London Waste Plan's Issues and Options upon any European designated site located within 10 km of the six West London boroughs. The report concluded that some of the Issues and Options had the potential to impact the Natura 2000 sites identified, and that an Appropriate Assessment and ascertainment of the effect on site integrity was required. A further screening exercise was undertaken to determine whether any of the recently developed policies are likely to trigger the need for a full Habitats Directive Assessment of the Plan, in compliance with the EC Habitats Directive.

The Plan policies have now been updated to incorporate the recommendations from the Habitats Regulations Assessment Screening. The Screening Report therefore concludes that the Plan is unlikely to have an adverse effect on the qualifying features of any Natura 2000 sites and therefore no further work is required.

³³ *European Directive 992/43/EC on the conservation of natural habitats and of wild fauna and flora and European Directive 79/409/EEC on the conservation of wild birds.*

The Strategic Flood Risk Assessment, Equalities Impact Assessment and Habitats Directive Screening Assessment can be found at <http://www.wlwp.net/>.

Appendix 3: General Waste Treatment Facility Descriptions

Facility type	General Description	General Appearance
Anaerobic Digestion	Anaerobic Digestion is only suitable for organic wastes such as food and garden waste. The waste is enclosed in tanks without oxygen and digested to produce a biogas which can be used as a fuel. A sludge is also produced which can be composted and used on land.	Large industrial tanks and warehouse-type buildings.
Composting	Composting facilities are generally enclosed in special units to minimise odours. Enclosed composting units can compost food and garden waste collected from homes and businesses.	Generally housed inside warehouse type buildings.
Gasification/ Pyrolysis/Autoclave	Advanced thermal treatment technologies are methods of breaking down waste using heat, to produce heat and power. Gasification uses a little oxygen to break the waste down whereas pyrolysis does not use any oxygen. Such methods give more control over the process and reduce emissions. Autoclaving involves 'cooking' the waste with steam to separate materials to produce recyclables and fuel.	Industrial type buildings, normally with a low chimney.
Materials Recovery Facility (MRF)	A facility that sorts recyclable material collected from households or businesses into separate materials. The materials are then sent for reprocessing into useful materials or products.	Consists of mechanical sorting equipment and conveyor belts. Normally housed inside a warehouse type building.
Mechanical Biological Treatment (MBT)	MBT is generally used to treat residual waste biologically and mechanically. This separates the materials suitable for recycling from an organic fraction which may be used as a fuel or can be composted.	Generally housed inside warehouse type buildings.
Recycling and Reuse Centre (RRC)	Site for the public to take recyclable and general waste to. The sites normally consist of skips and containers for a wide range of different materials, encouraging recycling.	Open facilities with accessible waste containers.

Appendix 4: Borough Waste Arisings and Apportionments

Waste arising figures –London Plan (2011)

Borough	2011		2016		2021		2026		2031	
	MSW	C&I	MSW	C&I	MSW	C&I	MSW	C&I	MSW	C&I
Brent	136	202	143	200	149	199	156	196	161	194
Ealing	158	232	164	219	170	211	176	209	181	207
Harrow	120	143	123	139	126	136	129	134	131	133
Hillingdon	152	336	157	335	162	338	167	341	171	348
Hounslow	132	231	136	223	140	215	144	212	147	211
Richmond	100	143	103	142	105	141	107	141	109	143
Totals	798	1,287	826	1,258	852	1240	879	1,233	900	1,236

All figures are in a 1000 tonnes. MSW = Municipal Solid Waste C&I = Commercial and Industrial Waste

Waste apportionment figures –London Plan (2011)

Borough	2011		2016		2021		2026		2031	
	MSW	C&I	MSW	C&I	MSW	C&I	MSW	C&I	MSW	C&I
Brent	90	160	109	174	130	190	152	207	175	225
Ealing	114	202	138	221	165	241	193	262	221	286
Harrow	57	101	69	110	82	120	96	131	111	143
Hillingdon	96	170	116	186	139	202	162	220	186	240
Hounslow	92	165	112	179	134	195	157	213	180	232
Richmond	56	100	68	109	81	119	95	129	109	141
Totals	505	898	612	979	731	1067	855	1162	982	1267

All figures are in a 1000 tonnes. MSW = Municipal Solid Waste C&I = Commercial and Industrial Waste

Appendix 5: Descriptions of Allocated Sites

General Information

Descriptions of each site allocated in the Submission WLWP (July 2014) are provided below. The descriptions bring together information collected as part of the process of selecting these sites as well as that received during stages of consultation on the Plan.

Suitable waste management technologies

It is considered that the sites would be likely able to accommodate most non-landfill waste management technologies. Environment Agency permitting rules do not allow certain activities to operate within certain distances of a sensitive receptor, which includes a dwelling or workplace, under a standard permit.

Land Contamination

Each proposed site is located on previously developed land but no investigation has been carried to establish whether the ground itself is contaminated³⁴. Redevelopment of the sites might therefore require work to decontaminate the sites.

Setting Back from Rivers

Where a site is adjacent to a river the Environment Agency has advised that a setback of a minimum of 8 metres from the top of the bank be incorporated into any redevelopment proposals. Setting back development from watercourses and providing an undeveloped buffer zone free from built structures is important for maintaining maintains access to the river and to allow the riparian landowner access for routine maintenance activities and for the Environment Agency to carry out Flood Defence duties. It is also important that a sufficient wildlife and riverside corridor should be maintained to minimise the potential adverse impacts to the water quality and riverine habitats. This will provide opportunities for flood risk management in line with the Environment Agency Catchment Flood Management Plans. Opportunities for river restoration through the redevelopment of sites should also be encouraged which will also ensure compliance with requirements under the Water Framework Directive.

Air Quality Management Areas

All sites are located within Local Authority Air Quality Management Areas.

³⁴ *In all cases, in light of current and previous uses it is possible that the sites might be classified as 'contaminated land' under the Environment Act 1995.*

Waste Input tonnages

The input tonnages provided are taken from records provided by the Environment Agency Waste Data Interrogator for waste inputs for 2011. This information is only supplied for sites that hold an environmental permit that received waste during the course of that year.

Site Name	Twickenham Depot		
Site Ref. No.	342		
Locational Information			
Borough	Richmond Upon Thames	Site Area (hectares)	2.67
Easting	TQ 15163	Northing	73590
Site Address	Twickenham Central Depot, Langhorn Drive, Twickenham Middlesex, TW2 7SG		
Site Location	To the north is the Harlequins Rugby ground (The Stoop). The land immediately abutting the northern edge of the Depot is an open tarmacked area (used for hospitality marquee by Harlequins Rugby stadium on match days), and to the North East a 4 storey residential block fronting Langhorn Drive. To the east is public open space including a children's playground. To the south is a railway line and across the railway line is open space. To the west is the Duke of Northumberland's River (a branch of the river Crane) beyond which is residential (Conservation Area).		
Neighbouring Uses (within 250 metres)	The site is immediately adjacent to the Harlequins Rugby ground and stadium. A block of 4 storey residential apartments is located along Langhorn Drive to the north, and Richmond upon Thames College lies to the north east. A playing field with children's playground is located to the east. Allotments are just to the south of the railway line. To the west of the site, a residential area of detached houses is located on the opposite bank of the Duke of Northumberland's River (branch of the River Crane).		
Planning Status	<p>The Depot site has been, amongst other things, used for the following purposes for in excess of 10 years:</p> <ul style="list-style-type: none"> • Facilities for the parking of refuse and recycling vehicles • Material Recovery Facility and bulking facilities to support municipal recycling services. 		

Allocation in Borough Local Plan	The site is identified as a Proposals site in the London Borough of Richmond Site Allocations Plan for Council Depot facilities and continued waste management (TW 9). To improve and rationalise the Council's existing depot facilities, and repositioning, intensification and improvement of the waste and recycling facilities. The adjacent Harlequins Site (TW8) and the Richmond upon Thames College site (TW10) are also identified.
Current Use	Civic Depot hosting contractors for LB Richmond and some DSO staff and services, including a number of waste related operations. Waste related use includes bulking of: source separated and partially commingled kerbside collected recyclables, arboriculture wood/ green wastes, street cleansing waste and construction and demolition waste from pavement repairs. There are many buildings on site including prefabricated offices, a Victorian brick building, bulking bays, workshops and covered vehicle storage. There is a two storey detached house (owned by LB Richmond and occupied by former employees) located immediately adjacent to the boundary at the south of the site.
Current Vehicle Movements	The site is currently accessed by employee private vehicles and light vans and HGVs of various sizes.
Current Waste Inputs	This site was recently permitted (May 2013) but contractors operate under exemptions. Input tonnage not counted in existing capacity.
Nominal potential throughput (tpa) (based on 65,000 per hectare)	173,550 tpa.
Environmental and Planning Considerations	
Access/Highway	Primary access to the site is from the A316 along Langhorn Drive which is also used for access to Harlequins Rugby Club, Richmond College and residential properties. Access may also be gained from Craneford Way through a controlled gate.
CCHP Potential	The Site Allocations Plan identifies the Harlequins Site and the Richmond upon Thames College site as proposals sites which will have significant power requirements. A part of the site may be used for ancillary educational facilities or limited residential and this might provide a heat load opportunity.
Archaeology/Historic Interest	There is a disused Victorian pump house in the middle of the site. This building is designated as a Building of Townscape Merit which would need to be retained, potentially constraining development. Lies within the Crane Valley Archaeological Priority Area.

Ecology/HRA	The site is greater than 1km from any internationally/nationally designated site. However parts of the Crane Valley are identified as a local Site of Nature Conservation Importance.
Flood Risk/Water Protection	The site is not located within a flood zone. But as the site is greater than 1ha, a flood risk assessment that focuses on the management of surface water run-off will be required for any re-development.
Green Belt/MOL	The site is not in or near the Green Belt. There is MOL to the south and east of the site and along the Duke of Northumberland's River to the west.
Landscape/Visual Impact	<p>Existing buildings on the site range between 2 and 6 metres high. Apart from a small raised area in the middle of the site, the site is level with the surrounding area. There is a mixture of buildings, fencing and trees which offer partial or full screening of the site from all directions.</p> <p>The site is immediately adjacent, or close to several visual receptors.</p> <p>Views of the site from the north would be from the Harlequins Rugby stadium and a new 4 storey block of residential apartments on Langhorn Drive, and across open ground from Richmond College.</p> <p>Views of the site from the east can be gained across the open space and the access from Craneford Way. This may be obscured if the additional land on the eastern portion of the site were to be developed.</p> <p>Views of the site from the south would be screened by trees on the boundary and the undeveloped land south of the railway line designated as Public Open Space.</p> <p>Views of the site from the west would be partially screened by the vegetation and trees along the site boundary adjacent to the river.</p>
Public Rights of Way (PRoW)	<p>There are no PRoW crossing the site.</p> <p>The site is bounded by public footpaths including the River Crane path that provides pedestrian access to the Harlequins Stadium.</p>
Key Development Criteria	
Archaeology	Major applications should be supported by desk-based assessment.

Flood Risk/Water Protection	<p>Redevelopment of this site is likely to require a Stage 2 Flood Risk Assessment. Technical Guidance to the NPPF advises that waste treatment is compatible with Flood Zone 3a. Although the site is not within a Flood Zone, a flood risk assessment that focuses on the management of surface water run-off will be required.</p> <p>The Environment Agency has advised that a setback of a minimum of 8 metres from the top of the bank of the River Crane - a tributary of the River Thames - should be incorporated into any re-development proposals. Prior written consent will be required from the Environment Agency for any works within 8 metres of the River Crane and the Duke of Northumberland's River; this is irrespective of planning permission.</p>
Access/Highway	<p>Redevelopment of the site would need to pay particular attention to the site access along Langhorn Drive which is shared with the occupiers of residential dwellings and visitors to the rugby stadium (especially on match days). The LB Richmond Site Allocations Plan recognises that any intensification of uses is likely to require the provision of a signalised junction between Langhorn Drive and the A316, subject to TfL approval. Vehicular access from Craneford Way should be kept to a minimum.</p>
Archaeology/Historic Interest	<p>Any new scheme would be required to retain the Victorian Pump house; result in improvement and extension of the public open space adjoining the Duke of Northumberland River and the backdrop to the Craneford Way playing fields; and preserve the setting and character of the Rosecroft Conservation Area.</p>

Site Name	Quattro Park Royal		
Site Ref. No.	328		
<i>Locational Information</i>			
Borough	Ealing	Site Area (hectares)	0.97

Easting	TQ 20931	Northing	82109
Site Address	Quattro Ltd, Park Royal, Regency Street (off Victoria Road), Park Royal NW10 6NR		
Site Location	The site is situated within the Park Royal Industrial Estate situated just off the A4000 (Victoria Road) adjacent to Old Oak Common rail sidings.		
Neighbouring Uses (within 250 metres)	The site adjoins a distribution depot to the north (this includes the handling of foodstuffs), a railway line runs along the eastern and southern boundary on an embankment and to the west is an office block and distribution warehouse. The nearest residential properties are approximately 40 metres away at Wells Road (East) with their gardens as close as 25 metres on the other side of the railway embankment.		
Planning Status	Permanent consent granted in 2001 on appeal for continued use of premises as waste transfer station (ref P/2000/0570).		
Allocation in Borough Local Plan	No		
Current Use	A construction materials distribution, concrete batching and waste bulking depot for excavation waste from utility works. There are two industrial units on site and several portacabins.		
Current Vehicle Movements	The site is currently accessed by HGVs delivering and removing materials and waste to the site plus employees' private vehicles.		
Current Waste Inputs	Input tonnage not counted in existing capacity as this is currently utilised for CDEW.		
Nominal potential throughput (tpa) (based on 65,000 per hectare)	63,050tpa		
<i>Environmental and Planning Considerations</i>			
Access/Highway	The site is accessed from the A4000 (Victoria Road.) Routing is via Victoria Road to the A40, a route carrying industrial estate traffic.		
Archaeology/Historic Interest	Acton Wells was a mineral bearing spring discovered in the 17th century but which ceased to be used from the 18th century. No apparent evidence of the spring onsite. The site is less than 500m from local nature reserve Wormwood Scrubs.		

CCHP Potential	The site is located in a predominately light industrial area which may offer opportunities for use of space heating generated at the site. In the event that redevelopment associated with HS2 goes ahead there may be opportunities to redevelop adjacent land in a manner that allows for the use of any heat and power generated at this site.
Ecology/HRA	The site is greater than 1km from any internationally/nationally designated site.
Flood Risk/Water Protection	There are no open water bodies in proximity to the site.
Green Belt	The site is not in or near Green Belt.
Landscape/Visual Impact	<p>Existing buildings on the site are around 6 metres high.</p> <p>Views of the site from the north would be obscured by the distribution warehouse.</p> <p>The site currently has 8-10 metre high boundary structures on the eastern boundary which combined with the railway embankment would reduce any potential impacts on the residential properties to the east beyond the railway line.</p> <p>Views of the site from the south would be obscured by a railway embankment.</p> <p>Views of the site from the west would be obscured by the office block/warehouse on the adjacent site.</p>
Public Rights of Way	There are no PRoW crossing or adjacent to the site.
Key Development Criteria	
Archaeology	Applications involving groundworks should be supported by desk-based assessment, and may require evaluation trenching.
Visual amenity	Careful attention would be needed to avoid adverse impact on sensitive receptors formed by residential area at Wells House Road (East).

Site Name	Twyford Waste Transfer Station		
Site Ref. No.	352		
Locational Information			
Borough	Ealing	Site Area (hectares)	1.24
Easting	TQ 19380	Northing	83461
Site Address	Twyford Waste & Recycling Centre, Abbey Road, Brent, NW10 7TJ		
Site Location	The site is located in a predominantly industrial area.		
Neighbouring Uses (within 250 metres)	The Paddington Branch of the Grand Union Canal, which is a navigable waterway, follows the south western boundary of the site divided by a 22 metre wide strip of land owned by the adjacent landowner. There are other industrial properties at varying distances to the north, east, south and west. The nearest residential properties are located 150m to the west of the site boundary beyond the industrial estates.		
Planning Status	The site benefits from a Certificate of Lawfulness for use as a waste transfer station (CLUD 92/1830).		
Allocation in Borough Local Plan	No		
Current Use	Waste Transfer Station (for trade waste, processing site for waste wood from WLWA) and Household Waste Site.		
Current Vehicle Movements	HGVs (including articulated lorries and Rollonoffs) and private vehicles currently deliver waste to the site. Waste is removed by articulated lorries and Rollonoffs.		

Current Waste Inputs	<p>Input tonnage counted as 17,967tpa in existing capacity.</p> <p>Site once operated as a transfer station with an approximate throughput of 125,000tpa.</p> <p>Maximum current capacity is estimated to be 85-90,000tpa.</p>
Nominal potential throughput (tpa) (based on 65,000 per hectare)	76,993tpa (after deduction of existing capacity contribution)
Environmental and Planning Considerations	
Access/Highway	<p>The site has a dedicated 100m access onto Abbey Road near to the junction of the A406 North Circular Road.</p> <p>The Grand Union Canal follows the south western boundary of the site divided from the site by a 22 metre wide strip of land owned by the adjacent landowner.</p>
Archaeology/Historic Interest	Site contains no known archaeological sites.
CCHP Potential	The site is adjacent to other industrial areas which may be able to utilise heat and power generated although no anchor load has been identified.
Ecology/HRA	The site is greater than 1km from any internationally/nationally designated site.
Flood Risk/Water Protection	The Grand Union Canal follows the south western boundary of the site.
Green Belt	The site is not in or near Green Belt
Landscape/Visual Impact	<p>The site is on a number of levels. Existing buildings on the site are no more than 10 metres high at the lower level. There is a 10m high structure on the highest part of the site.</p> <p>Views of the site from the north - across the north circular or Abbey Road are obscured by the old landfill mound.</p> <p>Views of the site from the south are obscured by large warehouse buildings on the adjacent site.</p> <p>Views of the site from the west are across the Grand Union Canal and from the residential area would be across an industrial area with chimney stacks.</p>

Public Rights of Way	There are no PRow crossing or immediately adjacent to the site. The Grand Union Canal Walk runs along the opposite side of the Grand Union Canal with views into the site.
Key Development Criteria	
Flood Risk	The site is greater than 1ha and so a flood risk assessment that focuses on the management of surface water run-off will be required.

Site Name	Veolia/Brent Transfer Station, Marsh Road		
Site Ref. No.	1261		
Locational Information			
Borough	Brent	Site Area (hectares)	2.71
Easting	TQ 17784	Northing	83085
Site address	Veolia Waste Transfer Station, Marsh Road, Wembley, HA0 1ES		
Site Location	This site is located in the Alperton Lane industrial estate and borders the River Brent, a railway line, Alperton Lane, a scrap yard and another waste facility.		
Neighbouring Uses (within 250 metres)	There is housing 170 metres to the north west of the site across Alperton Lane and 130 metres to the south. There are sports fields on the other side of Alperton Lane. A railway line runs past the southern corner of the site. The site is above the River Brent which runs adjacent to the south eastern boundary. There are industrial areas immediately to the west and east of the site.		
Planning Status	94/1413 Erection of single detached building in connection with the use of the site as a waste transfer station.		
Allocation in Borough Local Plan	Site is a designated site in the 'saved' Brent UDP as a 'Waste Management Manufacturing Area'.		

Current Use	Permitted Waste Transfer Station plus Vehicle Depot for Veolia RCV fleet serving Westminster & Camden collection contracts and salt store serving Westminster, Camden and Brent. There are existing, large waste transfer station buildings on site, and open hard stand areas for storage and vehicle depot facilities. Existing building heights are approximately 10-18 metres.
Current Vehicle Movements	Waste is delivered to the site in RCVs and removed in articulated HGVs.
Current Waste Inputs	Input tonnage 16,714 tpa counted in existing capacity.
Nominal potential throughput (tpa) (based on 65,000 per hectare)	159,436 tpa (after deduction of existing capacity contribution)
Environmental and Planning Considerations	
Access/Highway	<p>The site is close to strategic roads A4005, A40 and A406. The site is currently accessed from the A4005 from Alperton Lane and then along Marsh Road which runs through an industrial estate including another waste transfer station. The site has in the past been accessed directly from Alperton Lane.</p> <p>The River Brent runs along the southern boundary of the site, being a small tributary running from Brent Reservoir to the River Thames at Brentford.</p>
Archaeology/Historic Interest	No internationally or nationally designated site present. There is potential for palaeo – environmental remains alongside the River Brent.
CCHP Potential	The site is adjacent to other industrial areas which may be able to utilise heat and power generated.
Ecology/HRA	Site is within 250m of a SINC designated in the Ealing Local Plan which is of Grade 1 Borough Importance. It forms part of the much larger 'Brent River Park: Hanger Lane to Greenford Line' SINC (site 15/EaBI14A).
Flood Risk/Water Protection	Southern boundary is adjacent to the River Brent.
Green Belt	The site is not in or near Green Belt.

Landscape/Visual Impact	<p>The site is level with the surrounding area. Existing buildings on the site are between 10 and 18 metres high which is in keeping with heights of buildings on adjacent land.</p> <p>Distant views from the north would be across the open Alperton Sports Ground.</p> <p>Views from the east would be from Marsh Lane and would be obscured by light industrial units.</p> <p>Views from the south would be from low and high rise office space with views from the residential area obscured by the railway embankment.</p>
Public Rights of Way	The pedestrian pavement of Alperton Lane runs adjacent to the site's northern boundary.
Key Development Criteria	
Archaeology	Major applications should be supported by desk-based assessment.
Flood Risk/Water Protection	The site is greater than 1ha and so a flood risk assessment that focuses on the management of surface water run-off will be required. The Environment Agency advises a setback of a minimum of 8 metres from the top of the bank of the River Brent must be incorporated into re-development proposals. The site boundary is itself over 8 metres from the bank.
Visual amenity	Careful attention would be needed to avoid adverse impact on sensitive receptors including the sports fields to the north of the site.
Access	Any redevelopment would need to pay particular attention to impacts on Marsh Lane which can be constricted due to vehicles parking on this highway.

Site Name	<i>Greenford Reuse & Recycling Site & Greenford Depot, Greenford Road</i>		
Site Ref. No.	309 & 310		
Locational Information			
Borough	Ealing	Site Area (hectares)	1.78
Easting	TQ 14334	Northing	81848
Site Address	Greenford Road Re-use and Recycling Centre & Greenford Depot, Greenford Road, Middlesex, UB6 9AP		
Site Location	The site is adjacent to the Greenford Bus Depot and near to Brent River Park.		
Neighbouring Uses (within 250 metres)	There is a bus depot adjacent to the northern boundary of the site. The River Brent runs along the south-eastern boundary. Beyond the river is Brent River Park Metropolitan Open Land (MOL). There are residential properties to the west (separated from the site by a large bus maintenance garage) and also a school to the north of site.		
Planning Status	Consent granted in 1973 for waste use. More recent consents have however been granted. These include: P/2000/4510 (completed 2004) - The erection of building for paper and leather storage and two additional bays for storage of paper and glass for recycling. P/2005/2560 (completed 2006) - The installation of a new organic waste recycling facility enclosure.		
Allocation in Borough Local Plan	Redevelopment of Greenford Depot is covered by policy 4.3 of Ealing Development (Core) Strategy.		
Current Use	Part of the site is a raised split level household waste recycling centre, located in the north-eastern corner. The recycling centre includes a three-sided covered tipping and bulking area (10 metres high from site level 15 metres from ground level) and the remainder of the site is open. Commercial waste may also be tipped at the re-use and		

	<p>recycling centre.</p> <p>The adjacent depot site incorporates various Ealing Council services including the Ealing Council highways services, street cleansing, grounds maintenance and RCV depot. The majority of the allocated depot site is used for open storage of RCV. There are two waste/recycling bulking areas: a small open one and larger enclosed area. Baling of recyclable materials takes place on the depot site. Building heights range from approx. 3-8 metres.</p>
Current Vehicle Movements	<p>At peak periods approximately 600 vehicles deliver waste to the re-use and recycling centre which can cause vehicles to queue back to, and on, the main highway. Approximately 30% of the waste deliveries are from commercial sources including transit vans and small lorries. These movements are additional to those associated with the depot including the waste use.</p>
Current Waste Inputs	<p>The re-use and recycling and recycling centre handles approximately 15,000 tonnes of waste per annum.</p> <p>The depot receives source segregated and comingled recyclables from recycling rounds. Food waste and bulky waste is also brought into the depot. In total approximately 30,000 tonnes per annum.</p> <p>Combined input tonnage 35,610 tpa counted in existing capacity.</p>
Nominal potential throughput (tpa) (based on 65,000 per hectare)	<p>104,305 tpa (after deduction of existing capacity contribution)</p>
<i>Environmental and Planning Considerations</i>	
Access/Highway	<p>The nearest strategic road (A40) is over a mile away to the north with access via Greenford Road (a busy thoroughfare). The Depot and Re-use and Recycling Centre have separate entrances onto the shared access road which are adjacent to each other. The access to onto the highway is shared with the bus depot to the north of the site. The entrances are lower than the main highway.</p>
Archaeology	<p>The site is located within the Brent River Valley Archaeological Interest Area as defined in Ealing Local Plan with some potential for palaeo- environmental remains but largely former landfill.</p>
CCHP Potential	<p>There are industrial areas adjacent to the site.</p>
Ecology/HRA	<p>The site is greater than 1km from any internationally/nationally designated site.</p>

Flood Risk/Water Protection	Site within Flood Zone 2
Green Belt	The site is not in or near Green Belt.
Landscape/Visual Impact	There are sensitive receptors in proximity to the site in the form of residential areas and the River Brent Park. Current noise impact has been mitigated by erection of acoustic barrier along north eastern boundary to rear of bays.
Public Rights of Way	A PRoW runs alongside the River Brent on the opposite bank but diverts away before it passes the main body of the depot.
Key Development Criteria	
Archaeology	Major applications should be supported by desk-based assessment.
Flood Risk/ Water Protection	A setback of a minimum of 8 metres from the top of the bank of the River Brent must be incorporated into re-development proposals. The site is greater than 1ha and so a flood risk assessment that focuses on the management of surface water run-off will be required.
Visual and amenity impact	Redevelopment of the site would need to consider views of the site from the River Brent Park in particular. Policy 7D of Ealing Development Management DPD expects a buffer strip to be provided around existing or proposed open spaces. The depth of the buffer is to be determined having regard to the particular circumstances of the site and the open space, but would typically be in the region of 5-10m (see para. E7.D.5). Policy 2.18 of the same document is also relevant as regards views to and from open space. In addition impact on residential uses including through noise would need to be mitigated.
Highways	Any redevelopment should seek to mitigate the current congestion on the highway which occurs at peak times.

Site Name	Council Depot, Forward Drive		
Site Ref. No.	222		
Locational Information			
Borough	Harrow	Site Area (hectares)	1.83 ³⁵
Easting	TQ 15830	Northing	89266
	Harrow Council Depot, Forward Drive, Harrow, HA3 8NT		
Site Location	The site is located directly adjacent to the Forward Drive Civic Amenity Site.		
Neighbouring Uses (within 250 metres)	A residential area of two storey dwellings lies immediately to the north of the site. To the east there is a religious temple and a school across Kenmore Avenue. To the south is a railway line which runs on an embankment above the level of the site. Beyond the railway line are prominent industrial units. To the west the site is immediately next to a household waste recycling site and waste transfer site.		
Planning Status	Various permissions depending on Unit No and inclusion of adjacent CA site. Secure parking area on site of garages & loading platform with fencing & lighting EAST/477/01/LA3 Granted 09/07/2001. (Unit 1). Change Of Use: Warehouse Storage to training facility and alterations including: fire escape canopy, disabled ramps bin enclosure & new pedestrian access to Kenmore Avenue (unit 4) Granted 11/02/2005.		
Allocation in Borough Local Plan	Allocated for waste management and depot functions.		

³⁵ This represents the portion of the depot site which may be redeveloped with the CA/WTS site immediately to the west.

Current Use	The site comprises a current council works depot and base for other Harrow Borough Council services. The site has a mixture of vehicle workshops, open hard stand areas, car parking, office blocks and other buildings varying in size and construction.
Current Vehicle Movements	The site is very busy and there is a range of HGVs entering the site including school buses and private vehicles. At peak periods vehicles visiting the adjacent household waste recycling site queue back to the main road which hinders access to the depot.
Current Waste Inputs	<p>The Depot site has a registered exemption which recognises existing limited waste inputs.</p> <p>The adjacent household waste site and WTS input tonnage is counted in existing capacity counted toward the apportionment and as it lies outside the allocated site boundary has not been discounted from the estimate of the site's potential capacity.</p>
Nominal potential throughput (tpa) (based on 65,000 per hectare)	118,950 tpa
Environmental and Planning Considerations	
Access/Highway	The nearest strategic road is the A409 with the routing via residential/commercial areas. Emergency access is from Kenmore Avenue.
Archaeology/Historic Interest	No internationally or nationally designated site present.
CCHP Potential	There are industrial areas adjacent to the site.
Ecology/HRA	The site is greater than 1km from any internationally/nationally designated site.
Flood Risk/Water Protection	There are no open water bodies in proximity to the site.
Green Belt	The site is not in or near Green Belt.
Landscape/Visual Impact	The site is generally well screened. Acoustic screening has been erected between the residential area in the north and the adjacent CA site. This screening does not currently extend along the northern boundary of the depot where normal fencing is in place.
Public Rights of Way	There are no PRow crossing or immediately adjacent to the site.

Key Development Criteria	
Local amenity	Development of a waste facility on site would need to result in an overall improvement to the existing levels of amenity (noise, odour and dust emissions) experienced by neighbouring uses, especially the residential area to the north of the site, through enclosing any new facility, as well as the existing civic amenity facility.
Access	Redevelopment of the site would need to take into account the cumulative congestion created by vehicles entering the depot and the adjacent household waste recycling site. Would need to provide for adequate circulation arrangements within the site. Scope for one way routing to be established on approach roads for HGVs.

Site Name	Western International Market		
Site Ref. No.	2861		
Locational Information			
Borough	Hounslow	Site Area (hectares)	3.2
Easting	TQ 5109	Northing	1785
Site Address	Western International Market, Southall, UB2 5XH		
Site Location	Site is located in an industrial area to the northeast of junction 3 of the M4 motorway, to the south of Hayes Road and to the west of Southall Lane. To the north of Hayes Road is Bulls Bridge Industrial Estate.		
Neighbouring Uses (within 250 metres)	There is a raised soil embankment on the southern site boundary and no buildings currently overlooking the site. The land to the west has been developed in association with the redevelopment of Western International Market, open land to south, and industrial/retail areas to the east and north with the most proximal use being Costco. The M4 is audible from the site.		

Planning Status	In March 2006, planning permission was granted subject to a legal agreement for a wholesale horticultural market with offices, food wholesale facilities, loading bays, storage areas, associated buildings, ancillary facilities and surface car parking. Provision of public weekend market. Development of an employment building (B1, B2, and B8 uses) with associated car parking, loading and access (Ref No: 01032/E/25).
Allocation in Borough Local Plan	Site is allocated in the proposed Hounslow Local Plan (including an inset map within our sustainable waste management policy), noting it is to be designated through the WLWP.
Current Use	The large site comprises land which is level and undeveloped. The international market has been demolished, so the site is clear of any buildings or other structures.
Current Vehicle Movements	None
Current Waste Inputs	None
Nominal potential throughput (tpa) (based on 65,000 per hectare)	208,000 tpa
<i>Environmental and Planning Considerations</i>	
Access/Highway	The site has very good access to strategic roads A312 and M4 via Hayes Road which is primary road.
Archaeology/Historic Interest	Major prehistoric/Saxon site excavated to northwest. The Brentford Fountain Western International Market - a Grade II Listed Monument is immediately adjacent to the site.
CCHP Potential	There are industrial areas adjacent to the site.
Ecology/HRA	The site is greater than 1km from any internationally/nationally designated site.
Flood Risk/Water Protection	There are no open water bodies in proximity to the site.
Green Belt	The site is not in or near Green Belt.


Landscape/Visual Impact	The site is in an industrial/retail setting and so there are few sensitive receptors. There is at least one gas holder in the vicinity of the site that forms a prominent landmark and draws the eye when viewing the site from the south.
Public Rights of Way	There are no PRow crossing or immediately adjacent to the site.
Key Development Criteria	
Archaeology	Applications involving groundworks should be supported by desk-based assessment, and likely to require evaluation trenching.
Flood Risk/Water Protection	The site is greater than 1ha and so a flood risk assessment that focuses on the management of surface water run-off will be required.
Visual amenity	Some screening of the site would be required depending on the nature and scale of any development.

Site Name	Rigby Lane Waste Transfer Station		
Site Ref. No.	331		
Locational Information			
Borough	Hillingdon	Site Area (hectares)	0.91
Easting	TQ 082	Northing	798
Site Location	The site is located within an established industrial estate approximately 1.3 kilometres south west of Hayes town centre, 1.3 kilometres north of the M4 Motorway and south of the Grand Union Canal.		

Neighbouring Uses (within 250 metres)	The site is surrounded immediately to the north, east and west by commercial/industrial units. To the south it adjoins an elevated section of land occupied by Crossrail and the existing railway. To the north of the site is the Grand Union Canal. The nearest residential housing is approximately 70m away beyond the railway embankment. The northern boundary of the site faces onto the main access road (Rigby Lane) to the industrial estate. Across the road is an industrial unit and beyond that a band of trees shields the Grand Union Canal from view. The surrounding building heights vary greatly between 3-35m high with a concrete batching plant circa 15m high in view from the site.
Planning Status	Planning permission exists for waste management comprising a Waste Transfer Station and overnight parking for goods vehicles. The existing permission also consents operation of a Civic Amenity Site (CA) in the north-western corner of the site, although this has not been implemented.
Allocated in Borough Local Plan	No
Current Use	The site currently operates as a waste management facility comprising a Waste Transfer Station (WTS). The Transfer Station building is approximately 8 metres in height. There is also an office building and weighbridge on site. The site has been operating as a waste facility for over two decades and did until 2008 operate a dual facility including a CA site for members of the public.
Current Vehicle Movements	The site is accessed by HGVs and employee private vehicles. N.B. There is no planning condition that limits the number of vehicle movements that may be used to deliver waste.
Current Waste Inputs	Input tonnage 25,780 tpa counted in existing capacity. Existing planning condition limiting daily inputs to 1,030 tonnes.
Nominal potential throughput (tpa) (based on 65,000 per hectare)	29,523 tpa (after deduction of existing capacity contribution).

Environmental and Planning Considerations	
Access/Highway	Vehicular access to the site is from three priority junctions that connect onto Rigby Lane at the site's north-eastern and north-western boundaries. The north-eastern boundary of the site is currently designed to accommodate vehicular traffic movements associated with the WTS whilst the north-western access combines public access to the consented (as yet unbuilt) CA alongside HGV ingress for permitted CA collections. Egress by HGVs collecting from the CA occurs from the WTS access.
Archaeology/Historic Interest	Lies in vicinity of significant Palaeolithic finds.
CCHP Potential	There are industrial areas adjacent to the site.
Ecology/HRA	The site is greater than 1km from any internationally/nationally designated site.
Flood Risk/Water Protection	There are no open water bodies in proximity to the site. Grand Union Canal across the road & Stockley Road lake is to south west.
Green Belt	The site is near (55m) to Green Belt north of the Grand Union Canal.
Landscape/Visual Impact	The site is not overlooked by sensitive receptors. Tall structures including concrete batching plant visible from site.
Public Rights of Way	The pedestrian pavement of Rigby Lane runs alongside the road adjacent to the main access road.
Key Development Criteria	
Archaeology	Major applications should be supported by desk-based assessment.
Landscape/Visual Impact	The site falls within a height restriction zone with limits applied.

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 <p>Brent</p>	<p style="text-align: center;">Cabinet 1 June 2015</p> <p style="text-align: center;">Report from the Strategic Director of Regeneration and Growth</p>
<p style="text-align: right;">Wards affected: ALL</p>	
<p>Property and Asset Strategy 2015-19</p>	

1. Summary

- 1.1 In 2011 Brent adopted its first Property and Asset Strategy 2011-21, setting out a direction and action plan for maximising the impact and value of the Council's land and property assets. A critical focus was the Council's operational portfolio - those buildings which the Council uses in order to deliver its services and corporate priorities. The strategy continued the direction of travel towards a single municipal portfolio, managed corporately and consistently.
- 1.2 Four years on, many of the key actions have been delivered. The new Civic Centre is complete and has been occupied for over 18 months. The new library at Willesden Green is on site and will open later in 2015. Sufficient school places have been provided year on year so as to offer a place to all Brent Children, despite the population increases. Work to maximise the use of Council assets in respects of regeneration has progressed in South Kilburn, Church End, Stonebridge and Alperton. And substantial capital receipts have been secured for building within the operational portfolio that have become surplus to requirements.
- 1.3 Much has changed since 2011 and a refresh of the strategy was required. With the climate for ongoing austerity, local authorities increasingly need to innovate and create new ways of both sustaining services and generating income. Within London in particular, land and property assets are extremely valuable and this provides a real opportunity to think differently about their future use.
- 1.4 The proposed new Property & Asset Strategy is attached at Appendix 1. It aims to find ways of capturing the inherent value and value growth of land and property in Brent in order to help contribute to the delivery of Brent's Borough Plan aspirations. Fundamentally the strategy moves away from a presumption to dispose outright of property towards one of retaining and acquiring assets with a view to maximising revenue potential. The strategy also recognises the importance of social value, rather than just monetary value. It introduces

proposals for Community Asset Transfer as a way of promoting both social value and community resilience.

2. Recommendation

- 2.1 That Cabinet provides approval to The Property & Asset Strategy 2015-19 as set out in Appendix 1, including proposals in respect of Community Asset Transfer.

3. Detail

- 3.1 The proposed Property and Asset Strategy 2015-19 sets out the Council's headline level approach to property for the next four years. The main drivers for this are threefold – the priorities contained in the Borough Plan, the priorities contained within the Regeneration Strategy (and in particular Priority 1 which seeks to deliver transformational change in the Borough's identified Growth Areas), and the need to respond to the prevailing climate of austerity.

Baseline

- 3.2 The starting point for the Property & Asset Strategy is the Council's existing General Fund Portfolio valued at circa £179m. This can roughly be divided into three distinct portfolios:
- (i) *Operational Portfolio* – this includes community centres, libraries, leisure centres, children and adult centres and comprises of 48 buildings (42 freeholds and 6 leaseholds – the latter costing some £285,000 per annum.) The main focal points are the new Civic Centre in Wembley and the soon to be complete Library at Willesden Green.
 - (ii) *Parks Portfolio* – this includes 119 buildings spread across 20 parks, open spaces and cemeteries. Approximately 50% of these buildings currently generate income for the Council, totalling some £245,000 per annum; and
 - (iii) *Commercial Portfolio* – the Council has a relatively modest commercial portfolio comprising of 73 assets, valued at £12m, generating an annual income of £1m. A significant number of these assets have been sold on long leases and include telecom lettings often on roof spaces of operational buildings.
- 3.3 The Property & Asset Strategy does not include land held within the Council's Housing Revenue Account (HRA), which is the subject of a separate property strategy driven by the priorities of the Council's Housing Strategy 2014-19. The delivery of this aspect is overseen by Brent Housing Partnership.

Objectives

- 3.4 The new Property & Asset Strategy proposes four key objectives:
- 1. *Supporting the delivery of the Borough Plan*
To use and maintain assets to enable and support service delivery and transformation in pursuit of the Borough Plan priorities

2. *Promoting community resilience*
To proactively explore the community transfer of assets in support of the Borough Plan priorities
3. *Value generation*
To maximise value generation in respect of the property portfolio, with a focus on increasing ongoing revenue generation
4. *Supporting the delivery of the Regeneration Strategy*
To promote investment and acquisitions in areas of long term value growth in support of the Borough's regeneration, housing agenda and planning for new school places.

Key Initiatives and Operating Principles

- 3.5 Underpinning the delivery of these objectives are some key initiatives and operating principles, each of which signals a significant change in the way that the Council's thinks about and manages its property portfolios and estate. These are set out below:

A consistent approach to maintenance

- 3.6 The work underpinning this strategy has helped to establish a baseline condition survey at headline level for each building. For buildings the Council will continue to hold the following priorities for investment are proposed, providing for a consistent approach to maintenance:
1. Ensuring full compliance with relevant legislation.
 2. Ensuring the Councils contractual or legal obligations is met.
 3. Preserving asset life.
 4. Income/efficiency, investing where there is potential to generate income.
 5. Corporate objectives, making changes to meet service demand.
 6. Business continuity and minimising the risk of asset failure.

Community asset transfer

- 3.7 The Borough Plan acknowledges that in many cases the Council will not be best placed to deliver improved outcomes in line with the priorities contained within that document. It points towards new ways of promoting community resilience and delivering things 'better locally'. Community asset transfer is one way of achieving this – essentially by introducing a mechanism for the transfer of property assets to community organisations who are committed to delivering the priorities contained within the Borough Plan. Community Asset Transfer has the potential to deliver many advantages. As well as stimulating the potential for new ways of delivering services it could also open up sources of funding and finance that the Council may not have access to. The Council will proactively seek community asset transfer opportunities where the following principles are met:

1. Community asset transfer will support the priorities in the Borough Plan;
 2. Organisations that benefit from transfer need to be credible, constituted, financially viable with a clear business plan;
 3. The services and buildings need to promote equality and community cohesion;
 4. All opportunities should be advertised; and
 5. Buildings should be transferred on a repairing leasehold basis.
- 3.8 The routes leading to transfer and the top level process is as detailed in the appendix to the Property & Asset Strategy. Detailed guidance is currently being worked up and will be available in June 2015 if a decision is made to approve the recommendations in this report.

Investment

- 3.9 Across London there remains a real opportunity to invest in land and property to secure both long term capital gains and ongoing revenue income from rents. The Property & Asset Strategy proposes a more proactive approach to investment and acquisition by the Council, primarily focussed on land and property for residential purposes but recognising the need for a balanced portfolio of land uses in order to spread risk. It is proposed that the Council explore the options for establishing a specific investment vehicle in order to take forward this approach, with a clear rationale to both deliver ongoing financial returns and support the Council's regeneration and growth priorities.

Disposals

- 3.10 The general presumption of the new strategy is to retain property within the council's portfolio. However it is recognised that disposals are an important part of good asset management and will sometimes be appropriate. The Strategy proposes that the Council will consider disposing of property and re-investing in the following circumstances:
- i) If the asset no longer makes a positive contribution to the current delivery of Council services;
 - ii) If it is an income generating asset, only if there is greater income potential by disposing and re-investing the resource elsewhere; and
 - iii) If an alternative site could provide a more effective and efficient point of service delivery.
- 3.11 In considering whether to dispose, it is proposed that the following criteria are taken into account:
- (i) Whether the asset has the potential for community asset transfer in pursuit of Borough Plan priorities;

- (ii) Whether the asset has the potential for future strategic regeneration or redevelopment as part of the investment portfolio; and
- (iii) Whether the redevelopment potential is complex and therefore beyond the skill and risk appetite of the Council and therefore better undertaken by a third party.

3.12 Even in circumstances where the Council proposes to dispose of an asset the presumption would remain that this is done on a leasehold basis, with the potential for ground rent fully explored.

Risks

3.13 In taking the Property & Asset Strategy forward to delivery, there are a number of risks which the Council will need to mitigate – as set out below:

- (i) There are a number of ongoing service transformation reviews, for example Youth Services and Brent Start. It is likely that ongoing austerity pressures will require further service reviews. It is crucial that the decision making process for these reviews includes a full consideration of property implications and that these should be considered in the context of the property portfolio as a whole and not in isolation.
- (ii) If the Council pursues a substantial increase in its commercial property investments, there is an associated increased a risk in terms of the market, development and financial borrowing associated with this investment. Appropriate governance and management arrangements will need to be established to properly manage this risk.
- (iii) The preparation work for this strategy has consolidated a considerable amount of property data, but there remains a need for further improvements in the quality and accuracy of the available data (eg. stock condition) and there will need to be ongoing work to ensure that this is rectified.
- (iv) A full valuation review of all assets will be undertaken to ensure all further strategic asset decisions are supported by accurate values.
- (v) The new strategy signals some significant shifts in approach – Community Asset Transfer and Investment for example. This will in turn require different skill sets to oversee successful delivery. Work is underway to review the existing skills available to the Council with a view to identifying gaps and bringing forward arrangements for addressing these gaps – be that through development opportunities and support for existing staff or recruitment.

Next Steps

3.14 The following milestones are proposed in respect of the next steps required to support the delivery of the Property & Asset Strategy:

- June 2015 – publication of Community Asset Transfer guidance
- September 2015 – detailed action plan compiled

- September 2015 – options for establishing a new Investment Vehicle considered by Cabinet, with a view to the vehicle being established before the end of the 2015/16 financial year
- December 2015 – completion of a review of skills and structure within the Property team to ensure alignment with the Property & Asset Strategy.

4 Financial Implications

- 4.1 Operational portfolio: converting 6 leasehold assets could provide for a saving of £285,000 per annum which could then be capitalised and reinvested. A review of the Grade C asset with a five year backlog maintenance programme could mitigate expenditure of £137,325. Marketing of surplus space within operational assets including both the Civic Centre and Willesden Green library has the potential to generate revenue while reducing existing revenue costs. Supporting service with transformations changes: Children Centre, Youth Services Review, Brent Start and Library, could see significant savings through rationalisation of service assets or capital receipts as a result of disposing of surplus asset which can be re-invested.
- 4.2 Parks portfolio: 50% of assets are income producing, maximising the use of under utilised assets will generate additional revenue. An increase in revenue of just 10% would equate to an additional £24,500 p.a. and a 20% increase could generation £49,000 additional income while reducing onerous property costs.
- 4.3 Commercial portfolio: in reviewing the portfolio there is the potential to add value considering options for new homes and school places, delivering increased and new revenue, marriage value and a minimum c. 5% (4% interest and 1% MRP return on capital employed).
- 4.4 By having an asset management plan for hold assets which includes condition survey including maintenance plan, there is the potential to reduce unnecessary expenditure by developing a clear planned maintenance programme.
- 4.5 The community asset transfer process assumes running cost liability transfers providing a potential to eliminate running costs of all assets identified for potential community transfer of c.£327,000 and backlog maintenance of c. £343,000.
- 4.6 Investment proposals aligned with growth areas, business cases will be developed as required to establish potential revenue impact and capital investment required. Potential revenue benefit from known opportunities of approximately £1.6m (of which £0.6m is from Bulge class asset review and £0.3m from potential library transfer). Potential to eliminate / reduce backlog saving £2.1m (of which £0.3m is from Park assets). Where possible securing 'meanwhile uses' by bringing vacant properties into economic use, generating additional income and reducing blight and liabilities and empty rate costs. Additionally capital investment is required to secure strategic acquisitions of those assets targeted for potential buyback.

- 4.7 Review and business cases for surplus assets would provide for capital receipts which can be re-invested and re-cycled as well as potential revenue savings.

5. Legal Implications

- 5.1 There are a number of legal considerations which were raised as part of the strategy development work which will need to be fully assessed.
- 5.2 If the Council pursues the proposal to deliver further residential development and market rented residential accommodation within the Commercial Property portfolio, the Council will need to carefully consider the most appropriate ownership structure to enable these investments, in consideration of the Right to Buy, Localism Act and State Aid regulations.
- 5.3 The Council needs to develop a clear Community Asset Transfer policy to sit beneath the proposed process which will require legal consideration of the appropriate means of asset transfer.
- 5.4 Given the increased focus on residential assets as an investment class; the existing Officer level governance arrangements may need further consideration in order to provide additional Housing representation.
- 5.5 The legal team will be required to support the transaction activities associated with the push towards formalising leases and renewing leases that are currently holding over.

6. Diversity Implications

- 6.1 As per the screening stage analysis, a full equality analysis will be undertaken when projects are defined and developed.

7. Staffing/Accommodation Implications

- 7.1 As per the Borough Plan and the Cabinet report in December 2014 entitled 'budget proposals', staffing and accommodation implications are anticipated, the detail of which will need to be determined as site specific proposals are developed.
- 7.2 As per the risk section in the short term, a skills and structure review will be undertaken of the Property team to align staffing resource with the new Property and Asset Strategy 2015-19.

8. Background Papers

None

9. Appendix

Appendix 1 - Property & Asset Strategy 2015-19 & Appendix 1 Proposals in Respect of Community Asset Transfer

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Property & Asset Strategy 2015-19

May 2015

Introduction

In 2011 Brent adopted its first Property & Asset Strategy, setting out a direction and an action plan for maximising the impact and value of the Council's land and property assets. A critical focus of the strategy was on the Council's operational portfolio – the buildings which the Council needed to make use of in order to deliver its services and corporate priorities. The strategy continued the direction of travel towards a single municipal portfolio, managed corporately and consistently.

The strategy was dominated by the Council's proposals for its own office portfolio – namely the consolidation of its office functions from 14 buildings (owned and leased) into the new Civic Centre at Wembley and the development of a new 'mini' Civic Centre in the south of the Borough on the site of the former Willesden Library. The pervading presumption for buildings that the Council no longer had a use for was disposal for the maximum possible capital receipt, in order to support the costs of the Council's capital programme – not least in respect of the pressure to provide adequate school places to meet the needs of a growing population.

For the first time the strategy also began to develop links between the Council's own assets and the wider regeneration ambitions across the Borough.

Four years on, many of the key actions have been delivered. The new Civic Centre is complete and has been occupied for over 18 months. The new Library at Willesden Green is on site and will be open later in 2015. Sufficient school places have been provided year on year so as to offer a place to all Brent children, despite the population increases. Work to maximise the use of Council assets in respect of regeneration has progressed in South Kilburn, Church End, Stonebridge and Alperton. And substantial capital receipts have been secured for buildings within the operational portfolio that have become surplus to requirements.

Much has changed since 2011 and it is now timely for a review of the Council's Property and Asset Strategy. Within a climate of ongoing austerity, local authorities increasingly need to look at innovative and creative ways of both sustaining services and generating income. Within London in particular, land and property assets are extremely valuable (parts of Brent experienced in excess of 20% value growth during 2014) and this refreshed strategy aims to find ways of capturing this inherent value and value growth to help contribute to the delivery of the Borough Plan aspirations.

The plan is the culmination of a year's work, incorporating condition surveys across the Council's portfolio, workshops to consider the likely future requirements of services and challenge sessions to think about new ways of approaching property so as to maximise its impact. This strategy attempts to align property and the use of property even more closely with the Borough Plan, it introduces the concept of Community Asset Transfer as a way of helping to promote community resilience and it proposes a more commercial approach to investing in land and property as a way of both delivering income to the Council and supporting the regeneration and growth of the Borough. Most fundamentally the strategy moves away from a presumption to dispose of property to a presumption to retain property with a view to maximising its revenue potential.

Objectives

The following strategic objectives are proposed in respect of the Council's property portfolio:

Objective 1 – *Support the Delivery of the Borough Plan*

To use and maintain assets to enable and support service delivery and transformation in pursuit of Borough Plan priorities.

Objective 2 – *Promote Community Resilience*

To proactively explore the community transfer of assets in support of Borough Plan priorities.

Objective 3 – *Value Generation*

To maximise value generation in respect of the property portfolio, with a focus on increasing ongoing revenue generation.

Objective 4 – *Support the Delivery of the Regeneration Strategy*

To promote investment and acquisitions in areas of long term value growth in support of the Borough's regeneration, housing agenda and planning for new school places.

Clearly there will be times when these objectives are at odds with each other and decisions will need to be made in respect of individual land or property assets which balance the relative merits of two or more of these objectives. In these circumstances it will be expected that decision makers are provided with options that relate to each relevant objective so they can make fully informed decisions. This document attempts to set out clear and consistent approaches in order to achieve this, namely:

- Establishing a clear baseline condition for all buildings within the Council's portfolio;
- Establishing the potential of each building within the Council's portfolio;
- Establishing a consistent approach to maintenance;
- Proposing an approach to community asset transfer;
- Proposing an approach to new investment; and,
- Proposing an approach to the disposal of surplus assets.

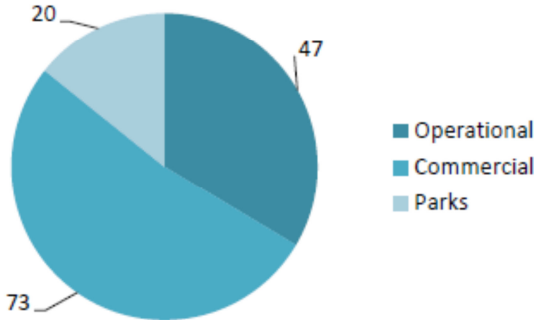
Although this strategy is largely focussed on Council owned land and property there are considerable further public sector assets across the Borough. A concerted effort will be made over the lifetime of this strategy to better align priorities across the relevant public sector agencies through Partners for Brent to try and ensure a more coherent approach to public sector land and assets.

Scope, Baseline & Potential

The Council’s existing property portfolio is relatively modest when compared to comparably sized London Boroughs – a consequence of a large disposal programme twenty years ago and an ongoing incremental consolidation and disposal programme ever since.

This strategy focusses on the Council’s general fund portfolio, which comprises of 140 assets dispersed over three distinct portfolios, as summarised below:

Total Number of Assets by Portfolio



The overall value of the Council’s General Fund portfolio is £179m.

The Council does hold other land and assets, most notably its highways land and housing estates held within the Housing Revenue Account. Both of these portfolios are outside the scope of this strategy, although there is an Asset Management Strategy in place for both.

As part of the baseline work for this strategy a comprehensive survey has been undertaken of each of the three portfolios in scope. The sections below summarise the findings from this baseline exercise and also sets out some of the issues and opportunities within each portfolio.

Operational Portfolio

This includes the Civic Centre, libraries, leisure centres and day care centres. The portfolio comprises of 47 buildings and has reduced substantially as part of the consolidation strategy associated with the move to the new Civic Centre. A majority of the buildings (41) are held by the Council on a freehold basis, with a total asset value of £167m. The rental costs on the remaining 6 buildings are in the region of £285,000 per annum and this strategy proposes to explore the merits of securing freehold premises to replace the leasehold stock.

The freehold portfolio costs in the region of £2.2m per annum to run and these costs are partly offset by a rental income of £545,000 per annum across four of the buildings. Three of the buildings are rated as Grade C in condition terms, signalling the need for critical maintenance or repair work. These buildings are Preston Mall Youth & Community Centre, Gordon Brown Centre and Bridge Park Community Leisure Centre.

The new Library at Willesden Green is excluded from this analysis as it is currently under construction, but once it is complete will have a significant impact on the operational portfolio. It will also provide an opportunity to review the future of spaces

that will become available once services move into the building, including Challenge House and the basement of Grange Road.

The Civic Centre will continue to dominate the operational portfolio and as the Council continues to downsize there is scope to release further office space within the building for external lettings with a view to generating additional revenue income and offsetting facilities management costs.

The remainder of the operational portfolio is likely to see considerable change, with new models of service provision being actively considered for Children's Centres, Youth Service, Libraries and Adult Education. In recent years a number of buildings in this portfolio have also been used to provide temporary classroom provision in order to meet the growth in demand for school places – a situation which the Council is keen to address as part of future permanent school expansions.

Parks Portfolio

This includes 20 parks, open spaces and cemeteries, within which are 119 buildings. Many of the buildings in this portfolio are of extremely low value due to significant restrictions on their use and operation. Nevertheless, 50% of these buildings do currently generate income for the Council, totally some £245,000 per annum.

Buildings within this portfolio may often lend themselves to community asset transfer, which may ensure the ongoing provision of sports and recreation facilities (eg. changing rooms) and open up new investment streams to support their upkeep and maintenance.

There is scope to consider the re-planning and re-provision of the combined sports facilities at Vale Farm and there may be scope to consider similar opportunities in Roe Green and King Edward Parks. In addition there are a small number of open spaces across the Borough which remain under-utilised and potentially are a maintenance liability and this strategy proposes a review of this with a view to exploring their potential for either alternative uses in line with Borough Plan and Regeneration priorities, or alternatively Community Asset Transfer.

Commercial Portfolio

This includes assets held for investment and/or regeneration purposes and includes offices, retail, industrial and residential properties. Although this is the largest part of the Council's portfolio in terms of number of premises (73) it is of comparably modest value – just £12m. A significant proportion of the assets within this portfolio are sold on long leases (often with BHP housing on the upper floors) and only a small minority of assets are genuine commercial assets delivering market rents on shorter term lease periods. This portfolio also includes telecom lettings, often on the roof spaces of buildings in the operational portfolio.

The total annual income within the portfolio is £1m. It is estimated that £422,000 of rent is at risk over the next five years. The vacancy rate is relatively high (12.6%).

The Council is currently significantly under-utilising the potential of a commercial portfolio. This strategy proposes a step change in approach as a means of meeting the twin objectives of value generation (both in terms of revenue return and capital growth) and supporting the delivery of regeneration. In particular there is scope to develop the investment portfolio within the residential market (where the highest

growth potential exists) in order to both support endeavours to meet housing need and deliver a revenue return.

A Consistent Approach to Maintenance

The work underpinning this strategy has helped to establish a baseline condition survey – at headline level – for each of the buildings within the Council’s portfolio. For the buildings which the Council continues to hold, it is important that the Council develops an intelligent repairs and maintenance strategy so that it can minimise unplanned reactive expenditure, improve the sustainability of the estate as a whole, maximise value, reduce running costs, and thereby risk and liability. In having a planned and proactive approach to maintenance the following priorities for investment are proposed:

1. Ensuring full compliance with relevant legislation - this includes DDA, health and safety, fire regulations, legionella and asbestos;
2. Ensuring the Council’s contractual or legal obligations are met in respect of repairs and maintenance obligations detailed in leases or management agreements;
3. Preserving asset life - protecting heritage assets and minimising obsolescence on existing assets;
4. Income/ efficiency - investing in assets where there is a clear potential to generate income as a consequence of by improving the quality of the asset;
5. Corporate objectives - making improvements required to meet changing service demand i.e. new facilities, new fit-out, in support of community resilience; and
6. Business continuity - minimising the risk of asset failure causing unexpected interruptions to service delivery.

A revised repairs and maintenance programme will be developed using this framework, but recognising the finite resources that are available at any given time.

Community Asset Transfer

The Borough Plan emphasises the need to support greater community resilience. This signals a significant change in the way that the Council needs to think about the provision of services. It means that the Council will move much more towards an enabler of improved outcomes for citizens and communities rather than a direct provider of services. This in turn requires different ways of thinking about the way the Council makes use of its property portfolio to support this approach.

Community asset transfer has the potential to deliver many advantages. Often community organisations (and especially charities) have access to forms of funding and financing that the Council is unable to access – and this funding could both be revenue (to support the delivery of a service, or an activity) or capital (to support investment and improvement in the asset). The transfer of an asset could in some

circumstances support the delivery of services or outcomes which otherwise would be unaffordable in the current climate of austerity. And the transfer of an asset could allow local community ideas and energy to be harnessed in a way which a more traditional and municipalist model of service delivery often stifles.

This strategy proposes a clear framework for community asset transfer. The next stage will be for clear guidelines to be worked up in support of the principles outlined below:

- Community asset transfer should support the priorities outlined in the Borough Plan – in making decision to transfer a building the Council should reassure itself that the building should be making a clear contribution to the things which have been identified as most important in making a difference across the Borough;
- Organisations that benefit from community asset transfers need to be credible, they need to be properly constituted to be able to take on the responsibilities associated with a lease, they need to be financially viable and have a clear business plan;
- The uses and activities in the transferred buildings need to be openly accessible to the community in its widest sense and need to promote equalities and community cohesion;
- All opportunities for community asset transfer should be advertised to ensure that there is equal opportunity for any organisation to express their interest; and
- All buildings to be transferred on a repairing leasehold basis with terms to be negotiated appropriately.

It is envisaged that there are three possible routes leading to a Community Asset Transfer – those initiated by a community request, those initiated by a service review or transformation and those initiated by a building becoming surplus to requirement with no other uses being identified. Appendix 1 outlines the top level processes for decision making in each scenario. Essentially the strategy attempts to promote a ‘why not?’ approach to Community Asset Transfer as opposed to the more traditional ‘why?’ approach.

It is unlikely that there will ever be only one option in respect of any given asset within the portfolio, so it is important that when considering Community Asset Transfer proposals decision makers are absolutely clear on all possible other options so as the relative merits of each can be considered.

Investment

Within London there remains a real opportunity to invest in land and property in order to secure both long term capital gains, but also to deliver shorter term revenue returns from rents. This strategy proposes that the Council builds on the skills and confidence it has acquired through leading the South Kilburn Regeneration programme in order to build a more substantive and high performing investment and commercial portfolio.

Although this portfolio should reflect a diverse range of property types in order to manage and spread the commercial risks – including industrial and retail – the largest component should be residential land and property as it is here where the income and value growth potential is the highest. In developing its approach to investment the Council should seek to deliver on the twin goals of delivering a financial return and supporting regeneration and housing priorities. This means that sometimes the financial return will be by way of increased income (eg. through acquiring private rented properties) and at others it will be in terms of making cost savings (eg. through providing new social homes that allows the council to discharge its homelessness duty and is so doing reduce temporary accommodation costs).

The following table identifies the areas within the Borough proposed for investment, based on commercial advice and regeneration and growth priorities.

Buy now to reduce CPO cost for regeneration	Buy now for investment returns
<p style="text-align: center;">Church End Stonebridge South Kilburn St Raphaels North Circular area</p>	<p style="text-align: center;">Alperton Harlesden Stonebridge South Kilburn Wembley</p>
Buy assets for future service delivery	Support regeneration through planning only
<p style="text-align: center;">All areas (schools)</p>	<p style="text-align: center;">Burnt Oak Chalkhill Park Royal</p>

At this stage out of Borough investment has not been considered.

The Council will need to consider the level of investment which it wishes to make, as well as the level of return it wishes to see on that investment and the payback period for the initial outlay. In addition the Council needs to consider whether it wishes to be the sole investor or whether there is merit in finding an investment partner and in so doing share both the risks but also the rewards of that investment.

This strategy proposes that work commences immediately on honing the objectives for new investment and bringing forward proposals for an appropriate investment vehicle to achieve this.

Disposals

Notwithstanding the proposed presumption to retain property within the Council’s portfolio, disposals are an important part of good asset management – whether that be disposals of surplus property or disposals as part of a commercial strategy.

It is proposed that the Council will consider disposal in the following circumstances:

- If the asset no longer makes a positive contribution to the current delivery of Council services;
- If it is an income generating asset, only if there is greater income potential by disposing and re-investing the resource elsewhere; and
- If an alternative site could provide a more effective or efficient point of service delivery.

In considering whether to dispose, it is proposed that the following criteria are taken into account:

- Whether the asset has the potential for community asset transfer in pursuit of Borough Plan priorities;
- Whether the asset has the potential for future strategic regeneration or redevelopment as part of the investment portfolio; and
- Whether the redevelopment potential is complex and therefore beyond the skills or risk appetite of the Council - and therefore better undertaken by a third party.

Even where the Council proposes to dispose of an asset the presumption would remain that this is done on a leasehold basis, with the potential of ground rent income fully explored.

Skills

This strategy signals a significant shift away from the current approach to property and asset management. In moving to an alternative way forward there will need to be a thorough review of the skills, expertise and attitude of the teams currently responsible for Property within the Council with a view to ensuring the availability of the best possible advice to decision makers and a fit for purpose team responsible for delivery.

This review will be undertaken as soon as the strategy is agreed, in order to assess where the skills gaps lie, and a subsequent proposal will be drawn up to address any areas of weakness.

Appendix

Appendix 1 – Community Asset transfer Process

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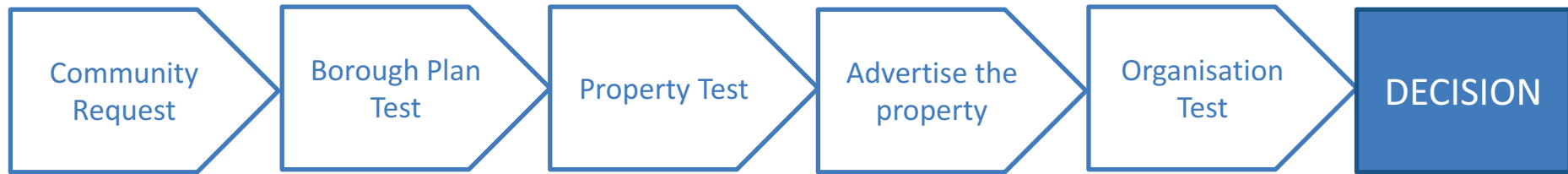
Proposed approach to Community Asset Transfer

*Property & Asset Strategy 2015-19
Appendix 1*

Community Asset Transfer

- Shifting from 'why' to 'why not?'
- Three routes in to community asset transfer
 - Community initiated
 - Council initiated service review
 - Council identified property opportunity
- Strongly recommend all routes involve a competitive process
- Clear need to develop a clear Community Asset Transfer policy and guidance once the principles have been agreed

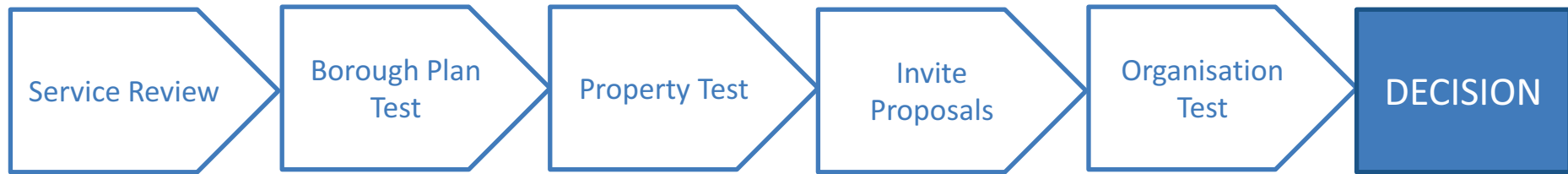
Community Initiated Transfer



Page 393

Direct approach received by local community organisation	Is the proposed use in accordance with Borough Plan priorities?	<p>Review appropriateness of property</p> <ul style="list-style-type: none"> (i) Is the property available? (i) What are the alternative options? (i) Is there a development and CAT option? 	Draw up specification for proposed use of the building and advertise the opportunity	<p>Are the interested organisations fit for purpose to manage the property?</p> <p>Are they properly constituted and governed?</p> <p>Do they have adequate resources?</p> <p>Will they meet equalities obligations?</p>
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Council Initiated Service Review



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<p>Council initiates review of services, perhaps with partners.</p>	<p>Is the proposed service in accordance with Borough Plan priorities?</p>	<p>What is the notional value attached to the properties that are to be transferred?</p>	<p>Draw up specification for the service including the parameters for the use of the buildings to be transferred.</p>	<p>Are the interested organisations fit for purpose to manage the property?</p>
<p>Preferred alternative delivery model includes community transfer of existing buildings as part of arrangements for ongoing and improved service outcomes and community resilience</p>	<p>What are the expected outcomes the new service provider is expected to provide?</p>	<p>What are the alternative options for the building? What are the proposed lease arrangements?</p>	<p>Normal tender process for the service</p>	<p>Are they properly constituted and governed? Do they have adequate resources? Will they meet equalities obligations?</p>

Council Identified Property



<p>Buildings suitable for CAT opportunity identified through annual review of asset plan</p>	<p>Advertise the opportunity specifying requirement to maximise use in accordance with Borough Plan priorities</p>	<p>Are the interested organisations fit for purpose to manage the property?</p> <p>Are they properly constituted and governed?</p> <p>Do they have adequate resources?</p> <p>Will they meet equalities obligations?</p>	<p>Which of the proposals has the best potential to support Borough Plan priorities?</p>
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 <p>Brent</p>	<p style="text-align: center;">Cabinet 1 June 2015</p> <p style="text-align: center;">Report from the Strategic Director of Regeneration and Growth</p>
<p>For Action Wards Affected: Willesden Green</p>	
<p>Authority to tender contract for the proposed Learie Constantine Centre redevelopment</p>	

Appendix 1 is Not for publication

1.0 Summary

1.1 This report concerns the redevelopment proposal for the Learie Constantine site at 43-47 Dudden Hill Lane, the principles of which were agreed by the Executive at its meeting of 20th May 2013. This report requests approval to invite tenders in respect of this proposal as required by Contract Standing Orders 88 and 89.

2.0 Recommendations

2.1 That Cabinet approve inviting tenders for the proposed Learie Constantine site redevelopment on the basis of the pre - tender considerations set out in paragraph 3.15 of the report.

2.2 That Cabinet approve the evaluation of tenders referred to in 2.1 above on the basis of the evaluation criteria set out in paragraph 3.15 of the report.

2.3 That Cabinet delegate authority to the Operational Director of Property and Projects (Regeneration and Growth), in consultation with the Chief Finance Officer, to award the contract to the successful tenderer and to agree the final terms of the development agreement and leasing structure between the Council, the Learie Constantine West Indian Association and the successful tenderer (the developer) provided the receipt generated is sufficient to cover the cost of a new community centre.

2.4 That Cabinet grant an exemption from Contract Standing Order 104 (b) to permit evaluation of bids on the basis of price alone, which is considered

Authority to tender contract for the proposed Learie Constantine Centre Redevelopment

appropriate for meeting the Council's aims and objectives in relation to the site.

3.0 Detail

- 3.1 The Learie Constantine West Indian Association (Association), established since 1972, is a local community organisation that for some time has wanted to extend and improve its community centre at 43-47 Dudden Hill Lane to better suit its needs.
- 3.2 The Association holds a long leasehold interest in the premises (Site A - appendix 3), which they purchased from the Council under lease dated 9th October 1998 for the term of 99 years from 1st April 1997, of which approximately 84 years remain. The Council owns the freehold interest of the site.
- 3.3 The Association is a community organisation that provides services to the local community, particularly to Black and Minority Ethnic groups. The community centre is considered to be a valuable facility for the local community.
- 3.4 The site comprises a single-storey brick built end of terrace property with a car park to the rear, located on the corner of Villiers Road and constructed in the 1930s. The potential redevelopment area of the demised site is circa 0.067 hectares. The community centre building is not listed and does not fall within a conservation area.
- 3.5 The community centre building is considered to be reaching the end of its useful economic life and would benefit from renewal. Redevelopment of the community centre building could be supported through redevelopment of the site for a new mixed-use (and mixed-tenure) scheme.
- 3.6 The mixed-use scheme would provide the Association with a new community centre in a single modern building on the ground floor and provide residential accommodation on the first floor for rent or sale by the developer. The scheme would be subject to planning consent, which would need to be obtained by the developer.
- 3.7 The site at 43-47 Dudden Hill Lane adjoins Council owned land and buildings at 39 and 41 Dudden Hill Lane (Site C – appendix 3), which comprises two vacant properties requiring refurbishment and modernisation (a two bedroom property currently split into two flats with one bedroom each and a 5 bedroom property respectively).
- 3.8 Based on an architectural capacity assessment, 43-47 Dudden Hill Lane (Site A) could be developed in isolation of 39 and 41 Dudden Hill Lane (Site C) and would accommodate a new community centre in a single modern building on the ground floor and approximately 13 residential flats above.
- 3.9 The land at Site C could be added to Site A to create Site B (appendix 3),

which would form a larger alternative development of 0.087 hectares, accommodating a new community centre and approximately 19 flats. It is proposed that developer proposals are invited for the development scheme of 43-47 Dudden Hill Lane in isolation and as part of a wider development scheme incorporating 39 and 41 Dudden Hill Lane, and that both options are considered and assessed by the Council in accordance with the valuation set out in appendix 1.

- 3.10 Following Executive approval of the proposed redevelopment strategy at its meeting on 20th May 2013, the Council and the Association have agreed a Memorandum of Understanding that sets out 'in principle' the approach to the redevelopment, in which the Council will continue to own the freehold of the site.
- 3.11 The Council will procure a developer partner to assist in the development of the site. The Council will sell a long leasehold interest in the site of approximately 250 years in length to the developer (that will be secured through a development agreement) and secure a leaseback in the new community centre at a peppercorn rent. The Council will grant a new sub lease to the Association in accordance with the agreed Memorandum of Understanding i.e. under similar lease terms and years left to run as the Association's existing lease and the developer will build, operate and manage the new homes. As part of the development agreement, the developer may be asked to provide the Association with interim space within alternative premises so that the Association can continue with its activities for the duration of the redevelopment.
- 3.12 The Council will seek to maximise the number of affordable residential flats delivered as part of the scheme, provided the land receipt generated is sufficient to cover the cost of the new community centre (appendix 1), and secure 100 per cent nomination rights to the affordable homes. Officers are of the view that the objectives of delivering affordable housing and a new community centre on the site are not separate considerations but directly inter-related in terms of what is viable to provide and are therefore better evaluated together under price.
- 3.13 The Association is currently in the process of becoming an incorporated body. Incorporation would provide the Association with an appropriate legal status that would allow the Association to enter into the necessary agreements with the Council for the redevelopment.
- 3.14 Due to delays arising from the negotiations with the Association and delays in the Association becoming an incorporated body, it has not been possible to progress this matter as quickly as Officers would have wished. In order to allow the development contract to commence in October 2015, it is recommended to delegate authority to the Operational Director of Property and Projects (Regeneration and Growth), in consultation with the Chief Finance Officer, to award the contract to the successful tenderer and to agree

the final terms of the development agreement and leasing structure between the Council, the Association and the successful tenderer.

- 3.15 In accordance with Contract Standing Orders 88 and 89, pre-tender considerations have been set out below for the approval of the Cabinet. The Cabinet is asked to give its approval to these proposals as set out in the recommendations and in accordance with Standing Order 89.

Ref.	Requirement	Response	
(i)	The nature of the service.	Redevelopment of the Learie Constantine site for a mixed-use scheme.	
(ii)	The estimated value.	See appendix 1.	
(iii)	The contract term.	Approximately 18-24 months with a start on site anticipated by October 2015.	
(iv)	The tender procedure to be adopted.	An Open or Single Stage Procedure.	
v)	The procurement timetable.	Indicative dates are:	
		Adverts placed	1st July 2015
		Deadline for tender submissions (45 days from advert)	17th August 2015
		Panel evaluation and shortlist for interview	24 th August 2015
		Interviews and contract decision	31 st August 2015
		Report recommending Contract award circulated to Operational Director of Property and Projects (Regeneration and Growth) the Chief Finance Officer	7 th September 2015
		Operational Director of Property and Projects (Regeneration and Growth) in consultation with the Chief Finance Officer approval	7 th September 2015

Ref.	Requirement	Response	
		Minimum 10 calendar day standstill period – notification issued to all tenderers and additional debriefing of unsuccessful tenderers	25 th September 2015
		Contract Mobilisation	2 nd October 2015
		Contract start date	9th October 2015
(vi)	The evaluation criteria and process.	<p>1. At selection (pre-qualification stage) shortlists are to be drawn up in accordance with the Council's Contract Procurement and Management Guidelines by the use of a pre qualification questionnaire to identify organisations meeting the Council's financial standing requirements, technical capacity and technical expertise.</p> <p>2. At tender evaluation stage, the panel will evaluate the tenders against the following criteria:</p> <p>Price: 100 per cent weighting – this will be on the basis of the developer building the new community centre in accordance with the specification and ensuring that 50 per cent of the residential flats built are affordable.</p> <p>Tenderers will be asked to quantify the net land receipt being offered as part of their bids.</p> <p>Tenderers will be required to meet mandatory requirements in order for their bids to be compliant (these mandatory requirements, and the consequence of failing to evidence compliance to the required level, will be set out in the tender documents).</p>	
(vii)	Any business risks associated with entering the	The main risk is the financial viability of the proposed scheme, which can be assessed once the tenders have been received. The	

Ref.	Requirement	Response
	contract.	risks associated with entering into contract will be managed via the development agreements in respect of the site.
(viii)	The Council's Best Value duties.	See sections 4 and 5 below.
(ix)	Consideration of Public Services (Social Value) Act 2012	See Section 8 below
(x)	Any staffing implications, including TUPE and pensions.	See Section 7 below
(xi)	The relevant financial, legal and other considerations.	See sections 4 and 5 below.

4.0 Financial Implications

- 4.1 The estimated value of this works concession contract is shown in appendix 1.
- 4.2 It is anticipated that the cost of the new community centre will be met from the land receipt arising. If the development is not viable from the capital receipt, a further report will be submitted to Cabinet to assess funding options.
- 4.3 The Council and the District Valuation Service have assessed the financial viability of the proposed new scheme. In order for the redevelopment to come forward the Council will need to secure a sufficient land receipt from the developer to fund the redevelopment of the new community centre in accordance with the valuation principles set out in appendix 1.

5.0 Legal Implications

- 5.1 The Council owns the land at 43-47 Dudden Hill Lane freehold with title absolute. The Council also owns the freehold in adjoining land at numbers 39 and 41 Dudden Hill Lane.
- 5.2 As detailed in paragraph 3.11, the intention is to procure a developer partner to develop this scheme. It is considered that the proposed development agreement would be classed as a works concession contract, with the developer funding the cost of works, but together with the Council having the right to profit from the development.
- 5.3 Based on the information contained in appendix 1, the estimated value of this contract is such that this would be classed as a High Value Contract. For High Value Contracts, the Cabinet must approve the pre-tender

considerations set out in paragraph 3.15 above (Standing Order 89) and the inviting of tenders (Standing Order 88).

- 5.4 For the reasons detailed in paragraph 3.14, delegated authority is sought for the Operational Director of Property and Projects (Regeneration and Growth), in consultation with the Chief Finance Officer, to award the contract to the successful tenderer and to agree the final terms of the development agreement and leasing structure between the Council, the Association and the successful tenderer. Once the tendering process is undertaken therefore, Officers will report to the Operational Director of Property and Projects (Regeneration and Growth), explaining the process undertaken in tendering the contracts and recommending award.
- 5.5 Based on the information contained in appendix 1, the estimated value of this contract is not such that the contract would be subject to the requirements of the Public Contracts Regulations 2006 (the "EU Regulations"). However the intention would be to advertise in the Official Journal of the European Union (OJEU), as a minimum, and observe the minimum timescales set out in the EU Regulations.
- 5.6 Contract Standing Order 104 (b) requires tenders for Services to be evaluated and awarded on the basis of the most economically advantageous offer to the Council which is a combination of price and quality criteria. As detailed at paragraph 3.12 however, officers are of the view that it is appropriate to evaluate bids on the basis of price alone. Members are therefore requested to grant an exemption from Contract Standing Order 104 (b) to allow evaluation on the basis of price.

6.0 Diversity Implications

- 6.1 An Equalities Impact Assessment form is provided in appendix 2.

7.0 Staffing/Accommodation Implications

- 7.1 An external contractor will provide the service and therefore there are no implications for Council staff arising from tendering the contract.

8.0 Public Services (Social Value) Act 2012

- 8.1 The Council's duty under the Public Services (Social Value) Act 2012 (the "Act") only applies to Medium and High Value Contracts for services and therefore does not strictly apply to a works concession contract. Officers will however have regard to the desired outcomes of the Act for the proposed procurement, namely consider how what is 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 nature of the works being procured (delivering a new community centre for use by the Association) naturally aligns with the requirements of the Act,

namely the improvement of the social and environmental wellbeing of the area. This is also the case for the proposal to secure affordable housing on the site. Officers have concluded that it is not appropriate to undertake any consultation and that the only measures appropriate to meeting the requirements of the Act are to operate the Council's usual procurement processes.

9.0 Background Papers

Appendix 1: Valuation

Appendix 2: Equalities Impact Assessment

Appendix 3: Site areas

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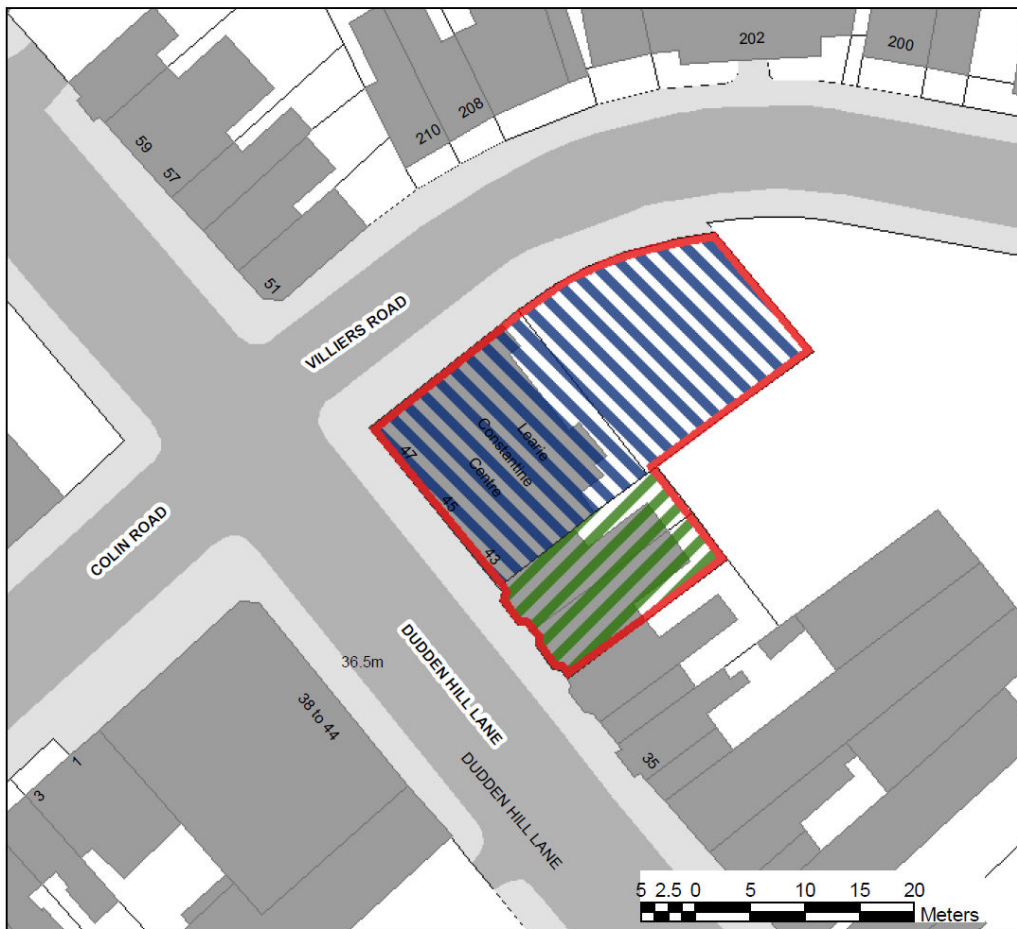
Email: denish.patel@brent.gov.uk

ANDY DONALD

Director of Regeneration and Major Projects

Appendix 3: Site areas

Appendix 3
Learie Constantine Centre numbers 43-47,
and numbers 39 and 41 Dudden Hill Lane,
London, NW10 2ET.



 Site A  Site B  Site C

 **Brent** **1:500**
Plan to stated scale if printed at A4.

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NORTH 

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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Learie Constantine Centre Redevelopment

#1

Department

Regeneration and Growth

Person Responsible

Denish Patel

Created

28th April, 2015

Last Review

28th April, 2015

Status

Assessed

Next Review

28th April, 2016

Impact Assessment Data

5. What effects could your policy have on different equality groups and on cohesion and good relations?

5.1 Age (select all that apply)

- Positive

The Association is a community organisation, established since 1972, that provides services to the local community, particularly to Black and Minority Ethnic groups. The community centre is considered to be a valuable facility for the local community.

5.2 Disability (select all that apply)

- Positive

The proposed new community centre building will have full disability access which will improve upon the disability access in the existing building.

5.3 Gender identity and expression (select all that apply)

- Neutral

5.4 Marriage and civil partnership (select all that apply)

- Neutral

5.5 Pregnancy and maternity (select all that apply)

- Neutral

5.6 Race (select all that apply)

- Positive

The Association is a community organisation, established since 1972, that provides services to the local community, particularly to Black and Minority Ethnic groups. The community centre is considered to be a valuable facility for the local community.

5.7 Religion or belief (select all that apply)

- Neutral

5.8 Sex (select all that apply)

- Neutral

5.9 Sexual orientation (select all that apply)

- Neutral

5.10 Other (please specify) (select all that apply)

- Neutral

6. Please provide a brief summary of any research or engagement initiatives that have been carried out to formulate your proposal.

What did you find out from consultation or data analysis?

Were the participants in any engagement initiatives representative of the people who will be affected by your proposal?

How did your findings and the wider evidence base inform the proposal?

One of the purposes of the Learie Constantine Community Centre is to provide a place where the local community can meet for social and recreational purposes and allow the local community to come together. The community centre is owned and managed by the Learie Constantine West Indian Association who have been established since 1972 and are a well known community organisation in Brent that provides services to the local community, in particular to Black and Minority Ethnic Groups.

The existing community centre building is considered to be reaching the end of its useful economic life and the Council and the Association have been in discussions over the years to come up with a proposal that will enable the Association to continue serving the local community from the existing site. If the community centre had to close then the ability of people to access and participate in community activities may be differentially affected by reason of race. This could occur because if the condition of the community centre building deteriorates further then the community centre may not be available in future to the main users of the community centre i.e. Black and Minority Ethnic Groups.

To provide a solution, the Council, who owns the freehold of the site, and the Association, who owns a leasehold in the site, are proposing a redevelopment of the site for a new community centre on the ground floor for the Association and residential flats above for rent or sale by a developer who will build and manage the scheme. The Council and the Association have agreed a Memorandum of Understanding that sets out the principles of the redevelopment proposal. The Council is now seeking authority to tender the site to secure a developer partner who will develop the new scheme.

7. Could any of the impacts you have identified be unlawful under the Equality Act 2010?

- No

8. What actions will you take to enhance any potential positive impacts that you have identified?

Ongoing consultation with the Association will be carried out to inform the provision of the community centre facilities to meet the needs of the local community. The Council is engaging with the Association to ensure that their required specification for the new community centre building is fit for purpose and the Council have appointed an external consultant to assist with that process.

The Council is also assisting the Association to find interim space within an alternative venue for the period of the redevelopment to mitigate the impact of the temporary closure of the existing facilities which will be required during the period of the development.


The Council will market the site development proposals as widely as possible to ensure that sufficient interest is generated in the site, and therefore hopefully secure a suitable developer partner who will be able to deliver the objectives of the proposal.

9. What actions will you take to remove or reduce any potential negative impacts that you have identified?

The proposal will involve the temporary closure of the community centre which could result in temporary barriers to access to community activity by affected groups but the impact of closure could be mitigated by provision of interim space for the Association within an alternative venue within the borough. The redevelopment measures proposed are expected to provide for ongoing community activity in the local area and outcomes related to improved quality of life for local people.

10. Please explain the justification for any remaining negative impacts.

Given the number of unknown variables, the financial feasibility and valuation of the scheme will not be known with certainty until the site has been tendered and bids have been received. The development of this site for new residential flats and a new community centre is expected to be economically viable (achievable) based on initial market testing by the Council and the Association and valuation advice by the District Valuation Service.

 Brent	<p style="text-align: center;">Cabinet</p> <p style="text-align: center;">1 June 2015</p> <p style="text-align: center;">Report from the Strategic Director of Regeneration and Growth</p>
<p>Wards affected: Kilburn</p>	
<p>South Kilburn Regeneration Programme</p>	

1 Summary

- 1.1 This report seeks approval to authorise the Strategic Director of Regeneration and Growth to seek the Secretary of State's consent pursuant to Part V of Schedule 2 to the Housing Act 1985 to the disposal and development of Hereford House, Exeter Court (as shown edged red on Plan A at Appendix 1) and 4 to 26 Stuart Road (even numbers only) (as shown edged red on Plan B at Appendix 1) for the purpose of Ground 10A of Schedule 2; and also seeks approval to authorise the final Allocation Policy for secure tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only).

2 Recommendations

- 2.1 That the Cabinet, having noted and considered the responses to the consultation as set out in proposal 1 of Appendix 2, delegates authority to the Strategic Director of Regeneration and Growth to seek the Secretary of State's consent to the disposal and redevelopment of Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) pursuant to Part V of Schedule 2 to the Housing Act 1985 and to seek possession of those dwellings occupied by secure tenants by relying on Ground 10A of Schedule 2 of the Housing Act 1985.
- 2.2 That the Cabinet, having noted and considered the responses to the consultation as set out in proposals 2 and 3 of Appendix 2 in connection with the intention to make a Compulsory Purchase Order(s) (CPO(s)) on Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn and in connection with the draft Allocation Policy for Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), approves the adoption of the Allocation Policy which will apply to Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) and which includes the proposal to make a CPO(s) on Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) as well as seeking possession of Hereford House, Exeter Court and 4 to 26 Stuart

Road (even numbers only), subject to the Secretary of State's consent, under Ground 10A of Schedule 2 to the Housing Act 1985. This Allocation Policy sets out the basis on which replacement homes will be allocated to secure tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn and the legal means to be adopted for seeking possession of Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) through the use of Ground 10A of the Housing Act 1985 (if approval is given by the Secretary of State) and compulsory purchase powers under section 226(1)(a) of the Town and Country Planning Act 1990.

3 Detail

- 3.1 A key principle of the phasing strategy for the South Kilburn regeneration programme is that the new affordable homes developed will, where the relevant needs are met, be made available to secure tenants within sites earmarked for development in the next phase. On this basis, the new affordable homes which are being developed at Bronte House and Fielding House, Cambridge Road, London, NW6 (being part of 'Phase 2a') and 'Site 11b' (comprising the sites of the former Royal British Legion Clubhouse and of the Albert Road Day Centre, London, NW6) will primarily be for existing secure tenants of Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). This in turn will ensure vacant possession of properties within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), to enable further phases within the South Kilburn regeneration programme to be brought forward for redevelopment and more existing South Kilburn secure tenants to be re-housed in new high quality homes.
- 3.2 The Executive and Cabinet have previously approved the adoption of allocation policies for earlier phases of the South Kilburn regeneration programme which set out the Council's policies for allocation of replacement homes to secure tenants living in homes which were/are to be demolished as part of the overall South Kilburn regeneration programme. The draft Allocation Policy for Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) set out the Council's proposed policy for the allocation of replacement homes to secure tenants currently living in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) which will be demolished as part of the South Kilburn regeneration programme. It also set out the two legal processes on which the Council will rely in order to secure possession of Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only): Court proceedings under Ground 10A of Schedule 2 of the Housing Act 1985 or a CPO(s).
- 3.3 On 11 November 2013 and 15 September 2014 the Executive and the Cabinet authorised that statutory consultation could be undertaken with secure tenants in 4 to 26 Stuart Road (even numbers only) and Hereford House, Exeter Court respectively on three proposals; (i) statutory consultation in connection with seeking approval of the Secretary of State pursuant to Part V of Schedule 2 to the Housing Act 1985 for use of Ground 10A of Schedule 2; (ii) consultation on the Council's proposal to make a CPO(s) on dwellings in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only); and (iii) consultation in connection with a draft Allocation Policy for Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only).
- 3.4 The representations received in response to the consultation and the Council's responses to them are shown at Appendix 2. The Cabinet must consider all representations and the matters set out in this report before making any of the decisions recommended in paragraphs 2.1 and 2.2 of this report.

- 3.5 On 1 April 2015, formal notices were served by hand on all secure tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) on the following three proposals:
- a. statutory consultation in connection with seeking approval of the Secretary of State for use of Ground 10A of the Housing Act, 1985;
 - b. consultation in connection with intention to make a CPO(s) on properties currently occupied by secure tenants;
 - c. consultation in connection with draft Allocation Policy for secure tenants living in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only).
- 3.6 The notice included a covering letter, booklet and comments sheet, copies of which are shown at Appendix 3. The booklet noted that comments or observations should be made to the Council within a period of 28 days, which commenced the day after the notices were served.
- 3.7 The letter invited affected secure tenants to attend a meeting on Thursday, 9 April 2015 at 7pm at The Carlton and Granville Centre, Granville Road, NW6 5RA, where the proposals the subject of consultation would be explained in detail and where affected secure tenants would have the opportunity to ask questions. Eighteen secure tenants living in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) attended the meeting. Questions raised in response to the presentation included questions about the design of the new affordable homes, Right to Buy, rent levels of the new affordable homes and number of parking spaces.
- 3.8 The booklet gave information on all three proposals that were the subject of formal consultation as follows:

Proposed use of Ground 10A

- 3.8.1 Pages four to seven of the booklet set out the main features of the regeneration of Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) and stated the Council's proposal to make an application to the Secretary of State for formal approval of the proposed redevelopment of Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) for the purposes of Ground 10A.

Proposed use of CPO on dwellings occupied by secure tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only)

- 3.8.2 Pages eight and nine of the booklet set out the rationale for the Council's proposal to promote a CPO(s) on dwellings occupied by secure tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) as part its proposed policy for securing possession; because the Council cannot be guaranteed to secure the regeneration of these blocks in a timely and efficient manner by the use of Ground 10A alone. The letter and booklet also advised that the Council intends to use CPO as a means to gain possession of dwellings occupied by secure tenants when it needs to ensure the timetable for regeneration could be complied with.

Draft Allocation Policy for secure tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only)

3.8.3 Pages ten to forty-two of the booklet included a copy of the draft Allocation Policy for Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) which sets out the policy for the allocation of replacement homes to secure tenants currently living in homes within these blocks, which will be demolished as part of the South Kilburn regeneration programme. The consultation documents noted that the Allocation Policy had been drafted to reflect the intention to use both Ground 10A and CPO powers to seek possession of homes currently occupied by secure tenants. The draft Allocation Policy also set out the policy and procedure for the making of home loss and disturbance payments to secure tenants, who are entitled to such payments in accordance with Council policy (including the Land Compensation Act 1973).

3.9 Following the public meeting on 9 April 2015 and the statutory consultation period, the following representations were received in relation to each proposal:

Proposal	Number of Comments
Statutory consultation in connection with seeking approval of the Secretary of State for use of Ground 10A of the Housing Act, 1985	Two (2)
Consultation in connection with intention to make a CPO on properties currently occupied by secure tenants	Three (3)
Consultation in connection with draft Allocation Policy for secure tenants with homes Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only)	Nine (9)

3.10 The representations received as part of this consultation process have now been considered, and consequently it is proposed to update the original draft Allocation Policy that was included at pages eleven to forty-two of the booklet as follows:

- a) **Paragraphs 7.3.2 and 7.4.2** - the original draft set out information on suitable offers of alternative accommodation, within South Kilburn to a replacement home that is an existing Council property that is not due for demolition as part of the South Kilburn regeneration programme. These paragraphs have been updated to advise that, where a secure tenant moves to a permanent Council home South Kilburn that is not due for demolition as part of the South Kilburn regeneration programme, the Council will fully decorate the property.
- b) **Paragraph 9.1** – the original draft set out information on the rent levels of the new affordable homes on South Kilburn. This has been updated to make clearer that annual rent increases for the replacement homes will be in line with Government guidance on social rents. Registered Providers are required to meet the 'key requirements' set out within the Rent Standard Guidance. The Rent Standard guidance currently provides that annual rent increases for social housing will be limited to the Consumer Price Index plus one per cent.

3.11 A copy of the final Allocation Policy for secure tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) is shown at Appendix 4. Should the Cabinet approve the adoption of the final Allocation Policy which will apply to Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), a letter summarising the changes to the Allocation Policy will be sent to all affected secure tenants in due course and further approval will be sought from the Cabinet to authorise the making of a CPO pursuant to section 226 of the Town and Country Planning Act 1990 to acquire all

interests within Hereford House and Exeter Court (as shown edged red on Plan A at Appendix 1).

4 Financial Implications

- 4.1 The financial implications of the policies for seeking possession from secure tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) using Ground 10A of the Housing Act 1985, CPO under section 226(1)(a) of the Town and Country Planning Act 1990 and the Allocation Policy for Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) relates to the making of home loss and disturbance payments to secure tenants who are entitled to such payments in accordance with Council policy and legislation (including the Land Compensation Act 1973). Secure tenants, who move out of their homes, provided they have lived there for at least twelve months before their move and it is their only or principal home, will be eligible for a home loss payment which is currently a minimum of £4,900 but which may change in line with government legislation over the period of the regeneration. The Council will always pay the rate which applies at the time of the secure tenant's move. In addition to home loss payments, reasonable disturbance costs, including, but not limited to, removal expenses, redirection of mail and telephone disconnection and reconnection may be payable to secure tenants who are entitled to such payments. Anticipated home loss and disturbance payments to secure tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) can be resourced from the South Kilburn regeneration programme budget.

5 Legal Implications

Ground 10A of Schedule 2 to the Housing Act 1985 (Legal)

- 5.1 The Council is required to obtain the approval of redevelopment schemes from the Secretary of State when seeking to re-house secure tenants who will not leave the properties that are due to be demolished in furtherance of redevelopment schemes. Before seeking such approval, the Council is required to consult with affected tenants. Approval from the Secretary of State will enable to Council to use Ground 10A of Schedule 2 to the Housing Act 1985. The paragraph states that the landlord must first:
- a. serve a notice in writing on all secure tenants whose dwellings are affected by the scheme, stating: the main features of the scheme (or the scheme as it will be after a proposed variation to it); that the Secretary of State's approval is to be sought; and the effect of such approval in relation to proceedings for possession of the dwellings;
 - b. inform the tenants that they have a specified period (which must be at least 28 days) in which to make representations to the landlord; and
 - c. consider any representations during that period.
- 5.2 Unlike a tenanted transfer, however, no formal ballot is required to be carried out. However, the Secretary of State, before giving his consent, will consider the following:
- a. the effect of the scheme on the extent and character of housing accommodation in the neighbourhood;
 - b. over what period of time it is proposed that the disposal and redevelopment will take place in accordance with the scheme;

- c. to what extent the scheme includes provision for housing provided under the scheme to be sold or let to existing tenants or persons nominated by the landlord;
- d. any representations made to him and, so far as they are brought to his notice, any representations made to the landlord.

5.3 The landlord, in this case, the Council, must not apply to the Secretary of State for approval of a scheme unless the statutory consultation procedure has been carried out.

Section 105 of the Housing Act (Legal)

5.4 Under section 105 of the Housing Act 1985, the Council as a local authority landlord has a duty to consult with those of its secure tenants who are likely to be substantially affected by a change in practice or policy relating to matters of housing management, which includes the management, maintenance and improvement of dwelling houses let by the Council under secure tenancies and the provision of services or amenities in connection with such dwelling houses. The consultation requirements under section 105 of the Housing Act 1985 must enable the secure tenants likely to be affected to be informed of the Council's proposals and to make their views known to the Council within a specified period. The Council, before making any decision on the matter, must consider any representations received during the specified consultation period.

6 Diversity Implications

6.1 South Kilburn is identified as a priority for increasing the supply of affordable, good quality housing within the Brent Borough Plan 2015-19. The Regeneration Strategy for Brent 2010-2030 identifies the transformational change of South Kilburn within strategic priority one. The area was previously a New Deal for Communities area and as such, all interventions are specifically targeted at those people who suffer disadvantage in society. South Kilburn Trust, through its widening participation, seek to find ways of involving and engaging with all local residents and particularly those who traditionally are 'hard to reach'. There has been and will continue to be widespread consultation and community engagement as proposals for the physical regeneration of the area are developed and delivered.

6.2 The new homes in South Kilburn are available to all secure tenants within the neighbourhood regardless of their ethnicity, nationality or national origin, age, gender, sexual orientation, disability, gender identity or expression or religion or belief. A proportion of new homes are designed to be wheelchair adaptable while the allocations process considers the housing needs of secure tenants in respect of issues that maybe derived from individuals' age, disability, gender reassignment, pregnancy and maternity status, marriage and civil partnership status, race, religion or belief, sex, sexual orientation, ethnicity, nationality or national origin. The potential impact of the recommendations relating to how the Council takes possession of properties occupied by secure tenants within blocks earmarked for redevelopment within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) is considered in the Equality Analysis at Appendix 5. The equality analysis concludes that the proposal will have a positive impact on younger people, disabled people and people who are pregnant or have very young children and a neutral impact in relation to all the other equality characteristics.

7 Staffing/Accommodation Implications

- 7.1 There are no specific staffing or accommodation implications associated with the proposals contained within this report.

8 Public Services (Social Value) Act 2012

- 8.1 The Council is under duty pursuant to the Public Services (Social Value) Act 2012 (**'the Social Value Act'**) to consider how services being procured might improve the economic, social and environmental well-being of its area; how, in conducting procurement processes, the Council might act with a view to securing that improvement; and whether the Council should undertake consultation.
- 8.2 The services being procured as part of the South Kilburn regeneration programme aim to improve the economic, social and environmental well-being of residents of South Kilburn and continue to deliver much needed new affordable homes to rehouse existing secure tenants of South Kilburn, hugely improving their living conditions and reconnecting the area to its surrounding neighbourhoods.

9 Background Papers

- | | |
|------------|---|
| Appendix 1 | Plan A – Hereford House and Exeter Court Site Boundary
Plan B – 4 to 26 Stuart Road (even numbers only) Site Boundary |
| Appendix 2 | Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) responses to consultation |
| Appendix 3 | Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) consultation covering letter, booklet and comments sheet |
| Appendix 4 | Final Allocation Policy for secure tenants with homes Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn |
| Appendix 5 | Equality Analysis |

10 Contact Officers

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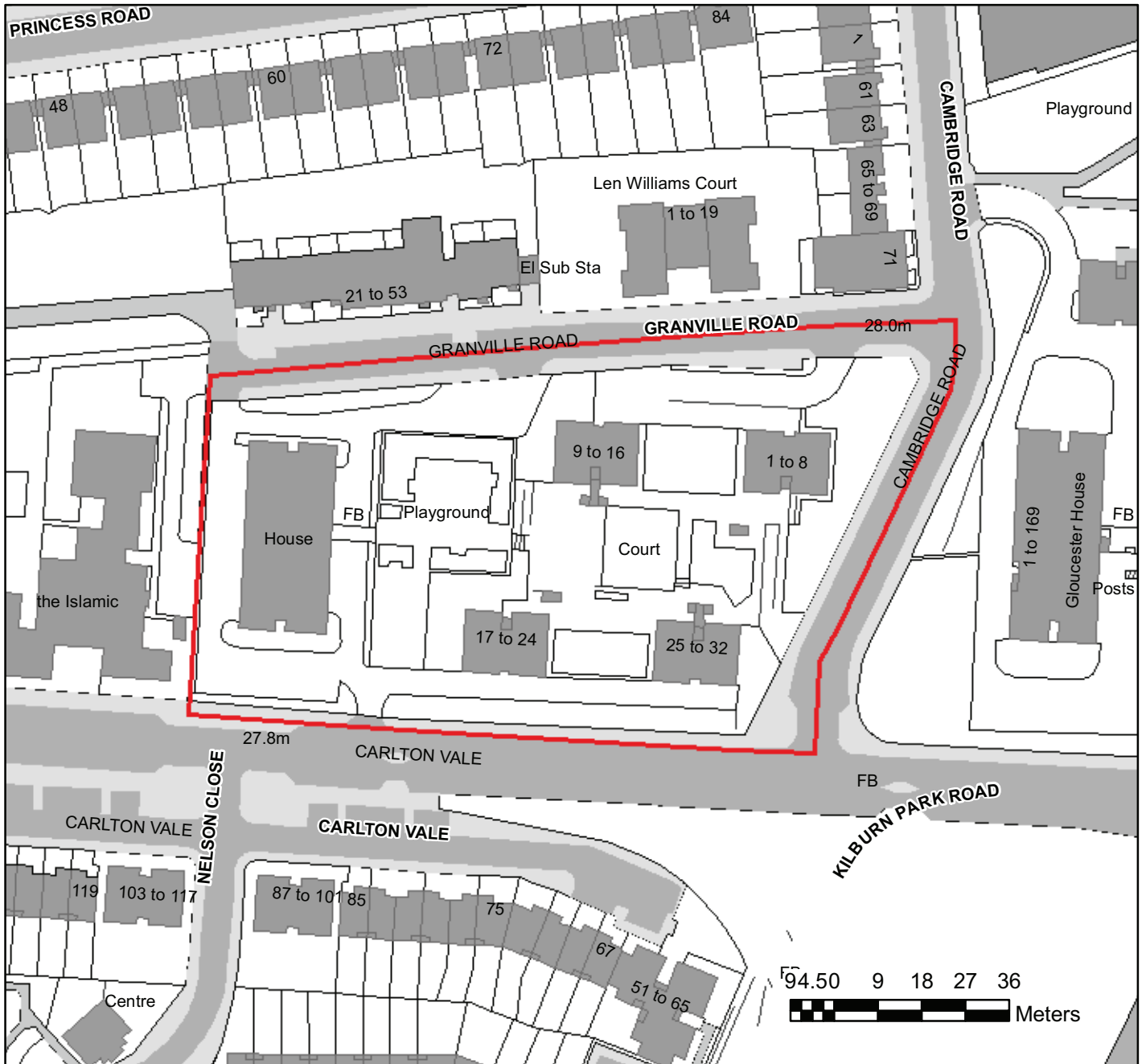
Richard Barrett
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ANDREW DONALD
Strategic Director, Regeneration and Growth

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Appendix 1 PLAN A

Exeter Court, Cambridge Road, London, NW6 5AJ & Hereford House, Carlton Vale, London, NW6 5QH



1:1,250

Plan to stated scale if printed at A4.

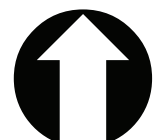
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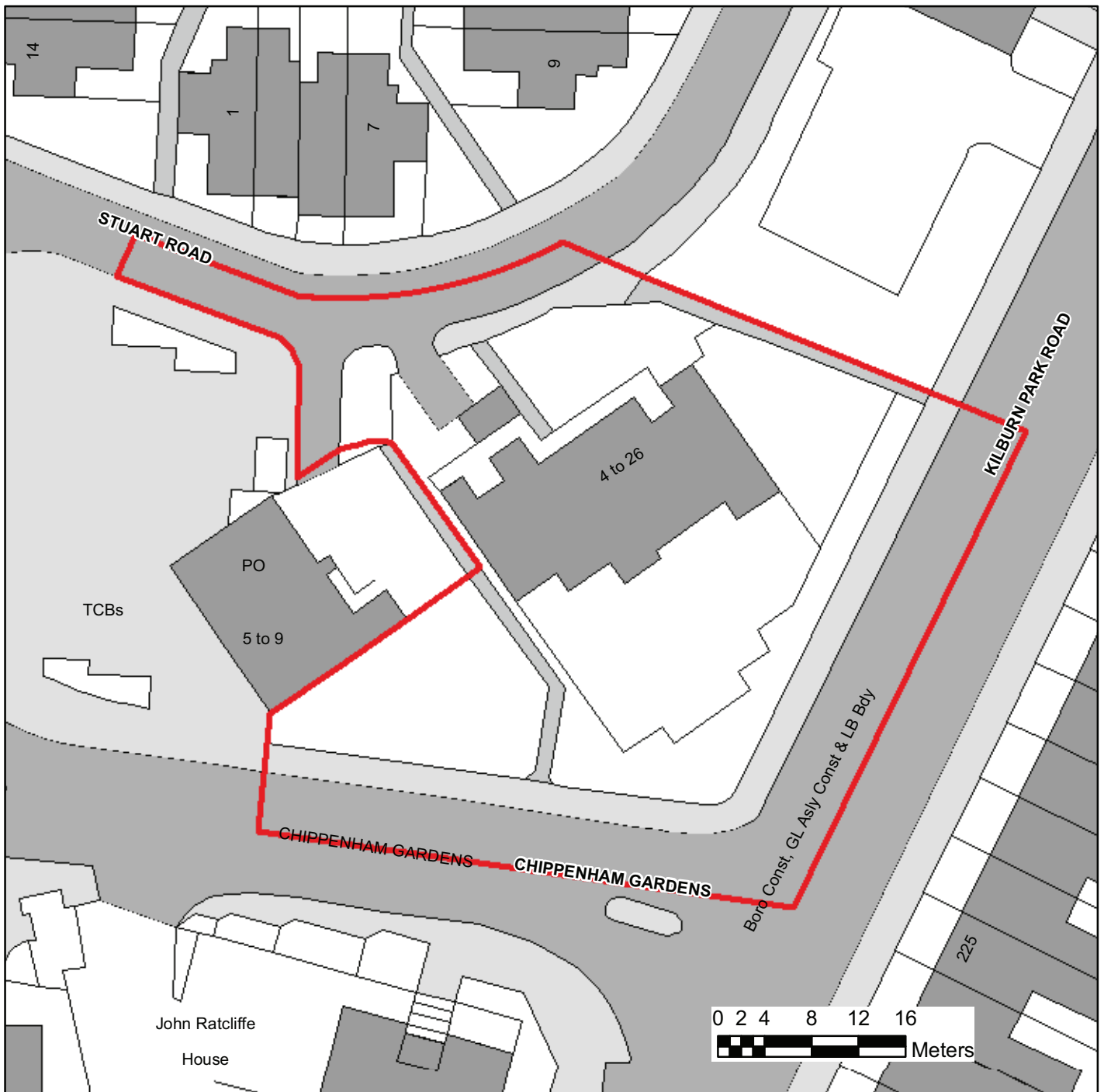
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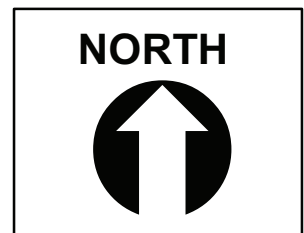


Appendix 1
PLAN B

4 to 26 Stuart Road, (even numbers only), London, NW6 5LT



**Premises shown edged red.
Boundaries shown are indicative only.
Plan for information purposes only.**



South Kilburn Cabinet Report 1 June 2015 Appendix 2



**Formal Consultation with Secure Tenants with Homes in Hereford House, Exeter Court and 4 to 26 Stuart
Road (even numbers only)
April 2015**

Responses to representations on three Proposals:

- 1) Proposal 1: Statutory consultation in connection with seeking approval of the Secretary of State for use of Ground 10A of the Housing Act, 1985**

- 2) Proposal 2: Consultation in connection with Intention to make a Compulsory Purchase Order on properties currently occupied by Secure Tenants, South Kilburn**

- 3) Proposal 3: Consultation in connection with draft Allocation Policy for Secure Tenants with homes Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn**

1) Proposal 1: Responses to representations on statutory consultation in connection with seeking approval of the Secretary of State for use of Ground 10A of the Housing Act, 1985

No	Date of Representation	Representor	Comment	Response	Date of Response
1	9 April 2015	Secure tenant	I am happy about this proposal going ahead.	<p>Thank you completing the Comments Form. The Council notes your agreement with the proposal to seek approval of the Secretary of State for the use of Ground 10A of the Housing Act 1985 in relation to Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). The Council's Cabinet will consider all of the comments received by the Council in response to the notice of formal consultation from secure tenants living within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). Subject to the Cabinet's approval, the Council intends to proceed with its application for consent to the Secretary of State to rely on Ground 10A of Schedule 2 of the Housing Act 1985 to obtain vacant possession of homes occupied by secure tenants living within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn. Subject to the Cabinet's approval, the Council also intends to proceed with its policy to promote a CPO(s) on properties currently occupied by secure tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). The Council will write to you again in the coming months to let you know the outcome of this.</p> <p>Please feel free to call me on the number above if you have any queries. If you would like to speak to someone independent of the Council then you can obtain information and advice from First Call (Independent Resident and Tenant Advisor) on Freephone: 0300 365 7150.</p>	29 April 2015
2	27 April 2015	Secure tenant	Happy with proposal.	<p>Thank you completing the Comments Form. The Council notes your agreement with the proposal to seek approval of the</p>	27 April 2015

Formal Consultation with Secure Tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn
Responses to representations, April 2015

No	Date of Representation	Representor	Comment	Response	Date of Response
				<p>Secretary of State for use of Ground 10A of the Housing Act 1985 in relation to Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). The Council's Cabinet will consider all of the comments received by the Council in response to the notice of formal consultation from secure tenants living within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). Subject to the Cabinet's approval, the Council intends to proceed with its application for consent to the Secretary of State to rely on Ground 10A of Schedule 2 of the Housing Act 1985 to obtain vacant possession of homes occupied by secure tenants living within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn. Subject to the Cabinet's approval, the Council also intends to proceed with its policy to promote a CPO(s) on properties currently occupied by secure tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). The Council will write to you again in the coming months to let you know the outcome of this.</p> <p>Please feel free to call me on the number above if you have any queries. If you would like to speak to someone independent of the Council then you can obtain information and advice from First Call (Independent Resident and Tenant Advisor) on Freephone: 0300 365 7150.</p>	

2) Proposal 2: Responses to representations on consultation in connection with Intention to make a Compulsory Purchase Order on properties currently occupied by Secure Tenants, South Kilburn

No	Date of Representation	Representor	Comment	Response	Date of Response
1	9 April 2015	Secure tenant	I am happy about this proposal going ahead.	Thank you completing the Comments Form. The Council notes your agreement with the proposal to make a Compulsory	29 April 2015

Formal Consultation with Secure Tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn
Responses to representations, April 2015

No	Date of Representation	Representor	Comment	Response	Date of Response
				<p>Purchase Order(s) (CPO) on properties occupied by secure tenants in Hereford. The Council's Cabinet will consider all of the comments received by the Council in response to the notice of formal consultation from secure tenants living within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). Subject to the Cabinet's approval, the Council intends to proceed with its application for consent to the Secretary of State to rely on Ground 10A of Schedule 2 of the Housing Act 1985 to obtain vacant possession of homes occupied by secure tenants living within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn. Subject to the Cabinet's approval, the Council also intends to proceed with its policy to promote a CPO(s) on properties currently occupied by secure tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). The Council will write to you again in the coming months to let you know the outcome of this. Please feel free to call me on the number above if you have any queries. If you would like to speak to someone independent of the Council then you can obtain information and advice from First Call (Independent Resident and Tenant Advisor) on Freephone: 0300 365 7150.</p>	
2	13 April 2015	Secure tenant	<p>I would not mind if the new homes Brent Council is proposing to build are secure and suitable for our needs. And also that we do not lose our tenancy.</p>	<p>Thank you completing the Comments Form. Your comment in relation to the draft Allocation Policy for Secure Tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), states that you would not mind the proposals if the new homes that Brent Council is building are suitable for the needs of secure tenants and that you do not lose your tenancy. Paragraph 7.1 of the draft Allocation Policy for Secure Tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), confirms all secure tenants living in these blocks will be made one Suitable</p>	8 May 2015

Formal Consultation with Secure Tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn
Responses to representations, April 2015

No	Date of Representation	Representor	Comment	Response	Date of Response
				<p>Offer of alternative accommodation that meets, or at the discretion of the Council, exceeds the housing need of secure tenants and their households.</p> <p>Secure tenants that move to new homes built as part of the South Kilburn regeneration programme will become tenants of a Registered Provider (Housing Association) and your tenancy will change from a secure tenancy to an assured tenancy. Both types of tenancies offer similar benefits, although there are some differences. For example, secure tenants have the right to manage their homes, a right that assured tenants do not have. However, the assured tenancy agreements ensure that rights such as the right of security of tenure and the Right to Buy your home remain. Further details are provided in the booklet 'Information for Secure Tenants of Phase 3a' (page 10) which was sent to you in August 2014.</p> <p>The Council's Cabinet will consider all of the comments received by the Council in response to the notice of formal consultation from secure tenants living within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). Subject to the Cabinet's approval, the Council intends to proceed with its application for consent to the Secretary of State to rely on Ground 10A of Schedule 2 of the Housing Act 1985 to obtain vacant possession of homes occupied by secure tenants living within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn. Subject to the Cabinet's approval, the Council also intends to proceed with its policy to promote a CPO(s) on properties currently occupied by secure tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). The Council will write to you again in the coming months to let you know the outcome of this.</p> <p>Please feel free to call me on the number above if you have any</p>	

Formal Consultation with Secure Tenants with homes in Hereford House,
Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn
Responses to representations, April 2015

No	Date of Representation	Representor	Comment	Response	Date of Response
				queries. If you would like to speak to someone independent of the Council then you can obtain information and advice from First Call (Independent Resident and Tenant Advisor) on Freephone: 0300 365 7150.	
3	27 April 2015	Secure tenant	Happy with proposal.	<p>Thank you completing the Comments Form. The Council notes your agreement with the proposal to make a Compulsory Purchase Order(s) (CPO) on properties occupied by Secure Tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). The Council's Cabinet will consider all of the comments received by the Council in response to the notice of formal consultation from secure tenants living within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). Subject to the Cabinet's approval, the Council intends to proceed with its application for consent to the Secretary of State to rely on Ground 10A of Schedule 2 of the Housing Act 1985 to obtain vacant possession of homes occupied by secure tenants living within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn. Subject to the Cabinet's approval, the Council also intends to proceed with its policy to promote a CPO(s) on properties currently occupied by secure tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). The Council will write to you again in the coming months to let you know the outcome of this.</p> <p>Please feel free to call me on the number above if you have any queries. If you would like to speak to someone independent of the Council then you can obtain information and advice from First Call (Independent Resident and Tenant Advisor) on Freephone: 0300 365 7150.</p>	27 April 2015

3) Proposal 3: Responses to representations on consultation in connection with draft Allocation Policy for Secure Tenants with homes Hereford House, Exeter Court and 4 to 26 Stuart Road, South Kilburn

No	Date of Representation	Representor	Comment	Response	Date of Response
1	9 April 2015	Secure tenant	We are three adults living in a two bedroom flat. My two daughters (21 and 26 years old) share one bedroom which can be inconvenient at times. Both of my daughters would preferably like to have their own bedrooms. Therefore, we would like a three bedroom accommodation.	<p>Thank you completing the Comments Form. You made a comment in relation to the size of the new home that you and your household will be offered. Paragraph 5.1 of the draft Allocation Policy confirms the size and type of the replacement home offered to a secure tenant will depend on a secure tenant's household make up. The Council's allocation policy that is in force at the time that the suitable offer is made will be used to decide the size of home for which secure tenants are eligible. The Council's current allocation policy is the Brent Housing Allocation Policy 2013 (amended November 2014) that adopts the Government's bedroom standard and, as such, provides that single people more than 21 years old should have their own bedroom.</p> <p>The Council's Cabinet will consider all of the comments received by the Council in response to the notice of formal consultation from secure tenants living within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). Subject to the Cabinet's approval, the Council intends to proceed with its policy to promote a CPO(s) on properties currently occupied by secure tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). The Council will write to you again in the coming months to let you know the outcome of this. Please feel free to call me on the number above if you have any queries. If you would like to speak to someone independent of the Council then you can obtain information and advice from First Call (Independent Resident and Tenant Advisor) on Freephone: 0300 365 7150.</p>	8 May 2015

Formal Consultation with Secure Tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn
Responses to representations, April 2015

No	Date of Representation	Representor	Comment	Response	Date of Response
2	13 April 2015	Secure tenant	I have no objection on the new development as long as I get a secure home suitable for my needs.	<p>Thank you completing the Comments Form. You made a comment stating you have no objection to the new development as long as you get a secure home suitable for your needs. As per paragraph 7.1 of the draft Allocation Policy for secure tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), all secure tenants living within Hereford, Exeter and 4 to 26 Stuart Road will be made one suitable offer of alternative accommodation that meets the need of secure tenants and their households. Secure tenants that move to new homes built as part of the South Kilburn regeneration programme will become tenants of a Registered Provider (Housing Association) and your tenancy will change from a secure tenancy to an assured tenancy. Both types of tenancies offer similar benefits, although there are some differences. For example, secure tenants have the right to manage their homes, a right that assured tenants do not have. However, the assured tenancy agreements ensure that rights such as the right of security of tenure and the Right to Buy your home remain. Further details are provided in the booklet 'Information for Secure Tenants of Phase 3a' (page 10) which was sent to you in August 2014.</p> <p>The Council's Cabinet will consider all of the comments received by the Council in response to the notice of formal consultation from secure tenants living within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). Subject to the Cabinet's approval, the Council intends to proceed with its application for consent to the Secretary of State to rely on Ground 10A of Schedule 2 of the Housing Act 1985 to obtain vacant possession of homes occupied by secure tenants living within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn. Subject to the Cabinet's</p>	8 May 2015

Formal Consultation with Secure Tenants with homes in Hereford House,
Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn
Responses to representations, April 2015

No	Date of Representation	Representor	Comment	Response	Date of Response
				approval, the Council also intends to proceed with its policy to promote a CPO(s) on properties currently occupied by secure tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). The Council will write to you again in the coming months to let you know the outcome of this. Please feel free to call me on the number above if you have any queries. If you would like to speak to someone independent of the Council then you can obtain information and advice from First Call (Independent Resident and Tenant Advisor) on Freephone: 0300 365 7150.	
3	27 April 2015	Secure tenant	Happy with proposal.	Thank you completing the Comments Form. The Council notes your agreement with the draft Allocation Policy for Secure Tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). The Council's Cabinet will consider all of the comments received by the Council in response to the notice of formal consultation from secure tenants living within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). Subject to the Cabinet's approval, the Council intends to proceed with its application for consent to the Secretary of State to rely on Ground 10A of Schedule 2 of the Housing Act 1985 to obtain vacant possession of homes occupied by secure tenants living within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn. Subject to the Cabinet's approval, the Council also intends to proceed with its policy to promote a CPO(s) on properties currently occupied by secure tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). The Council will write to you again in the coming months to let you know the outcome of this. Please feel free to call me on the number above if you have any queries. If you would like to speak to someone independent of	27 April 2015

Formal Consultation with Secure Tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn
Responses to representations, April 2015

No	Date of Representation	Representor	Comment	Response	Date of Response
				the Council then you can obtain information and advice from First Call (Independent Resident and Tenant Advisor) on Freephone: 0300 365 7150.	
4	29 April 2015	Secure Tenant	Requested confirmation that secure tenant's medical needs and those of the secure tenant's household will be taken into account when be offered a replacement home.	Thank you for completing the Comments Form. The Council notes your request for confirmation that your housing needs and those of your household will be taken into account when be offered a replacement home. Paragraph 5.2.1 of the draft Allocation Policy for secure tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road, confirms where a secure tenant or a member of their household requires larger accommodation on health grounds. For example, this may apply where a secure tenant or a member of their household needs their own bedroom for medical reasons or needs a carer/personal assistant or some special bulky medical equipment. These will be considered on a case by case basis, taking into account the advice of the Council's District Medical Officer and reports from relevant adult/children social services.	
If 5	29 April 2015	Secure tenant	It is good to make new houses for safety and security, to have a nice view of the city and for helping people with housing need.	Thank you completing the Comments Form. You made a comment in relation to the safety and security of the new homes. All the new homes built as part of the South Kilburn regeneration programme are designed with the safety and security of residents in mind, by placing entrances and windows on street frontages and around public spaces to increase activity, neighbourliness and security by passive surveillance. Secured by Design principles, a UK flagship initiative that advocates designing out crime to promote safer neighbourhoods, are incorporated in the design of outdoor spaces. You also made a comment in relation to helping people in housing need. The South Kilburn regeneration programme aims to deliver 2,400 new high quality homes, with a net gain of around 1,200 dwellings. It is anticipated around 50% of the new	8 May 2015

Formal Consultation with Secure Tenants with homes in Hereford House,
Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn
Responses to representations, April 2015

No	Date of Representation	Representor	Comment	Response	Date of Response
				<p>homes will be available to existing secure tenants of South Kilburn.</p> <p>The Council's Cabinet will consider all of the comments received by the Council in response to the notice of formal consultation from secure tenants living within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). Subject to the Cabinet's approval, the Council intends to proceed with its application for consent to the Secretary of State to rely on Ground 10A of Schedule 2 of the Housing Act 1985 to obtain vacant possession of homes occupied by secure tenants living within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn. Subject to the Cabinet's approval, the Council also intends to proceed with its policy to promote a CPO(s) on properties currently occupied by secure tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). The Council will write to you again in the coming months to let you know the outcome of this.</p> <p>Please feel free to call me on the number above if you have any queries. If you would like to speak to someone independent of the Council then you can obtain information and advice from First Call (Independent Resident and Tenant Advisor) on Freephone: 0300 365 7150.</p>	
6	29 April 2015	Secure tenant	1. To my understanding once the development is finished the council will only have few flats to give it to these secure tenants. If I think how many secure tenants we are living on those building which are planned to be redeveloped,	Thank you completing the Comments Form. You made a comment that, once the development is finished, the Council will only have a few flats to give to secure tenants. The South Kilburn regeneration programme aims to deliver 2,400 new high quality homes (of which around 1,200 will be made available for existing secure Council tenants living in homes due for demolition as part of the South Kilburn regeneration programme), improved open spaces, new shops, new health facilities and a new consolidated school. 131 new homes within	8 May 2015

Formal Consultation with Secure Tenants with homes in Hereford House,
Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn
Responses to representations, April 2015

No	Date of Representation	Representor	Comment	Response	Date of Response
			<p>it's incomparable. And I believe as a result of the new development and as per the "formal consultation with secure tenants" booklet I have received, most people will suffer and loose most of our rights. Therefore I strongly believe that the development should not go ahead on the cost of people's right. Should the Secretary of State approves the development, the council should also respect people's rights i.e. we should have a choice where to live, our contract should remain secure etc.</p> <p>2. To create this new policy just for these selected buildings now at the last minute is not fair at all, personally I think that the policy sound very intimidating and it will only add more stress and pressure in to my life and this is not necessary. The council should treat people</p>	<p>the Bronte House and Fielding House redevelopment site and the Site 11b redevelopment site will be affordable (social rent) and, where it is possible to do so, secure tenants living in homes within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) will be offered a replacement affordable home within these sites, though this cannot be guaranteed by the Council. However, all secure tenants living in these blocks will be made one suitable offer of alternative accommodation in accordance with the final Allocation Policy for these blocks. You also made a comment that 'most people will suffer and loose most of our rights'. The Council acknowledges the stress and uncertainty that may be felt by some secure tenants as a result of moving. This may be particularly acute for older and disabled secure tenants. To help with this, the Council will ensure that the Estate Regeneration Team will help each secure tenant through the re-housing process. This will include identifying secure tenants' re-housing needs and requirements, informing them about the re-housing and move process, keeping them updated with the project and move timescales and supporting residents throughout the whole process. The Estate Regeneration Team will be able to allocate additional support and services to assist secure tenants when moving home. For example, offering a packing and unpacking service to help older/disabled secure tenants with the move.</p> <p>Secure tenants will not lose most of their rights as a result of the regeneration; secure tenants that move to new homes built as part of the South Kilburn regeneration programme will become tenants of a Registered Provider (Housing Association) and your tenancy will change from a secure tenancy to an assured tenancy. Both types of tenancies offer similar benefits, although there are some differences. For example, secure tenants have</p>	

Formal Consultation with Secure Tenants with homes in Hereford House,
Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn
Responses to representations, April 2015

No	Date of Representation	Representor	Comment	Response	Date of Response
			<p>right and allow people to choose where to live and what they can afford, i.e. I don't think I will move to my perfect preferred area or house/flat, however I should have the choice to decide what I can compromise and what I can live with. I believe the council had given the right to choose by offering more flats to these people who were living on these previous demolished buildings and we should get the same opportunity and be treated equally. This policy should not be agreed, it will be waste of money and time for everyone. There are a lot of children and old people who lives in these flats and it's simply not fair.</p> <p>3. This again is very intimidating and unfair policy. When I went through the booklet, it actually made me feel like a prisoner and very insecure. I think that after 12 + years in my flat I</p>	<p>the right to manage their homes, a right that assured tenants do not have. However, the assured tenancy agreements ensure that rights such as the right of security of tenure and the Right to Buy your home remain. Further details are provided in the booklet 'Information for Secure Tenants of Phase 3a' (page 10) which was sent to you in August 2014.</p> <p>In your comments you also note that secure tenants should have a choice of where to live. Preferences of secure tenants are recorded at the housing needs assessments. Whilst the Council cannot guarantee such preferences will be met, all secure tenants living within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) will be made one Suitable Offer of alternative accommodation that meets the housing need of the secure tenant and their household. Paragraph 7.2 of the draft allocation policy sets how the allocation of a replacement home will be prioritised to ensure that secure tenants are fairly prioritised.</p> <p>The Council notes your comment that creating this new policy for selected buildings now at the last minute is not fair. The Council develops, in consultation with affected residents, allocation policies for phases/blocks which are due for demolition as part of the South Kilburn regeneration programme to set out the policy for the allocation of replacement homes. As outlined in paragraph 5.5 of the Allocation Policy for secure tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), the Council will make a suitable offer to each secure tenant living in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) at least six months before the time they need to move. The draft Allocation Policy was not intended to intimidate secure tenants, rather, it was intended to clearly outline the how allocations are</p>	

Formal Consultation with Secure Tenants with homes in Hereford House,
Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn
Responses to representations, April 2015

No	Date of Representation	Representor	Comment	Response	Date of Response
			<p>have been very decent tenants, I paid my bills on time I never gave any kind of problem to anyone and now the council will take my rights away just like that?? This is unacceptable and this is how it made me feel reading the booklet. I understand the council may have difficulties with few tenants however the majority decent reasonable tenants should not be ignored and their rights have to be respected. Until now, some people have been offered and they have been viewing flats up 5-6 times and some have not offered or viewed any flat at all. I strongly believe that everyone should be treated equally and have a chance to choose where they wish to live. I would like to add that some people also have the opportunity to bid on Locata, however I have asked to be register for it months ago, I called few</p>	<p>made and prioritised and explain the re-housing process and options. The Council also notes your comment that the Council may have difficulties with few tenants but the majority of tenants are decent and reasonable and should not be ignored and their rights have to be respected. The Council anticipates that the majority of secure tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) will move to their replacement home voluntarily. In order to provide certainty that the Council can deliver its programme of regeneration on time, the legal process for relocating secure tenants is detailed in paragraph 8 of the draft allocation policy. Finally, with regards to the comment you made in relation to bidding on Locata, I understand you have now been given your registration details for Locata. The Council's Cabinet will consider all of the comments received by the Council in response to the notice of formal consultation from secure tenants living within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). Subject to the Cabinet's approval, the Council intends to proceed with its application for consent to the Secretary of State to rely on Ground 10A of Schedule 2 of the Housing Act 1985 to obtain vacant possession of homes occupied by secure tenants living within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn. Subject to the Cabinet's approval, the Council also intends to proceed with its policy to promote a CPO(s) on properties currently occupied by secure tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). The Council will write to you again in the coming months to let you know the outcome of this. Please feel free to call me on the number above if you have any</p>	

Formal Consultation with Secure Tenants with homes in Hereford House,
Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn
Responses to representations, April 2015

No	Date of Representation	Representor	Comment	Response	Date of Response
			times and I am still waiting to hear from them. Although the chances on Locata are very limited, I Personally think that it may help to open up my views to houses outside South Kilburn and hopefully speed up the process a bit as I don't mind to move out as early as possible if I found the right place.	queries. If you would like to speak to someone independent of the Council then you can obtain information and advice from First Call (Independent Resident and Tenant Advisor) on Freephone: 0300 365 7150.	
7	29 April 2015	- Independent Resident Advisor - Tenant Representative	[Paragraph] 5.1 – Requiring same gender children to share a room until the age of 21 is inappropriate for a regeneration project, and will make the Council's task in rehousing families on this large scheme more difficult. Other Inner London Council's have maintained a different age limit for their Decant policy whilst maintaining the National Bedroom Standard for their Borough wide Allocation policy. Brent should explore these options for this and future phases in order to maintain positive tenant	Thank you for your comments in relation to the draft Allocation Policy for Secure Tenants with Homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). The draft Allocation Policy has been drafted to align with the Brent Housing Allocation Policy 2013 (amended November 2014) which adopts the Government's bedroom standard which allocates one bedroom to each pair of children or young people aged between 10 to 20 years old of the same gender. Paragraph 5.2.4 of the draft Allocation Policy for Secure Tenants with Homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) notes that the Council will offer a secure tenant a larger replacement home than they would otherwise be entitled to under the Brent Housing Allocation Policy 2013 (amended November 2014) where household members will be aged 21 years or above by the time the secure tenant will move into the replacement home. In practice it means that secure tenants would be no worse off; for example secure tenants in Hereford House with a two-bedroom property with two children of the same gender would continue to share a room in their	8 May 2015

Formal Consultation with Secure Tenants with homes in Hereford House,
Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn
Responses to representations, April 2015

No	Date of Representation	Representor	Comment	Response	Date of Response
			engagement with regeneration plans.	replacement home. Secure tenants in Exeter Court and 4 to 26 Stuart Road (even numbers only) (three-bedroom properties) may qualify for 'Needs Plus' which would adjust the basic housing needs assessment to offer one more bedroom than the secure tenant would otherwise qualify for. Therefore, the policy in relation to the size of the replacement home offered to secure tenants will remain as per the draft Allocation Policy for secure tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only).	
8	29 April 2015	- Independent Resident Advisor - Tenant Representative	[Paragraph] 7.3.2 – As with [paragraph] 7.3.3, this paragraph should make clear that a Council home offered within South Kilburn will meet the Decent Homes Standard and be fully decorated. [Paragraph] 7.4.2 – As [paragraph] 7.3.2.	The Council proposes to include an additional sentence at the end of paragraphs 7.3.2 and 7.4.2 in response to this comment which reads as follows: <i>All replacement homes within South Kilburn that are existing council properties not due for demolition as part of the South Kilburn regeneration programme are likely to meet the Decent Homes standard. Where a Secure Tenant with a [one bedroom housing need]/[housing need of two bedrooms or more] moves to a permanent Council home within South Kilburn that are existing council properties not due for demolition as part of the South Kilburn regeneration programme, the Council will fully decorate the property.</i>	8 May 2015
9	29 April 2015	- Independent Resident Advisor - Tenant Representative	[Paragraph] 9.1 - Rent Levels – The statement in paragraph 3 <i>[Annual rent increases for the new replacement homes will, like Council rents, be in line with the Government's recently issued guidance on social rent, which currently provides that annual rent</i>	The Council's Cabinet approved an overall average rent increase for 2015/16 of 2.8% (average £3.14 per dwelling per week) for the main properties within its stock. This increase takes into account the government's rent restructuring guidance, is consistent with the previously agreed rent policy and enables the investment in the Council's housing stock as set out in the Housing Revenue Account asset management plan. To make the rent increase position clearer, paragraph 9.1 of the Allocation Policy for secure tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers	8 May 2015

Formal Consultation with Secure Tenants with homes in Hereford House,
Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn
Responses to representations, April 2015

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			<i>increases will be limited to the Consumer Price Index plus one per cent.] may need to be revised to reflect the apparent flexibility within Government guidance given that Brent Council's rent increase at 2.8% for 2015/16 has exceeded the guidance limit of 2.2%.</i>	only) has been amended as follows: <i>Annual rent increases for the new replacement homes will be in line with the Government's guidance on social rents. Registered Providers are required to meet the 'key requirements' set out within the Rent Standard Guidance. The Rent Standard guidance currently provides that annual rent increases for social housing will be limited to the Consumer Price Index plus one per cent.</i>	

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South Kilburn Area Office
Community Resources Centre
William Dunbar House
Albert Road, Kilburn
London NW6 5DE

TEL 020 8937 1621

EMAIL marie.frederick@brent.gov.uk

WEB www.brent.gov.uk

By Hand

1 April 2015

Dear [name],

RE: South Kilburn Regeneration Programme – Formal Notice to Secure Tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn

This letter and the enclosed booklet are a notice of formal consultation, regarding three important proposals, to Secure Tenants living in homes within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), which form part of the South Kilburn regeneration programme.

The three proposals which are the subject of formal consultation are complex and will affect all Secure Tenants living in homes within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) so you are advised to read this letter and the enclosed booklet very carefully. You are invited to attend a meeting on **Thursday, 9 April 2015 at 7pm** where these proposals will be explained and you will have the opportunity to ask questions. The meeting will take place in the Green Room, Carlton and Granville Centre, Granville Road, NW6 5RA.

Important Proposals affecting all Secure Tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only):

A brief explanation of the three proposals which are the subject of formal consultation is set out below. You will find more information on each of these proposals in the enclosed booklet.

1) Statutory consultation in connection with seeking approval of the Secretary of State for use of Ground 10A of the Housing Act, 1985

The first proposal is to let Secure Tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) know that the Council proposes to apply to the Secretary of State (a government minister in the Department for Communities and Local Government) for formal approval of the Council's proposed redevelopment of Hereford House, Exeter Court and the Council's proposed redevelopment of 4 to 26 Stuart Road (even numbers only) along with the adjoining land at 5 to 9 Chippenham Gardens (together defined as the 'Post Office Plus Site'). If the Secretary of State gives this approval, then the Council will have the right to start legal proceedings for possession of existing homes occupied by Secure Tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) under Ground 10A of Schedule 2 of the Housing Act 1985. Please refer to page 4 of the enclosed

booklet which explains what it means for Secure Tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) in more detail.

2) Consultation in connection with Intention to make a Compulsory Purchase Order on properties currently occupied by Secure Tenants

The second proposal is to let Secure Tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) know about the Council's proposed policy for seeking possession from secure tenants living in homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). This proposed policy includes the Council's proposal to promote a Compulsory Purchase Order(s) (CPO) under section 226(1)(a) of the Town and Country Planning Act 1990 on properties currently occupied by Secure Tenants. The reason that the Council proposes to promote a CPO as part of its proposed policy for securing possession, is because the Council cannot be guaranteed to secure the regeneration of Hereford House and Exeter Court and 4 to 26 Stuart Road in a timely and efficient manner by the use of Ground 10A alone. However, the Council would only use a CPO to get possession of existing homes of Secure Tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) where it needs to ensure the timetable for regeneration can be complied with. Please refer to page 7 of the enclosed booklet which explains how the CPO process works and what it means for Secure Tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only).

3) Consultation in connection with draft Allocation Policy for Secure Tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn

The third proposal is to get views from Secure Tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) on the draft Allocation Policy. This draft document sets out the policy for the allocation of replacement homes to Secure Tenants currently living in homes within Hereford House, Exeter Court and 4 to 26 Stuart Road, which will be demolished as part of the South Kilburn regeneration programme. The Allocation Policy has been drafted to reflect the intention to use both Ground 10A and CPO powers to get possession of existing homes of Secure Tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). Please refer to page 9 of the enclosed booklet which includes a copy of the draft Allocation Policy for Secure Tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only).

Your comments & representations:

The main purpose of the consultation is to enable you to make comments about the Council's proposals, which the Council appreciates, will have a major affect on you and your household. The Council is required by law to consider your comments in connection with seeking the approval of Secretary of State for Ground 10A and in connection with its proposed policy for seeking possession from secure tenants living in homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) (including the Council's proposal to use a CPO on properties currently occupied by Secure Tenants) and the draft Allocation Policy for Secure Tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road. If you have any comments on the proposals, please fill in the enclosed form or write them on your own paper, with your name and address, and return it to the Council at the following address:

Marie Frederick,
Estate Regeneration Team,
South Kilburn Area Office, Community Resource Centre,
William Dunbar House, Albert Road, South Kilburn, London, NW6 5DE

The final date for comments to be received is 5pm on Wednesday, 29 April 2015.

Further information or advice

If, after you have read this letter and the enclosed booklet you are unsure about anything or you want advice or further information you can contact the following:

Brent Council Marie Frederick, Estate Regeneration Team, Tel: 020 8937 1621
Linda Beasley, Estate Regeneration Team, Tel: 020 8937 2512

Independent Advice If you would like to speak to someone independent of the Council then you can obtain information and advice from:
First Call (Independent Resident and Tenant Advisor),
Freephone: 0300 365 7150

Citizens Advice Bureau Kilburn Citizens Advice Bureau, 200 Kilburn High Road,
Kilburn, London, NW6 4JD
Freephone: 0300 330 0646

You do not have to take any action in response to this letter unless you wish to.

Yours sincerely



Marie Frederick
Estate Regeneration Team
London Borough of Brent

Cc First Call (Independent Resident Advisor)
Tenant Representative (Tenants Steering Group)

Formal Consultation with Secure Tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only)



South Kilburn Regeneration Programme April 2015

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Introduction & Background to the South Kilburn Regeneration Programme

1. The regeneration programme aims to change South Kilburn into a sustainable and mixed community by delivering 2,400 new high quality homes. Brent Council also hope that the regeneration will provide residents with improved open spaces, new shops, new health facilities and a new consolidated school.
2. The regeneration of South Kilburn is taking place in phases. The first phase of the South Kilburn regeneration programme is almost complete. It was split into two sub-phases; 1a and 1b. Phase 1a comprised 362 high quality homes and is now complete. 256 of these homes were made available for existing secure tenants of South Kilburn. Phase 1b started on site in 2012 and will deliver 208 new homes by spring 2015. 122 of these homes will be made available for existing secure tenants of South Kilburn.
3. The next phase, Phase 2, is again split into two phases; 2a and 2b. Phase 2a will provide 373 high quality new homes in South Kilburn, 131 of which will be made available for existing secure tenants. 229 of the new homes in Phase 2a are being planned as part of the redevelopment of Bronte House and Fielding House on Kilburn Park Road. 103 of the 229 homes will be made available to existing secure tenants of South Kilburn and are expected to be completed in November 2016. The remaining 144 new homes in Phase 2a are being planned as part of the redevelopment of the site of the old British Legion and Day Care Centre along Albert Road (Site 11b). 28 of these homes will also be made available to existing secure tenants of South Kilburn. These homes are also expected to be complete and ready for occupation in November 2016.
4. This booklet and enclosed letter are a notice of formal consultation, regarding three important proposals, to Secure Tenants currently living within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), who will be required to move to enable the redevelopment of these sites. This will affect all Secure Tenants living in the following blocks:
 - **Hereford House**
 - **Exeter Court**
 - **4 to 26 Stuart Road (even numbers only)**
4. These blocks will be demolished and replaced with new high quality homes as part of the overall regeneration programme for South Kilburn.
5. This booklet aims to explain each of the three important proposals that the Council is formally consulting Secure Tenants about. If, after you have read this booklet and the enclosed letter, you are unsure about anything or you want advice or further information, you can contact the Estate Regeneration Team, the Independent Resident Advisor or the Citizens Advice Bureau. The contact details for these organisations are included on page 43 of the booklet.

Proposal 1: Statutory consultation in connection with seeking approval of the Secretary of State for use of Ground 10A of the Housing Act, 1985

1. The Council needs to re-house Secure Tenants living in homes within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) of the South Kilburn regeneration programme so that their current homes can be demolished and brought forward for development.
2. We hope that the Suitable Offer of alternative accommodation that the Council will make to Secure Tenants in accordance with its Allocation Policy for Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) (a draft of which is attached to this booklet and on which we are also consulting you), will be acceptable to every Secure Tenant. However, there is a chance that this will not be possible in every case and that some Secure Tenants will not be prepared to move to the replacement home that the Council has offered to them. In order to ensure that the Council can undertake the proposed redevelopment of the Hereford House and Exeter Court and the proposed redevelopment of 4 to 26 Stuart Road (even numbers only) together with the adjoining land at 5 to 9 Chippenham Gardens, it needs to be able to recover possession of homes where Secure Tenants have refused to move. As set out in the draft Allocation Policy attached, one of the legal processes under which the Council proposes to seek possession of those homes is by court proceedings brought under Ground 10A of Schedule 2 of an Act of Parliament called the Housing Act 1985.
3. To be able to rely on Ground 10A, the Council must first apply to the Secretary of State (a government minister in the Department for Communities and Local Government) for formal approval of the proposed redevelopment of the Hereford House and Exeter Court and the proposed redevelopment of 4 to 26 Stuart Road (even numbers only) for the purposes of Ground 10A. It is the Council's proposal to make such an application to the Secretary of State. Before an application can be made, however, the Council must consult with all Secure Tenants living in homes affected by the proposal. This is the purpose of this current consultation and we have set out below:
 - a) the main features of the proposed redevelopment of the Hereford House and Exeter Court and the proposed redevelopment of 4 to 26 Stuart Road (even numbers only); and
 - b) the effect that receiving such approval would have on you in relation to court proceedings to recover possession brought under the Housing Act 1985.
4. As set out in the section headed "Introduction & Background to the South Kilburn regeneration programme" (see page 3 above), the regeneration of South Kilburn is taking place in phases and the Council is now focused on progressing with the redevelopment of Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). As part of this, Secure Tenants who are living in the blocks affected by the South Kilburn regeneration programme (Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only)) will be required to move out of their current homes and into alternative accommodation offered by the Council in accordance with the Council's Allocation Policy for Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). A copy of the draft Allocation Policy for Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), on which the Council is also consulting you, is included in this booklet. Once all the properties in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) have been vacated,

the Council intends to demolish Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) so that these sites can be brought forward for redevelopment and replaced with new high quality homes as part of the overall regeneration programme for South Kilburn.

5. Your tenancy with the Council is called a Secure Tenancy. A Secure Tenancy gives you certain rights and responsibilities. One of your key rights is to a fair and transparent process should the Council wish to terminate (end) your tenancy and recover possession of your home. The Council can only evict a Secure Tenant in certain circumstances specified by law. As set out in the draft Allocation Policy, one of the methods by which the Council proposes to secure possession from Secure Tenants living in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) is to use court proceedings under the Housing Act 1985.
6. If the Council uses court proceedings to recover possession under the Housing Act 1985, the Council can only evict a Secure Tenant in certain circumstances. These are referred to as 'grounds for possession' and are set out in Schedule 2 of the Housing Act 1985. The grounds for possession fall into two categories. The first category is where the Council can obtain possession if the Court considers that it is reasonable. The second category is where the Council can obtain possession if the Court considers that it is reasonable and the Council can demonstrate that suitable alternative accommodation will be available to the Secure Tenant when the order for possession takes effect.
7. To seek possession against a Secure Tenant, the Council must first serve a formal notice (called a notice of seeking possession) on the Secure Tenant specifying the ground or grounds for possession on which it wants to rely. The Council must then issue Court proceedings (which must also specify the ground or grounds for possession on which it wants to rely). There will then be a hearing in the county court at which the Council will have to set out its reasons for wanting to obtain possession and show how these fall within the ground or grounds for possession specified in the notice.
8. One of the grounds on which the Council can rely is Ground 10A. Ground 10A gives the Council the power to terminate a Secure Tenancy where the home is required for redevelopment. It is the only ground available to the Council where it needs to obtain possession in order to redevelop the premises. Ground 10A can only be used where a redevelopment scheme has been approved by the Secretary of State for this purpose. The Council's proposed application to the Secretary of State will seek this approval in relation to those homes that are located in Hereford House, Exeter Court and 4 to 26 Stuart Road, (even number only).
9. If the Secretary of State approves the proposed redevelopment of Hereford House and Exeter Court and the proposed redevelopment of 4 to 26 Stuart Road (even numbers only) for the purposes of Ground 10A, then Ground 10A becomes a further ground on which the Council can seek possession. Ground 10A falls into the second category of grounds for possession described in paragraph 6 above. This means that, provided that the Court is satisfied that Ground 10A applies, the Council can only obtain possession if the Court considers that it is reasonable and the Council can demonstrate that suitable alternative accommodation will be available to the Secure Tenant when the order for possession takes effect.
10. If the Secretary of State approves the proposed redevelopment of Hereford House and Exeter Court and the proposed redevelopment of 4 to 26 Stuart Road (even numbers only) for the purposes of Ground 10A, it is likely that, within the coming months, Secure Tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) will be served with a notice of seeking

possession specifying Ground 10A and will be made one suitable offer of alternative accommodation in line with the Council's Allocation Policy for Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). Please refer to the draft Allocation Policy for Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) which is included in page 11 of this booklet and about which the Council is also consulting you. This sets out further details concerning the circumstances in which the Council proposes serving a notice of seeking possession specifying Ground 10A.

11. For some Secure Tenants, the suitable offer of alternative accommodation will mean the offer of a permanent new home within one of the following redevelopment sites:

Location	New Landlord	Total Number of New Homes	Number of Homes for Rent for South Kilburn Households	Expected Completion Date
Bronte House and Fielding House Redevelopment Site	Network Housing Group	229	103	November 2016
Site 11b Redevelopment Site	London & Quadrant	144	28	November 2016

12. For other Secure Tenants, the suitable offer of alternative accommodation will mean:

- a) a suitable offer of a permanent alternative home within South Kilburn to a replacement home that is an existing that is not due for demolition as part of the South Kilburn regeneration programme; or
- b) a suitable offer of a permanent alternative home outside South Kilburn due to a shortage of certain sized replacement homes in the locations listed above; or
- b) a suitable offer of a temporary home within a block that is due for demolition as part of the South Kilburn regeneration programme. The Secure Tenant will remain in the temporary home until it is required for demolition as part of the South Kilburn regeneration programme, at which time the Secure Tenant will be made a suitable offer of a new replacement home. Please refer to pages 17 to 20 of this booklet which sets out more information concerning the Council's proposal in this respect.

13. If, following the service of a notice of seeking possession and making of a suitable offer of alternative accommodation as set out in the Allocation Policy for Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), a Secure Tenant in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) is not willing to vacate their current home, the Council will likely commence court proceedings relying on Ground 10A as set out in the draft Allocation Policy included in this booklet. The Council's proposal is to secure possession using court proceedings under the Housing Act 1985 until the Council has confirmation of a Compulsory Purchase Order (CPO) in respect of the homes concerned. After that point, and even if the Council are part way through court proceedings under the Housing Act 1985, the Council propose to proceed to secure possession by agreement or using the compulsory purchase powers derived from the confirmed CPO in place of the possession proceedings. The only circumstances in which the Council propose continuing to pursue court proceedings under the Housing Act 1985 following confirmation of a CPO, is if the Council consider that continuing to pursue those proceedings is

likely to result in it recovering possession of the property more swiftly than using its compulsory purchase powers.

What do I need to do?

14. You do not need to do anything; we are consulting on our proposal to make an application to the Secretary of State for the proposed redevelopment of the Hereford House and Exeter Court and the proposed redevelopment of 4 to 26 Stuart Road (even numbers only) of the South Kilburn regeneration programme.
15. If you are not happy with what is being proposed or you wish to make comments, please fill in the enclosed form or write them on your own paper, with your name and address, and return it to the Council at the following address:

Marie Frederick
Estate Regeneration Team,
South Kilburn Area Office, Community Resource Centre,
William Dunbar House, Albert Road, South Kilburn, London, NW6 5DE

The final date for comments to be received is 5pm on Wednesday, 29 April 2015.

16. The Council must then consider any comments in advance of making the application and report the results of the consultation as part of the application to the Secretary of State.

Proposal 2: Consultation in connection with Intention to make a Compulsory Purchase Order on properties currently occupied by Secure Tenants

1. The Council, along with all other councils, is required by Section 105 of the Housing Act 1985 to consult formally with tenants on certain changes in practice and/or policy. Consultation is required where tenants will be 'substantially affected' by a change in practice and/or policy in relation to the way that housing is managed.
2. The Council agreed allocation policies for previous phases of the South Kilburn regeneration programme which set out the Council's policy for seeking possession from Secure Tenants living in homes in previous phases of the South Kilburn regeneration programme (and which were/are being demolished as part of the South Kilburn regeneration programme).
3. The Council has developed a new Allocation Policy specifically for Secure Tenants living in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) of the South Kilburn regeneration programme. A copy of the draft Allocation Policy for Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) about which the Council is also consulting Secure Tenants, is included in page 11 of this booklet. The draft Allocation Policy for Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) sets out the Council's proposed policy for seeking possession from Secure Tenants living in homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only).
4. As this booklet explains on page 3, the Council needs to re-house Secure Tenants living in homes within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), so that their current homes can be demolished and brought forward for development. This is so the Council can continue to deliver new, high quality homes for existing secure tenants of South Kilburn. To be able to do this, the Council needs to know it can get timely possession of all homes occupied by Secure Tenants within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) of the South Kilburn regeneration programme. Timely and efficient possession of properties occupied by Secure Tenants cannot be guaranteed to secure the regeneration of Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) in a timely and efficient manner by the use of court proceedings under Ground 10A of Schedule 2 of the Housing Act 1985 alone.
5. In order to secure the regeneration of South Kilburn, the Council proposes to promote a Compulsory Purchase Order (CPO) under section 226(1)(a) of the Town and Country Planning Act 1990 on properties within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) including those currently occupied by Secure Tenants. However, the Council would only use a CPO to recover possession of existing homes occupied by Secure Tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) where it needs to be assured the timetable for regeneration could be complied with.
6. As such, the Council's proposed policy for seeking possession from Secure Tenants living in homes

in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) is to secure possession either by agreement or by pursuing court proceedings relying on Ground 10A until the Council has a confirmed CPO relating to Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). Once a CPO is confirmed, the Council proposes to secure possession of homes occupied by Secure Tenants either by agreement or by using the compulsory purchase powers from the confirmed CPO. After that point, and even if the Council is part way through court proceedings relying on Ground 10A, the Council proposes to secure possession by agreement or using the compulsory purchase powers derived from the confirmed CPO in place of the court proceedings. The only circumstances in which the Council proposes to continue to use the court proceedings following confirmation of a CPO, is if the Council considers that continuing to pursue the court proceedings is likely to result in it recovering possession of the property more swiftly than using its compulsory purchase powers.

7. More details concerning the Council's proposed policy for seeking possession from Secure Tenants living in homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) (including details concerning the process that the Council would need to undertake to make a CPO on homes occupied by Secure Tenants and rehousing Secure Tenants using CPO) are contained in the draft Allocation Policy for Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). Please refer to page 21 of this booklet for an explanation of the process.

What do I need to do?

8. You do not need to do anything; however, as a Secure Tenant of Hereford House, Exeter Court or 4 to 26 Stuart Road (even numbers only), this directly affects you so the Council is consulting you about its proposed policy for seeking possession from Secure Tenants living in homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) including the Council's proposal to make a Compulsory Purchase Order on properties currently occupied by Secure Tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only).
9. Therefore, you are invited to make comments on the Council's proposed policy before it is finally agreed. Please fill in the enclosed form or write them on your own paper, with your name and address, and return it to the Council at the following address:

Marie Frederick, Estate Regeneration Team,
South Kilburn Area Office, Community Resource Centre,
William Dunbar House, Albert Road, South Kilburn, London, NW6 5DE

The final date for comments to be received is 5pm on Wednesday, 29 April 2015.

10. The Council must then consider any comments in advance of making the application and report the results of the consultation as part of the application to the Secretary of State.

Proposal 3: Consultation in connection with draft Allocation Policy for Secure Tenants with homes Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn

1. The Council, along with all other councils, is required by Section 105 of the Housing Act 1985 to consult formally with tenants on certain changes in practice and/or policy. Consultation is required where tenants will be 'substantially affected' by a change in practice and/or policy in relation to the way that housing is managed.
2. The Council agreed allocation policies for previous phases of the South Kilburn regeneration programme which set the Council's policies for the allocation of replacement homes to Secure Tenants living in previous phases of the South Kilburn regeneration programme. They also set out the Council's policies for seeking possession from Secure Tenants living in homes in previous phases of the South Kilburn regeneration programme (and which were/are being demolished as part of the South Kilburn regeneration programme).
3. The Council has developed a new Allocation Policy specifically for Secure Tenants living in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) of the South Kilburn regeneration programme. The draft Allocation Policy for Secure Tenants living in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) sets out the Council's proposed policy for the allocation of replacement homes to Secure Tenants currently living in homes located in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) and which will be demolished as part of the South Kilburn regeneration programme. It also sets out the two legal processes on which the Council will rely in order to secure possession of homes occupied by Secure Tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only): Court proceedings under Ground 10A of Schedule 2 of the Housing Act 1985 or a CPO, which are explained at the beginning of this booklet.
4. This section of the booklet includes a copy of the draft Allocation Policy for Secure Tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn.

What do I need to do?

5. You do not need to do anything; however, as a Secure Tenant of Hereford House, Exeter Court or 4 to 26 Stuart Road (even numbers only), this directly affects you so the Council is consulting you about the details of the draft Allocation Policy for Secure Tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only).
6. Therefore, you are invited to make comments on the draft Allocation Policy before it is finally agreed. Please fill in the enclosed form or write them on your own paper, with your name and address, and return it to the Council at the following address:

Marie Frederick, Estate Regeneration Team,
South Kilburn Area Office, Community Resource Centre,
William Dunbar House, Albert Road, South Kilburn, London, NW6 5DE

The final date for comments to be received is 5pm on Wednesday, 29 April 2015.

7. The Council must then consider any comments in advance of finally agreeing the Allocation Policy for Secure Tenants with homes Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only).



**ALLOCATION POLICY FOR SECURE TENANTS WITH HOMES IN
HEREFORD HOUSE, EXETER COURT
& 4 to 26 STUART ROAD (EVEN NUMBERS ONLY) SOUTH KILBURN**

Contents

1. Introduction
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11. Home Loss and Disturbance Payments
12. Appeals Procedures

Appendix 1: Homes within South Kilburn

Appendix 2: Home Loss and Disturbance Policy

1. INTRODUCTION

- 1.1. This document sets out the policy for the allocation of replacement homes to Secure Tenants currently living in homes within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn which will be demolished as part of the South Kilburn regeneration programme.

2. TERMS USED IN THIS POLICY

In this policy the following terms will have the following meanings.

- 2.1. **4 to 26 Stuart Road** means homes in 4 to 26 Stuart Road, NW6 5LT (even numbers only) which are due for demolition as part of the South Kilburn regeneration programme.
- 2.2. **Bronte and Fielding Redevelopment Site** means homes to be built in the Bronte House and Fielding House Site on Kilburn Park Road, as part of Phase 2a of the South Kilburn regeneration programme. The Bronte and Fielding Redevelopment Site includes 103 affordable homes, of which 49 homes have one bedroom, 38 homes have two bedrooms, 12 homes have three bedrooms and 4 homes have four bedrooms
- 2.3. **Decent Homes** means homes that meet the current statutory minimum standard for housing, homes that are in a reasonable state of repair and homes that have reasonably modern facilities and services
- 2.4. **Disturbance Payment** means a payment for removal and other expenses that the Council makes to Secure Tenants in accordance with Council policy (including the Land Compensation Act 1973)
- 2.5. **Hereford and Exeter** means homes in Hereford House, Carlton Vale, NW6 5QH and Exeter Court, Cambridge Road, NW6 5AJ, which are due for demolition as part phase 3a of the South Kilburn regeneration programme
- 2.6. **Home Loss Payment** means a payment that is made to Secure Tenants in accordance with the Land Compensation Act 1973
- 2.7. **Registered Provider** means a provider of social housing (previously referred to as a 'housing association' or a 'registered social landlord'), as defined in section 80 of the Housing and Regeneration Act 2008.
- 2.8. **Relocation Processes** means the two legal processes which the Council will use to gain possession of existing homes being (a) possession proceedings pursuant to section 84 and Ground 10A in schedule 2 of the Housing Act 1985 or (b) taking possession pursuant to a confirmed compulsory purchase order
- 2.9. **Secure Tenants** means those people who let their homes from the Council on Secure Tenancies as defined in the Housing Act 1985 and who the Council have a duty to rehouse
- 2.10. **Site 11b Redevelopment Site** means homes to be built on the site of the former British Legion and Albert Road Day Care Centre. Site 11b Redevelopment Site includes 28 affordable

homes, of which 11 homes have one bedroom, 10 homes have two bedrooms, 6 homes have three bedrooms and 1 home has four bedrooms.

- 2.11. **Suitable Offer** means one offer of alternative accommodation that meets or, at the discretion of the Council, exceeds the housing need of the Secure Tenant and their household that is either:
- (a) A permanent move within South Kilburn to a replacement home within the South Kilburn regeneration programme; **or**
 - (b) A permanent move within South Kilburn to a replacement home that is an existing Council property that is not due for demolition as part of the South Kilburn regeneration programme; **or**
 - (c) A permanent move outside South Kilburn; **or**
 - (d) A temporary move within South Kilburn until the home that the Secure Tenant is temporarily occupying becomes due for demolition as part of the South Kilburn regeneration programme
- 2.12. **South Kilburn** means homes listed in Appendix 1 including both homes due for demolition under the South Kilburn regeneration programme and those not due for demolition
- 2.13. **The Council** means Brent Council

3. HOMES AND PEOPLE AFFECTED

- 3.1. This policy affects Secure Tenants living in homes within Hereford and Exeter and 4 to 26 Stuart Road which are due for demolition as part of the South Kilburn regeneration programme. Where it is possible to do so, Secure Tenants living in homes within Hereford and Exeter and 4 to 26 Stuart Road will be offered a replacement affordable home within the Bronte and Fielding Redevelopment Site or the Site 11b Redevelopment Site, though this cannot be guaranteed by the Council. However, all Secure Tenants living in homes within Hereford and Exeter and 4 to 26 Stuart Road will be made one Suitable Offer of alternative accommodation in accordance with this policy.

4. HOUSING NEEDS ASSESSMENT

- 4.1. In autumn 2014 the Estate Regeneration Team completed a needs assessment form with each Secure Tenant living in Hereford and Exeter which assessed the current circumstances of the Secure Tenant, the potential changes to their circumstances, medical and other needs as well as recording any preferences that the Secure Tenant may have. In March 2015 the Estate Regeneration Team completed a housing needs assessment form with each Secure Tenant living in 4 to 26 Stuart Road.
- 4.2. The information on this form will be entered onto the Council's 'Locata' bidding system. The Locata bidding system will be used by the Council to keep a clear record of all Secure Tenants requiring rehousing. All offers of replacement homes to Secure Tenants will be recorded on this system.
- 4.3. Whilst the housing needs assessment form records Secure Tenants preferences, the Council cannot guarantee such preferences will be met.

5. SIZE AND TYPE OF REPLACEMENT HOMES

- 5.1. The size and type of the replacement home offered to a Secure Tenant will depend on a Secure Tenant's household make up. The Council's allocation policy that is in force at the time that the Suitable Offer is made will be used to decide the size of home for which Secure Tenants are eligible. The Council's current allocation policy is the Brent Housing Allocation Policy 2013 (amended November 2014) that adopts the Government's bedroom standard and, as such, provides that the following should have one bedroom:
- Married, civil partnership or cohabiting couples
 - Single people more than 21 years old
 - Each pair of children or young people aged between 10 to 20 years old of the same gender
 - Each pair of children under 10 years old, regardless of gender
 - Any unpaired person aged 10 to 20 years old is paired, if possible, with a child under 10 of the same sex, or, if that is not possible, he or she is given a separate bedroom, as is any unpaired child under 10 years old.
- 5.2. In the following circumstances, the Council will offer a Secure Tenant a larger replacement home than that which they would otherwise be entitled under the Brent Housing Allocation Policy 2013 (amended November 2014). These are:
- 5.2.1. Where a Secure Tenant or a member of their household requires larger accommodation on health grounds. For example, this may apply where a Secure Tenant or a member of their household needs their own bedroom for medical reasons or needs a carer/personal assistant or some special bulky medical equipment. These will be considered on a case by case basis, taking into account the advice of the Council's District Medical Officer and reports from relevant adult/children social services.
- 5.2.2. Where a Secure Tenant, at the time that the housing needs assessment was undertaken, has two children of different sexes under 10 years old but where one or both of those children will be 10 years old or above by the time that the Secure Tenant will move into the replacement home.
- 5.2.3. Where a Secure Tenant requires larger accommodation as they are an approved Council foster carer and/or adopter. In order for a Secure Tenant to be allocated a larger accommodation in these circumstances, the Estate Regeneration Team will require evidence from the Council's Children Service confirming the Secure Tenant has been approved as a Council foster carer and/or adopter and that they are in a position to take one or more placements. These will be considered on a case by case basis by working closely with the Council's Children's Service.
- 5.2.4. Where a Secure Tenant, at the time that the housing needs assessment was undertaken, has a young person under 21 years old, who would be required to share a bedroom based on the Brent Housing Allocation Policy 2013 (amended November 2014), but the young person will be aged 21 years or above by the time that the Secure Tenant will move into the replacement home.
- 5.3. Immediately following the adoption by the Council of the Allocation Policy to be used for Secure Tenants living in Hereford and Exeter and 4 to 26 Stuart Road, the Estate Regeneration Team will write to those Secure Tenants.
- 5.3.1. The size of the replacement home that a Secure Tenant and their household will be offered;

- 5.3.2. Any preferences that the Secure Tenant expressed during the housing needs assessment (although the Council cannot guarantee such preferences will be met);
- 5.3.3. If an occupational therapy assessment is required.
- 5.4. If an occupational therapy assessment is required, the Council will arrange for this to be undertaken as soon as practicable after the date of the letter referred to in paragraph 5.3. Following receipt of the occupational therapist's report, the Council will write to the Secure Tenant confirming the occupational therapist's recommendations and provide the Secure Tenant with a copy of the report.
- 5.5. The Council will make a Suitable Offer to each Secure Tenant living in Hereford and Exeter and 4 to 26 Stuart Road not less than six (6) months notice before the time they need to move, but it may be earlier. The Suitable Offer will be made in accordance with paragraph 7 of this policy.
- 5.6. **Needs Plus**
- 5.6.1. Needs Plus is intended as an incentive for the loss of a larger property and adjusts the basic housing needs assessment to offer one bedroom more than the Secure Tenant would otherwise qualify for. The Needs Plus principle will only apply to Secure Tenants that satisfy both of the following:
- 1) Secure Tenants living in a home with 3 bedrooms or more where the Secure Tenant's household has more bedrooms than are needed based on the housing needs assessment criteria set out above; and
 - 2) Secure Tenants that have the ability to pay the rent on a replacement home larger than they need.
- For example:
- a single person or a couple living in a three (3) bedroom home will be offered a two (2) bedroom replacement home if they have the ability to pay the rent on a replacement home larger than they need. However, the option of moving to a one bedroom replacement home will be open at the request of the Secure Tenant, subject to availability.
- The Needs Plus principle is at the Council's discretion. The Council will determine which Secure Tenant is to be offered a replacement home with one bedroom more than the Secure Tenant would otherwise qualify for.
- 5.6.2. The Government introduced size and criteria for social housing as part of welfare reform that cut the amount of housing benefit that people are entitled to if they are considered to have a spare bedroom. Therefore, Secure Tenants who opt for a larger home under the Needs Plus principle outlined above must have the ability to pay the rent on a replacement home larger than they need.
- 5.6.3. Secure Tenants currently living in a two (2) bedroom home who only qualify for a one (1) bedroom home will not be offered a two (2) bedroom home unless there are medical reasons to allocate a replacement home with more bedrooms than would otherwise be allocated.

5.7. **Splitting Households**

- 5.7.1. If there is a shortage of larger homes in the Bronte and Fielding Redevelopment Site and the Site 11b Redevelopment Site or other alternative accommodation offered in line with this policy for relocating Secure Tenants from Hereford and Exeter and 4 to 26 Stuart Road, the Council may ask those Secure Tenants whose household composition is such that members of the household could be separately housed to take two smaller homes rather than one large replacement home.

For example,

A Secure Tenant who, on the housing needs assessment criteria, should be allocated a five or six bedroom home could be considered for two smaller homes if one adult member and other household members are re-housed separately.

- 5.7.2. The Council will not be bound to make or receive any such requests for splitting households and will only ask a household to split if replacement homes for the split household are available.
- 5.7.3. Where a household split is being explored, the Council will refer the request to its general Allocations Panel, which is part of the Council's general housing policy across the borough, for consideration and verification of the adult household member(s) being considered for separate rehousing to ensure they do not have an interest in another property either through ownership (including part), renting, through marriage or any other way.
- 5.7.4. Where a household split request is made or accepted by the Council, usually only the Secure Tenant who gives up their existing home will receive a statutory home loss and disturbance payment unless other payments are due in accordance with the law.

6. CHANGE OF CIRCUMSTANCES

- 6.1. Once a housing needs assessment has been carried out with each Secure Tenant, this information will be included in the detailed planning of the allocation of replacement homes in the Bronte and Fielding Redevelopment Site and the Site 11b Redevelopment Site or other alternative accommodation offered in line with this policy. If a Secure Tenant's circumstances change such that their housing need will be different from that set out in the Council's letters referred to in paragraphs 5.3 and/or 5.4 of this policy, the Secure Tenant must confirm these changes in person or in writing to the Estate Regeneration Team, providing all relevant documentation. For example, if a Secure Tenant or a member of their household is expecting a baby, the Secure Tenant would be required to provide a copy of the Expected Date of Confinement Certificate to the Estate Regeneration Team and a full copy of the birth certificate once the child is born. In such circumstances, the Council will make another offer of an alternative home on the basis that it is a Suitable Offer meeting the needs of the Secure Tenant.
- 6.2. The Council reserves the right, acting reasonably, to refuse to accept any changes to a Secure Tenant's household composition which would mean providing a larger replacement home. However such consideration would only be considered in exceptional circumstances.

7. RE-HOUSING PROCESS & OPTIONS

- 7.1. **One Suitable Offer**

All Secure Tenants living within Hereford and Exeter and 4 to 26 Stuart Road will be made one Suitable Offer of alternative accommodation in line with the definition at paragraph 2.11 of this policy.

7.2. How allocations will be prioritised

7.2.1. The Council will seek to ensure that Secure Tenants are fairly prioritised in the re-housing process.

7.2.2. In making the Suitable Offer of a replacement home to Secure Tenants, in order to ensure that Secure Tenants are fairly prioritised, the Council will adopt the following prioritisation procedure:

- 1) First priority will be given to those Secure Tenants whose housing need matches the replacement home available (e.g. one bedroom or two bedrooms or more, medical or other needs);
- 2) Second priority will be given to those Secure Tenants who have children under the age of ten;
- 3) Third priority will be given to Secure Tenants whose preference, recorded during the housing needs assessments carried out in autumn 2014 and March 2015 by the Estate Regeneration Team, matches the replacement home available;
- 4) Fourth priority will be given to those Secure Tenants with the longest tenancies.

7.2.3. In the event that, after applying the above criteria, there is still more than one Secure Tenant to whom the replacement home could be allocated, then it will be at the Council's discretion to determine which Secure Tenant is to be allocated to the replacement home.

7.3. Secure Tenants with One Bedroom Housing Needs

Due to a shortage of certain sized replacement homes, mainly new one bedroom homes within the Bronte and Fielding Redevelopment Site and the Site 11b Redevelopment Site, the Council cannot guarantee that Secure Tenants with one bedroom housing needs will be offered a new home within the Bronte and Fielding Redevelopment Site and the Site 11b Redevelopment Site. However, all Secure Tenants with a one bedroom housing need will be made one Suitable Offer of alternative accommodation as follows:

7.3.1. Suitable Offer (permanent) within South Kilburn to a replacement home within the South Kilburn regeneration programme

For some Secure Tenants with a one bedroom housing need, this will mean a Suitable Offer of a permanent new home within the Bronte and Fielding Redevelopment Site or the Site 11b Redevelopment Site, being built as part of the South Kilburn regeneration programme. However, due to the shortage of one bedroom properties, this cannot be guaranteed by the Council. Secure Tenants moving to a permanent new home within the Bronte and Fielding Redevelopment Site and the Site 11b Redevelopment Site will become tenants of Registered Providers. In these sites there will be 60 new one bedroom affordable homes. The

Council will, where possible, give Secure Tenants the preference where, within the Bronte and Fielding Redevelopment Site or the Site 11b Redevelopment Site they would like to live. In this instance, priority will be given in accordance with paragraph 7.2 of this policy. Where it is not possible to accommodate Secure Tenants within the Bronte and Fielding Redevelopment Site or the Site 11b Redevelopment Site the Council may make a Suitable Offer of a permanent replacement home that has already been built as part of the South Kilburn regeneration programme. Such a move may be in advance of a Secure Tenant's existing home being required for redevelopment.

7.3.2. Suitable Offer (permanent) within South Kilburn to a replacement home that is an existing Council property that is not due for demolition as part of the South Kilburn regeneration programme

For some Secure Tenants with a one bedroom housing need, this will mean a Suitable Offer of a permanent home within South Kilburn that is an existing Council property that is not due for demolition as part of the South Kilburn regeneration programme.

7.3.3. Suitable Offer (permanent) outside South Kilburn

For other Secure Tenants with a one bedroom housing need, this will mean a Suitable Offer of a permanent alternative home outside South Kilburn. In this case, Secure Tenants will not have a 'right to return' to a new replacement home on South Kilburn in the future. Where possible, the replacement home will be in the south of the borough of Brent. All replacement homes outside of South Kilburn are likely to meet the Decent Homes standard. Where a Secure Tenant with a one bedroom housing need moves to a permanent Council home outside South Kilburn, the Council will fully decorate the property.

7.3.4. Suitable Offer (temporary) within South Kilburn

Where a Suitable Offer of permanent alternative accommodation within or outside South Kilburn cannot be identified, for other Secure Tenants with a one bedroom housing need, this will mean a Suitable Offer of a temporary home within a block that is due for demolition as part of the South Kilburn regeneration programme. The Secure Tenant will remain in the temporary home until it is required for demolition as part of the South Kilburn Regeneration Programme, at which time the Secure Tenant will be made a Suitable Offer of a new replacement home. This guarantees the Secure Tenant the 'right to return' to a new home built as part of the South Kilburn regeneration programme.

Where a Secure Tenant occupies a temporary home for over twelve months then they may be entitled to a second statutory Home Loss Payment and Disturbance Payment once they move to their permanent new home within the South Kilburn regeneration programme. A second payment of Home Loss Payment and Disturbance Payment will only be made if the Secure Tenant has a legal entitlement to a second payment at the time of the Secure Tenant's move to their permanent new home within the South Kilburn regeneration programme.

Where a Secure Tenant has to move to a temporary home, the Council may carry out improvements works to that home to assist the Secure Tenant to settle in. In some cases the Council may also offer fixtures and fittings as a gift. Where this happens, the Council will not be liable to maintain or repair these items.

7.3.5. A Move Elsewhere within the Borough or outside of Brent

Some Secure Tenants with a one bedroom housing need may wish to move elsewhere within the borough or outside of Brent. In such cases, if the Secure Tenant wishes to do this, this will be noted when the housing needs assessment is done. The Council will be reliant upon Registered Provider and Council partners to source alternative homes. Our partners will be required to offer an annual quota to assist the decanting process for the South Kilburn Regeneration programme. Whilst Secure Tenants may express a preference to move elsewhere within the borough or outside of Brent and the Council will assist Secure Tenants to do so, the Council cannot guarantee this outcome. Therefore, the Council will reserve a Suitable Offer for the Secure Tenant in the instance that a move elsewhere within the borough or outside of Brent is not able to be secured within the timescale required by the Council for securing possession of the existing home of the Secure Tenant.

Secure Tenants who wish to move to specialist housing such as sheltered housing will be assisted by way of contact and help to complete the appropriate applications. Secure Tenants who wish to move to the private sector will also be assisted.

7.4. Secure Tenants with Housing Needs of Two Bedrooms or More

7.4.1. Suitable Offer (permanent) within South Kilburn

For some Secure Tenants with a housing need of two bedrooms or more, this will mean a Suitable Offer of a permanent new home within the Bronte and Fielding Redevelopment Site or the Site 11b Redevelopment Site, being built as part of the South Kilburn regeneration programme. Secure Tenants moving to a permanent new home within the Bronte and Fielding Redevelopment Site or the Site 11b Redevelopment Site will become tenants of Registered Providers. In these sites there will be 71 new affordable homes with two bedrooms or more. The Council will, where possible, give Secure Tenants the preference where, within the Bronte and Fielding Redevelopment Site or the Site 11b Redevelopment Site they would like to live. In this instance, priority will be given in accordance with paragraph 7.2 of this policy. Where it is not possible to accommodate Secure Tenants within the Bronte and Fielding Redevelopment Site or the Site 11b Redevelopment Site the Council may make a Suitable Offer of a permanent replacement home that has already been built as part of the South Kilburn regeneration programme. Such a move may be in advance of a Secure Tenant's existing home being required for redevelopment.

7.4.2. Suitable Offer (permanent) within South Kilburn to a replacement home that is an existing Council property that is not due for demolition as part of the South Kilburn regeneration programme

For some Secure Tenants with a housing need of two bedrooms or more, this will mean a Suitable Offer of a permanent home within South Kilburn that is an existing Council property that is not due for demolition as part of the South Kilburn regeneration programme.

7.4.3. Suitable Offer (permanent) outside South Kilburn

For other Secure Tenants with a housing need of two bedrooms or more, this will mean a Suitable Offer of a permanent alternative home outside South Kilburn, at the request of the Secure Tenant. In this case, Secure Tenants will not have a 'right to

return' to a new replacement home on South Kilburn in the future. Where possible, the replacement home will be in the south of the borough of Brent. All replacement homes outside of South Kilburn are likely to meet the Decent Homes standard. Where a Secure Tenant with a housing need of two bedrooms or more moves to a permanent Council home outside South Kilburn, the Council will fully decorate the property.

7.4.4. Suitable Offer (temporary) within South Kilburn

For other Secure Tenants with a housing need of two bedrooms or more, this will mean a Suitable Offer of a temporary home within a block that is due for demolition as part of the South Kilburn regeneration programme. The Secure Tenant will remain in the temporary home until it is required for demolition as part of the South Kilburn Regeneration Programme, at which time the Secure Tenant will be made a Suitable Offer of a new replacement home. This guarantees the Secure Tenant the 'right to return' to a new home built as part of the South Kilburn regeneration programme.

Where a Secure Tenant occupies a temporary home for over twelve months then they may be entitled to a second statutory Home Loss Payment and Disturbance Payment once they move to their permanent new home within the South Kilburn regeneration programme. A second payment of Home Loss Payment and Disturbance Payment will only be made if the Secure Tenant has a legal entitlement to a second payment at the time of the Secure Tenant's move to their permanent new home within the South Kilburn regeneration programme.

Where a Secure Tenant has to move to a temporary home, the Council may carry out improvements works to that home to assist the Secure Tenant to settle in. In some cases the Council may also offer fixtures and fittings as a gift. Where this happens, the Council will not be liable to maintain or repair these items.

7.4.5. A Move Elsewhere within the Borough or outside of Brent

Some Secure Tenants with housing needs of two bedrooms or more may wish to move elsewhere within the borough or outside of Brent. In such cases, if the Secure Tenant wishes to do this, this will be noted when the housing needs assessment is done. The Council will be reliant upon Registered Provider and Council partners to source alternative homes. Our partners will be required to offer an annual quota to assist the decanting process for the South Kilburn regeneration programme. Whilst Secure Tenants may express a preference to move elsewhere within the borough or outside of Brent and the Council will assist Secure Tenants to do so, the Council cannot guarantee this outcome. Therefore, the Council will reserve a Suitable Offer for the Secure Tenant in the instance that a move elsewhere within the borough or outside of Brent is not able to be secured within the timescale required by the Council for securing possession of the existing home of the Secure Tenant.

Secure Tenants who wish to move to specialist housing such as sheltered housing will be assisted by way of contact and help to complete the appropriate applications. Secure Tenants who wish to move to the private sector will also be assisted.

- 7.5. If, after rehousing all Secure Tenant living in Hereford and Exeter and 4 to 26 Stuart Road in accordance with this policy, there are affordable homes within the Bronte and Fielding Redevelopment Site and the Site 11b Redevelopment Site that remain to be allocated, the Council may make an offer of alternative accommodation to Secure Tenants living in the

next phase(s) of the South Kilburn regeneration programme whose housing need matches the replacement homes available.

8. LEGAL PROCESS FOR RELOCATION OF SECURE TENANTS

- 8.1. The Council will consult with its Secure Tenants to agree voluntary relocation in accordance with this policy. The Council anticipates that the majority of Secure Tenants in Hereford and Exeter and 4 to 26 Stuart Road will move to their replacement homes voluntarily. However, to provide certainty that the Council can deliver its programme of regeneration on time, for those Secure Tenants in Hereford and Exeter and 4 to 26 Stuart Road who refuse to move to their replacement homes, the Council will seek possession by Court proceedings under the Housing Act Schedule 2 Ground 10A. This method will be used by the Council for Secure Tenants in Hereford and Exeter and 4 and 26 Stuart Road until the Council has confirmation of a Compulsory Purchase Order (CPO) in respect of the homes concerned. After that point, and even if the Council are part way through the Ground 10A process, the Council shall proceed to secure possession by agreement or using the compulsory purchase powers derived from the confirmed CPO in place of the Ground 10A process. The only circumstances in which the Council may continue to use the Ground 10A process, following confirmation of a CPO, is if the Council consider that continuing to use the Ground 10A process is likely to result in it recovering possession of the property more swiftly than using its compulsory purchase powers. The Ground 10A process and the CPO process are summarised below in paragraphs 8.3 and 8.4.
- 8.2. Nothing in this allocation policy prevents the Council from continuing to manage homes occupied by Secure Tenants in Hereford and Exeter and 4 to 26 Stuart Road in accordance with its usual policies and procedures. This may include the Council commencing possession proceedings against a Secure Tenant based on grounds for possession that do not include Ground 10A. The other grounds for possession are set out in Schedule 2 of the Housing Act 1985 and include grounds relating to rent arrears and antisocial behaviour.

At the time that the Council needs possession of a home in order to deliver its programme of regeneration, the Council may have already:

- (i) commenced possession proceedings based on grounds for possession that do not include Ground 10A; or
- (ii) be taking, be entitled to take or become entitled to take enforcement action for a breach of a Suspended Order for Possession, where the grounds for possession which resulted in the Order did not include Ground 10A.

If this is the case, the Council may pursue those proceedings or enforcement action instead of, or in addition to, using the Ground 10A process and/or using the compulsory purchase powers derived from the confirmed CPO.

If the Council secures possession of a home in reliance on an order for possession which is based on grounds for possession that do not include Ground 10A, the Council shall not be obliged to re-house the Secure Tenant in replacement accommodation in accordance with this allocation policy.

8.3. Ground 10A

- 8.3.1. Under Ground 10A and Part V of Schedule 2 to the Housing Act 1985, the Council would need to:

- 1) Serve consultation notices on the Secure Tenants within Hereford and Exeter and 4 to 26 Stuart Road. The notice will explain the main features of the proposed scheme, that the Council intends to apply to the Secretary of State for approval of the scheme and the effect of receiving this approval would result in possession proceedings brought in connection with homes occupied by Secure Tenants within Hereford and Exeter and 4 to 26 Stuart Road.
- 2) Secure Tenants will have 28 days from service of the notice to make representations to the Council about the proposal and then consider all representations during that period.
- 3) Apply to the Secretary of State for approval of the schemes (for the purposes of Ground 10A), in accordance with the procedure set out in Part V of Schedule 2 of the Housing Act 1985.
- 4) When it wishes to secure possession of a home from a Secure Tenant, and subject to it having received Secretary of State approval, serve a notice seeking possession on the affected Secure Tenant and make them a Suitable Offer of alternative accommodation. The Council will try to give Secure Tenants 6 months notice before it requires possession of the Secure Tenant's current home but this may not be possible in all cases and possession proceedings may commence before the end of the 6 months for some Secure Tenants who refuse a Suitable Offer of a replacement home. However, if a Secure Tenant believes the Council's offer of a replacement home is not a Suitable Offer, they will have the right to appeal under the process outlined in paragraph 12 of this policy; and
- 5) Apply to the Court for repossession of a Secure Tenant's home if the Secure Tenant, having received a notice seeking possession and a Suitable Offer of alternative accommodation, does not voluntarily move out of their home.

8.4. **Compulsory Purchase Order**

- 8.4.1. The Council's policy is to secure the regeneration of South Kilburn in accordance with a phased programme. Use of Ground 10A cannot by itself secure this aim. Therefore, in addition to the use of Ground 10A outlined above, the Council will also promote a Compulsory Purchase Order (CPO) under section 226(1)(a) of the Town and Country Planning Act 1990 to acquire all interests in land surrounding and including Hereford and Exeter and 4 to 26 Stuart Road which are due for demolition as part of the South Kilburn regeneration programme.
- 8.4.2. The land to be acquired will include properties occupied by Secure Tenants. The CPO will be relied upon to obtain possession if possession of properties cannot be obtained to ensure timely delivery of the comprehensive regeneration proposals by securing vacant possession of blocks due for demolition under the South Kilburn regeneration programme which gives certainty of timing to enable the phased process of regeneration and the delivery of new homes to continue.
- 8.4.3. Under section 226(1)(a) of the Town and Country Planning Act 1990 the Council will:
 - 1) Serve a Section 16 requisition notice on the Secure Tenants advising of the Council's intention to acquire land which includes their existing home. This notice is a legal document and Secure Tenants must complete the document

detailing their interest in the property and also detail who else has an interest in the property such as other members of the household.

- 2) Secure Tenants will then receive a copy of the draft CPO and a notice explaining its effects. Secure Tenants will be advised at that stage that they can voice their objections to the CPO and that these objections will be sent to the appropriate government minister. If there are objections there will be an inquiry and an inspector will make a decision on whether or not the CPO should be confirmed.
- 3) Make Secure Tenants a Suitable Offer of alternative accommodation. If a Secure Tenant believes the Council's offer of a replacement home is not a Suitable Offer, they will have the right to appeal in line with the process outlined in paragraph 12.3 of this policy.
- 4) If the CPO is confirmed, either with or without a public inquiry, serve a Notice to Treat and notice of entry on the Secure Tenants specifying a date for possession. These are legal documents that the Council may serve on Secure Tenants which gives the Council the right to enter and take possession of the existing home of the Secure Tenant, in order to ensure the timely delivery of that property for regeneration.
- 5) Enforce the CPO to take possession of the home if a Secure Tenant fails to move to their replacement home. Under CPO the Notice of Entry will be enforced and possession obtained by County Court enforcement officers.

9. RENT LEVELS OF NEW AFFORDABLE HOMES ON SOUTH KILBURN

- 9.1. Secure Tenants who are allocated a new replacement home in South Kilburn will pay higher rent than their existing Council property.

This is due to two reasons:

- 1) Council rents are below the rents charged by Registered Providers, which are known as target rents;
- 2) The higher value associated with a quality new build home, compared with an existing Council property, will be reflected in a higher target rent.

Annual rent increases for the new replacement homes will, like Council rents, be in line with the Government's recently issued guidance on social rent, which currently provides that annual rent increases will be limited to the Consumer Price Index plus one per cent.

This will mean that there will always be a difference in the rent charged for existing Council properties in South Kilburn, compared with new homes for rent from Registered Providers, built as part of the South Kilburn regeneration programme. Secure Tenants who are allocated a new replacement home in South Kilburn under this policy will pay the relevant target rent from the tenancy start date.

- 9.2. In the case of Secure Tenants that move elsewhere within the borough or outside of Brent or move to specialist housing such as sheltered housing, rent levels for homes will vary according to the location and the landlord.

10. TENANT'S CHOICE ON INTERIOR FITTING OF NEW HOMES

- 10.1. Secure Tenants who are allocated a new replacement home within South Kilburn may be invited to select certain 'tenant's choice' items. Whilst tenant's choice items will be different on the Bronte and Fielding Redevelopment Site and the Site 11b Redevelopment Site, they will usually include items such as kitchen units, wall paint colours, tiling and floor coverings. Each Registered Provider will have a different range of choices for their specific developments.

11. HOME LOSS AND DISTURBANCE PAYMENTS

- 11.1. The Home Loss and Disturbance Policy for Secure Tenants with Homes in South Kilburn is attached at Appendix 2.

12. APPEALS PROCEDURES

APPEALS PROCEDURE WHERE NO CPO HAS BEEN CONFIRMED

12.1. Stage One Appeal: no CPO confirmed

- If a Secure Tenant believes the Council's offer of a replacement home is not a Suitable Offer, they will have the right to appeal the offer within 10 working days of the Council making the offer to the Secure Tenant. Secure Tenants will be notified on the timescales for appeal and who to send an appeal to at the point they are made a Suitable Offer of a replacement property.
- If a Secure Tenant wishes to make an appeal, the Secure Tenant must write to the Council at the address below:
 - stating that they do not believe the Council's offer is a Suitable Offer;
 - specifying the reasons why they believes the offer is not a Suitable Offer;
 - enclosing any evidence to support their belief that the offer is not a Suitable Offer (e.g. medical evidence) and;
 - stating that they wish to appeal against the Council's offer.
- Appeals should be sent to:
Estate Regeneration Re-housing Manager
Community Resource Centre, William Dunbar House, Albert Road, Kilburn, NW6 5DE
- If an appeal is received within the allowed time limit, the Estate Regeneration Re-housing Manager will assess the appeal in light of the information provided and taking into account the individual circumstances of the Secure Tenant and their household members.
- If the Estate Regeneration Re-housing Manager agrees with the Secure Tenant's appeal (e.g. on medical grounds) the Council will inform the Secure Tenant and at the same time make another offer of an alternative home on the basis that it is a Suitable Offer meeting the needs of the Secure Tenant.
- If the Estate Regeneration Re-housing Manager does not agree with the Secure Tenant making the appeal, the Secure Tenant will be informed of the decision within 10 working days of the Council receiving the Secure Tenant's appeal.

12.2. Stage Two Appeal: no CPO confirmed

- If the Secure Tenant wishes to appeal the Estate Regeneration Re-housing Manager's decision and a CPO has not been confirmed in relation to the Secure Tenant's existing home, the Secure Tenant must do so within 10 working days of having received such decision by writing to the Estate Regeneration Programme Manager at the address below:
 - specifying the reasons why they do not agree with the Estate Regeneration Re-housing Manager's decision and
 - enclosing any further evidence to support their belief that the Council's offer is not a Suitable Offer (e.g. medical evidence) and
 - stating that they wish to make a further appeal against the Council's offer.
- Further appeals should be sent to:
Estate Regeneration Programme Manager,
Community Resource Centre, William Dunbar House, Albert Road, Kilburn, NW6 5DE
- If a further appeal is received within the allowed time, the Estate Regeneration Programme Manager will assess the appeal in light of the information provided and taking into account the individual circumstances of the Secure Tenant and their household.
- If the Estate Regeneration Programme Manager agrees with the Secure Tenant's further appeal (e.g. on medical grounds) the Council will inform the Secure Tenant and at the same time make another offer of an alternative home on the basis that it is a Suitable Offer meeting the needs of the Secure Tenant.
- If the Estate Regeneration Programme Manager does not agree with the Secure Tenant making the appeal, the Secure Tenant will be informed of the decision within 10 working days of the Council receiving the Secure Tenant's further appeal. The Council will expect the Secure Tenant to move to the home set out in the Suitable Offer. If the Secure Tenant does not then the Council will take all necessary steps to secure possession of the Secure Tenant's home as summarised at paragraph 8 above.

APPEALS PROCEDURE WHERE A CPO HAS BEEN CONFIRMED

12.3. Stage One Appeal: where CPO is confirmed

- If a Secure Tenant believes the Council's offer of a replacement home is not a Suitable Offer, they will have the right to appeal the offer within 10 working days of the Council making the offer to the Secure Tenant. Secure Tenants will be notified on the timescales for appeal at the point they are made a Suitable Offer of a replacement property.
- If a Secure Tenant wishes to make an appeal, the Secure Tenant must write to the Council at the address below:
 - stating that they do not believe the Council's offer is a Suitable Offer;
 - specifying the reasons why they believes the offer is not a Suitable Offer;
 - enclosing any evidence to support their belief that the offer is not a Suitable Offer (e.g. medical evidence) and;
 - stating that they wish to appeal against the Council's offer.

- Appeals should be sent to:
Estate Regeneration Re-housing Manager
Community Resource Centre, William Dunbar House, Albert Road, Kilburn, NW6 5DE
- If an appeal is received within the allowed time limit, the Estate Regeneration Re-housing Manager will assess the appeal in light of the information provided and taking into account the individual circumstances of the Secure Tenant and their household members.
- If the Estate Regeneration Re-housing Manager agrees with the Secure Tenant's appeal (e.g. on medical grounds) the Council will inform the Secure Tenant and at the same time make another offer of an alternative home on the basis that it is a Suitable Offer meeting the needs of the Secure Tenant.
- If the Estate Regeneration Re-housing Manager does not agree with the Secure Tenant making the appeal, the Secure Tenant will be informed of the decision within 10 working days of the Council receiving the Secure Tenant's appeal.

12.4. **Stage Two Appeal: where CPO is confirmed**

- If the Secure Tenant wishes to appeal the Estate Regeneration Re-housing Manager's decision and a CPO has been confirmed in relation to the Secure Tenant's existing home, the Secure Tenant must do so within 10 working days of having received such decision by writing to the Estate Regeneration Programme Manager at the address below:
 - specifying the reasons why they do not agree with the Estate Regeneration Re-housing Manager's decision and
 - enclosing any further evidence to support their belief that the Council's offer is not a Suitable Offer (e.g. medical evidence) and
 - stating that they wish to make a further appeal against the Council's offer.
- Appeals should be sent to:
Estate Regeneration Programme Manager
Community Resource Centre, William Dunbar House, Albert Road, Kilburn, NW6 5DE
- If a further appeal is received within the allowed time, the Estate Regeneration Programme Manager will refer the appeal to an independent review body to be appointed by the Council and notified to Secure Tenants prior to any such appeal arising. The independent review body will carefully review the Suitable Offer made to the Secure Tenant and any representation made by the Council and will advise the Estate Regeneration Programme Manager whether it considers that the Suitable Offer is suitable alternative residential accommodation on reasonable terms within the meaning of section 39 of the Land Compensation Act 1973 within 15 working days of the independent review body receiving from the Estate Regeneration Programme Manager a copy of the Secure Tenant's further appeal.
- Within 10 working days of receiving the view of the independent review body:
 - the Estate Regeneration Programme Manager will assess the appeal taking into account the view of the independent review body, the information provided by the Secure Tenant and the individual circumstances of the Secure Tenant and their household and decide whether they agree with the Secure Tenant's further appeal and;

- the Council will inform the Secure Tenant of the decision of the Estate Regeneration Programme Manager and, if the Estate Regeneration Programme Manager agrees with the Secure Tenant's further appeal, the Council will make another offer of an alternative home on the basis that it is a Suitable Offer meeting the needs of the Secure Tenant.
 - If the independent review body does not consider that the Suitable Offer is suitable alternative residential accommodation on reasonable terms within the meaning of section 39 of the Land Compensation Act 1973, in most cases it is likely that the Estate Regeneration Programme Manager will agree with the view of the independent review body, agree to the Secure Tenant's further appeal and make an alternative offer. There may be circumstances, however, in which the Estate Regeneration Programme Manager disagrees with the decision of the independent review body and decides not to do so. If this is the case, when the Council writes to the Secure Tenant to notify them of the outcome of their further appeal, the Council will explain why it disagrees with the view of the independent review body.
 - If the independent review body considers that the Suitable Offer is suitable alternative residential accommodation on reasonable terms within the meaning of section 39 of the Land Compensation Act 1973, it is likely that the Estate Regeneration Programme Manager will agree with the view of the independent review body and not agree with the Secure Tenant's further appeal. Where the Estate Regeneration Programme Manager does not agree with the Secure Tenant's further appeal, the Council will expect the Secure Tenant to move to the home set out in the Suitable Offer. If the Secure Tenant does not then the Council will take all necessary steps to secure possession of the Secure Tenant's home as summarised at paragraph 8 above.
- 12.5. Secure Tenants can also seek the advice from a Citizens Advice Bureau/ Law Centre Solicitor or the independent Resident and Tenants Advisor, First Call, who can be contacted on Freephone 0300 365 7150.

Appendix 1

HOMES WITHIN SOUTH KILBURN

Homes Already Delivered under the South Kilburn Regeneration Programme	Existing Buildings to be Retained
1 to 13 Bristol Walk	1 to 96 Carlton House
1, 3, 5 & 7 Chichester Road	129 to 136 Carlton House
4 to 17 Gorefield Place	Allington Road
5 to 153 Cambridge Avenue (odds only)	Alpha House
Falconbrook Court	Canterbury Court
Franklin House	Chamberlayne Mansions
George House	Chichester House
Granville Homes	Chichester Road
Hansel Road	Claremont Road
Hollister House	Gorefield House
Merle Court	Hampton Close
Swift House	Kilburn Lane
Thames Court	Malvern Road
Walbrook Court	Princess Road
	Stafford Close
	The Quadrant
	William Dunbar House
	William Saville House

Appendix 2

HOME LOSS AND DISTURBANCE POLICY FOR SECURE TENANTS WITH HOMES IN SOUTH KILBURN

Contents

1. Introduction
2. Terms Used in this Policy
3. People Affected
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7. Disturbance Payments – Key Principles
8. Home Loss Payments Procedure
9. Disturbance Payments Procedure
10. Appeals Procedure for Disturbance Claims

1. INTRODUCTION

- 1.1 This document sets out the policy and procedure for the making of Home Loss Payments and Disturbance Payments to Secure Tenants, who are entitled to such payments in accordance with Council policy (including the Land Compensation Act 1973), currently living in homes within Hereford and Exeter and 4 to 26 Stuart Road, South Kilburn which will be demolished as part of the South Kilburn regeneration programme. The aim of the policy is to ensure effective and consistent arrangements for the making of Home Loss Payments and Disturbance Payments.

2. TERMS USED IN THIS POLICY

- 2.1 **4 to 26 Stuart Road** means homes in 4 to 26 Stuart Road, NW6 5LT (even numbers only) which are due for demolition as part of the South Kilburn regeneration programme.
- 2.2 **Disturbance Payment** means a payment for removal and other expenses that the Council makes to Secure Tenants in accordance with Council policy (including the Land Compensation Act 1973)
- 2.3 **Hereford and Exeter** means homes in Hereford House, Carlton Vale, NW6 5QH and Exeter Court, Cambridge Road, NW6 5AJ, which are due for demolition as part of the South Kilburn regeneration programme
- 2.4 **Home Loss Payment** means a payment that is made to Secure Tenants in accordance with the Land Compensation Act 1973
- 2.5 **Secure Tenants** means those people who let their homes from the Council on Secure Tenancies as defined in the Housing Act 1985 and who the Council have a duty to rehouse
- 2.6 **The Council** means Brent Council

3. PEOPLE AFFECTED

- 3.1 This policy affects Secure Tenants living in homes within South Kilburn which will be demolished as part of the South Kilburn regeneration programme.

4. HOME LOSS AND DISTURBANCE PAYMENTS POLICY

- 4.1 The Council will pay Home Loss Payments and Disturbance Payment to Secure Tenants who lose their homes as part of the South Kilburn regeneration programme. Not all Secure Tenants who lose their homes will be entitled to Home Loss Payments and Disturbance Payments.
- 4.2 Secure Tenants who move out of their homes, provided that they have lived there for at least 12 months before their move and it is their only or principal home, will be eligible for a Home Loss Payment which is currently £4,900 but which may change in line with government legislation over the period of the regeneration. The Council will always pay the rate which applies at the time of the Secure Tenant's move.

- 4.3 Home Loss Payments and Disturbance Payments will be dealt with after the move to the new home when claim forms should be submitted, as set out in this policy.
- 4.4 Secure Tenants who are joint tenants are only entitled to one Home Loss Payment and Disturbance Payment, which can be paid in equal shares to both parties where requested in writing by them.
- 4.5 The borough-wide housing policy that allows Secure Tenants who down size to a smaller property for a financial incentive does not apply to Secure Tenants of South Kilburn if they receive a statutory Home Loss Payment.
- 4.6 Secure Tenants who wish to move to the private sector as outlined in paragraphs 7.3.5 and 7.4.5 of the Allocation Policy for Secure Tenants with homes in Hereford House and Exeter Court and 4 to 26 Stuart Road will receive Home Loss Payments and Disturbance Payments as required by law.
- 4.7 Where Secure Tenants moves temporarily within South Kilburn to a home that will become due for demolition under the South Kilburn regeneration programme and occupy this temporary property in excess of twelve months, then they may be entitled to a second statutory Home Loss payment once they move to their new home within the South Kilburn regeneration programme. The instances where Secure Tenants may move temporarily within South Kilburn to a home that will be due for demolition under the South Kilburn regeneration programme are explained in paragraphs 7.3.4 and 7.4.4 of the Allocation Policy for Secure Tenants with homes in Hereford House and Exeter Court and 4 to 26 Stuart Road, South Kilburn.

5. ADVANCE PAYMENTS OF HOME LOSS

- 5.1 Secure Tenants can request for an advance payment of Home Loss to be made if they are moving to:
- A permanent home within South Kilburn that is an existing Council property that is not due for demolition as part of the South Kilburn regeneration programme;
 - A permanent home outside South Kilburn;
 - A temporary move within South Kilburn to a home that will become due for demolition under the South Kilburn regeneration programme;
 - A move elsewhere within the Borough or outside of Brent.
- 5.2 If a request for an advance payment of Home Loss is received, it is sent to the Estate Regeneration Re-housing Manager for consideration. The Estate Regeneration Re-housing Manager has the discretion to approve or reject requests for advance payments or make partial advance payment of Home Loss to the Secure Tenant.
- 5.3 Requests for advance payments of Home Loss will not be considered from Secure Tenants who are moving to a permanent new home within the South Kilburn regeneration programme.

6. RENT ARREARS AND OUTSTANDING COURT COSTS

- 6.1 Secure Tenants with rent arrears will be expected to clear the full sum of monies owed to the Council. The Council will pursue all rent arrears in line with its arrears procedure. Where a Secure Tenant has been taken to court for recovery of rent and the Secure Tenant has kept

to the terms of the court order, then the Council will off-set any remaining rent arrears and outstanding court costs against any Home Loss Payment.

- 6.2 Where a Secure Tenant has not complied with any court order for the recovery of rent arrears or where the level of arrears exceeds the Home Loss payment, the Council reserves the right not to offer a Secure Tenant a new home in South Kilburn.

7. DISTURBANCE PAYMENTS – KEY PRINCIPLES

- 7.1 The Council will pay disturbance payments to Secure Tenants who lose their homes as part of the South Kilburn regeneration programme and who are entitled to such payments in accordance with Council policy (including the Land Compensation Act 1973). Reasonable disturbance costs may be payable and Secure Tenants who wish to claim for these costs will be required to produce evidence of the costs incurred. The following are examples of Disturbance payments that the Council has a legal duty to meet:

- Removal expenses (the Council pays for removals directly);
- Redirection of mail;
- Dismantling and re-assembly of Secure Tenants own furniture such as wardrobes;
- Telephone disconnection and reconnection;
- Compensation for the second hand value of carpet and curtains where no carpet and curtains are provided in replacement home (see paragraphs 7.5 to 7.11);
- Disconnection/reconnection of services;
- The second hand value of large items of furniture that cannot be dismantled or moved to the Secure Tenant's replacement property.

- 7.2 Key principles relating to Disturbance Payments are as follows:

- The onus is on the Secure Tenant to justify their claim; there is no pre-determined disturbance allowance;
- Claims can only be made for costs incurred as a direct result of being disturbed;
- Secure Tenants should be no worse off or better off than before their move;
- Costs must be reasonable. For example, Secure Tenants cannot claim compensation for any fixtures and fittings such as mixer taps that they have replaced in their current home as fixtures and fittings will be provided in replacement home;
- Where appliances are supplied within new properties e.g. cooker, washing machine or fridge freezer, no reconnection fees will be paid.

Adaptation of Carpets/Curtains

- 7.3 If carpets and/or curtains could be adapted to fit in the replacement property, the Council would pay for the adaption, where such items are not provided in replacement home. If the Secure Tenant chooses not to adapt the carpets and/or curtains, nor does the Secure Tenant use them in their replacement property, then the Secure Tenant would not be able to claim compensation.

- 7.4 Carpets and/or curtains are deemed to be adaptable if they satisfy the following criteria:

- The existing carpets/curtains is the same size or larger than required in the replacement home;
- Foam-backed carpets, unlined curtains and lino are 3 years old or less;
- Hessian-backed carpets and lined curtains are 6 years old or less.

Compensation for Carpets, Curtains or Large Items of Furniture

- 7.5 Secure Tenants can claim the second hand value of carpets and curtains where such items are not provided in replacement home or are not adaptable as outlined above. Where it is agreed that an item needs replacing, rather than adapting, the compensation paid to the Secure Tenant will be based on the cost of the item when it was new, less a percentage discount according to the existing age of the item. Therefore, the older the existing item, the less amount of compensation the Secure Tenant will receive.
- 7.6 Secure Tenants can also claim for large items of furniture that cannot be dismantled or moved to their replacement home. Details of the Secure Tenants existing carpets, curtains and large items of furniture would have been recorded in the Housing Needs Assessment by the Estate Regeneration Team at the time of the first home visit or at the point that the Secure Tenant accepts the suitable offer of alternative accommodation.
- 7.7 The age of the existing carpet must be assessed. If the Secure Tenant can show receipts as proof of purchase this is desirable, if not, an agreement must be reached on the age and condition of the carpet or curtains with the Estate Regeneration Re-housing Manager at the time the Housing Needs Assessment is completed.
- 7.8 The second-hand value of **hessian-backed carpets, lined curtains and large items of furniture that cannot be dismantled or moved to replacement home**, with a life expectancy of 10 years is calculated using the following formula:

Age of Carpet/ Curtains/ Large Item of Furniture	Value of Carpet/ Curtains/ Large Item of Furniture	Less Depreciation
1 year	Replacement Value	8%
2 years	Replacement Value	16%
3 years	Replacement Value	24%
4 years	Replacement Value	32%
5 years	Replacement Value	40%
6 years	Replacement Value	48%
7 years	Replacement Value	56%
8 years	Replacement Value	64%
9 years	Replacement Value	72%
10 years	Replacement Value	80%

- 7.9 An example of a calculation using this table is as follows:

A Secure Tenant has a hessian-backed carpet which is 5 years old and 20 square meters in size that cannot be adapted to fit in their replacement property. The replacement value of the carpet is £8 per square meter. The second-hand value of the carpet is calculated as follows:

Replacement value 20 sqm x £8 per sqm	£160
Less depreciation at 40%	<u>(£64)</u>
Disturbance allowance paid to Secure Tenant	£96

- 7.10 The second-hand value of **foam-backed carpets and unlined curtains**, with a life expectancy of 5 years is calculated using the following formula:

Age of Carpet/ Curtains/ Large Item of Furniture	Value of Carpet/ Curtains/ Large Item of Furniture	Less Depreciation
1 year	Replacement Value	16%
2 years	Replacement Value	32%
3 years	Replacement Value	48%
4 years	Replacement Value	64%
5 years	Replacement Value	80%

7.11 An example of a calculation using this table is as follows:

A Secure Tenant has a foam-backed carpet which is 7 years old and 20 square meters in size that cannot be adapted to fit in their replacement property. The replacement value of the carpet is £6 per square meter. The second-hand value of the carpet is calculated as follows:

Replacement value 20 sqm x £6 per sqm	£120
Less depreciation at 80%	(£96)
Disturbance allowance paid to Secure Tenant	£24

8. HOME LOSS PAYMENTS PROCEDURE

- 8.1 The Estate Regeneration Team will request in writing bank details from Secure Tenants so the payments can be made directly into the Secure Tenant's bank account by Bankers' Automated Clearing Service (BACS). Payments can be made to Secure Tenants by cheque; however payments by cheque take longer than BACS payments.
- 8.2 Secure Tenants will be invited to attend a meeting to sign the tenancy agreement for their replacement home and to sign a form to end the tenancy on their current home within Hereford and Exeter or 4 to 26 Stuart Road. At this meeting, Secure Tenants will also be asked to complete and sign a Home Loss Claim Form (Annex 1).
- 8.3 If there are arrears owing on the Secure Tenant's account (rent arrears and court costs), these will be deducted from the Home Loss payment.
- 8.4 The Council will make Home Loss payments within 35 working days of receipt by the Council of a valid claim form and once the Secure Tenant has returned the keys of their old home within Hereford and Exeter or 4 to 26 Stuart Road.

9. DISTURBANCE PAYMENTS PROCEDURE

- 9.1 Disturbance claims should be made on the form provided (Annex 2). Disturbance claims should be signed and dated by the Secure Tenant and should be sent to the Estate Regeneration Team at the address shown on the claim form, within 3 months of a Secure Tenant moving to their replacement home. Secure Tenants are asked to claim all the costs incurred as a result of their move on one claim form.
- 9.2 Secure Tenants must support their claim for Disturbance costs with receipts to confirm the items being claimed have been paid. Claims for the cost of goods and services that are not supported by receipts will be not considered. Claims for the cost of goods and services that are supported by hand-written or cash receipts will not be considered.

- 9.3 The Disturbance claim will be assessed by the Estate Regeneration Team. The Estate Regeneration Team has the discretion to approve all or part of a claim for Disturbance, reject a claim for Disturbance or seek further information from the Secure Tenant making the claim.
- 9.4 Disturbance Payments will be paid to Secure Tenants through the BACS system. The Council will make Disturbance Payments within 35 working days of receipt by the Council of a valid claim form.

10. APPEALS PROCEDURE FOR DISTURBANCE CLAIMS

- 10.1 If a Secure Tenant believes the Council's assessment of their Disturbance payment is unreasonable, they will have the right to appeal the decision within 10 working days of the Council's assessment of the claim for Disturbance.
- 10.2 If a Secure Tenant wishes to make an appeal, the Secure Tenant must write to the Council at the address below specifying the reasons why they believe the assessment of their claim for Disturbance is unreasonable.
- 10.3 Appeals should be sent to:
Estate Regeneration Re-housing Manager
Community Resource Centre, William Dunbar House, Albert Road, Kilburn, NW6 5DE
- 10.4 If an appeal is received within the allowed time limit, the Estate Regeneration Re-housing Manager will assess the appeal in light of the information provided within 10 working days of receipt of the appeal.
- 10.5 If the Estate Regeneration Re-housing Manager agrees with the Secure Tenant's appeal, the Council will reassess the claim for disturbance. If the Estate Regeneration Re-housing Manager does not agree with the Secure Tenant's appeal, the Estate Regeneration-housing Manager will inform the tenant in writing, outlining the reasons why the appeal has been rejected.

Annex 1

**SOUTH KILBURN REGENERATION SCHEME
HOME LOSS CLAIM FORM**

Please write in capitals

TENANT(S) NAMES

Title			Initials			Surname																		

ADDRESS VACATING

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

PRESENT TELEPHONE NUMBER

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

MOBILE NUMBER

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

NEW ADDRESS

Postcode																							

NEW TELEPHONE NUMBER

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

DAY VACATING

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

DATE

MONTH

YEAR

I certify that I will be moving from the above address, into alternative permanent/temporary housing. I note also:

- (a) I shall be responsible for the payment of the rent of my present accommodation until the Sunday prior to my tenancy date. I will arrange for the keys to be returned to the **South Kilburn Regeneration Office, Community Resource Centre, Albert Road, London NW6 5DE.**
- (b) My Home loss Claim for **£4,900.00 (subject to below deductions)** will only be processed when all the keys for my current address are returned.
- (c) I claim the maximum amount of **£4,900.00** due to the rent account, of my existing property being in credit at the termination date of the tenancy. Also, I am aware, that if any rent

arrears, Court Cost, Council Tax including those from previous accommodation, or Housing Benefit, owed to the Council they will be deducted from my Home loss.

- (d) I also understand that once the final Home loss Payment has been made, if there are any other monies I owed to the London Borough of Brent, I will still be liable for them to be paid.
- (e) I agree not to remove any fixtures and fittings, e.g. door handles, light switches, rose pendants, kitchen and bathroom sinks and acknowledge that if I remove any fixtures and fittings the cost to replace them will be deducted from my Home Loss Payment.

Signed: Date:.....

Official Use

	Amount	Date Inputted	Appro
<i>Tenant's details entered on Oracle Supplier Management</i>			
<i>Date keys returned</i>			
<i>Rent Arrears (as at)</i>	£		
<i>Rent in Credit (as at)</i>	£		
<i>Court Costs owed (as at)</i>	£		
<i>Housing Benefit Overpayment owed (as at</i>			
<i>Purchase of</i>			
<i>Advance Home loss Payable</i>	£		
<i>Total withheld</i>	£		
<i>Total Amount Withheld</i>	£		
<i>Home loss Payable</i>	£		
<i>Total of Home loss</i>	£		
<i>Letter to tenants notifying of Home loss and Deductions</i>			
<i>Date invoice raised to Rent Income, for rent arrears</i>			
<i>Arrears paid to Rent Income</i>	£		

NAME OF PERSON OTHER THAN TENANT WHO PAYMENT TO BE PAID TO

<i>Title</i>			<i>Initials</i>			<i>Surname</i>														

PAYMENT BY BACS (DIRECT TO YOUR BANK)

Please provide details of your bank account below

Name of Bank.....

Sort code.....

Account number.....

If a building society, provide Roll
Number.....

Signed..... **Date**.....

Annex 2

**SOUTH KILBURN REGENERATION SCHEME
DISTURBANCE CLAIM FORM**

As part of your claim for a disturbance payment, you are required to provide the following itemised information when submitting receipts. Unfortunately, your claim cannot be processed without this information, it is therefore essential that you submit these details.

You will only be reimbursed on a sliding scale to replace floor covering and curtains. Please refer to the Home Loss and Disturbance Policy for Secure Tenants with Homes in South Kilburn for further information. However if there is new or good quality flooring in your replacement property, then you will not receive financial compensation for similar items left behind.

Secure tenants must support their claim for Disturbance costs with receipts to confirm the items being claimed have been paid. Claims for the cost of goods and services that are not supported by hand-written or cash receipts will not be considered.

THIS FORM SHOULD BE COMPLETED AND RETURNED TO THE ESTATE REGENERATION TEAM WITHIN THREE MONTHS AFTER YOU HAVE MOVED TO YOUR NEW ADDRESS

Tenant Name(s)

Telephone No:

Your new address

Date of moving to this new address

Your old address

Previous Accommodation: Type: (Please Delete) **Maisonette/ Flat**

Number of Bedrooms:.....

Number of Other Rooms:..... (Excluding Kitchen WC and Bathroom)

To be completed by Housing Officer prior to move.

Please list all rooms in which you currently have Carpets and state whether Hessian Backed or Foam Backed and laminate/wooden flooring, is it click or glued

No.	Room Size	Carpet/ Flooring Size	Date of Purchase/ Estimated Age	Hessian/ Foam Backed	Cost per SQM	Room i.e. Bedroom/ Living room
1						
2						
3						
4						
5						
6						

Please list all rooms in which you have Curtains or Blinds.

No.	Window Size	Curtain Size	Date of Purchase/ Estimated age	Cost per SQM Cost of Blinds or Ready Made Curtains
1				
2				
3				
4				
5				
6				

Receipts for all these items must be attached.

Section A: Adaptations

List below details of any room where your existing carpets/flooring and curtains can be adapted for your new accommodation

No.	Room Size and Use	Flooring Adapted Quote room no. from old Accommodation	Cost	Curtains Adapted Quote room no. from old Accommodation	Cost
1					
2					
3					
4					
5					
6					

Section B Replacement

List below details of any rooms where your existing carpets/flooring and curtains cannot be adapted and the cost of replacement you wish to claim.

No.	Room Size and Use	Carpet Size	Cost per SQM	Curtain Size	Window Size	Cost per SQM/ Cost of Blinds
1						
2						
3						
4						
5						
6						

Receipts for all these items must be attached.

Items Claimed	Cost
Disconnection/ Reconnection	
Telephone *	
Re- Direction of Mail	
Other Reasonable Expenses (detail required)	
Sub Total	
Cost of adapting:	
Curtains/ Carpets/Laminate	
Cost of replacing	
Curtains/Carpets/Laminate	
Total Cost	

*The disconnection and reconnection of your telephone is your responsibility.

Declaration

I certify that I have incurred the above costs and that the information given is correct. I now claim disturbance payment from Brent Council.

Signed: _____

Date: _____

Please return this form to South Kilburn Regeneration Office, accompanied by the necessary receipts.

For Area Office Use Only

Date Returned:	Rent Arrears £ as at
Reason for Claim:	Date of Visit
Reason For Rent Arrears	
Entitlement Checked by:	Maintaining an Agreement: Yes / No
Authorised Manager:	Passed for Payment:

Contacts

London Borough of Brent

The Estate Regeneration Team can be contacted regarding any questions you may have about these three proposals. Please contact:

Marie Frederick, Estate Regeneration Team,
Tel: 020 8937 1621 or;
Linda Beasley, Estate Regeneration Team,
Tel: 020 8937 2512



Estate Regeneration Team
Community Resource Centre
William Dunbar House
Albert Road, NW6 5DE

First Call Housing

First Call offer independent and impartial advice to tenants and leaseholders across the South Kilburn regeneration area. The team have provided advice to residents on over 90 projects covering over 500,000 households.

First Call provide high quality, accessible support and advice covering a whole range of legal, practical and financial advice on the implications of all housing investment options. They support greater resident involvement in choices over the future of your homes and neighbourhood. Their aim is to make sure people can make an informed choice about what happens in their communities.

They also work closely with and support the Tenants Steering Group, which meets regularly and is open to all tenants. First Call are happy to visit tenants and leaseholders in their own homes and provide interpreters if needed.

Louis Blair is your Independent resident advisor.

Contact him on Freephone **0300 365 7150** or email southkilburn@first-call-housing.com



Please contact him if you need any clarification on the contents of this booklet or enclosed and how it will affect you.

Citizen's Advice Bureau

The Citizen's Advice Bureau provide free, independent, confidential and impartial advice to everyone on their rights and responsibilities. Their contact details are:

Brent Citizens Advice Bureau
270-272 High Road
Willesden
London,
NW10 2EY

Telephone: 0845 050 5250





South Kilburn Rehousing Team
Community Resource Centre
William Dunbar House
Albert Road, Kilburn
London NW6 5DE



Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn

Secure Tenants Consultation Comments Form

Name: _____

Address: _____

Signature: _____

Date: _____

Please return your comments to:

Marie Frederick,
Estate Regeneration Team,
South Kilburn Area Office, Community Resource Centre,
William Dunbar House, Albert Road, South Kilburn, London, NW6 5DE
Or E-mail: marie.frederick@brent.gov.uk

The final date for comments to be received is 5pm on Wednesday, 29 April 2015



Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn

Secure Tenants Consultation Comments Form

Name of Proposal	Details of Proposal	Your Comments on Proposal
<p><u>Proposal 1: Statutory consultation in connection with seeking approval of the Secretary of State for use of Ground 10A of the Housing Act, 1985</u></p>	<p>Brent Council is consulting you, a Secure Tenant of Hereford House, Exeter Court or 4 to 26 Stuart Road (even numbers only), on its proposal to apply to the Secretary of State for formal approval of the Council's proposed redevelopment of Hereford House and Exeter Court and the Council's proposed redevelopment of 4 to 26 Stuart Road (even numbers only) along with the adjoining land at 5 to 9 Chippenham Gardens (together defined as the 'Post Office Plus Site').</p> <p>Please tell us what you think about this proposal using the space provided.</p>	



Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn

Secure Tenants Consultation Comments Form

Name of Proposal	Details of Proposal	Your Comments on Proposal
<p><u>Proposal 2: Consultation in connection with Intention to make a Compulsory Purchase Order(s) on properties currently occupied by Secure Tenants</u></p>	<p>Brent Council is consulting you, a Secure Tenant of Hereford House, Exeter Court or 4 to 26 Stuart Road (even numbers only), on its proposed policy to promote a Compulsory Purchase Order(s) (CPO) under section 226(1)(a) of the Town and Country Planning Act 1990 on properties currently occupied by Secure Tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn.</p> <p>Please tell us what you think about this proposal using the space provided.</p>	



Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn

Secure Tenants Consultation Comments Form

Name of Proposal	Details of Proposal	Your Comments on Proposal
<p><u>Proposal 3:</u> <u>Consultation in connection</u> <u>with the Draft Allocation</u> <u>Policy for Secure Tenants</u> <u>with homes in Hereford</u> <u>House, Exeter Court and 4 to</u> <u>26 Stuart Road (even</u> <u>numbers only), South</u> <u>Kilburn</u></p>	<p>Brent Council is consulting you, a Secure Tenant of Hereford House, Exeter Court or 4 to 26 Stuart Road (even numbers only), to get your views on the draft Allocation Policy for Secure Tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn.</p> <p>Please tell us what you think about this proposal using the space provided.</p>	

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**ALLOCATION POLICY FOR SECURE TENANTS WITH HOMES IN
HEREFORD HOUSE, EXETER COURT
& 4 to 26 STUART ROAD (EVEN NUMBERS ONLY) SOUTH KILBURN**

Contents

1. Introduction
 2. Terms Used in this Policy
 3. Homes and People Affected
 4. Housing Needs Assessment
 5. Size and Type of Replacement Homes
 6. Change of Circumstances
 7. Re-housing Process and Options
 8. Legal Process for Relocation of Secure Tenants
 9. Rent Levels of New Affordable Homes on South Kilburn
 10. Tenant's Choice on Interior Fittings of New Homes
 11. Home Loss and Disturbance Payments
 12. Appeals Procedures
- Appendix 1: Homes within South Kilburn
- Appendix 2: Home Loss and Disturbance Policy

1. INTRODUCTION

- 1.1. This document sets out the policy for the allocation of replacement homes to Secure Tenants currently living in homes within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn which will be demolished as part of the South Kilburn regeneration programme.

2. TERMS USED IN THIS POLICY

In this policy the following terms will have the following meanings.

- 2.1. **4 to 26 Stuart Road** means homes in 4 to 26 Stuart Road, NW6 5LT (even numbers only) which are due for demolition as part of the South Kilburn regeneration programme.
- 2.2. **Bronte and Fielding Redevelopment Site** means homes to be built in the Bronte House and Fielding House Site on Kilburn Park Road, as part of Phase 2a of the South Kilburn regeneration programme. The Bronte and Fielding Redevelopment Site includes 103 affordable homes, of which 49 homes have one bedroom, 38 homes have two bedrooms, 12 homes have three bedrooms and 4 homes have four bedrooms
- 2.3. **Decent Homes** means homes that meet the current statutory minimum standard for housing, homes that are in a reasonable state of repair and homes that have reasonably modern facilities and services
- 2.4. **Disturbance Payment** means a payment for removal and other expenses that the Council makes to Secure Tenants in accordance with Council policy (including the Land Compensation Act 1973)
- 2.5. **Hereford and Exeter** means homes in Hereford House, Carlton Vale, NW6 5QH and Exeter Court, Cambridge Road, NW6 5AJ, which are due for demolition as part phase 3a of the South Kilburn regeneration programme
- 2.6. **Home Loss Payment** means a payment that is made to Secure Tenants in accordance with the Land Compensation Act 1973
- 2.7. **Registered Provider** means a provider of social housing (previously referred to as a 'housing association' or a 'registered social landlord'), as defined in section 80 of the Housing and Regeneration Act 2008.
- 2.8. **Relocation Processes** means the two legal processes which the Council will use to gain possession of existing homes being (a) possession proceedings pursuant to section 84 and Ground 10A in schedule 2 of the Housing Act 1985 or (b) taking possession pursuant to a confirmed compulsory purchase order
- 2.9. **Secure Tenants** means those people who let their homes from the Council on Secure Tenancies as defined in the Housing Act 1985 and who the Council have a duty to rehouse
- 2.10. **Site 11b Redevelopment Site** means homes to be built on the site of the former British Legion and Albert Road Day Care Centre. Site 11b Redevelopment Site includes 28 affordable homes, of which 11 homes have one bedroom, 10 homes have two bedrooms, 6 homes have three bedrooms and 1 home has four bedrooms.

- 2.11. **Suitable Offer** means one offer of alternative accommodation that meets or, at the discretion of the Council, exceeds the housing need of the Secure Tenant and their household that is either:
- (a) A permanent move within South Kilburn to a replacement home within the South Kilburn regeneration programme; **or**
 - (b) A permanent move within South Kilburn to a replacement home that is an existing Council property that is not due for demolition as part of the South Kilburn regeneration programme; **or**
 - (c) A permanent move outside South Kilburn; **or**
 - (d) A temporary move within South Kilburn until the home that the Secure Tenant is temporarily occupying becomes due for demolition as part of the South Kilburn regeneration programme
- 2.12. **South Kilburn** means homes listed in Appendix 1 including both homes due for demolition under the South Kilburn regeneration programme and those not due for demolition
- 2.13. **The Council** means Brent Council

3. HOMES AND PEOPLE AFFECTED

- 3.1. This policy affects Secure Tenants living in homes within Hereford and Exeter and 4 to 26 Stuart Road which are due for demolition as part of the South Kilburn regeneration programme. Where it is possible to do so, Secure Tenants living in homes within Hereford and Exeter and 4 to 26 Stuart Road will be offered a replacement affordable home within the Bronte and Fielding Redevelopment Site or the Site 11b Redevelopment Site, though this cannot be guaranteed by the Council. However, all Secure Tenants living in homes within Hereford and Exeter and 4 to 26 Stuart Road will be made one Suitable Offer of alternative accommodation in accordance with this policy.

4. HOUSING NEEDS ASSESSMENT

- 4.1. In autumn 2014 the Estate Regeneration Team completed a needs assessment form with each Secure Tenant living in Hereford and Exeter which assessed the current circumstances of the Secure Tenant, the potential changes to their circumstances, medical and other needs as well as recording any preferences that the Secure Tenant may have. In March 2015 the Estate Regeneration Team completed a housing needs assessment form with each Secure Tenant living in 4 to 26 Stuart Road.
- 4.2. The information on this form will be entered onto the Council's 'Locata' bidding system. The Locata bidding system will be used by the Council to keep a clear record of all Secure Tenants requiring rehousing. All offers of replacement homes to Secure Tenants will be recorded on this system.
- 4.3. Whilst the housing needs assessment form records Secure Tenants preferences, the Council cannot guarantee such preferences will be met.

5. SIZE AND TYPE OF REPLACEMENT HOMES

- 5.1. The size and type of the replacement home offered to a Secure Tenant will depend on a Secure Tenant's household make up. The Council's allocation policy that is in force at the time that the Suitable Offer is made will be used to decide the size of

home for which Secure Tenants are eligible. The Council's current allocation policy is the Brent Housing Allocation Policy 2013 (amended November 2014) that adopts the Government's bedroom standard and, as such, provides that the following should have one bedroom:

- Married, civil partnership or cohabiting couples
- Single people more than 21 years old
- Each pair of children or young people aged between 10 to 20 years old of the same gender
- Each pair of children under 10 years old, regardless of gender
- Any unpaired person aged 10 to 20 years old is paired, if possible, with a child under 10 of the same sex, or, if that is not possible, he or she is given a separate bedroom, as is any unpaired child under 10 years old.

5.2. In the following circumstances, the Council will offer a Secure Tenant a larger replacement home than that which they would otherwise be entitled under the Brent Housing Allocation Policy 2013 (amended November 2014). These are:

5.2.1. Where a Secure Tenant or a member of their household requires larger accommodation on health grounds. For example, this may apply where a Secure Tenant or a member of their household needs their own bedroom for medical reasons or needs a carer/personal assistant or some special bulky medical equipment. These will be considered on a case by case basis, taking into account the advice of the Council's District Medical Officer and reports from relevant adult/children social services.

5.2.2. Where a Secure Tenant, at the time that the housing needs assessment was undertaken, has two children of different sexes under 10 years old but where one or both of those children will be 10 years old or above by the time that the Secure Tenant will move into the replacement home.

5.2.3. Where a Secure Tenant requires larger accommodation as they are an approved Council foster carer and/or adopter. In order for a Secure Tenant to be allocated a larger accommodation in these circumstances, the Estate Regeneration Team will require evidence from the Council's Children Service confirming the Secure Tenant has been approved as a Council foster carer and/or adopter and that they are in a position to take one or more placements. These will be considered on a case by case basis by working closely with the Council's Children's Service.

5.2.4. Where a Secure Tenant, at the time that the housing needs assessment was undertaken, has a young person under 21 years old, who would be required to share a bedroom based on the Brent Housing Allocation Policy 2013 (amended November 2014), but the young person will be aged 21 years or above by the time that the Secure Tenant will move into the replacement home.

5.3. Immediately following the adoption by the Council of the Allocation Policy to be used for Secure Tenants living in Hereford and Exeter and 4 to 26 Stuart Road, the Estate Regeneration Team will write to those Secure Tenants.

5.3.1. The size of the replacement home that a Secure Tenant and their household will be offered;

5.3.2. Any preferences that the Secure Tenant expressed during the housing needs assessment (although the Council cannot guarantee such preferences will be met);

5.3.3. If an occupational therapy assessment is required.

5.4. If an occupational therapy assessment is required, the Council will arrange for this to be undertaken as soon as practicable after the date of the letter referred to in paragraph 5.3. Following receipt of the occupational therapist's report, the Council will write to the Secure Tenant confirming the occupational therapist's recommendations and provide the Secure Tenant with a copy of the report.

5.5. The Council will make a Suitable Offer to each Secure Tenant living in Hereford and Exeter and 4 to 26 Stuart Road not less than six (6) months notice before the time they need to move, but it may be earlier. The Suitable Offer will be made in accordance with paragraph 7 of this policy.

5.6. Needs Plus

5.6.1. Needs Plus is intended as an incentive for the loss of a larger property and adjusts the basic housing needs assessment to offer one bedroom more than the Secure Tenant would otherwise qualify for. The Needs Plus principle will only apply to Secure Tenants that satisfy both of the following:

1) Secure Tenants living in a home with 3 bedrooms or more where the Secure Tenant's household has more bedrooms than are needed based on the housing needs assessment criteria set out above; and

2) Secure Tenants that have the ability to pay the rent on a replacement home larger than they need.

For example:

a single person or a couple living in a three (3) bedroom home will be offered a two (2) bedroom replacement home if they have the ability to pay the rent on a replacement home larger than they need. However, the option of moving to a one bedroom replacement home will be open at the request of the Secure Tenant, subject to availability.

The Needs Plus principle is at the Council's discretion. The Council will determine which Secure Tenant is to be offered a replacement home with one bedroom more than the Secure Tenant would otherwise qualify for.

5.6.2. The Government introduced size and criteria for social housing as part of welfare reform that cut the amount of housing benefit that people are entitled to if they are considered to have a spare bedroom. Therefore, Secure Tenants who opt for a larger home under the Needs Plus principle outlined above must have the ability to pay the rent on a replacement home larger than they need.

5.6.3. Secure Tenants currently living in a two (2) bedroom home who only qualify for a one (1) bedroom home will not be offered a two (2) bedroom home unless there are medical reasons to allocate a replacement home with more bedrooms than would otherwise be allocated.

5.7. Splitting Households

5.7.1. If there is a shortage of larger homes in the Bronte and Fielding Redevelopment Site and the Site 11b Redevelopment Site or other alternative accommodation offered in line with this policy for relocating Secure Tenants from Hereford and Exeter and 4 to 26 Stuart Road, the Council may ask those Secure Tenants whose household composition is such that members of the

household could be separately housed to take two smaller homes rather than one large replacement home.

For example,

A Secure Tenant who, on the housing needs assessment criteria, should be allocated a five or six bedroom home could be considered for two smaller homes if one adult member and other household members are re-housed separately.

- 5.7.2. The Council will not be bound to make or receive any such requests for splitting households and will only ask a household to split if replacement homes for the split household are available.
- 5.7.3. Where a household split is being explored, the Council will refer the request to its general Allocations Panel, which is part of the Council's general housing policy across the borough, for consideration and verification of the adult household member(s) being considered for separate rehousing to ensure they do not have an interest in another property either through ownership (including part), renting, through marriage or any other way.
- 5.7.4. Where a household split request is made or accepted by the Council, usually only the Secure Tenant who gives up their existing home will receive a statutory home loss and disturbance payment unless other payments are due in accordance with the law.

6. CHANGE OF CIRCUMSTANCES

- 6.1. Once a housing needs assessment has been carried out with each Secure Tenant, this information will be included in the detailed planning of the allocation of replacement homes in the Bronte and Fielding Redevelopment Site and the Site 11b Redevelopment Site or other alternative accommodation offered in line with this policy. If a Secure Tenant's circumstances change such that their housing need will be different from that set out in the Council's letters referred to in paragraphs 5.3 and/or 5.4 of this policy, the Secure Tenant must confirm these changes in person or in writing to the Estate Regeneration Team, providing all relevant documentation. For example, if a Secure Tenant or a member of their household is expecting a baby, the Secure Tenant would be required to provide a copy of the Expected Date of Confinement Certificate to the Estate Regeneration Team and a full copy of the birth certificate once the child is born. In such circumstances, the Council will make another offer of an alternative home on the basis that it is a Suitable Offer meeting the needs of the Secure Tenant.
- 6.2. The Council reserves the right, acting reasonably, to refuse to accept any changes to a Secure Tenant's household composition which would mean providing a larger replacement home. However such consideration would only be considered in exceptional circumstances.

7. RE-HOUSING PROCESS & OPTIONS

7.1. One Suitable Offer

All Secure Tenants living within Hereford and Exeter and 4 to 26 Stuart Road will be made one Suitable Offer of alternative accommodation in line with the definition at paragraph 2.11 of this policy.

7.2. How allocations will be prioritised

7.2.1. The Council will seek to ensure that Secure Tenants are fairly prioritised in the re-housing process.

7.2.2. In making the Suitable Offer of a replacement home to Secure Tenants, in order to ensure that Secure Tenants are fairly prioritised, the Council will adopt the following prioritisation procedure:

- 1) First priority will be given to those Secure Tenants whose housing need matches the replacement home available (e.g. one bedroom or two bedrooms or more, medical or other needs);
- 2) Second priority will be given to those Secure Tenants who have children under the age of ten;
- 3) Third priority will be given to Secure Tenants whose preference, recorded during the housing needs assessments carried out in autumn 2014 and March 2015 by the Estate Regeneration Team, matches the replacement home available;
- 4) Fourth priority will be given to those Secure Tenants with the longest tenancies.

7.2.3. In the event that, after applying the above criteria, there is still more than one Secure Tenant to whom the replacement home could be allocated, then it will be at the Council's discretion to determine which Secure Tenant is to be allocated to the replacement home.

7.3. Secure Tenants with One Bedroom Housing Needs

Due to a shortage of certain sized replacement homes, mainly new one bedroom homes within the Bronte and Fielding Redevelopment Site and the Site 11b Redevelopment Site, the Council cannot guarantee that Secure Tenants with one bedroom housing needs will be offered a new home within the Bronte and Fielding Redevelopment Site and the Site 11b Redevelopment Site. However, all Secure Tenants with a one bedroom housing need will be made one Suitable Offer of alternative accommodation as follows:

7.3.1. Suitable Offer (permanent) within South Kilburn to a replacement home within the South Kilburn regeneration programme

For some Secure Tenants with a one bedroom housing need, this will mean a Suitable Offer of a permanent new home within the Bronte and Fielding Redevelopment Site or the Site 11b Redevelopment Site, being built as part of the South Kilburn regeneration programme. However, due to the shortage of one bedroom properties, this cannot be guaranteed by the Council. Secure Tenants moving to a permanent new home within the Bronte and Fielding Redevelopment Site and the Site 11b Redevelopment Site will become tenants of Registered Providers. In these sites there will be 60 new one bedroom affordable homes. The Council will, where possible, give Secure Tenants the preference where, within the Bronte and Fielding Redevelopment Site or the Site 11b Redevelopment Site they would like to live. In this instance, priority will be given in accordance with paragraph 7.2 of this policy. Where it is not possible to accommodate Secure Tenants within the Bronte and Fielding Redevelopment Site or the Site 11b Redevelopment Site the

Council may make a Suitable Offer of a permanent replacement home that has already been built as part of the South Kilburn regeneration programme. Such a move may be in advance of a Secure Tenant's existing home being required for redevelopment.

7.3.2. Suitable Offer (permanent) within South Kilburn to a replacement home that is an existing Council property that is not due for demolition as part of the South Kilburn regeneration programme

For some Secure Tenants with a one bedroom housing need, this will mean a Suitable Offer of a permanent home within South Kilburn that is an existing Council property that is not due for demolition as part of the South Kilburn regeneration programme. All replacement homes within South Kilburn that are existing Council properties not due for demolition as part of the South Kilburn regeneration programme are likely to meet the Decent Homes standard. Where a Secure Tenant with a one bedroom housing need moves to a permanent Council home within South Kilburn that are existing Council properties not due for demolition as part of the South Kilburn regeneration programme, the Council will fully decorate the property.

7.3.3. Suitable Offer (permanent) outside South Kilburn

For other Secure Tenants with a one bedroom housing need, this will mean a Suitable Offer of a permanent alternative home outside South Kilburn. In this case, Secure Tenants will not have a 'right to return' to a new replacement home on South Kilburn in the future. Where possible, the replacement home will be in the south of the borough of Brent. All replacement homes outside of South Kilburn are likely to meet the Decent Homes standard. Where a Secure Tenant with a one bedroom housing need moves to a permanent Council home outside South Kilburn, the Council will fully decorate the property.

7.3.4. Suitable Offer (temporary) within South Kilburn

Where a Suitable Offer of permanent alternative accommodation within or outside South Kilburn cannot be identified, for other Secure Tenants with a one bedroom housing need, this will mean a Suitable Offer of a temporary home within a block that is due for demolition as part of the South Kilburn regeneration programme. The Secure Tenant will remain in the temporary home until it is required for demolition as part of the South Kilburn Regeneration Programme, at which time the Secure Tenant will be made a Suitable Offer of a new replacement home. This guarantees the Secure Tenant the 'right to return' to a new home built as part of the South Kilburn regeneration programme.

Where a Secure Tenant occupies a temporary home for over twelve months then they may be entitled to a second statutory Home Loss Payment and Disturbance Payment once they move to their permanent new home within the South Kilburn regeneration programme. A second payment of Home Loss Payment and Disturbance Payment will only be made if the Secure Tenant has a legal entitlement to a second payment at the time of the Secure Tenant's move to their permanent new home within the South Kilburn regeneration programme.

Where a Secure Tenant has to move to a temporary home, the Council may carry out improvements works to that home to assist the Secure Tenant to settle in. In some cases the Council may also offer fixtures and fittings as a

gift. Where this happens, the Council will not be liable to maintain or repair these items.

7.3.5.A Move Elsewhere within the Borough or outside of Brent

Some Secure Tenants with a one bedroom housing need may wish to move elsewhere within the borough or outside of Brent. In such cases, if the Secure Tenant wishes to do this, this will be noted when the housing needs assessment is done. The Council will be reliant upon Registered Provider and Council partners to source alternative homes. Our partners will be required to offer an annual quota to assist the decanting process for the South Kilburn Regeneration programme. Whilst Secure Tenants may express a preference to move elsewhere within the borough or outside of Brent and the Council will assist Secure Tenants to do so, the Council cannot guarantee this outcome. Therefore, the Council will reserve a Suitable Offer for the Secure Tenant in the instance that a move elsewhere within the borough or outside of Brent is not able to be secured within the timescale required by the Council for securing possession of the existing home of the Secure Tenant.

Secure Tenants who wish to move to specialist housing such as sheltered housing will be assisted by way of contact and help to complete the appropriate applications. Secure Tenants who wish to move to the private sector will also be assisted.

7.4. Secure Tenants with Housing Needs of Two Bedrooms or More

7.4.1. Suitable Offer (permanent) within South Kilburn

For some Secure Tenants with a housing need of two bedrooms or more, this will mean a Suitable Offer of a permanent new home within the Bronte and Fielding Redevelopment Site or the Site 11b Redevelopment Site, being built as part of the South Kilburn regeneration programme. Secure Tenants moving to a permanent new home within the Bronte and Fielding Redevelopment Site or the Site 11b Redevelopment Site will become tenants of Registered Providers. In these sites there will be 71 new affordable homes with two bedrooms or more. The Council will, where possible, give Secure Tenants the preference where, within the Bronte and Fielding Redevelopment Site or the Site 11b Redevelopment Site they would like to live. In this instance, priority will be given in accordance with paragraph 7.2 of this policy. Where it is not possible to accommodate Secure Tenants within the Bronte and Fielding Redevelopment Site or the Site 11b Redevelopment Site the Council may make a Suitable Offer of a permanent replacement home that has already been built as part of the South Kilburn regeneration programme. Such a move may be in advance of a Secure Tenant's existing home being required for redevelopment.

7.4.2. Suitable Offer (permanent) within South Kilburn to a replacement home that is an existing Council property that is not due for demolition as part of the South Kilburn regeneration programme

For some Secure Tenants with a housing need of two bedrooms or more, this will mean a Suitable Offer of a permanent home within South Kilburn that is an existing Council property that is not due for demolition as part of the South Kilburn regeneration programme. All replacement homes within South Kilburn that are existing Council properties not due for demolition as part of the South Kilburn regeneration programme are likely to meet the Decent Homes standard. Where a Secure Tenant with a housing need of two bedrooms or

more moves to a permanent Council home within South Kilburn that are existing council properties not due for demolition as part of the South Kilburn regeneration programme, the Council will fully decorate the property.

7.4.3. Suitable Offer (permanent) outside South Kilburn

For other Secure Tenants with a housing need of two bedrooms or more, this will mean a Suitable Offer of a permanent alternative home outside South Kilburn, at the request of the Secure Tenant. In this case, Secure Tenants will not have a 'right to return' to a new replacement home on South Kilburn in the future. Where possible, the replacement home will be in the south of the borough of Brent. All replacement homes outside of South Kilburn are likely to meet the Decent Homes standard. Where a Secure Tenant with a housing need of two bedrooms or more moves to a permanent Council home outside South Kilburn, the Council will fully decorate the property.

7.4.4. Suitable Offer (temporary) within South Kilburn

For other Secure Tenants with a housing need of two bedrooms or more, this will mean a Suitable Offer of a temporary home within a block that is due for demolition as part of the South Kilburn regeneration programme. The Secure Tenant will remain in the temporary home until it is required for demolition as part of the South Kilburn Regeneration Programme, at which time the Secure Tenant will be made a Suitable Offer of a new replacement home. This guarantees the Secure Tenant the 'right to return' to a new home built as part of the South Kilburn regeneration programme.

Where a Secure Tenant occupies a temporary home for over twelve months then they may be entitled to a second statutory Home Loss Payment and Disturbance Payment once they move to their permanent new home within the South Kilburn regeneration programme. A second payment of Home Loss Payment and Disturbance Payment will only be made if the Secure Tenant has a legal entitlement to a second payment at the time of the Secure Tenant's move to their permanent new home within the South Kilburn regeneration programme.

Where a Secure Tenant has to move to a temporary home, the Council may carry out improvements works to that home to assist the Secure Tenant to settle in. In some cases the Council may also offer fixtures and fittings as a gift. Where this happens, the Council will not be liable to maintain or repair these items.

7.4.5. A Move Elsewhere within the Borough or outside of Brent

Some Secure Tenants with housing needs of two bedrooms or more may wish to move elsewhere within the borough or outside of Brent. In such cases, if the Secure Tenant wishes to do this, this will be noted when the housing needs assessment is done. The Council will be reliant upon Registered Provider and Council partners to source alternative homes. Our partners will be required to offer an annual quota to assist the decanting process for the South Kilburn regeneration programme. Whilst Secure Tenants may express a preference to move elsewhere within the borough or outside of Brent and the Council will assist Secure Tenants to do so, the Council cannot guarantee this outcome. Therefore, the Council will reserve a Suitable Offer for the Secure Tenant in the instance that a move elsewhere within the borough or outside of Brent is not able to be secured within the timescale required by the Council for securing possession of the existing home of the Secure Tenant.

Secure Tenants who wish to move to specialist housing such as sheltered housing will be assisted by way of contact and help to complete the appropriate applications. Secure Tenants who wish to move to the private sector will also be assisted.

- 7.5. If, after rehousing all Secure Tenant living in Hereford and Exeter and 4 to 26 Stuart Road in accordance with this policy, there are affordable homes within the Bronte and Fielding Redevelopment Site and the Site 11b Redevelopment Site that remain to be allocated, the Council may make an offer of alternative accommodation to Secure Tenants living in the next phase(s) of the South Kilburn regeneration programme whose housing need matches the replacement home available.

8. LEGAL PROCESS FOR RELOCATION OF SECURE TENANTS

- 8.1. The Council will consult with its Secure Tenants to agree voluntary relocation in accordance with this policy. The Council anticipates that the majority of Secure Tenants in Hereford and Exeter and 4 to 26 Stuart Road will move to their replacement homes voluntarily. However, to provide certainty that the Council can deliver its programme of regeneration on time, for those Secure Tenants in Hereford and Exeter and 4 to 26 Stuart Road who refuse to move to their replacement homes, the Council will seek possession by Court proceedings under the Housing Act Schedule 2 Ground 10A. This method will be used by the Council for Secure Tenants in Hereford and Exeter and 4 and 26 Stuart Road until the Council has confirmation of a Compulsory Purchase Order (CPO) in respect of the homes concerned. After that point, and even if the Council are part way through the Ground 10A process, the Council shall proceed to secure possession by agreement or using the compulsory purchase powers derived from the confirmed CPO in place of the Ground 10A process. The only circumstances in which the Council may continue to use the Ground 10A process, following confirmation of a CPO, is if the Council consider that continuing to use the Ground 10A process is likely to result in it recovering possession of the property more swiftly than using its compulsory purchase powers. The Ground 10A process and the CPO process are summarised below in paragraphs 8.3 and 8.4.
- 8.2. Nothing in this allocation policy prevents the Council from continuing to manage homes occupied by Secure Tenants in Hereford and Exeter and 4 to 26 Stuart Road in accordance with its usual policies and procedures. This may include the Council commencing possession proceedings against a Secure Tenant based on grounds for possession that do not include Ground 10A. The other grounds for possession are set out in Schedule 2 of the Housing Act 1985 and include grounds relating to rent arrears and antisocial behaviour.

At the time that the Council needs possession of a home in order to deliver its programme of regeneration, the Council may have already:

- (i) commenced possession proceedings based on grounds for possession that do not include Ground 10A; or
- (ii) be taking, be entitled to take or become entitled to take enforcement action for a breach of a Suspended Order for Possession, where the grounds for possession which resulted in the Order did not include Ground 10A.

If this is the case, the Council may pursue those proceedings or enforcement action instead of, or in addition to, using the Ground 10A process and/or using the compulsory purchase powers derived from the confirmed CPO.

If the Council secures possession of a home in reliance on an order for possession which is based on grounds for possession that do not include Ground 10A, the Council shall not be obliged to re-house the Secure Tenant in replacement accommodation in accordance with this allocation policy.

8.3. **Ground 10A**

8.3.1. Under Ground 10A and Part V of Schedule 2 to the Housing Act 1985, the Council would need to:

- 1) Serve consultation notices on the Secure Tenants within Hereford and Exeter and 4 to 26 Stuart Road. The notice will explain the main features of the proposed scheme, that the Council intends to apply to the Secretary of State for approval of the scheme and the effect of receiving this approval would result in possession proceedings brought in connection with homes occupied by Secure Tenants within Hereford and Exeter and 4 to 26 Stuart Road.
- 2) Secure Tenants will have 28 days from service of the notice to make representations to the Council about the proposal and then consider all representations during that period.
- 3) Apply to the Secretary of State for approval of the schemes (for the purposes of Ground 10A), in accordance with the procedure set out in Part V of Schedule 2 of the Housing Act 1985.
- 4) When it wishes to secure possession of a home from a Secure Tenant, and subject to it having received Secretary of State approval, serve a notice seeking possession on the affected Secure Tenant and make them a Suitable Offer of alternative accommodation. The Council will try to give Secure Tenants 6 months notice before it requires possession of the Secure Tenant's current home but this may not be possible in all cases and possession proceedings may commence before the end of the 6 months for some Secure Tenants who refuse a Suitable Offer of a replacement home. However, if a Secure Tenant believes the Council's offer of a replacement home is not a Suitable Offer, they will have the right to appeal under the process outlined in paragraph 12 of this policy; and
- 5) Apply to the Court for repossession of a Secure Tenant's home if the Secure Tenant, having received a notice seeking possession and a Suitable Offer of alternative accommodation, does not voluntarily move out of their home.

8.4. **Compulsory Purchase Order**

8.4.1. The Council's policy is to secure the regeneration of South Kilburn in accordance with a phased programme. Use of Ground 10A cannot by itself secure this aim. Therefore, in addition to the use of Ground 10A outlined above, the Council will also promote a Compulsory Purchase Order (CPO) under section 226(1)(a) of the Town and Country Planning Act 1990 to acquire all interests in land surrounding and including Hereford and Exeter

and 4 to 26 Stuart Road which are due for demolition as part of the South Kilburn regeneration programme.

- 8.4.2. The land to be acquired will include properties occupied by Secure Tenants. The CPO will be relied upon to obtain possession if possession of properties cannot be obtained to ensure timely delivery of the comprehensive regeneration proposals by securing vacant possession of blocks due for demolition under the South Kilburn regeneration programme which gives certainty of timing to enable the phased process of regeneration and the delivery of new homes to continue.
- 8.4.3. Under section 226(1)(a) of the Town and Country Planning Act 1990 the Council will:
- 1) Serve a Section 16 requisition notice on the Secure Tenants advising of the Council's intention to acquire land which includes their existing home. This notice is a legal document and Secure Tenants must complete the document detailing their interest in the property and also detail who else has an interest in the property such as other members of the household.
 - 2) Secure Tenants will then receive a copy of the draft CPO and a notice explaining its effects. Secure Tenants will be advised at that stage that they can voice their objections to the CPO and that these objections will be sent to the appropriate government minister. If there are objections there will be an inquiry and an inspector will make a decision on whether or not the CPO should be confirmed.
 - 3) Make Secure Tenants a Suitable Offer of alternative accommodation. If a Secure Tenant believes the Council's offer of a replacement home is not a Suitable Offer, they will have the right to appeal in line with the process outlined in paragraph 12.3 of this policy.
 - 4) If the CPO is confirmed, either with or without a public inquiry, serve a Notice to Treat and notice of entry on the Secure Tenants specifying a date for possession. These are legal documents that the Council may to serve on Secure Tenants which gives the Council the right to enter and take possession of the existing home of the Secure Tenant, in order to ensure the timely delivery of that property for regeneration.
 - 5) Enforce the CPO to take possession of the home if a Secure Tenant fails to move to their replacement home. Under CPO the Notice of Entry will be enforced and possession obtained by County Court enforcement officers.

9. RENT LEVELS OF NEW AFFORDABLE HOMES ON SOUTH KILBURN

- 9.1. Secure Tenants who are allocated a new replacement home in South Kilburn will pay higher rent than their existing Council property.

This is due to two reasons:

- 1) Council rents are below the rents charged by Registered Providers, which are known as target rents;
- 2) The higher value associated with a quality new build home, compared with an existing Council property, will be reflected in a higher target rent.

Annual rent increases for the new replacement homes will be in line with the Government's guidance on social rents. Registered Providers are required to meet the 'key requirements' set out within the Rent Standard Guidance. The Rent Standard guidance currently provides that annual rent increases for social housing will be limited to the Consumer Price Index plus one per cent.

This will mean that there will always be a difference in the rent charged for existing Council properties in South Kilburn, compared with new homes for rent from Registered Providers, built as part of the South Kilburn regeneration programme. Secure Tenants who are allocated a new replacement home in South Kilburn under this policy will pay the relevant target rent from the tenancy start date.

- 9.2. In the case of Secure Tenants that move elsewhere within the borough or outside of Brent or move to specialist housing such as sheltered housing, rent levels for homes will vary according to the location and the landlord.

10. TENANT'S CHOICE ON INTERIOR FITTING OF NEW HOMES

- 10.1. Secure Tenants who are allocated a new replacement home within South Kilburn may be invited to select certain 'tenant's choice' items. Whilst tenant's choice items will be different on the Bronte and Fielding Redevelopment Site and the Site 11b Redevelopment Site, they will usually include items such as kitchen units, wall paint colours, tiling and floor coverings. Each Registered Provider will have a different range of choices for their specific developments.

11. HOME LOSS AND DISTURBANCE PAYMENTS

- 11.1. The Home Loss and Disturbance Policy for Secure Tenants with Homes in South Kilburn is attached at Appendix 2.

12. APPEALS PROCEDURES

APPEALS PROCEDURE WHERE NO CPO HAS BEEN CONFIRMED

12.1. Stage One Appeal: no CPO confirmed

- If a Secure Tenant believes the Council's offer of a replacement home is not a Suitable Offer, they will have the right to appeal the offer within 10 working days of the Council making the offer to the Secure Tenant. Secure Tenants will be notified on the timescales for appeal and who to send an appeal to at the point they are made a Suitable Offer of a replacement property.
- If a Secure Tenant wishes to make an appeal, the Secure Tenant must write to the Council at the address below:
 - stating that they do not believe the Council's offer is a Suitable Offer;
 - specifying the reasons why they believe the offer is not a Suitable Offer;
 - enclosing any evidence to support their belief that the offer is not a Suitable Offer (e.g. medical evidence) and;
 - stating that they wish to appeal against the Council's offer.
- Appeals should be sent to:
Estate Regeneration Re-housing Manager

Community Resource Centre, William Dunbar House, Albert Road, Kilburn, NW6 5DE

- If an appeal is received within the allowed time limit, the Estate Regeneration Re-housing Manager will assess the appeal in light of the information provided and taking into account the individual circumstances of the Secure Tenant and their household members.
- If the Estate Regeneration Re-housing Manager agrees with the Secure Tenant's appeal (e.g. on medical grounds) the Council will inform the Secure Tenant and at the same time make another offer of an alternative home on the basis that it is a Suitable Offer meeting the needs of the Secure Tenant.
- If the Estate Regeneration Re-housing Manager does not agree with the Secure Tenant making the appeal, the Secure Tenant will be informed of the decision within 10 working days of the Council receiving the Secure Tenant's appeal.

12.2. **Stage Two Appeal: no CPO confirmed**

- If the Secure Tenant wishes to appeal the Estate Regeneration Re-housing Manager's decision and a CPO has not been confirmed in relation to the Secure Tenant's existing home, the Secure Tenant must do so within 10 working days of having received such decision by writing to the Estate Regeneration Programme Manager at the address below:
 - specifying the reasons why they do not agree with the Estate Regeneration Re-housing Manager's decision and
 - enclosing any further evidence to support their belief that the Council's offer is not a Suitable Offer (e.g. medical evidence) and
 - stating that they wish to make a further appeal against the Council's offer.
- Further appeals should be sent to:
Estate Regeneration Programme Manager,
Community Resource Centre, William Dunbar House, Albert Road, Kilburn, NW6 5DE
- If a further appeal is received within the allowed time, the Estate Regeneration Programme Manager will assess the appeal in light of the information provided and taking into account the individual circumstances of the Secure Tenant and their household.
- If the Estate Regeneration Programme Manager agrees with the Secure Tenant's further appeal (e.g. on medical grounds) the Council will inform the Secure Tenant and at the same time make another offer of an alternative home on the basis that it is a Suitable Offer meeting the needs of the Secure Tenant.
- If the Estate Regeneration Programme Manager does not agree with the Secure Tenant making the appeal, the Secure Tenant will be informed of the decision within 10 working days of the Council receiving the Secure Tenant's further appeal. The Council will expect the Secure Tenant to move to the home set out in the Suitable Offer. If the Secure Tenant does not then the Council will take all necessary steps to secure possession of the Secure Tenant's home as summarised at paragraph 8 above.

APPEALS PROCEDURE WHERE A CPO HAS BEEN CONFIRMED

12.3. Stage One Appeal: where CPO is confirmed

- If a Secure Tenant believes the Council's offer of a replacement home is not a Suitable Offer, they will have the right to appeal the offer within 10 working days of the Council making the offer to the Secure Tenant. Secure Tenants will be notified on the timescales for appeal at the point they are made a Suitable Offer of a replacement property.
- If a Secure Tenant wishes to make an appeal, the Secure Tenant must write to the Council at the address below:
 - stating that they do not believe the Council's offer is a Suitable Offer;
 - specifying the reasons why they believe the offer is not a Suitable Offer;
 - enclosing any evidence to support their belief that the offer is not a Suitable Offer (e.g. medical evidence) and;
 - stating that they wish to appeal against the Council's offer.
- Appeals should be sent to:
Estate Regeneration Re-housing Manager
Community Resource Centre, William Dunbar House, Albert Road, Kilburn,
NW6 5DE
- If an appeal is received within the allowed time limit, the Estate Regeneration Re-housing Manager will assess the appeal in light of the information provided and taking into account the individual circumstances of the Secure Tenant and their household members.
- If the Estate Regeneration Re-housing Manager agrees with the Secure Tenant's appeal (e.g. on medical grounds) the Council will inform the Secure Tenant and at the same time make another offer of an alternative home on the basis that it is a Suitable Offer meeting the needs of the Secure Tenant.
- If the Estate Regeneration Re-housing Manager does not agree with the Secure Tenant making the appeal, the Secure Tenant will be informed of the decision within 10 working days of the Council receiving the Secure Tenant's appeal.

12.4. Stage Two Appeal: where CPO is confirmed

- If the Secure Tenant wishes to appeal the Estate Regeneration Re-housing Manager's decision and a CPO has been confirmed in relation to the Secure Tenant's existing home, the Secure Tenant must do so within 10 working days of having received such decision by writing to the Estate Regeneration Programme Manager at the address below:
 - specifying the reasons why they do not agree with the Estate Regeneration Re-housing Manager's decision and
 - enclosing any further evidence to support their belief that the Council's offer is not a Suitable Offer (e.g. medical evidence) and
 - stating that they wish to make a further appeal against the Council's offer.
- Appeals should be sent to:
Estate Regeneration Programme Manager
Community Resource Centre, William Dunbar House, Albert Road, Kilburn,
NW6 5DE

- If a further appeal is received within the allowed time, the Estate Regeneration Programme Manager will refer the appeal to an independent review body to be appointed by the Council and notified to Secure Tenants prior to any such appeal arising. The independent review body will carefully review the Suitable Offer made to the Secure Tenant and any representation made by the Council and will advise the Estate Regeneration Programme Manager whether it considers that the Suitable Offer is suitable alternative residential accommodation on reasonable terms within the meaning of section 39 of the Land Compensation Act 1973 within 15 working days of the independent review body receiving from the Estate Regeneration Programme Manager a copy of the Secure Tenant's further appeal.
 - Within 10 working days of receiving the view of the independent review body:
 - the Estate Regeneration Programme Manager will assess the appeal taking into account the view of the independent review body, the information provided by the Secure Tenant and the individual circumstances of the Secure Tenant and their household and decide whether they agree with the Secure Tenant's further appeal and;
 - the Council will inform the Secure Tenant of the decision of the Estate Regeneration Programme Manager and, if the Estate Regeneration Programme Manager agrees with the Secure Tenant's further appeal, the Council will make another offer of an alternative home on the basis that it is a Suitable Offer meeting the needs of the Secure Tenant.
 - If the independent review body does not consider that the Suitable Offer is suitable alternative residential accommodation on reasonable terms within the meaning of section 39 of the Land Compensation Act 1973, in most cases it is likely that the Estate Regeneration Programme Manager will agree with the view of the independent review body, agree to the Secure Tenant's further appeal and make an alternative offer. There may be circumstances, however, in which the Estate Regeneration Programme Manager disagrees with the decision of the independent review body and decides not to do so. If this is the case, when the Council writes to the Secure Tenant to notify them of the outcome of their further appeal, the Council will explain why it disagrees with the view of the independent review body.
 - If the independent review body considers that the Suitable Offer is suitable alternative residential accommodation on reasonable terms within the meaning of section 39 of the Land Compensation Act 1973, it is likely that the Estate Regeneration Programme Manager will agree with the view of the independent review body and not agree with the Secure Tenant's further appeal. Where the Estate Regeneration Programme Manager does not agree with the Secure Tenant's further appeal, the Council will expect the Secure Tenant to move to the home set out in the Suitable Offer. If the Secure Tenant does not then the Council will take all necessary steps to secure possession of the Secure Tenant's home as summarised at paragraph 8 above.
- 12.5. Secure Tenants can also seek the advice from a Citizens Advice Bureau/ Law Centre Solicitor or the independent Resident and Tenants Advisor, First Call, who can be contacted on Freephone 0300 365 7150.

Appendix 1

HOMES WITHIN SOUTH KILBURN

Homes Already Delivered under the South Kilburn Regeneration Programme	Existing Buildings to be Retained
1 to 13 Bristol Walk	1 to 96 Carlton House
1, 3, 5 & 7 Chichester Road	129 to 136 Carlton House
4 to 17 Gorefield Place	Allington Road
5 to 153 Cambridge Avenue (odds only)	Alpha House
Falconbrook Court	Canterbury Court
Franklin House	Chamberlayne Mansions
George House	Chichester House
Granville Homes	Chichester Road
Hansel Road	Claremont Road
Hollister House	Gorefield House
Merle Court	Hampton Close
Swift House	Kilburn Lane
Thames Court	Malvern Road
Walbrook Court	Princess Road
	Stafford Close

	The Quadrant William Dunbar House William Saville House
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Appendix 2

HOME LOSS AND DISTURBANCE POLICY FOR SECURE TENANTS WITH HOMES IN SOUTH KILBURN

Contents

1. Introduction
2. Terms Used in this Policy
3. People Affected
4. Home Loss and Disturbance Payments Policy
5. Advance Payments of Home Loss
6. Rent Arrears and Outstanding Court Costs
7. Disturbance Payments – Key Principles
8. Home Loss Payments Procedure
9. Disturbance Payments Procedure
10. Appeals Procedure for Disturbance Claims

1. INTRODUCTION

- 1.1 This document sets out the policy and procedure for the making of Home Loss Payments and Disturbance Payments to Secure Tenants, who are entitled to such payments in accordance with Council policy (including the Land Compensation Act 1973), currently living in homes within Hereford and Exeter and 4 to 26 Stuart Road, South Kilburn which will be demolished as part of the South Kilburn regeneration programme. The aim of the policy is to ensure effective and consistent arrangements for the making of Home Loss Payments and Disturbance Payments.

2. TERMS USED IN THIS POLICY

- 2.1 **4 to 26 Stuart Road** means homes in 4 to 26 Stuart Road, NW6 5LT (even numbers only) which are due for demolition as part of the South Kilburn regeneration programme.
- 2.2 **Disturbance Payment** means a payment for removal and other expenses that the Council makes to Secure Tenants in accordance with Council policy (including the Land Compensation Act 1973)
- 2.3 **Hereford and Exeter** means homes in Hereford House, Carlton Vale, NW6 5QH and Exeter Court, Cambridge Road, NW6 5AJ, which are due for demolition as part of the South Kilburn regeneration programme
- 2.4 **Home Loss Payment** means a payment that is made to Secure Tenants in accordance with the Land Compensation Act 1973
- 2.5 **Secure Tenants** means those people who let their homes from the Council on Secure Tenancies as defined in the Housing Act 1985 and who the Council have a duty to rehouse
- 2.6 **The Council** means Brent Council

3. PEOPLE AFFECTED

- 3.1 This policy affects Secure Tenants living in homes within South Kilburn which will be demolished as part of the South Kilburn regeneration programme.

4. HOME LOSS AND DISTURBANCE PAYMENTS POLICY

- 4.1 The Council will pay Home Loss Payments and Disturbance Payment to Secure Tenants who lose their homes as part of the South Kilburn regeneration programme. Not all Secure Tenants who lose their homes will be entitled to Home Loss Payments and Disturbance Payments.
- 4.2 Secure Tenants who move out of their homes, provided that they have lived there for at least 12 months before their move and it is their only or principal home, will be eligible for a Home Loss Payment which is currently £4,900 but which may change in line with government legislation over the period of the regeneration. The Council will always pay the rate which applies at the time of the Secure Tenant's move.
- 4.3 Home Loss Payments and Disturbance Payments will be dealt with after the move to the new home when claim forms should be submitted, as set out in this policy.
- 4.4 Secure Tenants who are joint tenants are only entitled to one Home Loss Payment and Disturbance Payment, which can be paid in equal shares to both parties where requested in writing by them.
- 4.5 The borough-wide housing policy that allows Secure Tenants who down size to a smaller property for a financial incentive does not apply to Secure Tenants of South Kilburn if they receive a statutory Home Loss Payment.
- 4.6 Secure Tenants who wish to move to the private sector as outlined in paragraphs 7.3.5 and 7.4.5 of the Allocation Policy for Secure Tenants with homes in Hereford House and Exeter Court and 4 to 26 Stuart Road will receive Home Loss Payments and Disturbance Payments as required by law.
- 4.7 Where Secure Tenants moves temporarily within South Kilburn to a home that will become due for demolition under the South Kilburn regeneration programme and occupy this temporary property in excess of twelve months, then they may be entitled to a second statutory Home Loss payment once they move to their new home within the South Kilburn regeneration programme. The instances where Secure Tenants may move temporarily within South Kilburn to a home that will be due for demolition under the South Kilburn regeneration programme are explained in paragraphs 7.3.4 and 7.4.4 of the Allocation Policy for Secure Tenants with homes in Hereford House and Exeter Court and 4 to 26 Stuart Road, South Kilburn.

5. ADVANCE PAYMENTS OF HOME LOSS

- 5.1 Secure Tenants can request for an advance payment of Home Loss to be made if they are moving to:
 - A permanent home within South Kilburn that is an existing Council property that is not due for demolition as part of the South Kilburn regeneration programme;
 - A permanent home outside South Kilburn;
 - A temporary move within South Kilburn to a home that will become due for demolition under the South Kilburn regeneration programme;
 - A move elsewhere within the Borough or outside of Brent.
- 5.2 If a request for an advance payment of Home Loss is received, it is sent to the Estate Regeneration Re-housing Manager for consideration. The Estate Regeneration Re-housing Manager has the discretion to approve or reject requests for advance payments or make partial advance payment of Home Loss to the Secure Tenant.

- 5.3 Requests for advance payments of Home Loss will not be considered from Secure Tenants who are moving to a permanent new home within the South Kilburn regeneration programme.

6. RENT ARREARS AND OUTSTANDING COURT COSTS

- 6.1 Secure Tenants with rent arrears will be expected to clear the full sum of monies owed to the Council. The Council will pursue all rent arrears in line with its arrears procedure. Where a Secure Tenant has been taken to court for recovery of rent and the Secure Tenant has kept to the terms of the court order, then the Council will off-set any remaining rent arrears and outstanding court costs against any Home Loss Payment.
- 6.2 Where a Secure Tenant has not complied with any court order for the recovery of rent arrears or where the level of arrears exceeds the Home Loss payment, the Council reserves the right not to offer a Secure Tenant a new home in South Kilburn.

7. DISTURBANCE PAYMENTS – KEY PRINCIPLES

- 7.1 The Council will pay disturbance payments to Secure Tenants who lose their homes as part of the South Kilburn regeneration programme and who are entitled to such payments in accordance with Council policy (including the Land Compensation Act 1973). Reasonable disturbance costs may be payable and Secure Tenants who wish to claim for these costs will be required to produce evidence of the costs incurred. The following are examples of Disturbance payments that the Council has a legal duty to meet:
- Removal expenses (the Council pays for removals directly);
 - Redirection of mail;
 - Dismantling and re-assembly of Secure Tenants own furniture such as wardrobes;
 - Telephone disconnection and reconnection;
 - Compensation for the second hand value of carpet and curtains where no carpet and curtains are provided in replacement home (see paragraphs 7.5 to 7.11);
 - Disconnection/reconnection of services;
 - The second hand value of large items of furniture that cannot be dismantled or moved to the Secure Tenant's replacement property.
- 7.2 Key principles relating to Disturbance Payments are as follows:
- The onus is on the Secure Tenant to justify their claim; there is no pre-determined disturbance allowance;
 - Claims can only be made for costs incurred as a direct result of being disturbed;
 - Secure Tenants should be no worse off or better off than before their move;
 - Costs must be reasonable. For example, Secure Tenants cannot claim compensation for any fixtures and fittings such as mixer taps that they have replaced in their current home as fixtures and fittings will be provided in replacement home;
 - Where appliances are supplied within new properties e.g. cooker, washing machine or fridge freezer, no reconnection fees will be paid.

Adaptation of Carpets/Curtains

- 7.3 If carpets and/or curtains could be adapted to fit in the replacement property, the Council would pay for the adaptation, where such items are not provided in replacement home. If the Secure Tenant chooses not to adapt the carpets and/or curtains, nor does the Secure Tenant use them in their replacement property, then the Secure Tenant would not be able to claim compensation.
- 7.4 Carpets and/or curtains are deemed to be adaptable if they satisfy the following criteria:
- The existing carpets/curtains is the same size or larger than required in the replacement home;
 - Foam-backed carpets, unlined curtains and lino are 3 years old or less;
 - Hessian-backed carpets and lined curtains are 6 years old or less.

Compensation for Carpets, Curtains or Large Items of Furniture

- 7.5 Secure Tenants can claim the second hand value of carpets and curtains where such items are not provided in replacement home or are not adaptable as outlined above. Where it is agreed that an item needs replacing, rather than adapting, the compensation paid to the Secure Tenant will be based on the cost of the item when it was new, less a percentage discount according to the existing age of the item. Therefore, the older the existing item, the less amount of compensation the Secure Tenant will receive.
- 7.6 Secure Tenants can also claim for large items of furniture that cannot be dismantled or moved to their replacement home. Details of the Secure Tenants existing carpets, curtains and large items of furniture would have been recorded in the Housing Needs Assessment by the Estate Regeneration Team at the time of the first home visit or at the point that the Secure Tenant accepts the suitable offer of alternative accommodation.
- 7.7 The age of the existing carpet must be assessed. If the Secure Tenant can show receipts as proof of purchase this is desirable, if not, an agreement must be reached on the age and condition of the carpet or curtains with the Estate Regeneration Re-housing Manager at the time the Housing Needs Assessment is completed.
- 7.8 The second-hand value of **hessian-backed carpets, lined curtains and large items of furniture that cannot be dismantled or moved to replacement home**, with a life expectancy of 10 years is calculated using the following formula:

Age of Carpet/ Curtains/ Large Item of Furniture	Value of Carpet/ Curtains/ Large Item of Furniture	Less Depreciation
1 year	Replacement Value	8%
2 years	Replacement Value	16%
3 years	Replacement Value	24%
4 years	Replacement Value	32%
5 years	Replacement Value	40%
6 years	Replacement Value	48%
7 years	Replacement Value	56%
8 years	Replacement Value	64%
9 years	Replacement Value	72%
10 years	Replacement Value	80%

- 7.9 An example of a calculation using this table is as follows:

A Secure Tenant has a hessian-backed carpet which is 5 years old and 20 square meters in size that cannot be adapted to fit in their replacement property. The replacement value of the carpet is £8 per square meter. The second-hand value of the carpet is calculated as follows:

Replacement value 20 sqm x £8 per sqm	£160
Less depreciation at 40%	<u>(£64)</u>
Disturbance allowance paid to Secure Tenant	£96

- 7.10 The second-hand value of **foam-backed carpets and unlined curtains**, with a life expectancy of 5 years is calculated using the following formula:

Age of Carpet/ Curtains/ Large Item of Furniture	Value of Carpet/ Curtains/ Large Item of Furniture	Less Depreciation
1 year	Replacement Value	16%
2 years	Replacement Value	32%
3 years	Replacement Value	48%
4 years	Replacement Value	64%
5 years	Replacement Value	80%

- 7.11 An example of a calculation using this table is as follows:

A Secure Tenant has a foam-backed carpet which is 7 years old and 20 square meters in size that cannot be adapted to fit in their replacement property. The replacement value of the carpet is £6 per square meter. The second-hand value of the carpet is calculated as follows:

Replacement value 20 sqm x £6 per sqm	£120
Less depreciation at 80%	<u>(£96)</u>
Disturbance allowance paid to Secure Tenant	£24

8. HOME LOSS PAYMENTS PROCEDURE

- 8.1 The Estate Regeneration Team will request in writing bank details from Secure Tenants so the payments can be made directly into the Secure Tenant's bank account by Bankers' Automated Clearing Service (BACS). Payments can be made to Secure Tenants by cheque; however payments by cheque take longer than BACS payments.
- 8.2 Secure Tenants will be invited to attend a meeting to sign the tenancy agreement for their replacement home and to sign a form to end the tenancy on their current home within Hereford and Exeter or 4 to 26 Stuart Road. At this meeting, Secure Tenants will also be asked to complete and sign a Home Loss Claim Form (Annex 1).
- 8.3 If there are arrears owing on the Secure Tenant's account (rent arrears and court costs), these will be deducted from the Home Loss payment.
- 8.4 The Council will make Home Loss payments within 35 working days of receipt by the Council of a valid claim form and once the Secure Tenant has returned the keys of their old home within Hereford and Exeter or 4 to 26 Stuart Road.

9. DISTURBANCE PAYMENTS PROCEDURE

- 9.1 Disturbance claims should be made on the form provided (Annex 2). Disturbance claims should be signed and dated by the Secure Tenant and should be sent to the Estate Regeneration Team at the address shown on the claim form, within 3 months of a Secure Tenant moving to their replacement home. Secure Tenants are asked to claim all the costs incurred as a result of their move on one claim form.
- 9.2 Secure Tenants must support their claim for Disturbance costs with receipts to confirm the items being claimed have been paid. Claims for the cost of goods and services that are not supported by receipts will be not considered. Claims for the cost of goods and services that are supported by hand-written or cash receipts will not be considered.
- 9.3 The Disturbance claim will be assessed by the Estate Regeneration Team. The Estate Regeneration Team has the discretion to approve all or part of a claim for Disturbance, reject a claim for Disturbance or seek further information from the Secure Tenant making the claim.
- 9.4 Disturbance Payments will be paid to Secure Tenants through the BACS system. The Council will make Disturbance Payments within 35 working days of receipt by the Council of a valid claim form.

10. APPEALS PROCEDURE FOR DISTURBANCE CLAIMS

- 10.1 If a Secure Tenant believes the Council's assessment of their Disturbance payment is unreasonable, they will have the right to appeal the decision within 10 working days of the Council's assessment of the claim for Disturbance.
- 10.2 If a Secure Tenant wishes to make an appeal, the Secure Tenant must write to the Council at the address below specifying the reasons why they believe the assessment of their claim for Disturbance is unreasonable.
- 10.3 Appeals should be sent to:
Estate Regeneration Re-housing Manager
Community Resource Centre, William Dunbar House, Albert Road, Kilburn, NW6 5DE
- 10.4 If an appeal is received within the allowed time limit, the Estate Regeneration Re-housing Manager will assess the appeal in light of the information provided within 10 working days of receipt of the appeal.
- 10.5 If the Estate Regeneration Re-housing Manager agrees with the Secure Tenant's appeal, the Council will reassess the claim for disturbance. If the Estate Regeneration Re-housing Manager does not agree with the Secure Tenant's appeal, the Estate Regeneration-housing Manager will inform the tenant in writing, outlining the reasons why the appeal has been rejected.

Annex 1

**SOUTH KILBURN REGENERATION SCHEME
HOME LOSS CLAIM FORM**

Please write in capitals

TENANT(S) NAMES

<i>Title</i>	<i>Initials</i>	<i>Surname</i>																			

ADDRESS VACATING

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

PRESENT TELEPHONE NUMBER

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

MOBILE NUMBER

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

NEW ADDRESS

<i>Postcode</i>																						

NEW TELEPHONE NUMBER

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

DAY VACATING

--

DATE

MONTH

YEAR

I certify that I will be moving from the above address, into alternative permanent/temporary housing. I note also:

- (a) I shall be responsible for the payment of the rent of my present accommodation until the Sunday prior to my tenancy date. I will arrange for the keys to be returned to the **South Kilburn Regeneration Office, Community Resource Centre, Albert Road, London NW6 5DE.**
- (b) My Home loss Claim for **£4,900.00 (subject to below deductions)** will only be processed when all the keys for my current address are returned.
- (c) I claim the maximum amount of **£4,900.00** due to the rent account, of my existing property being in credit at the termination date of the tenancy. Also, I am aware, that if any rent arrears, Court Cost, Council Tax including those from previous accommodation, or Housing Benefit, owed to the Council they will be deducted from my Home loss.
- (d) I also understand that once the final Home loss Payment has been made, if there are any other monies I owed to the London Borough of Brent, I will still be liable for them to be paid.
- (e) I agree not to remove any fixtures and fittings, e.g. door handles, light switches, rose pendants, kitchen and bathroom sinks and acknowledge that if I remove any fixtures and fittings the cost to replace them will be deducted from my Home Loss Payment.

Signed: Date:.....

Official Use

	Amount	Date Inputted	Appr
<i>Tenant's details entered on Oracle Supplier Management</i>			
<i>Date keys returned</i>			
<i>Rent Arrears (as at)</i>	£		
<i>Rent in Credit (as at)</i>	£		
<i>Court Costs owed (as at)</i>	£		
<i>Housing Benefit Overpayment owed (as at</i>			
<i>Purchase of</i>			
<i>Advance Home loss Payable</i>	£		
<i>Total withheld</i>	£		
<i>Total Amount Withheld</i>	£		
<i>Home loss Payable</i>	£		
<i>Total of Home loss</i>	£		
<i>Letter to tenants notifying of Home loss and Deductions</i>			
<i>Date invoice raised to Rent Income, for rent arrears</i>			
<i>Arrears paid to Rent Income</i>	£		

NAME OF PERSON OTHER THAN TENANT WHO PAYMENT TO BE PAID TO

<i>Title</i>			<i>Initials</i>			<i>Surname</i>													

PAYMENT BY BACS (DIRECT TO YOUR BANK)

Please provide details of your bank account below

Name of
 Bank.....
 .

Sort
 code.....

Account
 number.....

If a building society, provide Roll
 Number.....

Signed..... Date.....

Annex 2

**SOUTH KILBURN REGENERATION SCHEME
DISTURBANCE CLAIM FORM**

As part of your claim for a disturbance payment, you are required to provide the following itemised information when submitting receipts. Unfortunately, your claim cannot be processed without this information, it is therefore essential that you submit these details.

You will only be reimbursed on a sliding scale to replace floor covering and curtains. Please refer to the Home Loss and Disturbance Policy for Secure Tenants with Homes in South Kilburn for further information. However if there is new or good quality flooring in your replacement property, then you will not receive financial compensation for similar items left behind.

Secure tenants must support their claim for Disturbance costs with receipts to confirm the items being claimed have been paid. Claims for the cost of goods and services that are not supported by hand-written or cash receipts will not be considered.

THIS FORM SHOULD BE COMPLETED AND RETURNED TO THE ESTATE REGENERATION TEAM WITHIN THREE MONTHS AFTER YOU HAVE MOVED TO YOUR NEW ADDRESS

Tenant Name(s)	<input type="text"/> <input type="text"/>
Telephone No:	<input type="text"/> <input type="text"/>
Your new address	<input type="text"/> <input type="text"/> <input type="text"/>
Date of moving to this new address	<input type="text"/>

Your old address

Previous Accommodation: Type: (Please Delete) **Maisonette/ Flat**

Number of Bedrooms:.....

Number of Other Rooms:..... (Excluding Kitchen WC and Bathroom)

To be completed by Housing Officer prior to move.

Please list all rooms in which you currently have Carpets and state whether Hessian Backed or Foam Backed and laminate/wooden flooring, is it click or glued

No.	Room Size	Carpet/ Flooring Size	Date of Purchase/ Estimated Age	Hessian/ Foam Backed	Cost per SQM	Room i.e. Bedroom/ Living room
1						
2						
3						
4						
5						
6						

Please list all rooms in which you have Curtains or Blinds.

No.	Window Size	Curtain Size	Date of Purchase/ Estimated age	Cost per SQM Cost of Blinds or Ready Made Curtains
1				
2				
3				
4				
5				
6				

Receipts for all these items must be attached.

Section A: Adaptations

List below details of any room where your existing carpets/flooring and curtains can be adapted for your new accommodation

No.	Room Size and Use	Flooring Adapted Quote room no. from old Accommodation	Cost	Curtains Adapted Quote room no. from old Accommodation	Cost
1					
2					
3					
4					
5					
6					

Section B Replacement

List below details of any rooms where your existing carpets/flooring and curtains cannot be adapted and the cost of replacement you wish to claim.

No.	Room Size and Use	Carpet Size	Cost per SQM	Curtain Size	Window Size	Cost per SQM/ Cost of Blinds
1						
2						
3						
4						
5						
6						

Receipts for all these items must be attached.

Items Claimed	Cost
Disconnection/ Reconnection	
Telephone *	
Re- Direction of Mail	
Other Reasonable Expenses (detail required)	
Sub Total	
Cost of adapting:	
Curtains/ Carpets/Laminate	
Cost of replacing	
Curtains/Carpets/Laminate	
Total Cost	

*The disconnection and reconnection of your telephone is your responsibility.

Declaration

I certify that I have incurred the above costs and that the information given is correct. I now claim disturbance payment from Brent Council.

Signed:

Date:

Please return this form to South Kilburn Regeneration Office, accompanied by the necessary receipts.

For Area Office Use Only

Date Returned:	Rent Arrears £ as at
Reason for Claim:	Date of Visit
Reason For Rent Arrears	
Entitlement Checked by:	Maintaining an Agreement: Yes / No
Authorised Manager:	Passed for Payment:

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South Kilburn Cabinet Report (June 2015)

Department

Regeneration and Growth

Person Responsible

Noreen Twomey

Created

13th April, 2015

Last Review

1st May, 2015

Status

Screened

Next Review

29th April, 2016

Impact Assessment Data

5. What effects could your policy have on different equality groups and on cohesion and good relations?

5.1 Age (select all that apply)

- Positive

This equality analysis has been prepared to assess the impacts of the recommendations that the Cabinet give approval to authorise the Strategic Director of Regeneration and Growth to seek the Secretary of State's consent pursuant to Part V of Schedule 2 to the Housing Act 1985 to the disposal and development of Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) for the purpose of Ground 10A of Schedule 2; and also seeks approval to authorise the final Allocation Policy for secure tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only).

The impact of secure tenants having to move from their current homes within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) to a replacement home in accordance with the final Allocation Policy for secure tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), South Kilburn to enable their current homes to be brought forward for development as part of the South Kilburn regeneration programme is likely to be greater for older secure tenants.

21.9% of the secure tenants living within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) are aged 65 or over, compared to 10.5% of residents within Brent as a whole. This data on age was collected from secure tenants housing needs assessment visits undertaken by the Estate Regeneration Team in autumn 2014 and spring 2015. Packing, moving and unpacking is likely to be particularly difficult for older people. Older secure tenants may also suffer greater psychological effects, including stress and uncertainty, for example in relation to having to move and may rely more on neighbours and nearby family for support, and moving home may affect these support networks. To mitigate this, the Council will ensure that the Estate Regeneration Team will help each secure tenant through the re-housing process. This will include identifying secure tenants' re-housing needs and requirements, informing them about the re-housing and move process, keeping them updated with the project and move timescales and supporting residents throughout the whole process. The Estate Regeneration Team will be able to allocate additional support and services to assist older secure tenants when moving home. For example, offering a packing and unpacking service to help older secure tenants with the move.

As with previous phases of the South Kilburn regeneration programme, secure tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) will be made a suitable offer of alternative accommodation, depending on their household make up. With regards to Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only), from a point of view of age, older secure tenants who are single or in a couple, whose children have left home and who are currently occupying a large home will be offered a smaller home that meets their current housing need in accordance with the final Allocation Policy for Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). Secure tenants will be offered a larger replacement home that they would otherwise be entitled to if they or a member of their household requires larger accommodation on health grounds. Younger secure tenants who are single or in a couple with children who are over-crowded in their current homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) will be offered a new property that meets their housing need. This would be a positive impact to reduce overcrowding.

Secure tenants that move to a new home built as part of the South Kilburn regeneration programme will pay higher rents than on their current home, as the rents charged by Registered Providers (who own and manage new affordable homes delivered as part of the South Kilburn regeneration programme), known as target rents; are higher than those charged by the Council. The impact on secure tenants of paying higher rents on new build homes within South Kilburn than they currently pay to the Council on their existing home is likely to have less of an impact on older secure tenants who are in receipt of benefits as they will be not be affected by the introduction of a Universal Credit being introduced as part of the Welfare Reform Act 2013.

Supporting documentation can be found here :

5.2 Disability (select all that apply)

- Positive

The impact of secure tenants having to move from their current homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) to a replacement home in accordance with a bespoke allocation policy, to enable their current homes to be brought forward for development as part of the South Kilburn regeneration programme, is likely to be greater for disabled secure tenants. 29% of the secure tenants living within the Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) have a disability. This data on disability was collected from secure tenants housing needs assessment visits undertaken by the Estate Regeneration Team in autumn 2014 and spring 2015. Packing, moving and unpacking is likely to be particularly difficult for disabled people. Disabled secure tenants may also suffer greater psychological effects, including stress and uncertainty. Further, disabled secure tenants may rely more on neighbours and nearby family for support, and moving home may affect these support networks. To mitigate this, the Estate Regeneration Team will offer additional support to disabled secure tenants, similar to that described above in relation to older secure tenants. Replacement properties will be adapted in accordance with Occupational Therapist's assessments of the individual secure tenant or a member of their household.

The impact of having to move from their current home within Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) as part of the South Kilburn regeneration programme, may be particularly difficult for secure tenants with mental illness. Where secure tenants have mental health problems the Estate Regeneration Team will work with the secure tenants' existing support network/carers/GP to ensure that the necessary support and care is provided.

5.3 Gender identity and expression (select all that apply)

- Neutral

It is not anticipated that the recommendations being sought in relation to the South Kilburn regeneration programme would have any differential impact on residents because of their gender identity or expression.

5.4 Marriage and civil partnership (select all that apply)

- Neutral

It is not anticipated that the recommendations being sought in relation to the South Kilburn regeneration programme would have any differential impact on residents because of their marital or civil partnership status.

5.5 Pregnancy and maternity (select all that apply)

- Positive

The impact of secure tenants having to move from their current homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) to enable their current home to be brought forward for development as part of the South Kilburn regeneration programme is likely to be greater for pregnant women and women on maternity leave, than for other secure tenants. Packing, moving and unpacking is likely to be difficult for pregnant women and women on maternity leave. To mitigate this, the Estate Regeneration Team will offer additional support to secure tenants who are pregnant or on maternity leave, similar to that described above in relation to older secure tenants and disabled secure tenants.

5.6 Race (select all that apply)

- Neutral

Table 2 provides a summary of the ethnicity of secure tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). This data on race was collected from secure tenants housing needs assessment visits undertaken by the Estate Regeneration Team in autumn 2014 and spring 2015.

As per Table 2, the impact of the Allocation Policy for secure tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) will be felt by an above-average number of secure tenants from Black/African/Caribbean/ Black British heritage, who are overrepresented in comparison with the ethnic diversity of Brent as a whole. However the proposals should not have a negative impact on anyone because of their race and in the long term, the regeneration should benefit people from all backgrounds by delivering a range of benefits and improvements.

Supporting documentation can be found here :
[150601-Ethnicity-Table-Equality-Analysis.pdf](#)

5.7 Religion or belief (select all that apply)

- Neutral

Table 3 provides a summary of the religion or belief of secure tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only). This data on religion or belief was collected from secure tenants housing needs assessment visits undertaken by the Estate Regeneration Team in autumn 2014 and spring 2015.

As per Table 3, the impact of the recommendations being sought in relation to the proposed redevelopment of Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) will be felt by an above-average number of secure tenants from Christian, Buddhist and Muslim faiths particularly, when compared with the religious breakdown of Brent as a whole. However the proposals should not have a negative impact on anyone because of their religion or belief and in the long term, the regeneration should benefit people from all backgrounds by delivering a range of benefits and improvements.

Supporting documentation can be found here :
[150601-Religion-or-Belief-Table-Equality-Analysis.pdf](#)

5.8 Sex (select all that apply)

- Neutral

According to data collected from secure tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) during housing needs assessment visits undertaken by the Estate Regeneration Team in autumn 2014 and spring 2015, 47.7% of secure tenants are male and 45.2% are female (7.1% preferred not to say). There is no evidence that male or female secure tenants will have any particular needs during the relocation process.

5.9 Sexual orientation (select all that apply)

- Neutral

It is not anticipated that the recommendations being sought in relation to the South Kilburn regeneration programme would have any differential impact on residents because of their sexual orientation.

5.10 Other (please specify) (select all that apply)

- Neutral

Section 9 of the Allocation Policy for secure tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) confirms that secure tenants who are allocated a new replacement property built as part of the South Kilburn regeneration programme will pay higher rent than their existing Council property. This is due to two reasons:

- i) Council rents are below the rents charged by Registered Providers, which are known as target rents; and
- ii) the higher value associated with a quality new build home, compared with an existing Council property, will be reflected in a higher target rent.

Annual rent increases for the new replacement homes will be in line with the Government's guidance on social rents. Registered Providers are required to meet the 'key requirements' set out within the Rent Standard Guidance. The Rent Standard guidance currently provides that annual rent increases for social housing will be limited to the Consumer Price Index plus one per cent. This will mean that there will always be a difference in the rent charged for existing Council properties in South Kilburn, compared with new homes for rent from Registered Providers, built as part of the South Kilburn regeneration programme. Secure tenants whose rent is met by housing benefit are likely to continue to have their rent met by housing benefit in part/full in their new home (subject to any change in circumstances and the impact of the welfare reforms). For secure tenants whose rent is not met by housing benefit, the rent levels of the new affordable homes built as part of the South Kilburn regeneration programme will be discussed with them at the housing needs assessment and other meetings prior to their move. It is not anticipated that the rent levels of the new affordable homes built as part of the South Kilburn regeneration programme would have a negative impact on anyone because of their ethnicity, nationality or national origin, age, gender, sexual orientation, disability, gender identity or expression or religion or belief.

6. Please provide a brief summary of any research or engagement initiatives that have been carried out to formulate your proposal.

What did you find out from consultation or data analysis?

Were the participants in any engagement initiatives representative of the people who will be affected by your proposal?

How did your findings and the wider evidence base inform the proposal?

Census 2011.

Data on secure tenants in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) was collected during housing needs assessment visits undertaken by the Estate Regeneration Team in autumn 2014 and spring 2015.

Statutory consultation undertaken on the Council's proposals to seek the Secretary of State's consent pursuant to Part V of Schedule 2 to the Housing Act 1985 to the disposal and development of Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) for the purpose of Ground 10A of Schedule 2, to make a Compulsory Purchase Order (CPO) on properties in Hereford House, Exeter Court and 4 to 26 Stuart Road.

7. Could any of the impacts you have identified be unlawful under the Equality Act 2010?

- No

The South Kilburn regeneration scheme proposes a phased redevelopment of the majority of the housing stock by prioritising the redevelopment of the worst quality blocks and delivering new homes within a higher quality, better managed and more connected place. The proposition is for traditional street patterns, front doors, high quality domestic materials, and retail and community space in the right locations. The South Kilburn regeneration scheme also proposes to deliver improved open spaces, new shops, a new health facility and a new consolidated school.

The Council aims to ensure that the South Kilburn regeneration programme will meet the varied individual needs and expectation of residents with homes due for demolition as part of the South Kilburn regeneration programme. The new homes in South Kilburn are available to secure tenants within South Kilburn regardless of their ethnicity, nationality or national origin, age, gender, sexual orientation, disability, gender identity or expression or religion or belief. Homes are designed to Lifetime Homes standards and the Mayor of London's Housing Supplementary Planning Guidance (November 2012). A proportion of the new homes are designed to be wheelchair adaptable while the allocation process considers the housing needs of secure tenants in terms of providing aids/adaptations to their new home, where required.

The Council also aims to ensure that everyone has equal access to services, regardless of their protected characteristics. We recognise the services provided to South Kilburn residents must be relevant, responsive and sensitive and that the Council must be fair and equitable in its provision of services to residents.

The Council also aims to foster good relations by undertaking meaningful consultation with residents and stakeholders on the regeneration proposals. South Kilburn Trust, a local regeneration charity working to bring about lasting change for the communities of South Kilburn, through its widening participation, seeks to find ways of involving and engaging with all local residents, particularly those who traditionally are 'hard to reach'.

8. What actions will you take to enhance any potential positive impacts that you have identified?

The Estate Regeneration Team will engage with secure tenants with homes in Hereford House, Exeter Court and 4 to 26 Stuart Road (even numbers only) on a regular basis right up to their move, to provide information and support and mitigate stress and uncertainty associated with the move.

9. What actions will you take to remove or reduce any potential negative impacts that you have identified?

No potential negative impacts have been identified.

10. Please explain the justification for any remaining negative impacts.

NA



Cabinet
1 June 2015

Report from the Chief Operating Officer

For Action

Wards Affected:
ALL

Use of the Pupil Premium in Brent - Scrutiny Task Group report

1.0 Summary

- 1.1 This task group has been requested by the Scrutiny Members in responses to borough priorities to improve attainment for disadvantaged pupils. This covering report focuses on the task group's findings and recommendations.
- 1.2 The purpose of the task group is to focus on analysing the current use of the Pupil Premium Grant, Understanding the attainment gaps, the outcomes which are being achieved in comparison with national performance and to promote best practice among Brent schools.
- 1.3 Making sure that all Brent schools are good quality and that all pupils achieve well is an objective within the Council's Borough Plan. Effective use of the pupil premium across Brent schools is one element within the context of good overall performance.

2.0 Recommendations

- 2.1 The Cabinet consider the contents of the report.
- 2.2 The Cabinet approves the 16 recommendations made by the task group.

3.0 Detail

3.1 The key findings which have emerged from the task groups work focused on:

Data Analysis - Closing the attainment gap

The task group found that there are a number of influencing factors which contribute to the gap in attainment. It was clear that the gap became wider as children progressed through school and that early intervention is key to progress and closing the gap for all disadvantaged groups.

Setting the tone for Brent Schools – The Vision

The task group found that all children disadvantaged or not, are likely to do better in higher quality schools. One of Brent's priorities is improving school quality by raising overall achievement. Moreover, school improvement has a large role to play in narrowing the gap because the achievement gain in moving from an inadequate school to an outstanding school is bigger for those who are the most disadvantaged. Mitigating the effects of child poverty and reducing it are key drivers of improving children and families' health and wellbeing. Children and young people should be able to enjoy their education and achieve the best results they can. The council's vision is to raise educational standards at all key stages and close attainment gaps between groups.

Coordinated Schools Strategic Leadership: Sharing good practice, information, resources – including teaching staff and training – teachers and school governing bodies;

The task group found that to improve outcomes for all children requires good strategic partnership working, where schools take the lead. Good quality data provided centrally is also essential; schools can benchmark themselves against other schools locally and nationally. Schools should be in a position to network and use local support from the council and other partners to improve performance and attainment.

Improving outcomes for Looked After Children and Children Excluded from School

After analysing the data on Looked after Children (LAC) the task group felt that as corporate parents of LAC, we need to do a much better job; starting with achieving 100 percent of Personal Education Plans (PEPS) for Looked After Children are completed to the highest quality. The task group felt that further analysis is required for disadvantaged children who were excluded from school. Children, who are excluded for a fixed period, could also benefit from additional targeted support when attending PRUs.

Innovation and Advancement in Education

The task group found that Brent schools are already very innovative and creative with their interventions on closing the attainment gap. There were wonderful examples of Brent secondary and primary schools trying unconventional interventions and being able to show impact and improved outcomes for children. However advancements in education attainment is continuously evolving and to keep abreast of this, requires constant research and trials, which should be embedded as part of day to day life in schools.

What do our young people want?

The task group found that it is not just formal academic or vocational qualifications which hamper young people's chances of securing employment. National and regional research indicates a lack of 'employability' skills – for example, Basic English language and financial numeracy - as a significant barrier for employers looking to recruit. The consultation exercise conducted as part of the Employment & Enterprise strategy identified this as a significant issue in Brent, particularly amongst young people and those for whom English is a second language (EAL).

Supporting Parents and Building Self-Resilience

We found that identifying parents who need support early will be key to improving attainment and closing the gap. Data shows that the gap often occurs during early years, this is a time when parents need to have the parental skills to ensure that their child's progress is on track and they are not underperforming. The task group welcome the Early Years PPG (April 2015) and believe that work with early years setting will be essential to the grant being implemented and utilised effectively.

3.2 It is recommended that:

1. LB Brent and Brent Schools Partnership (BSP) support a borough wide approach for the use of PPG through the implementation of the Education Commission Action Plan – Ambitious for All. The Strategy is to be monitored by the Strategic School Effectiveness Partnership Board and should include:
 - networking & sharing good practice
 - the sharing of information
 - the sharing of resources
 - training for Teachers and additional support to School governing bodies

*This will require a clearly outlined and smooth transition of services currently being delivered by the LB Brent, School Effectiveness service.

2. The School Effectiveness Partnership Board promotes the benefits of BSP to the whole community of schools so all schools become members and benefit from its support and services.
3. BSP works proactively with the community of schools and holds a list of recommended and effective Pupil Premium Grant (PPG) services and providers, so schools are able to commission services individually or collectively with other schools. In time, BSP may wish to explore a shared staff resource for collating and distributing the latest evidence from organisations like the Education Endowment Foundation (EEF) and working with schools to tailor it to meet their specific needs.
4. Pupil Premium and PPG related updates are to be standing agenda items at the Brent Head Teachers and School Governors annual conferences.
5. BSP, Brent and Woodfield Teaching Schools Alliance (BTSA & WTSA) continue their work with schools to ensure high quality teaching across Brent's schools and that outstanding teachers and support staff are being attracted, retained and developed across the borough.
6. LB Brent develops specific targeted approaches to closing the attainment gap for Looked After Children (LAC) which are monitored regularly by the Corporate Parenting Committee. This should include:
 - Empowering foster carers to engage fully with schools.
 - Strengthening working relationships between foster carers, designated teachers and social workers to improve outcomes.
 - Ensure 100 percent of Personal Education Plans (PEPS) for Looked After Children are completed to the highest quality.

- Tracking the progress of Looked After Children, identifying and investing in successful interventions: - reporting and identifying impact.
7. During 2015 BSP along with the LB Brent begins scoping a borough wide project and applies to work with the Education Endowment Foundation. In particular projects which focus on the Transition between Primary and Secondary school, English as an Additional Language (EAL) and projects focusing on children arriving from Eastern Europe.
 8. The LB Brent in partnership with BSP encourages schools to find alternative methods for recording non academic/formative learning (e.g. music, sports, arts and social development) which support attainment and support schools to engage with Ofsted regarding the evaluation of these interventions.
 9. BSP to encourage schools to employ (and possibly share as a resource) Careers Advisors. This will provide a mechanism for increasing the numbers of available work experience opportunities and the participation of Brent's pupils in work-based skills development.
 10. An increased coordinated effort by the LB Brent, Community of Brent Schools, Brent Early Years Settings including Children Centres and parents in completing Free School Meal application forms. In particular, the task group would welcome efforts to remove the stigma from making applications and the promotion of the idea that extra funding will benefit all young people in the borough.
 11. Early Years Settings to identify eligible children at 3 and 4 years of age and promote the extra support available. This information should follow the child into school.
 12. LB Brent and BSP to continue to work within the Early Years Settings and build on the success of the 2015 Early Years (EYs) Conference, where PPG was an agenda item. The conference might follow up with case studies from the pilot authorities.
 13. Schools and the Early Years Settings increase their efforts with support of BSP (sharing effective practice) to empower and engage parents on ways to provide support to their children, including encouraging them to take up adult learning opportunities and access any additional support that the family requires.
 14. The LB Brent's Annual Review of Standards demonstrates closing the gap by finding and implementing practical and creative effective methods. The review should also include an analysis of pupil premium children's attainment compared to non pupil premium children's attainment with a breakdown by vulnerable groups such as:
 - Pupils excluded
 - Looked After Children
 - Children in Need and;
 - Ethnic minority and other groups being monitored for underachievement such as Somali, Black Caribbean, White boys.

*The Corporate Parenting Committee's Looked After Children's report should be presented at Full Council

15. LB Brent and BSP work with Early Years Settings and the community of Primary and Secondary Schools on a borough wide transfer policy which ensures successful intervention methods and information on PPG children is included, so that this information follows the child throughout their school life.

16. Further analysis is conducted by LB Brent and Schools into fixed term exclusions of PPG children and practical ways schools can continue to support PPG children if excluded to the borough's Pupil Referral Units (PRU).

4.0 Financial Implications

4.1 None

5.0 Legal Implications

5.1 The council has a legal obligation to eliminate discrimination, to which this work focuses on reducing the inequality of disadvantaged children.

6.0 Diversity Implications

6.1 The recommendations outlined in the report will have positive impacts on Brent's communities and drive services; which will improve the educational and life outcomes all Brent children.

7.0 Staffing/Accommodation Implications (if appropriate)

7.1 The following Brent services and partners would be affected by the recommendations made:

- Brent Schools Effectiveness
- Brent Children's Social Care (Looked after Children - LAC)
- Early Help and Education
- Inclusion and Alternative Education
- Brent Schools Partnership
- Brent Teaching Schools Alliance (BTSA)
- Woodfield Teaching Schools Alliance (WTSA)

Background Papers

[Interim Report - Use of the Pupil Premium Grant in Brent](#)

Contact officers

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Use of the Pupil Premium Grant in Brent

A Scrutiny Task Group Report

April 2015

Membership

Councillor Eleanor Southwood (Chair)
Ms Mary Arnold
Mr Alloysius Fredrick (Co-opted Member)
The Reverend Christine Cargill (Co-opted Member)
Councillor Lia Colacicco
Councillor Wilhelmina Mitchell Murray
Councillor Pat Harrison
Councillor Krupa Sheth

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1. Chair's Foreword

The Pupil Premium Grant (PPG) is an additional funding allocated to young people who meet criteria that indicates a level of economic disadvantage. The money is given to schools directly and for children who are looked after by the Council a proportion is kept back to provide for local authority support. In 2014/15, 8,686 of Brent's children are eligible for the PPG, amounting to over £11m in funding.



The purpose of this task group was not to replicate the accountabilities that exist via Ofsted in terms of auditing how the money is spent. Instead, our aim was to identify where opportunities exist for a more joined-up, holistic and borough wide use of the PPG. We recognise that the PPG is a key mechanism for not only increasing educational attainment, but for offering our young people improved chances for living healthy and happy lives. Throughout our research, visits and meetings, the task group focused on how the PPG could further reduce the numbers of children living in poverty and the numbers of young people not in employment education or training across our borough.

It was timely to conduct this work now. The role of the local authority in relation to schools is changing and the Brent Schools Partnership is a fledgling organisation, whose success is vital for ensuring that information, practice and support is shared amongst Brent's family of schools. The PPG is being extended to children in early years education and the task group is keen that the experience of the PPG to date informs how this funding is used. The task group recognises that early intervention is the best way to give children a great start and we are excited about the difference that the Early Years PPG could make in Brent.

Our ambition is that Brent schools are recognised for the creative and effective support they provide through the PPG and our work highlighted plenty of fantastic work. It also highlighted areas where we could do better, not least in supporting the children who are looked after by the authority.

We urge the council and all partners to implement our recommendations in full. The individual members of the task group are passionate about giving every child in Brent the best possible educational experience and the skills and confidence to fulfil their dreams.

I would like to thank everyone who participated in our work, including teachers, governing bodies, service providers, council officers, civil servants and experts. Most importantly, I want to thank the young people we have met in schools and through the Brent Youth Parliament. Their voice is at the heart of our recommendations and their enthusiasm and wisdom has been inspiring.

Thanks also to my task group colleagues – Mary Arnold, Alloysius Fredrick, The Reverend Christine Cargill and Cllrs Colacicco, Harrison, Mitchell Murray and Sheth. Their generosity of time, ideas and expertise was hugely valuable.

2. Executive Summary

There are over 1.4 million (21%) children aged 4-15 eligible for free school meals in England. National figures show that they often start primary school behind their better-off classmates - and that this attainment gap will increase throughout their schooling. The latest national figures show that just 37% of economically disadvantaged children achieved 5 good GCSEs, including English and Maths, compared to 63% of all other pupils. Figures also show that children from poorer backgrounds do worse on average than their wealthier classmates whichever type of school they are in and that young people with poor educational attainment are much more likely to end up not in education, employment or training (NEET).

It is for these reasons that members of the scrutiny function wanted to review the boroughs use of the Pupil Premium Grant, ensuring that the local authority and its partners are doing all they can to improve the educational and life chances for all our young people. The pupil premium grant (PPG) is additional funding given to publicly funded schools in England to raise the attainment of disadvantaged pupils from reception to year 11 and close the gap between them and their peers, the grant is allocated directly to schools. For children looked after by the council, a percentage is held back to provide for local authority support. A national fund of £625 million was introduced in April 2011 to give schools £400 per year for:

- Each child currently registered as eligible for free school meals.
- Children who have been looked after for 6 months or longer.
- Service Children (Children with parents in the armed forces).

In April 2012, pupil premium funding was also extended to all children eligible for free school meals at any point in the past 6 years.

In the current financial year (2014 to 2015) the pupil premium national funding was increased to £2.5 billion. The premium is broken down as follows:

- £1,300 per pupil of primary-school age.
- £935 per pupil of secondary-school age.
- £1,900 per pupil for looked-after children who:
 - have been looked after for 1 day or more
 - are adopted
 - leave care under a Special Guardianship Order or a Residence Order

The amount of pupil premium allocated to Brent schools for 2014 to 2015 is £11,139,121 (this includes academy funding for Looked After Children only). The total number of pupils eligible for PPG is 8,686 and is broken down as follows:

Pupils	Number
Free School Meals Ever 6 (measure)	8,445
Looked After Children (Inc. academies)	217
Post Looked After Children	22
Armed Services	2

Percentage of primary and secondary school pupils eligible for Pupil Premium (2013-14)

	Primary (%)	Secondary (%)
Brent	34.9	39.4
England	27.0	29.0
Outer London	28.9	33.8

School accountability

The pupil premium is paid to local authorities who pass the grant onto schools, who are best placed to assess what additional provision their pupils need. There is a requirement for schools to publish online how they are using the pupil premium and the impact it is having; the School Effectiveness Service monitors this. To the best of our knowledge all Brent schools are compliant with the reporting requirements. School Effectiveness Services (SES) has published a list for all governing bodies on what is expected on the school's website and guidance for the link advisers to share with head teachers.

Ofsted inspection reports and performance tables detail how the use of the funding affects the attainment of economically disadvantaged pupils. The areas of attainment which are considered are:

- The attainment of the pupils who attract the funding.
- The progress made by these pupils.
- The gap in attainment between disadvantaged pupils and their peers.

Pupil Premium Awards are given to schools whose use of the PPG has significantly closed the attainment gap.

In January 2015, the Minister of State for Schools, David Laws MP, wrote to six Brent primary schools to congratulate them on the improvement in the Key Stage 2 results of their disadvantaged pupils since 2011 and wrote to a further three primary schools, to congratulate them on the improvement since 2012.

Improvement since 2011	Improvement since 2012
Brentfield Primary School	Leopold Primary School
Elsley Primary School	St Joseph RC Junior School
Harlesden Primary School	Uxendon Manor Primary School
Mitchell Brook Primary School	
St Margaret Clitherow RC Primary School	
Wembley Primary School	

3. Recommendations

It is recommended that:

1. LB Brent and Brent Schools Partnership (BSP) support a borough wide approach for the use of PPG through the implementation of the Education Commission Action Plan – Ambitious for All. The Strategy is to be monitored by the Strategic School Effectiveness Partnership Board and should include:
 - networking & sharing good practice
 - the sharing of information
 - the sharing of resources
 - training for Teachers and additional support to School governing bodies

*This will require a clearly outlined and smooth transition of services currently being delivered by the LB Brent, School Effectiveness service.
2. The School Effectiveness Partnership Board promotes the benefits of BSP to the whole community of schools so all schools become members and benefit from its support and services.
3. BSP works proactively with the community of schools and holds a list of recommended and effective Pupil Premium Grant (PPG) services and providers, so schools are able to commission services individually or collectively with other schools. In time, BSP may wish to explore a shared staff resource for collating and distributing the latest evidence from organisations like the Education Endowment Foundation (EEF) and working with schools to tailor it to meet their specific needs.
4. Pupil Premium and PPG related updates are to be standing agenda items at the Brent Head Teachers and School Governors annual conferences.
5. BSP, Brent and Woodfield Teaching Schools Alliance (BTSA & WTSA) continue their work with schools to ensure high quality teaching across Brent's schools and that outstanding teachers and support staff are being attracted, retained and developed across the borough.
6. LB Brent develops specific targeted approaches to closing the attainment gap for Looked After Children (LAC) which are monitored regularly by the Corporate Parenting Committee. This should include:
 - Empowering foster carers to engage fully with schools.
 - Strengthening working relationships between foster carers, designated teachers and social workers to improve outcomes.
 - Ensure 100 percent of Personal Education Plans (PEPS) for Looked After Children are completed to the highest quality.
 - Tracking the progress of Looked After Children, identifying and investing in successful interventions: - reporting and identifying impact.
7. During 2015 BSP along with the LB Brent begins scoping a borough wide project and applies to work with the Education Endowment Foundation. In particular projects which

focus on the Transition between Primary and Secondary school, English as an Additional Language (EAL) and projects focusing on children arriving from Eastern Europe.

8. The LB Brent in partnership with BSP encourages schools to find alternative methods for recording non academic/formative learning (e.g. music, sports, arts and social development) which support attainment and support schools to engage with Ofsted regarding the evaluation of these interventions.
9. BSP to encourage schools to employ (and possibly share as a resource) Careers Advisors. This will provide a mechanism for increasing the numbers of available work experience opportunities and the participation of Brent's pupils in work-based skills development.
10. An increased coordinated effort by the LB Brent, Community of Brent Schools, Brent Early Years Settings including Children Centres and parents in completing Free School Meal application forms. In particular, the task group would welcome efforts to remove the stigma from making applications and the promotion of the idea that extra funding will benefit all young people in the borough.
11. Early Years Settings to identify eligible children at 3 and 4 years of age and promote the extra support available. This information should follow the child into school.
12. LB Brent and BSP to continue to work within the Early Years Settings and build on the success of the 2015 Early Years (EYs) Conference, where PPG was an agenda item. The conference might follow up with case studies from the pilot authorities.
13. Schools and the Early Years Settings increase their efforts with support of BSP (sharing effective practice) to empower and engage parents on ways to provide support to their children, including encouraging them to take up adult learning opportunities and access any additional support that the family requires.
14. The LB Brent's Annual Review of Standards demonstrates closing the gap by finding and implementing practical and creative effective methods. The review should also include an analysis of pupil premium children's attainment compared to non pupil premium children's attainment with a breakdown by vulnerable groups such as:
 - Pupils excluded
 - Looked After Children
 - Children in Need and;
 - Ethnic minority and other groups being monitored for underachievement such as Somali, Black Caribbean, White boys.

*The Corporate Parenting Committee's Looked After Children's report should be presented at Full Council

15. LB Brent and BSP work with Early Years Settings and the community of Primary and Secondary Schools on a borough wide transfer policy which ensures successful intervention methods and information on PPG children is included, so that this information follows the child throughout their school life.

16. Further analysis is conducted by LB Brent and Schools into fixed term exclusions of PPG children and practical ways schools can continue to support PPG children if excluded to the borough's Pupil Referral Units (PRU).

4. Introduction – Scope of the task groups work

What the review addresses

The review considered the following key areas:

- How the allocation of pupil premium is helping to narrow the attainment gap between those eligible for the pupil premium and other pupils in Brent.
- How schools in Brent have been spending, managing and monitoring the PPG
- Whether there is a relationship between schools with the highest proportion of eligible pupils and their use of the PPG.
- Where good practice in Brent schools, across the UK and learning from national organisations such as the Education Endowment Foundation (EEF) can be enhanced .
- How schools in Brent could spend the premium more effectively to raise pupil attainment.
- How a wider range of educational input such as music, drama and sport, can be used to show how a holistic approach to education can increase attainment levels.
- What the future of Pupil Premium in Brent might look like - funding, changes from the 7th May 2015 onwards.

The objectives of the review

The aims of the review are set out below:

- To set out the shared expectations of how PPG is to be used and monitored in schools across Brent.
- Identify ways in which the local authority and other partners can effectively support Brent schools to increase attainment through use of the PPG.
- Influence school policies on effective management and monitoring of the PPG.
- Create a culture for schools to encourage and support each other for the long-term.
- Encourage further sharing of effective practice within Brent schools and nationally, with the aim that Brent schools are recognised for their effective use of the PPG.

5. Task Group Membership

Councillor Eleanor Southwood (Chair)
Ms Mary Arnold
Mr Alloysius Fredrick (Co-opted Member)
The Rev. Christine Cargill (Co-opted Member)
Councillor Lia Colacicco
Councillor Wilhelmina Mitchell Murray
Councillor Pat Harrison
Councillor Krupa Sheth

6. Methodology

As part of this review the task group invited relevant partners to contribute through workshops, discussion groups and one-to-one interviews.

Initially the task group gathered information about the national, regional and local picture on the use of pupil premium. This included meetings with the Operational Director of Brent's Early Help and Education team and Senior School effectiveness staff, as well as leading Government and Non Government organisations such as Department for Education (DfE), Achievement for All and the Education Endowment Foundation. Meetings also took place with the Brent Schools Partnership chair and co-ordinator and the Brent Schools Forum.

Given the focus on identifying good practice elsewhere, the group visited the LB Lambeth and met with a senior team, including the Director of Education. The next step of the task group's work was to visit a sample group of Brent schools and to consult with Brent stakeholders. There were discussion meetings with Brent School Governing Bodies, parent groups and the Brent Youth Parliament. A sample group of 6 Brent Primary and Secondary Schools were visited and the task group consulted with teaching staff, governing bodies and children from each of these schools.

Partners: Group 1

- Teaching staff (particularly schools with high levels of funding) via the Brent Schools Partnership.
- School Governing Bodies.
- Relevant local authority departments (Children & Young People).

Partners: Group 2

- Teachers & Support Staff.
- Mentoring Services/School Support Services.
- Interested Parents or Parent Groups via Early Years settings.
- Children & Young People (Youth Parliament).
- Advertised the task groups work to partner and community groups to get involved through:
 - Advert via Head Teacher Bulletin
 - Advert in the School Governors Bulletin
 - Agenda item at the Head Teachers/Governing Bodies termly meeting
- Visit a selection of Brent Schools receiving PPG.
- A small number of focused, one-to-one interviews with Head Teachers and Chairs of Governors.
- Meeting with the Education Endowment Foundation.
- Meeting with officers from the Department for Education.

*A full list of participants of the task group's work can be found in section 10 of this report.

7. Policy Context

Local Brent Facts

- In January 2015 the Department for Education published the GCSE Attainment statistics which showed that in 2014 58.9% of Brent pupils who are disadvantaged received 5 GCSEs, including English and Maths A*-C, compared with 75.8% of pupils who did not qualify.
- Brent is ranked the 9th highest London Borough on the Income Deprivation Affected Children Indices (IDACI) with 39.3% of children living in poverty. Stonebridge is ranked as the 12th most deprived affected children's ward in London.
- The population of Brent has grown and continues to grow with the birth rate increasing by approximately 8% per year; with some of our most deprived wards having some of the highest rates.

Brent Schools (Appendix 1)

Brent's School Effectiveness Service carried out data analysis and identified schools in Brent who have successfully narrowed the gap for pupils. A case study for each of these schools is currently being written with the view to disseminate good practice across Brent schools; these are:

- Wykeham
- Uxendon
- Chalkhill
- Furness
- Sudbury
- Mitchell Brook
- Wembley Primary
- St Gregory's
- Kingsbury High

The five primary schools with the highest proportion of pupils eligible for pupil premium are:

- ARK Academy
- Braintcroft
- Mitchell Brook
- Wembley Primary
- Brentfield Primary

The three secondary schools with the highest proportion of pupils eligible for pupil premium are:

- Preston Manor
- Kingsbury High
- Capital City

In December 2014 and January 2015 Wembley High Technology College and St Joseph

Roman Catholic Primary School was awarded A Pupil Premium Award in the KS4 and KS2 category, as one of the high achieving schools in the country in terms of attainment of disadvantaged pupils. (*Appendix 2 &3*). The school was also recognised for its excellent performance in the Phonics Check, scoring in the top 5% of schools in the country (*Appendix 4*).

National Context - Ofsted Reports

Pupil Premium, How the money is being spent (Appendix 5)

In September 2012 Ofsted published a report based on the views of 262 school leaders nationally, in 2013 Ofsted followed up the finding by visiting a range of primary and secondary schools to see how effectively the schools were spending the funding to maximise achievement. The report highlights where schools across England were less successful and shared some of these characteristics:

- Lack of clarity about the intended impact of the spending.
- Funding spent indiscriminately on additional teaching assistance, with little evidence of beneficial impact on attainment levels.
- Did not monitor the quality and the impact of the interventions well enough, even where other monitoring was effective.
- Did not have good performance management systems for teaching assistance and other support staff
- Did not have a clear audit trail where funding had been spent
- Planned the pupil spending in isolation from other planning e.g. school development plan
- Compared performance to local rather than national data, which suppressed expectations if they were in a low performing borough
- Did not have governing bodies involved in making decisions

The Pupil Premium: an update (Appendix 6)

Published in July 2014 Ofsted provided an update following the 2012 and 2013 reports. The update focuses on some of the more positive outcomes that are being achieved through use of the PPG. Ofsted state that the pupil premium is making a difference in many schools. Overall, school leaders are spending pupil premium funding more effectively, tracking the progress of eligible pupils more closely and reporting outcomes more precisely than before.

There are encouraging signs from inspection that the concerted efforts of good leaders and teachers are helping to increase outcomes for pupils eligible for the pupil premium. However, it will take time to establish whether this increased focus will lead to a narrowing in the attainment gap between those eligible for the pupil premium and other pupils.

The report concludes by stating that at this stage it is too early to determine the effectiveness of external reviews of the pupil premium in bringing about improvements. Ofsted will report on this in early 2015.

Government Policy

Year on year the funding provided for eligible pupils has increased and the looked after children category has become much wider; making more children eligible.

The introduction of the Early Years Pupil Premium for three and four year olds from April 2015 aims to support providers to bridge this gap with additional funding, approximately £300 for each eligible child. It will be a system in which money follows the child from the new two year old free entitlement right through to the school-age Pupil Premium. Early years providers have a key opportunity to maximise this additional funding to improve children's outcomes and to boost disadvantaged children's achievement – this throws up a recommendation that CCs and Early Years Providers aim to collaborate and track children's school readiness and progress once in reception classes

It is not known how long the Pupil Premium Grant will be available to disadvantaged pupils; with a general election in May 2015 its future is uncertain.

8. Key Findings and Recommendations

The key findings which emerged from consultation focus on:

- 1. Data Analysis - Closing the attainment gap**
- 2. Setting the tone for Brent Schools – The Vision**
- 3. Coordinated Schools Strategic Leadership:**
 - **Sharing Good Practice**
 - **Sharing Information**
 - **Sharing Resources – including teaching staff**
 - **Training – Teachers and School Governing Bodies**
- 4. Improving outcomes for Looked After Children and Children Excluded from School**
- 5. Innovation and Advancement in Education**
- 6. What do our young people want?**
- 7. Supporting Parents and Building Self-Resilience**

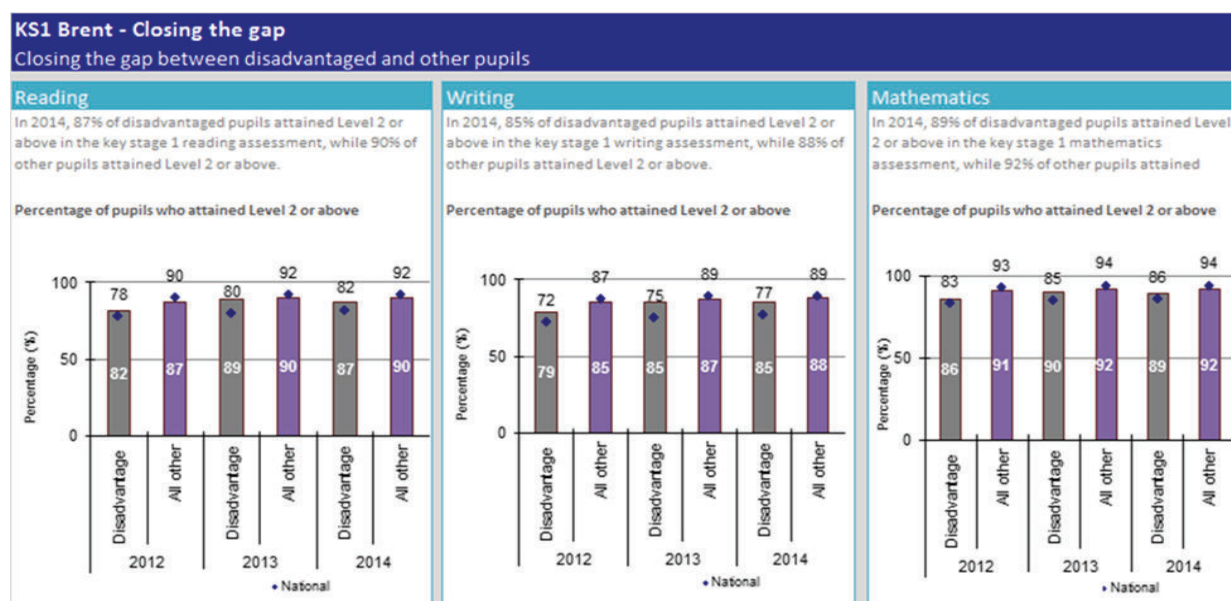
The task group set out to review the use of the Pupil Premium Grant in Brent and consulted with a wide range of Brent educational stakeholders. It was clear that there had previously been complex relationships between the local authority and some educational establishments and it was vital that the task group listened to the history as well as what was envisioned for the future. The relationships have since come a long way, although with the local authority budget cuts and more schools converting to academy status reported a little uncertainty about their current and future relationships with the local authority.

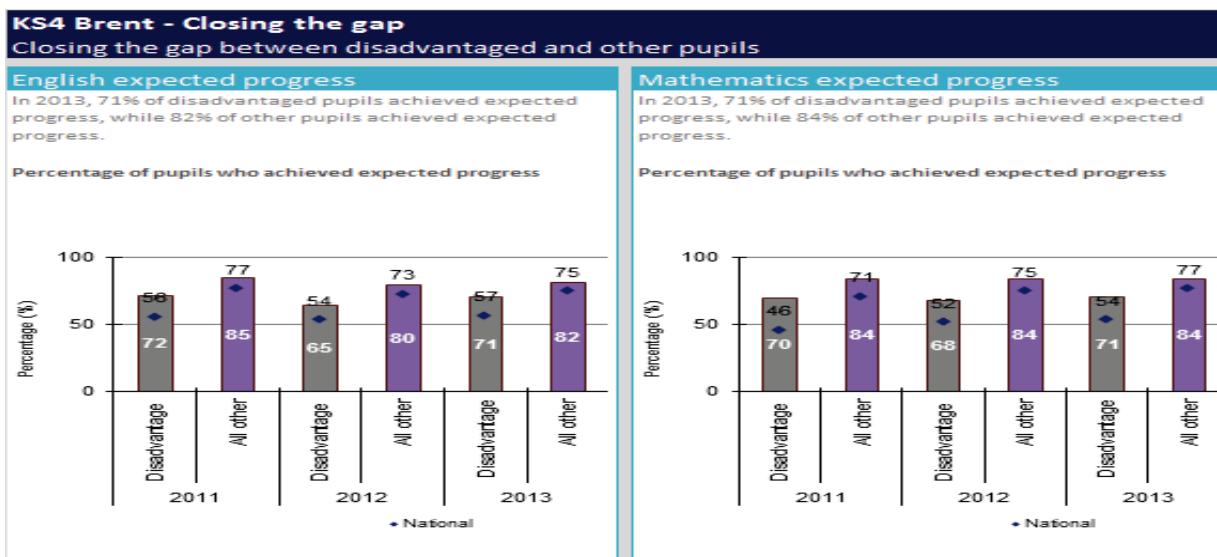
Prior to January 2015 Brent's School Improvement Service fulfilled a statutory role in holding schools to account for the standards they achieve and providing support and challenge where standards need to improve. The service works closely with the Brent Schools Partnership and other education partners to ensure schools are supported to improve and that school to school collaboration can benefit all schools in Brent. The Core Offer explains the support provided by the local authority to fulfil its statutory 'support and challenge' role. Alongside the support provided to all schools in Brent, the Core Offer also sets out the additional support provided to schools causing concern and the processes applied to engage schools in the improvement process.

From January 2015, the School Improvement Service became the School Effectiveness Service. The role of the service is now focused on the local authority's strategic responsibility to promote high educational standards for all children and young people. Where the local authority needs to intervene in schools to bring about rapid improvement, increasingly, it will commission and broker services from Brent's school-to-school support partners including the Teaching School Alliances and the Brent Schools Partnership (BSP). The Strategic Framework for School Effectiveness in Brent underpins the work of the new service. The framework draws on the findings and recommendations made in the Education Commission report, Ambitious for All: a shared responsibility, which was endorsed by elected members in June 2014.

8.1 Data Analysis – Closing the attainment gap (*Appendix 7*)

The most recent Brent data (Jan 2015) shows that Brent's disadvantaged pupil premium performance for KS1 in Reading, Writing and Maths is above the national averages for this group, but is still below that of their peers, who are not disadvantaged. The same can be said about KS2, and KS4, however at KS4 the gap becomes significantly wider. In 2014 the expected progress gap in English for KS4 was -10.3 %, in 2013 the gap was -11%, which was an improvement from 2012 where the gap of -15%. We are moving in the right direction and should be proud of progress made. However In 2014 the expected progress gap for KS4 Maths was -16.2%, in 2013 the gap was -13% which means that we have fallen back by 3.2% to progress levels of 2012 which were -16%.





The Department for Education (DfE) released the 2014 GCSE and equivalent results on 29 January 2015. This year's headline measures have been affected by a number of changes to the examination system and a change in the methodology used to calculate the indicators. This negates the validity of comparison with the results of previous years. Brent at -19.1% remains above national average of -27.5%, and has narrowed the gap below the London average. We must ensure that we are continuously making the best use of the PPG and support the fantastic work that our schools are doing, making bigger steps to close the attainment gaps.

Ethnic Groups

There are a number of Brent's ethnic groups that historically achieve below the national average, the Key Stage 2 table below shows that Black Caribbean, White British, White Irish, White and Black Caribbean children have underperformed from 2012 to present. Black Caribbean and White British children are also progressing under the national average, which indicates that performances will continue at the current level. Even with the introduction of pupil premium, there has been little to no progress in closing the gap for these groups of children.

Key Stage 2 Pupil Premium by Ethnicity

* Top 5 Ethnic Groups with Pupil Premium	No of Pupils			Level 4+ RWM			2 Levels of Progress						
	2012	2013	2014	2012	2013	2014	Reading		Writing		Maths		
Any Other Asian Background	56	77	73	91	82	74	94	93	94	91	75	94	93
Any Other Black Background	38	55	53	87	62	70	76	94	80	90	89	84	94
Any Other Ethnic Group	151	179	179	70	66	80	86	94	92	94	85	89	97
Any Other Mixed Background	37	38	39	92	76	72	82	92	85	87	89	89	89
Any Other White Background	105	99	113	72	68	72	88	91	93	93	82	90	91
Bangladeshi	10	17	8	90	76	63	94	100	88	100	90	82	88
Black African	406	421	411	78	75	75	90	94	93	96	88	92	95
Black Caribbean	176	176	209	68	65	68	81	89	86	92	79	79	87
Chinese	2	~	1	100	~	100	~	100	~	100	100	~	100
Gypsy / Roma	1	2	1	100	50	100	50	100	100	100	100	100	100
Indian	32	30	31	88	73	94	90	94	97	94	76	97	97
Pakistani	49	78	84	76	74	82	86	96	95	96	80	89	95
Refused	6	4	3	67	25	67	75	100	25	100	100	75	100
Traveller of Irish Heritage	7	4	2	43	100	50	100	100	100	100	86	100	100
White British	76	77	77	71	66	66	84	86	87	91	82	86	89
White Irish	14	12	11	71	67	64	82	78	91	100	86	91	100
White and Asian	6	7	14	83	71	86	83	83	83	100	80	100	100
White and Black African	15	13	16	73	85	63	92	87	100	87	71	100	93
White and Black Caribbean	35	36	26	66	69	69	89	88	89	92	79	89	84
Somali	297	289	293	77	73	73	89	95	93	97	91	92	95
National				75	75	79	88	91	91	93	87	88	89

Data source* EPAS (2014 unvalidated)

Again very similar to the overall gap between pupil premium and their peers, by Key Stage 4 the performance significantly decreases and the gap becomes wider. Pakistani Children are the only ethnicity which achieves well across the board followed by Bangladeshi, White and Asian and Any Other Asian Background.

Key Stage 4 Pupil Premium by Ethnicity

* Top 5 Ethnic Groups with Pupil Premium	No of Pupils			GCSE's			3 Levels of Progress					
				5 A*-C Inc E&M			English			Maths		
	2012	2013	2014	2012	2013	2014	2012	2013	2014	2012	2013	2014
Any Other Asian Background	59	69	46	42	65	59	70	71	88	76	82	74
Any Other Black Background	43	45	38	37	49	39	50	63	55	52	70	53
Any Other Ethnic Group	149	151	161	53	57	50	76	82	84	76	80	62
Any Other Mixed Background	37	38	31	54	55	77	75	74	81	77	57	79
Any Other White Background	79	80	74	41	53	35	65	81	68	56	68	45
Bangladeshi	10	15	12	60	67	50	78	80	42	89	87	58
Black - African	326	331	385	47	50	47	67	71	76	75	76	68
Black Caribbean	129	125	122	40	38	47	57	58	64	52	50	53
Indian	50	39	46	66	67	70	80	78	91	91	92	77
Pakistani	56	61	55	41	57	45	71	83	65	67	71	56
Refused	8	6	3	25	17	0	67	33	0	33	40	67
Traveller of Irish Heritage	9	4	14	0	0	0	0	0	15	11	0	0
White - British	63	67	48	35	49	44	45	54	72	48	60	60
White - Irish	9	5	8	44	0	50	56	60	88	67	0	75
White and Asian	11	13	9	27	77	56	20	85	75	30	77	63
White and Black African	6	9	20	50	44	45	50	86	65	67	71	70
White and Black Caribbean	27	16	28	44	38	43	62	50	71	56	50	68
Somali	231	234	272	44	47	46	70	71	77	75	74	70
National				59	61	56	68	70	74	69	71	67

Data source* EPAS (2014 unvalidated)

All the tables (above) show that the achievement gap is well-established before children arrive at secondary school and that therefore the early and primary years have a key role to play in closing the achievement gap. The attainment gap is not just about pupils failing to get the top grades, but is also characterised by a long tail of low achievement. Where the progress levels for disadvantaged children remain the same or low, their peers will continue to improve, the gap will increase as evidenced in these tables. It is still however of the up most importance for secondary schools to work intensively with pupils who have fallen behind their peers as they move from primary school.

The task group believe that there are a number of influencing factors that contribute to low achievement and the continuous widening of the gap through secondary school, these include:

English as an Additional Language (EAL)

There are more than a million children between 5–18 years old in UK schools that speak in excess of 360 languages between them and are at varying stages in their learning of EAL, from newcomers to English to fluently bilingual students. In 2013 the attainment data showed an enduring difference in attainment between bilingual pupils and their English speaking peers. Whilst analysis shows that differences between the attainment of bilingual learners and mother tongue English speaking pupils have narrowed over time, the statistics also show very wide regional variations. Differences are largest in the Early Years Foundation Stage and narrow significantly by the end of Key Stage 4. Overall differences are smallest in inner and outer London.

Key Stage 2 - In 2013, the local and regional tables show that 73 per cent of EAL and bilingual pupils achieved the expected level (Level 4) in reading, writing and mathematics at the end of Key Stage 2 compared to 76 per cent of pupils whose first language is English.

Key Stage 4 - In 2013, the national figures show that 58.3 per cent of EAL and bilingual learners gained 5 A*-C GCSEs including English and Mathematics compared to 60.9 per cent of English only students. This is a difference of 2.6 percentage points, almost unchanged from the 2.5 percentage point difference recorded in 2007

In May 2012 The Institute for Policy Studies in Education (IPSE) and London Metropolitan University conducted *The Language Diversity and Attainment in English Secondary Schools Review*. The review confirms that there is a strong relationship between stage of fluency in English and educational attainment. The results suggests that the percentage of pupils attaining level 4 or above at KS2 and 5+A*-C at GCSE increased as stage of proficiency in English increased. Pupils in the early stages of fluency performed at low levels, while EAL pupils who were fully fluent in English far outstripped those of pupils for whom English was their only language.

Other key findings from the report showed that:

- While other first language speakers and minority ethnic pupils in general, attain better results in London, there are still persistent gaps in attainment between English first language, and other first language speakers, nationally.
- Overall, many of the widest attainment gaps are present in local authorities with substantial Pakistani ethnic minority groups, who tend to speak Urdu, Punjabi or Mirpuri and experience economic disadvantage.
- There is clearly a need for further research into new ethnic communities from Eastern Europe, whom educational and language profile, and needs, tends to be obscured in the White, or White Other ethnic category.
- Similarly, Black African ethnic groups need to be specified in relation to language to gain a fuller picture of their educational achievements. In particular, more recent migratory flows from Eastern Europe and Central and East Africa (e.g. Congo, Angola, and Zimbabwe).
- There are also significant differences based on time of arrival to the education system. The later a child arrives, the greater the likelihood that child will find it difficult to catch up before they reach GCSE's. Brent has a trend of older children who arrive from overseas with little to no experience of education.

Transition from primary to secondary school

In the 2008 The Department for Children, Schools and Families it was found that the move to secondary school means a number of major changes for all children. Most children will cope with these and feel accustomed to the changes by the end of the first couple of weeks. In contrast a disadvantaged child may take much longer to learn to navigate their way around the school and may require ongoing support throughout their school days to allow them to fully access the curriculum. If there has been little preparation for the huge changes that occur between primary and secondary school, this leaves children floundering and results in

difficulties for the child to access the curriculum and makes it much harder for them to progress at the same level as their peers. The first few weeks are crucial in developing the new peer group and poor preparation can result in lasting damage throughout the secondary school days. Low SES (socio-economic status) has been found to have an association with less positive transitions for children.

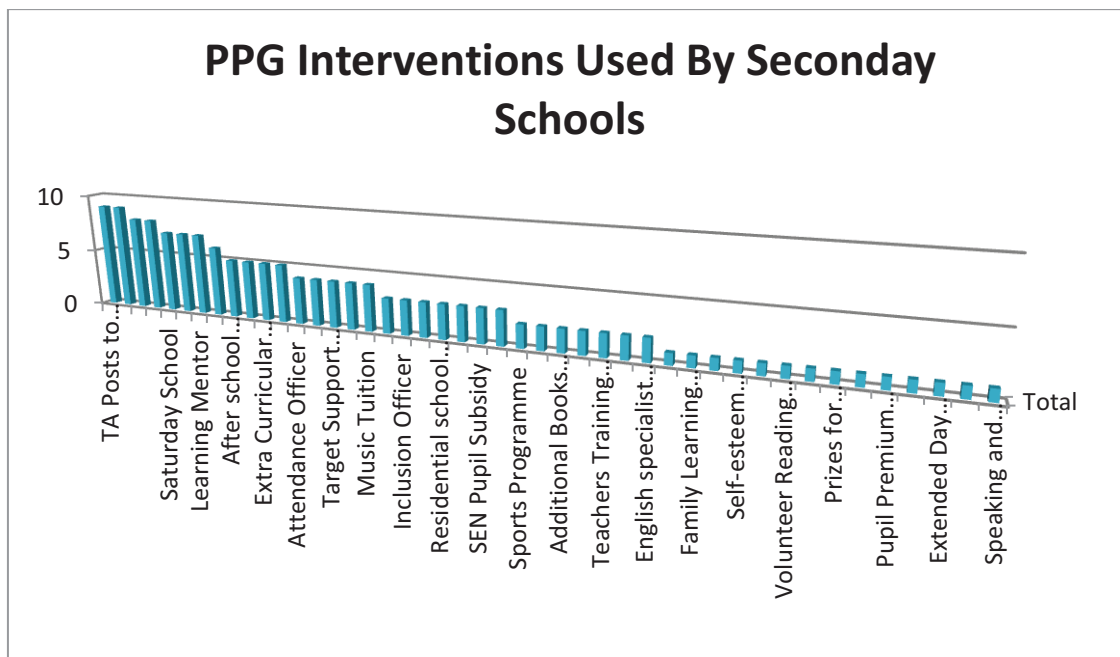
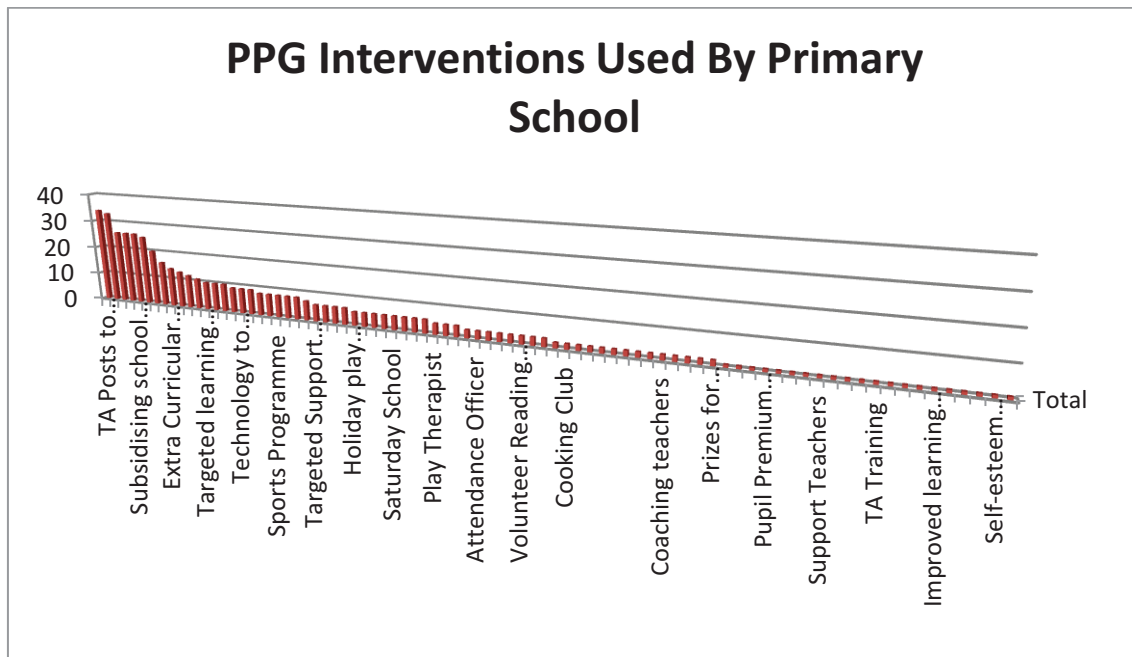
Change in the school environment can make children very anxious. Anxiety about lack of control of their environment can lead to the individual feeling panicky all of the time and this has a knock-on effect on their performance. Children may lash out at others or withdraw into themselves in a form of self-protection. Secondary schools are places of change. This causes additional strains on children who are also trying to cope with underlying difficulties and now has more problems layered on top. This can result in a breakdown in the child's mechanisms for coping and is why we sometimes see secondary school being a crisis time, after a child has seemingly been able to cope in primary school. Research suggests there is a need to help children develop their social and personal skills (friendships, self-esteem and confidence) for successful transition.

Parental Support

In 2012 The Joseph Rowntree Foundation conducted a review '*Can Changing Aspiration and Attitudes Impact on Educational Attainment?*' Promising interventions appeared to involve the provision of information (about effective home learning techniques for parents, about what higher education actually involves, or about one's own progress through better academic mentoring, for example) or improved opportunities for learning (in academically related clubs, through skills developed within peer education, or about how to support one's child at school, for example). These interventions may improve attainment directly by changing behaviours (such as parents spending more time talking to their children about attending school) or they may work indirectly by affecting attitudes. Further research in parental involvement interventions might be advised to look at the merits of a direct focus on actions vs a more indirect focus on attitude change. Also of use would be research that addresses how initial high aspirations adapt to constrained opportunities in the dynamic between parents, pupils and teachers.

PPG Interventions

The task group undertook an extensive look at the different types of Pupil Premium interventions used in Brent schools. The data showed that the Brent schools which were successful in closing the gap invested the majority of their PPG in teaching resources for the whole school; with additional targeted interventions such as boosters and specific English and Maths support. It was also noted that schools who had large cohorts and more PPG funding, were able to provide a wider range of interventions.



Key Learning and Insight:

The task group found that there are a number of influencing factors which contribute to the gap in attainment. It was clear that the gap became wider as children progressed through school and that early intervention is key to progress and closing the gap for all disadvantaged groups.

Linked Recommendations:

Recommendation 3

BSP works proactively with the community of schools and holds a list of recommended and effective PPG services and providers, so schools are able to commission services individually or collectively with other schools. In time, BSP may wish to explore a shared staff resource for collating and distributing the latest evidence from organisations like the EEF and working with schools to tailor it to meet their specific needs

Recommendation 14

The LB Brent's Annual Review of Standards demonstrates closing the gap by finding and implementing practical and creative effective methods. The review should also include an analysis of pupil premium children's attainment compared to non pupil premium children's attainment with a breakdown by vulnerable groups such as:

- ***Pupils excluded***
- ***Looked After Children***
- ***Children in Need and;***
- ***Ethnic minority and other groups being monitored for underachievement such as Somali, Black Caribbean, White boys.***

****The Corporate Parenting Committee's Looked After Children's report should be presented at Full Council***

Recommendation 15

LB Brent and BSP work with Early Years Settings and the community of Primary and Secondary Schools on a borough wide transfer policy which ensures successful intervention methods and information on PPG children is included, so that this information follows the child throughout their school life.

8.2 Setting the tone for Brent Schools – The Vision

The task group wanted to be clear about the local authority and the borough's intentions and set the tone for education in Brent. The local authority's impending Borough Plan correlates the task group's findings with direct or indirect links to all of the three priorities. Under 'Better lives' there are a number of direct promises and aims which will support the recommendations made by the task group.

Brent Borough Plan Priorities (Appendix 8)

- Better lives
- Better place
- Better locally

Borough Plan Themes	Borough Plan Aims	Task Groups Findings
Better lives	Making sure that local people have the best possible life chances, regardless of their starting position	Children have the best starts for better life chances
	Supporting local enterprise, generating jobs for local people, helping people into work and promoting fair pay	Preparing children for the work place, by providing careers advice and local work experience
	Making sure that our schools are amongst the best and that our children and young people achieve to their potential	Making sure that our schools are amongst the best and that our children and young people achieve to their potential Ensuring that all schools in the borough make effective use of PPG so that disadvantaged children are supported to achieve their potential, closing the gap with non-PP children
	Supporting vulnerable people and families when they need it	Supporting parents and Children Reviewing the impact of PPG strategies on vulnerable groups of children and on their family/parents engagement and the associated benefits
Better place	Supporting good quality, accessible arts and leisure facilities	PPG is used to support activities which further social and health and wellbeing outcomes.– new school buildings should be designed to offer access to arts and some leisure facilities
Better locally	Building resilience and promoting citizenship, fairness and responsibility amongst local people and strengthening the sense of community amongst the people who live and work here	Engaging and empowering parents to take more responsibility for their children's education and children becoming responsible young citizens
	Making sure that everyone has a fair say in the way that services are delivered, that they are listened to and taken seriously	Communicating with parents about PPG, what interventions are planned for their child, the impact and how parents can provide support to their child's

		progress
	Making sure that inequalities in the quality of life in different parts of the borough are tackled by a stronger focus on local needs	Child poverty affects the lives of many young people, education is a means to escape poverty and ensuring children achieve well in school is vital. PPG is funding for pupils from poorer backgrounds aiming to address inequalities and schools can be encouraged to tailor its use to meeting local needs and measuring impact
	Building partnership – between local service providers and between local services and residents – to find new ways of providing services that are more finely tailored to individual, community and local needs	Promoting and supporting Brent School Partnership to lead Brent schools strategically

Brent Education Commission Plan (Appendix 9)

The local authority is ambitious for change and key local stakeholders agree on the need for a new approach that responds to the changing educational landscape. The Education Commission Report outlined the need to develop education strategy and leadership in Brent so it better fits the changing landscape. It also identified five areas where change is necessary and suggested areas for development in:

- Improving Strategic Leadership of Education across the Borough
- Planning school places
- Knowing Brent schools
- Promoting and supporting school –to-school networks Meeting
- Providing challenge to address weaknesses
- Improving school governance

A high level action plan has been prepared, in consultation with representatives of the Brent Schools Partnership, to take forward recommendations of the Brent Education Commission. Further engagement with schools, both head teachers and governing bodies, will take place over coming months to ensure wider understanding of the implications of the Education Commission findings and the virtues of a partnership and school-to-school approach to addressing the issues.

More detailed managerial implementation plans are being developed for each priority area. A number of activities are already completed or underway in order to ensure appropriate pace and impact on outcomes.

Brent School Effectiveness Strategy (Appendix 10)

The local authority has a statutory duty ‘to promote high standards and fulfilment of potential in schools so that all children and young people benefit from at least a good education’ (The Education Act 2011). The framework sets out the local authority’s role working in partnership with local schools and other maintained settings to ensure that all schools in the borough are judged as good or better within three years.

The framework stresses the importance of school-led and collaborative solutions and the concept of a self-improving school system alongside the statutory role of the local authority in relation to monitoring, challenge, support and intervention. The framework builds on the work already undertaken to develop school-led partnerships and school-to-school support. The strategy is designed to establish a shared responsibility for school improvement and effectiveness.

The strategic framework draws on the findings and recommendations made in the recent Education Commission report, *Ambitious for All: a shared responsibility*, which was endorsed by elected members in June 2014. The framework reflects the emphasis placed by the commission on the responsibility of the wider education community for the education of all children and for school effectiveness, fulfilling an objective in the Education Commission’s Action Plan.

The principles underpinning the *School Effectiveness Framework* have been agreed with all framework partners and are embodied in the ‘memorandum of understanding’ agreed between the Brent School Partnership (BSP), teaching school alliances and the local authority.

- Every school is an improving school
- Underperformance is identified at an early stage, robustly challenged and concerns are addressed
- All schools in the borough have shared ownership for the education of all children in every Brent school, and successful schools support lower performing schools
- The local authority acts as a champion for children and young people by holding schools to account for the standards they achieve
- School-led and collaborative approaches to school effectiveness are supported by schools through the active participation of local schools, including with the local authority, brokering, commissioning and quality assuring provision.
- All education partners work to build the capacity and effectiveness of the BSP and teaching school alliances
- Schools that are struggling draw on the wider capacity and expertise of other Brent schools
- Governing bodies are recognised as an important force for support, challenge and improvement which require support and investment in their development

- The quality of education is the main priority for determining decisions about school expansion, and providing sufficient school places of good quality is the responsibility of the entire educational community in Brent.

Child Poverty Strategy

The strategy sets out 6 key priorities to reduce and mitigate the levels of poverty in Brent over the next ten years. The strategy also demonstrates at which point in a child's lifecycle certain actions should be taken. A comprehensive review of the strategy will take place every three years until 2021 to allow sufficient time for any subsequent changes to be made and also factor in any further changes such as the impact of welfare reforms.

Our Priorities:

- Priority 1 Reduce poverty levels of children living in low income households
- Priority 2 Supporting troubled families
- Priority 3 Reduction in the NEET group
- Priority 4 Improve financial capacity of parents
- Priority 5 Support Looked after Children & Children at the edge of care
- Priority 6 Improve the health and wellbeing of children with a focus on reducing obesity, tooth decay and poor mental health

Our Vision

Our vision is that Brent is recognised as a centre of excellence in the effective use of the Pupil Premium. In Brent Schools and settings Pupil Premium is used to have the greatest impact; and contributes to raising attainment and achieving wider borough objectives.

Key Learning and Insight:

The task group believe that all children disadvantaged or not, are likely to do better in higher quality schools. One of Brent's priorities is improving school quality by raising overall achievement. Moreover, school improvement has a large role to play in narrowing the gap because the achievement gain in moving from an inadequate school to an outstanding school is bigger for those who are the most disadvantaged. Mitigating the effects of child poverty and reducing it are key drivers of improving children and families' health and wellbeing. Children and young people should be able to enjoy their education and achieve the best results they can. We will raise educational standards at all key stages and close attainment gaps between groups.

Linked Recommendations:

Recommendation 1

LB Brent and Brent Schools Partnership develop a borough wide strategy for the use of PPG through the implementation of the Education Commission Action Plan – Ambitious for All. The Strategy is to be monitored by the Strategic School Effectiveness Partnership Board and should include:

- ***networking & sharing good practice***
- ***the sharing of information***
- ***the sharing of resources***
- ***training for Teachers and additional support to School Governing Bodies***

****This will require a clearly outlined and smooth transition of services currently being delivered by the LB Brent, School Effectiveness service.***

8.3 Coordinated Schools Strategic Leadership

There are a number of groups working in Brent to improve educational and life outcomes for young people. These groups often work in partnership and the task group want to encourage and support this to happen in a much more strategic and coordinated manner. These groups include:

The Brent Schools Partnership

The Brent Schools Partnership (BSP) is a network of schools which have come together with the common aim of securing the best possible outcomes for children and young people in the London Borough of Brent. The aim of BSP is to support each other to provide high quality educational opportunities in all Brent schools and colleges.

As part of the partnership agreement, BSP will:

- Provide support for school improvement.
- Establish on-going business support for schools.
- Develop a network of Specialist Centres.
- Establish the Brent Improving Schools Consortium (BISC).
- Facilitate and provide staff training opportunities.
- Develop a network of communication and improved school collaboration.

On more than one occasion it was mentioned by schools that they were not members of BSP or had not renewed their membership because of cost. One school stated that because of its small size surely a reduced rate could be sought.

72 Brent schools signed up to BSP in 2013-14 and the task group recognises that this represents a high proportion of schools. However, on more than one occasion it was mentioned by schools that they were not members of BSP or had not renewed their membership because of cost. One school stated that because of its small size surely a reduced rate could be sought.

The task group recognises that sustainable funding arrangements are important for the BSP's continued evolution and so that it can increase the value it adds across the Borough. BSP has moved to a new charging structure this year which is designed to ensure that they are able to provide ever improving support and develop the infrastructure for growth. The task group believes that the BSP is vital as a vehicle for schools to network, share effective practice and support one another. We therefore urge BSP and schools to continue to work together to find innovative and creative ways which will enable all schools to take advantage of support from BSP and from one another.

Brent Teaching School Alliance (BTSA)

The Brent Teaching School Alliance is a cross phase strategic partnership group, accredited by National College for Teaching and Leadership (NCTL) and led by Byron Court Outstanding

School. Their mission is to ensure that through collaboration, innovation, engagement and excellence that standards of teaching and learning are raised, resulting in improved pupil progress and attainment for every pupil in Brent and beyond.

Byron Court is the lead school for the Brent Teaching School Alliance with 9 strategic partners: the Institute of Education, Claremont High School Academy, Oliver Goldsmith Primary School, Sudbury Primary School, Mount Stewart Junior School, Uxendon Primary School, Wembley Learning Zone, the Gateway Teaching School Alliance and the Brent Schools Partnership (BSP).

BTSA are working in the following key areas: Initial Teacher Training, NQT Induction, CPD and Leadership Development, Research and Development, School to School Support (SLEs and NLEs) and Professional Learning Networks.

Woodfield Teaching School Alliance

The Woodfield Teaching School Alliance (WTSA) has been established as a National College Teaching School for three years. Its focus is on 'Exploring New Educational Landscapes' leading the way to success through quality and research. WTSA recruits trainee teachers, who are based at schools in its alliance. There is a comprehensive portfolio of professional training courses suitable for all professionals from teaching assistants to senior leaders.

WTSA supports other schools, to improve the learning and achievement of their pupils. Research into effective practice and Quality Assurance underpin its development. Alongside its Outstanding and Teaching School status, it meets the Institute of Education's professional development Gold quality mark, its highest level.

Brent Schools Forum

The Schools Forum is not a Committee of the Local Authority, it is a separate statutory body set up to provide a formal mechanism for schools' views on funding and other issues to be brought to the attention of the Local Authority (local authority) under the Schools Forum (England) Regulations 2012. Members of the Forum are representing the interests of their sectors rather than their individual school and consist of a mix of secondary, primary and early years Head teachers, governing bodies and non school members.

The Forum can consider and make recommendations to the local authority on the following issues:

- The Schools Budget
- The Scheme of Delegation and any proposed changes to it
- The funding formula and any proposed changes to it
- Arrangements for Special Educational Needs within the Schools Budget
- Arrangements for the Pupil Referral Units and out of school education
- Arrangements for early years education
- School related insurance
- Administrative arrangements for grants paid via the local authority
- The funding of Free School Meals
- Service contracts to be let by the local authority where the contract is paid or will be paid from the Authority's schools budget

- The schools' Asset Management Plan
- Any other financial issues affecting schools

London Borough of Lambeth – Case study and example of competence

As part of the research element of the review, the task group visited the London Borough of Lambeth and met with the Director of Education, Learning and Skills. The task group found that Lambeth has narrowed the gap between its pupil premium pupils at key stage 2 and at key stage 4 between 2011 and 2013. At KS4 the gap between disadvantaged pupils and their peers closed by 9.6 percentage points and 60.5% of disadvantaged pupils achieved the benchmark, 19.6ppt above the national average. At KS2 the gap in FSM pupils' achievement of mathematics at L4 closed by 9ppt in the same time period and 88% of disadvantaged pupils achieved the benchmark, 11ppt above the national average

Summary of the local authority's key features contributing to its success:

- The local authority provides an effective school improvement service with the credibility to support and challenge. Since 2010 the local authority has focused more on facilitating, convening and leading to support schools in becoming more sustainable.
- The local authority gives a strong and consistent message to its schools on the performance of disadvantaged pupils.
- The local authority has encouraged federation, teaching schools (there are 2 in the borough) and sharing of good practice.
- There is a strong cluster structure with families of schools. The focus of the clusters is to narrow the gap for all underachieving groups and to accelerate high achievers. The clusters involve a number of different networks such as those for head teachers, business managers and outreach workers. These are all school-led.
- The lead head in each cluster attends a Head Teacher Council Executive meeting which meets with senior officers 6 times a year and gives schools direct access to the Director of Education, Learning and Skills
- There is a collaborative culture amongst schools promoted by the cluster structure. One example of this partnership working is the cluster based on Woodman Sterne Primary School, which works with local schools to share Continuing Professional Development (CPD) provision. The cluster also shares in the provision of an education welfare officer. Clusters develop inter-school working parties to support their work such as improving their early years foundation stage and Special educational needs and disability provision.
- The local authority has built a strong data and research base on which to build effective practice and to evaluate the effectiveness of interventions.
- The head of the local authority's Virtual School is treated in the same way as any other head teacher and has an attached school improvement adviser.

Specific actions:

- At the beginning of the autumn term the local authority distributes a thorough data pack to all its schools which is used by schools and their school improvement advisers (SIA) as it gives a detailed profile for each institution and compares each school with other schools in the local authority and those nationally

- The local authority used Ofsted's February 2013 report on the pupil premium to develop a series of questions for schools to ask themselves about improving outcomes for disadvantaged pupils.
- The local authority takes a strategic look at the performance of all its pupils every term, using the schools' data across all year groups not just those at the end of key stages.
- The local authority encourages all their teachers to know who their disadvantaged pupils are and suggests evaluation of specific classroom interventions
- SIAs look at the quality of teaching on each termly visit.
- The local authority brokers specific CPD provision, which has been particularly effective in phonics for example. The local authority also checks the quality of the training and assesses its impact. Secondary CPD is focussed on specific school need as part of local authority action plans to support for example Requires Improvement (RI) schools. *This targeted intervention on for example more able pupils in mathematics has been very effective.*
- SIAs work with schools to carry out a detailed evaluation of their strategies and interventions.

There is scope for Brent Schools Partnership to coordinate their efforts further and share more with other schools:

- **Share Good Practice**
Build on established networks to share teaching practices that improve outcomes for children and establish itself as a centre of excellence.
- **Share Information**
Share data and information which will help schools to identify trends, make informed decisions and planning for their future needs.
- **Share Resources – including teaching staff**
Schools could benefit from sharing and pooling their resources e.g. commissioning in PPG services (economies of scale). Share specialist teaching staff and develop a strategy for retaining good and outstanding teachers.
- **Providing Quality Training for Teachers and School Governing Bodies**
Provide high quality training to Brent Teachers and School Governing bodies, so that all of our schools are of the highest quality and the attainment needs of all of our children (disadvantaged or non disadvantaged) are met.

Key Learning and Insight:

The task group learned that to improve outcomes for all children requires good strategic partnership working, where schools take the lead. Good quality data provided centrally is also essential; schools can benchmark themselves against other schools locally and nationally. Schools should be in a position to network and use local support from the council and other partners to improve performance and attainment.

Linked Recommendations:

Recommendation 2

The School Effectiveness Partnership Board promotes the benefits of BSP to the whole community of schools so all schools become members and benefit from its support and services.

Recommendation 4

Pupil Premium and PPG related updates are to be standing agenda items at the Brent Head Teachers and School Governors annual conferences.

Recommendation 5

BSP, Brent and Woodfield Teaching Schools Alliance (BTSA & WTSA) continue their work with schools to ensure high quality teaching across Brent's schools and that outstanding teachers and support staff are being attracted, retained and developed across the borough.

8.4 Looked After Children and Children Excluded From School

Looked After Children

In 2014-15 there were several changes to the Pupil Premium grant which is now called the Pupil Premium plus Grant for looked after children. There are also changes to how it is distributed to schools. For the 2014-15 financial years, there is a notional allocation for looked after children of £1900, an increase of £1000 per pupil. This funding is available for all children looked after who have been in care for at least one day in year groups R-11. As the local authority that looks after the child we will continue to be responsible for distributing the Pupil Premium Plus payments to schools and academies. This will mean that the schools who have children on roll looked after by other local authorities will receive the funding from the 'corporate parent' authority for the child.

The biggest change in the allocation of the funding is that the Virtual School Head Teacher has responsibility and accountability for making sure that there are effective arrangements in place for allocating Pupil Premium Plus funding to benefit children looked after by their authority. Each Virtual Head must develop a policy for allocation of the funding for the local authority. The grant must be managed by the Virtual School and used to improve outcomes and "narrow the gap" as identified in the Personal Education Plan (PEP) in consultation with the Designated Teacher for the school. How the funding is to be spent will be discussed during the child's Personal Education Planning meeting but must be used efficiently and effectively. As a result, the Personal Education Plan (PEP) will need to be monitored even more closely by the Designated Teacher, the Virtual School team, the Social Worker, Team Leaders and Independent Reviewing Officers. The PEP will now be required to be reviewed on a termly basis.

In Brent, the policy is to allocate a fixed amount of £1300 to schools to support financial planning and the different support needs of the child. The Personal Education Plan (PEP) needs to be agreed by the Virtual Head, Designated Teacher and child's Social Worker. The remaining £600 for each child will be retained centrally and has been arranged to be spent on career guidance and interventions projects delivered during school holidays. Schools and Virtual Heads are mindful that any centrally held grant cannot be carried forward into a new financial year, and unspent grant will be recovered by the DfE after 31 March 2015.

The DfE have also introduced a new category of Pupil Premium Plus that will be paid separately to schools for children who are 'Post-LAC'. These are children who have left care under a Special Guardianship Order, a Residence Order or as a result of Adoption from care. Schools attract £1900 for every child identified as being adopted from care/post-LAC on the

January School Census. This is additional funding given to schools to improve the educational and personal outcomes for pupils who have been adopted from care, including (but not limited to) their attainment.

Children adopted from care and post-LAC are no longer looked after and Virtual School Heads do not have a role in promoting their achievement. Individual schools are responsible for the educational outcomes of children adopted from care/post-LAC on roll and therefore are best placed to decide how to use the Pupil Premium to support these pupils. Schools may wish to discuss the measures they are putting in place with the parents and guardians of the pupils concerned.

It is unfortunate that the national picture for improving the attainment gap for Looked after Children is poor and is on a downward trend. Brent's LAC Key stage 4 attainment figures fell by 10% to 9% in 2013-14 academic year, compared to the national average of 20%. Brent's LAC attainment is also below that of its statistical neighbours. As corporate parents it is the direct responsibility of the local authority to ensure that we are doing our very best to improve the outcomes for LAC Children; there must be improvements. Member challenge is provided through the Corporate Parenting Committee which scrutinised the LAC education attainment report at its meeting in December 2014. After discussions with Brent's Virtual Head teacher it was highlighted that there is scope for more cohesive working between LAC Children Social workers and the Inclusion and Alternative Education team.

Key Stage 4 Outcomes			
	Brent Average 2012/13	LAC 2012/13 (Cohort of 43)	LAC 2013/14 (Cohort of 33)
5A* - C	81%	19%	9%
5 A* - C (incl. English & Maths)	62%	19%	9%
5 A* - G	98%	60%	39%
1 A* - G	98%	77%	85%

*NB the turnover of LAC entering and leaving care means that the figures produced in any report can only provide a snapshot of the cohort at that that particular period of time; therefore outcomes can fluctuate from year to year (*Appendix 11*)

The Corporate Parenting committee should be checking that PEPS completed and monitored. The figure was 85.51% in 2013/14. The impact should be reported in the same way as schools have to monitor and report PPG impact. As members and the council are corporate parents, they would want to know the impact, just as parents in a school do or again OFSTED formally requests. Listening to what the children have to say (their voice) about their educational experience is important and perhaps the Corporate Parenting Committee provide a summary of this, as this is in their remit – for the Annual report, the Celebrating Achievement Event and other appropriate places.

The percentage of LAC children in residential, special schools and Alternative Education Provision is significant, 66.6% have special educational needs and their emotional and behavioural health is often a cause for concern. However, despite poor outcomes, overall there have been year on year improvements for most measures.

As children only spend 13% of their time at school and the majority of their time at home with family, their parents or foster carers in this case plays a large part in supporting children, both

academically and emotionally. Ensuring foster carers are well informed and equipped to empower and encourage children to do well is vital. The annual Celebrating Achievement event referred to is a good place to recognise the joint work between schools, foster carers, social workers and the Virtual School team/support and to promote the success of PPG for LAC more informally. Corporate parents should be encouraged to attend and hear their children's outcomes.

Mental Health and Emotional Wellbeing

March 2015 NHS England published the 'Future in Mind: Children and Young People's Mental Wellbeing' report which stated that many schools already support their pupils' mental health. But there is more that can be done to help schools develop knowledge about mental health, identify issues when they arise and offer early support. The NHS and Department for Health taskforce are developing work which supports teaching mental health with the PSHE Association, and are developing a new strategy to encourage more and better use of counselling in schools.

One in ten children needs support or treatment for mental health problems. These range from short spells of depression or anxiety through to severe and persistent conditions that can isolate, disrupt and frighten those who experience them. Mental health problems in young people can result in lower educational attainment (for example, children with conduct disorder are twice as likely as other children to leave school with no qualifications) and are strongly associated with behaviours that pose a risk to their health, such as smoking, drug and alcohol abuse and risky sexual behaviour.

Teachers and other people who work in schools, should understand emotional and mental health in children and young people, and know what to do and where to go if they are worried about you or those who care for you. Delivering this means making some real changes across the whole system. It means the NHS, public health, local authorities, social care, schools and youth justice sectors working together to:

- Place the emphasis on building resilience, promoting good mental health, prevention and early intervention
- Improving communications, referrals and access to support through every area having named points of contact in specialist mental health services and schools. This would include integrating mental health specialists directly into schools and GP practices.
- Encouraging schools to continue to develop whole school approaches to promoting mental health and wellbeing through a new counselling strategy for schools, alongside the Department for Education's other work on character and resilience and PSHE.

The Department for Education (DfE) is leading work to improve the quality of teaching about mental health in Personal, Social, Health, and Economic (PSHE) lessons in schools, and is developing an evidence-based schools counselling strategy to encourage more and better use of counsellors in schools. In addition, DfE has invested £36 million to develop and sustain evidence-based interventions for children in care, on the edge of care or custody and adopted children and their families, such as multisystemic therapy.

Excluded Children

When disadvantaged pupils face fixed term exclusions (maximum of 45 days in any one school year), the PPG money allocated to that child stays with the school and is not transferred or shared with the Pupil referral Unit (PRU). A child, who spent the maximum nine weeks away from mainstream education, would miss out on specifically allocated funds that

would aid in their attainment. If a child is permanently excluded then the money is to follow the child, however there is no set timeframe as to how long the transfer will take.

The task group spoke with a Brent PRU Manager, who stated that it sometimes takes quite a while for funds to be transferred for permanently excluded children. For children who are excluded for a fixed term period, if some funds were transferred this could aid in their support while they are at the PRU. This would however need to be looked at on a case by case basis.

Exclusions in LB Brent Schools, by exclusion type & year						
<i>The data covers all exclusions at Brent schools & PRUs from 31/8/10 through to 31/12/13.</i>						
ACADEMIC YEAR	EXCLUSION TYPE					
	<i>FIXED-TERM</i>		<i>PERMANENT</i>		<i>TOTAL</i>	
	Exclusions	Pupils	Exclusions	Pupils	Exclusions	Pupils
2010-11	2100	1297	45	45	2145	1305
2011-12	2068	1272	31	31	2099	1276
2012-13	1599	996	24	24	1623	999
Term 1, 2013-14	521	412	15	15	536	413

The exclusion trends for Brent seem to be decreasing but we still record the highest LAC exclusions of all our statistical neighbours. Unfortunately data on Brent children who are excluded from school and who are in receipt of PPG is not readily available. This unfortunately begs the question if we are unable identify these children and are unaware of the numbers; how do we ensure this group receives the support it needs and does not slip through the net?

Key Learning and Insight:

After analysing the data on Looked after Children (LAC) the task group felt that as corporate parents of LAC, we need to do a much better job; starting with achieving 100 percent of Personal Education Plans (PEPS) for Looked After Children are completed to the highest quality. The task group felt that further analysis is required for disadvantaged children who were excluded from school. Children, who are excluded for a fixed period, could also benefit from additional targeted support when attending PRUs.

Linked Recommendations:

Recommendation 6

LB Brent develops specific targeted approaches to closing the attainment gap for Looked After Children (LAC) which are monitored regularly by the Corporate Parenting Committee. This should include:

- ***Empowering foster carers to engage fully with schools.***
- ***Strengthening working relationships between foster carers, designated teachers and social workers.***
- ***Ensure 100 percent of Personal Education Plans (PEPS) for Looked After Children are completed to the highest quality.***

- ***Tracking the progress of Looked After Children, identifying and investing in successful interventions: - reporting and identifying impact.***

Recommendation 16

Further analysis is conducted by LB Brent and Schools into fixed term exclusions of PPG children and practical ways schools can continue to support PPG children if excluded to the borough's Pupil Referral Units (PRU).

8.5 Innovation and Advancement of Education

The Education Endowment Foundation (EEF) is an independent grant-making charity dedicated to breaking the link between family income and educational achievement, ensuring that children from all backgrounds can fulfil their potential and make the most of their talents.

The EEF believes that the use of evidence can make a real difference by helping schools spend money more effectively to improve the teaching and learning of children from low-income families and is why the EEF invests in evidence-based projects which focus on tackling the attainment gap. The ideas are tested rigorously and everything is independently evaluated by top research institutions. The vast majority of the projects that the EEF fund are run as randomised controlled trials, while the rest use evaluative designs or are developmental pilot projects.

The EEF publicly report all the results of these independent evaluations. These could be included in a Teaching and Learning Toolkit so that schools have the best possible evidence on which to base their own professional judgements. Those interventions which are shown to be most effective could be extended. When the task group met with the EEF there appeared to be a number of projects that Brent schools could get involved with either individually or borough wide and it is suggested that the Brent Schools Partnership and the LB Brent enter in to discussions with the EEF.

The EEF also encourages schools to conduct its own evaluation and has produced a guide to help schools run their own small projects. The DIY Evaluation Guide is a resource for teachers and schools which introduces the key principles of educational evaluation and provides practical advice on designing and carrying out small-scale evaluations in schools. The aim of the DIY Evaluation Guide is not to replace evidence from large-scale evaluations such as those conducted by the EEF, but is intended to help teachers and schools understand whether a particular intervention is effective within their own school context.

The findings from the task group's review found that many schools had invested their PPG money in non academic interventions and programmes which enrich the lives of children. However schools found it challenging to directly link those interventions to impacts, where children were more confident or showed behavioural improvements. Schools believe that there is not enough recognition from central government or Ofsted of the importance on providing a holistic educational experience that supports children not just to achieve academically; but also emotionally and socially.

The Kingsbury Guarantee (Appendix 12)

Whilst visiting Kingsbury secondary school the task group came across a very good example of where a holistic education experience was being provided. Students in years seven are expected to complete a portfolio of their experiences which is called "The Kingsbury

Guarantee.” All of this culminates in a graduation ceremony at the end of Year 8 when students and parents come together to celebrate the successes of the first two years. The hope is this firm foundation will enable students to accelerate in Year 9 and go on to examination success at the end of Year 11.

The Kingsbury Guarantee is a series of experiences which the school guarantees to its students. These experiences will help to show the full range of the student’s talents and abilities.

The Guarantee includes:

- Personal development such as being able to show good manners
- Performance such as presentation skills
- Enrichment opportunities such as residential experience.
- The curriculum such as extended homework projects
- Contribution to society such as community work
- Involvement in the wider life of the school such as contributing to organising/running a school event.

To graduate from the Kingsbury Curriculum, students will need to have fulfilled the Kingsbury Guarantee with the portfolio showing their success over the two years.

Students will also need to:

- Make good progress in their subjects compared with the levels the students came to the school with.
- Show they work in class without disrupting those around them.
- Achieve a good level of attendance and punctuality.

All the schools consulted by the task group used both whole school and targeted interventions with allocated PPG money. Many schools recognise that not all pupils who are academically or socially disadvantaged are registered for free school meals, and as such reserved the right to allocate Pupil Premium funding to support any pupil, or group of pupils, identified by the school as being at a significant disadvantage.

Use of Pupil premium at Christ Church C of E Primary School Brent

Last year in line with a range of research findings, which suggest that music has many benefits including improving memory and increasing attention, the school decided to use some of their pupil premium funding to facilitate music tuition for 20 students, 10 of who were pupil premium children. All of the pupil premium children made expected or above expected progress in the core curriculum subjects Reading (90% above) Writing and Mathematics (70% above). It was also very noticeable that the confidence of these children had increased alongside their academic progress. This was demonstrated during their performances at assemblies and at the schools musical recital. In addition it was noted that the behaviour of some children had noticeably improved with a reduction in the number of white slips (behavioural warnings) issued. The success of these pupils was inspirational.

As a result of this success, the school have now widened access to music to all of their children. Brent Music service currently delivers instrumental tuition to years 2 – 6.



Key Learning and Insight:

The task group recognised that Brent schools are already very innovative and creative with their interventions on closing the attainment gap. There were wonderful examples of Brent secondary and primary schools trying unconventional interventions and being able to show impact and improved outcomes for children. However advancements in education attainment are continuously evolving and to keep abreast of this, requires constant research and trials, which should be embedded as part of day to day life in schools.

Linked Recommendations:

Recommendation 7

During 2015 BSP along with the LB Brent begins scoping a borough wide project and applies to work with the Education Endowment Foundation. In particular projects which focus on the Transition between Primary and Secondary school, English as an Additional Language (EAL) and projects focusing on children arriving from Eastern Europe.

Recommendation 8

The LB Brent in partnership with BSP encourages schools to find alternative methods for recording non academic/formative learning (e.g. music, sports, arts and social development) which support attainment and support schools to engage with Ofsted regarding the evaluation of these interventions.

8.6 What do our young people want?

Listening to the voices of young people is vital to ensuring an approach that includes both educational attainment and achieving aspirational goals. The task group consulted with Brent's young people, through the Brent Youth Parliament and through visits to primary and Secondary schools. The task group spoke with young people from years 3-11 (ages 4-16). Their comments varied across the age ranges with younger children wanting more creative activities like trips and excursions.

Our young people really enjoy learning and gave lots of praise to their teacher's, but wished there was more support in the class room and more teachers who inspired them to learn.

"I really enjoyed going on the team building day, I got to go canoeing. I was really scared that I was going to fall in and I started to cry, but the teacher and my friends reassured me. I felt better and I gave it a go, I was really proud of myself. "

"I like going to Yoga club, it's fun and it's good exercise"

"My teacher is very nice; she helps me when I get stuck with my work. My friends also help me in the classroom."

"My family moved out of the borough and I have to travel two hours to school, the school got me an iPad so that I can revise and do some of my homework on the train."

"We really need career advice, so that we can pick the right subject and be prepared for when we leave school. We don't get to do work experience anymore; employers want you to have work experience."

Older children who the task group consulted with stated that they wanted more support preparing for the work place once they leave school, specifically careers advice. The council's impending Employment and Enterprise Strategy incorporates outcomes for improving employment chances for young people.

Employment and Enterprise strategy

The Employment, Skills and Enterprise Strategy for Brent sets out how Brent aims to capitalise on these growth opportunities, by ensuring that the new investment brings new jobs as well as new homes and by making sure that the Borough's established businesses and residents are able to benefit first hand from the new opportunities created. It sets out how local partners from across the public, private and voluntary sectors aim to work together to ensure that both existing and future generations of Brent residents are best positioned to capitalise on London's growth.

The Role of Partnership

The success of this strategy will be wholly dependent on the strength and commitment of the partnerships that oversee and deliver it. Brent Council will make full use of its existing powers, influence and leverage to support business and promote growth and employment, but the vast majority of resources and skills necessary to achieve the outcomes set out in this strategy reside in other organisations – the private sector who provide the jobs, the community and voluntary sector who are closest to local people, the schools and college who educate our young people and the national organisations who deliver the mainstream employment programmes. For its part, the Council will endeavour to bring together the right partners in the right places and the right time to deliver meaningful interventions and will continue to play a role in working with the Mayor of London, the London Enterprise Panel and other local authorities to make the case for a greater devolution of powers and resources in relation to skills and employment.

In order to address structural employment issues in the Borough, it is critical that our young people leave school with the qualifications, skills and ambitions necessary to compete successfully in the labour market. Brent's 14-19 Partnership oversees this work. The partnership's existing statement of priorities (2010-2014) seeks to ensure that young people from all Brent's communities are engaged in high quality education and training that:

- Is tailored to meet their needs, abilities and aspirations;
- Develops their skills for employment, lifelong-learning and active participation in the local community and wider society; and
- Celebrates the diversity, vibrancy and uniqueness of this borough.

It goes on to state that:

The Partnership will take collective responsibility to provide exceptional opportunities for all our young people to follow academic, vocational and work-based routes that ensure:

- Participation of all 14-19 year olds in education and training;
- Improved attainment including high value-added and retention;
- Breadth of choice at each transition stage;
- Clear progression pathways and increased participation at Level 4;
- Impartial advice and guidance for young people and their parents;
- Targeted support to raise the achievement of under-performing groups;
- Enhanced support for young people with learning difficulties and learning disabilities;
- Early identification and intervention for young people at risk before and during the 14-19 phase; and
- The needs of local communities and the local economy are met.

As a new partnership statement is agreed in the coming year, there will be continual synergies with this Strategy.

Strategic Objective & Outcomes for Young People

The Council will work with developers to ensure that new jobs are a critical part of growth in the Borough's growth areas and in particular in Wembley and Park Royal. Developers themselves will be expected to directly provide local employment and apprenticeship

opportunities during the construction phases of their schemes. They will also be encouraged to work with local schools to help raise the knowledge and aspirations of the world of work to the Borough's young people. The Council will use its planning powers to facilitate this and will work with partners to ensure that there is a supply of local jobseekers ready to take up the opportunities.

By 2020 there will be a close partnership between local schools and businesses. All young people will leave education with the skills and attitudes needed to compete successfully in the labour market. The key local vehicle for driving up educational achievement in Brent at Key Stages 4 and 5 is the Borough's 14-19 Partnership. The work of this partnership will be fundamental to young people leaving school and college with the academic foundations and qualifications that will prepare them for the world of work. It is not the purpose of the Employment, Skills and Enterprise strategy to replicate the priorities of the 14-19 Partnership.

However, it remains the case that there are still too many young people leaving school ill-equipped to actively engage in the labour market. Consultation with local businesses suggests that too many young people are still lacking the 'employability' skills needed to be successful in the work place. As the demands of the labour market evolve it will be increasingly important that Brent's young people achieve their maximum potential academically – increasingly for example those people without a higher level qualification will find it far more difficult to compete in the high value London labour market. It will be important that the local education community responds to these challenges.

Across the Borough the relationship between the education and business communities is fragmented and often weak. The business community stresses the importance of strengthening this relationship in order to help prepare young people for work. It will therefore be important to build this relationship in a structured way – ensuring that young people are given early access to the opportunities, rigours and requirements of the world of work through work experience, visits and collaborative projects. More formally, there is scope locally to better promote traineeships as a pathway to employment, and apprenticeships as a pathway to a fulfilling and successful career for young people.

Key Learning and Insight:

The task group found that it is not just formal academic or vocational qualifications which hamper young people's chances of securing employment. National and regional research indicates a lack of 'employability' skills – for example, Basic English language and financial numeracy - as a significant barrier for employers looking to recruit. The consultation exercise conducted as part of the Employment & Enterprise strategy identified this as a significant issue in Brent, particularly amongst young people and those for whom English is a second language (EAL).

Linked Recommendations:

Recommendation 9

BSP to encourage schools to employ (and possibly share as a resource) Careers Advisors. This will provide a mechanism for increasing the numbers of available work experience opportunities and the participation of Brent's pupils in work-based skills development.

8.7 Supporting Parents and Building Self-Resilience

During the task group's consultation with schools, early years settings and local authority officers, it was stated from a number of sources that parents needed additional support. Services for children need to consider how to engage further with parents and empower them to support the progress of their child by:

- Understanding what is happening with their child at school.
- Encouraging study and attainment to reinforce messages in the school environment.
- Filling in forms for free school meals etc.
- Co-operating with teachers and schools.
- Understanding the areas where their child needs to make progress and the standards that are expected.

This may mean undertaking training, courses on effective home learning techniques for parents; changing mind set and learning skills that parents need to grow aspiration and become role models for their children. Parents should be encouraged to draw on various resources such as parental engagement and involvement in schools e.g. attending parents evenings and meetings regarding school curriculum, children's homework, teaching maths, using tablets and computers with their child etc.

- Parents' attending local children's centres and Parents Forums (parent voice).
- Adult learning through Brent Start, schools and children's centres.
- Voluntary and community groups – support and volunteering.
- Website information and newsletters (school).
- School liaison officer if available

Employment & Training

Disadvantaged families will be able to benefit from the focused employment and training work taking place in the borough. The Employment & Enterprise Strategy states that by 2020, the gap in employment levels between priority neighbourhoods and communities and the borough as a whole will be halved. The Brent Regeneration Strategy identifies the priority neighbourhoods as Stonebridge, Harlesden, South Kilburn, St Raphael's Estate, Chalkhill and Church End. This outcome is specifically focussed on breaking the cycle of worklessness and poverty in these areas.

The proposed solution is to work with local communities to develop tailored approaches to addressing the particular issues faced in each neighbourhood. The essence of the approach is to support a local infrastructure that brings together the local knowledge and expertise of voluntary and community organisations on the ground with the resources and access to jobs of the mainstream employment services. This partnership will then seek to identify every workless resident in an area and support them into employment. It will also seek to work with young people in the neighbourhoods to prevent them falling into unemployment. The approach has been developed through the Whole Place Community Budget programme in St Raphaels, but is also well advanced in Harlesden.

Free School Meals

There has been a significant drop in the number of eligible pupils and The Brent Admissions Policy and Appeals Team have undertaken a programme to promote take up of Free School Meals (FSM) as it is the gateway benefit for the pupil premium. This was particularly aimed at KS1 pupils last year who became eligible for a meal whether they applied or not. A poster (*Appendix 13*) was sent to every school for your information. The team will be revising this for the next academic year. The team also worked with schools and early years settings to promote take up. The poster and the form (*Appendix 14*) was sense checked by two Brent Head Teachers before it was published, and an advert was placed in the Brent Magazine before the summer holidays last year.

The Department for Work and Pensions portal is used to verify eligibility and parents are not required to re-apply annually, the team simply check their continuing eligibility. Many schools are making the completion of the FSM form a part of the admissions process to ensure parents understand the importance and the benefit for their child. The Brent Admissions Policy and Appeals Team are aware that we need to keep reinforcing the message and has begun analysing trends around take up numbers.

From an administrative point of view, many families in Brent are not eligible for FSM because they are now working part time (16 hours) which makes them ineligible. This could be a direct impact of the Welfare Reform and the Local Housing Allowance cap. In broad terms, finding employment is the most direct way for households to mitigate the impact of welfare reform and there is big push from the council to increase employment in the borough. To date, 351 of the councils 966 welfare reform cases have been resolved with employment.

Another significant factor is that many of the newly arrived children from overseas are from working families on low incomes. The fall in PPG eligibility numbers unfortunately co-insides with an overall growth in pupil numbers.

Number of children eligible for FSM from the last 3 years of the census:

	January 2013	January 2014	January 2015
No of children eligible for FSM	11254	8890	7495

Key Learning and Insight:

Identifying parents who need support early will be key to improving attainment and closing the gap. Data shows that the gap often occur during early years, this is a time when parents need to have the parental skills to ensure that their child's progress is on track and they are not underperforming. The task group welcome the Early Years PPG (April 2015) and believe that work with early years setting will be essential to the grant being implemented and utilised effectively.

Linked Recommendations:

Recommendation 10

An increased coordinated effort by the LB Brent, Community of Brent Schools, Brent Early Years Settings including Children Centres and parents in completing Free School

Meal application forms. In particular, the task group would welcome efforts to remove the stigma from making applications and the promotion of the idea that extra funding will benefit all young people in the borough.

Recommendation 11

Early Years Settings to identify eligible children at 3 and 4 years of age and promote the extra support available. This information should follow the child into school.

Recommendation 12

LB Brent and BSP to continue to work within the Early Years Settings and build on the success of the 2015 Early Years (EYs) Conference, where PPG was an agenda item. The conference might follow up with case studies from the pilot authorities.

Recommendation 13

Schools and the Early Years Settings increase their efforts with support of BSP (sharing effective practice) to empower and engage parents on ways to provide support to their children, including encouraging them to take up adult learning opportunities and access any additional support that the family requires.

9. Conclusion

The task group has sought to make this report as comprehensive as possible given the time and resources available. It makes a range of significant recommendations which, when implemented, are likely to lead to improved outcomes for disadvantaged children in Brent. All of the schools involved in the consultation are striving for outstanding, not only for their own performances, but for the educational experience and outcomes for their pupils. The report sets out ways in which by working strategically with our partners, government and non government organisations, the Brent family of schools, Brent Schools Partnership and the local authority can make a difference to our young people. The task group want to highlight the negative impacts that poor attainment and low achievement have on young people, their futures and the boroughs worklessness and poverty. All the members of the task group are passionate advocates for the improvement of educational attainment for Brent children and will continue to highlight it at every possible opportunity.

10. Participants, References and List of Appendix

Participants:

London Borough of Brent:	Strategic Director Children's Services
	Operational Director Early Help and Education
	Head of Inclusion and Alternative Education
	School Improvement Lead -Secondary/14-19
	Strategic Coordinator for School Improvement
	Head of Early Years and Family Support
Brent Schools & Governing Bodies:	St Gregory's Catholic School
	Alperton Community School
	Kingsbury High School
	Wembley Primary School
	Mitchell Brook Primary School
	Christ Church Primary School
	Wykeham Primary School
	Stag Lane Pupil Referral Unit
	Christ Church C of E Primary
Children Centres:	Wembley Children's Centre
	Church Lane Children's Centre
Brent Education Partners	Brent Schools Partnership
	Brent Schools Forum
Government Departments	Department for Education (DfE)
Non Government Organisations	Education Endowment Foundation
	Achievement for All
	Capita Sims
	Explore Learning
	Turnabout Programme
Other Local Authorities	London Borough of Lambeth

References:

The task group referred to a number of reports in the course of its work. Key documents include:

1. What Makes a Successful Transition from Primary to Secondary School? *The Department for Children, Schools and Families 2008.*
2. Closing the achievement gap in England's Secondary schools *Save the Children 2012.*
3. Engaging parents in raising attainment *The Department for Children, Schools and Families 2008.*
4. Can Changing Aspiration and Attitudes Impact on Educational Attainment? *The Joseph Rowntree Foundation 2012.*

5. Language Diversity and Attainment in English Secondary Schools: *The Institute for Policy Studies in Education (IPSE) London Metropolitan University May 2012.*
6. Future in Mind: Children and Young People’s Mental Wellbeing *NHS England March 2015*

Table of Appendix

	Appendices
1	Brent Schools Analysis – Narrowing the Gap
2	St Joseph Roman Catholic Primary School Pupil Premium Award Letter
3	Wembley High Technical College Pupil Premium Award Letter
4	St Joseph Roman Catholic Primary School Phonics Check Congratulations Letter
5	Ofsted - Pupil Premium, How the money is being spent
6	Ofsted - The Pupil Premium: an update
7	Brent Data Analysis – Closing the attainment gap
8	Brent Borough Plan Priorities
9	Brent Education Commission Plan
10	Brent School Effectiveness Framework
11	2013-2014 LAC Outcomes Annual Report
12	The Kingsbury Guarantee
13	Free School Meal Poster
14	Free School Meal Application Form