



Brent

Cabinet

Monday 25 July 2016 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
McLennan (Vice-Chair)	Deputy Leader
Farah	Lead Member for Housing
Hirani	Lead Member for Community Well-being
Mashari	Lead Member for Regeneration, Growth, Employment and Skills
W Mitchell Murray	Lead Member for Children and Young People
Pavey	Lead Member for Stronger Communities
Southwood	Lead Member for Environment

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

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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 interests

Members are invited to declare at this stage of the meeting, any relevant personal and prejudicial interests and discloseable pecuniary interests in any matter to be considered at this meeting.

2 Minutes of the previous meeting 1 - 14

3 Matters arising

Community Well-being reports

4 Authority to Award a Contract for Accommodation Based Mental Health Support 15 - 36

In accordance with Contract Standing Orders 88 and 89, this report requests Cabinet approval to award two contracts for Accommodation Based Mental Health (ABMH) services to support people who have mental health needs and are in recovery. This report provides further detail of the of the services, the procurement process followed and provides a recommendation of who the contracts should be awarded to as determined through the evaluation process.

Ward Affected:
All Wards

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

5 Charging for Adult Social Care Services 37 - 44

The Council has completed a thirty days consultation on proposed changes. This report outlines the responses to that consultation, the potential impact on the residents and resulting recommendations taking into account the feedback that has been received from current and future users of Adult Social Care Services.

Ward Affected:
All Wards

Lead Member: Councillor Hirani
Contact Officer: Nancie Alleyne, Head of Direct
Services
Tel: 020 8937 4042

6 Wembley Housing Zone Programme – Property Acquisition

45 - 50

This report seeks the approval of Cabinet to the terms for the acquisition of a first of these identified sites, that of Ujima House and its car park in order to progress the implementation of the Wembley Housing Zone and agreement to enter into a contract with the Greater London Authority to fund the acquisition of the property.

Ward Affected:

Barnhill;
Tokyngton;
Wembley
Central

Lead Member: Councillor Farah

Contact Officer: Jon Lloyd-Owen, Operational
Director, Housing and Culture
Tel: 020 8937 5199 jon.lloyd-
owen@brent.gov.uk

Regeneration and Environment reports

7 Parking Annual Report 2015-2016

51 - 92

Brent Council is committed to providing a high quality parking service and a fair, consistent and transparent approach to parking and traffic enforcement. We hope that the publication of statistical and financial information will support achievement of these objectives. The purpose of the Annual Report is to explain the aims and objectives of the Council's Parking service and the key achievements of the last financial year. The Report includes a statistical analysis setting out information on the number of parking and traffic related Penalty Charge Notices (PCNs) issued for the period 2015/2016, the revenue and expenditure recorded in our Parking Account, and how the surplus on this account has been spent or allocated.

The Report also meets a key requirement set out in the 2015 Statutory Guidance issued under the Traffic Management Act 2004. This requires local authorities to produce and publish online an annual report on parking enforcement activities.

Ward Affected:

All Wards

Lead Member: Councillor Southwood

Contact Officer: Gavin F Moore, Head of
Parking and Lighting
Tel: 020 8937 2979 gavin.f.moore@brent.gov.uk

8 Carlton & Granville Centres, Granville Road, NW6 5RA - redevelopment and investment proposals

93 - 106

This report updates members on proposals to deliver a new Enterprise Hub and proposes the re-development of the Carlton and Granville Centres as a location for the Enterprise Hub and deliver 95 new home with additional community space.

Ward Affected: Kilburn
Lead Member: Councillor Butt and Mashari
Contact Officer: Dale Thomson, Interim Regeneration Manager
Tel: 020 8937 6431 dale.thomson@brent.gov.uk

9 South Kilburn Regeneration Programme - phase 3A 107 - 120

This report relates to Hereford House and Exeter Court (being part of 'Phase 3A' of the South Kilburn regeneration programme and as shown edged red on Appendix 1).

This report seeks the Cabinet's approval of a procurement strategy for an architecturally led multidisciplinary design team for the comprehensive redevelopment of Hereford House and Exeter Court, being part of Phase 3A of the South Kilburn regeneration programme.

Ward Affected: Kilburn
Lead Member: Councillor Mashari
Contact Officer: Richard Barrett, Head of Estate Regeneration
Tel: 020 8937 1334 richard.barrett@brent.gov.uk

10 South Kilburn Regeneration Programme - Site 18 encompassing Salusbury Road Car Park, Cullen House and adjoining land 121 - 126

This report sets out the approvals required by the Cabinet to further progress this project originally within Phase 2b of the regeneration programme.

This report sets out proposals for Salusbury Road Car Park, Cullen House and adjoining land comprising of the spur road, Keniston Press, TfL offices at Premier House and the Falcon Public House (together defined as "**Site 18**"), which forms part of **Phase 2b** of the South Kilburn regeneration programme and as shown edged red on Plan A at Appendix 1. This development has been stalled since 2012 due to safeguarding of the site by High Speed Two Ltd (HS2) for a proposed ventilation shaft and auto transformer. The Council has recently successfully secured the release of this site from HS2.

Ward Affected: Kilburn
Lead Member: Councillor Mashari
Contact Officer: Richard Barrett, Head of Estate Regeneration
Tel: 020 8937 1334 richard.barrett@brent.gov.uk

Resources reports

11 London Road, Wembley, HA9 7ET - redevelopment proposals 127 -

134

The proposal is to redevelop the site to provide approximately 55 new Temporary Accommodation (TA) units for homeless households, 67 Private Rented Sector (PRS) homes and 14 units of New Accommodation for Independent Living (NAIL) together with replacement non-residential space – see appendix 1 site plan and 2 Pellings feasibility study.

Ward Affected:

Wembley
Central

Lead Member: Councillor McLennan

Contact Officer: Sarah Chaudhry, Head of
Strategic Property

Tel: 020 8937 1705

sarah.chaudhry@brent.gov.uk

12 National Non-Domestic Rates (NNDR) - Discretionary Discount Scheme for Businesses accredited to Living Wage Foundation 135 -

144

The Council has the discretion to award discounts in national non-domestic rates to businesses under section 47 of the Local Government Finance 1988. To award discounts under this provision a business must meet criteria set by the Council's Cabinet. Any discount scheme needs Cabinet approval. The qualifying criteria is set out in Appendix 1 to this report. The Council has the discretion to award discounts in national non-domestic rates to businesses under section 47 of the Local Government Finance 1988. To award discounts under this provision a business must meet criteria set by the Council's Cabinet. Any discount scheme needs Cabinet approval. The qualifying criteria is set out in Appendix 1 to this report.

Ward Affected:

All Wards

Lead Member: Councillor Mashari

Contact Officer: Margaret Read, Director,
Customer Services

Tel: 020 8937 1521

margaret.read@brent.gov.uk

Chief Executive's reports

13 Voluntary Sector Initiative Fund - Local Grants 2016 - 2018 145 -

160

Following assessment of 43 applications to the Voluntary Sector Initiative Fund – Local Grants scheme, this report seeks agreement to grant fund 11 projects led by voluntary organisations for two years, subject to performance.

Ward Affected:

All Wards

Lead Member: Councillor Butt

Contact Officer: Diana Fitzwilliam, Partnerships

for Brent Programme Manager
Tel: 020 8937 1047
diana.fitzwilliam@brent.gov.uk

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

15 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:

- **School Building Project Costs**

“Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings”

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

(report below refers)

Appendices:

- **Authority to Award a Contract for Accommodation Based Mental Health Support**
- **Wembley Housing Zone Programme – Property Acquisition**
- **Voluntary Sector Initiative Fund - Local Grants 2016 - 2018**

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

(reports above relate)

16 School Building Project Costs

Ward Affected:
Dollis Hill

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

17 Any other urgent business

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

Date of the next meeting: Monday 15 August 2016



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 Monday 27 June 2016 at 7.00 pm

PRESENT: Councillor Butt (Chair), Councillor McLennan (Vice-Chair) and Councillors Farah, Hirani, Mashari, W Mitchell Murray, Pavey and Southwood

Also present: Councillors Chohan, Hylton and Nerva

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

Councillor Butt declared an interest in item 17 by virtue of being a Member of the Old Oak and Park Royal Development Corporation Board.

2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 23 May 2016 be approved as an accurate record of the meeting.

3. **Matters arising**

None.

4. **Petition - parking charges**

Mr Paul Lorber (local resident) addressed the Cabinet presenting a petition against proposals for the on-street parking service offer and charges in controlled parking zones.

Mr Lorber said that the proposed increase in charges would hit residents' pockets and in addition to that, would affect the environment as residents would seek to concrete over their front gardens to avoid paying parking charges.

In response to Mr Lorber, Cllr Butt reminded him of the financial restrictions placed on local authorities in relation to parking revenue.

5. **On-Street Parking Service Offer and Charges in Controlled Parking Zones; decisions following consultation**

Councillor Southwood, Cabinet Member for Environment, introduced the report stating that Cabinet agreed, at its meeting on 14 March 2016, to undertake a major consultation exercise on a series of changes to the way in which the council managed, and charged for, on street parking in Controlled Parking Zones (CPZs).

She stated that this report set out the results of the consultation exercise and made a coherent set of linked proposals for reform.

Councillor Southwood stated that a wide range of consultation methods had been employed to consult stakeholders on the proposals outlined in the March 2014 Cabinet report. This also included consultation with non-Cabinet members.

Councillor Krupesh Hirani, Cabinet Member for Community Wellbeing, welcomed the proposed changes to parking support for traders.

With the permission of the Chair, Councillor Neil Nerva, Queens Park, addressed the meeting on behalf of Queens Park residents and councillors. He praised the amount of consultation that had taken place. Councillor Nerva asked that the Cabinet reconsider the special permit for teachers which had significant implications in Queens Park Ward.

In response to Councillor Nerva, Councillor Butt, Leader of the Council, stated that the issue would be looked at. He outlined the Council's desire to expand existing schools. Councillor Butt asked that the Strategic Director of Regeneration and Environment, Amar Dave, review school travel plans across the Borough. Councillor Butt stated that these permits assisted with the retention of teaching staff but that schools also needed to be robust in their monitoring of school travel plans.

RESOLVED:

Demand-Led Pay and Display Tariffs:

- (i) that parking prices in Pay & Display bays borough-wide be frozen;

Daily Visitor Parking Charges:

- (ii) that approval be given to proceed to formal consultation on a Traffic Management Order, under the Road Traffic Regulation Act 1984, introducing new visitor parking charges in CPZ areas, with a £1.50 charge for up to 2 hours, a £3 charge for up to 4 hours, and a £4.50 charge for 'all-day' visitor parking of more than 4 hours;
- (iii) that authority to implement the price changes following formal consultation, including amendment of any relevant Traffic Management Orders, be delegated to the Strategic Director Regeneration and Environment, in consultation with the Lead Member for Environment;

Visitor Household Permit

- (iv) that the Visitor Household permit be retained;
- (v) that the charge made for the Visitor Household permit, be increased from 1 October 2016, to a 2016/17 rate of £163 for a full year; £98 for 6 months and £66 for three months; and with future increases linked to the price of a

third Resident Parking Permit for vehicles in the proposed 'Standard' emissions band;

Carer and Support Permit:

- (vi) that in the light of agreement to (iv) above, the proposal to introduce a new Care and Support permit be withdrawn;

School Parking Permits:

- (vii) In respect of parking for school staff:
 - (a) that schools within CPZs be allowed to purchase a maximum of three business permits, at the standard rate (£366 in 2016/17) and terms and conditions, with immediate effect;
 - (b) that approval be given to the introduction of a new scheme allowing qualifying schools to:
 - Purchase a maximum of 3 school staff parking permits at a rate discounted by 25% to reflect term-time use only, providing the school has a bronze level accredited travel plan;
 - Purchase additional school staff parking permits at the reduced term-time rate should they have either a silver (up to 6 school permits in total) or a gold (up to 9 school permits in total) level accredited travel plan.

Residents Parking Permits:

- (viii) that from 1st April 2017 the resident parking permit scheme be amended as follows:
 - (a) Simplifying emission-based bandings for resident household permits, as set out in paragraph 7.3, to provide a clearer signal and encouragement to switch to lower emission vehicles
 - (b) Introducing a minimum charge of £25 for a resident's parking permit for any vehicle (other than a powered two-wheel vehicle)
 - (c) Reducing the permitted size of vehicles with resident permits to those weighing no more than 3.5 tonnes
- (xi) that agreement in principle be given to the introduction of a £25 supplement for diesel car permits, reflecting their additional contribution to air pollution, with effect from 1st October 2018 to give adequate notice and therefore time for owners to change to less polluting vehicles or transport modes.
- (x) that it be noted that further research was required regarding the proposal to phase a reduction of resident permit entitlement from 3 permits to 2, as set out at paragraph 7.2;

Visitor Permit Entitlement:

- (xi) that following agreement to recommendation (iv) above (to continue the offer of the Visitor Household permit), to cap the number of visitor permits any

household can buy to a maximum of 300 permits p.a., commencing from 1 April 2017.

Trader Permits:

(xii) that a new one-day All Zones trader's permit, allowing a business vehicle to park in any CPZ within Brent for one day be developed and introduced.

CPZ Concerns

(xiii) that it be noted that a further report detailing and scoping a comprehensive review of the operation of CPZs would come to Cabinet in the Autumn.

6. **Community Asset Transfer at Tenterden Pavilion & Sports Ground, 289 Preston Road HA3 0QQ, marketing outcome and recommendation**

Councillor Butt welcomed Mr David Daniels and Mr David Pearson of the John Billam and Tenterden Group.

Mr Daniels and Mr Pearson provided Cabinet members with a written submission and subsequently outlined concerns about the CAT process. They stated that they had received a significant response from local residents in opposition to the proposals outlined.

Mr Daniels and Mr Pearson requested that Cabinet members:

- Either defer or refuse the recommendation that an agreement is entered into with Wembley Education Trust WECT;
- That any agreement proposed now or in future in respect of the subject Cat revert to the authority of the Cabinet for final decision and not be delegated to any other body or person;
- That the Cabinet confirm any proposal relating to erection of a new building under the subject CAT be restricted to the footprint of the building precisely described throughout the terms of offer as lease on (existing) Tenterden Pavilion;
- That the Cabinet confirm that any artificial pitch proposed in respect of Tenterden Playing Fields be subject to the stipulation set out under RCE 3.12 Such report being relied upon by the officers in seeking the Cabinet's authority to proceed with the subject CAT.

Councillor Mashari, Cabinet Member for Regeneration, Growth, Employment and Skills, thanked Messrs Daniels and Pearson for attending the Cabinet meeting. She reminded members of the CAT process and stated that six applications had been received. She outlined that any final plans would be considered by the Council's Planning Committee.

In summary, Councillor Mashari proposed revised recommendations for consideration by the Cabinet.

Peter Gadsdon, Director, Performance, Policy and Partnerships outlined the revised recommendations.

RESOLVED:

- (i) that approval be given to the proposal for a Community Asset Transfer of the Tenterden Pavilion which involved entering into an agreement to lease that includes provision for granting a lease of the pavilion for up to 30 years and granting a licence on the Sports Ground with the Wembley Education Charitable Trust Ltd (WECT), subject to WECT entering into an agreement with Forest United (1973) Youth FC a local charitable football club at the Tenterden Pavilion and Sports Ground during periods when it is not in use by the WECT;
- (ii) that the additional opportunity for community access by other groups, in what would be a significant new local sporting facility be noted;
- (iii) that authority be delegated to the Strategic Director of Resources to finalise and agree terms of leasehold and associated licence disposal to WECT in consultation with the Operational Director, Environment Services.

7. BHP and Housing Management Arrangements

Councillor Farah, Cabinet Member for Housing, introduced the report stating that the government's Housing and Planning Act (2016) and other measures would have a significant impact on the council's housing stock including on its future size, financial performance and management over coming years.

He reminded members that the council entered into a new 10 year Management Agreement with Brent Housing Partnership (BHP) in April 2013 for the management of the council's housing stock. This required BHP to provide services and achieve performance in accordance with an annually agreed Delivery Plan.

Councillor Farah stated that, in 2015/16, BHP failed to achieve the required outcomes and performance standards in a number of respects. BHP have put in place a recovery plan to address this which was originally intended to run until end June 2015 but it was proposed to now extend to end September 2016. The council was also formally notifying BHP under the Management Agreement of the need to remedy under-performance in the areas of most significant concern.

Councillor Farah reminded members that the management and performance of the stock investment programme in 2015/16 was a particular concern and the findings of a recent fact-finding audit commissioned by the council were provided and details of associated commercial matters and risks were set out as appropriate in an exempt section to the report.

Councillor Farah stated that, in view of the challenges presented by the government's reforms, it was necessary to consider afresh the most appropriate arrangements for the management of the council's stock while taking account of BHP's performance under the Management Agreement.

Councillor Butt stated that the report outlined three main options open to the council which were to continue with provision by BHP, for the council to directly provide the service in-house or to enter into a partnership arrangement with another organisation to provide these services.

Councillor Butt stated that Cabinet was therefore asked to agree to commence a formal review of these housing management options. This review would include consultation with tenants and leaseholders to gain insight into satisfaction with the current service and priorities for future provision, and to inform the criteria for decision between the options.

Councillor Farah stated that it was proposed to bring a further report to Cabinet in October 2016 setting out the results of the review and associated consultation. This report would also advise on whether performance had been successfully remedied in the areas formally notified under the Management Agreement and also report on the progress made during the period of the BHP recovery plan. Cabinet would be asked to conclude on its preferred option for future Housing Management Services.

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

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

RESOLVED:

- (i) that the areas of performance to be formally addressed by BHP in accordance with the Recovery Plan be noted;
- (ii) that agreement be given to the extension of the Recovery Plan period until 30 September 2016 following which progress against the plan will be reported to Cabinet;
- (iii) that the position in respect of the commercial negotiations between BHP and Wates be noted and authority be delegated to the Strategic Director, Community Wellbeing in consultation with the Lead Member for Housing and the Chief financial Officer to agree with BHP the final terms of settlement with Wates within the parameters set out in the exempt section to this report;
- (iv) that a formal review led by the Strategic Director Community Wellbeing be undertaken of the options for the future management of the council's tenanted and leasehold stock as outlined in the report with associated consultation with tenants and leaseholders and for the results of that review to then be reported to Cabinet.

8. Care And Support Contract - Extra Care - authority to procure

Councillor Krupesh Hirani, Cabinet Member for Community Wellbeing, introduced the report stating that in accordance with the Council's Contract Standing Orders 88 and 89, authority was sought to approve the procurement of the care and support

service for the following four extra care schemes (ECS) with a maximum of three associated Care and Support contracts:

- Beechwood Court – Wembley
- Rosemary House – Willesden
- Harrod Court - Kingsbury
- Tulsi House – Sudbury.

He stated that tenders would be sought through the Council's Dynamic Purchasing System (DPS) for Accommodation Plus Services which went live in February 2016.

RESOLVED:

- (i) that approval be given to the invite of tenders for the care and support service within four ECSs leading to an award of up to three contracts;
- (ii) that approval be given to officers evaluating the tenders referred to in (i) above on the basis of the evaluation criteria set out in section 6.0 of the report.

9. Accommodation services for people with learning disabilities

Councillor Hirani, Cabinet Member for Community Wellbeing, introduced the report stating that the council currently had three properties that support 10 people with learning disabilities in the community. In 2014, it was agreed by Cabinet that a competitive tender process would be undertaken to establish new lease arrangements and on-site care and support service contracts.

Councillor Hirani stated that the report provided an update on the current arrangements and requests authority for an exemption to award 3 twenty month contracts for on-going care and support when the existing arrangements end as required by Contract Standing Order No 84(a).

He stated that the report explained the reasons for the exemption request and detailed the service benefits to the recommendation, prior to undertaking a new tender process as required by Contract Standing Orders 88 and 89.

RESOLVED:

that the extension to the existing contracts using delegated powers, with the incumbent provider at the property, 7 Kinch Grove to 3 September 2016, and the extension to the existing contracts to 22 August 2016 with the incumbent provider at the properties, 63 Manor Drive and 54 Beechcroft Gardens be noted.

10. Supply and Demand of Accommodation

Councillor Farah, Cabinet Member for Housing, introduced the report providing an analysis of housing supply and demand issues, including performance in 2015/16 and challenges for 2016/17 onwards.

Councillor Farah indicated that the report recommended that the allocation of 71% of social housing lettings to homeless households in 2016/17. In response to a question from Councillor McLennan, Deputy Leader, Councillor Farah explained that this percentage was smaller than last year because it was recommended to increase the number (percentage) of allocations to council tenants who need to transfer from one social housing unit to another.

Councillor Farah indicated that the report also provided an analysis of housing supply and demand issues, including performance in 2015/16 and challenges for 2016/17 onwards. Lastly, he stated that the report recommended that the allocation of 71% of social housing lettings to homeless households in 2016/17.

RESOLVED:

- (i) that the analysis of affordable housing supply and demand issues, including performance in 2015/16 and challenges for 2016/17 onwards be noted;
- (ii) that agreement be given to the target proportion of social lettings for 2016-17 for homeless, housing register and transfer applicants as set out in paragraph 6.14 in the main body of the report.

11. **Housing Right to Buy Receipts Programme - Phase 1 update and Phase 2 Procurement**

Councillor Farah, Cabinet Member for Housing, reminded members that, in August 2015, Cabinet agreed to establish and deliver a Right to Buy (RTB) receipt enabled new supply housing programme for 2015-19.

He stated that phase 1 of the programme, to purchase open market properties, was underway and nine acquisitions have been completed to date. Soft market testing has been carried out of prospective external delivery partners for Phase 2, and an alternative investment approach was now proposed.

Councillor Farah stated that it is recommended that, in order to maximise Brent's opportunities to provide replacement affordable homes using RTB funding and to minimise the risk of unspent amounts being paid to government, a multi-strand investment approach should be adopted.

He indicated that the four key strands of this strategy were:

- To award local authority grant to external providers to provide new affordable housing, leveraging significant private investment
- To invest RTB receipts in the direct delivery of council-owned sites to provide new affordable housing, reducing overall council borrowing
- To continue the existing acquisition programme to provide new affordable housing, integrated with the council's wider market acquisitions programme.
- To support investment in the Housing Zones, to acquire development sites in order to facilitate and accelerate development, and the provision of affordable housing.

Councillor Farah stated that, based on the RTB receipts accrued to the end of March 2016 (£19.3m), which can be used to fund up to 30% of the total cost of providing replacement affordable rented homes, there was total investment pot in excess of £60m. The size of this pot was further increased once projected RTB sales income is included, over the next three years.

RESOLVED:

- (i) that the progress of the Right to Buy Receipts Programme Phase 1 to April 2016 and its integration with the wider market acquisitions programme, as set out in paragraph 6.11 of the report be noted;
- (ii) that this Programme continue to acquire existing properties until 31 March 2019, subject to financial viability including the flexibility to part-fund the cost of advance purchases within the South Kilburn regeneration area through retained Right to Buy receipts.
- (iii) that retained Right to Buy receipts be allocated as local authority grant for the provision of affordable housing by external partners and authority be delegated to the Strategic Director for Resources in consultation with the Chief Legal Officer, the Chief Finance Officer and the Operational Director, Housing and Culture in consultation with the Lead Member for Housing to approve criteria for grant funding, to approve criteria for the evaluation of bids and to approve the allocation of such grant on acceptable terms;
- (iv) that retained Right to Buy receipts be contributed to support residential development of council-owned sites and for a commensurate proportion of the homes to be provided as affordable rented accommodation, subject to financial viability and authority be delegated to the Strategic Director for Resources in consultation with the Chief Legal Officer, the Chief Finance Officer and the Operational Director, Housing and Culture in consultation with the Lead Member for Housing to approve the contribution of such receipts.

12. Contracting for Special Educational Needs Placements and Additional Resourced Provisions in Independent Schools and Academies

Councillor W Mitchell Murray, Cabinet Member for Children and Young People, informed Cabinet that the report sought approval to set up a Dynamic Purchasing System (DPS) for the placements of Children and Young People with Special Educational Needs in Independent Non Maintained Special Schools (INMSS) as required by Contract Standing Orders 88 and 89.

Councillor W Mitchell Murray stated that Brent would be acting as the lead borough on behalf of the West London Alliance (WLA) in the procurement exercise for the DPS. The DPS will be utilised by the following WLA members: Barnet, Ealing, Hammersmith & Fulham, Harrow, Hillingdon, Hounslow, Royal Borough of Kensington & Chelsea and City of Westminster.

She stated that members were asked to approve the continuation of the block contract with Centre Academy for special education placements for the academic year 2016/17 and

consider the placement arrangements of Children and Young People requiring Additional Resourced Provisions (ARP) in maintained schools and Academies.

RESOLVED:

- (i) that approval be given to the setting up of a Dynamic Purchasing System (“DPS”) for placements of Children and Young People with Special Educational Needs who have been assessed for an Education, Health and Care (EHC) plan and require a placement in INMSS based on the tender considerations set out in paragraph 3.8 of the report;
- (ii) that the Council act as Lead authority and to jointly procure the DPS for and on behalf of the participating West London Alliance (WLA) authorities;
- (iii) that authority be delegated to the Strategic Director of Children and Young People to admit any new service provider(s) onto the DPS subsequent to them meeting their admittance criteria as stated by the Council in the DPS documentation;
- (iv) that authority be delegated to the Strategic Director of Children and Young People to award High Value Contracts for educational placements procured through the DPS;
- (v) that agreement be given to an exemption from the procurement requirements of the Council’s Contract Standing Order 96 to enable the Strategic Director of Children and Young People, in consultation with the Chief Finance Officer and the Chief Legal Officer, to continue the block contract with Centre Academy for the provision of 15 special education placements for the academic year 2016/17. This would allow officers time to put in place the DPS to which Centre Academy would be invited to submit a tender for inclusion onto the DPS;
- (vi) that it be noted that all placements of children with SEND were fully funded by the High Needs block of the Dedicated Schools Grant (DSG);
- (vii) that the placement and funding arrangements for the provision of Additionally Resourced Provision places in maintained schools and Academies be noted.

13. Civic Enterprise Strategy

Councillor Pavey, Cabinet Member for Stronger Communities, introduced the report stating that the reduction in grant funding by 2020 meant that all possible revenue generating and cost saving opportunities needed to be to maximise.

He stated that sitting under the umbrella of Brent 2020 Civic Enterprise was a practical and tangible approach that would help to identify, evaluate, support and develop opportunities to do this.

Civic Enterprise had an important role to promote and support the development of business based skills that would create greater self-sufficiency with the objective of under pinning financially sound and sustainable council services that can benefit Brent residents in the future.

There were deep pockets of existing skills and experienced staff with good ideas that require commercial support and/or development to create or realise the income generating or saving potential.

The report set out the Civic Enterprise strategy for achieving this commercial potential and for endorsement by Cabinet.

RESOLVED:

that approval be given to the Civic Enterprise strategy which sets out the approach, the overall objectives and the timeline.

14. Indemnifying Members and Officers when representing the Council on outside bodies or carrying out special roles

Councillor Butt, Leader of the Council, introduced the report which explained the Council's arrangements for the granting of indemnities to officers and members to cover the risks of claims which may be made against them personally or other losses or liabilities they might incur when representing the Council on outside bodies or when carrying out special roles.

The aim for providing the indemnity was that officers and Members should not be deterred from seeking public office or participating in outside bodies or carrying out special roles by the personal liability they might incur while acting on behalf of the Council.

RESOLVED:

- (i) that approval be given to the arrangements set out in the report from the Chief Legal Officer for the granting of indemnities to officers and members representing the council in a decision-making capacity such as directors or trustees on the boards of outside bodies or as members of the management committees of outside bodies;
- (ii) that the arrangements set out in this report for the granting of indemnities to officers and members carrying out special roles which give rise to personal liability over and above the exercise of their other responsibilities, be approved;
- (iii) that approval be given to the wording of the indemnity as set out in Appendix 1 to the report and that the Chief Finance Officer be authorised to make changes from time to time provided they were consistent with the overall arrangements approved by Cabinet;
- (iv) that the Chief Finance Officer be authorised to decide on a case by case basis whether it was appropriate to pay any sums upfront for the defence of criminal proceedings or await the conclusion of such proceedings before making any payment; and

- (v) that the existing and future officer and member appointments to outside bodies and special roles be in accordance with the arrangements set out in this report.

15. Shared Procurement Service - Revision to Participating Members

Councillor McLennan, Deputy Leader of the Council, introduced the report informing Cabinet that approval was sought for LB Brent to join a Procurement Shared Service (PSS) that would be led by LB Harrow as set out in the Business Case at Appendix A to the report.

She stated that the principal aim of joining the PSS would be to ensure that the Council continued to receive Procurement services whilst being in a strong position to deliver the required savings of £272k from procurement in 2016/17.

In response to a question from Councillor Southwood, Councillor McLennan assured Members that the service would provide new approaches to the delivery of Social Value benefits in Brent contracts.

RESOLVED:

- (i) that the provision of its procurement service be delegated to the London Borough of Harrow with effect from 1 August 2016 or such other date as may reasonably be agreed with the London Borough of Harrow;
- (ii) that approval be given to enter into an Inter Authority Agreement confirming the terms of the delegation of the provision of its procurement service to the London Borough of Harrow;
- (iii) that authority be delegated to the Director Performance, Policy and Partnerships in consultation with the Chief Finance Officer and Chief Legal Officer to negotiate the precise terms of the Inter Authority Agreement for a Procurement Shared Service between the London Borough of Brent and the London Borough of Harrow as set out in the Business Case at Appendix A;
- (iv) that the proposed staffing arrangements including the transfer of procurement staff currently employed by the London Borough of Brent to the London Borough of Harrow as set out at paragraphs 3.6 and 3.7 be noted.

16. Performance Report, Q4 (January - March) and out-turn 2015/16

Councillor McLennan, Deputy Leader of the Council, informed Members that the purpose of this report was to provide Cabinet with a corporate overview of performance information linked to the current priorities for Brent, to support informed decision-making, and to manage performance effectively.

RESOLVED:

- (i) that the performance information contained in the report be noted remedial actions agreed as necessary;

- (ii) that the current and future strategic risks associated with the information provided be noted and remedial actions agreed as appropriate;
- (iii) that agreement be given to challenge progress with responsible officers as necessary.

17. Old Oak and Park Royal Local Plan Consultation Response

Councillor Butt, Leader of the Council, informed Cabinet that the Mayor of London had established the Old Oak and Park Royal Mayoral Development Corporation (MDC) to drive forward the regeneration of the Old Oak and Park Royal Opportunity Area, focussed around the proposed High Speed 2 and Crossrail interchange.

Councillor Butt stated that the London Plan (2015) identified Old Oak as an opportunity area with capacity for a minimum of 24,000 new homes and 55,000 new jobs, whilst Park Royal opportunity area has capacity for 1,500 new homes and 5,000 new jobs. The Old Oak and Park Royal Development Corporation (OPDC) consulted on their draft Local Plan which provided detailed planning policy for the area and sets out how the targets in the London Plan would be realised. An interim response was submitted by Brent Council, subject to Cabinet approval and any further comments. Although the Council supported the principle of regenerating the area, there were a number of significant outstanding concerns regarding the detailed policies in the Plan.

RESOLVED:

that the response to the Old Oak and Park Royal Local Plan Regulation 18 consultation as set out in Appendix A be confirmed.

18. Reference of item considered by Scrutiny Committee

None.


19. Any other urgent business

None.

The meeting ended at 8.26 pm

M BUTT
Chair

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 <p>Brent</p>	<p style="text-align: center;">Cabinet</p> <p style="text-align: center;">25 July 2016</p> <p style="text-align: center;">Report from the Strategic Director of Community and Wellbeing</p>
<p>For Action Wards Affected: [ALL]</p>	
<p style="text-align: center;">Authority to Award a Contract for Accommodation Based Mental Health Support</p>	

Appendix 1A and Appendix 1B are “Not for Publication”

1. Summary

- 1.1. In accordance with Contract Standing Orders 88 and 89, this report requests Cabinet approval to award two contracts for Accommodation Based Mental Health (ABMH) services to support people who have mental health needs and are in recovery.
- 1.2. This report provides further detail of the of the services, the procurement process followed and provides a recommendation of who the contracts should be awarded to as determined through the evaluation process.

2. Recommendations

- 2.1. That Cabinet approve the award of Contract 1, an Accommodation Based Mental Health contract to support people with mental health needs as detailed in paragraph 3.2.a to Look Ahead Care and Support for a term of one year with option to extend by up to 2 successive one year periods.
- 2.2. That Cabinet approve the award of Contract 2, an Accommodation Based Mental Health contract to support people with mental health needs as detailed in paragraph 3.2.b to Metropolitan Housing Trust for a term of one year with option to extend by up to 2 successive one year periods.

3. Background

- 3.1. On 21st September 2015 authority was granted by members to procure two contracts for ABMH services for individuals with medium to high mental health support needs.
- 3.2. Members agreed for these contracts to be procured based on their specialisms, namely:
 - a. Contract 1 for Location 1 (Pound Lane): a contract to support up to 8 individuals who have high to medium mental health needs and may also have support needs with drug and alcohol misuse.
 - b. Contract 2 for Location 2 (Essex Road) and Location 3 (The Mall) – a contract to support up to 13 individuals in 2 locations who have high to medium mental health needs and may also have support needs related to paranoid schizophrenia and anxiety.

4. The Services to be awarded

- 4.1 The services enable the provision of short term settled accommodation for individuals with severe and enduring mental health conditions to work towards further recovery following hospital admission and/or an acute episode of mental health crisis or relapse, towards the goals of living more independently with stable mental health, meaningful occupation/ employment and reduced reliance on statutory services.
- 4.2 These services have traditionally worked on the premise of a reablement ethos with the intention of supporting people to move on to more independent living. Commissioners have sought to strengthen this ethos through a service specification which includes explicit quality standards and outcomes measures to ensure the key objectives fully embed the Care Act 2014, and commence the move to a more rigorous outcomes-based approach to care delivery.
- 4.3 The proposed service providers will be required to deliver the following:
 - 4.3.1 Provide 24 hour onsite social care and support according to service users' needs and care and support plans at Pound Lane and Essex Road, and 8 hours per day staff support at The Mall. The Mall will be supported at night remotely by on-call support and staff at Location 2 as required.
 - 4.3.2 Create an environment that meets individual needs in the least restrictive way, supporting choice and control in line with the Recovery model of care and actively contribute to the health, wellbeing, and independence of each individual supported in the service.
 - 4.3.3 Support service users to move through the recovery pathway and work with them to find, and move into settled

accommodation with less support, aligned with their support plan and self-defined goals.

4.3.4 Work with all stakeholders to embed the key elements of the pathway and align this with the health agenda 'Shifting Settings of Care' to ensure there is a single approach to recovery, supporting individuals with a severe and enduring mental health conditions to lead independent lives in the community and reduce the use of institutional care.

4.3.5 Comply with all relevant regulatory and legislative requirements, including Health and Social Care Act 2008, RIDDOR regulations 2013, Mental Health Act 1983, and The Care Act 2015.

5.0 The Tender Process

5.1 In accordance with the September 2015 report, a Restricted or two stage tender process was initiated in February 2016 when the procurement was advertised with a Contract Notice being placed in the Official Journal of the European Union (OJEU) seeking expressions of interest.

5.2 The advert closed on the 22nd March 2016 with each organisation expressing an interest being sent a Pre-Qualification Questionnaire (PQQ). 16 organisations submitted a PQQ response.

5.3 In accordance with the evaluation process described below, each PQQ entered a three stage assessment with the final stage being reviewed by panel members represented by Brent:

Pre-Qualification Stage- Evaluation Process

5.4 The PQQ assessment followed a three stage process as follows:

Stage 1: Submission on Time

5.4.1 All bidders submitting a PQQ passed this stage and moved to the stage 2 assessment.

Stage 2 - Mandatory and Discretionary evaluation:

5.4.2 This assessment related to a check on the bidders committing any criminal offences such as bribery, corruption, not paying tax or social security contributions and any professional misconduct. All bidders passed and moved onto stage 3 of the evaluation.

Stage 3 - Final evaluation:

- 5.4.3 20 questions were then evaluated by applying a pass/fail approach. A further 8 questions, which had a collective quality score of 100%, were also evaluated using a 0 (limited) to 4 (superior) scoring method. Bidders were informed that they would not be invited to tender if they received 4 fails for any of the pass/fail questions, a 0 for any of the 8 scored questions, and/or scored less than 50% of the total 100% quality score.
- 5.4.4 As shown in the following table, 13 of the 16 bidders passed the final PQQ evaluation (the names of the bidders are contained within Appendix 1A) and were invited to tender.

BIDDER REF	PANEL SCORE (less than 50% = fail)	Number of 0 scores (if 4+ = fail)	Number of 1 scores (if 2+ = fail)	Final OUTCOME
1	64%	0	0	PASS
2	33%	0	0	FAIL
3	78%	0	0	PASS
4	76%	0	0	PASS
5	69%	0	0	PASS
6	70%	0	0	PASS
7	75%	0	0	PASS
8	44%	0	0	FAIL
9	71%	0	0	PASS
10	49%	0	0	FAIL
11	66%	0	0	PASS
12	74%	0	0	PASS
13	75%	0	0	PASS
14	69%	0	0	PASS
15	71%	0	0	PASS
16	70%	0	0	PASS

The Invitation to Tender Stage-Evaluation Process

5.5 On 13th April 2016 the 13 bidders who had passed the PQQ stage were invited to tender for both contracts. Of the 13 bidders invited to tender, 7 tender responses were received for Contract 1 and 9 tender responses were received for Contract 2. The bidder names and references are contained within Appendix 1B.

5.6 The tender assessment also followed a three stage process.

Stage 1 - Submission on time:

- 5.6.1 All bidders submitting an ITT passed this stage and moved to the stage 2 assessment.

Stage 2 - Method Statement Questions and Price Evaluation:

- 5.6.2 **Quality:** Bidders were evaluated against method statement answers which had a total weighting of 40%. The Method Statements questions are detailed at Appendix 2 and these looked at different elements of the quality criteria approved by members as detailed in Appendix 3. The same set of questions were used for both Contract 1 and Contract 2. Representatives from Brent Council and CNWL scored each response applying the same 0 to 4 approach used at the PQQ stage. At this stage bidders were informed they would not be considered if they scored 0 for any quality answer, scored 1 for 5 answers and/or scored less than 20% of the overall quality score. All bidders passed the quality stage.
- 5.6.3 **Cost:** Price consisted of 60% of the evaluation weightings. The evaluation process ranked bidders against the lowest price. Bidders submitted pricing information separately for each Contract and had the option of only bidding on one Contract should they choose to.

Stage 3 – Ranking and Award of the Contract:

- 5.6.4 At this stage the bidders cost and quality scores were combined per Contract and ranked, with the highest scoring bidder for each contract recommended for award.
- 5.7 Appendix 2 contains the scoring details for the ITT evaluation.
- 5.8 2 of the 6 bidders for Contract 1 submitted a tender which proposed inadequate staffing levels for the service which did not meet the specification and as such could not be considered for award of the contract.
- 5.9 1 of the 9 bidders for Contract 2 submitted a tender which proposed inadequate staffing for the service and as such could not be considered for the award of the contract.
- 5.10 The outcome of the tender scoring for Contract 1 is that Look Ahead Care and Support of Kings Building, 16 Smith Square, London, SW1P 3HQ received the highest overall combined cost and quality score and is therefore recommended for award of this contract.
- 5.11 The outcome of the tender scoring for Contract 2 is that Metropolitan Housing Trust, of The Grange, 100 High Street, Southgate London N14 6PW received the highest overall combined cost and quality score and is therefore recommended for award of this contract.

6.0 Financial Implications

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

6.2 The cost of these two contracts based upon the pricing submission received for a possible 3 year term is £1.44m.

	Units	Cost per unit per week (£)	Cost per annum (£)	Cost of contract -3 years (£)
Contract 1	8	489.97	203,828	611,483
Contract 2	13	410.71	277,640	832,920
Total	21		481,467	1,444,402

6.3 This cost is within the estimations of between £1.43m and £1.64m at the start of the tender process and falls within the Adult Social Care budget allocation for this service.

6.4 It should be noted that the intention to block purchase runs the risk of void payment being made if the units are not fully utilised. The department will seek to negotiate at the implementation stage how voids will be managed and the timeframe the council will continue to pay for a void until this becomes the responsibility of the provider.

6.5 The cost of this contract is inclusive of London Living Wage.

7.0 Legal Implications

7.1 The estimated values over their lifetime of both Contract 1 and Contract 2 are in excess of the EU threshold for Schedule 3 Services under the Public Procurement Regulations 2015 (the "EU Regulations"). Consequently, the award of the contracts is governed by the EU Regulations. The award is subject to the Council's own Standing Orders in respect of High Value contracts and Financial Regulations and as such Cabinet approval is required to award both Contract 1 and Contract 2.

7.2 As advised in the Cabinet Report requesting authority to tender these contracts dated 21st September 2015, the Council must comply with the EU Regulations relating to the observation of a mandatory minimum 10 calendar day standstill period before the contracts can be awarded. Therefore once the Cabinet has determined whether to award contracts all

tenderers will be issued with written notification of the contract award decision.

7.3 A minimum 10 calendar day standstill period will then be observed before the contract is awarded – this period will begin the day after all Tenderers are sent notification of the award decision – and additional debrief information will be provided to unsuccessful tenderers in accordance with the EU Regulations. As soon as possible after the standstill period ends, the successful tenderer will be issued with a letter of acceptance and the contract can commence.

7.4 The Transfer of Employment (Protection of Employment) Regulations 2006 (“TUPE”) applies only to the award of Contract 2 to Metropolitan Housing Trust as the recommendation is to award Contract 1 to the incumbent provider. Subject to the right of the employee to object to transferring, the employee’s contract of employment will transfer to the new provider of Contract 2. Further details regarding TUPE implications are contained in Section 9.

8.0 Diversity Implications

8.1 The proposed contracts are designed to meet the needs of individuals in recovery from mental ill-health. It is inherent within the service delivery to support individual’s mental health needs and requirements as appropriate, including the least restrictive intervention.

8.2 The Council will require the provider to deliver these services to promote the individuals who receive the service protected characteristics by:

- making reasonable adjustments as required to deliver the service to meet needs relating to disability or autism. To promote the need to make reasonable adjustments to other organisations connected to the service user and support the service user to use appropriate channels to challenge (should they wish to) should it be deemed this is not occurring.
- ensuring that all staff are aware of the multi-cultural population of Brent through provision of cultural awareness training and matching specific language requirements where possible,
- training all staff in areas that will raise awareness of issues faced by vulnerable people, particularly those from different ethnic groups who experience mental ill-health,
- providing opportunity for individuals to be supported to observe their faith as they choose,
- having an equality and diversity policy which will be implemented within the service.

8.3 The provider will be monitored to ensure they are complying with these requirements through checking of their records, regular review of services provided to individual service users where feedback will be sought from

service users, quarterly monitoring meetings and provision of quarterly performance information to the Council.

8.4 It is necessary for the Cabinet, as decision making body, to consider the equalities implications which are contained within the Equality Assessment in Appendix 4.

8.5 In summary these services will support those individuals with mental health needs who are eligible for accommodation based social care and rehabilitative support to continue to recover in a stable environment in which their support needs are met, whilst also promoting their recovery and resettlement in the community. These services will support them to exercise choice and control, regain their independence and work towards living in the community with less reliance on statutory services where possible. The contracts procured will have a positive impact on service users as they will be supported to take control of their lives in a planned and safe way which promotes their rights, choices and protected characteristics.

9.0 Staffing & Accommodation Implications

9.1 These contracts are currently delivered by external contractors, and are requested to be awarded to external contractors. There are therefore no implications for Council staff arising from the award of this contract.

9.2 Look Ahead Care and Support are the current incumbent provider for Contract 1 and as such there are not anticipated to be any TUPE implications arising from the award of Contract 1 to them.

9.3 It is proposed to award Contract 2 to Metropolitan Housing Trust and this will result in staff assigned to the contract who are eligible to transfer pursuant to TUPE, transferring from the current provider to Metropolitan Housing Trust.

9.4 Network Homes are the registered social landlord for the accommodation for these services. They own and act as landlord for the 3 locations and will continue to do so for the re-letting of both Contracts. Both Look Ahead Care and Support and Metropolitan Housing Trust will enter into a separate contract with Network Homes to deliver the Housing Management function of on behalf of Network Homes. This is a separate arrangement which will be agreed and managed between the two parties outside of Council involvement.

10.0 Public Service (Social Value) Act 2012

10.1 The Council is under a 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 wellbeing 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.

10.2 The services being procured have as their primary aim improving the social and economic wellbeing of some of the most vulnerable groups in Brent. They are specialist services with only a limited number of organisations who can meet the Council's requirements. Nevertheless, Officers endeavoured to ensure the requirements of the Act were implemented as part of the procurement process. This included requiring bidders to submit pricing including the London Living Wage and demonstrate how they would support local employment and seek to reduce emissions and promote sustainability.

11.0 Background Papers

11.1 21.09.2016: Authority to Tender Contracts for Accommodation-Based Social Care, Support and Rehabilitation Services for Individuals who have Medium to High Mental Health Support Needs.

Contact Officers

Jas Kothiria
ASC Senior Category Manager
Email: jas.kothiria@brent.gov.uk
Tel: 020 8937 1170

Laura Power
Commissioning and Change Officer
Email: Laura.Power@brent.gov.uk
Tel: 020 8937 1689

PHIL PORTER
Strategic Director of Community and Wellbeing

APPENDIX 2 -TENDER EVALUATION GRID

PART 2A - QUALITY QUESTIONS AND PANEL SCORES LOTS 1 AND 2

METHOD STATEMENT QUESTION	WEIGHT	BIDDER REFERENCE AND QUALITY SCORE								
		1	2	3	4	5 (LOT 1 PROVIDER)	6 (LOT 2 PROVIDER)	7	8	9
<p>Q1. Please describe your experience of delivering accommodation based support for people who have a primary diagnosis of Mental Health and other complex needs.</p> <p>The answer should include an overview of:</p> <p>a) Your organisation’s mission statement, vision and values</p> <p>b) Your organisation’s delivery of support based on the recovery model</p> <p>c) Your organisation’s implementation of inter-agency working and information sharing to promote recovery and move on.</p>	15%					10%	12%	10%	10%	10%
<p>Q2 Please describe your experience of developing and working to outcome-focused support plans which support SUs to achieve their aspirations and goals.</p> <p>Within your response please provide two distinctly different case examples of providing support to SUs with mental health needs which has delivered their self-defined outcomes [anonymised support plans may be attached].</p>	15%	10%	10%	12%	11%	12%	10%	10%	10%	12%

<p>Q3. Providers will be required to demonstrate that they are able to provide appropriate and safe accommodation based support 24 hours a day for the range of SU needs across the service at any given time.</p> <p>a) Please describe your approach to staff development, your processes to ensure staff develop skills to meet the needs of the range of high/medium mental health support needs across the service and how you measure staff performance.</p> <p>b) How you propose to staff the service/s to meet the requirement to provide 24/7 support, and flexibly meet the fluctuating needs of the service/s [proposed staffing structure against hours indicated in the pricing schedule can be attached].</p> <p>c) How you propose to meet the out of hours service requirements to ensure the successful management of the service safely at all times.</p>	15%	10%	9%	10%	4%	12%	11%	4%	10%	12%
<p>Q4. A key objective of the service will be for providers to progress, prepare and ultimately support clients to live independently in the community.</p> <p>Please provide two case studies which describe your organisation's experience of delivering outcomes that support SUs to:</p> <p>a) Improve their mental health and well-being, develop their independent living skills, to engage with work or volunteering,</p> <p>b) To find and move into new accommodation as their support needs decrease and to support the transition to independent living in the community.</p>	15%	10%	9%	10%	7%	12%	10%	10%	10%	10%

c) To build resilience and make lasting links within their wider community to support improved mental health and well-being and successful move on.										
Q5. Provider's will be required to manage the changing and fluctuating needs of SUs across the service which may see times of more intensive support required if one or more SU experiences a deterioration in their mental health, or less support if the majority of SUs are ready for move on. Please describe how your organisation would be able to meet the fluctuating needs of the service flexibly to ensure the varying needs of SUs are met. Please provide a case example which demonstrates your organisations successful delivery of flexible support to a SU experiencing a deterioration of their mental health, a severe episode or relapse. -	15%	11%	11%	10%	10%	12%	11%	10%	11%	11%
Q6. Please outline your organisation's approach to risk assessment and management. Please describe in your response: a) How you support SUs to understand risk, b) How you address the balance between risk (to self, others and the community) and the individuals rights. c) How your organisation supports SUs to live regular lives as citizens in line with The Equality Act 2010 and The Human Rights Act 1998.	10%	7%	6%	8%	7%	8%	7%	8%	8%	6%
Q7. Please outline how your organisation identifies and addresses safeguarding issues proactively for service users who have medium to high MH needs?	10%	6%	6%	6%	7%	6%	7%	7%	6%	7%

Please include within your answer a demonstration of how your organisation has used the whole systems approach to address and manage a safeguarding concern.										
Q8. Please explain how Social Value benefits will be delivered throughout the contract term in particular the; Number of additional jobs that will be created as part of the contract. Percentage of vacancies that will be targeted at unemployed in-borough people. Total anticipated spend with SME's (in and out of Brent). Targets for reducing carbon and pollution waste.	5%	3%	4%	4%	3%	4%	4%	3%	4%	4%
TOTAL (OUT OF 100%)		66.0%	64.0%	71.0%	59.0%	76.0%	72.0%	62.0%	69.0%	72.0%
WEIGHTED TOTAL (OUT OF 40%) -USED FOR SCORING		26.4%	25.6%	28.4%	23.6%	30.4%	28.8%	24.8%	27.6%	28.8%

PART 2B – WEIGHTED QUALITY AND COST SCORES

CONTRACT 1

BIDDER REF	QUALITY SCORE (OUT OF 40%)	LOT 1		RANK	AVERAGE WEEKLY RATE
		COST SCORE	TOTAL SCORE		
5	30.4%	57.0%	87.4%	1	£3,917.51
9	28.8%	57.7%	86.5%	2	£3,868.82
1	26.4%	60.0%	86.4%	3	£3,719.11
6	28.8%	52.5%	81.3%	4	£4,246.46
7	24.8%	53.1%	77.9%	5	£4,203.93
4	23.6%	0.0%	23.6%	0*	£3,371.51
8	27.6%	0.0%	27.6%	0*	£3,821.13

Bidders 4 and 8 cost proposals contained inadequate staffing levels for the service and could not be scored. See paragraph 5.10 of the report for further information.

CONTRACT 2

BIDDER (TAB) REF	QUALITY SCORE (OUT OF 40%)	LOT 2		RANK	AVERAGE WEEKLY RATE
		COST SCORE	TOTAL SCORE		
6	28.8%	59.3%	88.1%	1	£5,339.25
2	25.6%	57.0%	82.6%	2	£5,560.98
3	28.4%	60.0%	88.4%	3	£5,279.89
5	30.4%	58.3%	88.7%	4	£5,429.90
8	27.6%	54.9%	82.5%	5	£5,771.80
1	26.4%	57.8%	84.2%	6	£5,484.54
7	24.8%	53.0%	77.8%	7	£5,978.05
9	28.8%	50.5%	79.3%	8	£6,268.56
4	23.6%	57.4%	81.0%	0*	£5,523.33

Bidder 4's cost proposal contained inadequate staffing levels for the service and could not be scored. See paragraph 5.10 of the report for further information.

Appendix 3: Evaluation Criteria

The table below indicates how each Method Statement Question links with the Evaluation Criteria and details the weighting attributable to each Question.

Criteria	Weighting	Method Statement Question	Weighting
How experience in delivering similar services will be applied to the Service.	15%	Q1	15%
How the Service will be operated to lead to improved personal independence.	15%	Q4	15%
Proposals with regard to Staffing (skills, qualifications and experience and structure) in order to meet the needs of the service users and how services out of hours will be delivered.	30%	Q3	15%
		Q5	15%
How the Service will be operated to achieve delivery of outcomes.	15%	Q2	15%
How policies and procedures regarding equality and human rights will be applied specifically to this group of service users.	10%	Q6	10%
How the Safeguarding policy will be implemented specifically to this group of service users.	10%	Q7	10%
How Social Value will be delivered.	5%	Q8	5%

Appendix 4: Equality Assessment

Framework 4 Re-Procurement Equality Analysis

Introduction

This equality assessment is to determine the impact of the re-procurement of two contracts which deliver accommodation based support services to adults with medium to high mental health needs. Both contracts are referred to collectively as 'Framework 4'.

Re-procurement of these contracts is a legal necessity as the term of the contracts previously let is due to expire (following extensions in line with procurement regulations) in November 2016.

The two contracts to be procured are:

Contract 1 for Lot 1: a contract to support up to 8 individuals at 1 location who have high to medium mental health needs and may also have support needs with drug and alcohol misuse.

- Location 1 (Pound Lane) support up to 8 men as prescribed above.

Contract 2 for Lot 2 – a contract to support up to 13 individuals in 2 locations who have high to medium mental health needs and may also have support needs related to paranoid schizophrenia and anxiety.

- Location 2 (The Mall) supports up to 6 females and 2 males.
- Location 3 (Essex Road) supports up to 5 males.

These services are short term/temporary accommodations for individuals discharged from hospital due to a mental health admission, or who are experiencing a mental health relapse/crisis and require enhanced support. The intention is for individuals to live at the service for a maximum of 2 years, in that time acquiring the skills to manage and understand their mental health needs, regain their independence and move on to lesser supported accommodation or independent living. Service users are encouraged to move on as and when they are ready, and this is anticipated to be within a two year period. Presently there are 5 voids at the service to be filled, thus there are 16 individuals living in and receiving support at the time of completing this EA.

Equality Assessment Analysis

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

5.1 Age (select all that apply)

Neutral

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The re-procurement of these contracts will have no impact upon the protected characteristic of age. Service users do not access these services contingent upon their age, they are open as and when a vacancy arises to adults (18+) requiring move on accommodation based mental health support.

Of the 16 individuals currently supported there is an age range of 26-65 years of age. 13% of tenants are between 20-30 (2 tenants), 6% are between 30-40 (1 tenant), 31% of tenants are between 40-50 (5 tenants), 38% of tenants are between 50-60 (6 tenants) and 13% are 60+ (2 tenants). The higher proportion of tenants aged 40+ may reflect the greater need for accommodation based mental health support within this cohort due to break down of relationships over the life course, leading to a breakdown of housing/accommodation.

5.2 Disability *(select all that apply)*

Positive

All of the service users currently accessing the service, and future referrals will have a primary mental health need. Their referral will follow a needs assessment by a CNWL clinician or social worker indicating their eligibility and suitability for them to continue to recover and receive support at these services.

The re-procurement of these contracts will ensure that there is ongoing provision within Brent for accommodation based services for those with medium to high mental health needs.

The re-procurement of these contracts has offered the opportunity for commissioners to modernize the services through the specification, so they better reflect the current legislative climate and service user's needs. Whilst the services to be delivered remain the same in terms of core delivery, the specification developed has brought the contracts in line with The Care Act 2014 and focusses on enabling support and the recovery model of care to ensure service users have maximum choice and control over their lives.

The key emphasis of the specification is on the services supporting individuals to be as independent as possible, to live their lives as regular citizens, to be supported to manage and learn to manage their mental health, to provide choice and control over their support and to support building resilience within their community in order to successfully move on to independent living. A new set of outcome measures have been developed which measure the quality of service delivered more robustly. The focus of the outcome measures is on the positive impact the supported provided effects on individuals as outlined above. This will be measured by a variety of mediums including service user feedback and case studies.

It is anticipated that through a fair and robust tender process with a service specification that better reflects the current climate and need, the ultimate result will be improved services for individuals with medium to high mental health needs who require accommodation based care and support to move onto independent living.

5.3 Gender identity and expression *(select all that apply)*

Neutral

It is anticipated that there will be no impact on gender identity and expression as a protected characteristic. Presently, Mosaic (Brent adult social care information system) does not capture information relevant to gender identity and expression so we are not able to quantify this characteristic for the group of individuals presently receiving these services.

Individuals referred to these services, and currently in receipt of these services will not be assessed for them based upon their gender identity and expression. Their access to these services will be based only upon their requirement for accommodation based mental health support services arising from presenting mental health needs.

Should gender identity/expression be identified as a need or issue for any individual, it is expected that the service provider will support them via one to one sessions, and to access any community groups or services which may assist them to explore this characteristic as per their choice.

5.4 Marriage and civil partnership *(select all that apply)*

Neutral

It is anticipated that there will be no impact on marriage and civil partnership as a protected characteristic.

The capturing of marriage/civil partnership information for the individuals currently living at and receiving care in these services is not readily available for all individuals on Mosaic. This may be because they have requested for this information not to be shared. The majority of individuals are identified as single.

Individuals referred to these services, and currently in receipt of these services will not be assessed for them based upon their marriage and civil partnership status. Their access to these services will be based only upon their requirement for accommodation based mental health support services arising from presenting mental health needs.

5.5 Pregnancy and maternity *(select all that apply)*

Neutral

It is anticipated that there will be no impact on pregnancy and maternity as a protected characteristic.

None of the individuals currently receiving support at these services are identified as pregnant. Should it be identified that any individual is pregnant they will be supported

to manage their pregnancy and access appropriate services as per their need by a multi-disciplinary team which will include the service provider.

Individuals referred to these services, and currently in receipt of these services will not be assessed for them based upon their pregnancy and maternity status. Their access to these services will be based only upon their requirement for accommodation based mental health support services arising from presenting mental health needs.

5.6 Race *(select all that apply)*

Neutral
Positive

Of the individual's currently receiving care and support at these services not all have their race/ethnicity recorded on Mosaic-this may be due to a choice of theirs not to have this information captured. The information captured on Mosaic evidences the present cohort of 16 individuals living at and receiving care to identify their race as:

2 British Asian (13%), 4 White British (25%), 4 Black British/ Caribbean (25%), 1 Black African (6%), 5 not recorded (31%). A higher BAME population within the cohort is consistent with Brent's population¹.

It is anticipated that there will be no impact on race as a protected characteristic. Individuals will not be referred to this service on the basis of their race. Their access to these services will be based only upon their requirement for accommodation based mental health support services arising from presenting mental health needs.

The service provider selected to deliver the service based on a fair and robust tender process will be expected to have an understanding of Brent's ethnicity profile, and support the development of a workforce which reflects the demographics of the population they are to support, thus assisting with the mitigating the risk of discrimination or inequality due to unconscious bias.

5.7 Religion or belief *(select all that apply)*

Neutral

It is anticipated that there will be no impact on religion or belief as a protected characteristic. Of the individual's currently receiving care and support at these services the majority do not have their religious identify or belief system recorded on Mosaic. Only two individuals of the known population have their religion captured, and both are identified as Muslim. This may be due to a choice of theirs not to have this information captured, or because of poor data capturing. This will be feed back

¹ <https://intelligence.brent.gov.uk/BrentDocuments/Brent%20Diversity%20Profile.pdf> [last viewed 08.04.16 at 08.04.16]

to the Mosaic and Social Work teams to ensure that data is being accurately captured in line with the individual's consent.

It is anticipated that there will be no impact on religion as a protected characteristic. Individuals will not be referred to this service on the basis of their religion. Their access to these services will be based only upon their requirement for accommodation based mental health support services arising from presenting mental health needs.

The services will take into account an individual's needs arising from their religion, such as ensuring that ingredients selected or preparation methods for cooking are compatible with the individual's religion. Service users will be supported to observe and access local religious services or groups as per their choice by the service provider. It is a requirement for the service provider to evidence that their workforce is representative as far as possible through their recruitment processes and that the workforce has an understanding of the cultural and religious needs of individuals and how to support them through their training program.

5.8 Sex *(select all that apply)*

Neutral

It is anticipated that there will be no impact on sex as a protected characteristic. Individuals will not be referred to this service on the basis of their sex. Their access to these services will be based only upon their requirement for accommodation based mental health support services arising from presenting mental health needs.

Presently there is more provision for men in these services (15 bed spaces) compared to women (5 bed spaces). Whilst prevalence of severe and enduring mental or psychotic disorders is equal amongst the sexes nationally, the rate of suicide/crisis is significantly higher in men than women (double) and hence the need for post admission recovery support is higher for men than women². The services have been organized to reflect the population need, and to ensure the safety of the users of the services hence the gender split within the service. Should there be a change in this locally commissioners will seek to re-organize the services to reflect the population need.

5.9 Sexual orientation *(select all that apply)*

Neutral

It is anticipated that there will be no impact on sexual orientation as a protected characteristic. Mosaic presently does not capture data specific to sexual orientation, therefore at this time we are not able to quantify the sexual orientation of the cohort selected.

²http://www.nhsconfed.org/~media/Confederation/Files/Publications/Documents/Key_facts_mental_health_080911.pdf [last viewed 08.06.16 16:46]


Individuals will not be referred to this service on the basis of their sexual orientation. Their access to these services will be based only upon their requirement for accommodation based mental health support services arising from presenting mental health needs.

It is possible individuals referred to or currently receiving care may wish to and be supported to access community groups relevant to their sexual orientation (such as a LGBT group) it is expected that the service provider will support them to explore and complete this as per their choice.

5.10 Other (please specify) (*select all that apply*)

N/A

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 Brent	<p style="text-align: center;">Cabinet 25 July 2016</p> <p style="text-align: center;">Report from Strategic Director of Adults Social Care</p>
<p>For Action Wards Affected: ALL</p>	
<p style="text-align: center;">Adult Social Care – Charging for Services</p>	

1.0 Summary

- 1.1 In March 2016 Cabinet agreed to consult with current and future recipients of adult social care services on 3 minor changes to the existing charging policy. The proposal for change is as follows:-
- a. The introduction of new single charging policy which would include how Adult Social Care will charge for non-residential care and housing related support and residential care service in the future.
 - b. Using the Department for Works and Pension benefit entitlement information to undertake the financial assessments in the future
 - c. The introduction of an average charge of £29.07 where it has not been possible to undertaken a financial assessment using the DWP information
- 1.2 The Council has now completed a thirty days consultation on proposed changes. This report outlines the responses to that consultation, the potential impact on the residents and resulting recommendations taking into account the feedback that has been received from current and future users of Adult Social Care Services.
- 1.3 A summary of the consultation process and outcomes is included within the report.

2.0 Recommendations

- 2.1 Cabinet to note the responses received during the thirty days consultation from 25 April to 27 May 2016.

- 2.2 Cabinet to give approval for officers to implement a single charging policy which combines the existing Fairer Charging Policy for housing related support and CRAG related to charging for residential care services.
- 2.3 Cabinet to note that the new charging policy includes residents supported through the Shared Lives scheme under Fairer Charging.
- 2.4 Cabinet to agree to the use of Department Work and Pension (DWP) information to undertake financial assessment for all new customers.
- 2.5 To approve an average charge of £29.07 for customers in receipt of services and where information cannot be obtained from the DWP, Housing Benefit or Council Tax systems. The charged will be made from the time that the service commences up until a financial assessment can be completed.

3.0 Background

- 3.1 The current Adult Social Care charging policy for non-residential care and housing related support is based on the published Fairer Contribution Policy. This policy is based on government guidance, which states that a council can choose to charge for non-residential care services, subject to certain minimum levels of income.

3.2 Current charges

- 3.3 ***Non-residential care and housing related support charges*** are applied as follows:

- a. Non-residential care and housing related support (including extra care) provided under Section 29 National Assistance Act ['NAA'], Section s Chronically Sick and Disabled Persons Act 1970 ['CSDPA'], Section 45(1) NHS Act 2006, Section 8 Residential Homes Act 1980 and Section 2 Carer and Disabled Children Act 2000.
- b. Day services including transport, if provided.
- c. Any non-residential care and housing related support based care packages through Personal Budgets or Direct Payments.
- d. Tele care/assistive technology.
- e. One-off services (for example, intensive house cleaning).
- f. Telephone line rental and TV licences.
- g. Respite Care Services.

3.6 Residential Care Charges

Current residential care charges are applied by using the Department of Health Guidance paper 'Charging for Residential Accommodation Guidance' (CRAG). The paper provides statutory guidance to local authorities on how to interpret the regulations on charging for residential care.

The National Assistance Act 1948 underpins this guidance. The financial assessment is made using the National Assistance (Assessment of Resources) Regulations 1992.

4.0 Proposed Changes to the Charging Policy and Process

4.1 In March 2016 Cabinet agreed to consult with current and future service users on the following proposal:

- a) A single Charging Policy which brings together the current regime for charging for non-residential care and housing related support, and residential care under one document and in accordance to the requirements of the Care Act 2014.
- b) The implementation of light touch assessments which will reduce the requirement to visit clients receiving new services by using the data readily available within the Department of Works and Pension system relating to benefits entitlement as well as the councils housing benefit and council tax systems.
- c) Charging an average of £29.07 for clients in receipt of services but who have not yet had a financial assessment undertaken due to information being unavailable.

4.2 The results of the consultation were in the main positive towards the proposed change. This report recommends to Cabinet to agree the above changes to the charging regime for Adult Social Care. The benefits included reduced financial assessment visits for residents, less forms to be completed, accurate charging and transparency in the way charges for adult social care services are made.

5.0 The Consultation Process and Impact

5.1 Over the 30 days consultation process two stakeholder meetings were held. The first stakeholder meeting provided the opportunity for stakeholders to help design and comment on the on-line survey. The on-line survey went live on 25th April 2016 and closed on 27th May 2016

5.2 For both stakeholder meetings notes were taken by those presenting the information in relation to the proposal. Questions were raised

concerning the proposals and all questions were appropriately responded to at the meetings. There was a request for more information in relation to Disability Related Expenditure (DRE) and personal allowance. This information was provided at the second stakeholder meeting.

5.3 Stakeholders primary concerns were as follows. They:

- wanted to know what was included in a financial assessment calculation
- 2 residents wanted to know if customers had to give permission to the Council to access their DWP information
- 1 resident wanted to ensure enough time was allocated to the consultation period and requested that the consultation be extended by 5 days to take into consideration an end of the week closure rather than the beginning of the week
- 1 resident wanted to know how customers identified for reablement services will know that there would not be a charge for up to six weeks
- 1 resident wanted to know what constituted a Disability Related Expenditure
- There were X issues around customers not having a computer to exchange information with the Council.

5.4 In response to the above issues and concerns it was explained what was included within a financial assessment, what was disregarded and the types of Disability Related Expenditure (DRE) that would be considered within the calculation. Assurance was provided that the process would be open and transparent and that engagement with stakeholders was essential to ensure full understanding of how the financial contribution charges are calculated, applied and the timescales for informing customers of when the charges for their services will commence.

5.5 It was further explained that customers had already given their consent to the DWP to share data with other government agencies, including Local Authorities and that reablement customers are told by social workers that the reablement service is free for six weeks at the point when their reablement service commences. However, if it is necessary for ongoing care to continue after the six weeks this would be subjected to a financial assessment contribution. The response to this question also included information around means testing for Adult Social Care services and only those customers identified that can afford to pay will be charged a financial contribution.

5.6 In addition to the above issues raised stakeholders generally thought that combining the existing charging policies made sense and welcomed the use of DWP information to undertake financial assessments. One comment which had been made at the first stakeholder meeting was in relation to a stakeholder's brother who

lived in another borough and had their financial contribution calculated using DWP information. It was a positive experience for the brother as he did not have to find information or complete forms.

- 5.7 There were no comments made in relation to the proposal to charge the average cost of £29.07 per week where it had not been possible to undertake a financial assessment using the DWP information. It was explained that this was being introduced to ensure all income was being accounted for and that the charge was adjusted when a financial assessment was completed. If the financial assessment demonstrated that the customer should contribute more than the average charge of £29.07 per week then the new higher charge would commence from the day the customer was informed of the new charge. Should the financial assessment demonstrate that the customer should pay less than £29.07 per week then the difference would be reimbursed to the customer and backdated to when the customer was informed of the average charge being made towards their care.
- 5.8 A weekly check was undertaken to analyse the on-line survey responses to the consultation, however there were no returns. It was considered that the face to face interaction with stakeholders provided a more qualitative response to the proposal where clarity of information could be better exchanged and concerns addressed.
- 5.9 The financial assessment staff undertook formal training on the DWP system and used a small sample of customers in a test environment to pilot the new proposed system and identify any potential issues. The exercise was measured against the current manual process for undertaking financial assessments and it was found that using the DWP information was accurate, saved time in terms of visiting clients and involved less administration.
- 5.9 Members are referred to Appendix A for further details of the consultation. Following consideration of the consultation, officers continue to regard the proposals as appropriate.

6.0 Financial Implications

- 6.1 The annual forecast for income received from client contribution in 15/16 is £8.3m. The additional annual income to be generated from moving to the light touch assessments is estimated to be £200,000 per annum. This saving forms a contribution to the Council's customer access service saving target.
- 6.2 On average, financial assessments are forecasted to be completed 3 days earlier (based on previous client visits), saving 1.5 hrs officer time per appointment. The assessed charge can be made from the day the service commences (3 days earlier), and this will result in recognising income sooner.

6.3 Quicker determination of the assessed charge and reduction in staff time and current procedures cannot be fully quantified until this process has been implemented, but the availability of DWP information will streamline the process and reduce the requirement to visit clients receiving new services.

7.0 Legal

7.1 Cabinet should satisfy itself that the consultation undertaken has abided by case law which states that consultations must contain four elements:

- a. It must be at a time when proposals are still at a formative stage
- b. It must give sufficient reasons for any proposal to permit intelligent consideration and response
- c. Adequate time must be given for any consideration and response
- d. The result of the consultation must be conscientiously taken into account in finalising any proposals

7.2 In order to comply with element d above for proper consultation, members of cabinet should ensure that they have familiarised themselves with the views expressed during the consultation period and ensure that those views are taken into account in any decision made.

7.3 When a Local Authority is considering amending policies it should assess the actual or likely effect of its policies on those with a protected characteristic in the community. An Equality Impact Assessment will also be completed to assist Cabinet in its decision making

8.0 Diversity Implications

8.1 The Care Act 2014 changes the ways councils can charge and assess customer's financial resources by creating a clear, consistent and fair way of assessing what people can afford to pay for their care and support. Services provided will be means tested to ensure the person receiving care can afford to pay and also takes into account any further considerations. The minor changes proposed has been subjected to consultation and in doing ensures residents are aware of the potential changes to the policy and that the policy will apply fairly to everybody irrespective to their protected characteristics and in line with the Public Sector Duty under the Equality Act 2010.

8.2 A Equalities Impact Assessment Screening has been completed, as well as a full equalities impact analysis in accordance with our duties under the Equality Act 2010 through the consultation process. This

has taken into consideration a privacy impact assessment in relation to the use of resident's information.

9.0 Background Papers

Report to Cabinet – 25th July 2016

Contact Officers

Nancie Alleyne
Head of Direct Service Tel: 020 8937- 4042
Email: nancie.alleyne@brent.gov.uk

PHIL PORTER
Strategic Director of Adults

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Cabinet
25 July 2016

**Report from the Strategic Director
Community Wellbeing**

For Action

Wards affected:
Wembley Central,
Tokyngton, Barnhill

Wembley Housing Zone Programme: Property Acquisition

Appendix One to this report is Exempt from publication in accordance with Paragraph 3 of 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).

1.0 Summary

1.1 The Wembley Housing Zone was designated by the GLA last year with the aim to accelerate housing and affordable housing development and to promote regeneration. In July 2015 Cabinet approved the approach which is to bring forward a programme of acquisition and development of a number of sites between Wembley town centre and the regeneration underway on the Stadium lands, including the council-owned site due to be released through the construction of the new Ark Elvin Academy. Cabinet also approved entering into a legal agreement with the GLA to secure their funding support and this has been concluded.

1.2 Discussions are underway with the owners of a number of identified sites in order to establish the development programme. This report seeks the approval of Cabinet to the terms for the acquisition of a first of these identified sites, that of Ujima House and its car park in order to progress the implementation of the Wembley Housing Zone and agreement to enter into a contract with the Greater London Authority to fund the acquisition of the property.

2.0 Recommendations

2.1 Cabinet agrees:

To enter into a contract for the acquisition by the council of Ujima House and its car park on the terms set out in Appendix One to this report, with approval

of the final terms to be delegated to the Strategic Director, Resources in consultation with the Strategic Director, Resources in consultation with the Cabinet Member for Housing.

To enter into a funding contract with the Greater London Authority to receive Housing Zone grant to fund the acquisition of Ujima House and car park, with approval of the final terms of the funding agreement to be delegated to the Strategic Director, Resources in consultation with the Cabinet Member for Housing.

3.0 Detail

3.1 The GLA's Housing Zone programme has been established to accelerate and maximise housing and affordable housing development in key growth areas of London. The Wembley Housing Zone was designated in July 2015 by the Mayor of London. Grant funding of £8m has been allocated for the zone by the Greater London Authority (GLA). The zone matches the boundary of the Wembley Growth Area within the Local Development Framework Core Strategy.

3.2 As reported to Cabinet in July 2015 the key objectives of the Wembley Housing Zone programme by 2025 are to:

- Significantly accelerate and increase housing delivery, by delivering over 600 homes on underused commercial sites
- Unlock future development potential by creating and attract £200m of private sector investment in housing led mixed-use development
- Increase the proportion of affordable housing that might otherwise be achieved on these sites, including a target of 30% affordable homes
- Create 190 jobs from provision of new commercial floor space

The council's successful bid envisaged a rolling programme of acquisition and development of key sites in this area by the council working with a development partner to provide the new homes including 200 affordable homes, supported by the Housing Zone grant.

3.3 The focus of the housing zone interventions is along the eastern 'fringe' of Wembley town centre, a key area within the Wembley Opportunity Area as it plays a significant role in linking the existing town centre and the new Wembley being developed by Quintain. The planned approach will promote the acquisition and development of a rolling programme of sites along Wembley High Road working with a development partner bringing forward over 600 new-build homes of which 30% are affordable.

3.4 The identified development sites for the programme include the land that will be released, subject to Secretary of State Consent, through the redevelopment of the former Copland School (now Ark Elvin Academy) which Cabinet has previously agreed to have developed through the Housing Zone programme.

3.5 A number of sites in private ownership have been identified that could collectively be developed through the housing zone programme to support the

regeneration of this area of Wembley and bring forward new housing and affordable housing with the support of Housing Zone grant.

3.6 Discussions have begun with owners of these sites to establish whether they would be interested in entering into a partnership arrangement with the Council or in selling to the Council or its development partner. An external firm of chartered valuation surveyors has been appointed to provide the Council with valuation advice to inform discussion with these landowners.

3.7 These sites include Ujima House, located opposite the Academy site, which is owned by London & Quadrant Housing Trust (L&Q) who have advised the council that they wish to dispose of their property. Terms for the acquisition of Ujima House and adjoining car park have been agreed with L&Q and this report seeks Cabinet approval to enter into a conditional sale agreement to acquire the site subject to the council obtaining a viable planning permission for its redevelopment within 12 months.

3.8 The terms of the proposed acquisition and information on the independent valuation and other funding terms are set out in exempt Appendix 1.

3.9 The council and GLA have discussed the GLA funding this acquisition from the available Housing Zone grant and the GLA are currently preparing Heads of Terms for a grant agreement to be entered into between the Council and the GLA to enable this.

3.10 The Ujima site is suitable for development on its own but discussions are continuing with neighbouring land-owners and if these are successful it is intended that this site would form part of a larger programme of redevelopment. It is expected that this programme will be taken forward by the council in partnership with a development partner and a further report will be made to Cabinet on the proposed delivery approach and the selection of the development partner.

4.0 Financial Implications

4.1 As noted above the proposed acquisition may be funded by the GLA through the contribution of Housing Zone grant. If this is not agreed the Council will need to fund the acquisition, if a viable planning permission is secured, from its own capital resources.

4.2 The costs associated with the design and planning process will be capable of recovery through the implementation of the development but if a viable planning permission is not obtained the costs will be abortive.

4.3 The purchase of this site is related to the wider development zone. The specific cost is noted in the exempt section. However, if the Council believes that the wider development of the area is necessary then purchasing this site appears a necessary first step. Specific financial comment on the value for money of the deal cannot be discussed here for reasons of commercial sensitivity.

5.0 Legal Implications

5.1 An Overarching Borough Agreement with the GLA for the Wembley Housing Zone was completed in March of this year and this allocates funding of £8m to the zone programme.

5.2 The GLA funding of Ujima House will be secured through a Local Authority Grant Agreement. Draft heads of terms are being prepared by the GLA. If these terms are not acceptable the Council will fund the acquisition from its own reserves.

6.0 Diversity Implications

6.1 The proposed acquisition will assist in accelerating and increasing the delivery of affordable housing and will have a positive impact on housing provision including for those individuals with protected characteristics who experience disadvantage in their housing conditions and access. An initial screening assessment has been undertaken and a full analysis is not required at this point with further consideration to be given as the scheme design and accommodation mix are developed.

7.0 Staffing/Accommodation Implications (if appropriate)

7.1 There are no direct staffing implications arising from this report.

Background Papers

Wembley and Alperton Housing Zones - Cabinet Report 27th July 2015

Contact Officers

Jon Lloyd-Owen Operational Director, Housing and Culture

Tel: 020 8937 5199

Email Jon.Lloyd-Owen@brent.gov.uk

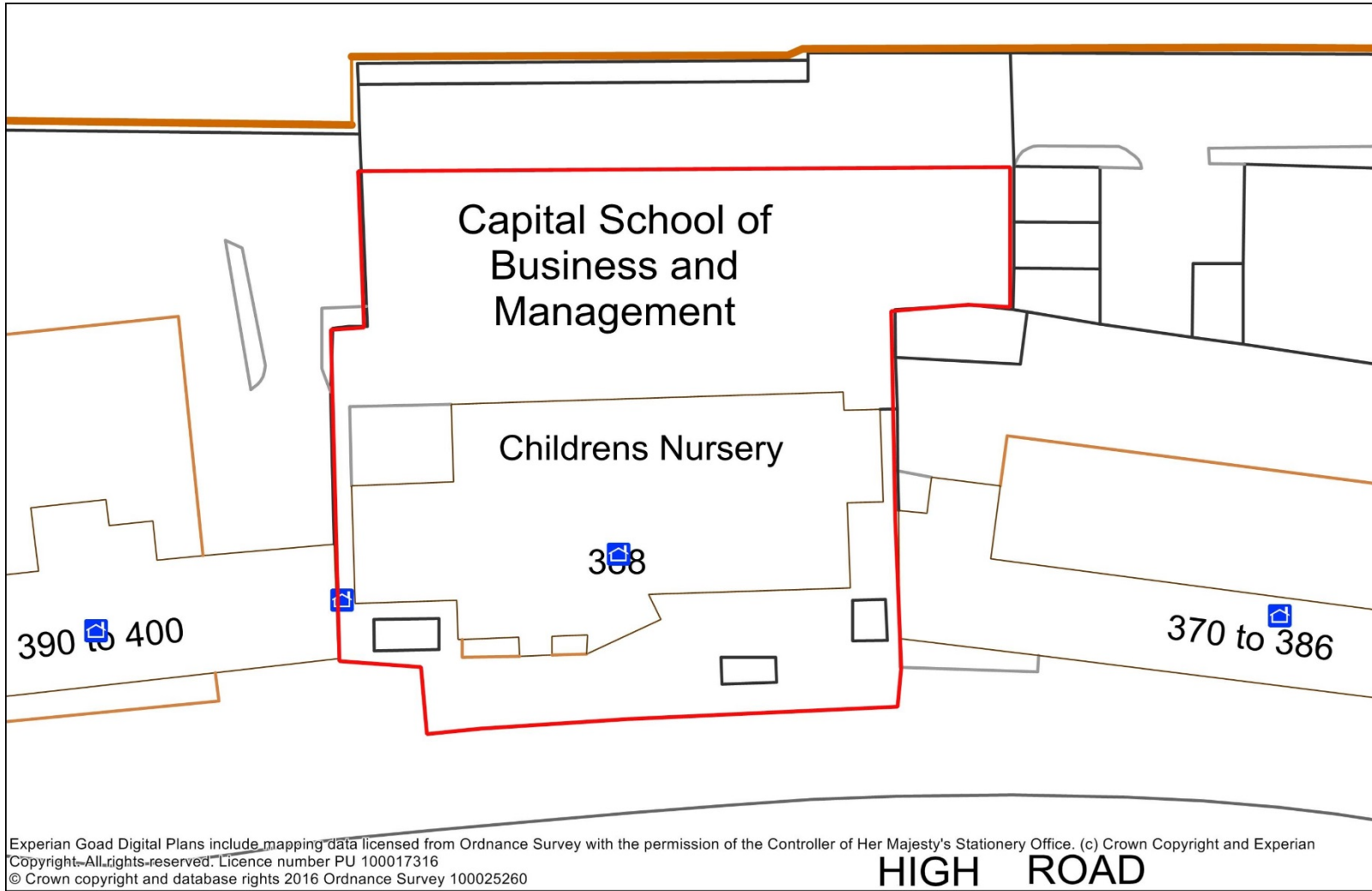
Malcolm Newman, Interim Housing Zone Programme Manager

Tel 07795 335275


Email malcolm.newman@brent.gov.uk

PHIL PORTER

Strategic Director, Community Wellbeing



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 Brent	<p style="text-align: center;">Cabinet 25 July 2016</p> <p style="text-align: center;">Report of the Strategic Director, Regeneration and Environment</p>
For Decision	Wards Affected: Whole Borough
Parking Annual Report 2015-16	

1.0 SUMMARY

- 1.1 Brent Council is committed to providing a high quality parking service and a fair, consistent and transparent approach to parking and traffic enforcement. We hope that the publication of statistical and financial information will support achievement of these objectives. The purpose of the Annual Report is to explain the aims and objectives of the Council's Parking service and the key achievements of the last financial year. The Report includes a statistical analysis setting out information on the number of parking and traffic related Penalty Charge Notices (PCNs) issued for the period 2015/2016, the revenue and expenditure recorded in our Parking Account, and how the surplus on this account has been spent or allocated.
- 1.2 The Report also meets a key requirement set out in the 2015 Statutory Guidance issued under the Traffic Management Act 2004. This requires local authorities to produce and publish online an annual report on parking enforcement activities.

2.0 RECOMMENDATIONS

That Cabinet:

- 2.1 Approves for publication the Parking Service's draft Annual Report 2015/16, set out as the Appendix to this report;
- 2.2 Delegates to the Highways Committee responsibility for approval of Parking Annual Reports from 2016/17 onwards; and
- 2.3 Notes that additional information on the outcome of appeals to the independent appeal service, Environment and Traffic Adjudicators (ETA), will be added to the published Annual Report in September 2016.

3.0 BACKGROUND

- 3.1 The purpose of the Annual Report is to provide statistical and financial information relating to all aspects of parking and traffic enforcement operations, including the number of PCNs issued, the number of PCNs paid, the revenue and expenditure related to the enforcement activities recorded in the Parking Account, and how the surplus on the account has been spent or allocated.
- 3.2 Publication of the report allows residents, motorists, local businesses, and other interested parties easy access to information regarding last year's parking and traffic enforcement operations. The report will be published on the Council's website.
- 3.3 A highlight of the year for the service was the British Parking Association's decision to recognise Brent's Parking service as **'Team of the Year'** at the BPA's national awards ceremony in March 2016. The BPA said:

"A comprehensive submission focussed on their service delivery and supported by empirical data. This team is clearly delivering, developing and improving the services they provide and, importantly, are forward looking."

3.4 Executive Summary

The table below summarises the Key Performance Indicators agreed for the Parking service in 2015/16, as well as performance in previous years for comparison.

Key Performance Indicator	2013/14	2014/15	2015/16
PCNs issued by Civil Enforcement Officers	75,458	87,347	99,145
PCNs issued by CCTV for parking contraventions	37,353	36,584	991
PCNs issued by CCTV for bus lane contraventions	5,681	11,362	8,370
PCNs issued by CCTV for moving traffic offences	24,029	27,512	73,990
Parking and traffic enforcement: net revenue	£7.914m	£8.957m	£10.119m

- 3.5 In 2015/16 the number of **parking PCNs issued by CCTV** contraventions dropped by over 97%, following the introduction of the Deregulation Act 2015. From 1st April 2015 local authorities have only been able to enforce parking restrictions through CCTV in the following areas: school Keep Clear zig-zag markings; bus stops; red routes; and bus lanes. Enforcement of moving traffic contraventions is not affected. The restrictions on CCTV use have had a particularly detrimental impact on authorities' ability to enforce parking restrictions if drivers are present and able to avoid enforcement action taken by a Civil Enforcement Officer (CEO) by driving away. Typically these are drivers waiting for children in the locality of schools, or vehicles parked illegally in commercial areas with the driver

nearby. There has been a substantial impact on parking enforcement in the vicinity of schools, where congestion and safety problems have a high profile.

- 3.6 To address the parking enforcement gap caused by the 2015 Deregulation Act, additional CEOs were deployed on-street from 1st April 2015, and improvements were made to the efficiency and effectiveness of CEOs during their deployed hours. As a result **parking PCNs issued by Civil Enforcement Officers** increased by over 13%. The additional deployment had been planned in detail by the council's parking team and Serco in response to the Deregulation Act. This advance planning facilitated the successful introduction of additional CEO deployment immediately the CCTV restrictions took effect – although less than one week's advance warning had been provided by central Government. Taking CEO and CCTV PCNs together, we have seen a reduction in the **total number of parking PCNs issued** from almost 124,000 in 2014/15 to just over 100,000 in 2015/16. This represents a substantial reduction in parking enforcement activity as a direct result of the constraints imposed by the Deregulation Act.
- 3.7 **PCNs issued for bus lane contraventions** decreased by just over one quarter. In the case of bus lane enforcement this reflects increased compliance by motorists.
- 3.8 **PCNs issued for moving traffic contraventions** increased from less than 28,000 to almost 74,000. This followed the deployment of 13 new unattended camera systems, to provide consistent and reliable enforcement at key locations where traffic congestion and safety has caused concern in the past. Most of these new cameras have already had a major impact on improving motoring standards, reducing traffic congestion and enhancing road safety. Shortly after the cameras became operational, in October 2015, the number of PCNs issued for moving traffic offences peaked at 5,447 in that month. By March 2016 compliance at most locations had significantly improved; the number of PCNs issued that month had declined to 3,778, an improvement in compliance borough-wide of over 30%. PCN issuance does vary from month to month; nonetheless, at key locations compliance has improved markedly and the number of PCNs issued has correspondingly declined:
- Glacier Way – PCNs reduced from 1,855 (September 2015) to 598 (March 2016)
 - Chamberlayne Road/Bolton Gardens – PCNs reduced from 1,377 (October 2015) to 528 (March 2016)
 - Craven Park Road – PCNs reduced from 1,866 (October 2015) to 1,047 (March 2016)
- 3.9 **Complaints** about the service in 2015/16 fell by one fifth to 164, compared to 205 in 2014/15. In 2015/16 the council received fewer than half the Parking complaints it received in 2013/14. A contributory factor was the increased familiarity of residents with the online permit and visitor parking booking system. The improved provision of Interactive Voice Recognition technology for the parking call centre has also led to a reduction in complaints about telephone service standards (see 3.11 below). Finally, all correspondence concerning disputed PCNs and associated debt recovery is now being dealt with correctly through the statutory appeals process.
- 3.10 **Payment for parking** using mobile phones and tablets continues to show strong growth. In 2015/16, 51% of total on-street parking payments were made using the Council's cashless parking provider RingGo. This compares with 39% in 2014/15, 28% in 2013/14 and just 19% in 2012/13. In our car parks, 42% of bookings last year were cashless; compared to 33% in 2014/15 and 20% in 2013/14.

- 3.11 The development of Interactive Voice Recognition (IVR) technology in late 2015 has improved the **performance of the Serco parking call centre**. During the period from November 2015 to February 2016, there was a reduction of 49% in the proportion of customers who needed to speak to a call centre operator. Due to this reduction in excess demand for operator time, the proportion of calls abandoned reduced by 89% over the same period.
- 3.12 Information on the Council's record at the London-wide **independent appeals** service, Environment and Traffic Adjudicators (ETA), is not yet available. This data will be published in September, and will be added to the published Annual Report as soon as it becomes available.
- 3.13 **Recovery of Penalty Charge Notice debt** improved significantly last year. In 2015/16 the payment rate for PCNs increased by 6% compared to the previous year. This improved performance is attributed to a better standard of evidence collected to support PCNs, improvements in Notice processing, and more effective joint work with the council's Civil Enforcement Agent (bailiff) contractors. At the end of the year, of the 182,496 PCNs issued in 2015/2016, 129,045 had been paid - an overall recovery rate of 71%. We anticipate that over the next 6 months the recovery rate of PCNs issued in 2015/16 will ultimately rise to 73%. This performance would put Brent in the top rank of performance nationally, in line with industry benchmarked standards. Strong debt recovery performance is a significant factor in making enforcement an effective deterrent.

4 FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications as the report simply provides a summary of the previous financial year's activity by the Parking service.
- 4.2 The report discusses the activities and finances of parking operations during the last financial year. A summary of the headline figures is set out below.
- 4.3 **Parking Account 2015/2016**

	Expenditure (£000)	Revenue (£000)
Parking Administration	1,602	(88)
Parking Projects	255	
On-Street Pay and Display	376	(3,885)
Off-Street Pay and Display	75	(403)
Parking and Traffic Enforcement, and Permit Sales	5,883	(14,263)
Traffic Enforcement Costs	328	
Total	8,520	(18,639)
Net Revenue		(10,119)

4.4 Application of Net Revenue

	Transfer (£,000)
Transportation service	2,091
Additional pothole repairs	200
Concessionary Fares*	7,828
Surplus	Nil

The surplus on the parking account covered 48% of the total expenditure incurred by the Council on Concessionary Fares (£16.091m in 2015/16).

- 4.5 Overall the Parking service fully met the expectations set out in the Council's agreed budget for 2015/16. The net revenue on the Parking account increased by 13%, from £8.957m in 2014/15 to £10.119m in 2015/16. The service raised £0.950m more revenue than was originally anticipated in budget planning; £200k of this was subsequently used to carry out additional pothole repairs. The increased revenue also enabled a greater contribution to be made to the cost of Concessionary Fares of £7.828m, up from £6.866m in 2014/15. As a result, the council was able to reduce by £750k the contribution to the cost of Concessionary Fares which would otherwise have been made from the General Fund.

5 LEGAL IMPLICATIONS

- 5.1 Part 6 of the Traffic Management Act 2004 (TMA) provides for the civil enforcement of parking contraventions. The Statutory Guidance from the Department of Transport entitled "The Secretary of State's Statutory Guidance to local authorities for the civil enforcement of parking contraventions", issued in March 2015, pursuant to Part 6 of the TMA, confirms enforcement authorities should produce and publish an annual report about their enforcement activities within 6 months of each financial year-end, and as a minimum, include the financial, statistical and other data as set out in Annex A of the said Statutory Guidance.
- 5.2 Under section 55 of the Road Traffic Regulation Act 1984 (as amended and hereafter referred to as "the 1984 Act"), enforcement authorities must keep account of their income and expenditure in respect of on-street parking places. The 1984 Act requires that any surplus must be applied towards specific purposes as set out under Section 55(4).

6 DIVERSITY IMPLICATIONS

6.1 None

7 STAFFING/ACCOMMODATION IMPLICATIONS

7.1 None

BACKGROUND PAPERS

Parking Annual Report 2014/15
Parking Annual Report 2015/16 (see Appendix)

CONTACT OFFICERS

Anthony Vartanian – Parking Policy Manager
Gavin F. Moore – Head of Parking and Lighting
Chris Whyte – Operational Director, Environmental Services

AMAR DAVE
Strategic Director, Regeneration and Environment

2015-2016

Annual Parking Report



Brent

London Borough of Brent
Civic Centre
Engineers Way
Wembley
HA9 0FJ

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Foreword

Welcome to this year's edition of Brent Council's Annual Parking Report. The report provides an overview of parking and civil enforcement in Brent. It draws together the year on year improvements we have made in customer services, and the effect our parking policies and enforcement have had in achieving high levels of parking and traffic compliance.

This year has been particularly challenging as we have been working towards introducing a range of new services and enhancements to the service, with a number of new initiatives launched and many more in the pipeline.

It gave me particular pleasure to attend this year's British Parking Association's award ceremony in March 2016, where our Brent service was awarded the prestigious Parking Team of the Year award.

The publication of the council's 2015 Parking Strategy last November provided an up-to-date foundation for the council's parking policies and operational practice, and established a firm foundation for future policy development. It also provided a solid framework to guide our parking management activities. The Parking Strategy complements and supports the work of other service areas: transportation; economic development; planning; air quality; and carbon reduction.

A particular focus this year has been on improving our enforcement of moving traffic offences. We aim to make Brent a safer borough in which to drive, improve motoring standards and reduce traffic congestion.

Our dedicated and experienced team continually strive to build relationships with the borough's growing number of residents and businesses, seeking new and efficient ways in which to manage the demand for parking in the borough. A recent consultation on proposed changes and charges within controlled parking zones drew in over 3300 responses, helping to shape a new approach to managing demand for on-street parking spaces within our Controlled Parking Zones.

As in previous years, this report explains how any surplus parking income was allocated to meet our wider transport objectives. I hope you find the report informative.



Cllr Ellie Southwood
Lead Member for
Environment

Introduction

Brent Council is committed to providing a high quality parking service and a fair, consistent and transparent approach to parking and traffic enforcement. We hope that the publication of statistical and financial information will support achievement of these objectives. The purpose of the Annual Report is to explain the aims and objectives of the Council's Parking service and the key achievements and improvements from the last financial year. The Report includes a statistical analysis, monitoring trends and setting out information on the number of parking and traffic related Penalty Charge Notices (PCNs) issued for the period 2015/2016, the income and expenditure recorded in our Parking Account, and how the surplus on this account has been spent or allocated.

The Report also meets a key requirement set out in the 2015 Statutory Guidance issued under the Traffic Management Act 2004. This requires local authorities to produce and publish an annual report on parking enforcement activities.

Striving to achieve excellence:

Brent Parking Service won the prestigious 'Team of the Year' prize at the 2016 British Parking Association (BPA) awards ceremony. The BPA is the largest professional association in Europe representing organisations working in the field of parking and traffic management. Following strong competition, Brent had been shortlisted, along with 7 other organisations, by an independent panel of judges. The judges' comments on Brent winning the award were: *"A comprehensive submission focussed on their service delivery and supported by empirical data. This team is clearly delivering, developing and improving the services they provide and, importantly, are forward looking."*

**british
parking
awards
2016
WINNER**



National and Local Context

Good parking management is an important tool that can contribute towards achieving the Council's wider transport, economic and planning policy objectives. Well thought-out parking policies and effective enforcement can influence travel patterns, sustain the local economy, balance competing demands for road space, relieve congestion and contribute to sustainable outcomes.

Conversely, parking which is not properly regulated can exacerbate congestion on the road network, reduce the reliability of public transport, impact adversely on the local economy and create road safety problems. Parking services are highly visible to residents, local businesses and visitors. In particular, enforcement needs to be seen as fair, effective and proportionate in order to retain public confidence.

Brent Context

Brent is an outer London borough, with a population of 311,200 according to the 2011 census, making it the fifth most populous borough in London. The borough covers an area almost 17 square miles - between inner and outer north-west London. Brent is bordered by the London Boroughs of Barnet to the east, Harrow to the north and Ealing to the west. It has short boundaries with the inner London boroughs of Camden, Westminster, Hammersmith and Fulham, and Kensington and Chelsea in the south-east.

The 2011 Census indicated that car ownership in Brent is slightly below the London average, ranking 19th out of the 33 London authorities

Brent's largest town centre, Wembley, is classified by the London Plan as a Major Centre. Wembley is also classified as an Opportunity Area, defined as having "significant capacity to accommodate new housing, commercial and other development linked to existing or potential improvements to public transport accessibility".

Wembley and four other town centres in the borough are identified as growth areas. As these areas develop, they will inevitably lead to increased demand for movement to, from and within the borough. While the availability, frequency and reliability of public transport, and the existence of high quality facilities for walking and cycling, will influence the way people travel, there will nevertheless be an unavoidable impact on traffic and parking.

The 2011 London Travel Demand Survey indicates that, between 2005/06 and 2009/10, residents of Brent made an average of 3.1 car journeys each day, the eleventh highest rate of the 33 London authorities



LB Brent is divided into 21 electoral wards and manages 504 km of roads

Demand for parking in Brent is high, as in other London boroughs. The Council seeks to manage this demand through the use of parking controls and traffic regulations.

These aim to:



These aims sit alongside wider Council aims and include sustainability; the promotion of alternative modes of transport such as walking, cycling and the use of public transport; and improving air quality.

The Council, in consultation with residents, has introduced a number of measures to manage the high demand for kerb space. Parking in the south-eastern part of the borough, which is closest to central London, is managed through Controlled Parking Zones. Other parts of the borough also have residential controls; these typically cover areas near high street locations and/or tube and railway stations (where there may be a demand for parking from commuters).

A key attraction is Wembley Stadium, which has a 90,000 seating capacity. The Stadium is home to the England national football team and regularly hosts other major sporting events and music concerts. On major event days, the area receives a high number of visitors, placing intense pressure on local parking provision.

To preserve parking for local residents and businesses, the council operates the Wembley Event Day Protective Parking Scheme. Parking restrictions are in place 1.5 miles around the stadium, and operate from 8am to midnight on the main roads to the Stadium and 10am to midnight elsewhere.



Parking Contract

The Council began its partnership with Serco for the provision of parking services in July 2013. Serco, a member of the British Parking Association, has strong expertise in delivering a wide range of services for both public and private sector organisations and provides a number of essential services to local government.

The five year contract, which runs to 2018, provides a range of parking services for the west London boroughs of Ealing, Hounslow and Brent.

In Brent, Serco manages: Civil Enforcement Officers; CCTV enforcement; pay & display maintenance and cash collection; the vehicle removal operation & car pound; and cashless parking & electronic payments. Serco also has the responsibility for business processing services, including the provision of parking control software, scanning, indexing, and permit administration.

Brent Parking Service

Brent's parking team consists of 23 officers, and is committed to delivering the high-quality service Brent's residents, businesses and visitors expect. The team continually seeks to improve the service and the credibility of parking and traffic enforcement.

For example, all of the 10 Appeals Officers in the team have been trained to NVQ Level 3 standard in Notice Processing.

The parking team is responsible for:

- Parking policy and overall management
- Management of the parking contracts including: parking enforcement, notice processing, permit administration; cashless parking; and bailiff operations
- Management of car parks and on-street parking infrastructure
- Managing the parking appeals and representations process
- Handling parking related enquiries, complaints and Freedom of Information requests.

2. Parking Enforcement

Overview

The Council enforces parking and traffic regulations through its contractor, Serco, using a combination of officers who patrol the streets and the use of CCTV camera technology. Issuance of PCNs increased by 12% for 2015/16 compared to the previous year, due mainly to an increase in the enforcement of moving traffic contraventions.

Illegally parked vehicles and moving traffic contraventions create problems for all road users. We enforce regulations by issuing PCNs with the aim of improving compliance.

What we enforce

As well as managing Controlled Parking Zones and local parking schemes, the Council also enforces other traffic and parking restrictions to encourage motorist compliance. This includes:

School Keep Clear Enforcement



School Keep Clear markings (yellow zig-zag lines outside of school entrances) are monitored by the Council using a combination of Civil Enforcement Officers (CEOs) and mobile CCTV enforcement vehicles. Our aim is to maintain and improve road safety outside schools.

Yellow Line Enforcement

Yellow lines indicate that parking is prohibited at certain times of day. They are located on parts of the highway where there would be a safety hazard if parking was permitted,

or in locations where parking is not suitable due to the narrowness of the carriageway or high traffic volumes.

Double yellow lines indicate a 24-hour parking prohibition. All double yellow lines within Brent operate seven days a week, including bank holidays. It is no longer a requirement for signs to accompany double yellow restrictions.

Footway Enforcement

CEOs take enforcement action where motorists inconsiderately park on the footway. This causes particular problems for visually impaired people, wheelchair users, and people with prams or buggies.

There are some footways where parking is permitted on residential streets which are too narrow for parking on the carriageway. Details of these can be found on the Parking Service's webpage: <https://brent.gov.uk/services-for-residents/parking/footway-parking/>

Bus Lanes



The service enforces bus lanes and bus stop parking on Brent roads through the use of CCTV cameras. As the Council encourages more sustainable forms of transport, this plays an important role in ensuring the free movement of buses along the borough's road network in order to secure faster journey times for bus users, and the prevention of potential traffic accidents.

Moving Traffic Contraventions.

Enforcement action is taken against Moving Traffic Offences (MTOs), including violations of Yellow Box Junction rules, prohibited turns, and no-entry signs. Such restrictions are in place to ease congestion on the borough's roads, and improve road safety.

Local authorities have long been responsible for managing all on-street and some off-street parking, whether directly or indirectly. The relevant powers are in the Road Traffic Regulation Act 1984 (RTRA). www.legislation.gov.uk/ukpga/1984/27/contents

Brent Council's overall approach to parking and enforcement is to work with residents and other stakeholders, to identify local problems and develop appropriate and proportional local solutions which support and complement the Council's wider policies and strategies. These solutions include but are not limited to: the prohibition of parking where this would compromise safety and the free flow of traffic; and using

3. Enforcement Activity

Civil Enforcement Officers

Brent's parking enforcement contractor, Serco, deploys Civil Enforcement Officers (CEOs) to patrol on foot across the borough. The Traffic Management Act 2004 specifies this designation because the prime function of a CEO is to enforce legislation governed by civil law.

CEOs have the power to issue Penalty Charge Notices (PCNs) to vehicles parked in contravention of local restrictions.

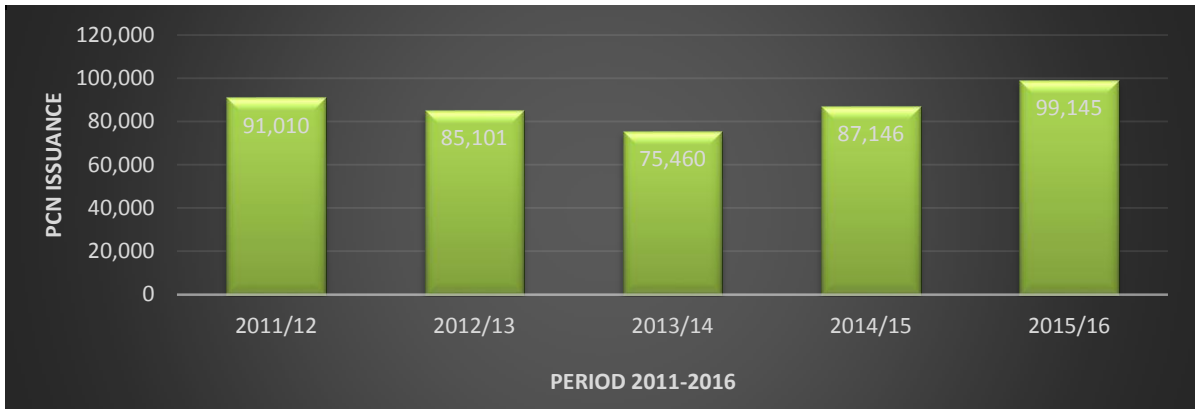
A Penalty Charge Notice, sometimes called a parking ticket, may be issued at the scene by a CEO by being fixed to the vehicle, or handed to the person appearing to be in charge of it, or issued by post in the following cases: enforcement is by camera; or the CEO was prevented by someone from serving it at the scene; or the CEO had begun to prepare a PCN but the vehicle was driven away before it was finished and

All CEOs are fully trained and are required to follow guidance set by London Councils. They wear a uniform that is easily recognisable and display an identification number.

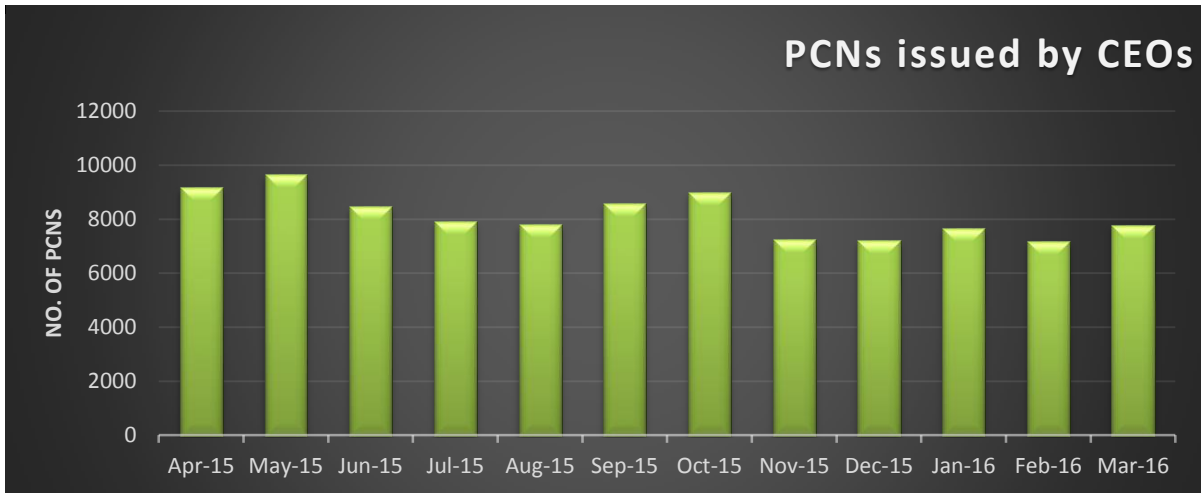
CEOs issued 99,145 PCNs in 2015/16; an increase of over 12% compared to the same period last year. This improvement in productivity follows better management of deployment, influenced by feedback and requests from local residents and businesses.

Penalty Charge Notice Volumes issued by CEOs for Parking Offences:

PCN Issuance	2011/12	2012/13	2013/14	2014/15	2015/16
CEO Parking	91,010	85,101	75,460	87,146	99,145



2015-16 Monthly PCN Issuance by Civil Enforcement Officers:



CCTV Enforcement

CCTV is used to enforce bus lane and moving traffic restrictions in Brent, and some parking restrictions. Camera enforcement signs are displayed to alert motorists to active CCTV enforcement of moving traffic and bus lanes, and to encourage compliance with local restrictions.

Penalty Charge Notice Volumes (CCTV)

PCN Issuance	2011/12	2012/13	2013/14	2014/15	2015/16
Bus Lanes	2,153	3,373	5,681	11,362	8,370
Moving Traffic	19,644	25,367	24,029	27,512	73,990
CCTV Parking	24,692	28,942	37,353	36,584	991
Total	46,489	57,682	67,063	75,458	83,351

Compared to 2014/15, the issuance of PCNs for **bus lane contraventions** decreased by just over one quarter. This reflects increased compliance by motorists.

In contrast, PCNs issued for **moving traffic contraventions** increased from less than 28,000 to almost 74,000. This reflects the deployment of 13 new unattended camera systems to provide consistent and reliable enforcement at key locations where traffic congestion and safety continues to be concern.

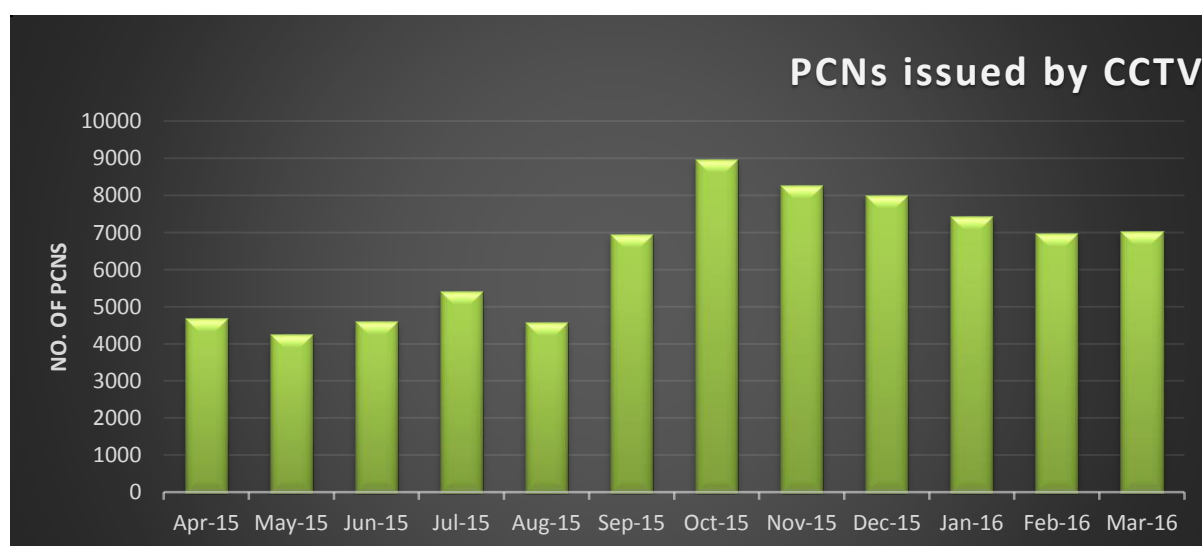
Most of these cameras have quickly had a major impact on motoring standards, reducing traffic congestion and improving road safety.

PCN issuance does vary from month to month; nonetheless, at key locations compliance has improved markedly and PCN issuances have correspondingly declined. In several cases, the positive impact has been marked.

- On Glacier Way, Wembley, PCNs reduced from 1,855 to 598 between September 2015 and March 2016.
- At the Chamberlayne Road junction with Bolton Gardens, in Kensal Rise, PCNs decreased from 1,377 to 528 between September 2015 and March 2016.
- At St Thomas’s Park Road/Craven Park Road, contraventions fell from 1,866 in October 2015 to 1,047 in March 2016.

Unattended camera systems ensure that enforcement is concentrated on a specific restriction for the duration of the restriction’s operational hours. This means that the Council are now able to provide comprehensive coverage to bring about compliance with moving traffic requirements.

2015-16 Monthly PCN Issuance Volumes by CCTV:



The issuance of **parking PCNs captured by CCTV** has significantly decreased following the introduction of the Deregulation Act 2015. In comparison to the number of PCNs issued in 2014-15, there was a 97% drop to just 991 CCTV Parking PCNs issued in 2015-16. All these PCNs were issued to vehicles parking in bus stops or on school keep clear markings. The effect of the ban has been to prevent the service of CCTV-captured PCNs for a wide range of parking contraventions enforced under the terms of the Traffic Management Act 2004.

The ban has limited the council's ability to address a range of specific parking problems where CEOs face particular challenges in ensuring compliance. The following examples outline the types of restrictions previously enforced by the council which are now difficult or impossible to enforce.

In 2014/15, 2,742 PCNs were issued by CCTV at yellow line restrictions.

CCTV had been effective in taking enforcement action against mini-cab drivers waiting on yellow lines near their offices. Our ability to manage this problem has been removed by the Deregulation Act 2015. Motorists are aware that they may simply drive around the block until a Civil Enforcement Officer has passed, to avoid receiving a Penalty Charge Notice. We are also finding that Keep Clear markings associated with a waiting or loading ban (providing space for vehicles to pass) are now unenforceable by CCTV, whereas school Keep Clear markings are enforceable.

In 2014/15, 8,230 PCNs were issued by CCTV at loading ban restrictions.

We have loading or unloading bans at busy locations (usually in high streets); using cameras to enforce these locations served as an effective deterrent. Civil Enforcement Officers need to patrol according to a beat in order to remain efficient. When responding to complaints of illegal parking, by the time our Officers arrive at the location to enforce we often find that contravening vehicles have already moved on. Such vehicles parked on loading restrictions at peak traffic hours can seriously disrupt the flow of traffic.

In 2014/15, 5,548 PCNs were issued by CCTV for double parking.

High demand for parking spaces is a problem in many parts of Brent. On occasion vehicles are left double parked in the carriageway whilst drivers visit a local shop.

As with loading restrictions, the vehicle may only be in contravention for 5 minutes but this is enough time for the vehicle to create a significant hazard where road safety is compromised or congestion may build up. It is not practical for this type of enforcement to be carried out by Civil Enforcement Officers. Not only do Officers need to travel to the vehicle's location, but also time is needed to log the details of the contravention before a valid PCN can be issued.

In 2014/15, 16,558 PCNs were issued by CCTV for footway parking.

A number of motorists park on the public footway rather than find a parking space and walk to their destination. This can generate a significant cost to the council - footway parking, aside from obstructing pedestrians, also damages the pavement.

In 2014/15, 1,469 PCNs were issued by CCTV for parking on zig-zag

Stopping on pedestrian zig-zags impacts on road safety. As this type of contravention tends to happen quickly (usually for picking up or dropping off passengers in a dangerous place) it is impractical for CEOs to enforce.

Mobile Enforcement

Serco deployed a number of CEOs on mopeds and cars, which enabled more effective enforcement across the borough. Officers can be rapidly deployed to attend to urgent issues such as obstruction of residential driveways and dropped kerbs.



Vehicle Removals and the Car Pound

Serco provide a removal truck to ensure the appropriate removal of vehicles parked in contravention. In 2015/16 a total of 1,969 vehicles found parked in contravention were impounded, a slight decrease compared to 1,991 in 2014/15. The service targets the

most serious of contraventions, for example vehicles parked dangerously or causing a serious obstruction.

All vehicles that have been removed within Brent are taken to the Brent Car Pound at:
Unit 20-22, Whitby Avenue,
Park Royal,
NW10 7SF

When a vehicle is removed, owners can contact the London wide TRACE service on 0845 206 8602 or call the council on 020 8290 8300 to identify where it is being stored.

If a vehicle is blocking access to your driveway you can arrange for the vehicle to be removed any day between the hours of 8am and 10pm except Christmas Day by calling 020 8453 3289

Number of Vehicles Removed and Released

Brent Car Pound	2014/15	2015/16
Vehicles Removed	1,991	1,969
Vehicles Released	1,878	1,835
Release Rate*	94.3%	93.2%

*A proportion of the vehicles not released include those of interest to the police or with a cloned registration.



4. Responding to Enquiries

Responding to PCN Enquiries

The Council seeks to provide a transparent and fair parking enforcement service. Motorists who feel that they have been unfairly issued with a Penalty Charge Notice may contest the charge by writing to the Council. The Council has a dedicated and qualified specialist team who consider each case based upon its own merits. All formal correspondence is handled within the statutory time periods allowed for response.

(Section 11.28: Operational Guidance to Local Authorities: Parking Policy and Enforcement).

The enforcement authority must consider representations and any supporting evidence against a Notice to Owner, regulation 10 PCN or immobilisation or removal, and serve notice of its decision on the person making the representations within 56 days of the service of the representations whether or not it accepts that the ground in question has been established. The 56 day period in the regulations should be seen as the maximum period and authorities should aim to decide representations as quickly as possible. The Secretary of State considers that all decision notices should

In 2014, the council launched a new service on its website. The service allows customers to view specific details about Penalty Charge Notices they have received, submit a challenge or representation, view photos of the incident, and make a payment.

This is a significant enhancement to the council's service and provides motorists with access to far more information than they had previously. This means that motorists are able to make an informed decision about whether or not to challenge the Notice or make

representations; and should they decide to challenge, they will have a greater amount of evidence to refer to.

Should a motorist remain unhappy with our final decision, they may make an appeal to the independent appeals service who will make an impartial decision based upon the merits of the case in question.

London Tribunals is the new name for the Parking and Traffic Appeals Service (PATAS) which supports the Environment and Traffic Adjudicators (ETA). Cases are heard at London Tribunals: Chancery Exchange, 10 Furnival Street, London EC4A 1AB

The Environment and Traffic Adjudicators (ETA) constitute a tribunal and are independent of the enforcement authorities. Cases are decided by independent adjudicators, each of which is qualified either as a barrister or solicitor.

The Environment and Traffic Adjudicators decide appeals relating to Penalty Charge Notices issued by Transport for London and the London local authorities known as the 'enforcement authority' (EA) for parking, bus lane, moving traffic, lorry control, littering and waste receptacle contraventions.

Independent Appeals Service Data:

Independent Appeals	2013/14	2014/15	2015/16
Total PCNs issued by LB Brent	142,519	162,604	To follow
Total PCN appeals heard by PATAS/ETA	1,428	1,299	To follow
% of PCNs issued heard by PATAS/ETA	1.0%	0.8%	To follow
Number of appeals allowed or not contested	716	625	To follow
Of which, number of appeals not contested	520	366	To follow
% of PCN appeals rejected	50%	52%	To follow

Independent Appeals Service Reports

The annual report by the Chief Parking Adjudicator: 'Parking and Traffic Adjudicators' annual report' and appeal figures for all London authorities: 'Parking and Traffic Appeal Statistics', can be found on the London Tribunals website at:

<http://www.londontribunals.gov.uk/about/annual-reports-and-appeal-statistics>

5. Customer Care

Customer Satisfaction

Customer satisfaction is key to the delivery of parking services. New services and permits have been launched and further enhancements made to the online booking system and management of permits, and to online PCN representations. More information is now available about both on- and off-street parking provision.

In 2015, we assessed customer satisfaction with the process of purchasing permits and booking visitor parking online. A total of 1,037 account holders who had booked a permit between 16th February and 30th March were invited to participate in an online satisfaction survey. 192 responses were received; 66% of respondents said they found the process of buying a permit easy. The proportion who found buying a permit easy increased to 77% amongst those whose residency was automatically verified.

The most common feedback was for improvements to the process for navigating through the website and for the associated text to be improved. The survey will therefore help us plan improvements to the online system, to further improve customer satisfaction, increase take up of online services and generate efficiency savings through channel shift.

Customer Complaints

Complaints about the Parking service in 2015/16 fell by one fifth to 164, compared to 205 in 2014/15. This represents less than half of the 337 complaints received in 2013/14.

Significantly fewer complaints were received about the online permit and visitor parking system, as residents have become more familiar with using it. Against Brent council's internal complaints procedures and escalations, most complaints were resolved at the first stage which is investigated and responded to by the Head of Service.

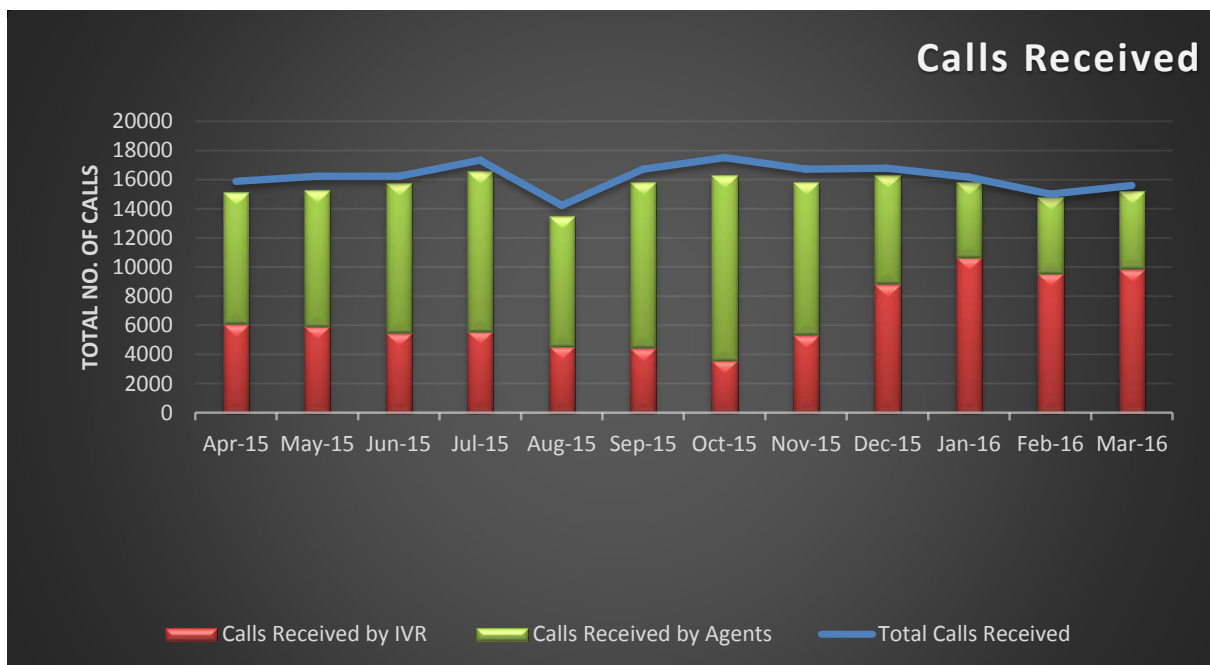
Customers who remain dissatisfied after their complaint has been considered by the department can request a final review on behalf of the Chief Executive. The parking escalation rate to final review was 8%, lower than the Council-wide average.

The introduction of Interactive Voice Recognition technology for the parking call centre has led to a reduction in complaints about telephone service standards, as well as reducing costs. In addition, all correspondence concerning disputed PCNs and associated debt recovery is now being dealt with correctly through the statutory appeals process.

Parking Complaints	2013/14	2014/15	2015/16
No. of Complaints closed in reporting year	337	205	164

Brent Contact Centre

Brent's main contact centre for services such as parking bay suspensions and products is administered by Serco, through a combination of call operators and an interactive voice response (IVR) system. IVR is a technology that allows a computer to interact through the use of voice and tones input via the phone keypad allowing customers to be directed on how to proceed. IVR was introduced in November 2015 to help handle an average of 16,000 calls per month to the contact center.



The above graph demonstrates the success of implementing the improved IVR system with an average of 5,000 calls handled per month up to November, increasing to an average of 10,000 calls handled in the subsequent months.

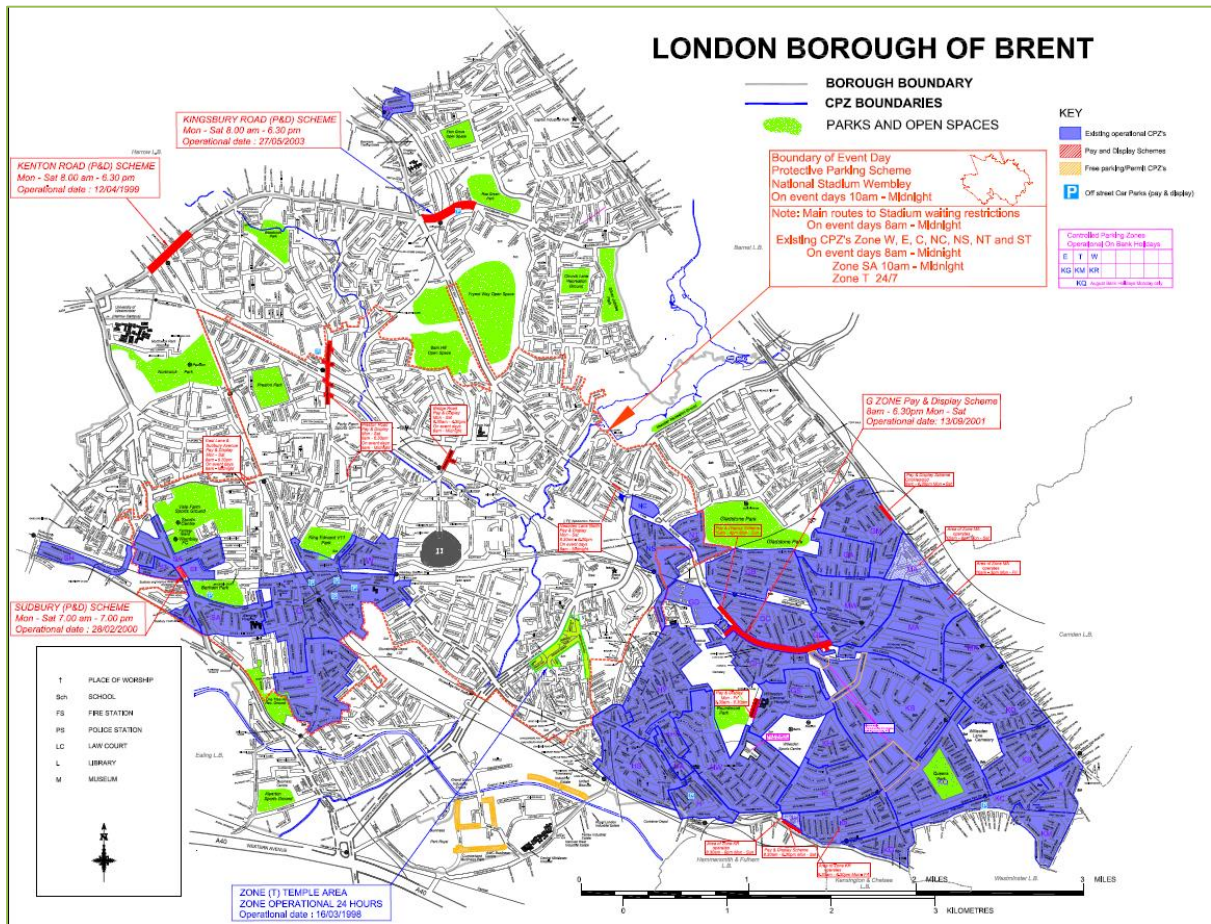
The objective of IVR is to improve the customer experience, and to reduce telephone call volumes. The cost to the council on call centre operators handling visitor parking bookings is £2 per call, averaging £80,000 p.a. prior to the introduction of IVR.

In support of the move to IVR, improvements were also made to the parking pages of the Brent website; better explaining the customer journey for customers wanting to create parking accounts to buy and renew permits, buy and use visitor vouchers, introducing 'help guides' to assist customers to self-serve, promoting use of the website, and improving our descriptions of the permits available.

6. Parking Services

Parking Provision

The Council now manages 40 Controlled Parking Zones (CPZs) across the borough, serving 56,000 households with over 33,000 on-street parking spaces. Specific times of operation vary but the majority are in operation throughout the day, from Monday to either Friday or Saturday. Current shopping and business opening hours mean that in some areas there can be similar, and sometimes higher, levels of parking on Sundays and Bank Holidays than on normal weekdays or Saturdays. For this reason, parking controls apply on Sundays in a small number of locations.



To access this map online, please click on the link below.

<https://www.brent.gov.uk/media/493445/Brent%20Controlled%20Parking%20Zones%20map.pdf>

Information on parking restrictions, the Wembley event day zone, and a post code search facility to determine whether or not you are located within a controlled parking zone, are all available on the council's parking pages: www.brent.gov.uk/parking.

Residential controls typically cover areas near high street locations or around tube or rail stations, for example in the vicinity of Wembley Stadium. CPZs are designed to prevent commuters from parking in residential streets, and encourage them instead to use pay and display facilities or use alternative means of transport.

CPZ	Parking spaces*
C	3395
E	922
G	232
GA	457
GB	1072
GC	1305
GD	255

CPZ	Parking spaces*
HW	1703
HY	1616
K	657
KB	1090
KC	355
KD	1167
KG	409

CPZ	Parking spaces*
MA_1	1125
MA_2	238
MK	590
MW	1415
NC1	53
NC2	30
NS	652

GH	896	KH	324	NT	270
GM	1144	KL	1700	QA	99
GS	1086	KM	593	SA	1183
H	678	KQ	1669	SH	221
HA	95	KR_1	1349	ST	91
HA/HW	234	KR_2	103	T	265
HS	980	KS	1702	W	376
				Total	33,796

Data Source: Heavily Parked Streets report February 2014

* The number of parking spaces is an estimate; figures assume a parking bay length of 6m, excluding double and single yellow lines

Resident Permits

Resident permits are available to all residents who live in CPZs. Resident permit options are available for purchase in choices of annual, six month or three month. The majority are priced according to the number of permits issued to each household and the vehicle's carbon emission levels.

Permits Issued	2014/15	2015/16
Resident Permits	34,427	31,132

Visitor Parking

Residents can purchase visitor parking credits either over the telephone, by SMS, or online by logging into their parking account.

Use of electronic visitor parking has increased significantly from the inception of the service in 2013, when just over 250,000 bookings were made. In 2015/16, the service attracted an average of almost 38,000 bookings per month.

Permits Issued	2013/14	2014/15	2015/16
Visitor Parking (rounded)	250,000	411,000	451,000

Business Permits

A business parking permit is available to businesses that have premises within a Controlled Parking Zone.

Permits are priced at a flat rate. Business are permitted to purchase up to three permits, with an option to purchase an annual permit, six month or three month permit.

Permits Issued	2014/15	2015/16
Business Permits	627	589

Other Permits

The council offers a number of other permits. These include permits for disabled people, doctors, Event Days and Places of Worship.

There is also an Essential Users Permit. This scheme enables individual employees, who work for accredited public sector and charitable organisations which perform a statutory service on behalf of the council, to park a vehicle in a Controlled Parking Zone whilst carrying out official duties. This includes the provision of residential or community care, health care, social housing management and maintenance works on the public highway.

Permits Issued	2014/15	2015/16
Other Permits	5,164	5,140

7. On-street Parking

The council provides on-street parking bays to facilitate parking for visitors to town centres, and other destinations, helping to support economic activity in the borough.

The Council has 731 pay and display locations. Although we have a planned maintenance programme, ensuring the machines are regularly checked and cleaned, there are occasions when faults develop. In 2015-16 we responded to over 96% of machine faults in our target response times.

The general principle underpinning on-street pay and display parking is to provide a quick turn-over of spaces, allowing easy access for motorists who wish to make short visits to shop or conduct business; and therefore park nearby.

Pricing policy seeks to ensure that there is a regular turnover of parking spaces. Pay & Display bay charges were last set in 2013. Motorists pay a uniformed set of charges across the borough; 20p for up to 15 minutes; and then £1 for 30 minutes, £2 for one hour, £4 for 2 hours, £6 for 3 hours, and £8 for 4 hours

A survey in 2014 indicated that there were approximately 88,000 on-street parking places, both controlled and uncontrolled, available across the whole of Brent. Over large areas of the borough, particularly in the north and west, on-street parking remains available to motorists free of charge or restriction. In these areas, there are only limited lengths of kerbside waiting and loading restrictions in place on-street, including those necessary to ensure road safety.

(2015 Parking Strategy).

As demand for paying by mobile phone increases, and payments by cash decrease, some areas no longer require as many pay and display machines. We are monitoring customer trends closely with a view to rationalising our pay and display machine stock. We have identified 30 very under-utilised machines that are scheduled to be removed during 2016/17.

Paying to park by mobile phone

Free RingGo apps halve the time it takes to pay



The option to pay for parking sessions using mobile phone technology and a debit/credit card has been available in Brent since 2009. The service is provided by a specialist company, RingGo and is available in all of the council's car parks and on-street pay and display areas.

Parking via RingGo is cheaper (50 pence cheaper than cash payment) and coins are no longer required to pay for parking. In addition, the option for text reminders when parking sessions are due to expire enables

the motorist to extend parking time, wherever they are, by making a simple phone call or using the RingGo application on their mobile phone or tablet.

A link to the RingGo back office enables us to check a vehicle registration for payments made, which assists us in dealing with appeals against PCNs.

Demand for paying to park by mobile technology continues to grow strongly year on year. In 2014/15 this accounted for 51% of on-street parking space sales and 42% of our off-street sales, compared to 39% and 33% respectively in 2014/15.

The service is popular and we receive very few queries or complaints.

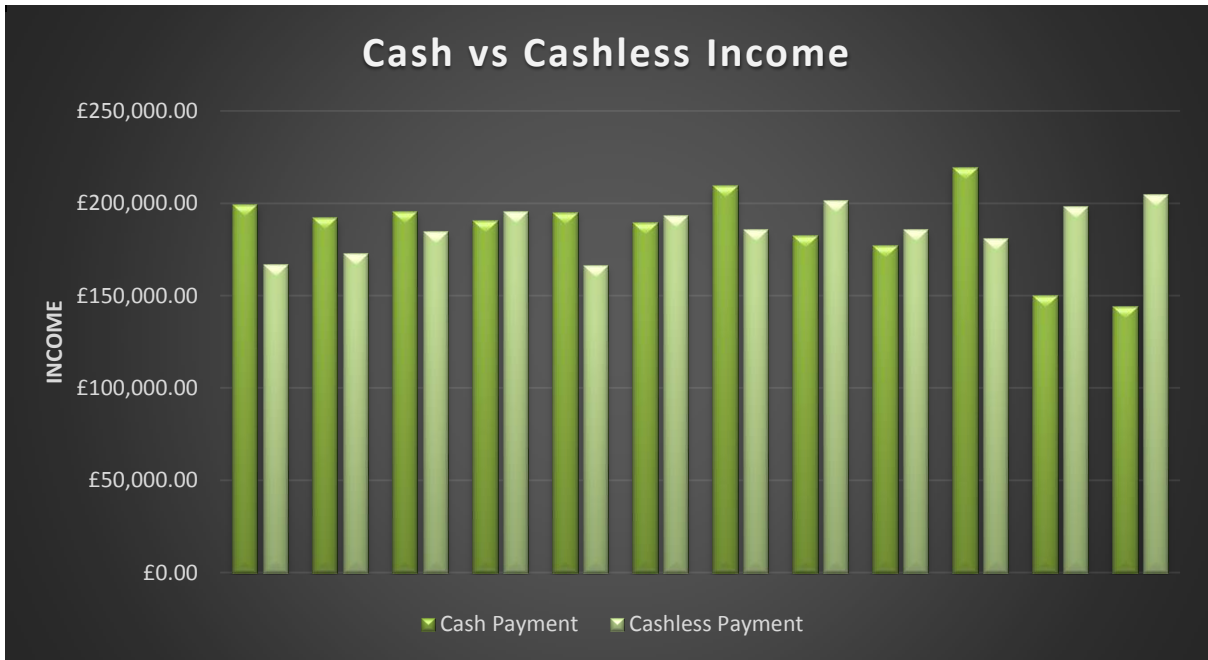
On-Street Sales (Pay & Display Machines)

On-Street	2011/12	2012/13	2013/14	2014/15	2015/16
% of total revenue paid in cash	85%	81%	72%	61%	49%
% of total revenue that was cashless	15%	19%	28%	39%	51%

Off-Street Sales (Car Parks)

Off-Street	2011/12	2012/13	2013/14	2014/15	2015/16
% of total revenue paid in cash	92%	89%	80%	67%	58%
% of total revenue that was cashless	8%	11%	20%	33%	42%

Monthly income from on-street parking (Pay & Display bays)



Suspensions and Dispensations

Parking bay suspensions and dispensations facilitate large deliveries to residential properties, and allow residents to move into or away from the borough with as little inconvenience as possible. The temporary suspension of a parking bay reserves a specific bay or bays for use on a specified day, or part of a specified day, by a specified vehicle, 21 days in advance of a suspension.

8. Off-street Parking


The Council operates 12 public car parks across the borough, including Brent Civic Centre car park which is managed by Bilfinger Europa on behalf of the council.

These car parks provide a combined total of 893 spaces.

Two of these (Elm Road and St Johns Road) have secured the Park Mark® Award. Park Mark® aims to reduce crime and the fear of crime within parking facilities through the achievement of high standards in lighting, signage, cleanliness and surveillance.



Off-street parking spaces

Car Park	Number of spaces						
	Car spaces	Disabled spaces	Business spaces	P2W spaces	Parent / child spaces	Electric Veh. spaces	TOTAL spaces
							
Barham Park	15	0	0	0	0	0	15
Brent Civic Centre*	146	9	0	21	3	(47)**	179
Disraeli Road	74	0	0	0	0	0	74
Elm Road	96	4	0	0	0	0	100
Kingsbury Road	25	4	15	4	0	0	48
Lonsdale Avenue	33	0	0	0	0	0	33
Neasden Town Centre	38	0	0	0	0	0	38
Northwick Park	93	3	0	0	0	0	96
Preston Road	155	3	0	0	4	2	164
Salisbury Road	29	1	11	0	0	0	41
St. Johns Road	67	3	0	6	0	2	78
Wendover Road	25	0	0	0	0	2	27
Total Spaces	796	27	26	31	7	6 (53)	893

* Not all spaces in the Civic Centre car park are available for public parking; the facility is managed by Bilfinger Europa on behalf of the council | ** Available as general parking when not in use

Wembley Event Day Parking

Between 8am and midnight, parking restrictions operate on Event days within the Wembley Stadium Event Day Protective Parking Scheme area. The best way to visit Wembley Stadium is to plan your journey by public transport. For those who wish to drive and park their vehicle, the council introduced pre-booked parking sessions on Wembley Event days earlier this year in the following three car parks:



10 minute walk to stadium
65 spaces



10 minute walk to stadium
20 spaces

20 minute walk to stadium
190 spaces



These car parks offer safe, secure parking for your car within a short walk of Wembley Stadium. The Wembley event day ticket can be booked online using the RingGo system providing an easy and convenient option.

Brent Car Park Season Tickets

At the end of 2015 the council introduced a new Annual Season ticket in two of its car parks. A car park season ticket will allow you to park your vehicle in a specific car park within the borough, Monday to Sunday.

Both car parks were selected for their close proximity to high streets and tube stations, offering a safe and convenient place to park whilst encouraging better use of the council's off-street parking provisions and alleviating pressure for on-street parking spaces.

The two car parks are Elm Road, located off Wembley High Road and close to Wembley Central Tube Station (Bakerloo line, London Overground, National Rail) and Preston Road, by Preston Road Tube Station (Metropolitan line)

9. Financial Information

An important purpose of the Annual Report is to meet a key requirement set out in the 2015 Statutory Guidance issued under the Traffic Management Act 2004. This is to provide financial information relating to all aspects of parking enforcement operations including the number of PCNs issued, the number of PCNs paid, the income and expenditure related to the enforcement activities recorded in the Parking Account, and how the surplus on the Account has been or will be spent.

Account Summary 2015/2016

Overall the Parking service fully met the expectations set out in the Council's agreed budget for 2015/16. The net surplus on the Parking account increased by 13%, from £8.957m in 2014/15 to £10.119m in 2015/16. The service raised £0.950m more revenue than was originally anticipated in budget planning; £200k of this was subsequently used to carry out additional pothole repairs.

The surplus also enabled a greater contribution to be made to the cost of Concessionary Fares: £7.828m; up from £6.866m in 2014/15. The council was therefore able to reduce by £750k the contribution to the cost of Concessionary Fares which would otherwise have been made from the General Fund.

	2013-2014		2014-2015		2015-2016	
	Expenditure (£000)*	Income (£000)*	Expenditure (£000)*	Income (£000)*	Expenditure (£000)*	Income (£000)*
Parking Administration	1,158	-79	1,241	-	1,602	-88
Parking Projects	157	-	63	-	255	-
On-Street Pay and Display	263	-3,330	350	-3,515	376	-3,885
Off-Street Pay and Display	116	-434	224	-398	75	-403

Parking Enforcement & Permits	4,752	-10,068	4,898	-10,892	5,883	-14,263
Traffic Enforcement	442	-891	412	-1,340	328	-
Total	6,887	-14,802	7,188	-16,145	8,520	-18,639
Surplus		-7,914		-8,957		-10,119

* Figures rounded to the nearest thousand.

Surplus

The use of any surplus in the account is governed by Section 55 of the Road Traffic Regulation Act 1984. The legislation specifies that the surplus may be used for the following:

- i. *making good to the General Fund any deficits incurred in the On-Street Parking Account during the previous four years;*
- ii. *meeting the cost of the provision and maintenance of off-street car parking in the Borough, or in another Local Authority.*

If, however, it is considered unnecessary to provide further off-street parking in the area, the surplus may then be used to fund any of the following:

- i. *Public passenger transport services;*
- ii. *Highway improvement works;*
- iii. *Highway maintenance, or*
- iv. *The costs of anything that has the approval of the Mayor of London and which facilitates the implementation of the Mayor's transport strategy.*
- v. *Environmental improvement works.*

The £10,119m surplus on the parking account in 2015-16 was allocated as follows:

	2014-2015	2015-2016
	Transfer (£000*)	Transfer (£000*)
Transportation service	2,091	2,091
Additional pothole repairs	-	200
Concessionary Fares	6,866	7,828
Final Surplus	NIL	NIL

* Figures rounded to the nearest thousand.

The Transportation (now Highways and Infrastructure) service develops the council's transportation strategies and policies in line with local, regional and national policy and have an intrinsic relationship with parking demand and congestion. They deliver these policies through the planning, design, construction and maintenance of the borough's transport infrastructure.

Their work includes implementing new parking bays and parking restrictions and improving road safety, minimising congestion, managing highways and maintaining the highway infrastructure.

The £2,091,000 contribution to the Transportation service contributed towards expenditure on the management of pavement upgrades, major road resurfacing, preventative maintenance, road safety, improvements to the public realm and the renewal of road markings. An additional contribution of £200,000 was made available for the cost of pothole repairs.

Concessionary fares expenditure includes a contribution from the Parking surplus to the cost of offering the Freedom Pass, which provides users free travel on most public transport in London services for those that meet the disability eligibility or age criteria. The surplus generated does not cover the full expenditure that the Council incurred in 2015/16 on concessionary fares. The total cost to the council for offering this service to its residents is £16,091m; the Parking surplus contributed 48% towards this cost.



Debt Recovery

Efforts made to recover Penalty Charge Notice debt intensified last year with the service evidencing significant improvements in performance. The council's collection rate (receipts per debtor raised) for the first six months of 2014/2015 was 53%. For the same period in 2015/2016 the collection rate rose to 59%, an improvement in excess of £4.50 per Penalty Charge Notice issued. The improved performance is due to a better

standard of evidence collected to support PCNs, improvements in PCN processing, and a closer relationship with the council's Civil Enforcement Agents (bailiffs).

Of the 182,496 PCNs issued in 2015/2016, 129,045 were paid, an overall recovery rate in-year of 71%. Over the next 6 months, the recovery rate of PCNs issued in 2015/16 is expected to eventually rise to 73%.

	PCNs Issued	Receipts (£)	PCNs Paid	Recovery Rate	Forecast PCNs*
April	14,170	780,099	10333	73%	10,344
May	14,345	782,668	10303	72%	10,472
June	13,496	733,610	9661	72%	9,852
July	13,822	764,380	10066	73%	10,090
August	12,801	713,006	9378	73%	9,345
September	16,142	915,163	11838	73%	11,784
October	19,221	998,480	13440	70%	14,031
November	16,642	867,836	11528	69%	12,149
December	15,794	834,589	11198	71%	11,530
January	15,687	791,575	10884	69%	11,452
February	14,807	730,446	10075	68%	10,809
March	15,569	738,315	10341	66%	11,365
	182,496	9,650,167	129,045	71%	133,222

*paid as closed - recovery rate continues to track at 73%

10. Future Developments

In 2016 we will be reviewing several aspects of the service offer with a view to enhancing the customer experience, introducing new products and options to the permit system, and improving enforcement activity to achieve better compliance. Below is a snap shot of proposed projects for 2016-17.

- The implementation of further unattended enforcement camera systems to encourage moving traffic compliance.
- New cashless payment schemes to manage commuter parking and encourage take up of more sustainable transport options.
- Introduction of Body Worn Video cameras to improve enforcement and protect the safety of our Civil Enforcement Officers.
- Introduction of camera enforcement to improve parking compliance outside schools.
- Introduction of 24 month permits to provide a further choice and value for residents
- Increasing the number of car parks qualifying for ParkMark status.
- The implementation of Brent's first business Controlled Parking Zone.
- The introduction of virtual resident & business permits, to reduce administration costs
- Expansion of the car park season ticket scheme to two more car parks

11. Helpful Links

Brent Council Website

www.brent.gov.uk

Brent Councils Parking Home Page

<https://www.brent.gov.uk/services-for-residents/parking/>

LB Brent 2015 Parking Strategy

<https://www.brent.gov.uk/media/16403337/parking-strategy-2015.pdf>

2014-2015 Annual Report

<https://www.brent.gov.uk/your-council/transparency-in-brent/performance-and-spending/council-performance/parking-service-annual-report/>

London Councils Parking Services

<http://www.londoncouncils.gov.uk/services/parking-services>

The Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/479849/final-statutory-guidance.pdf



Brent Civic Centre, Engineers Way,
Wembley, Middlesex, HA9 0JF.
Parking Service 020 8290 8300



Cabinet
25 July 2016

**Joint Report from Strategic Director
of Resources and Strategic Director
for Regeneration and Environment**

Kilburn

**Carlton and Granville Centres, Granville Road, NW6 5RA –
redevelopment and investment proposals**

1.0 Summary

- 1.1** The Cabinet approved Strategic Property Plan 2015-19 sets out a presumption for Brent to retain its limited property assets, utilising them to support regeneration, generating revenue savings, and capital investment for new income generation.
- 1.2** In January 2016 Brent successfully secured £1.8m from the London Regeneration Fund (LRF) which was matched funded with a further £2m (£1.5m capital & £500k revenue) from the South Kilburn Trust (SKT) to deliver a new Enterprise Hub as part of addressing the lack of good quality, small workspace provision in the borough and provide a permanent location for the South Kilburn Trust to continue to deliver services and support to the local community within South Kilburn.
- 1.4** This report updates Members on proposals to deliver a new Enterprise Hub and proposes the re-development of the Carlton and Granville Centres as a location for the Enterprise Hub and deliver 95 new home with additional community space.

2.0 Recommendations

- 2.1** That Cabinet approve Option 2 for redeveloping the Carlton & Granville Centres, Granville Road, London, NW6 5RA (the subject site) to deliver 95 new homes, an Enterprise Hub and 3274sqm of additional community use space.
- 2.2** That Cabinet agree a further update will be provided to formally approve final scheme plans and the required capital investment to bring forward the phased redevelopment of the Carlton & Granville Centres and ensure continuity of occupation for the Enterprise Hub within the site.

- 2.3** That Cabinet agree the site is included within the scope of the South Kilburn Masterplan review to ensure wider place making considerations are incorporated.
- 2.4** That Cabinet instruct the Strategic Director for Resources in consultation with the Strategic Director for Regeneration & Environment, Chief Legal Officer and Chief Finance Officer to enter into a legal agreement with the South Kilburn Trust and the GLA to secure their funding contributions in return for project delivery of the Enterprise Hub by March 2018, and setting out Council commitment to underwrite the shortfall in project funds.
- 2.5** That Cabinet delegate authority to the Strategic Director for Resources in consultation with the Strategic Director for Regeneration & Environment, Chief Legal Officer and Chief Finance Officer to oversee scheme development through further viability testing, local consultation, and planning consent.
- 2.6** That Cabinet delegate authority to the Strategic Director for Resources in consultation with the Strategic Director for Regeneration & Environment, Chief Legal Officer and Chief Finance Officer in respect to any works and/or professional services contracts for scheme development to agree pre-tender considerations, invite tenders and thereafter award the contract.

3.0 Detail

Carlton & Granville Centres

- 3.1** The Carlton & Granville Centres occupy a site of 0.398 hectares (0.983 Acres).
- Appendix 1 – Is a location plan showing where the Carlton & Granville Centres are.
 - Appendix 2 – Is a site plan highlighting the total Carlton & Granville Centres area that is to be redeveloped as part of this project.
- 3.2** As part of the original LRF submission that was agreed by Cabinet in March 2016, the preferred option was to redevelop the OK Club to include residential, a community building and an Enterprise Hub. However the OK Club withdrew from the process during negotiation.
- 3.3** Since then the Council has been actively looking at alternative delivery options. The proposed redevelopment of the Carlton & Granville Centres represents a significant improvement on the previous LRF bid on the OK Club site because the Council own the land at the Carlton & Granville centres and have an opportunity to develop a long-term development strategy for an underutilised asset.

Existing Use

- 3.4** The premises comprise a building previously part used as a youth centre based around a traditional hall at the Granville Centre with modern extensions to provide a children's centre run by Barnardo's, a children's nursery and the adjoining adult education centre 'Brent Start' housed in the Carlton Centre.

There is one continuing part time user at the Granville (Otherwise Club) and a small café serving Brent Start employees/users in the Carlton Centre

- 3.5** A major attraction of this site for redevelopment is that the Granville Centre is heavily under-utilised with the building currently about 90% vacant. Given that the Youth Centre left in April 2016 we have an empty Granville Centre. It is also proposed that Brent Start will be looking to vacate the Carlton Centre within the next 12 months. Going forward it is likely that we will have two vacant Council assets. The site also has good access to/from Carlton Vale and there is likely to be some synergy with the adjoining nursery, as users of the Enterprise Hub may well have young families.

Business Case

- 3.6** 'Do Nothing' is not an option and has many implications for the Council that are outlined below:

- The Council's reputation with the Greater London Agency (GLA) will suffer as a result of non-delivery and this could impact on future funding bids if Brent is perceived as a 'risky' investment prospect.
- South Kilburn Studios will be evicted from their current location in Canterbury Road which will leave up to 30 small businesses with no premises to operate from.
- Loss of goodwill with the South Kilburn Trust (SKT) who may need to find alternative accommodation as their existing office on Denmark Road is earmarked as a temporary surgery for one of the GP practices expected to move into the new premises when constructed.
- The Council will not be realising the full potential of an asset that could be used to meet wider community needs in terms of housing, employment and general well-being.

- 3.7** The proposed redevelopment of the Carlton & Granville Centres provides a unique opportunity for the Council to provide new workspace accommodation for up to 30 small businesses, deliver good quality housing for vulnerable households and support the delivery of the overarching South Kilburn Masterplan.

- 3.8** The Cabinet approved Investment Strategy has laid the groundwork for Brent to develop a more pro-active approach to undertaking long term public investment that is needed to transform the borough and the lives of its residents. In conjunction with the Council's Strategic Property Plan 2015-19 which emphasises the need for investment in our land and property to secure both long term capital gains and ongoing revenue income from rents – the redevelopment of the Carlton & Granville Centres provides Brent with an **ideal** investment opportunity.

Proposals

- 3.9** Officers are therefore recommending to continue working in partnership with the GLA and South Kilburn Trust to comprehensively redevelop the Carlton &

Granville Centres to deliver new homes, an Enterprise Hub and additional community space. The redevelopment would be split into 2 main phases.

- 3.10** Phase 1 proposes an immediate move of SKT and South Kilburn Studios to the Granville Centre for a period up to three years. Phase 1 will deliver around 900msq of workspace and allow SKT to immediately operate the Enterprise Hub and accommodate the South Kilburn Studio businesses as its first tenants, thus maintaining continuity. The terms for a short term lease have been verbally agreed by both parties and a plan to complete Phase 1 by the end of December 2016.
- 3.11** Phase 2 seeks to maximise the redevelopment potential of the Carlton & Granville Centres and secure a permanent location for the Enterprise Hub. Based on an initial feasibility study to deliver Phase 2 – the following 2 options are put forward for consideration:

Option 1 - Enterprise Hub at Granville and Residential only at Carlton

- 3.12** This option includes the refurbishment of the existing Granville Centre to accommodate a 1500sqm Enterprise Hub and the introduction of a new build residential development on the Carlton Centre. This option has the capacity to provide:

Carlton & Granville Centres – Option 1 Accommodation Schedule
14 x 1 bed 2 person (1B2P) flats 17 x 2 bed 4 person (2B4P) flats 11 x 3 bed 5 person (3B5P) flats
All 42 homes have been designed to meet minimum London Housing Design Guide standards.
Up to 1500 square metres of D1 community use space to accommodate Enterprise Hub.

Option 2 – Mixed development on both Carlton & Granville Centres

- 3.13** This option seeks to maximise the public value from the Carlton & Granville Centres through a phased redevelopment that would involve a mix use of Enterprise Hub, residential and community provision on both the Carlton & Granville Centres. The site has capacity to provide approximately:

Carlton & Granville Centres – Option 2 Accommodation Schedule
32 x 1 bed 2 person (1B2P) flats 47 x 2 bed 4 person (2B4P) flats 8 x 3 bed 5 person (3B5P) flats 8 x 3 bed 6 person (3B6P) houses
All 95 homes have been designed to meet minimum London Housing Design Guide standards.
Up to 3274 square metres of D1 community use space to accommodate a new Enterprise Hub and other community uses subject to local need/demand.

Next Steps

3.14 Assuming that Brent is able to retain the GLA Grant Fund then it is essential to deliver the Enterprise Hub by March 2018. An outline programme will be further developed to maintain progress in line with the GLA funding timescales. However any unknowns may result in dates changing. The immediate tasks will be to:

- Agree 3 year lease with South Kilburn Trust and relocate the South Kilburn Studios to the Granville Centre thus complete Phase 1.
- Procure design team to progress Phase 2 scheme plans from feasibility to outline design for Phase 2 in consultation with Planning & Highways.
- Secure Cabinet approval for Phase 2 final scheme plan and consult the local community as part of the wider South Kilburn Masterplan review.

Risks

3.15 Planning – The Granville Centre is locally listed as an Asset of Community Value. If Option 2 is preferred then in the event of a planning application affecting the site, it is essential to carry out extensive community consultation, demonstrate how local concerns have been addressed through the design process and deliver a better overall scheme.

3.16 Finance – We are at risk of not securing the time-limited GLA LRF funding grant of £1.8m and the £2m SKT contribution, either because we do not deliver the Enterprise Hub by March 2018 or because the partners do not support the revised scheme. This could potentially create the need to require greater corporate capital resource borrowing. Therefore it is proposed that Brent will underwrite the £1.8m GLA funding if need be and on the basis that SKT are still able to contribute their £2m.

4. Financial Implications

The table below highlights the financial implications for Option 1 and Option 2 from expenditure, income and a return on investment perspective:

Total Scheme Costs		
	Option 1 (£'000s)	Option 2 (£'000s)
Acquisition	-	955
Works	10,847	23,132
Fees	2,110	4,783
Other Costs (incl. Contingency and Interest)	774	1,957
	£13,731	£30,827

Total Income		
Rents	£'000s	£'000s
Affordable Rents (LHA)	348	744
Private Rent	420	985
D1 - Commercial	0	191
D1 - Subsidised	97	97
Annual Income	865	2,017

Annual Net Impact on Revenue	£100k	£280k
NPV	£2.5m	£7m
Underlying Value of Property	£21.1m	£47.1m

- 4.1** Option 2 provides requires a greater capital investment of about £31m but also delivers a much higher return on capital with a NPV of about £7m.
- 4.2** Currently both models that apply the 50% affordable housing target with the remaining 50% of residential homes being offered on a private rent basis and that 1500 square metres of D1 provision will be used to accommodate the Enterprise Hub. It is important to recognise the annual £65k opportunity cost of providing subsidised rent. Both models assume that 1500 sq metres will be used for the enterprise zone. There is also an assumption that the cost of managing the property would cost approximately 25% of the rental income but this is as yet untested.
- 4.3** Any changes to the core assumptions will have an impact on the return on capital so it will be essential to undertake further financial appraisals at key stages such as detailed design, planning submission to test scheme viability for the preferred Phase 2 option. This will help establish a clear Council investment strategy for delivering Phase 2.

5.0 Legal Implications

- 5.1** As indicated at paragraph 3.14, the proposed redevelopment of the Carlton & Granville Centres will require the procurement of a design team. These contracts for consultants forming the design team are likely to be classified as Low or Medium Value Contracts under the Council's Contract Standing Orders and as such will be procured using either a quote process for Low Value Contracts or a tender process for Medium Value Contracts. Any Medium Value Contracts will be subject to the Public Contracts Regulations 2015 ("EU Regulations") and must be procured in accordance with EU Regulations. Low and Medium Value Contracts may be procured by Officers using powers delegated under Part 4 of the Constitution.
- 5.2** The proposed redevelopment of the Carlton & Granville Centres will require a works contract to be let. As outlined in section 4, the total estimated value of such contract ranges from about £11m (Option 1) and circa £23m (Option 2) and the contract is thus classed as a High Value Contract under the Council's Contract Standing Orders. As such Cabinet approval is required to the pre-tender considerations, approval to tender and award of such contract. For the reason detailed in paragraphs 3.14, approval is sought to delegate powers to the Strategic Director of Resources in consultation with the Strategic Director for Regeneration and Environment, the Chief Legal Officer and Chief Finance

Officer to agree pre-tender considerations, invite tenders and award the works contract. In the unlikely event certain consultant contracts are classified as High Value Contracts, similar delegated approval is sought for such contracts.

5.3 In order to ensure GLA LRF funding grant of £1.8m and the £2m matched funding from the South Kilburn Trust, Officers will need to secure GLA and SKT agreement on the Member approved Phase 2 scheme option for location of the Enterprise Hub at the Carlton & Granville Centres.

6.0 EQUALITY & DIVERSITY IMPLICATIONS

6.1 A screening analysis of the likely impact of the proposals in this report has been undertaken and concludes that, in line with the deliverables and outcomes set out in the business case, the impact for protected groups will be positive. A copy of the Screening Analysis is available at Appendix 4.

7.0 STAFFING/ACCOMODATION IMLPICATIONS

7.1 There are no new staffing or accommodation implications for Brent staff. However there will be a need to consider the relocation of the Children's Nursery and Barnardo's Children Centre as part of the phased redevelopment of the Carlton and Granville Centres.

8.0 PUBLIC SERIVCES (SOCIAL VALUE) ACT 2012

8.1 Whilst the Public Services (Social Value) Act 2012 (the "Social Value Act") does not apply to works contracts, Officers will have regard to considerations relevant to the Social Value Act in the procurement of the works contract, namely the how the contract might improve the economic, social and environmental well-being of its area and how, in conducting the procurement process the Council might act with a view to securing that improvement and whether the Council should undertake consultation. Regard will be had to these same considerations if making further consultant's appointments.

9.0 BACKGROUND PAPERS

- [March 2016 Cabinet Report - A new South Kilburn Enterprise Hub and Homes – Approval to enter into the GLA Grant Agreement](#)
- [April 2016 Cabinet Report – Investment Strategy](#)
- [June 2015 Cabinet Report – Property and Asset Strategy 2015-19](#)

Appendix

1. Location Plan
2. Site Plan
3. Scheme Plan
4. Screening Equality Analysis

Contact Officers

Althea Loderick
Strategic Director of Resources
Althea.Loderick@brent.gov.uk

Sarah Chaudhry
Head of Property
Sarah.Chaudhry@brent.gov.uk

Tanveer Ghani
Project Manager
Tanveer.Ghani@brent.gov.uk

Dale Thomson
Regeneration Manager
Dale.Thomson@brent.gov.uk

AMAR DAVE
Strategic Director for Regeneration & Environment

Appendix 1 – Carlton & Granville Centres – Location Plan

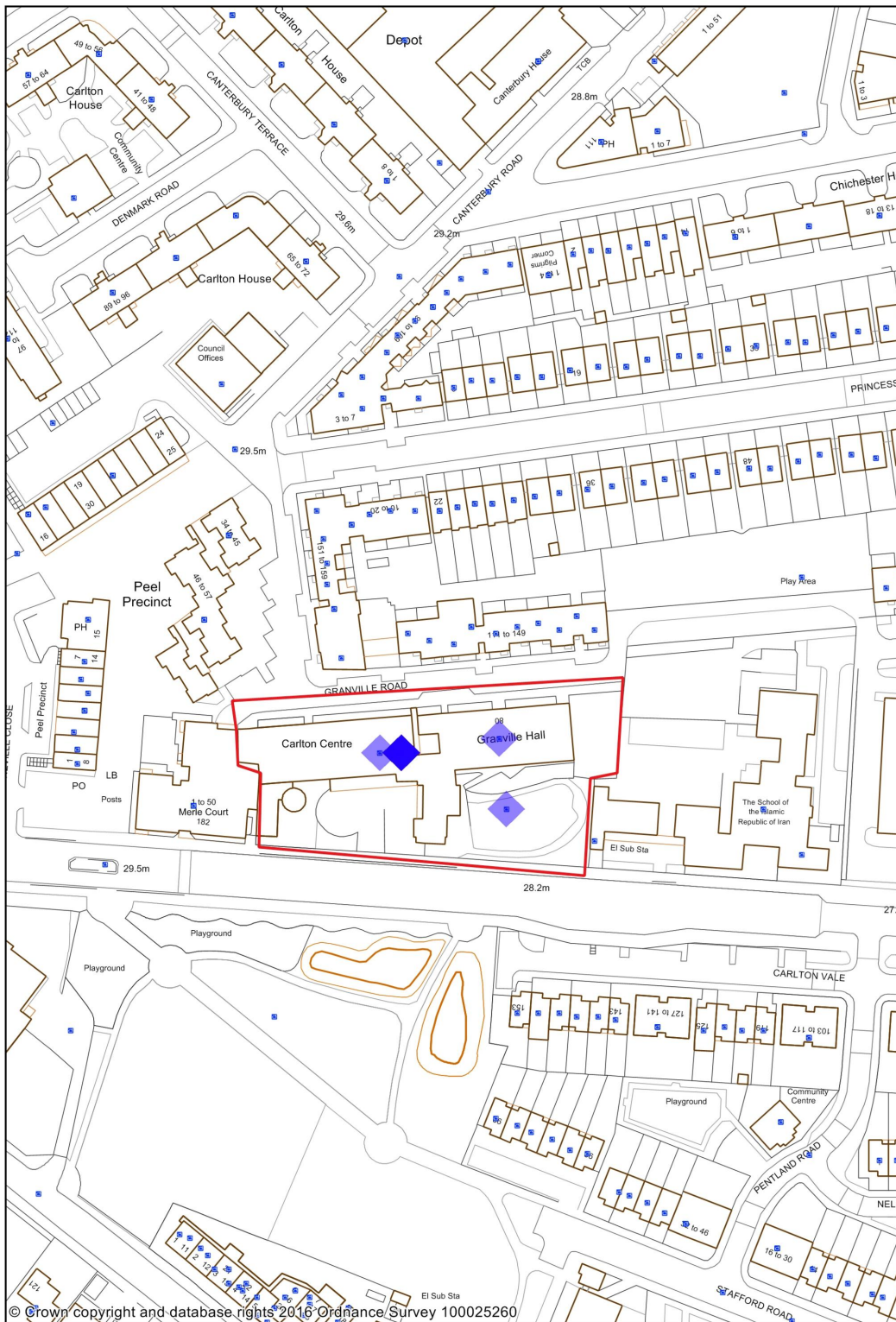


1:7500

0 0.1 0.2 kilometres



Appendix 2 – Carlton & Granville Centres – Site Plan



1:1500

0 0.02 0.04 kilometres



Appendix 3 – Phase 2 Scheme Plan – Option 1

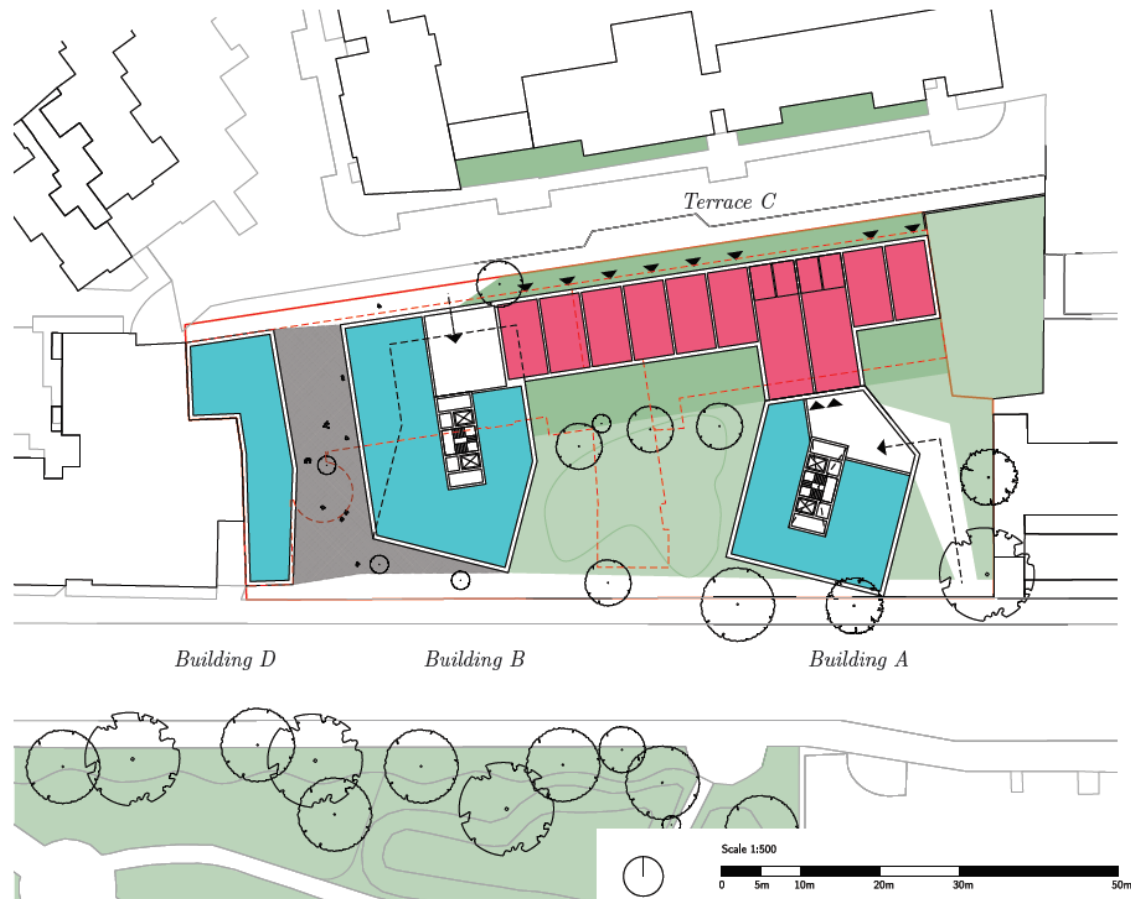
Page 103



** Please note that is an outline plan for the ground floor only.

Appendix 3 – Phase 2 Scheme Plan – Option 2

Page 104



**Please note that this an outline plan for the ground floor only.

Appendix 4: Equality Analysis

Stage 1 Screening Data

What are the objectives and expected outcomes of your proposal? Why is it needed?

The proposal covers the phased redevelopment the Carlton & Granville Centres, Granville Road, London, NW6 5RA to deliver new homes, an Enterprise Hub and additional community use space.

Who is affected by the proposal?

The proposal is relevant to residents in South Kilburn, small businesses in the area and the South Kilburn Trust. As the premises proposed for re-development are largely unoccupied and will shortly be vacated by the remaining users, there is no impact for existing users.

Could the proposal impact on people in different ways because of their equality characteristics?

The proposal will deliver new workspace accommodation for up to 30 small businesses as well as new housing for households in housing need. To the extent that some protected groups are over-represented among households in housing need or seeking employment opportunities, the positive impacts of the proposal may offer particular benefits to these groups.

Could the proposal have a disproportionate impact on some equality groups?

If yes, indicate which equality characteristic(s) are impacted

No, other than as noted above.

Would the proposal change or remove services used by vulnerable groups of people?

The proposal will provide new or improved services that may be used by vulnerable groups.

Does the proposal relate to an area with known inequalities?

Yes.

Is the proposal likely to be sensitive or important for some people because of their equality characteristics?

Yes – although the proposal is not seen as sensitive, it may offer important new opportunities for some protected groups and more generally.

Does the proposal relate to one of Brent's equality objectives?

The proposal relates to the following objectives:

- To know and understand all our communities
- To ensure that local public services are responsive to different needs and treat users with dignity and respect

Recommend this EA for Full Analysis?

No.



Cabinet
25 July 2016

Report from the Strategic Director of Regeneration and Environment

For Action

Wards affected:
Kilburn

South Kilburn Regeneration Programme – phase 3A

1 Summary

- 1.1 This report relates to Hereford House and Exeter Court (being part of 'Phase 3A' of the South Kilburn regeneration programme and as shown edged red on Appendix 1).
- 1.2 This report seeks the Cabinet's approval of a procurement strategy for an architecturally led multidisciplinary design team for the comprehensive redevelopment of Hereford House and Exeter Court, being part of Phase 3A of the South Kilburn regeneration programme.

2 Recommendations

- 2.1 That the Cabinet approve the procurement of an architecturally led multidisciplinary design team to develop a detailed planning application for comprehensive redevelopment of Hereford House and Exeter Court by either:
 - i) calling off the Greater London Authority (GLA) and Transport for London (TfL) Architecture, Design and Urbanism Panel (ADUP) or such other appropriate OJEU compliant framework; and evaluating those tenders in accordance with the relevant Framework; or alternatively
 - ii) inviting tenders using a Restricted procedure under the Public Contracts Regulations 2015 on the basis of the pre-tender considerations set out in paragraph 3.7 of this report and evaluating the tenders on the basis of the evaluation criteria set out in that paragraph.
- 2.2 That Cabinet delegate to the Strategic Director of Regeneration and Environment the decision as to the procurement options details in 2.1.
- 2.3 That Cabinet note the intention to report back to Cabinet to seek approval to award the proposed contract for an architecturally led multidisciplinary design team, once a preferred design team has been identified.

3 Detail

Hereford House and Exeter Court – Design Team Procurement

- 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 majority of secure tenants of Hereford House and Exeter Court are earmarked to move to the new affordable homes which are being developed on the site of the former 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, being part of "Phase 2a"), with the remainder of secure tenants earmarked to move to other identified sites. This in turn will ensure vacant possession of properties within Hereford House and Exeter Court, to enable further phases within the South Kilburn regeneration programme to be brought forward for redevelopment and move existing South Kilburn secure tenants to be re-housed in new high quality homes.
- 3.2 As these two developments (former Bronte and Fielding, and Site 11b sites) will be completed this year, officers are now seeking to appoint an architecturally led multidisciplinary design team (design team) for the comprehensive redevelopment of Hereford House and Exeter Court.
- 3.3 Officers intend to procure a design team to prepare a detailed planning application for the comprehensive redevelopment of Hereford House and Exeter Court to deliver a high quality residential development. This would ensure that there continues to be a pipeline of planning approved developments in South Kilburn, so the delivery of much needed new homes in South Kilburn can continue.
- 3.4 Prior to appointing the design team officers will carry out feasibility work to refine the scope of the brief.
- 3.5 The procurement of a design team to develop a detailed planning application for the comprehensive redevelopment of Hereford House and Exeter Court will be undertaken by either:
- i) calling off the GLA and TfL ADUP or such other appropriate OJEU compliant framework; or alternatively,
 - ii) inviting tenders using a Restricted procedure under the Public Contracts Regulations 2015 ("PCR 2015") on the basis of the pre-tender considerations set out in paragraph 3.7 below commencing by placing a notice in the Official Journal of the European Union (OJEU).
- 3.6 As the procurement is not being undertaken immediately, the decision on which of these options will be pursued will be taken by the Strategic Director of Regeneration and Environment before the procurement commences. Officers will carry out feasibility work first before deciding the best procurement route to take.
- 3.7 Should calling off the GLA and TfL ADUP be the preferred procurement route, officers will conduct a mini-competition under Lot 2 (Architecture) and report back to Cabinet to seek Member approval to award the proposed contract, once a preferred design team has been identified. A similar process will be adopted should the council select an alternative framework.
- 3.8 Should using a Restricted procedure under the PCR 2015 be the preferred procurement route, 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/ works.	To procure an architecturally led multidisciplinary design team to prepare a detailed planning application for the comprehensive redevelopment of the Hereford House and Exeter Court redevelopment site.
(ii)	The estimated value.	The value of this contract will be determined through the competitive tender process but it is anticipated the value will be approximately £850k.
(iii)	The contract term.	The contract period will be approximately twelve months.
(iv)	The tender procedure to be adopted including whether any part of the procedure will be conducted otherwise than by electronic means and whether there will be an e-auction.	PCR 2015 compliant restricted procedure procurement route, in which parts of the procedure may be conducted by electronic means but there will not be an e-auction.
v)	The procurement timetable.	<p>The procurement would be undertaken during autumn/winter 2016. Indicative milestones/timescales are:</p> <ul style="list-style-type: none"> • Contract Notice placed • Expressions of interest/Pre Qualification Questionnaire (PQQ) period – 30 days • Evaluation of PQQ responses in accordance with the Council's approved criteria – 10 days • Invitation to tender period – 35 days • Panel evaluation, interviews and panel decision – 10 days • Seek Cabinet approval to award contract • Standstill period – 10 calendar days
(vi)	The evaluation criteria and process.	<p>Shortlists are to be drawn up in accordance with the Council's Contract Procurement and Management Guidelines namely the PQQ and thereby meeting the Council's financial standing requirements, technical capacity and technical expertise.</p> <p>Officers will evaluate the tenders from the shortlisted bidders on the basis of "most economically advantageous tender criteria" (MEAT) on the basis of percentage quality and percentage price, with a weighting of 30% applied to price and 70% applied to quality criteria.</p> <p>The quality criteria will consider how submissions perform in respect of:</p>

Ref.	Requirement	Response
		<ul style="list-style-type: none"> - Design Approach and Vision (30%) - Expertise and Resource Allocation (25%) and - Consultation and Stakeholder Management (15%)
(vii)	Any business risks associated with entering the contract.	The Council will ensure the form of appointment and collateral warranty with the preferred design team is drafted to minimise all business risks.
(viii)	The Council's Best Value duties.	The procurement process will seek to ensure best value is achieved.
(ix)	Consideration of Public Services (Social Value) Act 2012.	See Paragraph 8 below.
(x)	Any staffing implications, including TUPE and pensions.	No staffing implications relating to TUPE or pensions.
(xi)	The relevant financial, legal and other considerations.	See Paragraphs 4 and 5 below. This proposed procurement process would be in line with the Council Standing Orders and the Public Contract Regulations 2015.

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

4 Financial Implications

Hereford House and Exeter Court – Design Team Procurement

4.1 Irrespective of the procurement process to be undertaken, it is anticipated that the value of the proposed contract will be in excess of £500k and thus classed as a High Value Contract under the Council's Standing Orders and Financial Regulations. Therefore approval will be sought from Members to award the proposed contract, once a preferred design team has been identified. The estimated cost to appoint a design team can be resourced from the South Kilburn programme budget. Depending on market conditions, it should be possible to recoup this cost when the Hereford House and Exeter Court redevelopment site disposal takes place.

5 Legal Implications

Hereford House and Exeter Court – Design Team Procurement: use of GLA and TfL ADUP or such other appropriate PCR 2015 compliant framework

5.1 The Council's Contract Standing Orders state that no formal tendering procedures apply where contracts are called off under a framework agreement established pursuant to PCR 2015 by another contracting authority and where call off under the framework agreement is recommended by the relevant Chief Officer (to include confirmation that there is sufficient budgetary provision for

the proposed call-off). However, this is subject to the Chief Legal Officer advising that participation in the framework agreement is legally permissible and approval to participate in the framework being obtained from the Chief Legal Officer. Should calling off the GLA and TfL ADUP or such other appropriate OJEU PCR 2015 compliant framework be the preferred procurement route, approval will be sought and given from the Chief Legal Officer prior to doing so.

Hereford House and Exeter Court – Design Team Procurement: use of a Restricted Procedure under the PCR 2015

- 5.2 The value of this proposed procurement over its lifetime will be higher than the EU threshold for Services and the procurement of the contract is therefore governed in full by the PCR 2015. The estimated value of the procurement is in excess of £500k and therefore it will be classed as a High Value Contract under Contract Standing Orders and accordingly the Cabinet must approve the pre-tender considerations set out in paragraph 3.8 above (Standing Order 89) and the inviting of tenders (Standing Order 88).
- 5.3 Once the procurement process has been undertaken (whether the Council is using a framework or a Restricted procedure under the PCR 2015, officers will report back to the Cabinet in accordance with Contract Standing Orders, explaining the process undertaken in tendering the contracts and recommending award.
- 5.4 Should the use of the Restricted procedure under the PCR 2015 be the preferred procurement route, the Council must observe the requirements of the mandatory minimum ten calendar days standstill period imposed by the PCR 2015 before the contract can be awarded. The requirements include notifying all tenderers in writing of the Council's decision to award and providing the prescribed information which includes the reasons for the decision and the characteristics and relative advantages of the winning bid. 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.

6 Diversity Implications

- 6.1 This Cabinet paper is seeking approval for the Council to start a procurement process for the appointment of a design team to prepare a detailed planning application for the comprehensive redevelopment of Hereford House and Exeter Court to deliver a high quality residential development. While there are not direct equalities implications arising from this report and the procurement process itself, the work carried out by the design team will have an impact on residents with protected characteristics and therefore consideration must be given to affected groups during the development of the planning application. The work of the design team will also include proactive consultation and engagement with affected residents such as disabled people, older residents and minority ethnic groups
- 6.2 An Equality Analysis has been completed and is attached as appendix 2. A further equality analysis will be completed on reporting back to Cabinet to seek Member approval to award the contract.

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 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. This duty applies to the procurement of the architecturally led multidisciplinary design team for the proposed redevelopment of Hereford House and Exeter Court.
- 8.2 The services being procured aim to improve the economic, social and environmental well-being of residents of South Kilburn through the preparation of a detailed planning application for the comprehensive redevelopment of Hereford House and Exeter Court to deliver a high quality residential development 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.
- 8.3 Where possible the contract will require that the Design Team:
- 8.3.1 provide opportunities for local people or prioritise local people for the employment opportunities that may arise during this contract (e.g. apprenticeships, work placements for disabled people or BAME groups, etc);
- 8.3.2 pay the London Living Wage as part of the Council's commitment to reduce socio-economic disadvantage;
- 8.4 Consultation will form part of the Design Teams' work and will form a scored element of the procurement process, including identifying how the Design Team will target engagement of disabled people, young people, older residents and BME groups on the development of an inclusive and accessible design; easy read communications materials; translation and interpreting services, etc

9 Background Papers

Appendix 1 Hereford House and Exeter Court Red Line Boundary
Appendix 2 Equality Analysis
South Kilburn Supplementary Planning Document
South Kilburn Current Masterplan

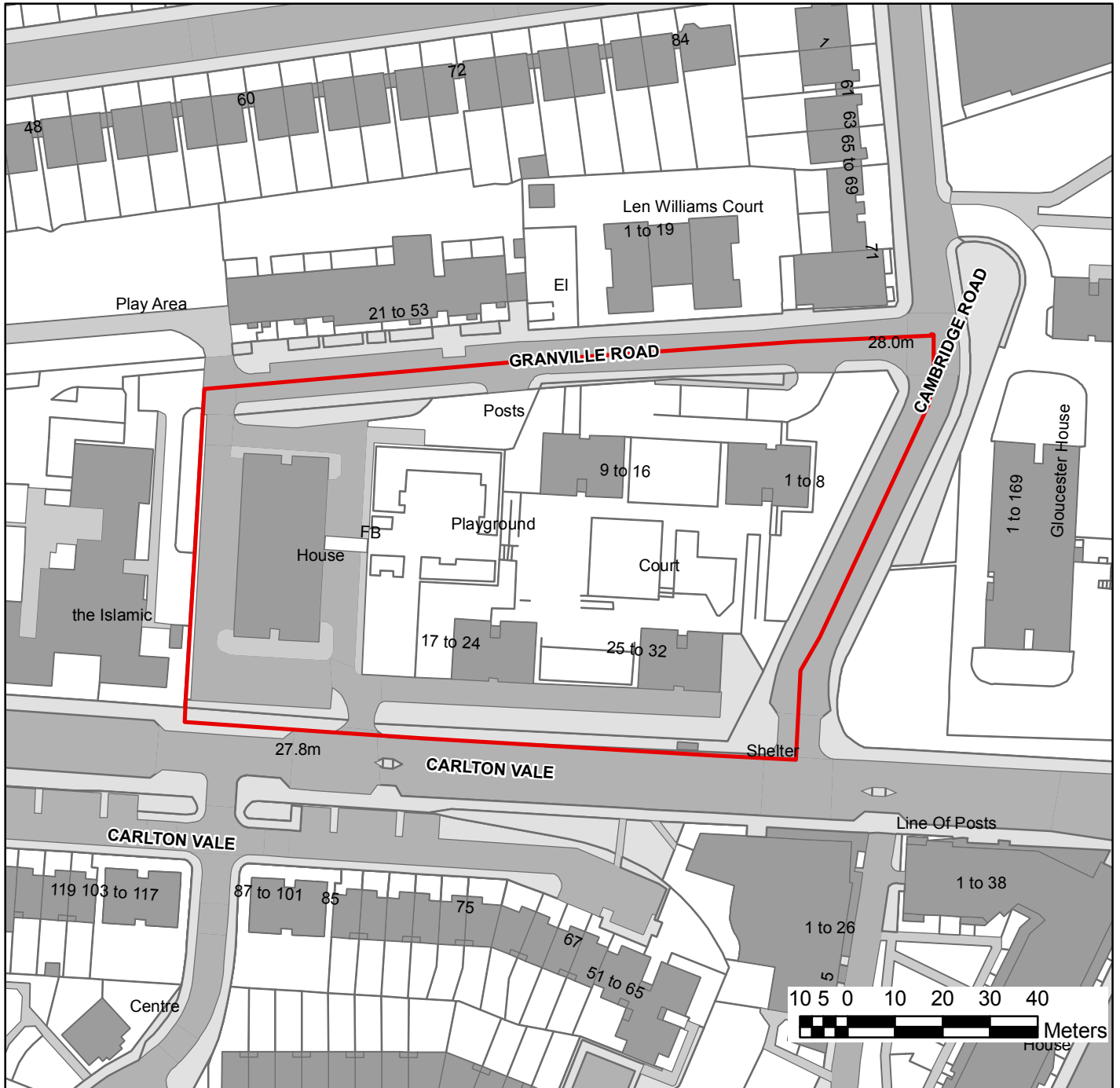
10 Contact Officers

Jill Rennie
Senior Project Manager Estate Regeneration
Tel: 020 8937 2556, E-mail: jill.rennie@brent.gov.uk

Richard Barrett
Estate Regeneration Manager
Tel: 020 8937 1330, Email: Richard.barrett@brent.gov.uk

AMAR DAVE
Strategic Director Regeneration and Environment

Hereford House and Exeter Court Red Line Boundary



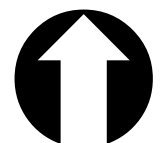
Premises shown outlined red.



1:1,250

Plan to stated scale if printed at A4.

NORTH



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South Kilburn Regeneration Programme - Hereford House and Exeter Court - procurement of an architect

Department

Regeneration and Growth

Person Responsible

Jill Rennie

Created

13th June, 2016

Last Review

13th June, 2016

Status

Complete

Next Review

13th June, 2017

Screening Data

1. What are the objectives and expected outcomes of your proposal? Why is it needed? Make sure you highlight any proposed changes.

The proposal is concerned with seeking the Cabinet's approval of a procurement strategy for an architecturally led multidisciplinary design team (design team) for the comprehensive redevelopment of Hereford House and Exeter Court, being part of Phase 3A of the South Kilburn regeneration programme.

The proposal is to progress the procurement of an architecturally led multidisciplinary design team to develop a detailed planning application for comprehensive redevelopment of Hereford House and Exeter Court by either:

- i) calling off the Greater London Authority (GLA) and Transport for London (TfL) Architecture, Design and Urbanism Panel (ADUP) or such other appropriate OJEU compliant framework; and evaluating those tenders in accordance with the relevant Framework; or alternatively
- ii) carrying out an OJEU compliant procurement process and inviting tenders on the basis of the pre-tender considerations set out in the Cabinet report and evaluating the tenders on the basis of the evaluation criteria set out in the Cabinet report

The outcome of the proposal will be to procure an architecturally led multidisciplinary design team, which is required to progress the redevelopment of Hereford House and Exeter Court.

2. Who is affected by the proposal? Consider residents, staff and external stakeholders.

The procurement strategy proposal will only affect officers involved in managing the procurement process.

Once a preferred Design Team has been identified a report will go back to Cabinet to seek Members approval to award the proposed contract.

At this point there will be a further equality analysis as:

The award of a contract for a design team will enable Brent Council to develop its planning application in respect of the Hereford House and Exeter Court site.

The Estate Regeneration Team will manage the design team contract. Officers from across the Council will be involved in feeding into the design process.

Residents and external stakeholders will have an opportunity to feed into the design process through consultation events.

A planning application will be submitted for the redevelopment of Hereford House and Exeter Court

3.1 Could the proposal impact on people in different ways because of their equality characteristics?

- No

If you answered 'Yes' please indicate which equality characteristic(s) are impacted

3.2 Could the proposal have a disproportionate impact on some equality groups?

- No

If you answered 'Yes', please indicate which equality characteristic(s) are disproportionately impacted

3.3 Would the proposal change or remove services used by vulnerable groups of people?

- No

The proposal is concerned with seeking the Cabinet's approval of a procurement strategy for an architecturally led multidisciplinary design team (design team) for the comprehensive redevelopment of Hereford House and Exeter Court, being part of Phase 3A of the South Kilburn regeneration programme.

Once a preferred Design Team has been identified a report will go back to Cabinet to seek Members approval to award the proposed contract.

At this point there will be a further equality analysis

3.4 Does the proposal relate to an area with known inequalities?

- No

The proposal is concerned with seeking the Cabinet's approval of a procurement strategy for an architecturally led multidisciplinary design team (design team) for the comprehensive redevelopment of Hereford House and Exeter Court, being part of Phase 3A of the South Kilburn regeneration programme.

Once a preferred Design Team has been identified a report will go back to Cabinet to seek Members approval to award the proposed contract.

At this point there will be a further equality analysis

3.5 Is the proposal likely to be sensitive or important for some people because of their equality characteristics?

- No

If you answered 'Yes', please indicate which equality characteristic(s) are impacted

3.6 Does the proposal relate to one of Brent's equality objectives?

- Yes

4. To ensure that local public services are responsive to different needs and treat users with dignity and respect.

A design team is to be procured for the comprehensive redevelopment of Hereford House and Exeter Court

Recommend this EA for Full Analysis?

Yes

Comments

No further information is required.
The proposal is only related to procurement.

Rate this EA

N/A

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)

- Neutral

The procurement of an architecturally led multidisciplinary design team to develop a detailed planning application for comprehensive redevelopment of Hereford House and Exeter Court will either be by:

i) calling off the Greater London Authority (GLA) and Transport for London (TfL) Architecture, Design and Urbanism Panel (ADUP) or such other appropriate OJEU compliant framework; and evaluating those tenders in accordance with the relevant Framework; or alternatively

ii) carrying out an OJEU compliant procurement process and inviting tenders on the basis of the pre-tender considerations set out in the Cabinet report and evaluating the tenders on the basis of the evaluation criteria set out in the Cabinet report

iii) and (in either case) reporting back to Cabinet to seek Member approval to award the proposed contract, once a preferred design team has been identified.

5.2 Disability (select all that apply)

- Neutral

The procurement of an architecturally led multidisciplinary design team to develop a detailed planning application for comprehensive redevelopment of Hereford House and Exeter Court will either be by:

i) calling off the Greater London Authority (GLA) and Transport for London (TfL) Architecture, Design and Urbanism Panel (ADUP) or such other appropriate OJEU compliant framework; and evaluating those tenders in accordance with the relevant Framework; or alternatively

ii) carrying out an OJEU compliant procurement process and inviting tenders on the basis of the pre-tender considerations set out in the Cabinet report and evaluating the tenders on the basis of the evaluation criteria set out in the Cabinet report

iii) and (in either case) reporting back to Cabinet to seek Member approval to award the proposed contract, once a preferred design team has been identified.

5.3 Gender identity and expression (select all that apply)

- Neutral

The procurement of an architecturally led multidisciplinary design team to develop a detailed planning application for comprehensive redevelopment of Hereford House and Exeter Court will either be by:

i) calling off the Greater London Authority (GLA) and Transport for London (TfL) Architecture, Design and Urbanism Panel (ADUP) or such other appropriate OJEU compliant framework; and evaluating those tenders in accordance with the relevant Framework; or alternatively

ii) carrying out an OJEU compliant procurement process and inviting tenders on the basis of the pre-tender considerations set out in the Cabinet report and evaluating the tenders on the basis of the evaluation criteria set out in the Cabinet report

iii) and (in either case) reporting back to Cabinet to seek Member approval to award the proposed contract, once a preferred design team has been identified.

5.4 Marriage and civil partnership (select all that apply)

- Neutral

The procurement of an architecturally led multidisciplinary design team to develop a detailed planning application for comprehensive redevelopment of Hereford House and Exeter Court will either be by:

i) calling off the Greater London Authority (GLA) and Transport for London (TfL) Architecture, Design and Urbanism Panel (ADUP) or such other appropriate OJEU compliant framework; and evaluating those tenders in accordance with the relevant Framework; or alternatively

- ii) carrying out an OJEU compliant procurement process and inviting tenders on the basis of the pre-tender considerations set out in the Cabinet report and evaluating the tenders on the basis of the evaluation criteria set out in the Cabinet report
- iii) and (in either case) reporting back to Cabinet to seek Member approval to award the proposed contract, once a preferred design team has been identified.

5.5 Pregnancy and maternity (select all that apply)

- Neutral

The procurement of an architecturally led multidisciplinary design team to develop a detailed planning application for comprehensive redevelopment of Hereford House and Exeter Court will either be by:

- i) calling off the Greater London Authority (GLA) and Transport for London (TfL) Architecture, Design and Urbanism Panel (ADUP) or such other appropriate OJEU compliant framework; and evaluating those tenders in accordance with the relevant Framework; or alternatively
- ii) carrying out an OJEU compliant procurement process and inviting tenders on the basis of the pre-tender considerations set out in the Cabinet report and evaluating the tenders on the basis of the evaluation criteria set out in the Cabinet report
- iii) and (in either case) reporting back to Cabinet to seek Member approval to award the proposed contract, once a preferred design team has been identified.

5.6 Race (select all that apply)

- Neutral

The procurement of an architecturally led multidisciplinary design team to develop a detailed planning application for comprehensive redevelopment of Hereford House and Exeter Court will either be by:

- i) calling off the Greater London Authority (GLA) and Transport for London (TfL) Architecture, Design and Urbanism Panel (ADUP) or such other appropriate OJEU compliant framework; and evaluating those tenders in accordance with the relevant Framework; or alternatively
- ii) carrying out an OJEU compliant procurement process and inviting tenders on the basis of the pre-tender considerations set out in the Cabinet report and evaluating the tenders on the basis of the evaluation criteria set out in the Cabinet report
- iii) and (in either case) reporting back to Cabinet to seek Member approval to award the proposed contract, once a preferred design team has been identified.

5.7 Religion or belief (select all that apply)

- Neutral

The procurement of an architecturally led multidisciplinary design team to develop a detailed planning application for comprehensive redevelopment of Hereford House and Exeter Court will either be by:

- i) calling off the Greater London Authority (GLA) and Transport for London (TfL) Architecture, Design and Urbanism Panel (ADUP) or such other appropriate OJEU compliant framework; and evaluating those tenders in accordance with the relevant Framework; or alternatively
- ii) carrying out an OJEU compliant procurement process and inviting tenders on the basis of the pre-tender considerations set out in the Cabinet report and evaluating the tenders on the basis of the evaluation criteria set out in the Cabinet report
- iii) and (in either case) reporting back to Cabinet to seek Member approval to award the proposed contract, once a preferred design team has been identified.

5.8 Sex (select all that apply)

- Neutral

The procurement of an architecturally led multidisciplinary design team to develop a detailed planning application for comprehensive redevelopment of Hereford House and Exeter Court will either be by:

- i) calling off the Greater London Authority (GLA) and Transport for London (TfL) Architecture, Design and Urbanism Panel (ADUP) or such other appropriate OJEU compliant framework; and evaluating those tenders in accordance with the relevant Framework; or alternatively
- ii) carrying out an OJEU compliant procurement process and inviting tenders on the basis of the pre-tender considerations set out in the Cabinet report and evaluating the tenders on the basis of the evaluation criteria set out in the Cabinet report
- iii) and (in either case) reporting back to Cabinet to seek Member approval to award the proposed contract, once a preferred design team has been identified.

5.9 Sexual orientation (select all that apply)

- Neutral

The procurement of an architecturally led multidisciplinary design team to develop a detailed planning application for comprehensive redevelopment of Hereford House and Exeter Court will either be by:

- calling off the Greater London Authority (GLA) and Transport for London (TfL) Architecture, Design and Urbanism Panel (ADUP) or such other appropriate OJEU compliant framework; and evaluating those tenders in accordance with the relevant Framework; or alternatively
- carrying out an OJEU compliant procurement process and inviting tenders on the basis of the pre-tender considerations set out in the Cabinet report and evaluating the tenders on the basis of the evaluation criteria set out in the Cabinet report
- and (in either case) reporting back to Cabinet to seek Member approval to award the proposed contract, once a preferred design team has been identified.

5.10 Other (please specify) (select all that apply)

- Neutral

The procurement of an architecturally led multidisciplinary design team to develop a detailed planning application for comprehensive redevelopment of Hereford House and Exeter Court will either be by:

- calling off the Greater London Authority (GLA) and Transport for London (TfL) Architecture, Design and Urbanism Panel (ADUP) or such other appropriate OJEU compliant framework; and evaluating those tenders in accordance with the relevant Framework; or alternatively
- carrying out an OJEU compliant procurement process and inviting tenders on the basis of the pre-tender considerations set out in the Cabinet report and evaluating the tenders on the basis of the evaluation criteria set out in the Cabinet report
- and (in either case) reporting back to Cabinet to seek Member approval to award the proposed contract, once a preferred design team has been identified.

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?

This EA relates only to procurement, as such the appropriate Council procurement procedures are being used.

7. Could any of the impacts you have identified be unlawful under the Equality Act 2010?

- No

This EA relates only to procurement, as such the appropriate Council procurement procedures are being used.

8. What actions will you take to enhance any potential positive impacts that you have identified?

This proposal only relates to the procurement strategy. The impacts are all deemed to be neutral. Using a Framework or OJEU route are established procurement processes.

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

This proposal only relates to the procurement strategy. The impacts are all deemed to be neutral. Using a Framework or OJEU route are established procurement processes.

10. Please explain the justification for any remaining negative impacts.

There are no negative impacts.

Comments

This Cabinet paper is only concerned with the procurement strategy for an architecturally led multidisciplinary design team for the comprehensive redevelopment of Hereford House and Exeter Court.

The procurement of an architecturally led multidisciplinary design team to develop a detailed planning application for comprehensive redevelopment of Hereford House and Exeter Court will be by either:

- i) calling off the Greater London Authority (GLA) and Transport for London (TfL) Architecture, Design and Urbanism Panel (ADUP) or such other appropriate OJEU compliant framework; and evaluating those tenders in accordance with the relevant Framework; or alternatively
- ii) carrying out an OJEU compliant procurement process and inviting tenders on the basis of the pre-tender considerations set out in the Cabinet report and evaluating the tenders on the basis of the evaluation criteria set out in the report
- iii) and (in either case) reporting back to Cabinet to seek Member approval to award the proposed contract, once a preferred design team has been identified.

Consultation will be included within the evaluation criteria for the procurement of the architecturally led multidisciplinary design team.

A further equality analysis will be completed on reporting back to Cabinet to seek Member approval to award the contract.

Organisation Sign-off Data

11. What did this equality analysis conclude?

- The proposal was accepted without changes

12. Please write a brief summary of your equality analysis which should be included in the 'diversity implications' section of any reports.

This is a procurement process. As such the impact on individuals and or groups is neutral or nil effect

13. I confirm that this equality analysis represents a fair and reasonable view of the implications of this proposal on equality and that appropriate actions have been identified to address the findings.

Enter your name

Richard Barrett

Enter your designation

Estate Regen Manager

Enter your department

Regeneration & Environmental Services

Enter today's date

15-06-2016

Next Review Date

2017-06-13

Outstanding Actions

No outstanding actions



Cabinet

25 July 2016

Report from the Strategic Director of Regeneration and Environment

For Action

Wards affected:
Kilburn

South Kilburn Regeneration Programme – Site 18 encompassing Salusbury Road Car Park, Cullen House and adjoining land

1 Summary

- 1.1 This report sets out the approvals required by the Cabinet to further progress this project originally within Phase 2b of the regeneration programme.
- 1.2 This report sets out proposals for Salusbury Road Car Park, Cullen House and adjoining land comprising of the spur road, Keniston Press, TfL offices at Premier House and the Falcon Public House (together defined as "**Site 18**"), which forms part of **Phase 2b** of the South Kilburn regeneration programme and as shown edged red on Plan A at Appendix 1. This development has been stalled since 2012 due to safeguarding of the site by High Speed Two Ltd (HS2) for a proposed ventilation shaft and auto transformer. The Council has recently successfully secured the release of this site from HS2.

2 Recommendations

Phase 2b - Site 18

- 2.1 That the Cabinet confirm consent to restart the proposed redevelopment of Site 18 and confirm that the recommendations made in July 2011, can be relied upon by officers to secure possession of Site 18 and where relevant, following the completion of the statutory consultation exercises as set out below;
- 2.2 i) authorise the Strategic Director of Regeneration & Environment to seek the Secretary of State's Consent to the disposal and development of Cullen House for the purposes of Ground 10A of Schedule 2 to the Housing Act 1985 to enable the Council to apply for a court order to obtain vacant possession of residential dwellings let under secure tenancies, Section 32 Housing Act 1985 to dispose of housing land, Section 19 Housing Act 1985 for appropriation of land for planning purposes and under the necessary Act (if applicable) to dispose of non-housing land;

ii) make a compulsory purchase order to acquire all interests and rights in Site 18 and any new rights in Site 18 which may be required under section 13 of the Local Government (Miscellaneous Provisions) Act 1976; and

iii) authorise the submission of CPOs, once made, to the Secretary of State for confirmation whilst at the same time seeking to acquire the land by private negotiated treaty on such terms as may be agreed by the Director of Finance and Corporate Resources. The full extract from the 2011 decision is set out in Appendix 2.

2.3 That the Cabinet authorise and delegate authority to the Operational Director of Regeneration to commence statutory consultation with the secure tenants residing in Cullen House on the following three matters: (i) statutory consultation in connection with seeking approval of the Secretary of State for use of Ground 10A of Schedule 2 to the Housing Act 1985; (ii) consultation on the Council's proposal to make a CPO on properties in Cullen House that are currently occupied by secure tenants; and (iii) consultation in connection with the draft allocation policy for allocating homes to secure tenants living within Cullen House. Following statutory consultation the draft Allocation Policy, will be brought back to the Cabinet for approval.

3 Detail

Phase 2b - Site 18

3.1 In July 2011, the Council's Executive/Cabinet approved the detailed recommendations set at paragraph 2.2 above.

3.2 As per recommendation 2.14 of the July 2011 cabinet report, demolition notices were served to secure tenants of Cullen House on the 14 September 2012.

3.3 The redevelopment of Site 18 has been delayed as a result of the site being affected by HS2's proposal to locate a vent shaft and Auto-Transformer station (ATS) and tunnel route relating to the construction of Phase One of HS2 on and beneath the site. Recently, following discussions and a Brent Council petition to Government, HS2 has submitted to Parliament, a revision to the original bill known as AP4. This AP4, which has been accepted by Parliament consents to the relocation of the vent shaft and ATS to another site which does not form part of the South Kilburn Regeneration Programme. As a result, the Council is now free to bring forward Site 18 for redevelopment in accordance with the Masterplan and the planning permission granted on 9 November 2012.

3.4 Given the passage of time and to avoid any potential challenge to the implementation of the above powers, it is thought prudent and legally advisable that the decisions taken in July 2011 be re-confirmed. As a result, as set out in recommendations 2.2 and 2.3 above, Officers are seeking Member confirmation that those decisions in respect of Site 18 can be implemented and where relevant following the consultation detailed at paragraph 3.5 below.

3.5 Officers also seek authority permitting the Operational Director of Regeneration to commence statutory consultation with secure tenants residing in Cullen House on three proposals, namely: (i) statutory consultation in connection with seeking approval of the Secretary of State for use of Ground 10A of Schedule 2 to the Housing Act 1985 (ii) consultation on the Council's proposal to make a CPO on properties in Cullen House

that are currently occupied by secure tenants (iii) consultation in connection with a draft allocation policy for allocating homes to secure tenants living within Cullen House.

- 3.6 On the 31 May 2016 the Council completed on the purchase of, Times House, 50 Claremont Road, London W9 3DZ, which was the (Genesis owned Keniston Press site), which forms part of the planning approved site. Cabinet approval was granted on 16 January 2016 for this acquisition, please see Appendix 3 for further background detail in regards to this acquisition of the Keniston Press site.
- 3.7 As a result of the Site 18 being brought forward for redevelopment, there will need to be closure to Spur Road. This will be dealt with by the Councils highways team in due course.

Financial Implications

- 3.8 The financial model for the South Kilburn regeneration programme is to be self financing within the funding envelope generated from on-going disposals, which are ring-fenced so all the capital receipts generated are reinvested back into the South Kilburn regeneration programme, to enable the rolling regeneration programme to continue to deliver much needed new homes.
- 3.9 All costs to produce consultation documents will be covered within existing Revenue budgets.

4 Legal Implications

Ground 10a of Schedule 2 to the Housing Act 1985

- 4.1 The Council is required to obtain the approval of the redevelopment scheme from the Secretary when seeking to re-house secure tenants who will not leave the properties that are due to be demolished. Before seeking approval, the Council is required to consult with 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 received during that period.
- 4.2 Unlike a tenanted transfer, however, no formal ballot will 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.
- 4.3 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.

Compulsory Purchase Orders

- 4.4 The Council has power to make a compulsory purchase order under section 226 (1) (a) of the Town and Country Planning Act 1990 if it thinks that the acquisition will “facilitate the carrying out of development, redevelopment or improvement or in relation to the land”. Under section 226(1) (A) the Council must not exercise the power under sub paragraph (a) unless it thinks that the development, redevelopment or improvement is likely to contribute to the achievement of any one or more of the following objects – (a) the promotion or improvement of the economic wellbeing of their area; (b) the promotion or improvement of the social wellbeing of their area; (c) the promotion or improvement of the environmental wellbeing of their area. 4.10 Compulsory purchase orders must only be made if the Council is satisfied that there is a compelling public interest to do so. Para. 17 of Part 1 of the Memorandum to ODPM Circular 06/04 states:

“A compulsory purchase order should only be made where there is a compelling case in the public interest. An acquiring authority should be sure that the purposes for which it is making a compulsory purchase order sufficiently justify interfering with the human rights of those with an interest in the land affected. Regard should be had, in particular, to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and, in the case of a dwelling, Article 8 of the Convention.”

- 4.5 It is necessary to consider the human rights implications of making CPOs. The Convention Rights applicable to the making of any CPO orders are Articles, 6 and 8 and Articles 1 of the First Protocol. The position is summarised in para. 17 of Part 1 of the Memorandum to ODPM Circular 06/04. Article 6 provides that: *“In determining his civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law”*
- 4.6 Article 1 of the First Protocol states that: *“Every natural or legal person is entitled to peaceful enjoyment of his possessions”* and *“(n)o one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by the law and by the general principles of international law.”* Whilst occupiers and owners will be deprived of their property if an Order is confirmed, this will be done in accordance with the law. It is being done in the public interest as required by Article 1 of the First Protocol. The reasons for this are set out in this Report.

Appropriation of land for planning purposes

- 4.7 Section 122 of the Local Government Act 1972 provides that a principal Council may appropriate for any purpose for which the Council are authorised to acquire by agreement land which belongs to the Council and is no longer required for the purpose for which it is held immediately before the appropriation.
- 4.8 Appropriation is subject to third party rights over the land and in respect of the South Kilburn Estate as it is housing land the prior consent of the Secretary of State under Section 19 of the Housing Act 1985, if the appropriation includes land on which dwellings have been built or land over which owners or occupiers of dwellings have rights.
- 4.9 Section 237 of the Town and Country Planning Act 1990 provides where land has been appropriated for planning purposes any easements such as rights of way which may exist for the benefit of third parties are overridden on erection, construction or carrying out of maintenance of any building and change of use in accordance with planning permission, subject to payment of any compensation. The practical effect is that any

rights which may exist do not delay or obstruct the development. This provides effective assurance to the developer that he will have a good title to the land.

- 4.10 The land must no longer be required for the purpose for which it is held immediately before appropriation. This test will be satisfied by deferring the date of the appropriation to a time when it is clear that the scheme will proceed. Once the appropriation is effected, the appropriated land will be held for planning purposes.

5 Diversity Implications

- 5.1 South Kilburn was identified as a priority area for driving economic opportunity and regeneration within Brent – Creating Opportunities, Improving Lives (Brent Borough Plan 2013-14). 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 social economics disadvantage. 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 resident consultation and community engagement as proposals for the physical regeneration of the area are developed and delivered
- 5.2 The new homes in South Kilburn are available to all secure tenants currently living in properties due for demolition as part of the South Kilburn regeneration programme within the neighbourhood regardless of their ethnicity, age, gender, marital status/civil partnership, 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. Following the upcoming Needs Assessments carried out by the Estate Regeneration Housing Team the equalities actions will be reviewed and analysed at that time.

6 Staffing/Accommodation Implications

- 6.1 There are no specific staffing or accommodation implications associated with the proposals contained within this report.

7 Background Papers

Appendix 1	Plan A - Site 18
Appendix 2	Report to the Executive/Decisions 18 July 2011
Appendix 3	Report to the Cabinet/Decisions 16 January 2016


8 Contact Officers

Marie Frederick
Senior Project Manager Estate Regeneration
Tel: 020 8937 1621
E-mail: marie.frederick@brent.gov.uk

Richard Barrett
Head of Estate Regeneration
Tel: 0208 937 1330
Email: richard.barrett@brent.gov.uk

Aktar Choudhury
Operational Director of Regeneration
Tel: 020 8937 1764
Email: aktar.choudhury@brent.gov.uk

AMAR DAVE
Strategic Director Regeneration & Environment

 <p>Brent</p>	<p style="text-align: center;">Cabinet 25 July 2016</p> <p style="text-align: center;">Strategic Director of Resources</p>
<p>For Action Wards affected: Wembley Central</p>	
<p>London Road, Wembley, HA9 7ET – redevelopment proposals</p>	

1.0 Summary

- 1.1 The proposed redevelopment of London Road provides a significant opportunity for the council to provide good quality housing for vulnerable households, while also generating significant revenue savings in two key areas of expenditure: Temporary Accommodation and care homes.

In summary, the proposal is to redevelop the site to provide approximately 55 new Temporary Accommodation (TA) units for homeless households, 67 Private Rented Sector (PRS) homes and 14 units of New Accommodation for Independent Living (NAIL) together with replacement non-residential space – see appendix 1 site plan and 2 Pellings feasibility study.

1.2 Related cabinet approvals

The **Strategic Property Plan 2015-19**, sets out a presumption for Brent to retain its limited property assets, utilising them to support regeneration, generating revenue savings, and capital investment for new income generation.

The **investment strategy** (April 2016)

Temporary Accommodation Reform Plan (March 2016), approved the development of long term Private Rented Sector (PRS) homes which can be let to homeless households at Local Housing Allowance (LHA) rates and states that the London Road site will be used to develop self-contained Temporary Accommodation units for emergency and short term use as an alternative to Bed & Breakfast.

Brent Housing Strategy 2014-19 seeks to significantly increase the supply of affordable housing and minimise the use of Bed & Breakfast accommodation

One Council Strategic Objectives. The development is a strategic fit helping to meet the Council's statutory duty to provide for homeless families and contribute to the NAIL programme. It delivers Council budget savings from Bed & Breakfast accommodation savings and improved service delivery by improving the quality of TA and NAIL accommodation.

2.0 Recommendations

- 2.1 That Cabinet agree to capital investment of £33m to bring forward the development of the London Road scheme, subject to further viability testing, local consultation and planning consent as detailed in paragraph 3.17.
- 2.2 That Cabinet note that the expenditure necessary to progress the project through to grant of planning permission is estimated to be in the region of £500,000.
- 2.3 Cabinet to note the land at Ark Elvin Academy, presently used as temporary parking, is surplus to requirements and Cabinet to authorise application to Secretary of State through a section 77 application, to secure agreement that the land is no longer required for educational purposes and can be used for residential.

3.0 Detail

Background

- 3.1 The subject sites as detailed at Appendix 1 comprises:
 - The former Dennis Jackson Centre, (0.251 hectares). The premises are subject to a D1 (Community) Use Class. The building was demolished in 2013 and has stood vacant since.
 - The Wembley Youth and Community Centre is an approximately 80 year old timber framed building. It occupies a site of 0.179 hectares. The premises are subject to a D1 use class and are currently being marketed on a short term lease (two years), with a break clause.
 - A hard surfaced area of 0.396 hectares. This is formally part of the Copeland School, and laid out as car park over 5 years ago. It is presently administered by the Ark Elvin Academy and is in use as a temporary car park whilst redevelopment of the existing school takes place.
 - A shared access with an area of 0.084 hectares.

- 3.2 As former uses of the land have either ended or are about to come to an end, it is an opportunity to look at the land as whole. Redevelopment considerations due to local planning policy will require the re-provision of D1 community space.

Business Case

- 3.3 The proposed redevelopment of London Road provides a significant opportunity for the council to provide good quality housing for vulnerable households, while also generating significant revenue savings in two key areas of expenditure: Temporary Accommodation and Care Homes. The proposal is to redevelop the site to provide approximately 55 new Temporary Accommodation units for homeless households, 67 LHA rent Private Rented Sector homes and 14 units of New Accommodation for Independent Living together with replacement community space.
- 3.4 Brent has approximately 3,000 households in Temporary Accommodation (“TA”), one of the highest numbers in England. Although the Borough has been successful in reducing numbers recently, there are still too many households in TA, which is inadequate for their needs. This has resulted in significant financial pressures on the Council.
- 3.5 Projections were that the non-staffing spend on TA and private sector landlord incentives would have been expected to increase from just over £2.0m in 2016/17 to around £3.1m by 2018/19. Against this backdrop, proposals were agreed by Cabinet on 14 March 2016 to implement the TA reform plan. One of the key elements of the reform plan is to develop council owned sites, including London Road, to provide good quality self-contained TA and LHA rent settled accommodation in the Private Rented Sector in which to end a homelessness duty, and to reduce Bed & Breakfast and other high accommodation costs accordingly.
- 3.6 The New Accommodation Independent Living (NAIL) Programme is a council cross-departmental programme set to deliver, 529 new units of “accommodation plus” by March 2018, for people who are assessed as having social care needs and who can no longer be supported to manage in their own home. NAIL accommodation is being created with individualised person centred on-site care and support to enable Brent residents, who would otherwise need to be placed in a care home setting, to be supported in the community, and to maintain their health, wellbeing, and independence in a home of their own.
- 3.7 While the primary driver of the NAIL programme is to maximise the choice, control and independence of Brent residents with high care and support needs; it will also deliver significant efficiency savings from the Adult Social Care (ASC) care home budget, which accounts for the largest area of ASC spend. This will be achieved through ASC being responsible only for meeting the cost of people’s care and support needs, as opposed to care home provision, where ASC is also responsible for all accommodation costs.

The Proposal

- 3.8 The proposal is to develop:
- I) Temporary Accommodation: approximately 55 units for the provision of Stage 1.5 accommodation for households to which the council has a homelessness duty as per the Temporary Accommodation Reform Plan. It is anticipated at this stage this accommodation would be a mix of two and three bedroom units.
 - II) LHA rent Private Rented Sector (PRS) accommodation, approximately 67 homes, predominantly two bedroom, but with some one and three bedroom units. The intention is that these homes will be occupied on a settled basis by homeless households. The council will offer the homes to homeless households, thus discharging its homelessness duty into the PRS. This relies upon the PRS rents being affordable to the occupying households i.e. set at Local Housing Allowance level. Based on current construction cost estimates and in order to meet financial viability criteria, market rents would need to be charged. However, in line with the Brent Housing Strategy 2014-19, the Council could choose to rent to these households at LHA rents but it would have a longer payback period.
 - III) NAIL: approximately 14 units for the provision of independent living accommodation for people with care and support needs. It is anticipated at this stage that this accommodation would be 55sqm, 1 Bedroom- 2 Person accommodation (28 persons). A care and support contract would be commissioned by Adult Social Care commissioners through the agreed Dynamic Purchasing System (DPS) for care and support.
- 3.9 Pellings were commissioned by Brent to undertake a design and cost feasibility study, to test capacity of the subject site. This indicated the site can deliver up-to 136 new homes, subject to further design development work and testing with planners, and public consultation. Where applicable, the homes will be developed according to the appropriate funding body standards, in order to provide flexibility to take up future grant funding opportunities. A copy of this feasibility study is at Appendix 2.
- 3.10 Where homes are used for homeless families it will help avoid the cost of unsuitable Bed & Breakfast accommodation and other expensive alternatives, as well as providing good quality affordable accommodation for local residents, providing them with a home in Brent as opposed to an out of Borough placement.
- 3.11 Both Stage 1.5 TA and LHA rent PRS accommodation save the council money in avoided costs of TA. This is calculated on the basis of the marginal cost to the council of getting additional TA supply. The most expensive form of temporary accommodation is Bed & Breakfast for families, on which the council loses around £160 per week per family on average. The cheapest

form of new supply temporary accommodation is through the DPS scheme, which loses the Council around £55per week in London.

- 3.12 The TA savings have thus been calculated on the conservative assumption that LHA rent PRS accommodation saves around £55 per week per unit in avoided costs and Stage 1.5 TA saves £77 per week on a the basis of a blend of DPS and B&B costs – a higher assumption being justified on the basis that Stage 1.5 TA is a more direct replacement for emergency accommodation such as B&B.
- 3.13 The NAIL homes contribute to the Cabinet approved NAIL programme, delivering specialist homes for local people and generating savings to the Adult Social Care care home budget.
- 3.14 The proposal is aligned with the approved Strategic Property Plan 2015-19, altering the presumption to sell assets, instead looking to retain and invest. It is envisaged the project will generate significant revenues for the council from rental income.
- 3.15 The provision of self-contained Stage 1.5 Temporary Accommodation and PRS homes forms a key part of the Council’s Temporary Accommodation Reform Plan as approved by Cabinet in March 2016, the London Road proposal was specifically mentioned in this strategic paper.
- 3.16 The London Road, investment proposition fits with Brent Investment Strategy approved by Cabinet in April 2016.
- 3.17 As with any redevelopment proposal, the site will generate Community Infrastructure Levy, Council Tax and Rates.

Next steps and programme

- 3.18 The next steps and programme are as follows:
- Procure design team to take feasibility to develop design in consultation with Planning and Highways. (August- October 2016)
 - Public consultation on Section 77 and application to Secretary of State for Section 77 Consent (September – December 2016)
 - Facilitate local consultation with stakeholders on proposals (October-November 2016)
 - Submit full planning application (January 2017)
 - Planning permission granted (June 2017)
 - Cabinet Paper to tender for construction contract (April 2017). Contract value approx. £26m.
 - Cabinet paper to approve construction contract (July 2017)
 - Start on site Phase one (August 2017)

Risks

- 3.19 The key risks associated with the project that Officers have identified are:
- Planning Risk. The initial site designs will need to be modified and better aligned with planning policy. A public consultation exercise will be needed once proposals have been developed. This may result in a reduction in unit numbers which may impact on viability.
 - Construction cost risk. Early appointment of consultants to develop the scheme and secure planning permission is essential, to get to the point at which a fixed price tender can be accepted as soon as possible. Value engineering exercise will need to be carried out, if tenders exceed budget.
 - The PRS units cannot be let at LHA rent levels, due to the financial viability of the scheme. This would impair the Council's ability to move homeless households through the system and discharge its duty to the PRS, thus increasing Housing Needs revenue expenditure.
 - Section 77 Consent Refused. The S77 consent application will be submitted after a period of public consultation. There is a medium risk that section 77 consent is not granted. This would result in a significant loss in units.

4.0 Financial Implications

- 4.1 The scheme in its entirety, when complete, is forecast to achieve approx. £460k of revenue savings or reduced cost pressures per annum (based on cost of alternative provision).
- 4.2 The average weekly cost of temporary accommodation that the TA units will replace conservatively equates to £77 per week per unit. Therefore, the anticipated savings for the Housing Needs Temporary Accommodation budget are £220k pa with the use of 55 units.
- 4.3 Utilising Supported Living schemes as an alternative to Residential Care will equate to average savings of £322 per week per unit. Therefore, the anticipated savings for the Adult Social Care budget are £240k with the use of 14 units.
- 4.4 The scheme costs for delivery of this project are forecast to be £33m.
- 4.5 The scheme currently anticipates that based on 50% of units let at affordable rents, (i.e. Local Housing allowance rent levels) it would take 32 years to payback the original capital investment. Approximately 79% of that cost is made up of build costs, while the remainder consists of fees, interest and a 5% contingency. This scheme does not consider the capital appreciation of the underlying assets as it is focussed on the asset value in use (i.e. as a source of rent) levels. With PRS units let at LHA rents this would produce a negative NPV and would take 15 years longer to repay back the original capital investment.

Summary

	PRS units let at Market Rents	PRS units let at LHA Rents
NPV at first handover	£23,790	-£7,692,617
Loan repaid year	32	47
IRR	3.51%	1.47%
1B rent (per week)	£281	£185.81
2B rent (per week)	£315	£242.33
3B rent (per week)	£395	£300

5.0 Legal Implications

- 5.1 Section 77 Consent from the Secretary of State is required for disposal of the element of the site that is surplus to the requirements of Ark Elvin Academy.
- 5.2 It is intended that the Private Rented units are let on assured shorthold tenancies.
- 5.3 The proposed development will require a number of additional consultancy contracts to be procured. These contracts are likely to be Low or Medium Value Contracts under the Council's Contract Standing Orders and as such will be procured using either a quote process for Low Value Contracts or a tender process for Medium Value Contracts. Any Medium Value Contracts will be subject to the Public Contracts Regulations 2015 ("EU Regulations") and will be procured in accordance with EU Regulations. Low and Medium Value Contracts will be procured by Officers using powers delegated under Part 4 of the Constitution.
- 5.4 The proposed development will require a works contract to be let. The estimated value of the contract is £26 million as detailed at paragraph 3.17. The contract will therefore be categorised as a High Value Contract under the council's Contract Standing Orders and will need to be procured in compliance with EU Regulations and Contract Standing Orders by way of a tender process or the use of an EU compliant framework.

6.0 Diversity Implications

- 6.1 A screening analysis of the likely impact of the proposals in this report has been undertaken. The impact for protected groups is positive.

Background Papers

- Appendix 1 - Subject site
Appendix 2 – Pellings feasibility study.

Contact Officers

Gordon Cooper
Project Manager Property Unit | Resources
Direct: 020 8937 1739

Sarah Chaudhry
Head of Property
Property Unit | Resources
Direct: 020 8937 1705

ALTHEA LODERICK
Strategic Director of Resources



Cabinet
25 July 2016

**Report from the Strategic Director,
Resources**

For Action

Wards affected:
ALL

**National Non-Domestic Rates (NDR) – Discretionary
Discount Scheme for Businesses accredited to Living
Wage Foundation**

1.0 Summary

- 1.1 Cabinet agreed at its meeting on 26 January 2015 to award a Business Rates discount to companies who agreed to pay its employees the London Living Wage and who became accredited with the Living Wage Foundation. The level of discount was 5 times the costs of accreditation, 30% of the cost of the discount is borne by the council. The discount was restricted to the first 100 companies who became accredited. However it was agreed to review the scheme in 2016 in order to assess its effectiveness and whether it should be further extended.
- 1.2 To date, there are now 16 accredited Brent businesses in the borough including the Council as well as 7 other national employers with branches in the borough. Of the 16 accredited businesses 15 meet the criteria for entitlement and have claimed or are in the process of claiming their business rates discount. As well as this, the Living Wage Foundation and Brent's Employment, Skills and Enterprise team remain in ongoing discussions with a number of Brent businesses about accreditation so it is expected that some of these businesses will shortly gain accreditation. Getting businesses to agree to commit to pay the London Living Wage and gaining accreditation is a long term process, it is therefore recommended that the scheme be extended to 31 March 2019 so that those companies already in discussion can qualify as well as providing further time for encouraging other businesses to become accredited.
- 1.3 The Council has the discretion to award discounts in national non-domestic rates to businesses under section 47 of the Local Government Finance 1988.

To award discounts under this provision a business must meet criteria set by the Council's Cabinet. Any discount scheme needs Cabinet approval. The qualifying criteria is set out in Appendix 1 to this report.

2.0 Recommendations

- 2.1 That Cabinet approves the discretionary discount scheme for businesses accredited to the London Living Wage Foundation be continued to 31 March 2019 on the basis that the Business Rates discount will continue to be five times the cost of accreditation and will be awarded to businesses in Brent which become accredited with the Living Wage Foundation and who meet the criteria detailed in Appendix 1 to this report.
- 2.2 The Cabinet notes that the approval and continuation of this scheme are pursuant to the Council's powers under section 47 of the Local Government Finance Act 1988 and that the Cabinet is satisfied that that this proposal is reasonable having regard to the interests of those persons who are liable to pay council tax in the borough of Brent.
- 2.3 The Cabinet notes that officers in Employment, Skills and Enterprise and Customer Services monitor the scheme in terms of take up and costs and report back to Cabinet at a later date should any changes to the scheme be required.
- 2.4 That applications for such discounts in National Non-Domestic Rates that meet the criteria as set out in Appendix 1 are considered and approved jointly by the Head of Employment, Skills and Enterprise and the Operational Director Customer Services.

3.0 Detail

- 3.1 The Localism Act gave local authorities a discretionary power to award discounts to any NNDR (also known as Business Rates) payer who meet criteria set by the council. As around 30% of local residents of working age are thought to be paid less than the London Living Wage, (LLW), any incentive that may encourage more businesses to pay this must be considered, the council's Cabinet therefore agreed in January 2015 to offer employers a discount on their business rates when becoming accredited with the Living Wage Foundation ("LWF"). The current LLW is £9.40 an hour.
- 3.2 The LLW is the rate a person needs to earn to cover their basic living costs, the rate being set by an independent body. The LWF works with employers to help them implement the living wage and offers accreditation to employers that pay the Living Wage or are committed to an agreed timetable of implementation. Whilst there may be employers who pay their staff the LLW and are not accredited with the Living Wage Foundation it is a simpler process to offer a discount to those who either are or become accredited with the Living Wage Foundation. By offering a discount equivalent to, or a multiple of, the costs of becoming accredited there is no reason for a business already paying the LLW not to become accredited with the Living Wage Foundation.

3.3 The accreditation is confirmed by a signed licence between the Living Wage Foundation and the Employer. By signing the licence the employer agrees to pay all relevant staff the Living Wage and the Living Wage Foundation licences the employer to use the Living Wage Employer Mark. The scheme relies on confirmation from the LWF that an employer has signed the agreement before a discount is awarded. The Living Wage Foundation monitors compliance with the agreement.

3.4 The costs of accreditation and the level of discount are as follows:-

Type of Organisation	Cost of Accreditation based on number of employees				
	0-10	11-50	51-250	251-500	501+
Private Sector	£50.00	£100.00	£200.00	£400.00	£1000.00
Public Sector and charities	£50.00	£100.00	£200.00	£400.00	£400.00
	Business Rates Discount (5 x cost of accreditation)				
Private Sector	£250.00	£500.00	£1,000.00	£2,000.00	£5,000.00
Public Sector and charities	£250.00	£500.00	£1,000.00	£2,000.00	£2,000.00

It was agreed that the discount will be the equivalent to 5 times the costs of accreditation and that it is a “one-off” award and not an annual award.

3.5 The council meets 30% of the costs of any discount awarded with 50% of the costs met by central government and 20% by the Greater London Authority. If discounts totalling £100,000 were awarded then £30,000 is met by the council.

3.6 The Employments, Skills and Enterprise team have developed communications strategies to encourage the uptake of accredited London Living Wage employers in Brent for 2016. The team also hope to target several other local businesses through refreshing their approach to engaging council suppliers in conjunction with the corporate Policy and Procurement teams.

To advertise and promote the scheme to date, the following action has been taken:

- The council has written to every business in the borough promoting the scheme and advising of the benefits of paying their employees the London Living Wage
- The scheme is publicised on the council website, as well as through leaflets and the Brent Business Newsletter
- Citizens UK, the campaigning organisation aligned with The Living Wage Foundation, has also conducted an engagement training session with Councillors, and helped to engage with the Brent Multi-Faith Forum.

- The Employment, Skills and Enterprise team ran an information event for businesses about the London Living Wage and spoke to a number of employers about the London Living Wage through their work on s106 and the Wembley Works recruitment service
- Regulatory Services have distributed leaflets about the business rates discount, and the London Living Wage has now been included in the new Markets Policy
- The council has undertaken face-to-face engagement with small businesses in Brent's town centres in the last week of November
- The Employment, Skills and Enterprise team have spoken at the CVS and registered housing providers forums to inform attendees of the scheme
- The scheme has also been featured in the head teachers' bulletin various times throughout the year which is received by all schools in the borough
- The Employment, Skills and Enterprise team have compiled a video of accredited Brent based living wage employers speaking from an employer's point of view. The video is being promoted through the council's social media channels.

During Living Wage week, Brent Council ran a survey to ask Brent residents about their experiences of living on low pay and compiled over thirty case studies about Brent residents earning below the London Living Wage, which will be used to tell Brent businesses why paying the London Living Wage is so important. Citizens UK also led a walk through Wembley to congratulate some of the accredited businesses, and the Leader of the Council unveiled a banner showing the new London Living Wage rate for 2015 – 16, £9.40 in the Civic Centre.

3.7 Whilst the discount on its own is not sufficient to incentivise businesses to commit to paying the London Living Wage, the scheme combined with the measures to promote the scheme taken by Employment, Skills and Enterprise team and other organisations may influence some companies to become accredited with the LWF. This policy accords with the Borough Plan – Better Lives – promoting fair pay.

3.8 To date the following organisations have been awarded relief or are in the process of claiming it

Account Name	Cost of Accreditation	No of Employees	Award £
Synergy Vision Ltd	£100.00	26	£500.00
Lamabuild Ltd	£50.00	6	£250.00
Egress Software Technologies Ltd	£200.00	79	£1,000.00
Granger Hertzog Ltd	£100.00	18	£500.00
Brent Private Tenants Group Ltd	£50.00	7	£250.00
Kiligrew King Ltd	£100.00	15	£500.00

Point 6 Design Ltd	£100.00	24	£500.00
Convent of Jesus and Mary Language School	£200.00	136	£1,000.00
Ark Academy	£200.00	50 – 250	£1,000.00
Brent CVS	£50.00	8	£250.00
Home Instead Care	Amount of relief to be confirmed		
Yusuf Islam Foundation	Amount of relief to be confirmed		
Brent Mencap	Amount of relief to be confirmed		
Wembley Primary School	Amount of relief to be confirmed		
Ashford Place	Amount of relief to be confirmed		
		Total	£5,750.00

- 3.8 Numbers of organisations who have become accredited with the Living Wage Foundation is slightly below that targeted, however 4 national organisations would also have been entitled were it not for the rules relating to state aid and a further 14 are in discussions with the Living Wage Foundation. In addition there has been much national publicity on the Living Wage which resulted in every employer having to pay the national living wage of £7.20 to all employees over the age of 25 from 1 April 2016. Whilst this is still £2.20 below the London Living Wage it is welcome and may encourage some to adopt a stepped approach to ultimately committing to the London level.
- 3.9 At least 2 other London Boroughs have implemented similar discount schemes and a number of others were looking to introduce a scheme during 2016. In addition a number of enquiries have been received from other local authorities who are also considering introducing a similar scheme. There is no doubt that Brent was the forerunner in introducing the LLW business rates discount scheme and it attracted positive national press coverage.
- 3.10 The amount of discount awarded to date is £5,750.00, 30% of this is met by Brent - £1,725.00. There is clearly sufficient money available to fund this scheme for a further year, the budget being held within Employment, Skills and Enterprise. In view of the numbers who have qualified to date there is no need to restrict the award to the first 100 organisations who become accredited.
- 3.11 As set out in paragraph 5.3 below, it is a requirement under section 47 of the Local Government Act 1988 that the Cabinet will need to consider whether the proposal regarding the discount in business rates as set out in the recommendation in paragraph 2.1 of this report is reasonable having regard to the interests of the council tax payers in the borough of Brent. The Cabinet can only approve the recommendation in paragraph 2.1 of this report if it is satisfied that it is reasonable to do so having regard to the interests of the council tax payers in the borough of Brent and this specific point is covered in the recommendation in paragraph 2.2 of this report. This scheme will support improve the income of some of Brent's most disadvantaged residents, allowing them to have more disposable income to spend in the local economy. The costs implication in awarding the discount comes from existing employment and enterprise budget and will not impact on a reduction on

frontline or other services provided by the Council. This proposal will not impact on the level of council tax levied on council tax payers.

4.0 Financial Implications

- 4.1 The costs of awarding a local discount is shared between the council (30%), central government (50%) and the Greater London Authority (20%). If discounts totalling £100,000 are awarded during a financial year then the cost to Brent will be £30,000 which will be reflected in the resulting reduction in Business Rate income. Should 100 companies become accredited and they all employ more than 500 persons then the total amount of discount awarded would be £500,000, of which £150,000 would be met by Brent. Costs (in terms of reduction in income) will be met from the existing Employment, Skills and Enterprise budget and therefore will not impact any other services, particularly front-line services. However costs to date have been minimal, £1,725.00, and because of the slow take up it is envisaged that there will be little impact on budget in 2016/17.
- 4.2 There are some additional administrative costs borne by the council in promoting, implementing and administering this scheme. However, these have been absorbed within the current budget.

5.0 Legal Implications

- 5.1 Section 69 of The Localism Act 2011 amended section 47 of the Local Government Finance Act 1988 to allow authorities to grant business rate discounts. Under this provision authorities can create their own discount schemes in order for example to promote growth and jobs in its area, or in specified areas. Any such scheme needs to be approved by the Council's Cabinet.
- 5.2 The financing of discounts awarded under a local scheme is the same as that for any other reliefs, i.e., 30% is met by the council, with 50% being met by central government and 20% by the Greater London Authority.
- 5.3 Section 47 of the Local Government Finance Act 1988, as amended by section 69 of the Localism Act 2011, gives local authorities the power to grant discretionary business rate relief subject to the condition that the local authority (in this case, the Cabinet) may only grant the relief if it is satisfied that it would be reasonable to do so having regard to the interests of council tax payers in its area. Therefore, the Cabinet will need to consider whether the proposal in relation to the business rate relief as set out in the recommendation in paragraph 2.1 of this report is reasonable having regard to the interests of those persons who are liable to pay council tax that is set by Brent Council and this point is specifically covered in the recommendation in paragraph 2.2 of this report.
- 5.3 Entitlement to a local discount in business rates under section 47 of the Local Government Finance Act 1988 is subject to State Aid de minimis limits. State Aid law is the means by which the European Union regulates state funded support to businesses. Providing discretionary relief to ratepayers is likely to

amount to State Aid. However any local discount scheme will not breach the rules regarding State Aid where it is provided in accordance with the De Minimis Regulations (as set out in EU Commission Regulation 1407/2013).

- 5.4 The De Minimis Regulations allow an “undertaking” (in this case, a business) to receive up to €200,000 of De Minimis aid in a three year period (consisting of the current financial year and the two previous financial years). Officers will need to familiarise themselves with the terms of this State Aid exemption when considering whether to award a discount, in particular the types of undertaking that are excluded from receiving De Minimis aid (Article 1 of EU Commission Regulation 1407/2013), the relevant definition of undertaking (Article 2(2) of EU Commission Regulation 1407/2013) and the requirement to convert the aid into Euros.
- 5.6 To administer the De Minimis exemption, it is necessary for the local authority to establish that the award of aid will not result in the undertaking having received more than €200,000 of state aid under the De Minimis Regulations. It should be added that the threshold only relates to aid provided under the De Minimis Regulations (aid under other exemptions or outside the scope of State Aid is not relevant to the De Minimis calculation).

6.0 Diversity Implications

- 6.1 An Equality Impact Assessment was done which showed no adverse impacts on any of the protected groups. This policy will help the lowest paid workers in Brent - 30% of Brent residents of working age are thought to be paid less than the LLW and the borough has one of the lowest household incomes in London. Any policy that may result in an increase in household incomes will benefit all groups within Brent, either directly through increased income or indirectly through the council having to provide less financial support.
- 6.2 Whilst businesses who adopt the living wage will incur additional staff costs this can be offset by increased productivity and quality of work, higher staff morale, better recruitment and retention, lower absence rates and a greater ethical awareness.

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 None

Contact Officers

Matthew Dibben/Rosalyn Flowers. matthew.dibben@brent.gov.uk,
rosalyn.flowers@brent.gov.uk

Richard Vallis, Revenues & IT Client Manager, richard.vallis@brent.gov.uk

Althea Loderick
Strategic Director, Resources


Appendix 1

Criteria for Awarding NNDR Discount to Businesses Accredited with Living Wage Foundation

1. The scheme will apply to all employers who occupy a non domestic property within Brent Council's area and are liable for the payment of Business Rates.
2. A business must become accredited with the Living Wage Foundation (LWF) i.e., has a signed accreditation licence agreement with the LWF. Confirmation of accreditation with the LWF will be conclusive proof. A business must become accredited by 31 March 2017. If the accreditation licence is for a phased implementation, entitlement is confirmed when the licence is signed.
3. The LWF monitors organisations and should any business break the agreement within 2 years of signing it then any discount awarded will be re-claimed.
4. A discount equivalent to 5 times the accreditation cost quoted by the LWF at the time of becoming accredited will be credited to the organisation's NNDR account. The cost of accreditation is based on the number of employees and whether the organisation is a private or public body, and set by LWF. The accreditation fee charged by the LWF will be evidence of the size of the organisation.
5. The discount is a one-off award to the NNDR account. Where the organisation occupies more than 1 property in Brent only 1 award will be made, the organisation can elect which account the discount should be applied to.
6. Entitlement to the discount is subject to State Aid de minimis limits whereby a business must not have received state aid exceeding 200,000 euros in the last 3 years (current year plus preceding 2). State aid includes reliefs, grants, interest rate and tax relief, subsidies, guarantees, etc. The business will be required to sign a declaration confirming this. This may preclude many of the large national retail chains that have shops in many town centers from receiving this relief
7. If a qualifying business moves out of the council's area within 2 years of becoming accredited the discount will be re-claimed. However if the ratepayer moves within the area the discount will remain.
8. National/multi-national companies - these will be entitled to apply if they are accredited with the LWF, however if they are liable for more than 1 property in the council's area they will only be entitled to one discount. The State Aid rules may preclude them from relief.
9. Some small organisations or charities may not have any Business Rates to pay as they may be entitled to other reliefs. Should an

organisation become accredited and they have no rates liability as they are receiving other reliefs then the discount will be credited to the account and refunded.

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 Brent	<p style="text-align: center;">Cabinet 25 July 2016</p> <p style="text-align: center;">Report from Director of Performance, Policy and Partnerships</p>
For Action	Wards Affected: All
Voluntary Sector Initiative Fund (VSIF) – Local Grants 2016/18	

Appendix A is “Not for Publication”

1.0 Summary

- 1.1 Following assessment of 43 applications to the Voluntary Sector Initiative Fund – Local Grants scheme, this report seeks agreement to grant fund 11 projects led by voluntary organisations for two years, subject to performance.

2.0 Recommendations

Members are asked to:

- 2.1 Agree the grant funding allocations from the Voluntary Sector Initiative Fund – Local Grants scheme to the voluntary sector led projects set out in paragraph 3.12 of this report which will run between 1 October 2016 and 30 September 2018.
- 2.2 Note that all grant funding allocations referred to in 2.1 above will be made subject to the Council's Grant Conditions with the organisation required to sign an agreement with the Council, stating the purpose of the grant and expected outcomes before funding is released.
- 2.3 Agree that for the reasons detailed in paragraph 3.20 in cases where an organisation either declines the grant before or during the funding period or the grant is withdrawn for performance reasons or other breach of grant conditions, that the decision to reallocate the fund is delegated to the Director of Performance, Policy and Partnerships.

3.0 Detail

- 3.1 On 8 February 2016, Cabinet approved the Voluntary Sector Initiative Fund (“VSIF”) – Local Grants 2016 – 2018 and agreed for the grants to be 2 year grants with a maximum grant available of £25k per year per project with a total of £462K available for the scheme for the 2 year period.
- 3.2 The VSIF application pack was available on www.brent.gov from 3 March 2016. Organisations could download the application pack which included grant criteria, application form, details of support available, links to key strategies and standard conditions of grant aid (Appendix B). The closing date for emailing completed applications was 10am on Monday 18 April 2016.

- 3.3 The grant was promoted through Brent Council's website, social media channels, at Brent Voluntary Sector Liaison Forum, via press releases to local press, via direct emails to all organisations on the community directory, councillors and relevant council departments, and via CVS Brent's e-newsletter and social media.
- 3.4 Support for applicants was provided at two workshops on 17 and 21 March 2016, run by The Partnerships and Engagement Team, where the funding criteria and process was discussed in detail and where organisations had the opportunity to discuss their proposed projects with officers. CVS Brent's services were promoted within the application pack and applicants were encouraged to contact CVS Brent for support in developing and reviewing applications.
- 3.5 Grants were assessed in line with the grant criteria and standard grant terms and conditions. The assessment looked at both the organisation applying and the project proposal made.
- 3.6 The assessment of the organisation considered the structure, management, track record (where funded before), commitment to equality and diversity and engagement of users in the management and development of projects. All organisations were required to submit referees to verify their experience and ability to provide services within the proposed theme.
- 3.7 All applications were assessed by a management accountant to ascertain the financial viability of the organisation. This process was carried out in accordance with guidance from the Council's contract standing orders. The assessment included detailed financial analysis for each organisation.
- 3.8 The assessment of projects looked at alignment with Borough Plan priorities and statutory service provision in the borough, partnerships with other organisations in the borough and at a regional and national level, any other match funding proposed, the quality of the proposal including how success would be measured and the range of bids received. Officers noted the activities to be provided, their location, links with existing services and the outcomes and outputs to be achieved. Organisations which had previously had VSIF funding were eligible to apply but could not apply for an extension of the previously funded project.
- 3.9 43 applications were received seeking a total of £1,769,675 over the 2 year period.
- 3.10 Funding has been recommended for 11 projects. These projects meet the funding criteria, offer value for money, align with the council's priorities and associated statutory service provision in the borough and provide a range of projects across geographical areas and community needs. A summary of recommendations for all the projects can be found in Appendix A: Recommendations Report.
- 3.11 The total funding requested by the 11 recommended projects is £505,453. The total VSIF grants budget is £462,000. It is therefore recommended that the 11 projects are funded but with a 10% reduction of funding given against the funding requested to each project. Where needed, organisations will be allowed to amend their outcomes accordingly, in agreement with officers.
- 3.12 Details of the recommended projects, including funding requested and funding recommended is outlined in Figure 1 overleaf:

Figure 1 - VSIF – Local Grants 2016/8 : Recommended Projects

Organisation	Project	Total Funding Requested	90% Funding Recommended
Ashford Place	Run a range of activities to enable vulnerable & isolated people to be fitter, healthier and part of the community by taking control of their own health and well-being	£50,000	£45,000
Asian Women Resource Centre	Provide direct services to women and girls affected by Honour Based Violence, Forced Marriage, Female Genital Mutilation and Faith Based Abuse.	£49,537	£44,584
Brent Adolescence Centre	Provide group therapy linked to sport to support vulnerable adolescent boys with violent or aggressive behaviour in school or who have already offended.	£30,215	£27,194
Crisis UK (formerly LIFT)	Build the resilience of homeless and vulnerably housed residents in Harlesden through art based activities and showcase events in partnership with Central Saint Martins the largest arts college in the UK.	£48,910	£44,019
Elders Voice	Provide a bespoke (local and home visits) computer training service for older isolated people who find it hard to get out.	£38,391	£34,552
Friends of Barham	Provide a part time professional librarian to support and train volunteers to manage 4 community libraries	£50,000	£45,000
Greenleaf Trust	Deliver education, prevention workshops, mentoring to young people at risk of crime and supporting existing gang members to exit gang and criminal lifestyles in Church End.	£38,400	£34,560
Oxford Kilburn Youth Trust	Provide a range of physical activity sessions to improve the health of young people (with a specific programme for young people with disabilities) in South Kilburn, train youth coaches and set up a youth enterprise related to healthy eating.	£50,000	£45,000
PLIAS Resettlement Ltd.	Provide holistic support services for Brent offenders and ex-offenders to reintegrate, rehabilitate and resettle into Brent.	£50,000	£45,000
Society for the Advancement of Black Arts (SABA)	Provide employment support for the long term unemployed, those with mental health needs, returnees to work with childcare needs and assistance for enterprise start-ups.	£50,000	£45,000
Sufra NW London	Create St. Raphael's Edible Garden – an outdoor community space with a range of social activities and learning opportunities that improve the life chances, skills development and employability of local residents.	£50,000	£45,000
Total		£505,453	£454,909

- 3.13 Each funded organisation will be issued with a written grant agreement clearly stating the activities to be provided and the outputs to be achieved in line with their application and any special conditions will be included in this.
- 3.14 Officers in the Partnerships and Engagement Team will monitor each organisation's performance against the outputs and outcomes set out in their grant agreement on a quarterly basis. As part of this process the team will also have on-site meetings with organisations to view the delivery of projects. Officers will work closely with each organisation to ensure links with appropriate council departments are established and maintained.
- 3.15 The original timescales for the grants as detailed in the 8 May 2016 Cabinet report were for the grants to be approved in June 2016 with projects commencing 1 July 2016. These timescales had not taken into account the time needed for Cabinet approval. All organisations who submitted applications have been written to and informed of the new timetable. The new timetable will allow more planning time for the successful projects. The new start date is to ensure that the projects are aligned within standard financial reporting quarters. The updated timescales for the grants are detailed in Figure 2 below:

Figure 2: Summary of Updated VSIF - Local Grants Timetable:

25 July 2016	Cabinet meeting
1 August 2016	Deadline for Cabinet call-in period
2 August 2016	Outcome of grants communicated to all organisations
2 – 5 August 2016	Feedback given to all unsuccessful organisations
August / September 2016	Grant agreements put in place for successful organisations
1 October 2016	Funded projects commence

- 3.16 The competition for funding was high and so the need for high quality responses in line with the stated criteria was very important for success. The assessment of bids highlighted a number of aspects which need to be developed further by organisations in order to enhance their chances of success in obtaining funding. These aspects included better understanding of what others in the voluntary sector and statutory sector are already providing in the borough, a stronger evidencing of need and partnerships which enhance projects, detailed budgets and stronger linkages between activities and proposed measures of success.
- 3.17 A number of organisations applied for funding for services which are already being delivered, funded or provided directly by the council and these organisations will be linked to the appropriate services such as Brent Start to ensure that the organisations' users are able to access the services already in place.
- 3.18 The council recognises the importance of giving feedback to those organisations who were not successful in this round. Feedback will be given to all unsuccessful applicants on their bid. Meetings will be offered with CVS Brent for all applicants identified as needing capacity building or grant writing support.
- 3.19 An event will be held for all successful organisations in August / September 2016 which will enable all successful organisations to network and develop links whilst also going through all the monitoring conditions and processes related to the grants.
- 3.20 As indicated in paragraph 3.11, it is recommended to fund 11 projects but with a 10% reduction in funding against that requested and, if required, agree amended outcomes. If it is not possible to agree such amended outcomes, then it may be necessary to reallocate grant funding. Similarly, if an organisation declines its grant during the funding period or the grant is withdrawn for performance reasons or other breach of grant conditions, it may be necessary to reallocate grant

funding. In order to deal with such situations, approval is sought to delegate to the Director of Performance, Policy and Partnerships the authority to reallocate such funding.

4.0 Financial Implications

4.1 The Voluntary Sector Initiative Fund – Local Grants budget allocation for 2016/18 is £462,000.

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

5.0 Legal Implications

5.1 Under S1 of the Localism Act 2011 the Council has a general power of competence to do anything which an individual may do unless it is expressly prohibited.

5.2 The giving of grants to voluntary organisations is a discretionary power which must be exercised reasonably taking into account all relevant considerations and ignoring irrelevant considerations.

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

5.4 Under section 3(1) of the Local Government Act 1999, Brent Council, as a "best value authority" is under general duty of best value to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness". Under the duty of best value, the Council should consider overall value, including environmental and social value, when reviewing service provision.

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

5.6 In March 2015, the Government circulated revised Best Value Statutory Guidance. According to that Guidance, local authorities should be sensitive to the benefits and needs of voluntary and community sector organisations and should seek to avoid passing on disproportionate cuts.

5.7 The Guidance also advises that a local authority intending to reduce or end grant funding or other support to a voluntary or community organisation that will materially threaten the viability of the organisation or service it provides should give at least three months' notice to both the organisation involved and the public/service users. The Guidance also advises that a local authority should actively engage the organisation as early as possible on the future of the service, any knock-on effect on assets used to provide this service and the wider impact both on service users and the local community. It should be noted that all previous grant funding from VSIF (2013-2016) ended on 31 March 2016.

5.8 The Guidance also advises that where appropriate, local authorities should make provision for an affected organisation or wider community to put forward options on how to reshape the service or project and local authorities should assist this by making available all appropriate information.

The full guidance is available here:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418505/Revised_Best_Value_Statutory_Guidance_final.pdf

5.9 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

5.10 In the Council must, in the exercise of its functions, have due regard to the need to:

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

5.11 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Council, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

5.12 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

<http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-actcodes-of-practice-and-technical-guidance/>

5.13 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

- The essential guide to the public sector equality duty
- Meeting the equality duty in policy and decision-making
- Engagement and the equality duty
- Equality objectives and the equality duty
- Equality information and the equality duty

5.14 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

<http://www.equalityhumanrights.com/advice-and-guidance/public-sectorequalityduty/guidance-on-the-equality-duty/>

6.0 Diversity Implications

6.1 Applicants were required to outline equality and diversity implications as part of their bid and this was taken into account as part of the assessment.

- 6.2 11 projects led by voluntary organisations have been shortlisted for funding for two years, subject to performance, following assessment of 43 applications to the VSIF – Local Grants scheme. This investment is aligned to corporate priorities and benefits a wide range of residents in the borough. These projects will be monitored to ensure that the projects and initiatives developed meet the changing needs of local residents. Brent Council has a thriving local environment which is changing, e.g. regeneration in the borough will mean that we need to respond to evolving needs of our residents and sustain an inclusive approach.
- 6.3 Each of the projects will be monitored against the framework of Brent’s equality analysis template and an equalities action plan will be produced. The template examines the equalities impact for all nine protected characteristics.
- 6.4 The Partnerships and Engagement Team are working alongside CVS Brent to encourage all organisations to access the free support they provide including sharing of data and skills, governance, bid writing advice, training and expertise. CVS Brent facilitate a range of networking opportunities and have a diverse team who can provide support for these organisations.
- 6.5 The grant funding will promote greater community cohesion and help improve resident’s wellbeing. The majority of the projects will benefit the following groups in particular: BME and Asian communities, disabled residents, those aged 25-65+, young people and those in social economic groups facing barriers to employment. The Equality Analysis Report can be found at Appendix C.

7.0 Background Documents

- Voluntary Sector Initiative Fund – Local Grants 2016-2018 – Cabinet Report 8 February 2016

8.0 Appendices

Appendix A: Recommendations Report

Appendix B: Standard Conditions of Grant Aid

Appendix C: Equality Analysis Report

Shamaila Firdaus

Partnerships Funding Officer

Tel. No.: 0208 937 3674

Email: Shamaila.Firdaus@brent.gov.uk

Diana Fitzwilliam

Partners for Brent Programme Manager

Tel. No: 020 8937 1047

Email: Diana.Fitzwilliam@brent.gov.uk

PETER GADSDON

Director of Performance, Policy and Partnerships

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Appendix B: Standard Terms & Conditions of Grant – VSIF 2016 – 2018



Standard Conditions of Grant Aid*

1. GENERAL CONDITIONS

All organisations receiving grant aid from Brent Council must comply with these conditions in addition to any conditions set out in the signed grant agreement. Please note that Organisation means the not for profit organisation to which Grant Aid is awarded by the London Borough of Brent.

Written Undertaking and Agreement:

Organisations receiving grant aid must:

- submit a signed grant agreement which details activities and conditions they have agreed to
- confirm that the Organisation will also meet the standard conditions of grant aid
- note that the Council can withdraw grant funding if the grant agreement and/or standard conditions of grant aid are not met.

Grant Aid

Grant aid funding:

- Can only be spent on the activities for Brent residents as written in the grant agreement
- Can only be spent on different activities if the council department managing the grant writes a letter to agree this
- Is only for the amount and length of time written in the grant agreement and not a promise of future grant aid
- Can only be used for project costs not core costs
- Can only be paid to an Organisation who keeps paperwork to show auditors how the money has been spent
- Must be returned to the council if it has not been spent
- Cannot be used for activities or equipment already paid for or begun before the letter offering grant funding
- May not be used to support any political party
- May not be used to promote any religion or for religious activity
- May not be used for the purchase of alcohol

Where the funding for a project is due to come from the council and other funders, the Organisation must make every effort to get the money from the other funders.

2. FUNDED ORGANISATION'S GOVERNANCE-

Grant funded Organisations must:

- Provide a copy of the adopted and signed Constitution/Memorandum and Articles of Association/Trust Deed
- Write to the Council about any changes to the Constitution/Memorandum and Articles of Association/Trust Deed
- Provide their charity registration number and other details if registered with the charity commission
- Have a constituted management committee in line with charity commission guidelines - with at least three members for smaller organisations, and more members for larger organisations
- Have a management committee that meets regularly in line with constitutional requirements.
- Provide the minutes and annual report form the annual general meeting
- Provide the names and addresses of the members of the management committee each year
- Make sure no member of the Management Committee takes up paid employment with the organisation within one year of their resignation from the management committee.

3. FUNDED ORGANISATION'S MANAGEMENT

Grant funded organisations must:

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- adhere to relevant employment law when recruiting staff and volunteers
- make a commitment to equal opportunities
- make a commitment to high quality service provision
- have appropriate health and safety policies and procedures for staff and clients
- have appropriate insurance for the activities being undertaken by the organisation
- adhere to relevant legislation and best practice in the protection of children under 16 and any vulnerable adults

Organisations are required to submit the following as evidence of good management:

- Constitution / Memorandum & Article of Association / Trust Deed
- where constitution requires - minutes of the last annual general meeting and the annual report
- the names and addresses of the management committee members
- latest signed accounts or equivalent as set out in section 4
- Equal opportunities policy
- Health and safety policy
- Insurance – employer's liability, public liability (third party) and other insurance as set out in section 5
- Safeguarding policy
- Evidence of quality standards and accreditations
- Evidence of enhanced DBS checks for staff/volunteers working with children and/or vulnerable adults as part of a grant funded project

4. FUNDED ORGANISATION'S FINANCES

All grant funded organisations must manage their finances well by:

- having a separate bank account in its own name to receive grant payment
- having a minimum of two out of three signatories for signing cheques, at least one of whom must be the treasurer and a member of the management committee, who can approve cheques of more than £500
- maintaining appropriate systems for managing their finances including - tax payments, national insurance, corporation tax and any other taxes
- having accounts which recognise the importance of a diverse range of funders, working capital and reserves

All grant funded organisations must keep good records of all income and expenditure and:

- provide a full signed set of audited/certified accounts for the previous financial year
- list grant funding in the accounts as restricted funding
- explain in the annual report and accounts how any grant funding over £2,000 has been used
- ensure that no person involved in the preparation, certification or auditing of accounts has any business or personal relationship to another person involved in the day-to-day operation of the organisation

Which accounts?

Organisations in existence for 12-18 months can apply for up to £5,000 of grant aid, and submit a 'Cash flow forecast' or 'projected balance sheet' instead of accounts.

Organisations whose gross income is less than £500,000 per annum must submit a certified statement of accounts. The accounts must be certified and signed by an independent accountant (preferably the one who prepared the accounts), and also two members of the management committee, one of whom should be the treasurer.

Organisations whose gross income exceeds £500,000, must submit an externally and independently audited statement of accounts. The accounts must be certified by professional auditors, signed and counter-signed by the chair and treasurer.

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What will be assessed?

All accounts submitted will be assessed to see evidence of the requirements set out in this section. Accounts of organisations applying for grants over £10,000 will be assessed for sustainability and viability on basis of working capital and levels of reserves.

5. MANAGING GRANT FUNDED ACTIVITY

Grant funded organisations must:

- only deliver activities which fall within the organisation’s constitutional aims and objectives
- manage the activities well and ensure value for money outcomes for Brent residents
- ensure the activity delivers the stated benefits
- keep proper, up to date records about what is being funded and share this information with the Council
- declare all staff and volunteers who need them have enhanced DBS checks and provide evidence of enhanced DBS checks for staff/volunteers who require as part of the grant monitoring process
- operate within the borough’s safeguarding procedures and train staff on safeguarding (where appropriate)
- provide a responsible person’s Hygiene Certificate where the organisation is providing catering
- take out insurance policies for all risks related to the funded activity including:
 - public and employer’s liability
 - fire and other risks to the property
 - risk arising from the use of vehicles, and
 - theft or damage to property and contents and produce evidence of insurance on request
 - professional indemnity (where applicable)

The Council will accept no liability whatsoever to any organisation or third party for any costs, claims, damages or losses however incurred during the funding period. The organisation shall not be or be deemed to be, an agent of the Council and shall not present itself as such to any third party.

Assets: Equipment, furniture, vehicles, computers, training and premises costs

Organisations receiving grant funding towards the purchase of equipment, furniture, computers or vehicles must:

- provide receipts for the full cost before grant funding is paid (where an organisation has insufficient funds the Council may make payments directly to suppliers as its portion of the agreed cost)
- maintain an inventory of all assets purchased with grant funding and not dispose of them within the first five years of purchase without written agreement from the council
- refund the grant funding amount requested by the council following any disposal of grant funded assets with written agreement from council (The Council will not request more than what it considers to be the equivalent to the market value of items at the time of disposal)

6. MONITORING GRANT ACTIVITIES

Monitoring ensures effective and appropriate investment of public funds for community benefit.

General Information sought about funded activities:

- progress made towards achieving activities and associated outcomes set out in the signed agreement
- evidence of activities e.g. receipts, photos, leaflets, survey results-attendance records
- how activities reach target client group/s

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- how activities have been promoted
- equality information about people who benefit from activities
- processes for collecting feedback from clients –condition for consultation with users.

Large Grants Monitoring (More than £10,000 per year)

Grant funded organisations will be required to:

- provide quarterly updates on progress including information requested unless otherwise directed
- provide a budget sheet with an account of projected and actual spending at beginning of year (with the signed agreement) and 6 months into the project
- provide a completed self assessment form six months into the grant funding period which will be used as the basis for the annual monitoring visit
- be subject to a scheduled quarterly monitoring visit and potentially some ad hoc visits during the grant funding period. Visits will include viewing activities and speaking to clients.

Small Grants Monitoring (under 10,000 per year)

Grant funded organisations will be required to:

- provide an assessment of progress
- provide a budget sheet with an account of projected spending with quotes and receipts for actual spend at the beginning of the grant period and within one month of the signed agreement
- potentially be subject to ad hoc visits during the grant funding period where activities are viewed and clients met

Audit

Grant funded organisations need to:

- be available for site visits from officers to meet staff, clients and members of the management committee to monitor progress or complete an audit process
- authorise vetting with appropriate agencies where concern is raised about the suitability or credibility of an organization and its governance e.g. the council deems it inappropriate to fund an organisation where trustees or the organisation itself have been found to be involved in financial irregularity, fraud or other related offences

Organisations must write to the Council about any changes to the factors that formed the basis on which grant funding was approved.

Where an organisation is involved in fraud or attempted fraud, the council will make referrals to the relevant governing body, i.e. Charities Commission, Registrar of Companies. The Council will consider criminal prosecution where the evidence and a public interest test merits this.

7. GRANT PAYMENT SYSTEM

Grants for large projects over £10k

- Payment will be made on the basis of performance monitoring and other documents requested to meet the grant agreement requirements and standard terms of grant aid.
- Payment will be quarterly in arrears and usually based on the Council's financial year
- Organisations usually receive direct payments. The council may request submission of an invoice to facilitate payment on occasion and will provide specific instructions where this applies.

Grants for small projects up to £10k

- Payment will be made on the basis of submission of receipts and other documents to meet the grant agreement requirements and standard terms of grant aid.
- Grants for one off equipment or activities will be paid in arrears after equipment has been bought or activity has taken place. Payment will follow submission of receipts
- Grants for continuous activity during the year will be paid quarterly in arrears.
- Organisations generally receive direct payments. The council may request submission of an invoice to facilitate payment on occasion and will provide specific instructions where this applies.

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All Grants

- Payment is made through the Council's Oracle financial system. The use of this system in no way constitutes grant funded organisations as providers of goods or services to the council.

8. ACKNOWLEDGEMENTS

Organisations that receive grant aid from the Council shall, wherever possible, publicise Council support on all public literature, buildings and vehicles. A Council logo is available from the Council for this purpose.

9. WARNING ABOUT NON-DELIVERY AND FRAUD

The Council can recover all or part of grant funding awarded if:

- the organisation has failed to comply with any grant conditions
- the funding is not being used for the agreed purpose
- the application form was completed dishonestly or included significant incorrect or misleading information
- trustees, staff or volunteers of the organisation have acted dishonestly or negligently at any time directly or indirectly to the detriment of the grant funded project during the grant funding period

10. DISSOLUTION

The chair of the management committee of any organisation that is dissolved or, being a limited liability company goes into liquidation, shall immediately notify the Council in writing. In the event that an organisation is dissolved or goes into liquidation, any of its assets that have been bought with Grant Aid monies and/or any unexpended grant aid monies shall be returned to the Council. Unless agreed otherwise such agreements shall be on terms decided by the Council. No further grant aid will be paid to the Organisation with effect from the date of the dissolution notice.

****Terms and Conditions of Grant are currently being reviewed and may be subject to change.***

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Appendix C: Equality Analysis VSIF Local Grants 2016-2018

Equality Impact Analysis:

- The equality analysis of the recommended projects is based upon information obtained directly from organisations, as stated in their grant application form, about people expected to benefit from projects. This was based on criteria being applied to projects and data from existing work with these cohorts of people.
- Grants are assessed in line with the council's approach to awarding VSIF grants funding to projects delivered by voluntary and community sector organisations so that investment aligned to corporate priorities benefits a range of residents in the borough.
- The assessment of projects looked at alignment with Borough Plan priorities and statutory service provision in the borough, partnerships with other organisations in the borough and at a regional and national level, any other match funding proposed, the quality of the proposal including how success would be measured and the range of bids received. Officers noted the activities to be provided, their location, links with existing services and the outcomes and outputs to be achieved.
- The council received 43 bids from 43 organisations with a focus on a broader range of borough priorities.
- Applicants were asked specific questions around the beneficiaries of their proposed project in relation to the protected characteristics.
- Applicants were able to highlight projects as being open to all or to state where projects had a particular focus. Bids could identify up to three age groups that it could focus on.
- Of the 43 bids where protected characteristics were stated:
 - 7 bids were received for people with disabilities
 - 6 bids were received for women and 1 bid received for young men
 - 13 bids were received for BME and BAME communities
 - 3 bids were received for residents age of 65+
 - 22 bids were received for residents aged between 19-65+ years
 - 12 bids were received for residents aged 25-65+ years
 - 4 bids were received for residents aged 0-65+ years
- The number of bids to the VSIF Local Grants is well above the level of funding available. Funding has been recommended for 11 projects. These projects meet the funding criteria, offer value for money and align with Council's priorities and associated statutory service provision in the borough.
- Of the 11 recommended projects:

- 1 project is for women only and 1 project for young men only
 - 5 projects are for BME and BAME communities
 - 3 projects are for residents aged 25-65+ years
 - 2 projects are for residents aged between 19 -65+ years
 - 3 projects are for residents aged 0-65+ years
- Approximately 70% of funding is recommended for projects where the majority of people benefiting are in age brackets of 25-65+. Approximately 30% of funding is recommended to projects where the majority of people benefiting are 19-25 years. The data quality limitations should be noted here including a number of data sets relating to all users benefiting from the projects run by the organisation and not the project grant funded.
 - The majority of the projects engage disabled people, with this funding stream going to projects with a larger proportion of disabled people engaged than that seen in the population.
 - The majority of people benefiting from the projects are from BME and Asian communities with the majority of funding also benefiting these communities. The number of users from Black BME and Asian communities is in line with that in the population.
 - Funding is benefiting male and female in roughly the same proportions as borough population make up.
 - No specific data is presently forecast for religion or belief, sexual orientation, gender reassignment, pregnancy or maternity however all organisations recommended projects have stated that they will provide an inclusive service to all these protected characteristics.
 - The use of equality monitoring matched to evidence of need set out in future monitoring will support a clear understanding of any future identified differences between the general population make up and that of people benefiting from projects .
 - **Monitoring will take place in the following way:**
 - Officer/Officers group to monitor progress of projects funded through VSIF grant
 - Each of the projects will be monitored against the framework of Brent's equality analysis template and an equalities action plan will be produced. The template examines the equalities impact for all nine protected characteristics.