



Cabinet

Tuesday 13 September 2016 at 7.00 pm
Board Rooms 3, 4 & 5 - Brent Civic Centre

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 Wellbeing
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

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The press and public are welcome to attend this meeting

Agenda

Introductions, if appropriate.

Apologies for absence.

Item	Page
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1	Declarations of interests	
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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 - 4
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3	Matters arising	
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Resources reports

4	Financial Position 2017/18 - 2019/20 and option to fix RSG settlements	5 - 20
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This report sets out the council's medium term financial position and the major strategic considerations arising from this and provides a brief update on the financing options for the council's investment strategy. The report also details the option provided in last year's local government settlement for councils to choose to 'fix' their future revenue support grant (RSG) settlements until 2019/20, after which the entire local government finance system is proposed to be re-set.

Ward Affected:
All Wards

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

5	Fair Debt Recovery Policy and In-House Enforcement Agents (Bailiffs) Service	21 - 44
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This report outlines the principles that should form the backbone of a Council-wide Fair Debt Policy, and will provide suggestions as to how vulnerable debtors and those with multiple debts should be dealt with. This report also reviews the nature and performance of current arrangements with respect to Enforcement Agents (Bailiffs) across the Council.

Ward Affected:
All Wards

Lead Member: Councillor McLennan
Contact Officer: Conrad Hall, Chief Finance

Officer,
Tel: 020 8937 6528, conrad.hall@brent.gov.uk,

6 Future Use of Preston Park Annexe

45 - 56

This report sets out options for the future use of Preston Park Annexe for members to consider.

Ward Affected:
Preston

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

Regeneration and Environment reports

7 Brent Local Implementation Plan (LIP) Submission For 2017/18 - 2019/20

57 - 84

The primary source of funding for schemes and initiatives to improve transport infrastructure and travel behaviour in Brent is Local Implementation Plan (LIP) funding, which is allocated through Transport for London (TfL). LIP set out how London boroughs will deliver better transport in their area, in the context of local and regional transport priorities and the overarching Mayor's Transport Strategy (MTS). This report seeks the approval of Cabinet to submit the 2017/18 LIP to TfL and following the approval of that body, to implement the schemes and initiatives within the submitted/approved LIP programme and funding.

Ward Affected:
All Wards

Lead Member: Councillor Southwood
Contact Officer: Rachel Best, Transportation Service
Tel: 020 8937 5289 rachel.best@brent.gov.uk

Chief Executive's reports

8 Resources & Public Realm Scrutiny Task Group Report on Community Infrastructure Levy and Section 106 agreements.

85 - 122

This report presents the findings of the task group established by Scrutiny members to ensure Brent council is achieving the best financial outcomes for the borough with its current Community Infrastructure Levy and Section 106 agreements.

Ward Affected:
All Wards

Lead Member: Councillor Farah
Contact Officer: Pascoe Sawyers, Head of Strategy and Partnerships
Tel: 020 8937 1045
pascoe.sawyers@brent.gov.uk

9 Performance Report, Q1 (April-June) 2016/17

123 -
146

The purpose of this report is to provide Cabinet with a corporate overview of performance information linked to the current Borough Plan and Brent 2020 priorities, to support informed decision-making, and to manage performance effectively.

Ward Affected:
All Wards

Lead Member: Councillor McLennan
Contact Officer: Peter Gadsdon, Director,
Performance, Policy and Partnerships
Tel: 020 8937 1400
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10 Reference of item considered by Scrutiny Committees (if any)

11 Exclusion of Press and Public

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

12 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 24 October 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.



LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET Monday 15 August 2016 at 7.00 pm

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

Apologies for absence were received from: Councillors W Mitchell Murray and Southwood

1. **Apologies for absence**

Apologies for absence were received from: Councillor Southwood and Councillor W Mitchell Murray

2. **Declarations of interests**

None

3. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 25 July 2016 be approved as an accurate record of the meeting.

4. **Matters arising**

None.

5. **Approval to Access the West London Alliance Care Home and Supported Living Dynamic Purchasing System (DPS)**

Councillor Hirani, Cabinet Member for Community Wellbeing, introduced the report stating that, in February 2016, Cabinet granted approval for Brent Adult Social Care to participate in a collaborative procurement with the West London Alliance (WLA) for the establishment of a dynamic purchasing system for the provision of supported living, residential and nursing care home placements.

Councillor Hirani stated that the procurement was led by the London Borough of Ealing and Cabinet gave approval for the use of Ealing's contract standing orders and financial regulations as per Contract Standing Order 85.

Councillor Hirani stated that, in July 2016, the London Borough of Ealing Cabinet granted approval for the Director of Adults Services to appoint suppliers onto the West London Alliance (WLA) Care Home and Supported Living Dynamic Purchasing System (DPS) throughout the 4-year term in accordance with its rules and selection criteria.

Councillor Hirani stated that this report requests Cabinet approval for the Strategic Director Community Wellbeing to enter into an Access Agreement with the London Borough of Ealing to use the DPS for the provision of supported living, residential and nursing care home placements.

RESOLVED:

- (i) Cabinet noted that the DPS is a West London Alliance procurement initiative with Ealing Council acting as the contracting body on behalf of the London Boroughs of Brent, Barnet, Hillingdon, Hounslow, Hammersmith & Fulham, City of Westminster, and Royal Borough of Kensington & Chelsea.
- (ii) Cabinet noted that the Cabinet of Ealing Council has delegated authority to their Director of Adults Services to appoint suppliers onto the DPS throughout the 4-year term commencing on 1st September 2016 in accordance with the rules and section criteria.
- (iii) Cabinet approved that the Strategic Director Community Wellbeing may enter into an Access Agreement with the London Borough of Ealing to use the DPS.
- (iv) Cabinet approved the use of the DPS for the procurement of contracts for the provision of supported living, residential and nursing care home placements throughout its term with the procurement of such contracts being exempt from the normal requirement of Brent Council's Contract Standing Order and Financial Regulations for good operational and/or financial reasons in accordance with the Contract Standing Order 84(a).
- (v) Cabinet delegated authority to the Strategic Director Community Wellbeing to award High Value Contracts procured through the DPS if they have a contract value of less than £1,000,000 for the reasons detailed in paragraph 4.8.

6. Authority to Participate in the Joint Procurement of Community Equipment Goods and Services as part of the London Community Equipment Consortium

Councillor Hirani, Cabinet Member for Community Wellbeing, introduced the report informing Cabinet that the report requests approval for Brent Adult Social Care to participate in a collaborative procurement with the London (Community Equipment) Consortium for the establishment of a framework for provision of community equipment goods and services.

Councillor Hirani stated that the proposed procurement is to be led by the London Borough of Hammersmith and Fulham therefore approval is also sought as required by Contract Standing Order 85 to use Hammersmith and Fulham's Contract Standing Orders and Financial Regulations.

RESOLVED:-

- (i) Cabinet gave approval to the council to participate in a collaborative procurement led by the London Borough of Hammersmith & Fulham to establish a framework for community equipment goods and services.
- (ii) Cabinet gave approval to the collaborative procurement exercise detailed in 2.1 above being exempt from the normal requirements of Brent Council's Contract Standing Orders and Financial Regulations for good operational and/or financial reasons in accordance with the Contract Standing Order 84(a) and 85(c).
- (iii) Cabinet gave approval to the pre tender considerations set out in paragraph 3.16 of the report.

7. Authority to tender a contract for Health Visiting and School Nursing Services

Councillor Hirani, Cabinet Member for Community Wellbeing, introduced the report stating that the responsibility for the commissioning of 0-5 children's public health services transferred from NHS England (NHSE) to local authorities on 1st October 2015.

He stated that in December 2015 a paper went to Cabinet which agreed for the contract to be extended for another year until March 2017 using the current service specification. The contract for Health Visiting and Family Nurse Partnership (FNP) services for Brent is held with London North West Healthcare Trust (LNWHT).

He stated that, in April 2013 the responsibility of 5 -19 children's public health services transferred from NHSE to local authority responsibility including:

1. The Healthy Child Programme for children and young people aged 5-19 years
2. The National Child Measurement Programme,
3. Vision Screening

Councillor Hirani stated that the contract for School Nursing for Brent is held with Central London North West Healthcare Trust (LNWHT). He informed Cabinet that this report is seeking approval to commence the procurement of Health Visiting and School Nursing services. The report also sets out benefits associated with combining the individual contracts including financial benefits.

RESOLVED:-

- (i) Cabinet approved the preferred commissioning option as set out in section 5.1 of the report.

- (ii) Cabinet approved inviting tenders for the combined 0-19 Health Visiting and School Nursing services on the basis of the pre - tender considerations set out in paragraph 5.5 of the report.
- (iii) Cabinet gave approval to officers to evaluate the tenders referred to in 2.2 above on the basis of the evaluation criteria set out in paragraph 5.5 (vi) of the report.
- (iv) Cabinet delegated to the Strategic Director of Community and Wellbeing the authority to award the 0-19 combined Health Visiting and School Nursing Contract in consultation with the Cabinet Member for Community Wellbeing, following a compliant procurement process.

8. 2015/16 Treasury Management Outturn Report

Councillor McLennan, Deputy Leader of the Council, introduced the report to update members on Treasury Management activity and confirm that the Council has complied with its Prudential Indicators for 2015/16.

Councillor McLennan, Deputy Leader of the Council, highlighted two uncertainties surrounding the Council's financial situation: the impact of the Brexit vote; impact of interest changes.

RESOLVED:

- (i) Cabinet noted the 2015/16 Treasury Management outturn report, which is substantively the same as reviewed at Audit Committee on 30th June, which will in turn be presented to Council, in compliance with CIPFA's Code of Practice on Treasury Management (the Code).

9. Reference of item considered by Scrutiny Committee (if any)

None.


10. Exclusion of Press and Public

11. Any other urgent business

None.

The meeting ended at 7.15 pm

M BUTT
Chair

 <p>Brent</p>	<p>Cabinet 13 September 2016</p> <p>Report from the Chief Finance Officer</p>
<p>Wards affected: ALL</p>	
<p>Financial Position 2017/18 – 2019/20 and option to fix RSG settlements</p>	

1. Introduction

- 1.1. This report sets out the council's medium term financial position and the major strategic considerations arising from this. This will provide context for proposals for the budgets for 2017/18 and 2018/19, which the council will need to set over the coming months.
- 1.2. However, one feature of last year's local government settlement was the option for councils to 'fix' their future revenue support grant (RSG) settlements until 2019/20, after which the entire local government finance system is proposed to be re-set. A decision on whether or not to accept this proposal must be taken by 14 October 2016.
- 1.3. As this date is before Brent's next Cabinet meeting the relevant advantages and disadvantages of this proposal are set out for consideration here. It is proposed that the decision should be delegated to the Chief Executive, in consultation with the Leader in order that this deadline could be met.
- 1.4. There are arguments either way, but on balance it is proposed that the offer of a four year settlement should be accepted. It would in principle be perfectly possible to take the decision to accept this settlement now. However, it is proposed to delegate this decision on the basis that there are considerable economic and financial uncertainties in the system at present, and it is possible that the balance of considerations may change over the next four weeks.
- 1.5. If the council chooses to fix the RSG settlement until 2019/20 it will have to submit an 'efficiency plan' to DCLG with that. Central government has been clear that it is not taking a prescriptive approach to these plans, and that its expectation is that they will be fairly short and not unduly onerous to complete. However, this is nonetheless another good argument for delaying the decision, in case further guidance is issued and in any event to ensure

that Brent's approach is not inconsistent with that taken by other local authorities.

- 1.6. This report also sets out a brief update on the financing options for the council's investment strategy, and recommends delegating authority to the chief finance officer, in consultation with the deputy leader, to procure specialist financial advisers to assist in the process.

2. Recommendations

- 2.1. That Cabinet note the overall financial position and the risks inherent in it.
- 2.2. That Cabinet note the overall arguments for and against accepting a fixed settlement of its RSG until 2019/20, and that on balance the advice is in favour of accepting it.
- 2.3. That Cabinet delegates to the Chief Executive and Leader authority to decide whether or not to accept the fixed RSG settlement.
- 2.4. That Cabinet delegates to the Chief Executive and Leader authority to submit an efficiency plan to DCLG as part of any decision to accept a fixed RSG settlement.
- 2.5. That Cabinet note the position in particular in respect of business rates devolution and how this might progress, and that the chief finance officer will continue to respond to technical consultations as necessary.
- 2.6. That Cabinet note the progress in developing a financing programme for the investment strategy.
- 2.7. That Cabinet agree to delegate procurement and appointment of specialist financial advisers to assist in the financing of the investment strategy to the Chief Finance Officer, in consultation with the Deputy Leader.

3. Recent Financial History

Budget Setting

- 3.1. At the beginning of the austerity regime, in 2010, the council adopted a highly successful "One Council" programme. From 2010 to 2014/15 the One Council programme made a substantial contribution to the £89m savings delivered in that time, although of course difficult choices about the levels of service provision also had to be confronted over this period to meet the financial targets. Further savings of £53.9m were required in 2015/16 and 2016/17, when the council shifted its focus to a more target driven approach which required Directors to assume more personal accountability for delivering efficiency savings within their own areas of responsibility.
- 3.2. The council has adopted a longer term view of its financial planning over this period, ensuring that its focus is two or three years ahead, not just on balancing the budget for the next year. Most recently, the 2016/17 budget

also included £24.7m of planned savings for 2017/18 and 2018/19, which were agreed by Council.

- 3.3. Whilst these savings were not entirely sufficient to balance the budgets for 2017/18 and 2018/19, they considerably reduced the budget gap that needs to be closed. As a result, the scale and value of savings that the council is likely to need to confront in setting the budget for those years should be lower than in recent years. Although difficult choices will continue to need to be made, the council will also have the opportunity, through the budget process, to take stock of its position and the levels of service being provided, and consider whether some short, focused and time limited investments might be afforded to tackle key issues.

Key financial risks

- 3.4. This report goes on to identify the key strategic financial issues facing the council, including the possible macro-economic consequences of the referendum vote to leave the EU and how these might impact on Brent, and the possible consequences of the substantial changes proposed to how the local government finance system will operate. However, before turning to these wider issues it is essential to note some key risks that are much more directly in the council's control, as failure to mitigate these successfully would significantly impact on the key assumptions in this report.

Key internal risks

- 3.5. The figures set out in this report assume that the 2016/17 budget will not be overspent. Current indications are that in some services there are substantial expenditure pressures, arising either out of higher than anticipated service demand or because planned savings have not yet been delivered. In some cases revenue savings are also delayed due to delays in delivering the capital programme, thus impacting on the speed at which service models can be transformed.
- 3.6. In theory, if all of these risks crystallised the gross overspend would approach £6m. This is a somewhat higher figure than the council would normally be managing at this point in the year, but not unusual for an organisation of this size and complexity. However, the services in question have options for mitigating these risks, which are being worked up into more detailed proposals.
- 3.7. More significantly, corporate activities will also be able to offset these risks. The delay in the capital programme, which is driving some of the more concrete risks, will necessarily give rise to offsetting reductions in 2016/17 minimum revenue provision (MRP, the amounts the council must by law set aside to provide for long-term repayment of the elements of the capital programme financed by borrowing).
- 3.8. Some corporate savings and financing assumptions from 2017/18 may also be brought forward, providing further mitigation against these risks. The council also, prudently, set aside modest contingency budgets to deal with the risks inherent in delivering large and complex change programmes. This will

enable any realistically plausible overspend against service budgets in 2016/17 to be contained within the council's overall cash limit.

- 3.9. However, should service overspends become structural, rather than one-off in 2016/17, the assumptions in this report would need to be revisited. A fuller update will therefore be brought as part of the budgeting process.
- 3.10. As noted above, the council has already agreed a savings programme for 2017/18 and 2018/19. If any savings in this programme cannot be delivered then the residual budget gap for those years will grow correspondingly. Two items are particularly at risk and worth highlighting.
- 3.11. Firstly, the council plans to deliver savings of £8m through better procurement over the next two years. Internal governance structures have been established to help deliver this. To date procurement decisions reaching Cabinet have not contributed significantly towards this target, which is as expected given the length of the procurement cycle. However, it will be essential that new procurements coming through in the latter part of 2016/17 (i.e. where the financial impact will mostly be in 2017/18 and beyond) consistently deliver at least 10-15% efficiency gains and commensurate cashable savings, to provide assurance that this target is on track.
- 3.12. Secondly, the council also plans to generate up to £2.5m p.a. through its civic enterprise agenda. This is a new area of activity, and correspondingly relatively high risk. Again, governance structures are in place to manage these risks, but it will be essential that specific proposals can be worked up in the next three months to demonstrate the true potential of this new area of activity.
- 3.13. If procurement and civic enterprise savings cannot be delivered to the extent already envisaged in the council's financial plans then further savings will have to be developed to compensate in order to remain within the overall financial envelope. The same is, of course, true for any other savings already built into the financial plans, but the two items highlighted above represent the most significant risks identified at this stage.

4. Strategic financial overview and budget assumptions

- 4.1. The following section sets out the main assumptions and strategic considerations for the council's future budgets. It then goes on to consider key income and expenditure pressures, before calculating the necessary savings given the assumptions explained in previous sections.

Current strategic issues

- 4.2. The vote for Brexit has potentially changed the course of the British economy. It seems to be widely accepted by most serious economic commentators that there will be short-term negative consequences, for example with GDP growth projections being downgraded sharply. However, beyond the immediate short-term there is, perhaps not surprisingly, little consensus about what the longer-term economic consequences of the referendum outcome will be. In the absence of detailed predictions, it is worth quoting the Bank of England's

Monetary Policy Committee directly from their decision to reduce interest rates:

“Following the United Kingdom’s vote to leave the European Union, the exchange rate has fallen and the outlook for growth in the short to medium term has weakened markedly. The fall in sterling is likely to push up on CPI inflation in the near term, hastening its return to the 2% target and probably causing it to rise above the target in the latter part of the MPC’s forecast period, before the exchange rate effect dissipates thereafter. In the real economy, although the weaker medium-term outlook for activity largely reflects a downward revision to the economy’s supply capacity, near-term weakness in demand is likely to open up a margin of spare capacity, including an eventual rise in unemployment. Consistent with this, recent surveys of business activity, confidence and optimism suggest that the United Kingdom is likely to see little growth in GDP in the second half of this year.”

- 4.3. So far the clear impacts of Brexit are for the value of the pound to decrease against other major currencies, and interest rates on new government borrowing to decrease. These changes have positive and negative implications for Brent. A decrease in the value of the pound is likely to make imports more expensive, and as a result may have a short term upwards impact on inflation. It would also act to make British exports more competitive and so may help employment within Brent and for Brent residents. The fall in the cost of new government borrowing will push down the cost of the council borrowing, directly from the Public Works Loan Board, and indirectly from other sources that are linked in some way to the cost of government bonds. On the other hand, reduced interest rates on government bonds will reduce the notional return on pension fund assets and mean that the council needs to make greater contributions to the pension fund.
- 4.4. A key area of uncertainty is the medium term impact of Brexit on both the national and local economies. Many commentators have suggested a recession will follow Brexit, but recessions are notoriously difficult to predict, and the indicators are currently far from clear.
- 4.5. House prices within London may be reduced following Brexit. This might affect some particular markets within London and not others. There is some immediate evidence that high end central London sale prices have cooled as well as the first reduction in rents for some years (which itself is partly driven by increased buy to let supply into the market due to changes in the tax position on second homes). In short, the available data is complex and in places contradictory, and no clear long-term picture has emerged.
- 4.6. A reduction in house prices is most likely to affect Brent by reducing the number of properties developed, and may cause people to delay moving houses whilst house prices stabilise. This could reduce the expected increase in council tax income. Further, uncertainty about house prices could reduce bids for assets the council is selling for regeneration purposes, such as South Kilburn sites; and may delay regeneration elsewhere in the borough. On the other hand, reduced house prices may present an excellent

opportunity for the council to buy more local properties, consistent with its existing temporary accommodation reform plan, and so reduce its temporary accommodation costs, or indeed for some residents to seek to enter the housing market.

- 4.7. It is also worth noting that political uncertainty may have a more immediate impact on Brent than any wider macro-economic consequences of the referendum outcome. There is a new prime minister, and the significant majority of Cabinet portfolios have also changed. This will inevitably have consequences for local government and hence Brent.
- 4.8. In some cases this may mean delay. The new Secretary of State for Education, for example, has already delayed aspects of the planned changes to the system for financing schools, presumably to allow for some further review. As this had previously been identified as a potential funding risk for the council any delay is probably helpful in the short-term, but it also makes longer term planning more difficult. We also do not know whether the new Secretary of State for DCLG will seek to amend his predecessor's policies, or have a different approach to business rates reform, to which this report now turns.
- 4.9. No immediate material changes to the council's financial strategy are proposed at this stage as a result of the issues above, but it will clearly be essential for the council to act flexibly as necessary in response to changing circumstances. Once the autumn statement is released, with the Chancellor's promised "financial reset" then these issues be updated in more detail with attempted quantifications.
- 4.10. In addition to the changes to local government finance about devolution of business rates, detailed below, there are other substantial planned changes to how local government finance will work after 2020. A key feature is that the council will be responsible for delivering much more of its own income, which will have several key effects.
- 4.11. Government grants, once set, tend only to be changed in extraordinary circumstances, such as the policy decision taken by the then coalition government shortly after the 2010 general election. The reforms to the local government finance system will mean that a much greater proportion of the council's income comes locally, from council tax, business rates and locally generated charges for services. Income generation, narrowly through charges for services and more strategically, for example by helping to attract businesses into the borough will become a much more important skills for council officers, and the council will need to consider how its approach to performance management and reporting should change to facilitate this.
- 4.12. Historically, the council has had a degree of protection for the impact of recession, as central government would not automatically cut revenue support grant, and other funding streams in response to a recession. However, by 2020 most of the council's income streams will be sensitive to recession:

- council tax income would be reduced if more people are entitled to council tax support due to unemployment;
- growth in council tax may be reduced if there is a recession and fewer people move to Brent, or fewer developers bring new homes forward;
- business rates are unlikely to grow if there is a recession; and
- other significant elements of income, such as planning fees and building control income, may be reduced if there is a reduction in construction within the borough.

4.13. The nature of these risks differ. Some of them are relatively short term and any budgetary pressures they caused would in principle be resolved by recovery after the recession. Others, however, go the other way. For example, a reduction in house building or business growth will tend to take years to unwind under the new system, if at all. Central government can finance any reductions in their income from taxation by borrowing, but the council cannot fund reductions in income in this way. Instead, this volatility is managed through reserves. The council has an earmarked reserve to cover future funding risks of £5.1m, which is prudent under the existing system. However, by way of context, if the rate of new homes development halved for just two years - modest compared to some previous recessions - then this reserve would be entirely depleted.

4.14. Increased inflation represents a significant risk to the council. As shown in section five, inflation at the Bank of England target of 2% per year would effectively reduce the council's funding in real terms by £15.6m after three years. To some extent inflation is built into the existing financial plans, but if the rate started to rise significantly beyond that assumed then the costs would be significant. As, under existing policy, local tax and other sources of income are at best only partially under the council's control, the council's ability to offset these costs against additional income is limited.

4.15. It is possible that not all savings will be delivered on schedule, and some savings may prove impossible to deliver. The assumptions below have modest contingencies built in to reduce the risk of overspending as a result of not delivering savings. Budgeting beyond this would risk forcing decisions to withdraw services before financially necessary, but it is equally unrealistic to set a budget for an organisation as large and complex as Brent without some acknowledgement of this risk.

Future Net income

4.16. NDR income is expected to grow by between 3.2% and 3.5% per annum between 2017/18 and 2019/20. This is based on an assumption of 2% inflation, based on the Bank of England's target, and assumed growth in rateable values of 1.2% to 1.5%. NDR top up is assumed to grow by 2% each year between 2017/18 and 2019/20 on an assumption of 2% inflation, in line with the BoE core forecast. However, business rates revaluation in 2017/18 adds significant volatility to this position.

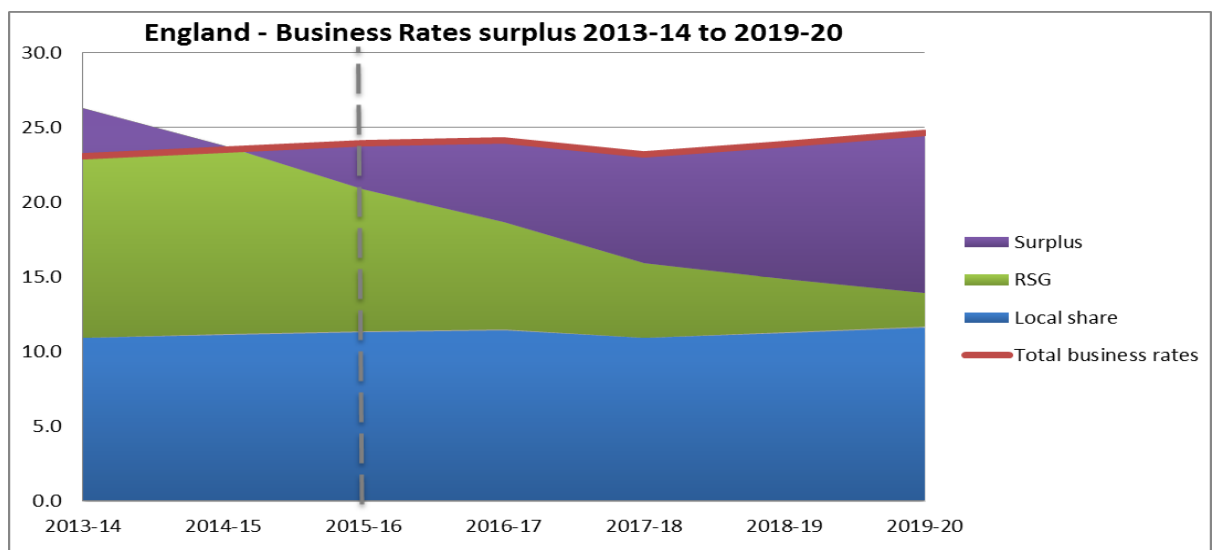
- 4.17. Revenue Support Grant is expected to be cut by between 21% and 27% per annum in each year between 2017/18 and 2019/20 based on the last settlement from central government. This will leave the 2019/20 figure at less than 44% of the 2016/17 base following which, as the new system is introduced, it will fall rapidly away to nil.
- 4.18. Council tax base is assumed to grow at 4.4% per year every year from 2017/18 to 2019/20 due to additional households within the borough. This is based on the rolling average growth in the households over the past three years. This assumption will be updated each year for the most recent data, which will help to smooth the financial planning assumptions and reduce the risk of significant budgetary changes being imposed in response to any given year's data.
- 4.19. Considering smaller specific grants: Education Services grant is £2.8m in 2016/17 and expected to end by 2017/18 based on current indications from the Department for Education. Public Health grant is assumed to be cut by 2.5% per annum from 2017/18 based on indications from the Department of Health. Housing Benefit and Council Tax Administration Grants are assumed to be cut by £0.2m per annum based on recent experience.
- 4.20. The following table shows the net impact of these changes.

	2016/17	2017/18	2018/19	2019/20
	£m	£m	£m	£m
Income				
RSG	56.0	42.7	33.7	24.5
NDR	34.9	36.1	37.2	38.5
NDR top up	48.7	49.7	50.7	51.7
Council Tax	98.3	102.8	107.4	112.3
Specific grants	34.2	30.4	29.4	28.4
Total Income	272.2	261.6	258.4	255.4

Net income – business rates devolution and revaluation

- 4.21. Business rates devolution is scheduled to start in 2020/21. At the moment, the specifics are not yet determined. The Department for Communities and Local Government is currently consulting on proposals for business rates devolution. The most important point to understand about this, for the purposes of this report, is that the national tax take from business rates is greater than the current level of grant support to local government, and therefore significantly greater than the planned grant support to local government in 2019/20.

- 4.22. The consequence, therefore, of devolving all of this tax take to local government, is that government must also devolve responsibility for financing additional services to local government, if it is not to create a significant gap in national spending plans. In theory, although not necessarily in practice, this ought to be cost neutral: local government will have its existing planned level of financing to fund existing services, and new money from business rates to fund new services (or, rather, services currently funded directly from Whitehall) at their current cost.
- 4.23. This will have consequences for the council in terms of, for example, its workforce planning. Clearly, the services devolved will also be key, and local government will argue strongly for those services that can most effectively be integrated with existing ones to provide more rounded and wholistic services for residents.
- 4.24. The graph below illustrates, at a national level, this funding position.



- 4.25. The direction proposed by the previous Secretary of State was that different areas would have different levels of devolution, and different powers devolved to them. It is therefore likely that London government will get a different deal to those proposed elsewhere, such as for example Manchester or Cornwall.
- 4.26. Central government's current intention is to have a system of business rates retention that works across London with some system of transfers between areas with higher levels of business rates, such as Westminster, and areas with lower business rates, such as Brent. The exact mechanism to do this is not yet specified. The working assumption, which government has operated in previous re-sets of local government financing, is that the initial impact should be "no better no worse". However, this is by no means guaranteed, and even if it turns out to be the case this will only be the "day one" impact: thereafter the balance of future funding risks will have shifted materially.
- 4.27. The total tax take from business rates in London, not surprisingly, is a significant proportion of the national take, nearly 30% in 2016/17. This is

substantially greater than any other part of the country. It remains to be seen whether the redistribution system will be national or regional, but if London is to retain 100% of business rates in 2020/21, it follows that London government will be directly responsible for the financing of more elements of spending than other parts of the country.

- 4.28. This too make forward financial planning more difficult. If London local authorities receive more funding from business rates to finance more service activities then, as set out above, the "day one" impact of this may be cost neutral, but the future financing risks will transfer to the council. Other forward planning may also be affected. For example, whilst the council will have less money to finance existing services it may receive additional money to finance new services, so it would in principle be possible for the overall workforce to grow over this period.
- 4.29. Central government is currently consulting on what elements of spending will be devolved, with a long list of possible areas for devolution. The consultation also covers a number of other technical features. Most of the responses to this can be most effectively addressed through the LGA and London Councils, as their evidence carries more weight in central government than that provided by any single local authority. However, the chief finance officer will, in consultation with the deputy leader, provide any further response that may be required.
- 4.30. The Department for Communities and Local Government is proposing to pilot devolving additional business rates to London from 2017. Currently, the only confirmed element of additional devolution is the Greater London Authority Transport Grant. It is currently unclear what any changes will mean for Brent in 2017/18 and an update will be brought as the position becomes clearer.
- 4.31. Further, there are clearly tensions within any possible policy on business rates devolution. A key example is the tension between rewarding councils for growing their local economy, and protecting councils that have less opportunities to do so, or considering how any safety net system might operate in a recessionary environment. Within London, there is a further complexity in that business rates are highly focused within a small number of boroughs, such as Westminster, making the issues of redistribution much more pointed. A revaluation of business rates rateable values is scheduled for 2017/18. This is likely to have a significant impact on business rates income in future years, but the effect of this revaluation is not yet known.

Expenditure pressures

- 4.32. Every year the council makes provisions for inflation on staffing costs and for contracts. Not all contracts increase in cost every year, and some increase by more than this. It is currently proposed to allow £1.1m for payroll inflation, at 1%, which is a known figure, and between 1% and 2% for other inflation (£2.3m to £4.6m). This report is predicated on the lower figure, but this may need to be adjusted once the September inflation data is published. Between 2015 and 2020, the council is expected to see significant increases in its population. The overall rate of increase is expected to be 5% over this period,

with particularly sharp rises in the under 18s (6.6%), and over 85s (24%). These numbers in these two groups are key determinants of the level of spending on children's social care and adult social care respectively. The council is expected to have to spend more on children's social care and adult social care by 2019/20, further squeezing other services.

- 4.33. There are a number of other pressures on unavoidable costs that are currently managed centrally, such as pensions, increasing levy costs, providing a contingency against savings being delayed or savings plans not being fully deliverable, and funding growth in Freedom passes. Full estimates will be brought as part of the detailed draft budget report.

Calculation of savings targets to 2019/20

- 4.34. The additional savings required are calculated as Total Expenditure less Total income. Total Expenditure is the net 2016/17 budget, plus the expenditure in 2016/17 funded by specific grants, plus council wide inflation, plus the specific cost pressures less the savings already planned.

	2016/17	2017/18	2018/19	2019/20
	£m	£m	£m	£m
Expenditure				
Net 2016/17 Budget	240.5	240.5	240.5	240.5
2016/17 Expenditure funded by specific grants	31.7	31.7	31.7	31.7
Cumulative council wide inflation		3.4	6.8	10.2
Cumulative specific cost pressures		10.8	20.3	28.7
Cumulative planned savings		(13.8)	(24.7)	(24.7)
Total Expenditure	272.2	272.6	274.6	286.4
Less Total Income	(272.2)	(261.6)	(258.4)	255.4
Cumulative additional savings required		11.0	16.2	31.0

5. Income Policy

Council tax

- 5.1. The above figures do not assume that the council raises the council tax charge. The council is permitted to increase council tax by up to 3.99% per year. Of this, 1.99% is for general inflation, and 2% is for adult social care.
- 5.2. The council is facing significant demographic pressures in adult social care, for example, the number of people aged over 85 increases at 24% between 2015 and 2020. A 2% increase in council tax per year would not cover all the additional costs of providing for the growing population requiring adult social care, so additional savings would need to be found even with a 2% rise for adult social care.
- 5.3. Self-evidently, larger increases in council tax reduce the savings that have to be found from service budgets. The table below illustrates the cumulative impact of increases at 3.99% per year.

	2017/18	2018/19	2019/20
	£m	£m	£m
Cumulative savings required	11.0	16.2	31.0
Cumulative additional income with 3.99% a year council tax increase	(4.1)	(8.8)	(14.0)
Cumulative savings required with 3.99% council tax increase	6.9	7.4	17.0

- 5.4. This clearly illustrates the significance of the decision on council tax. The savings required from service budgets in the next two years can be more than halved if council tax is increased each year. Formal consultation on this, and other budget options, will commence in October, but it serves to emphasise the significance of the decision that Members will have to make on council tax..
- 5.5. The cumulative impact of an annual council tax rise makes a large difference by 2019/20. An extra £14m of savings will be necessary in 2019/20 if council tax is frozen, compared to the position with increases of 4% each year. The decision on this will ultimately rest with the full Council budget setting meeting, following consultation, and the purposes of highlighting it here at this stage is to emphasise one of the key sensitivities in the overall financial model.

6. Four year settlement option

- 6.1. As part of last year's local government finance settlement councils were given the option of fixing their future RSG allocations until 2020. In principle this could address one key concern that the local government sector has highlighted for a number of years: the difficulty of long-term financial planning when key items of income are only determined annually.
- 6.2. In order to take advantage of this the council would need to make a decision on the four year settlement option by 14 October 2016 and write formally to DCLG on this. As part of this it would need to present an efficiency plan; central government have indicated that this should not be an onerous document, and can be based on the council's medium term financial plan.
- 6.3. This is not a straightforward decision: it is a decision about risk management, and whether accepting or declining the settlement offers the better path for the council to manage its risks. DCLG have set out considerable emphasis that a four year fix is exactly that: it sets RSG until 2020 regardless of what may happen with the economy or other government decisions. Of course, legally, government cannot bind future Parliaments, and so it would technically be possible for the DCLG to reopen the settlement even for those councils that chose to fix their RSG.
- 6.4. Accepting the four year settlement would give the council more certainty of future funding. This makes financial planning and communication much simpler, and significantly reduces the potential volatility in the system. This creates obvious arguments for accepting the fix, as it will aid the council's budgeting process and hence the quality of decision making. It would also clearly shift the focus onto those sources of funding that the council can influence and control.
- 6.5. As set out, government is not technically bound by councils' decisions to accept a fix. However, on a practical level, even if they were minded to reopen the local government settlement, it would clearly be more difficult to do so for those councils that had accepted their offer. Accepting the fix therefore provides a degree of assurance against the settlement position worsening. This is not unlimited - if DCLG subsequently decided to reduce the overall settlement then its ability to spread this amongst authorities that have *not* accepted a fix is severely constrained if most councils *do* accept a fixed settlement.
- 6.6. After last year's autumn statement central government announced a need to find, by 2019/20, a further £3.5 billion pounds of savings from across central government spend, while maintaining the protections set out at the Spending Review and Autumn Statement. It is unknown if the new central government cabinet will continue with this approach. However, reducing funding for local authorities has been a favoured method for central government to reduce government expenditure under the previous coalition government and the present parliament.

- 6.7. On the downside if central government subsequently decides to increase settlement funding to local authorities then council would not benefit if it had chosen to fix its future RSG to 2020. Central government has suggested that its expenditure and fiscal policy might be “reset” following Brexit. This could involve relatively technical changes, such as removing the unallocated £3.5 billion saving mentioned in the previous paragraph, which would not affect the published settlement figures for local authorities. It could involve some extra money for some or all local authorities, or new money for particularly priorities of central government to be delivered by local government.
- 6.8. Room for central government to significantly improve local government funding is limited both by the current deficit in central government funding, and other calls on funding that may take a higher priority for central government, such as the NHS or tax cuts. Ultimately, the decision lies in whether it is considered more likely that future local government settlement funding will be increased than decreased, and whether, if it is increased, this funding is likely to be directed towards London authorities with characteristics such as Brent.
- 6.9. Informal soundings with other councils suggest that most London authorities are minded to accept the four year settlement. The picture elsewhere across the country is less clear, but on present information officers expect most authorities to accept it.
- 6.10. However, following the referendum and with the proposed "financial reset" the position is somewhat fluid, and, although the suggested intention is clear, it is proposed to delegate this decision, as set out, in order that the council can react to any changes over the next four weeks. As set out in this report, there are a number of significant volatilities in the overall system, and whilst this creates a logical argument for fixing RSG at least, to reduce overall volatility, it also suggests deferring the formal decision slightly might enable the council to react better to changing events: hence the proposed delegation.
- 6.11. The next Cabinet meeting, on 24 October, is too late for these purposes, as it is after the DCLG deadline.

7. The investment strategy – procurement of borrowing advice

- 7.1. The council has agreed an investment strategy. Over time this is intended to shift the balance of the council's priorities towards longer-term investments, rather than a reactive annual revenue budget setting process.
- 7.2. One short-term headline policy that has already been agreed is to invest £130m in buying and developing housing. This will enable the council to improve its service offer and also reduce revenue costs, for example, by reducing the number of placements into privately rented temporary accommodation.
- 7.3. This strategy is underway, financed to date on a temporary basis through the council's cash backed reserves. This does not deplete the actual reserves,

merely the cash backed element of them, which ensures that the council minimises its external interest costs by not borrowing before it needs to.

- 7.4. The traditional way for councils to borrow money for routine capital investment is to borrow money from the Public Works Loan Board (PWLB). However, given the scale of funds the council is planning to borrow there are potentially options that will come in at lower cost than the PWLB, such as issuing bonds that would be available for pension funds to buy, loans from the European Investment Bank (which may still be available after Brexit), or the Municipal Bonds Agency. This list is not exhaustive.
- 7.5. Evaluating these options is complex, and requires specialist skills. In particular the skills to evaluate not just the headline rate, but also the price the costs of any differences in risk assumed by the council under different circumstances. In addition with any variable rate product, it will be necessary to consider a variety of scenarios to understand under what scenarios the council would benefit from a particular product, and under what scenarios it would lose out from a particular product.
- 7.6. Further, it could be that the best approach for the council is to offset the risks and benefits of different products available to council, and this approach could be more advantageous than choosing a single, simple product. Alternatively, a single simple product may be more advantageous than more products and the complexity involved.
- 7.7. The council has the skills and expertise to client advisers for such activity, but it would be unwise to enter into such significant long term commitments without taking proper professional advice. The cost of such advice is not yet known, but is often expressed as a function of the total borrowing requirement. As stated above, this is already known to exceed £100m and, depending on what else the council wants to build into its capital plans, could potentially be much higher than this.
- 7.8. Owing to the highly technical nature of the advice it is therefore proposed to delegate to the chief finance officer, in consultation with the deputy leader, authority to procure and appoint the necessary advisers. Any decision on the structure of the actual borrowing will of course come back to cabinet for approval.

8. Financial implications

- 8.1. This report is all about the overall financial position, and includes a proposal to delegate authority to decide whether or not to accept the DCLG offer of a four year fix to the RSG settlement to the chief executive, in consultation with the leader. Although the suggestion is that this should be agreed it is proposed to be delegated at this stage for the reasons set out in the report.
- 8.2. Otherwise, the report is about the overall financial position rather than specific decisions. The cost of the procurement of the specialist treasury advisers will be included within the overall financing of the investment strategy.

9. Legal Implications

- 9.1 There is a significant delegation of responsibility within this report to the CFO which is of course appropriate in his capacity as the Council's S151 Officer and in line with the duties of the Chief Finance Officer ("CFO") as set out in Article 13.7 in Part 2 of the Constitution and areas of responsibility of the CFO as set out in paragraph 2.6(a) of Part 4 of the Council's Constitution.
- 9.2. It is taken as given that the CFO will be mindful of his statutory duty to obtain best value in terms of procuring advice on investments and will do so in line with the Council's corporate procurement strategy and in accordance with Contract Standing Orders.

10. Staffing and Diversity Implications

- 10.1. This report sets out the overall financial framework, but does not propose any items for decision at this stage that would have staffing or diversity implications.


11. Related Documents

Bank of England - Monetary policy summary - 04 August 2016
<http://www.bankofengland.co.uk/publications/Pages/news/2016/008.aspx>

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Chief Finance Officer

 Brent	<p style="text-align: center;">Cabinet 13 September 2016</p> <p style="text-align: center;">Report from the Chief Finance Officer</p>
For Action	
Fair Debt Recovery Policy, and In-House Enforcement Agents (Bailiffs) Service	

1. Summary

- 1.1 As a result of continuing budget pressures, recovery of Council debts has become of paramount importance, and the need to maintain and improve performance in this area will only increase going forward.
- 1.2 A review of Debt Recovery across the Council in 2015 prompted creation of a Debt Board, chaired by the Chief Finance Officer, to increase visibility of Council debts, and to improve performance. Amongst other things, the work of the board has highlighted the need to agree a Council-wide approach to debt recovery, which will make clear the obligations of debtors, and ensure that officers are able to take a proportionate and consistent approach to recovery, which enables them to be firm where appropriate. This work has also raised the question of whether the Council should consider bringing debt enforcement activities in-house in order to improve control over Enforcement Agents (Bailiffs) acting to collect Council debts, whilst also potentially generating a new income stream for the Council. Some other councils have done this with reasonable success.
- 1.3 This report outlines the principles that should form the backbone of a Council-wide Fair Debt Policy, and will provide suggestions as to how vulnerable debtors and those with multiple debts should be dealt with.
- 1.4 This report also reviews the nature and performance of current arrangements with respect to Enforcement Agents (Bailiffs) across the Council. It describes the experiences of some other authorities who have chosen to move away from the traditional outsourced arrangements, and considers the potential costs and benefits of creation of an in-house team.

2. Recommendations

That Cabinet:

- 2.1 Approves the suggested overarching principles for a Council-Wide Fair Debt Policy
- 2.2 Approves the suggested approaches to individuals with multiple debts, vulnerable debtors, and those in financial difficulty.
- 2.3 Approves the recommendation to create an in-house bailiff service as part of our approach to collecting Council debts, to be implemented as existing arrangements come to an end.
- 2.4 Notes the justification for recruiting Enforcement Agents outside of the Council's standard employment terms and conditions, in order to implement performance related pay, and gives authority to recruit on this basis.

3. Corporate Debt Policy

Context

- 3.1 Local authorities have strong cash flows, backed by predictable government grants and relatively stable income from local taxes. As such, many authorities have historically not needed to have robust performance monitoring in place for debt recovery, nor have they had to use the same approach and processes that would normally be employed by private sector creditors. However, the importance of good performance in this area will only grow as Councils become more reliant on income from taxation and commercial activities, and the proportion of their income that comes from grants continues to fall.
- 3.2 The Council bills individuals and organisations some £300m each year, much of which is for local taxes. As at 31st March 2016, the total balance of debt owed to the Council had reached nearly £90m, with the greatest contribution being made by Housing Benefit Overpayments (£35m) and Council Tax / Business rates (£31m). In order to address performance in this area more proactively, a review of debt recovery processes, systems and structures across Brent was carried out in 2015. Recommendations stemming from the review included:
 - The need to gradually move from the existing disparate debt recovery functions to a model that centralises and makes better use of the debt recovery expertise available,
 - The need to improve automation and functionality of many Council systems used for recovery, and
 - The need to ensure greater uniformity of the debtor experience, and enable a person-centric approach to be taken to individuals with multiple debts for the first time.

- 3.3 A Debt Board was formed in December 2015, with the role of scrutinising performance, and overseeing the implementation of a number of initiatives in order to achieve the broad goals above:
- Creation of a set of key performance indicators for debt, which are monitored monthly to give greater corporate visibility of the totality of Council debt
 - The Debt Recovery Team within the Legal department that was created for the Adult Social Care project has been expanded and has begun to take on a variety of cases from across the Council,
 - Consideration of our options with respect to procuring a purpose-built debt recovery system which will aim to improve automation of recovery processes, enable implementation of new technologies and payment methods, improve the quality of management information, and will enable multiple debtors to be managed by a single caseworker,
 - Creation of a staff group with representatives from across the Council to lead on sharing best practice across all debts teams,
 - Bulk analysis of aged debt to support decisions around write-off and help focus resources on the most collectable accounts
 - The allocation of a revolving fund to add resources to departments for one-off “spend to save” initiatives, such as recruiting a HB assessor to work in temporary housing to review former tenant accounts, and identify where HB had been underpaid – an initiative which cleared over £200,000 of tenant debt, at a resource cost of £9,000.
- 3.4 The Debt Board’s aim is to improve collection performance to generate increased income, and minimise the need for write offs; with a view to generating £1m budget savings from 17/18 onwards through reductions to bad debt provision across the Council.
- 3.5 Both the review, and continued engagement with debt recovery staff, has highlighted that one of the key hurdles to effectively recovering Council debts is the widely held belief that local authority debts are somehow “less important” debts, despite the often severe sanctions that could result from non-payment. This has been perpetuated over the years by a lack of escalation of recovery action, perhaps due to hesitance of how escalation against seemingly vulnerable debtors will be perceived, or perhaps because of a perception, whether justified or not, that management decisions will not always be backed up if unwarranted complaints are submitted. An agreed set of debt collection principles, as set out in this report, will help with this.
- 3.6 Whether or not this perception of the Council as a “soft” creditor is widespread, there is an obvious benefit to formally setting out the Council’s approach with respect to collecting its income, and taking enforcement action against debts which remain unpaid. Doing so does not imply an intention to become more robust across the board, rather that we need to be better able to assess a debtors ability to pay, and use fair and appropriate means to recover that debt, supporting people where there is a genuine need. We need to be clear about when decisions will be taken, by whom, and what factual information will be taken into account in making those decisions. It also means that we need to invest in educating our debtors, ensuring that they can access

any necessary support in managing their finances, but also that they fully understand their obligations with regards to Council debts, and the potential consequences if they refuse to pay.

Proposed Policy Intent and Principles

- 3.7 The proposed over-arching policy statement below articulates the Council's position and intent:

Brent Council has a legal duty to ensure the prompt and cost effective billing, collection and recovery of all sums due to the Council. Timely and cost-efficient collection of debts is critical to ensuring that the Council is able to provide essential services, and the Council is committed to maximising income collection using fair, consistent and proportionate means.

The Council provides a wide range of services to residents and businesses, each of which is governed by specific regulations setting out how the service will be provided, liability to pay, and how any overdue amounts will be collected. This policy seeks to set out the key principles that the Council will aim to apply in order to ensure that it is 'fair but firm', and can strike the necessary balance between dealing sensitively with those customers in genuine financial difficulty, whilst also using the full range of recovery methods where a customer has the means to pay but fails to do so.

- 3.8 The scope of the policy will include all key Council revenue streams, including but not limited to:
- Council Tax
 - Non-Domestic Rates (Business Rates)
 - Housing Benefit Overpayments
 - Housing rents and temporary accommodation charges
 - Leasehold Major works and service charges
 - Sundry Debts collected by the Financial Services Centre (FSC)
- 3.9 The following guiding principles will be consistently applied to all categories of Council debt, and in all interactions with our customers:

Principle 1 – Clear charges and recovery processes

- **We will** make debtors aware of the value and nature of debt they owe to the council, and the potential implications if the debt is not paid
- **We expect** customers to contact us as soon as they receive notification if they wish to dispute a charge or feel unable to pay.

Principle 2 – Easy and flexible payment

- **We will** accept a range of payment methods and frequencies, and will endeavour to ensure that making payments is easy for customers, aiming where appropriate to prevent arrears occurring by encouraging payment in advance, or Direct Debit payments.

- **We expect** customers to take advantage of the range of payment methods available in order to pay on time, and to contact us quickly if they need to request additional flexibility.

Principle 3 – Early intervention

- **Where practical we will** seek to prevent enforcement by notifying customers who fall into debt at an early stage to ensure they are aware that debt has accrued.
- **We expect** customers to respond promptly to any contact we attempt to make with them.

Principle 4 – Clear communication

- **We will** use a range of communication methods to ensure that debtors know how to make payments, and how to contact us if they are struggling to pay
- **We expect** customers to tell us promptly if their contact details change, and to be courteous to our staff

Principle 5 – Support for individuals who demonstrate that they can't pay

- **Where an individual is identified as being in financial difficulty, we will** ensure they are referred both to relevant internal departments and appropriate sources of independent advice and guidance. In specific circumstances we may consider setting aside a portion of an individual's debt in order to prevent exacerbating severe indebtedness
- **We expect** customers to take ownership of their finances, to engage positively with any support provided, to provide any requested information within the specified timescale, and to comply with the terms of any agreement made.

Principle 6 – We will take enforcement action where individuals “Won't Pay”

- **We will** use a variety of debt recovery methods to collect debts from those that can, but won't pay, and wherever enforcement becomes necessary, any costs incurred will be passed on to the debtor.
- **We will** ensure that all enforcement action taken is proportionate, and complies with relevant legislation; but to be fair to those who do pay, and to try to deter wilful non-payment, we will always seek the maximum penalty where an individual commits fraud.

Vulnerable Debtors

- 3.10 The Council's website, standard letters and debt recovery staff all provide debtors with details of how they can access independent advice and support in relation to their finances, however we recognise that some individuals will require additional measures in order to be able to adequately manage their finances and repay the money owed.

- 3.11 There is no set definition of vulnerability in relation to poverty, and the degree to which someone is considered vulnerable can vary widely. The causes of financial vulnerability are incredibly broad, and any condition or situation which affects a person's ability to manage their finances could make someone vulnerable for a period of time.
- 3.12 Some likely causes or examples of vulnerability could be:
- **Disabled people, including those with learning difficulties** - where their disability specifically affects their ability to deal with their financial affairs
 - **People suffering from serious illness, including mental health conditions** - where their disability specifically affects their ability to deal with their financial affairs
 - **People who have difficulty communicating in English** – translation services are available for interaction with the Council, but where someone does not have the support of family members who can speak and read English, they may be more broadly financially excluded, and may be considered vulnerable in some cases
 - **People who have difficulty reading and writing** – which is likely to prevent them from being able to read notices or warnings in relation to their debt, and may have caused broader financial exclusion
 - **People undergoing significant changes in circumstances** – such as being recently bereaved, or having recently lost their job or their home.
- 3.13 The above does not constitute a list of reasons for automatic assessment as vulnerable, nor is it intended to be exhaustive. Assessment of vulnerability, and the steps taken to support a vulnerable debtor, will be assessed by the Council on a case by case basis, based on the specific details provided by the customer.
- 3.14 The identification of vulnerability does not excuse someone from paying a debt which they are legally obliged to pay. It does, however, mean that the Council will provide additional support in understanding the debt, and aim to minimise undue distress.
- 3.15 As a minimum, the identification of vulnerability will result in additional management control. Flags may be used on the relevant debt management system to alert any staff dealing with the case, and automated escalation will be halted to ensure that the case is reviewed by a member of staff before any further action is taken.
- 3.16 Depending on the nature of the vulnerability that is identified, there are a number of additional measures that the Council may feel it is appropriate to make:
- Allowing longer to pay
 - Referral to independent advice and guidance
 - Temporarily halting enforcement action
 - Providing additional support to overcome the vulnerability, such as home visits or assistance completing forms
 - Reviewing eligibility for benefits to ensure that these have been correctly assessed, and consider whether hardship loans or DHP may be appropriate

- Where advocates or representatives have been appointed, ensure that the appropriate evidence has been provided and accounts are updated.

Support for those with Problem Debts

- 3.17 Whether or not an individual is vulnerable and needs additional support to manage their finances is often independent of whether the debtor actually has the means to pay. As described in the principles outlined in this paper, the Council will aim to assess a debtors' ability to pay their debt, and to tailor our approach where it is identified that someone is struggling to clear their debts.
- 3.18 The Council's Financial Inclusion Strategy sets out Brent's overall approach to addressing the causes of financial exclusion by helping residents move into and retain sustainable employment, overcome high levels of debt, and access mainstream banking and affordable credit. The Council's approach to recovering its own debt will support these objectives.
- 3.19 In addition to provision of, and referral to, appropriate sources of advice and guidance through our existing advice contracts, the Council will seek to support debtors to overcome problematic debt and promote access to affordable credit by;
- Continuing to operate a policy of setting aside a portion of the outstanding balance where it is identified that a debtor does not have the means to pay the full amount. It would not be practical to implement a prescriptive set of criteria for the cases in which we will consider this, so it will be left to manager's discretion, but as a minimum it will only be considered where an individual has engaged with financial assessments, and has kept to the affordable payment plan that has been agreed for a period of time.
 - Considering alternative models to promoting affordable credit such as a partnership with a credit union in order to offer affordable credit to encourage responsible borrowing, and specifically to release debtors from high interest payday and doorstep loans where we are made aware of them. This approach has worked well in Newham, where the MoneyWorks service has a successful partnership with London Community Credit Union. Newham's service has been visited by staff, and an analysis of this approach will now be included in the ongoing review of the LWA scheme, and the Outcome Based Review (OBR) process, but will not be specifically be linked to development of a corporate debt policy.

Multiple Debtors

- 3.20 We know that individuals struggling with problematic debt are likely to owe multiple debts to the Council. Client Index data suggests that there could be over 3,700 individuals who owe more than one debt with respect to Council Tax, Rent Arrears, and Housing Benefit Overpayments, and 300 people who owe all three.
- 3.21 Historically, it has been difficult to take a holistic view of an individuals' debt due to each account being held and managed on disparate systems, making it impossible for a single officer to manage multiple accounts across different services. The Debt Board

is currently looking at options for procuring a debt system that is able to give us additional functionality; including enabling multiple debts to be managed through a single point of contact. Once in place, this will minimise the opportunity for distress, reduce the amount of contact the customer needs to make, and ensure that the Council is in the best possible position to understand the totality of the individual's circumstances, and thus is better able to provide appropriate advice and assistance.

3.22 Once the required functionality is available, where individuals have multiple debts to the Council, we will seek to enter into a single affordable payment arrangement which covers all their debts.

3.23 When entering into arrangements for multiple debts, council debts will be prioritised or weighted in the following order:

- Council Tax
- Rent / Temporary Accommodation Charges
- Court fines associated with Council Debts
- Adult Social Care Contributions
- Leasehold Service Charges & Major Works Costs
- Housing Benefit Overpayments
- Sundry Debts
- Parking Charges
- Former Tenant arrears

3.24 This ranking reflects the need to repay "priority" debts, which have more serious consequences, such as losing your home or being found guilty of a criminal offence, before less serious "non-priority" debts. (The Citizen's Advice Bureaux guidance on priority and non-priority debts can be found in Appendix A.) It also reflects the need to keep on top of recurring debts, with these featuring higher in the list, and one-off debts lower down.

Write-offs

3.25 As part of sound financial management, the Council will periodically write-off debts that it considers are not possible, or cost effective to recover. By definition, the council does not write-off debts at the request of the debtor, however in appropriate circumstances it may consider setting aside a portion of the debt in line with the principles laid out above.

4. Approach to Enforcement

Context

4.1 As part of our approach to enforcing debts, the Council should give consideration to creation of an in-house enforcement team, to replace existing 3rd party arrangements. Existing arrangements generally come at zero cost to the council, and minimise our exposure to this commercial activity. However, in light of the Council's wider Civic Enterprise agenda, and the goals laid out earlier in this paper with respect to debt

recovery, there may be value in altering this approach in order to take greater control of individuals who enforce debts for the council, and to retain income generated by statutory fees, rather than passing this on to private sector enforcement agents. While there are no immediate plans to centralise all our debt recovery functions, but there is a recognised need to create a “Centre of Excellence” on debt recovery, and having a central specialist enforcement function that could operate on different types of debt would fit well with this vision.

- 4.2 The Taking Control of Goods Regulations came into force in April 2014, introducing a new fee structure for the activities used to recover debts. The new rules replaced an arrangement where fees varied according to debt type, and where certain fees could be charged multiple times, resulting in a confusing environment for debtors, and a very high rate of disputes over enforcement fees.
- 4.3 The reforms also formally recognised vulnerability of debtors for the first time. While the legislation doesn’t attempt to rigidly define who can be considered vulnerable, it does make training on identifying and dealing with vulnerable people a mandatory requirement for certification as an Enforcement Agent. It also provides for vulnerable debtors to be given the opportunity to seek advice before enforcement fees are incurred.
- 4.4 The introduction of a more transparent fee system, and recognition of the need to allow for additional support for vulnerable debtors, has made this a more palatable proposal for local authorities, and a number of London authorities have now created in-house teams, citing the following benefits:
 - improved debt collection
 - greater control of enforcement activities and introduction of a more sensitive approach to collection
 - improved intelligence from enforcement agents on debtors’ circumstances
 - surplus income generated on top of recovering the costs of the service from retained fees.

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Current Arrangements

- 4.5 There is no universal contract for enforcement activity to collect the Council’s debt. Different service areas have individual, sometimes fairly complex, arrangements - often with more than one enforcement agency. In some areas, we have indirect relationships via more generic debt collection agencies who perform a range of functions for us, whilst in others we have no long term relationship, but make referrals to external agencies on an ad hoc basis, as and when the need arises.
- 4.6 The current arrangements that the various departments of the Council currently have in place are laid out in the table below.

Service Area / Debt Type	Contractual arrangements / costs	Contract End Date (if applicable)
Parking	Bailiff income comes from statutory fees, 100% of debt collected is returned to the council.	30 th June 2017 (with an option to further extend for 1 year)
Council Tax / NNDR	Bailiff income comes from statutory fees, 100% of debt collected is returned to the council.	Part of the Capita contract –due to expire in April 2019
Sundry Debts	Arrangement with a Debt Collection firm who undertake a variety of activities in relation to aged debt, including provision of Enforcement Agents. Contractor retains 15% of any debt collected (i.e. 85% returned to the council), but if nothing is collected, no fee is payable.	No overarching contract in place, and referrals are made on an individual basis.
ASC / Legal	Bailiff income comes from statutory fees, 100% of debt collected is returned to the council. If no collection achieved, fee is a flat £75+VAT.	No overarching contract in place, and referrals are made on an individual basis.
Housing Benefit Overpayments	Provided through insolvency solicitors when needed.	No overarching contract in place, and referrals are made on an individual basis.
BHP – Former Tenant Arrears	Specific one-off arrangement with a Debt Collection firm who undertake trace and collection activities, including enforcement. Contractor retains 35% of any debt collected (i.e. 65% returned to the council), but if nothing is collected, no fee is payable.	A specific sample of aged FTA debts was passed over in 2015, and continues to be worked by the firm, but there is no long-term contract in place for newer FTAs.

- 4.7 Most service areas make so few referrals to debt collection agencies and Enforcement Agents that there is no need for a high level, long-term contract, and it is practical to make referrals on an ad hoc basis. Only two service areas, Parking and Council Tax / NNDR, refer enough cases to Enforcement Agents to make individual referrals impractical, and warrant the need for an over-arching contract. The first of these contracts (Parking) is not due to expire until the end of June 2017, and as discussed in paragraph 4.19 initial modelling suggests it would not be viable to create an in-house service for parking debts alone. However there may be opportunity to negotiate that a proportion of warrants are allocated to an in-house team before the expiry of a contract.
- 4.8 Almost all the arrangements with Enforcement Agencies are zero cost to the Council, as the agencies get their income through retention of the statutory fees. The exceptions to this are where we employ debt collection firms to undertake trace and collect activities, where often the service is provided on a shared return basis, but the fees applied are effectively covering collection activities rather than enforcement.

Current Performance

- 4.9 There is considerable variation in the performance of bailiffs for different types of debt within Brent. Most services do not pass enough debt to Enforcement Agencies in order to reliably assess performance, so only Council Tax, Business rates and Parking will be considered.

Debt Type	Performance 14/15	Performance 15/16
Council Tax	14.09%	12.27%
NNDR	18.31%	14.95%
Parking	15.16%	15.29% ¹

In-house arrangements in other authorities

- 4.10 A number of other London authorities have implemented an in-house service, including;
- Merton (since 2003, and operating as a shared service with Sutton since 2012)
 - Lewisham (since 2015)
 - Havering / Newham (through the OneSource shared service arrangement)

¹ n.b. Parking data is not available for the 15/16 financial year, so the calendar year 2015 is shown as the most suitable comparator.

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- 4.11 Merton achieves a 45% collection rate on Council Tax and NNDR debts, and a 35% collection rate on parking debts, and the enforcement fees that they generate covers the £450k per annum service budget and delivers roughly £500k surplus back into the general fund.
- 4.12 Merton attribute this success to the fact that rather than cherry-picking warrants as a third party bailiff usually would, every debt is pursued, which they feel may have improved the perception that debtors can “get away with” not paying and led to improved collection rates. In addition, they report that staff are more accountable, giving the service manager more control, and that they enter into a significantly higher proportion of longer, more flexible payment arrangements with debtors than a private firm would.
- 4.13 Lewisham’s service has now been in place for a full financial year, and a recent report for their Public Accounts Select Committee³ stated “After one full financial year the service has improved the enforcement collection rate when compared to our external contractor for the year prior, increased the amount of information used to maintain the database, accepted more long term payment plans where appropriate, reduced the number of complaints and generated a surplus income of £200k.”

Table 1 - Volume of cases referred to Lewisham Enforcement Agency and value

Apr 15 to Mar 16	No. of cases	Value	Collected*	%
Council Tax	17,212	£10,864,788	£2,280,272	21%
Business Rates	225	£625,756	£104,911	17%
Total	17,437	£11,490,544	£2,385,183	21%

Table 2 - Fees raised and collected

Apr 15 to Mar 16		Value raised	Collected*	%
Council Tax		£3,357,014	£691,718	21%
Business Rates		£72,088	£12,227	17%
Total		£3,429,102	£703,945	21%

n.b. these figures include payments due on arrangement, so these should not be directly compared to the performance figures in table 4.9.

Comparison of fees

- 4.14 The legislation has standardised fees that can be charged at each stage of enforcement action, as laid out in the table below.

³ Source:

<http://councilmeetings.lewisham.gov.uk/documents/s42858/PAC%20EA%20update%200416%20report%20final.pdf>

Stage of process	Action	Fixed Fee	Percentage Fee (Debts over £1500 only)
Compliance	Writing to inform you of the debt, requesting payment, issuing an enforcement notice	£75	0%
Enforcement	Visiting your home or business premises to take control of goods, including everything involved in identifying, valuing and taking control of your belongings	£235	7.5%
Sale	Removing and selling the belongings that were taken control of in the previous stage	£110	7.5%

4.15 In line with best practice, the Council currently sends a “pre-enforcement letter” whenever a case is passed over to bailiffs, urging the debtor to clear the debt before enforcement fees are incurred. Both Lewisham and Merton send a further letter after the debt has been passed to their in-house bailiff services, advising that the debt has now been escalated to the enforcement stage, but offering one more opportunity to make payment before any fees are incurred. For an in-house team, waiving the compliance fee is a small price to pay for ensuring the debt is cleared cost-effectively, whilst preventing unnecessary indebtedness for their residents. For a private sector firm, there is no incentive to do this, as the income collected is passed to the client, and they retain nothing for their work. It should be noted that some bailiff firms do include an opportunity to pay before applying fees, but the practice is by no means universally applied.

4.16 This may in part explain why private bailiff firms appear to generate more income from warrants than local authority teams do. Lewisham’s figures show that they raise an average of £196 from each warrant that is passed to their in-house team. Merton raised an average of £214 per warrant in 2011 (this was under the old fee structure, but roughly marries with their current levels of income and number of warrants). In contrast, Equita were passed 11,000 Brent Council Tax warrants in 2015/16, from which they collected £750,000. Assuming these were collected at the same rate as the Council Tax debt associated with each one⁴, it suggests Equita are generating £487 per warrant.

⁴ The legislation states that when payments are made, they should be allocated to bailiff's compliance fees first, and once this is cleared, further fees are shared on a pro-rata basis between the debt itself, and the court costs. In practice this means that if a payment plan is lapsed, the recovery rate of fees may be higher than the recovery rate of the actual debt.

- 4.17 Whatever the exact cause of the differences in income generated in bailiff fees, the variation in itself gives further evidence of the need to exert greater control over the fees that are charged to our debtors by bringing this function in house.

Consideration of Parking Enforcement

- 4.18 For debts of Council Tax, NNDR, Housing Benefit Overpayments, and many fees and charges, debtors are concentrated within borough boundaries. For others, notably Parking, debtors are far less likely to be local. An analysis of 10,695 PCNs issued in 2015 revealed that only 7% (780 PCNs) were vehicles registered to Brent residents.
- 4.19 Assuming that the number of PCNs issued, and the relative proportion of PCNs issued to vehicles registered in the borough remains broadly the same, roughly 1600 warrants for PCN debts would relate to borough residents. Given a suggested caseload of 3,000 warrants per EA per year, it is unlikely to be viable to create an in-house service to deal with parking debts alone.
- 4.20 While a significant portion of out of borough debtors may be local enough to be managed by a locally-based team, there will clearly remain a significant caseload of debtors which can only practically be managed by retaining an external agency who have a national reach, and have access to technology such as Automatic Number Plate Recognition (ANPR) which would not be practical for us to implement.
- 4.21 In addition to this, the fees generated on average by each parking warrant are significantly lower than are achieved for (see Financial Implications below), and additional capital costs for items such as clamps would be incurred, making it unlikely that the Council would be able to recover the costs it incurs in running the service.
- 4.22 Finally, the key driver behind bringing enforcement in-house is that we can better control enforcement activities carried out with our residents, and use the service to gather greater intelligence on our debtors, which is of limited value to us if the vast majority of parking debtors are not residents of Brent.
- 4.23 As such it is recommended that if we decide to implement an in-house service, we do not include parking debts at this time.

Case volumes and staffing levels

- 4.24 Calculating potential service capacity is not an exact science, but other in-house models allow 3000-4000 warrants per enforcement agent (EA), and between 0.5-1FTE business support to each EA.
- 4.25 Capita issued 11,000 cases to bailiffs in 13/14, and 8,000 in 14/15 in respect of unpaid Council Tax, and 1,500 cases in both years in respect of NNDR – an average of 11,000 cases each year.

- 4.26 It is recommended that at least initially, we use the lower estimate of the number of cases that each EA could manage, and retain a third party EA arrangement to deal with surplus warrants. This would enable us to test out appropriate caseloads, provide capacity for peaks in demand, and mitigate against any potential drop in performance as the service is bedding in.
- 4.27 On this basis, a suggested service structure could be;
 Service manager / team leader x1
 Enforcement agents x 3.5
 Business Support x 3
- 4.28 Service costs, including staffing costs, are laid out in the “financial implications” section below.

Timescale for Implementation

- 4.29 Advice from other boroughs suggests it would take roughly 9 months from initial approval to go live with an in-house service, assuming the decision was taken to recruit experienced certified agents from the private sector rather than seconding staff internally and training them.
- 4.30 As presented in paragraph 4.6, the Council's existing Enforcement Agents for Council Tax and NNDR are provided through the Capita contract, which is not due to come to an end until April 2019. However, there may be an opportunity to negotiate that a portion of debts could be passed to an in-house service in parallel to Capita's arrangements with other bailiffs, in order to test out a scaled-back version of a full service.
- 4.31 The table below indicates the potential scheduling of high level milestones needed in order to implement the service.

Milestone	Duration	Sequencing
Approval of business case by Cabinet		Month 0
Service Manager seconded / appointed	2 months	Months 1-2
System tender process	2 months	Months 1-2
System configuration	4 months	Months 3-7
JD writing and preparation for recruitment	2 months	Months 3-4
Process Design (incl. changes to recovery team processes)	4 months	Months 4-7
Facilities procurement (vehicle leasing / PPE / handheld devices etc)	2 months	Months 4-5
Recruitment Process (front line staff)	3 months	Months 5-7
Legal compliance (EA certification / bond issue) – if uncertified staff are appointed	3 months	Months 8-9 (tbc)

Financial Implications

Estimated Service Costs

4.32 Estimated costs of implementing and running an in-house service are laid out in the table below.

Service Costs	One off costs £'000s	Ongoing annual costs £'000s	Notes
Team Leader / Manager Salary		56	Based on PO4 plus 30% on costs (56k)
EA salaries		157.5	Based on 25k (SO1) basic salary, plus a performance related pay element, and including on costs - expected to total 45k per FTE (based on Merton's costs)
Business Support		105	Based on scale 6 plus 30% on costs (35k)
Vehicle Leasing		12	250 pcm (3k per year) per vehicle
IT System	50	5	50k for purchase, c. 5k annual support costs (based on spend on "OneStep" software from other London Authorities)
Operational / Hardware Costs		20	Body-Worn Video, GPS trackers etc (all negligible costs individually)
Storage and sale of goods costs		30	Unknown how many cases are likely to reach sale stage, so this is purely indicative
Total Costs	50	385.5	

4.33 Looking at the figures from Lewisham and Merton, an estimate of the average fee generated per warrant for Council Tax / NNDR is £200⁵. This fee is considerably lower for PCNs, which in 2015 generated an average fee of £35 per PCN issued to our bailiffs.

⁵ This is based on an average fee of £196 per warrant from Lewisham's PAC report, and £214 generated by Merton (source: <https://modern.gov.sutton.gov.uk/documents/s22041/list%2006%20del%2034-12.pdf>)

- 4.34 Assuming the number and value of warrants passed to bailiffs remains the same as recent years, the table below outlines the likely level of fees that would be collected if different collection rates are achieved.
- 4.35 This shows that the service would need to achieve roughly 17% collection rate in order to recover the costs of operating the service.
- 4.36 The table also shows that if this 17% target is reached, this would bring in a little over £4m in Council Tax Debt, almost £700,000 more than was achieved by our third party bailiffs in 2015/16.

Collection rate	Income from statutory fees (£'000s)	Total Council Tax Debt Recovered (£'000s)	Surplus / Deficit compared to 15/16 (£'000s)
10.00%	£220	£2,335	-£1,057
12.50%	£275	£2,919	-£473
15.00%	£330	£3,503	£111
17.50%	£385	£4,087	£695
20.00%	£440	£4,670	£1,279
22.50%	£495	£5,254	£1,862
25.00%	£550	£5,838	£2,446
27.50%	£605	£6,422	£3,030
30.00%	£660	£7,005	£3,614

- 4.37 It is worth noting that while this is well below the rate achieved by Merton's long-established team (45%), and Lewisham's one year old one (21%), it is considerably higher than the performance achieved by the current private sector bailiffs arrangements (14% for Council Tax, and 15% for NNDR). As such this seems like a challenging, but not unrealistic target for year 1 performance.
- 4.38 As the service becomes gradually established, it would be expected to achieve much better collection rates, however it is wise to forecast prudently given our lack of experience in this area.

5. Staffing Implications

- 5.1 In the private sector, Enforcement Agents are generally recruited on the basis of a relatively low base salary, and additional performance related pay that enables them to earn commission based on the debts that they recover. In order to compete with the private sector and recruit and retain the best quality staff, most authorities that have

in-house EAs recruit them on the same basis; offering a low “retainer” salary, and a performance-based element which varies in relation to the value of debts recovered by the agent.

- 5.2 The only exception we have found to this approach from London authorities is Lewisham, who felt that with a thorough job evaluation process, and a robust approach to performance management, that it could compete with the private sector despite offering Enforcement Agents a fixed PO3 salary. Staff were recruited on 18 month fixed term contracts, and while performance management has broadly resulted in good results from the service, one contract is being allowed to lapse. Initially, there was no difficulty recruiting staff on the fixed salaries, however more recently this has posed a problem, as Croydon have recently begun recruiting for their own in-house service offering low base salary with additional performance related pay – which has resulted in Lewisham’s service manager, and a number of their Enforcement Agents moving over to Croydon’s new service.
- 5.3 This provides strong evidence that Brent would struggle to recruit, retain, and effectively performance manage the best agent unless it mirrors the private sector model of performance related pay.
- 5.4 As such it is recommended that a performance-based structure is adopted, with a base salary of c. £25,000 to mirror other London authorities, and ensure that the role exceeds the London Living Wage. Careful consideration will need to be given to the formula used to calculate any performance related pay element, and at what value this should be capped. A sensible approach might be to limit the overall “pot” available for all staff, and to employ a scaled approach to any additional payments according to the relative performance of each team member. The exact mechanism for how this should be achieved should be informed from the experience of other authorities, and it is suggested that it is reviewed each year.
- 5.5 Should any of our existing contractors employ staff who spend the majority of their time working specifically on Brent work, they may be subject to TUPE considerations. It isn’t currently known whether this applies, but given that our proposal is to mirror the arrangements in the private sector, this is unlikely to present a material obstacle to bringing the service in-house.
- 5.6 It is also important to note that there is a strong likelihood that as part of the Council’s wider commercialisation agenda, an independent trading entity would be created at some point. If such a structure were created, it would be able to recruit staff on different terms and conditions than those used by the council, and as such may be an ideal vehicle for testing a model such as this, especially in light of the fact that there is no immediate urgency to move the enforcement function in-house. It will also be useful to consider the timing of this; if staff are initially employed by the council and later transferred to a separate entity, the situation is considerably more complex than if they are employed by a trading arm in the first instance.

6. Legal Implications

- 6.1 The adoption and promotion of a Council-wide policy on debt recovery is intended to gain political buy-in, and assist recovery staff in their interactions with our customers through setting clear obligations. It does not propose any fundamental changes to the recovery process, and each debt type would continue to be collected in line with the relevant statutes.
- 6.2 The Council is already associated with enforcement agents and activities by contract. Regardless of whether these activities are carried out by an external agency, or an in-house team, they must be carried out in accordance with legislation, and codes of conduct must apply. Bringing this activity in-house will not materially change enforcement activities, but will enable the council to ensure that debts are enforced sensitively, and that flexible terms are offered where needed.
- 6.3 Regulation of enforcement activities is achieved through certifying individuals rather than organisations, so the Council would not need any particular legal status in order to carry out this function. The approach used by all authorities that we have spoken to is to employ certified enforcement agents, rather than recruiting existing authority staff and getting them certified.
- 6.4 In relation to procurement considerations, Enforcement Agency (Bailiffs) Services are deemed a service concession contract and therefore fall outside of the Public Contract Regulations 2016. They will also not be subject to the new Concessions Contracts Regulations 2016, because the value of the contracts falls well below the threshold of £4,104,394. As such there are no procurement regulations that would prevent us from bringing the service in-house.

7. Diversity Implications

- 7.1 As described above, the Council's approach to dealing with debtors remains fundamentally unchanged, and as such an Equality Analysis has not been carried out in relation to the proposed policy principles of; indeed it is hoped that through formalising and promoting our approach, and in particular the support that is available to vulnerable debtors, that we encourage engagement with vulnerable debtors who may traditionally have tried to ignore their debts.
- 7.2 An Equalities screening exercise has been carried out and is attached at Appendix B. This suggests that there would not be a need to carry out a full Equality Analysis.

Contact Officers

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CONRAD HALL
Chief Finance Officer

Appendix A - CAB Priority debts listing

(Source: <https://www.citizensadvice.org.uk/debt-and-money/help-with-debt/how-to-sort-out-your-debts/>)

Priority debts include:

- mortgage or rent arrears. If you don't pay these, you could lose your home
- gas and electricity arrears. If you don't pay these, you can have your supply disconnected
- council tax arrears. If you don't pay these, a court can use bailiffs to take your goods. If, after this, you still have arrears unpaid, you can be sent to prison
- court fines such as magistrates' court fines for traffic offences. If you don't pay these, the court can use bailiffs to take your goods. If, after this, you still have arrears unpaid, you can be sent to prison. Parking penalties issued by local authorities are not priority debts
- arrears of maintenance payable to an ex-partner or children. This includes Child Support you owe to the Child Support Agency. If you don't pay these, a court can use bailiffs to take your goods. If, after this, you still have arrears unpaid, you can be sent to prison
- income tax or VAT arrears. You can be sent to prison for non-payment of income tax or VAT
- TV licence or TV licence arrears. It's a criminal offence to use a television without a licence. You could be fined.

In Northern Ireland, the courts don't use bailiffs but in some cases can use seizure orders on certain items.

You may have other debts which you think it is particularly important to pay. For example, if you're disabled and rely on your car to get around, you may need to make paying for your car a priority debt.

You need to think very carefully about which debts you treat as the most important ones. You must have very good reasons, as you might have to convince a court or your other creditors why it is reasonable for you to treat these debts as more important than others.

Non-priority debts include:

- benefits overpayments
- credit debts such as overdrafts, loans, hire purchase, credit card accounts and catalogues
- water and sewage charges – you can't be cut off for water debts
- student loans
- money borrowed from friends or family
- parking penalties issued by local authorities.

You can't be sent to prison for not paying non-priority debts. But if you don't make any offers to pay, without explaining why, your creditors may take you to court. If you still fail to pay when the court has ordered it, your creditors can take further action. For example, they can get another court order which allows them to send bailiffs round to take your property away. This will be sold to cover your debts.

If you don't keep up payments under a hire purchase agreement, the lender may be able to take back the goods. Depending on how much you have paid, the lender may not need to get a court order first.

Appendix B – Equality analysis screening

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

Enforcement Agents, whoever their employer, are certified individually, and their activities are governed by legislation, so bringing the service in-house would not result in any material change to the activities that an Enforcement Agent carries out. The only slight change would be that we would encourage directly employed staff to allow greater flexibility when setting payment arrangements. This would be entirely at the Agent's discretion, and they would be encouraged to make an assessment of the debtor's ability to pay in order to inform this.

The Council currently outsources its debt recovery enforcement function to third party Enforcement Agents, over whom it has limited control, and it is hoped that bringing this service in-house, and using directly employed staff to carry out existing enforcement activities, would deliver the following benefits:

- improved debt collection
- greater control of enforcement activities and introduction of a more sensitive approach to collection (e.g. additional warnings and more flexible, longer term payment plans)
- improved intelligence from enforcement agents on debtor's circumstances
- statutory fees normally paid to third party agencies would be retained by the Council to cover the costs of operating the service, with any surplus used to contribute to the cost of delivering other Council services.

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

- The Council's debtors (both individuals and businesses)
- External partners who provide support to those in financial difficulty
- Existing staff would not be affected by the proposals. This is an activity that we do not currently carry out, so there may be equality implications for newly recruited staff that would need to be considered if the decision is made to bring the service in-house.

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

As described above, the actions of Enforcement Agents are governed by legislation, and a change in who employs them will not result in any material change to the activities that an Enforcement Agent carries out.

The only slight change would be that we would encourage directly employed staff to allow greater flexibility when setting payment arrangements. This would be entirely at the Agent's discretion, and they would be encouraged to make an assessment of the debtor's ability to pay, and use this as the only criteria when coming to an affordable payment arrangement. The decision would never be made on the basis of someone's equality characteristics, but it is recognised that in rare circumstances there may be a correlation between certain equality characteristics and a debtor's financial vulnerability; for example, someone who has recently given birth may be struggling financially, and someone who . These circumstances are not expected to be common though; financial vulnerability is likely to be as a result of a very wide range of circumstances, most of which are entirely independent of a person's equality characteristics.

Enforcement Agents would be expected to keep records of the reason why they have agreed a more flexible payment plan, and this could be periodically reviewed in order to monitor whether there are links between those affected by the change in our approach and the different equality groups.

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

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

It is hoped that the proposal will have a positive impact on the financially vulnerable, but this is not directly linked to equality characteristics.

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

The proposal will not result in any material changes to the Enforcement Activities that are carried out in the Council's name. These continue to be governed by the Taking Control of Goods Regulations 2014, which require Enforcement Agents to undertake training to enable them to identify and deal with vulnerable people, and to ensure vulnerable people are given the opportunity to seek advice before enforcement fees are incurred.

As described above, the only slight change will be the opportunity to offer more flexible payment terms to those who are in financial difficulty, which should result in a positive impact.

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

For many debt types, we do not hold data on equality characteristics; because the debtor is a business, or because we do not have the justification for collecting it (e.g. Council Tax). As such we do not have a very good understanding of the equality profile of our debtors. However any impact of the very slight change that is being proposed will be a positive one, felt by the financially vulnerable, and not by any particular equality group.

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

As described above, the proposal will be more important for those who are financially vulnerable, but this is not directly linked to equality characteristics.

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

The proposal relates to equality objectives 4 and 5:

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

5. To develop and sustain a skilled and committed workforce able to meet the needs of all local people.

Recommend this EA for Full Analysis?

No

 <p>Brent</p>	<p>Cabinet 13 September 2016</p> <p>Report from the Strategic Director of Resources</p>
<p>Ward: Preston</p>	
<p>Future Use of Preston Park Annexe</p>	

1.0 Summary

1.1 Preston Park Annexe (formerly Preston Library) comes within class D1 of the Use Classes Order. This would permit uses such as a day nursery, school library, or community use. In 2012, the building was reconfigured for use as a school/nursery and has had the following occupants:

- Preston Park Primary – from January 2014 – February 2015
- Wembley High Technology College – from March 2015 – April 2016

1.2 In July 2015 Cabinet approved the continued use of the premises to meet the need for primary school places until July 2017.

1.3 In anticipation of the termination of the education use, officers have considered options for the long term future of the site and this report sets out those options for Members to consider.

2.0 Recommendations

2.1 That Cabinet agree Option 2: to purchase the adjacent land to deliver 19 new homes and D1 community use space.

2.2 That Cabinet allow a 3 month period for the Council to negotiate with the adjacent landowner(s), and if unsuccessful, to then proceed with Option 1 to develop on Council land to deliver 5 new homes and D1 community use space.

2.3 That Cabinet delegates authority to the Strategic Director for Resources in consultation with the Chief Legal Officer and Chief Finance Officer in respect of awarding any professional services contracts for developing Preston Park Annexe scheme proposals.

- 2.4 It should be noted that a further report will be presented setting out when available: detailed plans, outcomes of consultation and investment requirements.

3.0 Detail

Preston Park Annexe

- 3.1 Preston Park Annexe, Wembley HA9 8PL (formerly Preston Library) is a purpose built 1960s single storey building on a site area of 968m²/0.2391acres. The premises are located in a residential area and Preston Road Underground Station is within a short walking distance. Please refer to Appendix 1 for the site plan.

Existing Use

- 3.2 As per the Cabinet decision in July 2015, the approved priority use of Preston Park Annexe is for school places (i.e. education) up to the end of the academic year 2016/17.
- 3.3 During periods when the building has not been needed for school places, the Council has agreed a short-term licence agreement with 'Preston Community Library' to use the building as a 'pop up' community library; an arrangement which came about through the library agreeing terms directly with Preston Park Primary, without involving the Council, although this has since been regularised.
- 3.4 The 'Preston Community Library' is a registered charity (no. 1148971) dedicated to re-instating the library service provision as a volunteer-run facility. The 'Preston Community Library' have a 'week to week' license with the Council to use the whole building as a 'pop up' library and associated communal activities. The Council remains liable for maintaining the building and security systems.

Options

- 3.5 In line with the Borough Plan and various Brent strategies, the following options were considered:

Community Use

- 3.6 In accordance with planning policy, there is a requirement to replace existing D1 provision.

Housing Delivery

- 3.7 The Council has a statutory duty to plan for housing provision to meet housing and homeless demand, and ensure supply of good quality homes. In order to assess the redevelopment potential of the site, the Council commissioned Pellings to undertake a Feasibility Study. Two redevelopment options are presented at Appendix 2.

School Places

- 3.8 The Council has a statutory duty to provide full time education for pupils living in Brent who are permanently excluded either from a school in Brent or from a school in another Borough. In November 2015, Cabinet approved the School Place Planning Strategy that set out the basic need for an increase in school places in Brent. This is due to population increase and the resulting increase in demand for specialist provision as well as the increased complexity of needs.

Library

- 3.9 The Council's library strategy lead to the closure of a Council library provision at these premises. Preston Community Library have expressed a desire for a permanent community library and requested consideration for a potential community asset transfer.

Summary of Options

Option 1 – Develop on Council Land to deliver 5 new homes and D1 community use space

Option 2 – Purchase adjacent land to deliver 19 new homes and D1 community use space

Option 3 – To use existing building for school places for primary aged school pupils

Option 4 – Market existing site

The table below outlines the implications of each option:

Preston Park Annexe Options Appraisal

Option	Meets Community Benefits	Meets Housing Needs	Capital Investment Required (Indicative subject to further testing)	Revenue Implications (savings, income or additional costs)	Return on Investment (Net Present Value) (Indicative subject to further testing)	Ability to Achieve (Risk Rating)
1: RECOMMENDED FALL BACK: Develop on Council land to deliver new homes and D1 community use space (no PRU provision)	Yes, up to 502 sqm of D1 community use space is provided on the ground floor. Through an open market tender there is potential for continued library provision with strong community backing (all volunteer support) subject to successful submission.	Yes - 5 New Flats	£2.6m	Generates annual rental income of £158k. The annual charge to revenue (MRP + borrowing) is £103k Annual Net benefit to revenue is £55k.	NPV = £1.4m	Medium Risk: Council currently owns the site but will require planning and Section 77 consent. Will also need to go out to open market to ensure fairness to other community groups who may require D1 space.
2: RECOMMENDED: Purchase Adjacent Land to deliver new homes and D1 community use space (no PRU provision)	Yes, up to 502 sqm of D1 community use space is provided on the ground floor. Through an open market tender there is potential for continued library provision with strong community backing (all volunteer support) subject to successful submission.	Yes - 19 New Flats	£7.4m	Generates annual rental income of £420k The annual charge to revenue (MRP + borrowing) is £297k Annual Net benefit to revenue is £123k.	NPV = £3.1m	Medium Risk: Council will require planning, Section 77 consent and negotiate land acquisition with no guarantee that landowner will sell. Also need to go out to market to ensure fairness to other local groups who may require D1 space.

3. Market existing site	Yes – Any local group would be able to use the premises to benefit the community subject to a successful bid through an open market process.	No	N/A	Limited – as operations rely on voluntary contributions but inevitable maintenance issues.	N/A	High Risk: There would some form of continued community service provision. However the Council will not be able to redevelop the site for housing delivery or manage the demand for school places.
4. To use existing building for school places for primary aged pupils.	Yes – The Council would be able to deliver its statutory responsibilities to make full time education for up to 12 primary age pupils who have been permanently excluded.	No	Requires up to £20k to meet PRU requirements.		N/A	Low Risk: The building requires minimal adaptation for school places and Preston Community Library would need to vacate the premises.

4.0 Financial Implications

Preston Park Annexe

- 4.1 Option 2 provides the superior financial return (£3.1m), but it does require a significant capital investment (£7.4m). The other financial risk is that the Council does not own the land and would need to negotiate a price with the current landowner. The current owner is not keen to sell and the financial assumptions made may not be achieved.
- 4.2 All NPVs are based on a D1 income target of £51k.
- 4.3 Option 3, in theory, is the easiest to deliver but does not benefit the Council commercially, even if it may provide a net social benefit.
- 4.4 Both Option 1 and Option 2 enable the currently approved use for education to continue until July 2017 and a further potential for an ongoing short term licence agreement for use as a 'Pop Up' community library until construction took place, at which time 'Preston Community Library' would need to make alternative arrangements. If the existing arrangement continues the Council will not be generating a market rent from the property during this time.

5.0 Legal Implications

- 5.1 The Education Act 2011 requires that the Secretary of State must give consent prior to the disposal or change of use of land which has been used for any school or academy in the last eight years.
- 5.2 Secretary of State Consent is also required under section 77 of the School Standards and Framework Act 1998 where local authorities wish to dispose of playing field land that has been used by a school in the last ten years. This already applies for Preston Park Annexe as it has been used by a maintained school during the last eight years.
- 5.3 The Council has a statutory duty to make full time education provision for pupils who have been permanently excluded from school after their 6th day of exclusion. If Preston Park Annexe is not to be used for this type of school place provision beyond July 2017, then a sustainable model needs to be developed including a list of proposed sites.

6.0 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 recommendations set out in this report, the impact for protected groups will be positive. A copy of the Screening Analysis is available at Appendix 3.

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 Option 4 would require an increase in staff to manage the school place provision for primary aged pupils from Preston Park Annexe.

8.0 Public Services (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.

Background Papers

N/A

Appendix

1. Preston Park Annexe Site Plan
2. Preston Park Annexe Feasibility Study
3. Equality Analysis

Contact Officers

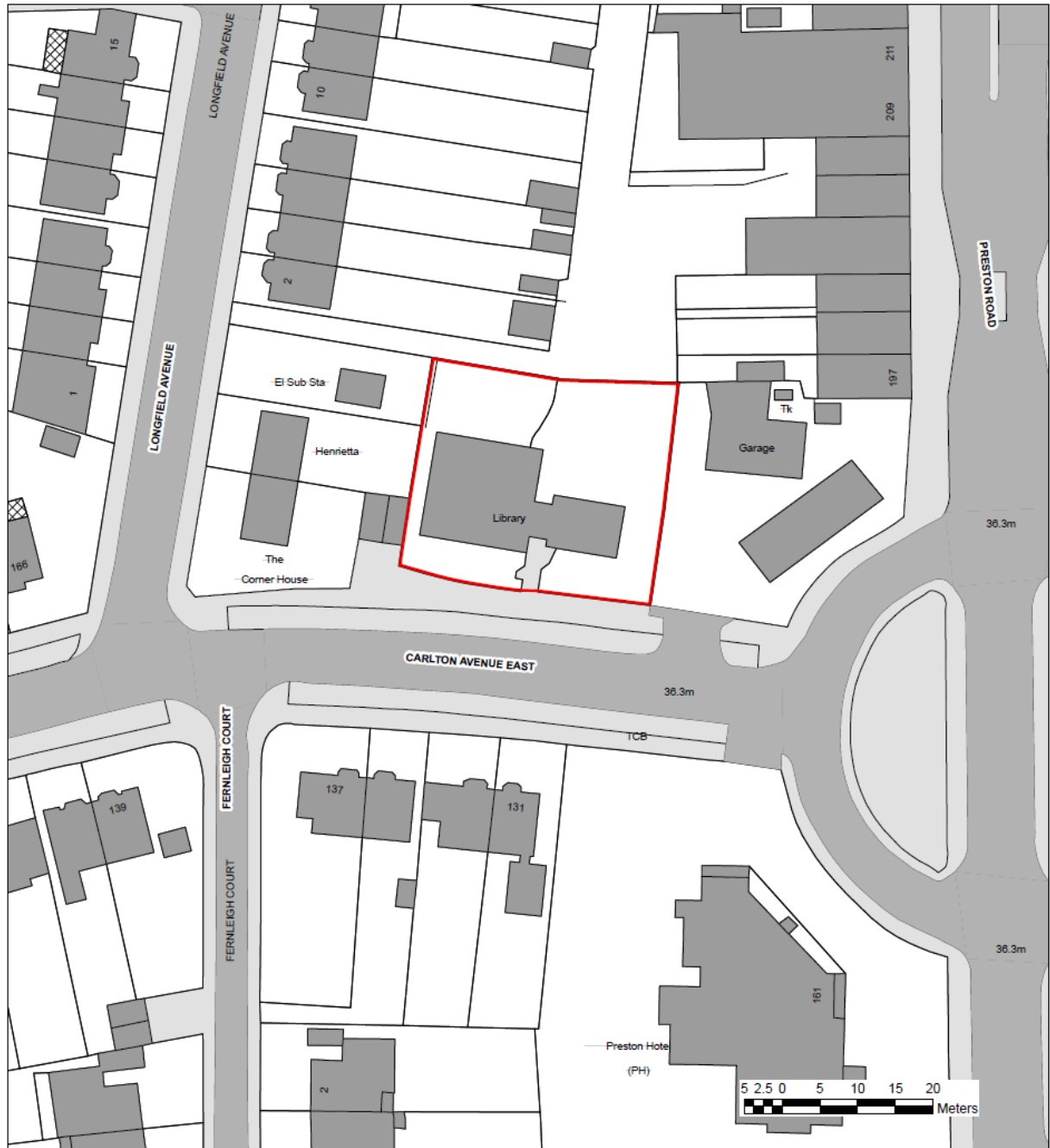
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Project Manager
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ALTHEA LODERICK
Strategic Director for Resources

Appendix 1 – Preston Park Annexe – Site Plan

**Preston Park Annexe,
Carlton Avenue East,
Wembley, HA9 8PL**



1:500
Plan to stated
scale if printed at A3.

Premises shown edged red.

PSMA OS copyright statement © Crown copyright and database rights 2012 Ordnance Survey 100025260
OS Open data copyright statement: Contains Ordnance Survey data © Crown copyright and database right 2012

NORTH



Appendix 2 – Preston Park Annexe – Option 1

778.001 - Brent Feasibility Studies
PRESTON BRANCH LIBRARY SITE



Carlton Avenue East
 Wembley HA9 8PL

Site Feasibility Study - Option 1
 24th March 2015

Site area	: 0.096ha
Existing site use	: D1 (Library / school)
Existing site GIA	: 480sqm
Height of existing	: 1 Storey
PTAL rating	: 3
London Plan Density	: 150 - 250 hr/ha
Proposed site GIA	: 1090sqm
of which D1	: 502sqm
No of Units	: 5 (3 x 2b, 2 x 3b)
Proposed Density	: 167 hr/ha



HEIGHTS

The site sits between the two-storey pitched roof houses of the low density residential area, and the three-storey shops lining Preston Road. The existing building on the site is single storey.

The only overlooking issues would be with the rear gardens of Longfield Avenue.



TREES AND AMENITY

The surrounding houses all have large gardens, and the streets are wide, with pavements separated from the carriageway by buffers of grass and rows of trees.

The larger grassed area of the roundabout is a positive visual amenity but difficult to access.



ASPECT / OVERLOOKING

With the exception of the rear of the two adjacent properties facing Longfield Ave, the site does not suffer any significant overlooking issues.

Roads are wide and lined with trees, increasing privacy.



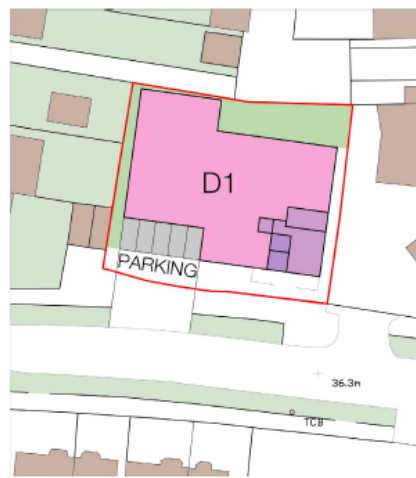
VIEW ALONG CARLTON AVENUE EAST



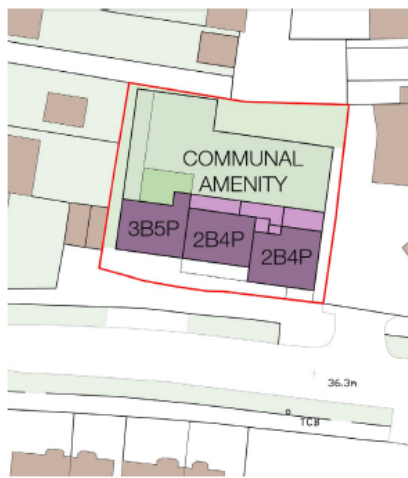
REAR WINDOWS ADJACENT TO THE SITE



EXISTING BUILDING ON THE SITE



GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN

Appendix 2 - Preston Park Annexe – Option 2

778.001 - Brent Feasibility Studies
PRESTON BRANCH LIBRARY SITE



Carlton Avenue East
 Wembley HA9 8PL

Site Feasibility Study - Option 2
 24th March 2015

Site area	: 0.18ha
Existing site use	: D1 + Garage
Existing site GIA	: 480sqm + 320sqm
Height of existing	: 1 - 2 Storey
PTAL rating	: 3
London Plan Density	: 150 - 250 hr/ha
Proposed site GIA	: 2400sqm
of which D1	: 502sqm
No of Units	: 19
Proposed Density	: 316 hr/ha



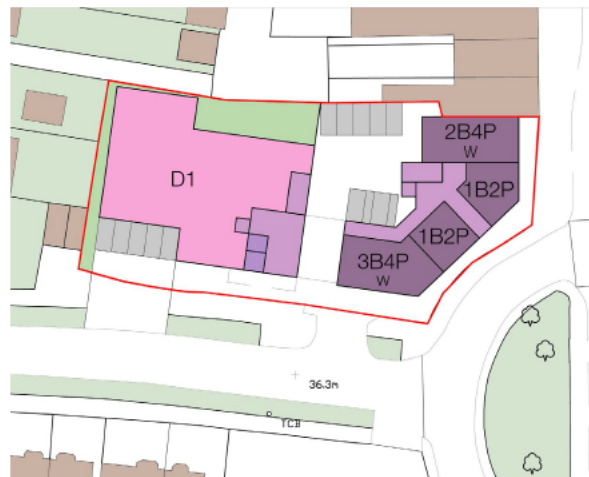
VIEW OF BOUNDARY BETWEEN SITES



GARAGE VIEWED FROM SOUTH



GARAGE VIEWED FROM EAST



GROUND FLOOR PLAN



FIRST FLOOR PLAN
 ACCOMMODATION SCHEDULE

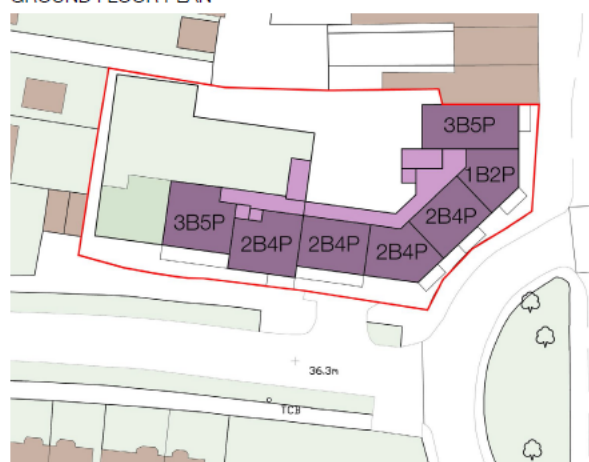
GROUND FLOOR:
 D1 USE = 502sqm

 2 x 1B2P min 50sqm
 1 x 2B4P Wheelchair min 85sqm
 1 x 3B4P Wheelchair min 100sqm

FIRST FLOOR
 1 x 1B2P min 50sqm
 5 x 2B4P min 70sqm
 2 x 3B5P min 86sqm

SECOND FLOOR
 1 x 1B2P min 50sqm
 4 x 2B4P min 70sqm
 2 x 3B5P min 86sqm

PROPORTION OF WHEELCHAIR UNITS = 2 of 19 = 10.5%
 PROPORTION OF FAMILY UNITS = 5 of 19 = 26%



SECOND FLOOR PLAN

Appendix 3: Equality Analysis:

Stage 1 Screening Data

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

The proposal concerns the future use of a council owned property: Preston Park Annexe (formerly Preston Library). There are a number of possible options and the report recommends:

- The preferred option for Preston Park Annexe should be to purchase adjacent land to deliver 19 new homes and D1 community use space.

Who is affected by the proposal?

In the case of Preston Park Annexe, the 'Preston Community Library' have a 'week to week' license with the Council to use the whole building as a community run library. The proposal for Preston Park Annexe would provide new housing and maintain the D1 community use provision.

In addition to the impact on existing users, it is therefore anticipated that new housing provision will assist in meeting housing demand.

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

It is not expected that there will be any differential impact.

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

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

No, although it should be noted that the expansion of school place provision has been identified as a priority and is likely to have a positive impact for all users of the service, including those in protected groups. Similarly, although it is not possible at this stage to assess the mix of additional housing that may be provided, there is the potential to meet some housing need.

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

The proposal will change services used by vulnerable groups but, as noted above, the change is expected to result in improved services.

Does the proposal relate to an area with known inequalities?

No.

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

No.


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.

 Brent	<p style="text-align: center;">Cabinet 13 September 2016</p> <p style="text-align: center;">Report from the Strategic Director – Regeneration and Environment</p>
For Action	Wards Affected: ALL
Brent Local Implementation Plan (LIP) Submission For 2017/18 - 2019/20	

1.0 Summary

- 1.1 The primary source of funding for schemes and initiatives to improve transport infrastructure and travel behaviour in Brent is Local Implementation Plan (LIP) funding, which is allocated through Transport for London (TfL). LIP set out how London boroughs will deliver better transport in their area, in the context of local and regional transport priorities and the overarching Mayor's Transport Strategy (MTS).
- 1.2 This report seeks the approval of Cabinet to submit the 2017/18 LIP to TfL and following the approval of that body, to implement the schemes and initiatives within the submitted/approved LIP programme and funding.

2.0 Recommendations

- 2.1 That Cabinet notes the 2017/18 total TfL provisional LIP allocation of £3,545,000.
- 2.2 That Cabinet approves the proposed 2017/18 programme of LIP Corridors, Neighbourhoods and Supporting Measures schemes, as set out in **Appendix A** of this report, through application of the prioritisation matrix, as described in this report and, subject to TfL approval in autumn 2016, instructs the Head of Highways and Infrastructure in consultation with the Lead Member for Environment to deliver this programme using the allocated budget and resources available.
- 2.3 That Cabinet authorises the Head of Highways and Infrastructure in consultation with the Lead Member for Environment to undertake any necessary statutory and non-statutory consultation and consider any objections or representations regarding the schemes set out in **Appendix A** of this report. If there are no objections or representations, or the Head of Highways and Infrastructure in consultation with the Lead Member for Environment considers the objections or

representations are groundless or unsubstantiated, the Head of Highways and Infrastructure in consultation with the Lead Member for Environment is authorised to deliver the schemes set out in **Appendix A** of this report. Otherwise, the Head of Highways and Infrastructure in consultation with the Lead Member for Environment is authorised to refer objections or representations to the Highway Committee for further consideration.

- 2.4 That Cabinet notes the scheme allocations are provisional and that schemes may be subject to change during development and following the consultation process.
- 2.5 That Cabinet authorises the Head of Highways and Infrastructure in consultation with the Lead Member for Environment to vary scheme allocations where necessary (e.g. pending the outcome of detailed design and consultation) within the overall LIP budget, in consultation with the Lead Member for Environment and in accordance with financial regulations.

3.0 LIP Bidding Process

- 3.1 The Council receives a fixed block of capital funding annually from TfL. The funding is made available through Section 159 of the GLA Act and is called LIP funding. This is for the specific purpose of investing in transport related programmes and cannot legally be spent on other activities.
- 3.2 TfL Guidance stipulates that the LIP financial allocation is to be used to support the “sustainable management and improvement of the borough’s transport network, and to influence travel decisions”. This accords with the Council’s approved LIP policies and supports the overarching policies and objectives set by the GLA/TfL in support of the MTS.
- 3.3 The amount of funding allocated to each borough is determined through a needs-based formula focussed on achievements of objectives and outcomes. The formula (developed by TfL in conjunction with London Councils) assesses need based on a set of metrics relating to four transport themes:
 - Public transport – bus reliability, bus patronage.
 - Road safety – monetary value of all casualties (killed, serious and slight) on all roads in the borough.
 - Congestion and environment – vehicle delay, CO2 emissions from transport.
 - Accessibility – residential population weighted by index of deprivation.
- 3.4 The indicators included in the formula are intended to reflect both:
 - The scale of the borough and its transport demand / network (number of bus users, residential population, etc.) to ensure that larger boroughs with more users get extra funding.
 - Policy outcomes or severity of transport problems (casualties, bus punctuality, etc.) to ensure funding is directed to boroughs where it is needed most and can make the biggest difference.
- 3.5 Under the LIP, there are five funding streams, each of which address different transport issues and apply different application and assessment requirements:
 - Corridors, Neighbourhoods and Supporting Projects;

- Major Schemes;
- Local Transport Funding;
- Principal Road Maintenance; and
- Bridge Strengthening & Assessment

3.6 Examples of schemes which can be submitted under each funding stream are as follows:

Table 1: LIP funding streams (TfL)

LIP Funding Stream	Description
Corridors, Neighbourhoods and Supporting Projects	Holistic or area-based schemes, including bus priority, cycling, walking, safety measures, regeneration, environment, accessibility, Cycle training, car clubs, installation of electric vehicle charging points, school and workplace travel plans, and instigating behavioural change to travel options.
Major Schemes	Large scale, high value (over £1 million) schemes which make transformational improvements to local areas or corridors. Major Schemes typically address multiple issues, such as street layouts, safety, access, public realm and economic activity.
Local Transport Funding	Since 2009/10, TfL has allocated £100k per borough through the LIP settlement for use at their discretion on transport projects, provided the use is in accordance with Section 159 of the GLA Act. It is intended to use the 2017/18 funding for Play Streets and small scale reactive safety projects.
Principal Road Maintenance	Structural maintenance of principal (main) roads. Carriageway condition surveys are used by TfL to make allocations for highways maintenance. Funding submissions for Principal Road Maintenance are made directly to TfL and will be reported as part of the Highways Capital Scheme Programme 2017/18 in March 2017.
Bridge Strengthening & Assessment	Structural maintenance of bridges. Allocations are made through an established prioritisation process.

3.7 Most notably our focus is on delivering schemes that have the highest potential for collision reduction. Through analyses of borough-wide collision statistics, streets and areas are identified where there is evidence of a disproportionately high number of collisions resulting in deaths, serious or minor injuries. From this analysis, a list of streets and neighbourhoods is identified where engineering measures have the potential to reduce the number of collisions that could occur in future years. This process is in accordance with TfL's requirement for all boroughs to prioritise funding to road safety projects.

3.8 This report provides details of the submissions to be made for funding in the 2017/18 financial year under the Corridors, Neighbourhoods and Supporting Projects, Major Schemes and Local Transport funding streams.

3.9 Submissions for Principal Road Maintenance and Bridge Assessment & Strengthening funding streams are submitted separately.

4.0 Prioritisation of Schemes

4.1 Over the course of a financial year a significant number of requests for infrastructure improvements are received. Given that funding is limited, it is not

always possible to satisfy all of the requests the Council receives. A prioritisation model for Brent assists us to objectively rank the infrastructure improvement requests, and hence to develop a draft programme based on our provisional funding allocation.

- 4.2 Brent uses a prioritisation matrix for selecting LIP schemes under the Corridors, Neighbourhoods and Supporting Projects funding stream. This was established in 2015 and approved by Cabinet as part of the report on the 2016/17 LIP submission alongside a complementary prioritisation matrix for Major Schemes funding submissions. This has not changed for the 2017/18 submission.

5.0 Corridors, Neighbourhoods and Supporting Projects Prioritisation Matrix

- 5.1 The Corridors, Neighbourhoods and Supporting Projects spending submission includes schemes identified through a number of sources, including:

- Schemes that have the potential to reduce collisions levels.
- Schemes that have been committed in previous years for multi-year funding.
- Schemes that support the MTS outcomes.
- Strategic schemes that support the Council's objectives, including supporting regeneration, high streets, public health and air quality.
- Requests, proposal and suggestions received from members, residents and businesses (e.g. Brent Connects forums, resident enquiries, etc).

- 5.2 After entering all potential schemes into the prioritisation matrix, these schemes are assessed by scoring each against the likely benefits that it would deliver. These benefits reflect the priorities stated within regional and sub-regional transport policies, plans and strategies along with Brent's corporate strategic objectives and growth plans. The process involves:

- Each scheme is initially assessed by the collision records for the area or street under consideration – data is input and a score generated depending on the number and types of collisions and casualties on record. This score is particularly weighted to produce a higher score where casualties have been vulnerable road users, such as children, pedestrians, cyclists and powered two wheelers (i.e. motorcycles and scooters), or where collisions are of greater severity (i.e. resulting in a fatality or serious injury).
- The scheme is then assessed against the objectives of the Mayor's Transport Strategy and meeting Borough priorities, such as regeneration high streets, public health and air quality.
- In the context of limited funding availability, schemes which are eligible for co-funding from other sources also receive additional weighting.
- After each scheme has been scored against the benefits that it would deliver, the total score is calculated and each scheme is ranked by high to low score.
- Some adjustments are made for existing and ongoing schemes where Borough priorities necessitate exceptions.
- A red line is drawn where accumulated total scheme values exceed the 2017/18 provisional funding value of £2,545,000, specific to the Corridors, Neighbourhoods and Supporting Projects element of the overall LIP funding.

5.3 For this 2017/18 LIP funding submission, a total of 56 schemes have been included to be taken forward during the current financial year for scheme development and/or implementation. However, if our final LIP allocation is different to the provisional value of £2,545,000 for the Corridors, Neighbourhoods and Supporting Projects element, we will need to amend the programme accordingly and will use priority scores to determine which projects can be taken forward during 2017/18.

6.0 LIP 2017/18 Funding Allocation

6.1 In late June 2016 TfL informed the Council of its provisional LIP allocation of £3,545,000 for 2017/18 across the Corridors, Neighbourhoods and Supporting Projects, Local Transport Funding and Principal Road Maintenance funding streams as part of issuing the guidance document for the process of compiling and submitting the annual Spending Submission.

6.2 The table below shows how this funding allocation has been divided between funding streams:

Table 2: 2017/18 Funding Allocations by funding stream

LIP Funding Stream	2017/18 Funding Allocation	2016/17 Funding Allocation
Corridors, Neighbourhoods and Supporting Projects	£2,545,000	£2,545,000
Major Schemes	Funding allocated on assessment of submissions	£250,000
Local Transport Funding	£100,000	£100,000
Principal Road Maintenance	£900,000	£901,000
Bridge Strengthening & Assessment	Funding allocated on assessment of submissions	£86,000
TOTAL LIP ALLOCATION	£3,545,000 (Provisional)	£3,882,000

6.3 The 2017/18 Spending Submission for Corridors, Neighbourhoods and Supporting Projects and Local Transport Funding must be submitted to TfL no later than Friday 7th October 2016.

6.4 The Principal Road Maintenance funding submission for 2017/18 will be reported to Cabinet in March 2017.

6.5 Interim submissions for Bridge Strengthening & Assessment funding for 2017/18 can be made throughout the year and are made on a needs basis. Funding secured through these submissions will be reported in the 2018/19 LIP submission report.

7.0 2017/18 Corridors, Neighbourhoods and Supporting Projects Spending Submission

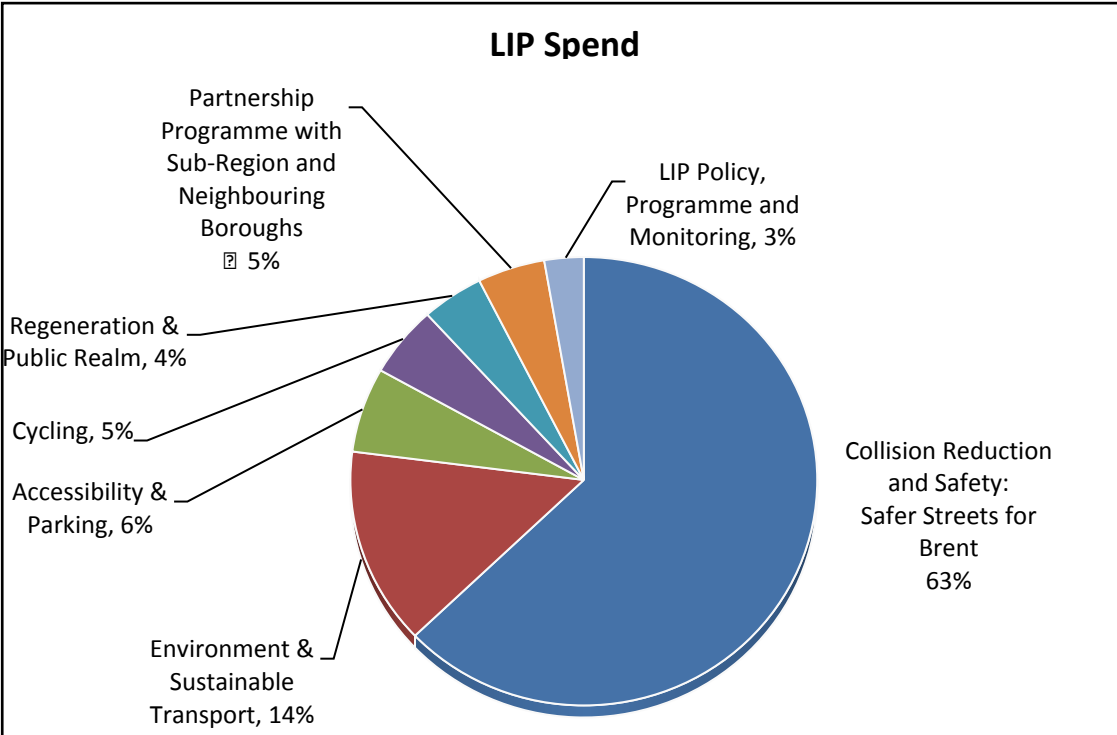
7.1 Brent’s 2017/18 provisional LIP allocation under the Corridors, Neighbourhoods and Supporting Projects funding stream is £2,545,000.

7.2 This allocation is unchanged from Brent’s provisional allocation for 2016//17.

7.3 The delivery programme is updated as part of a “rolling programme” with every annual spending submission, so schemes are identified not just for the forthcoming financial year but also for the two following years. This utilises one year of “approved” funding and two (future) years of “indicative” funding.

7.4 Members will therefore note that indicative funding requirements for 2018/19 and 2019/20 are set out on the draft programme for 2017/18 in **Appendix A**. These funding requirements are subject to change as schemes are identified and/or developed and cost estimates refined.

7.5 The following chart illustrates the spend profile of the proposed 2017/18 programme summarised against the broad objectives of Brent’s draft Long Term Transport Strategy and the MTS and objectives.



7.6 As part of the planning, design and delivery process, the Highways & Infrastructure service will undertake any necessary non-statutory and statutory consultation and consider any objections or representations to a proposed scheme. If there are no objections or representations, or where the Head of Highways & Infrastructure, in consultation with the Lead Member for Environment, considers the objections or representations are groundless or unsubstantiated, the necessary Traffic Management Orders will be implemented. Otherwise, objections or representations will be referred to the Highways Committee for further consideration.

7.7 It should be noted that the project costs outlined in **Appendix A** are preliminary high level estimates based on comparable projects recently undertaken within the borough. As such, these estimates are subject to change due to design refinement, responses to community consultation and government policy. In the event that project costs differ from the estimate, the Head of Highways & Infrastructure, in consultation with the Lead Member for Environment, will consider options for the virement of available funds to alternative projects as agreed with TfL to the limit of the LIP allocation.

8.0 Local Transport Funding

8.1 Local Transport Funding is provided to each borough as discretionary spending for transport projects, provided the use is in accordance with section 159 of the Greater London Authority Act 1999.

8.2 All London boroughs are allocated £100,000 each year under the Local Transport Fund funding stream. This was the funding received in 2016/17 and has been maintained for 2017/18.

8.3 It is intended to use the 2017/18 funding to implement Play Streets across the borough and deliver small-scale reactive safety projects.

8.4 -In November 2015 a report on Play Streets was presented to Cabinet which committed to funding Play Streets through Local Transport Funding

9.0 Major Schemes

9.1 Major Schemes are a programme through which TfL provides funding for a small number of large scale, high value (over £1 million) schemes which will make transformational improvements to their local areas and contribute to delivering the Mayor's Better Streets agenda. Major Schemes are generally located in areas with multiple issues which can be addressed by a single scheme, such as:

- Providing safer street layouts
- Improving access to local services and public transport
- Improving the public realm
- Increase economic activity
- Revitalise public spaces
- Enhancing local character

9.2 A £4.5 million Major Scheme was completed in Harlesden in 2014/15. This scheme reconfigured the existing gyratory system to reactivate the High Street by making it a more welcoming environment and removing all traffic except buses and loading vehicles from the High Street. This scheme resulted in a greatly improved public realm and improved bus amenity and travel times.

The boroughs of Brent, Ealing and Harrow, through the WestTrans Partnership, have also been awarded a Major Scheme for Sudbury Village, primarily aimed at revitalising the high street and improving access and interchange to Sudbury Hill (Piccadilly Line) and Sudbury Hill Harrow (Chiltern Railways) stations. This scheme is valued at £2.5 million and will be delivered from 2016.

9.3 In 2015 Brent submitted two Major Schemes applications for Kingsbury Town Centre and Kilburn High Road (joint scheme with London Borough of Camden and City of Westminster). While Kingsbury was unsuccessful, Brent was awarded £250,000 in 2016/17 to fund scheme development on the Kilburn High Road scheme. This work will be undertaken this year, with a stage 2 funding application to be submitted in a future year.

10.0 Bridge Strengthening and Assessment

10.1 Funding is provided under the Bridge Strengthening and Assessment programme to assist boroughs in maintaining and improving bridges and structures.

10.2 In 2016/17, Brent has been allocated £86,000 for the works listed in Table 3. These bids were applied through BridgeStation. These works will be monitored bimonthly on BridgeStation to ensure spending is scrutinised throughout the year.

Table 3: Bridges approved for funding in 2016/17

Brentfield Road over Canal Feeder	Assessment	£10,000
Ledway Drive	Assessment	£10,000
Northview Crescent over Mitchell Brook	Assessment	£15,000
Olympic Way over Wealdstone Brook	Assessment	£11,000
Twybridge Way North (1) & South (2) over Canal Feeder	Strengthening/ Design Review	£40,000

10.3 In addition to the above works Brent will be completing Principal and General Inspections in accordance with best practice. This information as well as other processes will be used to update our asset register and the quality of our information held via BridgeStation. Brent will also be examining historical data in order to efficiently bid for allocations in any interim bids and a 2017/18 funding bid.

10.4 Funding under the Bridge Strengthening funding stream is applied for through the London Bridge Engineering Group (LoBEG) via the BridgeStation Portal. BridgeStation holds Brent's structures information: basic info, inspection results, assessment results, etc. Submissions are also applied for through TfL portal, however, all of the supporting information for bids is stored on BridgeStation and LoBEG package leaders provide funding advice to TfL based on this information.

10.5 The deadline for submission of 2017/18 LoBEG applications for Bridge Strengthening and Assessment was 30th April 2016. Brent did not submit any bids in advance of this deadline. The Investment in Highways Business Case, which was approved by the Capital Investment Board in May 2016, has provided funding for inspections and data collection which will allow bids to be made in future.

10.6 Interim bids can be entered after 30th April 2016 and before 1st April 2017. Brent Council will likely submit some interim bids during this period, however there is

no guarantee that they will be successful or what may be included within these bids.

11.0 Principal Road Maintenance

11.1 Principal Road Maintenance funding is provided by TfL to renew principal (A class) roads in the borough. This programme of works is developed through an assessment of need taken from the most recent condition surveys provided and reviewed by TfL.

11.2 Preventative road maintenance and major resurfacing works are selected following an assessment of the entire borough-wide network to determine the current condition of the network. A scoring system is used to identify roads suitable for major resurfacing or preventative maintenance that assessed the following:

- Condition based on outcomes of annual condition surveys and inspection programmes;
- Road hierarchy and traffic usage, including proximity of local schools / colleges;
- Level of risk in terms of numbers of accident claims, historic pothole repair records and/or collision history; and
- The cost effectiveness of preserving roads that have not yet fully deteriorated and fixing those which have.

11.3 Principal Road Maintenance funding is applied for separately to other LIP funding streams and this will be reported in the Highways Capital Scheme Programme in March 2017.

12.0 LIP Performance Targets

12.1 Brent's LIP2 (Brent's current statutory transport plan under the Greater London Authority Act 1999) requires that interim targets should be set for transportation performance, with longer-term targets identified for a future end date when the impact of sustained investment will have had a chance to take effect.

12.2 Boroughs were required to present details of each target set, including the base year and baseline data used. Targets were illustrated by way of trajectories, with annual milestones for each of the agreed mandatory targets, which include:

- Mode share
- Bus reliability
- Asset condition
- Road traffic casualties
- Carbon Dioxide (CO₂) emissions.

12.3 TfL have set the long-term 2025 performance targets for boroughs; and supply data annually to report on boroughs' progress in maintaining the trajectory towards achieving their long-term performance goals.

- 12.4 TfL requires boroughs to provide annual updates of progress in achieving LIP performance targets. An update will be submitted to TfL at the same time as this LIP submission.

13.0 Financial Implications

- 13.1 TfL has allocated the Council a provisional sum of £3,545,000 against specific approved programmes. The proposed LIP programme under the Corridors, Neighbourhoods and Supporting Projects element for 2017/18 totalling £2,545,000 and presented in detail at **Appendix A** is therefore fully funded. However this is subject to final confirmation of the value of the LIP settlement for Brent.
- 13.2 The Head of Highways & Infrastructure proposes to implement the programme within available resources. Technical staff time will be charged to the capital schemes within the LIP allocations. There should be no additional cost to the Council in implementing these schemes.
- 13.3 Given that the terms of LIP funding stipulates that it should be applied to the related financial year and does not permit any carry over of underspend, it is pertinent that all works must be completed by 31st March 2018.
- 13.4 The medium term capital programme included in the Budget 2016/17 and Council Tax report submitted to Cabinet and Full Council did not include provision for LIP funded works in 2017/18 or future years.

14.0 Legal Implications

- 14.1 Section 144 of the Greater London Authority Act 1999 (“the 1999 Act”) requires that in exercising any function London Local Authorities must implement the MTS. This Strategy sets out the transport policy framework for London.
- 14.2 The Council indicates how it will implement the MTS through its LIP which sets out various objectives. The Council is required to submit a spending submission to demonstrate how it will achieve its LIP objectives.
- 14.3 Section 159 of the Act authorises the GLA to provide funding to local authorities where the expenditure is “conductive to the provision of safe, integrated, efficient and economic transport facilities or services to, from or within Greater London.”
- 14.4 The requirements regarding publication and consultation regarding the making of Traffic Management Orders are set out in the Road Traffic Regulation Act 1984.

15.0 Diversity Implications

- 15.1 The public sector duty set out at Section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, and to advance equality of opportunity and foster good

relations between those who share a protected characteristic and those who do not share that protected characteristic.

15.2 The draft programme described in this report has been assessed by way of an Equalities Impact Assessment (EA). A copy of this EA is attached in **Appendix B**.

15.3 The EA has concluded that there are no diversity implications arising from this report. Specific diversity implications relating to individual schemes will be identified and addressed as part of individual project development plans and consultations carried out as part of the scheme designs.

16.0 Staffing / Accommodation Implications

16.1 There are no significant staffing implications arising from this report.

17.0 Environmental Implications

17.1 The proposals in this report have been assessed by way of the Strategic Environmental Assessment linked to the Council's existing statutory LIP. There are no negative environmental implications of note arising from the funds allocated through the 2017/2018 Brent LIP funding application/settlement.

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AMAR DAVE
Strategic Director – Regeneration and Environment

Local Implementation Plan (LIP) 2017/18 proposed schemes**Key to Ward Abbreviations**

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

Brent Council LIP Three Year Delivery Plan – Corridors, Neighbourhoods and Supporting Projects Schemes

Scheme	Description	17/18 Stage	Affected Ward(s)	Scheme Value (£k)		
				17/18	18/19	19/20
LIP Policy, programme & monitoring	Resource related funding for development work relating to future year's LIP schemes/programme	Deliver	Borough-wide	50	50	50
Travel awareness programme	Travel awareness work such as events and promotional activities, magazine articles and adverts to further promote and raise awareness for sustainable transport across Brent.	Deliver	Borough-wide	25	25	25
Brent Speed Limit Strategy	Development of a borough-wide Speed Limit Strategy to ensure speed limits are appropriate for the grade and purpose of each street type.	Deliver	Borough-wide	20	0	0
Installation of Electric Vehicle Charging Points (EVCPs).	To facilitate the delivery of electric vehicle charging points (EVCPs) in Brent	Deliver	Borough-wide	5	5	5
Car Clubs	Delivering TMOs, signs and lines for on-street bays to promote the concept of car clubs and attempting to increase for demand for car clubs - particularly in the north of Brent. If demand increases and new car club locations are suggested by operators, then an element of the "local transport fund" is used for signs/lines/TROs.	Deliver	Borough-wide	5	5	5
Ladbroke Grove / Chamberlayne Road / Harrow Road junction	Brent's contribution toward a City of Westminster Scheme to improve the junction of Ladbroke Grove, Chamberlayne Road and Harrow Road. This scheme is located on a borough boundary with City of Westminster (50%), RBKC (25%) and Brent (25%)	Deliver	QPK	50	0	0
Local Safety Schemes - Investigation	Investigation, design and consultation of new local safety schemes aimed at areas of existing poor history of road traffic collisions.	Design & develop	Borough-wide	160	160	160

Scheme	Description	17/18 Stage	Affected Ward(s)	Scheme Value (£k)		
				17/18	18/19	19/20
Local Safety Schemes - Implementation	Implementation of local safety schemes after design, consultation and costings have been completed.	Deliver	Borough-wide	700	635	600
Forty Lane collision reduction	Barn Rise to The Paddocks & Bridge Road/Forty Lane to Wembley Park Station - preliminary design and consultation. Collision Reduction Programme (also to address loading/unloading & parking issues in the area). Accidents within 36 month period ending April 2012: 52 resulting in 63 casualties (KSI=4, Pedestrians=14, right turns=21, dark=18)	Deliver	BAR	150	140	140
Review/amendments of existing and future 20mph zones	Borough-wide 20mph review	Design, develop & implement	Borough-wide	10	10	10
School Travel (Walk and Cycle) supporting engineering measures around STP schools	Development and delivery of accessibility and pedestrian safety measures around and on the routes to various schools, including places with barriers to walking in the borough.	Design, develop & implement	Borough-wide	225	225	225
Bike It Project, Sustrans/Brent	A partnership project with Brent NHS, Sustrans have been commissioned to lead on this targeted cycling development project, offering training and promoting the health/lifestyle benefits of cycling.	Design, develop & implement	Borough-wide	30	30	30
Adult & child cycle training programme	An annual programme of cycle training activity delivered on behalf of the Council by Cycle Training UK.	Deliver	Borough-wide	100	100	100
Watford Road collision reduction	Northwick & John Lyon Roundabouts. Spanning 2 years as requires detailed liaison with LB Harrow. Casualty & Danger Reduction Programme - Accidents within 36 month period ending April 2012: 50 resulting in 74 casualties (KSI=5)	Design & development	NPK	100	300	300

Scheme	Description	17/18 Stage	Affected Ward(s)	Scheme Value (£k)		
				17/18	18/19	19/20
Ealing Road Lyon Park Ave to Mount Pleasant	Collision Casualty/Road Danger Reduction Programme. Including signal junction improvement at Ealing Rd junction with Mount Pleasant with pedestrian facilities.	Design & development	WEM / ALP	20	195	25
Wembley Central Transport Interchange	Town Centre Area Scheme including urban realm / traffic improvements. Design development in 2016/17. Further design development and consultation in 2017/18. Potential "Major Scheme" (Step 1 Application) to be submitted in 2018/19. Accidents within 36 month period ending April 2014: 13 resulting in 14 casualties	Design & development	WEM	40	100	100
Kingsbury Town Centre urban realm and other improvements - Kingsbury Road (Between West of Honeypot Lane to Church Lane)	Town Centre Area Scheme including urban realm / traffic improvements. Design development in 2015/16, with consultation and further development in 2016/17. Potential "Major Scheme" (Step 1 Application) to be submitted in 2016, but not accepted for funding. Accidents within 36 month period ending April 2012: 35 resulting in 39 casualties.	Design & development	FRY / KEN / QBY	70	100	100
West Sub-region Travel Planners	Brent's contribution to the travel-planning support provided to the borough by the West London Travel Planners - based in Ealing (via the "WestTrans" Partnership).	Deliver	Borough-wide	40	40	40
School Travel (Walk and Cycle) supporting non-engineering measures around STP schools	Smarter Travel interventions linked to the development of School Travel Plans (STPs) across Brent. Funding used for supporting materials for STP work within schools.	Design, develop & implement	Borough-wide	45	45	45
High Street Harlesden Signal Replacement	Replacement of signals at junction of High Street Harlesden and Furness Road. Originally raised as part of the Harlesden Town Centre scheme.			130	20	0

Scheme	Description	17/18 Stage	Affected Ward(s)	Scheme Value (£k)		
				17/18	18/19	19/20
College Road - All Souls Avenue - Chamberlayne Road NW Area 20 MPH	Collision Casualty/Road Danger Reduction Programme (including pedestrian, cycling and P2W related safety issues). 20mph area covering all local streets not currently within 20mph zones bounded by Harrow Road, Bakerloo Line, Chamberlayne Road and All Souls Avenue (including Chamberlayne and All Souls)	Design	BPK / KGN / QPK	150	20	0
Staverton Road - Brondesbury Park Area 20MPH	Collision Casualty/Road Danger Reduction Programme (including pedestrian, cycling and P2W related safety issues). Includes Willesden Lane, particularly near #223	Design	BPK	120	50	0
HTC "Routes in" 5 Harlesden Rd - Park Parade to Robson Ave	Collision Casualty/Road Danger Reduction Programme	Implement	WLG / KGN	5	0	0
HTC "Routes in" 3 Park Parade - High St to Harlesden Rd	Improving pedestrian facilities on desire lines to address high levels of pedestrian casualties. Accidents within 36 month period ending April 2012: 14 resulting in 14 casualties (Pedestrians=5)	Design & development	HAR / KGN	5	0	0
Bus Stop Accessibility Programme	Ensuring bus user accessibility to Brent's bus stops continues to improve. Examples include higher kerb-lines to facilitate wheelchair/ramp access and ensuring bus passengers do not alight onto grass verges.	Design, develop & implement	Borough-wide	20	0	0
Education, Training & Publicity (ETP) initiatives	Road danger reduction related activities across the borough, such as awareness raising campaigns and other promotional activities related to making a Brent's roads safer for all users. Increased allocation which now incorporates the highly successful and well received " <i>Theatre in School</i> " Programme.	Deliver	Borough-wide	50	50	50
Environmental health initiatives – Air Quality	Continued support for Brent's Environmental Health team for localised air quality monitoring linked to motor-borne air pollution/roadside diffusion tubes and reports/studies linked to this area. Linkage with	Deliver	Borough-wide	15	15	15

Scheme	Description	17/18 Stage	Affected Ward(s)	Scheme Value (£k)		
				17/18	18/19	19/20
	WestTrans/sub-regional air quality monitoring.					
Workplace Travel Plans	Brent-wide support for the work of Brent's policy/sustainable transport team relating to the development of workplace travel plans within the borough.	Deliver	Borough-wide	20	20	20
School Buses Escort Programme	Continued support for addressing anti-social behaviour on key bus routes in Brent whereby funding is used for a human presence on troublesome routes/services to ensure successful operation of public transport in the borough and limiting police time.	Deliver	Borough-wide	30	30	30
Waiting & loading reviews	Development and delivery of new/review existing waiting & loading restrictions/addressing problematic locations in the borough.	Design, develop & implement	Borough-wide	80	80	80
Urban Realm / Street Trees	To facilitate the planting of new, shallow-rooting street trees linked to urban realm improvement projects across Brent.	Deliver	Borough-wide	20	20	20
Accessibility & Disabled person's parking places	Providing disabled persons parking spaces across Brent to improve accessibility for disabled persons.	Design, develop & implement	Borough-wide	30	30	30
Signing & lining reviews	Reducing sign clutter throughout the Borough.	Design, develop & implement	Borough-wide	25	25	25
TOTAL 2017/18 LIP Funding Bid for Neighbourhoods, Corridors and Supporting Measures				£2,545		

Brent Local Safety Schemes – Investigations

The following local safety schemes are provisionally listed for design and consultation in 2017/18. Completion of design and consultation is subject to change based on budgetary constraints, community support, policy compliance and impact on other schemes. Therefore no assurance can be given that all schemes listed below will be delivered.

Scheme	Description	17/18 Stage	Affected Ward(s)
Edgware Road (Humber Rd to Gladstone Park Gardens)	Collision Casualty/Road Danger Reduction Programme	Design and Consult	DOL
Neasden Lane North (West Way to Quanton St)	Collision Casualty/Road Danger Reduction Programme	Design and Consult	WHP
High Road Willesden (St Andrew's Rd to Park Avenue)	Collision Casualty/Road Danger Reduction Programme	Design and Consult	WLG
Kenton Road (Lindsay Drive to Kingsbury Circle)	Collision Casualty/Road Danger Reduction Programme	Design and Consult	KEN
Church Road (Norfolk Rd to Mayo Rd)	Collision Casualty/Road Danger Reduction Programme	Design and Consult	HAR
Dudden Hill Lane (Chapter Rd to Meyrick Rd)	Collision Casualty/Road Danger Reduction Programme	Design and Consult	DNL / WLG
Harrow Road near Oakington Manor Drive	Collision Casualty/Road Danger Reduction Programme	Design and Consult	TOK / WEM
Neasden Lane near Cairnfield Ave	Collision Casualty/Road Danger Reduction Programme	Design and Consult	DNL
Stag Lane (Holmstall Ave to Goldsmith Ln)	Collision Casualty/Road Danger Reduction Programme	Design and Consult	QBY
Park Lane near Dagmar Avenue	Collision Casualty/Road Danger Reduction Programme	Design and Consult	PRE / TOK
2017/18 Provisional budget allocation for Local Safety Scheme Investigations			£160,000

Brent Local Safety Schemes – Implementation

The following local safety schemes have been designed and consulted on in previous years and are provisionally listed for implementation in 2017/18. Budget allocations are subject to formal costings and scheme implementation is subject to change based on budgetary constraints, community support, policy compliance and impact on other schemes. Therefore no assurance can be given that all schemes listed below will be delivered.

Scheme	Description	17/18 Stage	Affected Ward(s)
A5 North of Ashford Rd to S of Yew Grove	36 months to March 2014 - Total Accidents 43 resulting in 43 casualties - 8 KSI (Accidents within 36 month period ending March 2014).	Implement	MAP
Preston Road Junction of Woodcock Hill to junction of East Lane	Collision Casualty/Road Danger Reduction Programme (including pedestrian, cycling and P2W related safety issues).	Implement	BAR / KEN
Harrow Road, Wembley - West of Copland Avenue to East of Ealing Road	Collision Casualty/Road Danger Reduction Programme (including pedestrian and P2W related safety issues).	Implement	SUD / WEM
Ealing Road South Bridgewater Rd to Alperton Lane	Collision Casualty/Road Danger Reduction Programme	Implement	ALP
Cricklewood Broadway - North of Longley Way to junction with Kara Way	Collision Casualty/Road Danger Reduction Programme (including pedestrian, cycling and P2W related safety issues).	Implement	MAP
Kenton Rd W of Nash Way to E of Upton Gardens	36 months to March 2014 - Total Accidents 25 resulting in 35 casualties - 2 KSI (Accidents within 36 month period ending March 2014).	Implement	KEN
Dudden Hill Lane South East of Dollis Hill Lane to junction of Mulgrave Road	Collision Casualty/Road Danger Reduction Programme (including pedestrian, cycling and P2W related safety issues).	Implement	DNL
Harrow Road, Sudbury - Watford Road to Rugby Avenue	Collision Casualty/Road Danger Reduction Programme (including pedestrian, cycling and P2W related safety issues).	Implement	SUD
Church Lane North of Reeves Avenue to junction with Old Church Lane	Collision Casualty/Road Danger Reduction Programme (including pedestrian and P2W related safety issues). Include zebra crossing near St Andrews Church	Implement	WHP

Scheme	Description	17/18 Stage	Affected Ward(s)
Kenton Road - East of Upton Gardens to junction with Totterhoe Close	Collision Casualty/Road Danger Reduction Programme	Implement	KEN
Neasden Lane South of Dudden Hill Lane to North of Denzil Road	Collision Casualty/Road Danger Reduction Programme (including pedestrian, cycling and P2W related safety issues).	Implement	DNL / WHP
Brentfield Rd Junction with Knatchbull Rd and extension to temple	36 months to March 2014 - Total Accidents 14 resulting in 20 casualties - 2 KSI (Accidents within 36 month period ending March 2014).	Implement	STN
Woodcock Hill Kenton	Speeding / Traffic calming	Implement	KEN
Harrow Road pedestrian crossing, Kensal Rise	Pedestrian crossing of Harrow Road to the west of Wrottesley Road - Particularly for access to Kenmont School	Implement	KGN
2017/18 Budget allocation for Local Safety Scheme Implementation			£700,000

Equality Impact Assessment (EIA)

Brent Local Implementation Plan 2017/18-2019/20

Brent Council Equality Analysis

Local Implementation Plan 2017/18 submission

Department	Person Responsible
Environment and Neighbourhood Services	Christopher McCanna
Created	Last Review
13th July, 2016	13th July, 2016
Status	Next Review
Screened	13th July, 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.

A report to Cabinet describes the use of the provisional capital investment, and in it Members are asked to note the funding available and approve the proposed use of the funding. This accords with the Council's approved Long Term Transport Strategy; and supports the overarching policies and objectives set by the Greater London Authority (GLA) and TfL in support of the Mayor of London's Transport Strategy.

Brent has been provided funding under the LIP process each year since 2004, with the Council completing annual spending submissions such as this one. The last Equality Assessment was undertaken in 2015 for the 2016/17 funding submission.

There are many long-standing barriers to equal access to transportation in Brent, which are gradually being addressed. These include, but are not limited to, accessible public transport infrastructure, street clutter and limited access to cycling. Since February 2014, all London Buses are low floor models which provide access to wheelchair users and easier boarding for older people and parents with children. In addition, TfL and London boroughs have been working hard to make more bus stops accessibility compliant. At present, we are on track to achieve the Londonwide target of 95% of stops accessible by the end of 2016 (Your Accessible Transport Network - May 2015 update (TfL 2015)).

Excessive street clutter (such as signs, guard rails and bollards) can provide obstacles to disabled people, older people and pregnant women. Projects included within the LIP are aimed at reducing or eliminating these obstacles.

LB Brent, along with other local authorities, TfL and the GLA, see increasing cycle use as a key means of reducing congestion, improving lifestyles and reducing pollution. The London Travel Demand Survey, published annually by Transport for London, demonstrates that in Brent cycling is a mode of transport which is significantly more likely to be used by white male residents. This is consistent with patterns seen London-wide. Anecdotally, this is believed to be due to safety concerns, lack of confidence and cultural factors. The LIP includes several cycling projects, some of which are aimed at redressing this disparity for example by broadening the appeal of cycling for women, older people and people from black, Asian and minority ethnic backgrounds (BAME).

The London Travel Demand Survey also shows that women and the BAME population are more likely to use buses than the average London resident. This suggests that these groups, along with disabled people, will benefit from improvements to bus accessibility.

Statistical evidence shows that in Brent young people are more likely to walk, and that people from BAME backgrounds, and particularly African-Caribbean children, are more vulnerable road users. Highway, public realm improvements and road safety education will reduce risk for these groups.

All new infrastructure will be constructed and certified to the latest relevant standards, which are fully compliant with equitable access for all protected groups.

Consultation will be undertaken for each individual scheme. This will address the particular impacts on people with each of the protected characteristics, and responses will be considered as part of the scheme to be delivered. As

yet, there is no evidence to suggest any of the schemes within the LIP will have an adverse impact on any of the groups listed.

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

The LIP has been prepared to enhance the highway environment and safety for all, and to promote equality. Many of the policies and priorities outlined in the Mayor of London's Transport Strategy are consistent with Brent Borough Plan objectives. Each of the proposals included within the LIP submission have been assessed for their potential impact from an equalities perspective.

The LIP will have an effect on every member of the community in Brent. However it is specifically geared to reducing barriers to accessibility for certain groups such as: people with disabilities; people with learning difficulties; people facing social exclusion; and more vulnerable users of the transport network, including women and children travelling at night and people from BAME backgrounds. There are specific LB Brent documents and national legislation/policies in place which aim to improve accessibility for these groups:

- Brent Local Plan
- Brent's Air Quality Action Plan (2012)
- Previous Local Implementation Plan submissions
- Brent Council Spending Plan 2016-2017
- Brent's Corporate Strategy
- Brent's Regeneration Strategy 2010-2030
- Draft Brent Development Management Policies
- Traffic Management Act 2004
- National Planning Policy Framework (2012) and associated Planning Practice Guidance

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

- Yes

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

- Age
- Disability
- Pregnancy and maternity

Most schemes included within the LIP benefit one or more of the equality characteristic groups in a consistent way. However there are some schemes which could benefit different equality characteristics in different ways. One such example is the Bus Stop Accessibility Programme, which aims to make all bus stops in the borough disability compliant. This will primarily benefit people with disabilities, addressing an existing inequality by making it easier to board and disembark from buses at bus stops. It will also assist people with the pregnancy and maternity and age characteristics, as it would improve the accessibility of buses for these people who may otherwise have limited mobility.

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

- Yes

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

- Age
- Disability
- Pregnancy and maternity
- Race
- Sex
- Social Economic Disadvantage

Any schemes which specifically address local safety issues will impact on people within the age and race characteristics, as there are some groups within these characteristics who are disproportionately represented amongst collision injuries. For example, BAME children are disproportionately represented amongst collision casualties so this group will see more benefits than some other ethnic groups.

Schemes located on or near high streets or commercial businesses can also increase the pedestrian activity in these areas, which can lead to an increase in employment opportunities for the local community, which may assist residents suffering from social economic disadvantage.

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

- No

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

- Yes

Projects included within the LIP are distributed across all wards of the borough and should particularly benefit residents who have particular transport needs because of their equality characteristics. For example, several schemes are located within Stonebridge ward, which is subject to a number of inequality metrics, including the youngest average age in Brent, the highest proportion of residents with bad health, a high proportion of BAME residents and the lowest income levels in the borough. All of these metrics are co-related to higher severity injuries in road traffic collisions.

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

- Yes

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

- Age
- Disability
- Pregnancy and maternity
- Race
- Sex
- Social Economic Disadvantage

The schemes included within the proposed LIP submission will see improvements to transport accessibility and road safety for all residents across the borough. However these are likely to be more important for some people because their equality characteristics are currently disproportionately affected by some of the issues being addressed by these schemes. Examples of this include improving accessibility for people with disabilities and improving road safety for BAME children, as detailed above.

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

- Yes

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

Recommend this EA for Full Analysis?

Yes

Comments

A mixture of qualitative and quantitative data will be used to form a judgment including:

- London Travel Demand Survey (2013), Transport for London
- Brent 2011 Census Profile (2013), London Borough of Brent
- Brent Ward Diversity Profiles 2011-2014 (2014), London Borough of Brent - TfL Accessibility Implementation Plan (2012), Transport for London

Information which has been used in developing the LIP includes:

- vehicle accident statistics and hotspot analysis
- TfL's iBus system
- the Mayor of London's Transport Outcomes
- the Brent Borough Plan
- requests submitted by councillors and local residents

- Rate this EA

N/A

Local Implementation Plan 2017/18 submission

Department Environment and Neighbourhood Services	Person Responsible Christopher McCanna
Created 13th July, 2016	Last Review 13th July, 2016
Status Screened	Next Review 13th July, 2017

Impact Assessment Data

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

5.1 Age (select all that apply)

- Positive

Young people are over represented amongst pedestrian casualties. Most people aged under 20 are unable to drive and therefore more likely to be making journeys on foot. In the 36 months to May 2015, young people aged below 20 composed 29% of pedestrian casualties, but only 25% of the population (2011 Census, TfL Collision statistics). These people are also particularly vulnerable in road traffic collisions as their injuries tend to be more severe when they are injured when compared to people aged between 18 and 64 and because non-car casualties are more likely to be killed or seriously injured compared to car drivers. While collision statistics do not provide any connection between residential location and collision details, the 'youngest' ward in Brent is Stonebridge (32.1% aged under 18) (Brent Ward Diversity Profiles 2011 - 2014 (2014)), and assuming pedestrian casualties are spread proportionally across the borough, this ward has the greatest potential for casualty reduction.

Some of the schemes contained within LIP such as School Travel, the Bikelt Project and Adult and Child cycle training, are specifically targeted towards improving road safety outcomes for children. Young people will also benefit from other road safety schemes, which aim to reduce road speeds and create a safer road environment, thus reducing the number and severity of casualties.

All schemes, including those which are not directly aimed at improving accessibility for people within the age protected characteristic, will be subject to an equality assessment which will identify any barriers and ways in which they can be addressed.

5.2 Disability (select all that apply)

- Positive

Several programmes within the LIP are aimed specifically at improving transport accessibility for people with disabilities, including the Bus Stop Accessibility Programme and the Accessibility and Disabled Person's Parking Places scheme. These projects aim to reduce the existing barriers to accessibility which exist for people with disabilities across the borough and make it easier for them to travel.

Stonebridge ward has the highest proportion of residents with a disability which limits their day to day activities (16.5%), while Queen's Park ward has the lowest (11.4%). All schemes, including those which are not directly aimed at improving accessibility for people with disabilities, will be subject to an equality assessment which will identify any barriers and ways in which they can be addressed.

5.3 Gender identity and expression (select all that apply)

- Neutral

There are no programmes within the LIP which appear to have any impact on the Gender identity and expression protected characteristic. Notwithstanding this, consultation will be undertaken for each project to ensure this on a case-by-case basis.

5.4 Marriage and civil partnership (select all that apply)

- Neutral

There are no programmes within the LIP which appear to have any impact on the Marriage and civil partnership protected characteristic. Notwithstanding this, consultation will be undertaken for each project to ensure this on a case-by-case basis.

5.5 Pregnancy and maternity (select all that apply)

- Positive

Brent has a higher conception rate (99.2 per 1,000 women) on average than London (89.4 per 1,000 women) or England and Wales (80.4 per 1,000 women). Because of this, there is a higher concentration of pregnant women and parents with greater accessibility needs. Examples of relevant issues include cluttered footpaths and bus stop accessibility.

There are several schemes within the LIP which will specifically address these accessibility needs. Some of these schemes, such as the Bus Stop Accessibility Programme and the Walking and Cycling to Schools initiatives, will improve accessibility borough-wide, while others Local Safety Schemes will address specific local safety issues across the borough which may detrimentally affect people's ability to travel. These schemes will not remove all potential barriers, however they will reduce some.

All schemes, including those which are not directly aimed at improving accessibility for people within the pregnancy and maternity protected characteristic, will be subject to an equality assessment which will identify any outstanding barriers and ways in which they can be addressed.

5.6 Race (select all that apply)

- Positive

Race can be a road safety issue because, according to the London Travel Demand Survey, the BAME population are more likely to use buses or walking than private vehicles or cycling. A 2007 study entitled 'Road Safety of London's Black and Asian Minority Ethnic Groups: A report to the London Road Safety Unit' by the London School of Hygiene and Tropical Medicine shows that the Black population are on average 1.3 times more likely to be injured on the roads than the White population. The BAME population also has a lower average age than the white population, which means a disproportionate number of children involved in road traffic collisions are from BAME backgrounds.

White male residents of Brent are significantly more likely to be cyclists than other groups, consistent with patterns seen London-wide. Anecdotally, this is believed to be due to safety concerns, lack of confidence and cultural differences in these groups. The LIP includes several schemes aimed at improving cycle training and broadening the appeal of cycling for women, children, older people and people from BAME backgrounds.

All schemes, including those which are not directly aimed at improving accessibility for people within the race protected characteristic, will be subject to an equality assessment which will identify any outstanding barriers and ways in which they can be addressed.

5.7 Religion or belief (select all that apply)

- Neutral

There are no programmes within the LIP which appear to have any impact on the Religion or belief protected characteristic. Notwithstanding this, consultation will be undertaken for each project to ensure this on a case-by-case basis.

5.8 Sex (select all that apply)

- Positive

While most transport issues are largely gender-neutral, there are a number of issues which benefit the sexes in different ways. For example, the London Travel Demand Survey shows that women are more likely to walk, whilst private vehicles are used by a larger proportion of men. Therefore road safety improvements will disproportionately benefit women, who make up a greater proportion of pedestrians on the street.

White male residents of Brent are significantly more likely to be cyclists than other groups, consistent with patterns seen London-wide. Anecdotally, this is believed to be due to safety concerns, lack of confidence and cultural differences in these groups. The LIP includes several schemes which will improve safety for existing (predominantly male) cyclists, whilst also aiming to broaden the appeal of cycling for women, older people and people from BAME backgrounds.

All schemes, including those which are not directly aimed at improving accessibility for people within the sex protected characteristic, will be subject to an equality assessment which will identify any outstanding barriers and ways in which they can be addressed.

5.9 Sexual orientation (select all that apply)

- Neutral

There are no programmes within the LIP which will appear any impact on the Sexual orientation protected characteristic. Notwithstanding this, consultation will be undertaken for each project to ensure this on a case-by-case basis.

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

- Neutral

There are no programmes within the LIP which appear to impact on any other protected characteristic. Notwithstanding this, consultation will be undertaken for each project to ensure this on a case-by-case basis.

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?

Consultation on this LIP spending submission was internal only i.e. within the Council. However requests from the public received in 2015 and 2016 were assessed for inclusion as part of our approved scheme prioritisation process. Through this process we recognised that there were some schemes, which due to their ability to directly address existing accessibility issues for certain equality characteristics, needed to be exempted from the prioritisation process. The draft LIP proposes the continuation of existing programmes aimed at improving accessibility for disabled persons, and people who have additional transport needs or face barriers in accessing transport because of their equality characteristics.

Consultation (public and statutory) is undertaken on all schemes involving the implementation of new measures and associated parking restrictions (traffic calming, casualty reduction measures, etc.). Community groups, including those representing disabled people, local Members and businesses are consulted, as well as all residents in the immediate area. Comments received are considered in deciding whether or not to implement schemes, with or without amendments. Any potential adverse impact on the community would be identified at the scheme development/preimplementation stage.

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

- No

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

All schemes included in the LIP will be designed and certified in accordance with existing design standards which have been developed to meet the requirements of people with a range of disabilities, and include measures to improve accessibility.

Brent Council will continue to publicise improvements made to reduce or remove barriers to equality and will raise awareness of any outstanding equality issues within the community.


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

None of the schemes listed within the LIP 2017/18 Spending Submission have any identified negative impacts; however consultation will be undertaken for all projects on a case-by-case basis prior to implementation to ensure that potential negative impacts are reduced or removed for all schemes.

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

None of the schemes listed within the LIP 2017/18 Spending Submission have any outstanding identified negative impacts.

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 <p>Brent</p>	<p>Cabinet 13 September 2016</p> <p>Report from the Director of Performance, Policy and Partnerships</p>
<p>For Information</p>	
<p>Covering Report for Scrutiny Task Group on Community Infrastructure Levy (CIL) and Section 106</p>	

1.0 Summary

- 1.1 This task group has been requested by the Scrutiny Members to ensure Brent council is achieving the best financial outcomes for the borough with its current CIL and section 106 agreements.
- 1.2 The purpose of the task group is to analyse and the current CIL and S106 processes with a view to ensuring that communities and councillors are engaged in the making of funding decisions.
- 1.3 The review was concerned with the CIL and S106 policies, engagement with communities and members and funding collection and allocation. The review also focused on the future of planning in Brent and looked at the South Kilburn development.
- 1.4 The review is aligned with borough priorities, such as the council's 2020 Outcome Based Reviews (OBRs) Employment Support and Welfare Reform and Regeneration (physical, social and environmental). The council's borough plan 2015-19 Better Place, emphasises increasing the supply of affordable, good quality housing; and Better Lives highlights supporting local enterprise, generating jobs for local people and helping people into work.

2.0 Recommendations

- 2.1 Members of the Cabinet consider the contents of the Community Infrastructure Levy (CIL) and Section 106 task group's report.
- 2.2 Members of the Cabinet approve the twenty five recommendations made by the task group and support the development of an action plan across the council and partner organisations to take these forward.
- 2.3 The Cabinet agree to receive a progress report against the recommendations in six months' time.

3.0 Detail

3.1 The task group reviewed the local arrangements of the council and its partner's, national research and guidelines, and, heard the views and opinions from local residents associations, neighbourhood forums and representatives from the voluntary sector. The task group consulted with officers, experts in this field and other London boroughs. The task group reviewed a number of concerns in the use of Community Infrastructure Levy (CIL) and Section 106 ; which formed the focus and key areas of the review, these included:

South Kilburn

- What were the key contributing factors to the success of South Kilburn?
- What can we learn?
- How can we emulate these practices across the borough?

Policy

- What are the council's current S106 and CIL policies and processes?, this includes:
 - How policies are aligned to the council's priorities?
 - What are the council's charging rates for CIL and priority S106 obligations?
- How does the council's current S106 and CIL policies, processes and performance compare with other local authorities?

Engagement

- What is the engagement model used?
- What is the involvement of elected members in the decision making processes for s106 and CIL funds?
- How can Brent residents become more actively engaged in the planning and development of local infrastructure?

Funding

- How funds have been spent and plans for spending future funds?
- How can funds be spent on more discretionary services, such as youth services, libraries and sports facilities?
- Can CIL & S106 funds be spent on mitigating negative social impacts?

Future Planning

- What are the council's priorities for future infrastructure in the borough?
- What is the status of impending S106 & CIL agreements?

3.2 The task group has made twenty six individual recommendations, spread across the five key questions outlined in its Terms of Reference. Each of these recommendations fall into one of five overarching themes which the task group believes should form the basis of Brent Council's future Community Infrastructure Levy (CIL) and Section 106 strategy.

1. Best practice

The council's planning department should actively seek examples of excellent practice regarding CIL collection and allocation; and the obligations stated in section 106 agreements from other local authorities and integrate these into its own long term strategy, whilst always ensuring that systems in Brent are designed to respond to the borough's unique needs. Performance targets should be carefully set, measured and benchmarked against other local authorities.

2. Engagement and Consultation

Public engagement in planning gain derived from development across the borough should become a council priority. The council should look for every opportunity to increase public awareness about the way local communities can help to shape their local environment through the planning system, particularly in relation to borough CIL receipts towards major community facilities and localised neighbourhood planning forum CIL receipts for smaller locally defined projects. This should also include wider consultation beyond the Cabinet members, planning committee, local councillors and officers by seeking to reach out to both residents, local businesses and hard to reach groups, particularly the younger and older communities who can participate in decisions about future developments in their local area and across the borough.

3. Alignment with strategic priorities

Brent Council should work to ensure that every development granted is aligned with the council's priorities such as social value that it received at a local/ neighbourhood level. The 2020 Outcome Based Reviews (OBRs) Housing Vulnerable People, Employment Support and Welfare Reform and Regeneration (physical, social and environmental). The council's borough plan 2015-19 Better Place, emphasises increasing the supply of affordable, good quality housing; and Better Lives highlights supporting local enterprise, generating jobs for local people and helping people into work.

It is right the council seek to use their planning gain receipts by reinvesting in projects that can produce a return using the Regeneration Benefit Assessment Tool, however, a balance must be struck on providing for cross sector strategic priorities and using receipts that also deliver local value add where communities directly benefit from development that emerges in their locality, which may not necessarily provide a return on investment – but provides for direct community value

4. Targeted transparency

All decisions about S106 and CIL should be made in a fully transparent way with the ability for the community and business stakeholders, Members (including back bench members whose wards are directly affected) to have the opportunity to engage in the process via different forms of consultation. Overall the council should be seeking to create a more transparent process, with increased focus on providing easy and understandable information for residents, businesses and developers to access to understand both how much money has been collected (on a quarterly basis) and demonstrate how the receipts are being utilised.

5. Working in partnership

In order to ensure that the council are getting the best possible outcomes (financial and otherwise) for the residents, and local business community of Brent, Brent Council should take every opportunity to improve partnership working with developers at a strategic level, supporting good pre-existing individual and team based relationships. Further partnership working should also include council partners such as the voluntary sector, resident associations and established neighbourhood forums. Following the Scrutiny Committee's discussion with the local development community, it was clear that there is a benefit to bring together a local developer forum that can actively engage with elected members on a quarterly basis to share points of view on how things are progressing across the borough and to use it as a vehicle to understand how the local property market across Brent is performing. The local developer forum would be an ideal opportunity to provide for a channel to look at how interested and active developers can support the council in meeting its strategic priorities and objectives.

3.3 Task Group Recommendations

South Kilburn

1. The successes of the South Kilburn Project engagement strategies and consultation activities is used as a benchmark when considering how to manage developments across the borough.

Policy

2. There is no clear leadership or responsibility on who is in charge on CIL and S106 and the task group recommend that a named officer assumes direct responsibility, accountability and operates in a more transparent way.
3. A public register is created (taken from the bi annual report and statement) detailing the infrastructure projects that are being funded directly through CIL receipts.
4. The council review its affordable housing policy and the relationship between s106 and CIL, once the Mayor of London announces its housing policy. As part of the review, a forensic independent analysis should be commissioned and reported back in a joint session to the Resources & Public Realm Scrutiny Committee and Cabinet on how the council is meeting its affordable housing targets in light of the introduction of CIL and the Mayor of London targets for social housing.
5. The council ensures that there is better understanding off planning performance in dealing with planning applications – both planning and legal team. This should be done be producing easy to understand guidance via the councils website.
6. The council carry out a review of delegated powers given to officers for spending limits and prioritisation of CIL/ S106 receipts for projects. All variations to CIL and S106 agreements be published quarterly and an agenda item at planning committee policy meetings.

7. The planning department conduct an annual review of S106 agreements and that where developers have not complied with the agreement action plans are included with that report. The task group recommend that that report is considered annually at a planning committee policy meeting and is available for scrutiny.

Engagement

8. The council invite the voluntary sector to submit proposals demonstrating the value they can add to supporting the expansion of Neighbourhood Forums. The council's expectation of the voluntary sector to include setting up viable community action groups, accessing available government funds, organising training for both the Neighbourhood Forums and elected members.
9. The current engagement and consultation process with residents is inadequate and it is recommended that where CIL receipts are to be spent, at least 25% of resident respond, the demographic make-up should be reflective of the population and the location concerned.
10. There is wider consultation with residents groups, faith groups, the business sector, residents associations and elected members before the Community Action Groups go live. The Community Action Groups have clear objectives linked to delivery of Community Development Plan objectives.
11. Elected ward members are involved in the decision making process for developments within their wards. Elected members should also be informed any planning applications in their wards with the view of engaging concerned residents and neighbourhood forums.
12. Provide neighbourhood forum training and support in whichever capacity is possible, in order for residents to create independent and sustainable Neighbourhood forums.
13. Support at the highest strategic level a Brent Developers Forum consisting of elected members and active developers in the borough which meets quarterly to review existing development projects and engages in forward planning. The task group recommend that a subcommittee of the developer's forum works with Community Action Groups to deliver added value to CIL projects.
14. Geographical Information System (GIS) mapping support is provided for voluntary sector organisations and neighbourhood forums, in order for these groups to access site previously and currently being developed.
15. Up-to-date information is provided about S106 /CIL that it is easily accessible and shared online and regularly email to members, neighbourhood forums and voluntary sector.

Funding

16. A bi –yearly report and financial statement is provided, outlining CIL receipts every six months showing the income and expenditure on specific projects funded

through CIL receipts should be provided to the Cabinet. An annual Report summarising CIL receipt income and expenditure should be published and presented to the Full Council annually together with a draft forward plan of strategic projects to be funded over the next year.

17. Neighbourhood CIL receipts are accounted for and a reporting and expenditure mechanism is established between the Council and designated Neighbourhood Planning Forums.
18. A more flexible allocation of CIL receipts beyond schemes that are prioritised through the Regeneration Benefits Assessment Tool (RBAT). The task group recommend that the Council review the Regeneration Benefits Assessment Tool (RBAT) after it has been operating for three years.
19. Consideration is given for borough CIL receipts use in the wider local communities (in both areas with and without Neighbourhood Planning Forums).

Future planning

20. A review of its CIL viability assessment test is commissioned to see if all the CIL receipts rates are viable and that it is not deterring the council's policy objectives in achieving its affordable housing targets.
21. Maximise the expertise and resources, directly or in kind of the development community and facilitate in partnership with CVS Brent, dialogue between developers and community/residents and neighbourhoods forums to work on community issues.
22. We recommend that S106 agreements are available to the Planning Committee as part of planning committee reports. We recommend the council review the viability of travel plans and ensure that detailed travel plans are included in all reports going to the planning committee. The council's planning officers should provide an in-depth and detailed briefing of the developments with regard to viability, CPZ and travel plans to the planning committee before the application is made.
23. Council planning negotiators ensure that agreements are aligned with council priorities has political oversight and accountability in order to take full advantage of future development/ regeneration opportunities; this includes priorities such as social value and employment.
24. The task group recommend that at least half of the Planning Committee members serve two years terms at any given time and all committee members and relevant committee members involved in housing and regeneration receive relevant up to date training on planning development and viability policy and practice issues.
25. The task group recommend regular strategic meetings on future regeneration issues is held between officers, the cabinet and chair of planning committee.

4.0 Financial Implications

- 4.1 Some of the recommendations noted within the report may have a cost attached to them. The majority of the laudable recommendations make use of existing officer time and resources. Working to support the creation of new neighbourhood forums, strengthening relations with partners and maximising social value and employment opportunities are all clear positive benefits to the community and the Council but it is important to recognise that these resources are finite.
- 4.2 Recommendation 4 refers to the commissioning of forensic independent analysis of Brent's affordable housing policy and the relationship to CIL and Section 106. This is currently uncosted but to procure a high quality piece of work from an external provider is not likely to cost less than £10k and might cost significantly more. Similarly, recommendation 20's request for a review of the CIL viability test would have a cost attached if it was procured externally rather than commissioned internally.

5.0 Legal Implications

- 5.1 The legislation surrounding CIL and S106 is complex, and the direction from central government is primarily focused on CIL. There should be further investigation from both Brent planning officers and Brent legal services to ensure the interpretation of CIL regulations meets requirements.

6.0 Diversity Implications

- 6.1 None

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 The following Brent services and partners would be affected by the recommendations made:
- Brent Planning Services
 - Brent Legal Service

Background Papers

Community Infrastructure Levy (CIL) and Section 106 task group Scope and Terms of Reference (February 2016).

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SCRUTINY

**COMMUNITY
INFRASTRUCTURE LEVY
(CIL) & SECTION 106
TASK GROUP
REPORT**

JULY 2016

**Cllr Harbi Farah (Chair)
Cllr Mary Daly
Cllr Wilhelmina Mitchell-Murray
Cllr Mili Patel
Cllr Chohan Bhagwanji
Mr Faraz Baber**

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1. THE CHAIR'S FOREWORD

I am pleased to present, on behalf of the members of the task group, the findings arising from the community infrastructure levy and section 106 task group, set up to establish whether Brent council is achieving best financial outcomes for the borough with its current section 106/CIL agreements and; how to ensure that flexibility is built into the section 106/CIL process to make sure that communities and councillors are engaged in the making of funding decisions.



The task group was established following a request to the Scrutiny Committee. Brent Community Infrastructure Levy (CIL) was formally introduced from 1 July 2013. Brent is also a collecting authority for the Mayor of London's CIL which was introduced from 1 April 2012. The reason for undertaking the task was to address concerns raised regarding the effectiveness of the S106 and CIL funding process and also to establish if sufficient policies were in place for engagement with Ward Members and local communities and that steps are being taken to enable these groups to contribute to the decision making process. As well as the effectiveness of current communication and ongoing engagement with Ward Members and local communities throughout the process.

This report highlights a number of areas for improvement, and by the time the task group started its work I observed an increasing level of communication improvements and assurance being made. This task group's primary concern was gaining a full understanding of the purpose of Section 106 and CIL contributions, and the processes used in monitoring and allocating them.

The task group was pleased to receive information from officers at Brent Council, local developers, voluntary sector and neighbourhood forums as well as the chair of planning committee in respect of their processes. The emerging picture in relation to the impending Housing and Planning Bill was also looked at. This is the subject of current consideration by officers, and the group felt it would be beneficial to receive further information on this topic at a later date.

I would like to thank my fellow Councillors for their work over the course of the review, and officers for their supporting contributions.

**Cllr Harbi Farah, Welsh Harp Ward
July 2016**

2. TASK GROUP MEMBERSHIP



Cllr Harbi Farah (Chair)



Cllr Mary Daly



Cllr Wilhelmina Mitchell-Murray



Cllr Mili Patel



Cllr Chohan Bhagwanji



Mr Faraz Baber

3. EXECUTIVE SUMMARY

The Community Infrastructure Levy is a planning charge, introduced by the Planning Act 2008 to provide a fair and transparent means for ensuring that development contributes to the cost of the infrastructure it will rely upon, such as schools and roads. The Community Infrastructure Levy (the levy) is a tool for local authorities in England and Wales to help deliver infrastructure to support the development of the area. The levy may be payable on development which creates net additional floor space, where the gross internal area of new build exceeds 100 square metres.

Brent must spend a minimum of 15% of CIL receipts in consultation with designated neighbourhood planning forums, subject to an annual cap of £100 per dwelling in the area. Areas that have an adopted Neighbourhood Development Plan (“Neighbourhood Areas”) benefit from an increase in the neighbourhood component of CIL to 25% which is uncapped.

Section 106 (S106) agreements, also known as planning obligations, are agreements between developers and local planning authorities that are negotiated as part of a condition of planning consent. The Town and Country Planning Act 1990 (the ‘1990 Act’) enables local authorities to negotiate contributions towards a range of infrastructure and services, such as community facilities, public open space, transport improvements and/or affordable housing.

Where an application is made for planning permission to undertake development on land within the area of a local planning authority, Section 106 of the 1990 Act allows the local planning authority and any person interested in the land to secure by a deed certain obligations which mitigate the harmful impact of the proposed development.

The task group has made over twenty six individual recommendations, spread across the four key questions outlined in its Terms of Reference. The recommendations have been grouped into one of five discovery themes which the task group believes should form the basis of Brent Council’s future Community Infrastructure Levy (CIL) and Section 106 (S106) policies.

1. Best practice

The council’s planning department should actively seek examples of excellent practice regarding CIL collection and allocation; and the obligations stated in section 106 agreements from other local authorities and integrate these into its own long term strategy, whilst always ensuring that systems in Brent are designed to respond to the borough’s unique needs. Performance targets should be carefully set, measured and benchmarked against other local authorities.

2. Engagement and Consultation

Public engagement in planning gain derived from development across the borough should become a council priority. The council should look for every opportunity to increase public awareness about the way local communities can help to shape their local environment through the planning system, particularly in relation to borough CIL receipts towards major community facilities and localised neighbourhood planning forum CIL receipts for smaller locally defined projects. This should also include wider consultation beyond the Cabinet members, planning committee, local councillors and officers by seeking to reach out to both residents, local businesses and hard to reach groups, particularly the younger and older communities who can participate in decisions about future developments in their local area and across the borough.

3. Alignment with strategic priorities

Brent Council should work to ensure that every development granted is aligned with the council's priorities such as social value that it received at a local/ neighbourhood level. The 2020 Outcome Based Reviews (OBRs) Housing Vulnerable People, Employment Support and Welfare Reform and Regeneration (physical, social and environmental). The council's borough plan 2015-19 Better Place, emphasises increasing the supply of affordable, good quality housing; and Better Lives highlights supporting local enterprise, generating jobs for local people and helping people into work.

It is right the council seek to use their planning gain receipts by reinvesting in projects that can produce a return using the Regeneration Benefit Assessment Tool, however, a balance must be struck on providing for cross sector strategic priorities and using receipts that also deliver local value add where communities directly benefit from development that emerges in their locality, which may not necessarily provide a return on investment – but provides for direct community value

4. Targeted transparency

All decisions about S106 and CIL should be made in a fully transparent way with the ability for the community and business stakeholders, Members (including back bench members whose wards are directly affected) to have the opportunity to engage in the process via different forms of consultation. Overall the council should be seeking to create a more transparent process, with increased focus on providing easy and understandable information for residents, businesses and developers to access to understand both how much money has been collected (on a quarterly basis) and demonstrate how the receipts are being utilised.

5. Working in partnership

In order to ensure that the council are getting the best possible outcomes (financial and otherwise) for the residents, and local business community of Brent, Brent Council should take every opportunity to improve partnership working with developers at a strategic level, supporting good pre-existing individual and team based relationships. Further partnership working should also include council partners such as the voluntary sector, resident associations and established neighbourhood forums. Following the Scrutiny Committee's discussion with the local development community, it was clear that there is a benefit to bring together a local developer forum that can actively engage with elected members on a quarterly basis to share points of view on how things are progressing across the borough and to use it as a vehicle to understand how the local property market across Brent is performing. The local developer forum would be an ideal opportunity to provide for a channel to look at how interested and active developers can support the council in meeting its strategic priorities and objectives.

4. RECOMMENDATIONS

The task group recommend:

South Kilburn

1. The successes of the South Kilburn Project engagement strategies and consultation activities is used as a benchmark when considering how to manage developments across the borough.

Policy

2. There is no clear leadership or responsibility on who is in charge on CIL and S106 and the task group recommend that a named officer assumes direct responsibility, accountability and operates in a more transparent way.
3. A public register is created (taken from the bi annual report and statement) detailing the infrastructure projects that are being funded directly through CIL receipts.
4. The council review its affordable housing policy and the relationship between s106 and CIL, once the Mayor of London announces its housing policy. As part of the review, a forensic independent analysis should be commissioned and reported back in a joint session to the Resources & Public Realm Scrutiny Committee and Cabinet on how the council is meeting its affordable housing targets in light of the introduction of CIL and the Mayor of London targets for social housing.
5. The council ensures that there is better understanding off planning performance in dealing with planning applications – both planning and legal team. This should be done be producing easy to understand guidance via the councils website.
6. The council carry out a review of delegated powers given to officers for spending limits and prioritisation of CIL/ S106 receipts for projects. All variations to CIL and S106 agreements be published quarterly and an agenda item at planning committee policy meetings.
7. The planning department conduct an annual review of S106 agreements and that where developers have not complied with the agreement action plans are included with that report. The task group recommend that that report is considered annually at a planning committee policy meeting and is available for scrutiny.

Engagement

8. The council invite the voluntary sector to submit proposals demonstrating the value they can add to supporting the expansion of Neighbourhood Forums. The council's expectation of the voluntary sector to include setting up viable community action groups, accessing available government funds, organising training for both the Neighbourhood Forums and elected members.
9. The current engagement and consultation process with residents is inadequate and it is recommended that where CIL receipts are to be spent, at least 25% of resident respond, the demographic make-up should be reflective of the population and the location concerned.

10. There is wider consultation with residents groups, faith groups, the business sector, residents associations and elected members before the Community Action Groups go live. The Community Action Groups have clear objectives linked to delivery of Community Development Plan objectives.
11. Elected ward members are involved in the decision making process for developments within their wards. Elected members should also be informed any planning applications in their wards with the view of engaging concerned residents and neighbourhood forums.
12. Provide neighbourhood forum training and support in whichever capacity is possible, in order for residents to create independent and sustainable Neighbourhood forums.
13. Support at the highest strategic level a Brent Developers Forum consisting of elected members and active developers in the borough which meets quarterly to review existing development projects and engages in forward planning. The task group recommend that a subcommittee of the developer's forum works with Community Action Groups to deliver added value to CIL projects.
14. Geographical Information System (GIS) mapping support is provided for voluntary sector organisations and neighbourhood forums, in order for these groups to access site previously and currently being developed.
15. Up-to-date information is provided about S106 /CIL that it is easily accessible and shared online and regularly email to members, neighbourhood forums and voluntary sector.

Funding

16. A bi –yearly report and financial statement is provided, outlining CIL receipts every six months showing the income and expenditure on specific projects funded through CIL receipts should be provided to the Cabinet. An annual Report summarising CIL receipt income and expenditure should be published and presented to the Full Council annually together with a draft forward plan of strategic projects to be funded over the next year.
17. Neighbourhood CIL receipts are accounted for and a reporting and expenditure mechanism is established between the Council and designated Neighbourhood Planning Forums.
18. A more flexible allocation of CIL receipts beyond schemes that are prioritised through the Regeneration Benefits Assessment Tool (RBAT). The task group recommend that the Council review the Regeneration Benefits Assessment Tool (RBAT) after it has been operating for three years.
19. Consideration is given for borough CIL receipts use in the wider local communities (in both areas with and without Neighbourhood Planning Forums).

Future planning

20. A review of its CIL viability assessment test is commissioned to see if all the CIL receipts rates are viable and that it is not deterring the council's policy objectives in achieving its affordable housing targets.
21. Maximise the expertise and resources, directly or in kind of the development community and facilitate in partnership with CVS Brent, dialogue between developers and community/residents and neighbourhoods forums to work on community issues.

22. We recommend that S106 agreements are available to the Planning Committee as part of planning committee reports. We recommend the council review the viability of travel plans and ensure that detailed travel plans are included in all reports going to the planning committee. The council's planning officers should provide an in-depth and detailed briefing of the developments with regard to viability, CPZ and travel plans to the planning committee before the application is made.
23. Council planning negotiators ensure that agreements are aligned with council priorities, has political oversight and accountability in order to take full advantage of future development/ regeneration opportunities; this includes priorities such as social value and employment.
24. The task group recommend that at least half of the Planning Committee members serve two years terms at any given time and all committee members and relevant committee members involved in housing and regeneration receive relevant up to date training on planning development and viability policy and practice issues.
25. The task group recommend regular strategic meetings on future regeneration issues is held between officers, the cabinet and chair of planning committee.

5. INTRODUCTION – SCOPE OF THE TASK GROUP

Background

Community Infrastructure Levy (CIL)

The Community Infrastructure Levy is a planning charge, introduced by the Planning Act 2008 to provide a fair and transparent means for ensuring that development contributes to the cost of the infrastructure it will rely upon, such as schools and roads. The Community Infrastructure Levy (the levy) is a tool for local authorities in England and Wales to help deliver infrastructure to support the development of the area. The levy may be payable on development which creates net additional floor space, where the gross internal area of new build exceeds 100 square metres. The limit does not apply to new houses or flats, and a charge can be levied on a single house or flat of any size, unless it is built by a 'self-builder'.

The levy is charged on new development. Normally, this requires planning permission from the local planning authority, the Planning Inspectorate, or the Secretary of State on appeal. Planning permission can also be granted through local planning orders. Examples are simplified planning zones and local development orders. Development can also be granted consent by Neighbourhood Development Orders including Community Right to Build Orders. Some Acts of Parliament, such as the Cross rail Act 2008, also grant planning permission for new buildings.

The levy applies to all these types of planning consent. CIL is non-negotiable and therefore brings more certainty and transparency to the development process than the system of planning obligations which could cause delay as a result of lengthy negotiations; however, developments may still require a legal agreement to control other aspects of the development like sustainability or affordable housing. The Government decided that this tariff-based approach provides the best framework to fund new infrastructure to unlock development.

Charities and Social Housing has relief from CIL on application, as do large residential extensions or annexes and self-build dwellings. Relief can also be granted in exceptional circumstances where CIL has an unacceptable impact on the economic viability of development. Decisions on whether to grant exceptional circumstances relief will be made by the Strategic Director of Regeneration & Growth in consultation with the Lead Member. The Council can take land or infrastructure as payment towards CIL instead of money, provided that the payment is equivalent to the amount of CIL liable. It is at the council's discretion to accept such an offer and decisions on this will be made by the Operational Director of Planning & Regeneration.

Mayoral CIL

London boroughs, including Brent Council also have to collect a CIL receipt towards contributing £300m from a mayoral CIL to pay for Crossrail. The borough collects this CIL payment on behalf of the Mayor from development liable to pay the CIL charge. In Brent, the current Mayoral CIL charge is £35m² (Zone 2). Other rates are £50m² in Zone 1 and £20m² in Zone 3

Brent CIL rates

Brent Council have adopted their CIL charging schedule and apply the following rates for new eligible development:

CIL Neighbourhood Fund

Brent must spend a minimum of 15% of CIL receipts in consultation with designated neighbourhood planning forums, subject to an annual cap of £100 per dwelling in the area. This neighbourhood component ("the Neighbourhood Fund"), like the Strategic Fund, should

be spent on infrastructure to support the development of the area but can also be spent on a broader range of items that can be funded through the strategic part of CIL: on the provision, improvement, replacement, operation or maintenance of infrastructure; and anything else that addresses the demands that development places on an area. The Neighbourhood Fund can also be used to provide affordable housing if the For a have identified this as a priority they wish to see delivered.

Areas that have an adopted Neighbourhood Development Plan (“Neighbourhood Areas”) benefit from an increase in the neighbourhood component of CIL to 25% which is uncapped.

Section 106

Section 106 (S106) agreements, also known as planning obligations, are agreements between developers and local planning authorities that are negotiated as part of a condition of planning consent.

The Town and Country Planning Act 1990 (the ‘1990 Act’) enables local authorities to negotiate contributions towards a range of infrastructure and services, such as community facilities, public open space, transport improvements and/or affordable housing.

Where an application is made for planning permission to undertake development on land within the area of a local planning authority, Section 106 of the 1990 Act allows the local planning authority and any person interested in the land to secure by a deed certain obligations which mitigate the harmful impact of the proposed development.

These obligations can:

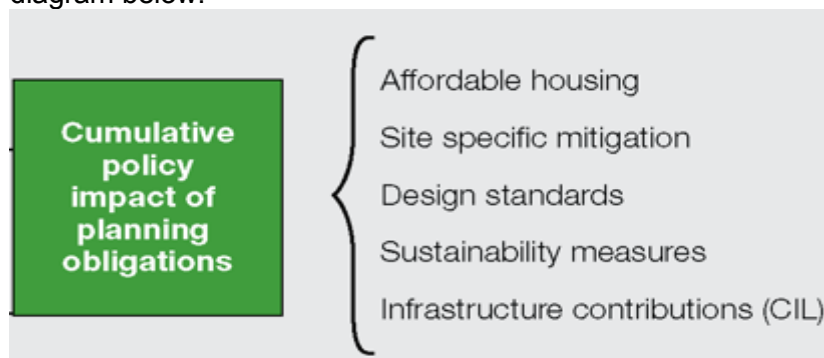
- restrict the development or use of the land in any specified way;
- require specified operations or activities to be carried out in, on, under or over the land;
- require the land to be used in any specified way; or
- require a sum or sums to be paid to the authority

The Community Infrastructure Levy Regulations 2010 set out the statutory criteria (the ‘necessity test’) for when a planning obligation may constitute a reason for granting planning permission for the development; that is when the obligation is:

- necessary to make the development acceptable in planning terms; directly related to the development; and
- fairly and reasonably related in scale and kind to the development

Section 106 contributions are also used to collect affordable housing contributions but are based on the viability assessment having taken account of the cumulative planning obligations of CIL, s278 agreements and s106 agreements to make the development acceptable in development terms.

This cumulative set of planning obligations required from an applicant can be shown in the diagram below:



Questions

The review considered the following questions in five key areas:

South Kilburn

- What were the key contributing factors to the success of South Kilburn?
- What can we learn?
- How can we emulate these practices across the borough?

Policy

- What are the council's current S106 and CIL policies and processes?, this includes:
 - How policies are aligned to the council's priorities?
 - What are the council's charging rates for CIL and priority S106 obligations?
- How does the council's current S106 and CIL policies, processes and performance compare with other local authorities?

Engagement

- What is the engagement model used?
- What is the involvement of elected members in the decision making processes for s106 and CIL funds?
- How can Brent residents become more actively engaged in the planning and development of local infrastructure?

Funding

- How funds have been spent and plans for spending future funds?
- How can funds be spent on more discretionary services, such as youth services, libraries and sports facilities?
- Can CIL & S106 funds be spent on mitigating negative social impacts?

Future Planning

- What are the council's priorities for future infrastructure in the borough?
- What is the status of impending S106 & CIL agreements?

Aims

The aims of the review set out at the start of the investigation were as follows:

- That there is further transparency and better understanding of the policies and processes regarding s106/CIL funding.
- Brent council is achieving the best outcomes for the borough with its current section 106/CIL agreements.
- That all outcomes are linked to the borough's priorities and needs via the borough plan.
- Flexibility is built into the section 106/CIL process to ensure that communities and councillors are engaged in making funding decisions.

6. METHODOLOGY

As part of this review the task group invited relevant partners to contribute through discussion groups, meetings and visits. Primarily, the task group started by collecting information about the national, regional and local picture on the use of CIL and S106. This included meetings with the Heads of Service for Planning and Regeneration and the Lead Cabinet Member.

The task group decided to hold five themed discussion meetings which reflected the key areas of the review (Policy, Engagement, Funding, Future Planning and Voluntary Sector) and met with the project manager for the South Kilburn development. Local residents' groups were invited to attend along with officers and partners. As part of these discussion groups other local councils attended and added their knowledge which enriched the quality of the discussions held. Given the focus on identifying good practice elsewhere, the group consulted with the LB Ealing, LB Camden, LB Lambeth, LB Haringey and LB Wandsworth.

Partners: Group 1

- Relevant Council Departments
- Brent partners
- Local Residents Groups
- Local Business Groups

Partners: Group 2

- Department for Communities and Local Government (DCLG)
- Planning Advisory Services (PAS)
- House Builders Federation (HBF)
- Best Practice Local Authorities

*A full list of participants of the task group's work can be found in section 10 of this report

7. POLICY CONTEXT

7.1. Brent

CIL

Brent Community Infrastructure Levy (CIL) was formally introduced from 1 July 2013. Brent is also a collecting authority for the Mayor of London's CIL which was introduced from 1 April 2012. In accordance with the CIL regulations, the council can only spend the majority¹ of CIL on infrastructure which supports the development of the area. This is, however, a broader range of spend that is typically permitted under S106 and can include:

- Provision of infrastructure
- Improvement of infrastructure
- Replacement of infrastructure
- Operation of infrastructure
- Maintenance of infrastructure
- Addressing the demands of development

CIL is not restricted to the area where the development from which it was derived took place, in fact CIL could be spent outside of the borough by a third party if it was felt that would best help development of Brent. CIL can be pooled in a number of ways and could be spent on a single item of infrastructure if that was deemed to be the best use of the funds.

The flexibility of CIL makes it a tempting source of funding for niche projects that would not otherwise secure council funds in the current financial climate, however it is important to note that there is an opportunity cost to every spending decision that is made and the flexibility of CIL makes it, in effect, the same as Council Capital Funding and therefore needs to be treated with similar levels of rigour when allocating.

CIL Neighbourhood Fund

Br The only neighbourhood forum which currently has access to CIL receipts from development derived from their area is Sudbury Town Neighbourhood Forum which has both a designated neighbourhood forum and also a neighbourhood plan which has successfully passed a referendum.

Brent Connects which is split into five neighbourhoods are not eligible to neighbourhood apportionment of CIL receipts as they are not designated neighbourhood forums as defined by the Localism Act 2011. However, Brent Council recognises Brent Connects as a vehicle to engage the community to help shape what the boroughs needs are which can help to inform how the borough CIL receipts are allocated.

Officers must engage with designated Neighbourhood Forums to determine their priorities of neighbourhood and borough CIL expenditure. Brent Council should also liaise with Brent Connects on how the borough CIL receipts should be spent. Officers will use information from

¹ Excluding CIL Neighbourhood Fund (at least 15%) and administration costs (5%)

the planning application process, the Strategic Infrastructure Plan (SIP) and input from Service Areas and other officers to support the development of suitable projects.

S106

A new process was introduced in 2015 giving greater oversight to Members and the senior management team and to ensure S106 money is spent on projects that meet the council's strategic objectives, necessitating a greater co-ordination and facilitation role for Planning & Regeneration, officers from which will have an overview of all projects by theme and area and will work to ensure the quality and value for money of projects.

The process is an annual one, following the financial year and beginning in late April after the final accounts for the previous financial year have been settled, to ensure a stable baseline is established. It follows the basic process set out below:



7.2. National

CIL

The aim is to allow local authorities to raise funds from developers to fund a wide range of infrastructure that is needed as a result of new development. Almost all development has some impact on the need for infrastructure, services and amenities, so it should contribute to the cost.

Planning Act says that authorities can only spend CIL on providing infrastructure to support the development of their areas:

“Infrastructure” legally includes (so the list in the Act is not exhaustive):

Flood defence, open space, recreation and sport, roads and transport facilities, education and health facilities.

CIL Regulations 2010 removed affordable housing, which will continue to be funded by S106. The Localism Act clarifies that CIL can be spent on the ongoing costs of providing infrastructure (Maintenance, Operational and Promotional).

The levy is expected to have a positive economic effect on development across a local plan area. When deciding the levy rates, an appropriate balance must be struck between additional investment to support development and the potential effect on the viability of developments.

S106

S106 funding is highly constrained by: the legal agreements by which the contributions are secured; the planning reasons on which the contribution was sought; national legislation and regulations; and the Courts. Some of those restrictions are discussed further below.

Spatial and thematic constraints

S106 funding is in the vast majority of cases linked geographically to the development from which they are derived: they must be spent in the vicinity or locality of the development. In every case, they must be spent such that the impact of the development is mitigated in some way. Projects should be focussed where recent or likely future development pressures are highest and whilst these tend to be within the borough's Growth Areas and Housing Zones, it is not limited to them.

Similarly, the funding is in the vast majority of cases secured for infrastructure falling into four broad themes of Education, Sustainable Transportation, Open Space and Sports. Funding for infrastructure not falling within these themes will be limited and spatially highly specific. Community Safety and Community Facilities are not core themes for S106 and only very limited funding is held in very specific circumstances.

To mitigate the impact of development

As a principle, providing funding for relevant infrastructure is an important means by which development can help to mitigate the impact an increased population can have on a local area and its amenities and social infrastructure; therefore new or expanded social or physical infrastructure in areas of greater development pressure will be prioritised over minor improvements to existing infrastructure in areas of low development pressure.

There is a distinction between projects which improve existing infrastructure to the extent that capacity is increased and projects with a narrower focus that might be better considered as maintenance works and should be funded from other sources.

To support the development of the area

A further principle is that, wherever possible, projects will be prioritised where they would help to generate further investment in the borough; as such the Regeneration Investment team will be closely involved in identifying or assessing projects and Service Unit liaison officers and project managers will be expected to work closely with that team.

Capital v Revenue

S106 funding is in the vast majority of cases Capital, not Revenue, funding. It is however recognised that some projects which are designed and managed by council officers or external consultants can incur fees; therefore reasonable professional fees can be included but an estimated percentage should be clearly identified from the beginning of the project's development. It is not acceptable to claim funds for management oversight or other overheads.

8. KEY FINDINGS

8.1 South Kilburn Project

As part of the task group's policy discussion meeting with officers and the lead cabinet member, it deliberated the South Kilburn Project (SKP), specifically focusing on s106 obligations and what the council thought were the developments successes and lessons learnt. The task group were informed that SKP has its own Programme Board, a project team that has been working on the project for some considerable time and that the project has been through a period of change with different funding strategies. The SKP started off as a New Deal with Communities (NDC) which had a particular framework of £55 million over 10 years.

It was felt that the project had various success, however, the main reason was due to the land being owned by Brent. Other factors of success included, a very clear strategy from the top on how to deploy and develop the land and working very closely with the communities. The project gave clear reassurances to the existing residents regarding rehousing, which the council has fulfilled. In terms of affordable housing, the SKP is the only development which the council is providing affordable social housing at 50%. The final factor to the success of the South Kilburn project, was that NDC not just in Brent but across the country, spent half its time engaging and capacity building.

The task group also met with the South Kilburn Project Manager, who agreed that the extensive and ongoing engagement and communication with the communities regarding the development including the s106 investment in education, was key to the project's success. More recently the SKP have embarked on ambitious engagement and consultation project for the Woodhouse Urban Park and the land north of Chippenham Gardens

Woodhouse Urban Park – A New High Quality Urban Park Coming Soon to NW6

The engagement board (WHUP Engagement) (*Appendix 1*) identifies the range of consultation sessions, workshops that were held throughout the early lifecycle of the project. The sessions extended to a visit to the Olympic Park Tumbling Bay where residents had the opportunity to gain inspiration for the design of Woodhouse Urban Park – (our appointed architect designed the Olympic Park Tumbling Bay). In addition to the scheduled sessions additional workshops with the local children were held to gain further ideas and input into the play items.

Land North of Chippenham Gardens (LNCG) – 52 New High Quality Homes for NW6

An engagement strategy for LNCG has been developed (*Appendix 2*) and a number of consultation sessions have been held to engage and inform the community, residents and stakeholders of the projects objectives, benefits and progress

In addition to the consultation sessions for LNCG; regular updates are provided in various publications, articles for the press, The Brent Magazine and the SK Connect which enables residents and the local community to be fully updated of the projects process.

Key recommendations

- ★ The successes of the South Kilburn Project engagement strategies and consultation activities is used as a benchmark when considering how to manage developments across the borough.

8.2 Policy

Leadership

From the information gathered through the task group's discussion meetings, it is the opinion of the task group that there is a lack of overall leadership, responsibility and accountability in regards to S106 and CIL. The task group accepts that to date the council has not spent any CIL money to date, in fact, it has been difficult to get an accurate picture of the amount of CIL the borough has managed to collect since it was introduced. The task group has also heard evidence that CIL will be managed through a process identified as a Regeneration Benefit Assessment Tool, although this has some flaws to it based on the tool not recognising that community value can on occasion override the need to invest in infrastructure provision that primarily provides a simple return. There is clear that there is still a lot more work to be done and this will be difficult to achieve without clear direction and leadership.

The task group feel that this also applies to S106, where the council's thinking around S106 does not appear to be linked up or cross cutting, we are missing opportunities to maximise social value and affordable housing delivery. The task group is aware and welcomes the current work being carried out by the council's Employment Skills and Enterprise team to make all major developments within the borough subject to s106 employment, training and apprenticeship obligations (*Appendix3*).

CIL Receipts

In two of the task group's discussion meetings on Policy and Future Planning, the task group felt that there was both confusion and a lack of clarity on whether the Cabinet had agreed that a small proportion of the borough CIL receipts are being allocated to help local resident associations. Some members of the task group were rightly worried that by not being a neighbourhood forum that residents would lose out from accessing CIL receipts to assist their local community on projects they would like to see delivered. Officers and the Portfolio member for housing and regeneration confirmed that there would be a set amount of borough CIL (5% or cash) that could be used towards local resident associations. To date, the task group has seen no evidence or policy paper which outlines whether an apportionment of borough CIL receipts be used ring fenced for local communities who are not designated as a neighbourhood forum for community scale projects. It is important this policy is clarified and that existing neighbourhood forums should not be penalised in accessing this local community wide borough CIL if it wishes to do so either.

A local community CIL the council allocates would resonate well with our earlier recommendation 18 to provide CIL receipts for project that don't necessarily adhere to the RBAT process. In both the Policy & Future Planning discussion meetings, we explored officers' views on how the new CIL charging schedule (London CIL Charge rates LGA *Appendix 4*) in Brent is impacting on the ability to deliver a sufficient supply of affordable housing across the borough. We heard some conflicting views from officers in these meetings. In one meeting, officers cited that 'CIL was being used as an excuse to avoid paying a fair share of s106 affordable housing contributions' through to another session which officers reported to the task group that 'they are one of the highest achieving boroughs to deliver affordable housing contributions from schemes'.

Based on the assumption made at the Policy discussion meeting that some planning officers were not viewing how CIL, s106 and other obligations were adding to a cumulative set of obligations, which would either be viable or not. If officer's had such concerns over whether the council was getting the best planning gain from development, then why has the council not put in place a suitable mechanism or approach that would ensure the best possible deal could be struck. In other words, are viability assessments issued by applicants being

understood by officers or are these perceptions of applicants simply being made without any proper evidence?

Affordable Housing

Conversely, a senior officer in the Future planning meeting made it clear the council is achieving its ability to generate an additional affordable housing take in addition to CIL, so much so, it is one of the highest performing London boroughs to do so. Whilst this on the face value of it is good news, the task group has seen no evidence or paper to support this statement.

Given only anecdotal statements without supporting evidence being produced at any stage of the proceedings despite promises from officers, it is both difficult and impossible to ascertain at this stage what the impact of CIL has had to s106 contributions for affordable housing. It is important when the officers provide a bi-annual statement to the Cabinet and full report to the council (see earlier recommendation) that a full account of what s106 contributions in both cash and % terms is provided so that elected members can see what impact the CIL charging rates are having to affordable housing provision.

At this stage the task group are unable to assess whether CIL is impacting the borough's ability to deliver affordable housing provision at the policy rate stipulated in the local plan.

Delegated Powers

It was reported to the task group that the level of officer's delegated powers was set in accordance with other boroughs and was agreed by cabinet at £250,000. The lead member informed the task group that if this was not the case, cabinet members would be inundated with request to sign off small spending amounts. The task group feel that the delegated powers provided to officers that was set out in the CIL and Strategic Infrastructure Planning report presented to Policy Coordination Group (PCG) on the 19th March 2015 (*Appendix 5*), of £250,000 is quite a large sum. The current arrangements for delegated powers do not provide for sufficient scrutiny of expenditure of receipts and the Cabinet (led by both the housing and regeneration lead) should have greater control and oversight of this process than they currently have. The task group feel that large amounts of CIL expenditure should be brought to members for their final decision.

Key recommendations

- ★ There is no clear leadership or responsibility on who is in charge on CIL and S106 and the task group recommend that a named officer assumes direct responsibility, accountability and operates in a more transparent way.
- ★ A public register is created (taken from the bi annual report and statement) detailing the infrastructure projects that are being funded directly through CIL receipts.
- ★ The council review its affordable housing policy and the relationship between s106 and CIL, once the Mayor of London announces its housing policy. As part of the review, a forensic independent analysis should be commissioned and reported back in a joint session to the Resources & Public Realm Scrutiny Committee and Cabinet on how the council is meeting its affordable housing targets in light of the introduction of CIL and the Mayor of London targets for social housing.

Other Recommendations

- The council ensures that there is better understanding off planning performance in dealing with planning applications – both planning and legal team. This should be done be producing easy to understand guidance via the councils website.

- The council carry out a review of delegated powers given to officers for spending limits and prioritisation of CIL/ S106 receipts for projects. All variations to CIL and S106 agreements be published quarterly and an agenda item at planning committee policy meetings.
- The planning department conduct an annual review of S106 agreements and that where developers have not complied with the agreement action plans are included with that report. The task group recommend that that report is considered annually at a planning committee policy meeting and is available for scrutiny.

8.3 Engagement

Engagement Model

The task group was informed that the current council engagement proposal is to communicate at a CIL neighbourhood level which is effectively the same level as the Brent Connects level, so that the boundaries of those will be the same. The council is not considering having conversations specifically at ward level but at a wider level. The reason for taken this approach as appose to engaging at the ward level, is purely to do with how we resource this and what is a proportionate response. Another reason for the council's approach not being at ward level is that some wards have little to no CIL funds, even dividing the borough into five ward areas for neighbourhood CIL, 3 of those areas have less than £100,000. If drilled down even further, the council feel there would be a resource issue of trying to manage a very small pot of money within an area that has little development with council resources that are restraint in the current environment.

- Harlesden £40,000
- Kilburn & Kensal £80,000
- Kingsbury & Kenton £400,000
- Wembley £1.4 mil
- Willesden £90,000
- Sudbury Town £0

The council have stated that this is still a work in progress and that they are trying to ensure that a robust system is in place. The council feel that it still has some time, as Sudbury Town is the only neighbourhood forum with a designated plan, but has no CIL funds just yet. The council are conscious that it has been some time since it adopted CIL and it is a priority. The council don't believe that it would be prudent to promise whatever a local forum wants it will be able to support, however it would do its upmost to support it. In terms of CIL it was agreed at cabinet that the council would set up Community Action Groups (CAG).

The role of the community action groups will be to work at a grass roots level to develop small scale local interventions and projects which enable community action to have a real impact, utilising the networks, resources and assets within each locality. The final paper is yet to be agreed. The PCG discussed setting up CAGs with ward councillors specifically to work closely with the CAGs for the delivery of CIL. This is not to replace neighbourhood forums, it is completely separate, there are a number of ways of bringing the community together to make decisions on CIL, however as the CAG are still being trialled, ward level is too detailed, and there are established neighbourhood forums; the council needs to agree the most fair and appropriate level to engage and decide spending priorities. The expectations is that ward councillors will help to identify appropriate groups, working together for the delivery of CIL in the borough.

There is currently three pilots community action groups (*Appendix 6*) and the council will look at how those mechanisms will work, to ensure the information comes forward and how that can be linked to funding from the projects that the community wants to see. This does not mean that we cannot also take on board the views that are coming out of Brent Connects. Under our constitution no decisions are delegated to a single community group, so in fact ideas from the community action groups, will be in conjunction with ideas coming from Brent connects; all of these groups are sources of information to support members in making informed decisions.

As part of the task group's work it reviewed the CIL engagement processes of several other councils. The council's proposal and approach is similar to a number of other authorities. Council officers attend the CIL collection group, which is hosted by TfL on behalf of the Mayor,

it's an opportunity for all London boroughs that deal with CIL to come together and discuss common interests. Some of the work done in benchmarking the councils approach was carried out through this group, Brent Council are not too dissimilar to the majority of authorities who have a system in place.

- LB Ealing: While there are no governance procedures in place yet, LB Ealing intend to do the same as Brent interns of administrative boundaries. The three neighbourhood forums which are established would receive the maximum 25%.
- LB Wandsworth: Similar to Brent and divided among 5 boundaries.
- LB Lambeth: Similar to Brent and divided among 7 boundaries.
- LB Camden: Camden is in the minority and is divided via wards.

Voluntary Sector and Residents' Associations

The task group met with the voluntary sector and resident associations from across the borough, who live and work in Brent, have valuable skills and knowledge and are a vital element of the community network. The task group believe that groups such as these should also be included in the engagement processes and feed information into the members and contribute to the decision-making process. Further investigation will need to be undertaken to establish suitable candidates, it is envisaged that CVS Bren will lead on this work.

The voluntary sector and resident associations welcomed the opportunity to engage with the task group and are very keen to be a part on the Neighbourhood CIL engagement process. To date, they have had no communication with the council and have little knowledge of the CIL regulations.

Information and Communications

Beyond keeping a log of which areas are entitled to receive additional money, there is no advice been given to the neighbourhood forums, the council is in the process of recruiting to a post to do just that. The CIL fund is now at £15 million, an amount where the need for support is required and the council should ensure that it is linked to designated neighbourhood forums in the borough, the community action groups, voluntary sector and resident associations and Brent connects. There is a significant link to council resources, if we look at Westminster who have 12 area forums to manage, if Brent had these numbers the planning team would simply be overwhelmed, with not just localised plan making but also with the income expenditure of CIL receipts. It is also important the forums themselves keep in contact with the council.

The Neighbourhood fund presents an opportunity for the council to have conversations with the local community on a much more regular basis on what their priorities are on the local infrastructure; not just for CIL but for s106 also. The council are proposing a register for local infrastructure priorities and schemes; it will be a resource that is refreshed and updated with input from residents, the community and members. This will not just be for CIL and s106, but for other services of the council to identify projects within their local areas and strategies as part of the borough plan.

The council has stated that it will also have a strong online presence, effectively a voting system where people can register their views.

Neighbourhood Forums

It is clear little or no training or support is being provided to both residents associations or elected members on how and what neighbourhood forums are. The Sudbury Town Neighbourhood Forum only came about because it has a strong community base emanating from the Sudbury Town Residents Association which had a strong desire to adopt the localism

agenda with the support of local councillors. Clearly, there is merit in the council providing a platform to both share best practice to both residents associations who may wish to convert to a neighbourhood forum and separately to all elected Members' so that they can also engage their own local communities in the process. At present, there is no support in place to help elected members' and resident associations alike to promote the neighbourhood forum model and this needs to be resolved with some degree of urgency. Failure to not tackle this issue early on could lead to unnecessary resentment between bordering local communities where established neighbourhood forums exist and where they don't. London Neighbourhood Forums (*Appendix 7*)

Key recommendations

- ★ The council invite the voluntary sector to submit proposals demonstrating the value they can add to supporting the expansion of Neighbourhood Forums. The council's expectation of the voluntary sector to include setting up viable community action groups, accessing available government funds, organising training for both Neighbourhood Forums and elected members.
- ★ The current engagement and consultation process with residents is inadequate and it is recommended that where CIL receipts are to be spent, at least 25% of resident respond, the demographic make-up should be reflective of the population and the location concerned.
- ★ There is wider consultation with residents groups, faith groups, the business sector, residents associations and elected members before the Community Action Groups go live. The Community Action Groups have clear objectives linked to delivery of Community Development Plan objectives.

Other recommendations

- Elected ward members are involved in the decision making process for developments within their wards. Elected members should also be informed any planning applications in their wards with the view of engaging concerned residents and neighbourhood forums.
- Provide neighbourhood forum training and support in whichever capacity is possible, in order for residents to create independent and sustainable Neighbourhood forums.
- Support at the highest strategic level a Brent Developers Forum consisting of elected members and active developers in the borough which meets quarterly to review existing development projects and engages in forward planning. The task group recommend that a subcommittee of the developer's forum works with Community Action Groups to deliver added value to CIL projects.
- Geographical Information System (GIS) mapping support is provided for voluntary sector organisations and neighbourhood forums, in order for these groups to access site previously and currently being developed.
- Up-to-date information is provided about S106 /CIL that it is easily accessible and shared online and regularly email to members, neighbourhood forums and voluntary sector.

8.4 Funding

CIL Receipts

It was noticeable from the sessions we held with senior officers' that there was little clarity on the CIL income received and how this was being allocated to the delivery of infrastructure schemes across the council. To date, the task group has not been provided the supplementary information on the CIL income and expenditure it was promised.

A report which outlines a clear narrative explaining how CIL receipts have been allocated to specific projects with an accompanying summary why the project was prioritised is necessary for both transparency and accountability to elected members'. This should be provided bi-annually to the Cabinet and presented to full council by way of a detailed annual report. Providing elected members with this information will help to inform elected members' how planning gain is being used across the borough and help them to dispel any misinformation to their respective constituents that new development is not providing anything back to the local community. At the moment, elected members' are simply unsighted how a major chunk of development gain is being used.

The task group feel that there is still confusion regarding the allocation of neighbourhood CIL receipts. It was also unclear, as the collecting authority, how the council are accounting and managing the neighbourhood CIL apportionment. Officers need to be clear that neighbourhood CIL receipts generated from development from their area is for that neighbourhood forum to spend on local projects they have identified as a priority. The CIL generated for the neighbourhood forum will either be at 15% capped at £100 per dwelling if they have only got a neighbourhood forum (designated) in place or 25% uncapped receipts if they have an adopted neighbourhood plan in place that has passed a local referendum (such as Sudbury Town Neighbourhood Forum). No neighbourhood CIL receipts generated from these designated Neighbourhood Forums can or must be spent in other areas.

The council should establish a clear accounting and reporting structure to these Neighbourhood Forums to enable them to understand how much money they have allocated for their neighbourhood area to spend that has been generated from development derived in their area. Furthermore, the council should work with the Forum to establish what community infrastructure projects they would like the neighbourhood CIL receipts to be spent on and how and when this will be delivered. Currently, there is no clear mechanism in place on how this process is going to work in practice and this should be established with some urgency given that neighbourhood forums are in place across the borough.

Regeneration Benefits Assessment Tool (RBAT)

Whilst the proposal presented to the task group on how the council intend to allocate CIL expenditure to infrastructure projects based on RBAT are laudable; particularly as they seek invest in projects which derive a future financial return (new homes bonus, business rates retention, council tax revenue), there should to be some flexibility which permits local councillors to bid for projects which do not necessarily provide a financial return back to the council, but endeavour to provide some real community value which would not otherwise be funded. It is important local communities and elected Members are able to show they can deliver small/ medium size social infrastructure projects if there is a clear demand and consensus for it which do not otherwise get funded from other conventional pots of money the council has. A good example might be CCTV in areas where the local community has expressed a strong desire to see this installed in their high street, whilst this would be difficult to fund from conventional funding streams, it would be permissible from CIL receipts. Here, the local councillor would be seen to respond to the local needs and the council, whilst not directly getting a financial return, would be viewed in a positive light. It must be remembered,

borough CIL receipts are more flexible in how they are applied than conventional s106 receipts and the council should be more responsive to meet local's needs.

Beyond neighbourhood CIL receipts the borough CIL could allocate a fixed amount (cash or %) of CIL receipts which are allocated for community projects. Prioritising these projects may be done through a variety of engagement processes including elected member sessions to the Cabinet pitch for specific projects through to using established forums such as Brent Connects.

Key recommendations

- ★ A bi –yearly report and financial statement is provided, outlining CIL receipts every six months showing the income and expenditure on specific projects funded through CIL receipts should be provided to the Cabinet. An annual Report summarising CIL receipt income and expenditure should be published and presented to the Full Council annually together with a draft forward plan of strategic projects to be funded over the next year.
- ★ Neighbourhood CIL receipts are accounted for and a reporting and expenditure mechanism is established between the Council and designated Neighbourhood Planning Forums.

Other recommendations

- A more flexible allocation of CIL receipts beyond schemes that are prioritised through the Regeneration Benefits Assessment Tool (RBAT). The task group recommend that the Council review the Regeneration Benefits Assessment Tool (RBAT) after it has been operating for three years.
- Consideration is given for borough CIL receipts use in the wider local communities (in both areas with and without Neighbourhood Planning Forums).

8.5 Future Planning

Development Community

CIL receipts are ultimately derived from development that takes place across the borough. In discussions with developers the Scrutiny learnt:

- Rotation of planning staff (officers) has been challenging for major developers with long term schemes in the borough to maintain relationships; this leads to new officers having to slowly get up to speed on the detail which can slow down progress and be challenging for the developers who are working against a restrictive timeline;
- Planning Performance Agreements which are paid by applicants are not translating to the additional resource that was promised to deal with major planning applications through this bespoke planning service;
- Despite assurances from a senior legal officer in the last task group session that resourcing was not an issue and that their work (Brent legal) is being handled in a timely manner, this was a contrary to the views expressed by the developer group who cited examples (in one case six months) where there were lengthy delays in finalising s106 agreements by the legal department.
- Developers felts the CIL charge was working fine but the s106 contributions towards affordable housing they were being asked to pay were not being seen as part of the cumulative planning obligation (CIL + s106 + other planning gain contributions for local transport). This issue resonates with earlier concerns on how the officers are handling planning applications in the context of CIL and s106 obligations. There is a clear disconnect at present between CIL and s106 affordable housing contributions.
- A major concern and unknown by developers is how the council proposes to spend the CIL receipts – they felt that there was a need for clarity on expenditure which currently lacks any detail.
- On neighbourhood forums, developer's felts the council should fast-track the creation of neighbourhood forums and would happily active engage in these where suitable to do so.
- Would welcome the council to set up a local developers forums with elected members to engage in borough wide discussions (such as the session held at the task group) on a more regular basis. This would act as a channel for dialogue and openness on how applicants are finding the interaction with the council.

Key recommendations

- ★ A review of its CIL viability assessment test is commissioned to see if all the CIL receipts rates are viable and that it is not deterring the council's policy objectives in achieving its affordable housing targets.
- ★ Maximise the expertise and resources, directly or in kind of the development community and facilitate in partnership with CVS Brent, dialogue between developers and community/residents and neighbourhoods forums to work on community issues.
- ★ We recommend that S106 agreements are available to the Planning Committee as part of planning committee reports. We recommend the council review the viability of travel plans and ensure that detailed travel plans are included in all reports going to the planning committee. The council's planning officers should provide an in-depth and detailed briefing of the developments with regard to viability, CPZ and travel plans to the planning committee before the application is made.

Other recommendations

- Council planning negotiators ensure that agreements are aligned with council priorities and has political oversight and accountability in order to take full advantage of future development/ regeneration opportunities; this includes priorities such as social value and employment.
- The task group recommend that at least half of the Planning Committee members serve two years terms at any given time and all committee members and relevant committee members involved in housing and regeneration receive relevant up to date training on planning development and viability policy and practice issues.
- The task group recommend regular strategic meetings on future regeneration issues is held between officers, the cabinet and chair of planning committee.

9. CONCLUSION

The legislation surrounding CIL and S106 is complex, and the direction from central government is primarily focused on CIL. On 19 November 2015, the Secretary of State for Communities and Local Government announced a review of the CIL and commenced a consultation to identify issues for the review process. The purpose of the review is to assess the extent to which CIL does or can provide an effective mechanism for funding infrastructure, and to recommend changes that would improve its operation in support of the Government's wider housing and growth objectives.

For many years the collection of s106 developer contributions was undertaken on an ad hoc basis with no overall monitoring, control and reporting back system. It has therefore never been more important for Brent council to ensure that its CIL and S106 policies are fit for purpose and meet the strategic and local infrastructure needs.

This report has set out some key mechanisms by which this can be achieved.

Firstly, it has identified the vital role that public education can play in building confidence in how the council's, collects, and allocates CIL. Increasing public engagement of the facts around CIL is especially important in an era of tightening laws and tightening budgets. It is worth mentioning one of the key differences between CIL and Section 106 contributions is that the monies collected are not linked to site-specific agreements. The monies can, therefore, be used flexibly and creatively to meet local and strategic infrastructure needs. As a consequence, one of the challenges is to decide how to prioritise the spending of CIL receipts in conjunction with other funding streams.

Secondly, it has identified how members can support the council and the community in reaching its infrastructure objectives.

Thirdly, it has shown how additional obligations can potentially yield important social value outcomes.

Fourthly, it has emphasised the importance of a supportive environment for the council's planning and legal staff recognising the great work they do. Remembering developers can "take their foot off the metal" once a scheme has been to the planning committee.

The task group believes that this report provides a range of important recommendations which, when implemented, will lead to improved outcomes for the borough.

We look forward to seeing these changes in action.

10. PARTICIPANTS, REFERENCES AND APPENDICES

Participants

London Borough of Brent:	Strategic Director of Environment & Regeneration
	Operational Director of Regeneration
	Planning, Policy and Projects Manager
	Brent Planning Services
	Brent Legal Services
	Employment & Enterprise Team
	Procurement Team
Brent Elected Councillors	
Government Agencies	Department for Communities and Local Government (DCLG)
	Planning Advisory Services (PAS)
Non-Government Organisations	House Builders Federation (HBF)
	Best Practice Local Authorities
Brent Partners	CVS Brent
	Eritrean Youth and Community Brent and Harrow
Brent Resident Groups	Harlesden Neighbourhood Association
	Sudbury Residents Association
	Queens Park Residents Association
	Kilburn Village Residents Association
	South Kilburn Trust
	Unity Neighbourhood Forum for Church End and Roundwood
	Kilburn Neighbourhood Plan Forum
Developers:	Quintain
	Anthology
	Innisfree
	Notting Hill Housing Group
	Hub Group
	Network Housing
Other Local Authorities	LB Ealing
	LB Haringey
	LB Camden
	LB Lambeth
	LB Wandsworth

References:

The task group referred to a number of reports in the course of its work. Key documents include:

1. National Planning Policy Framework, Communities and Local Government , 2012
2. The Community Infrastructure Levy Regulations, 2010
3. Town and Country Planning Act 1990
4. Community Infrastructure Levy Guidance, Department for Communities and Local Government (DCLG), 2014

Table of Appendix

	Appendices
1	Woodhouse Urban Park (WHUP) Engagement
2	Land North of Chippenham Gardens (LNCG) Consultation Strategy
3	Draft Section 106 Heads of Terms – employment and training obligations
4	London CIL Charge rates LGA
5	CIL and Strategic Infrastructure Planning report presented to Policy Coordination Group (PCG) on the 19th March 2015
6	Developing Community Action Groups (CAGs) and a partnership approach to Brent Connects report presented to Policy Coordination Group (PCG) on the 16th December 2015
7	London Neighbourhood Forums June 2015



Cabinet
13 September 2016

**Report from the Director of
Performance, Policy and Partnerships**

For Action

Wards affected:
ALL

Performance Report, Q1 (April-June) 2016/17

1.0 Introduction

1.1 The Borough Plan for 2016-19 was agreed by Full Council in April 2016. It includes the Brent 2020 vision which includes five themed priorities for the Council (see paragraph 1.3).

1.2 The Borough Plan sets out three priorities for Brent as follows:

- Better Lives
- Better Place
- Better Locally

1.3 The Brent 2020 vision provides a strategic picture of where the Council would like to be by 2020 and how it intends to get there. The Brent 2020 vision is designed to complement the Borough Plan over the next five years. Its five themed priorities are as follows:

- Employment and Skills – to respond to the increase in the working age population and lift people out of poverty and welfare dependency.
- Regeneration - to improve the economic, social and environmental conditions in the borough.
- Business and Housing Growth - to maximise the tax base to support the delivery of core services.
- Demand Management - to manage the pressure on needs led budgets such as children’s social care, adult social care and homelessness.
- Raising Income - to support the delivery of core services.

- 1.4 The purpose of this report is to provide Cabinet with a corporate overview of performance information linked to the current Borough Plan and Brent 2020 priorities, to support informed decision-making, and to manage performance effectively.
- 1.5 Where measures have an Amber or Red RAG status, commentary is mandatory in line with the current performance framework and is included in the scorecard. For measures which have a Green RAG status, commentary is optional.

2 Performance Summary

- 2.1 Performance during the quarter on those indicators where a performance target has been set shows 51% (42) on or above target with a further 27% (22) just off target, leaving 22% (18) significantly off target. There are an additional 29 indicators which are for contextual use.
- 2.2 Set out below is a performance summary under borough plan priorities, outlining good performance as well as areas that are not performing well this quarter. Red indicators include commentary explaining why they are off target and the actions being taken to bring performance back in line with target.

Better Lives:

Employment and helping people into work

- 2.3 Employment outcomes for Brent Works and The Living Room were a main area of focus over 2015/16 following the integration of the employment and skills services. Although the process of integration and refining data collection is still being fine-tuned, figures for Q1 are reflecting good overall performance for both Brent Works and The Living Room, with both being Green RAG. The Living Room, which deals with our priority areas, is doing significantly better by making 16 successful job placements against its target of 10.5 between April and June.
- 2.4 Other new baseline indicators for Brent Works include apprenticeship outcomes, enrolment, retention and achievement rates. Performance in this area is satisfactory in the first quarter of this year and progress will be tracked throughout the year.
- 2.5 In addition, the proportion of people with Mental Health services in employment is showing strong performance in Q1 with an overall actual of 7.1% against a target of 7%. This is an improvement from the March outturn of 3.7%.

Business and Local Enterprise

Business

- 2.6 For 2016/17 we are also measuring the formation of New Business Groups in the borough. This year will provide the baseline although we are setting preliminary targets. In Q1 there were 3 new groups formed which exceeded the set target of 1.

Regeneration

- 2.7 Performance is significantly below target for all three of the planning indicators (major application determined within 13 weeks, minor applications determined within 8 weeks and other applications determined within 8 weeks). Several factors are involved including, a number of high-importance major applications and the changeover of staff in crucial posts. New staff will be taking up these posts and the service therefore expects performance to have recovered for Q2.

Promoting Fair Pay – London Living Wage:

- 2.8 We are below target this quarter with 6 London Living Wage (LLW) signups against our target of 10. However, a clear action plan is in place to engage employers, including schools, the voluntary and community sector (VCS), Brent's business base. We have put measures in place to improve, including resuming the LLW steering group; having more intensive face to face promotions; exploring promotion opportunities via Barclays bank; and working with procurement to identify leads.

Education and Training:

- 2.9 With regard to the creation of additional school places, the Wembley High project which had been delayed in the previous quarter has delivered 780 places this quarter and the annual forecast for primary school places this year is 1,140. The Council and its partners will continue and improve the robust management of construction contracts on site with appropriate professionals. We will also continue and improve processes to enable decisions to be made in a timely manner through the Council's governance structure to avoid or mitigate any delay that would impact performance.

Supporting Vulnerable Children:

- 2.10 There is a continuing increase in the number of unaccompanied asylum seeking children (UASC) requiring support from the council. The proportion of UASC out of all Looked After Children is now at 20.5% which is a 5.7% increase since April 2015. Many of these are in the older age groupings as reflected by the increase in Looked After Children residing in semi-independent accommodation.
- 2.11 Personal Education Plans for children in care should be reviewed termly and currently 90.25% of PEPs were reviewed (as at 30th June

2016). This is a significant improvement on Q4 where only 69% of PEPs were reviewed. Therefore, although still Amber, performance for this indicator is showing a positive direction of travel.

Supporting Vulnerable Adults:

Independent Living and Direct Payments

- 2.12 People being helped to regain their independence after short-term or emergency care (outcome of short term services: sequel to service (REABLEMENT) is lower than the 2015/16 outturn and is currently Red RAG. The quarter-end outturn is 59%, which has been calculated for the 3 month period as opposed to the throughput for the month of June. April's performance was relatively low although May and June gave a positive direction of travel. The service is currently moving towards full integration with the rehab service and is in a period of transition. The new service will go live in October, with new providers starting in November 2016 and we expect performance to improve after a period of 'bedding in' for the new service and new providers.
- 2.13 The proportion of outcomes that are recorded as fully met for safeguarding investigations continues to improve, showing over performance against the 15/16 outturn and meeting the increased in target for this year. This reflects the continued commitment of the service to ensure that safeguarding is made personal and to supporting and protecting vulnerable adults. This indicator is green.
- 2.14 The Q1 outturn figure for Direct Payments is 20.5% against a target of 21.7% which is lower than the target but showing a positive direction of travel. This indicator is being impacted by issues recording and collecting data and it is likely that the service will meet the target. Recording issues are being resolved through a Direct Payments project, which will ensure that by the next quarter all Direct Payments are categorised and recorded properly, alongside actual increases in activity and it is anticipated that our annual target will be met by Q4.
- 2.15 The Q1 Outturn figure for carers' assessments is 190, against a target of 388 and is currently showing very poor performance. However, the carers review and assessments process is currently under review and will change to ensure the joint assessments which are not loaded onto the system will be on the system in the future. Carer Assessments are currently carried out by the carers centre and are not captured on Mosaic, it is anticipated better recording and including figures from the carers centre will boost the figures and allow us to meet the year-end target.
- 2.16 The Q1 outturn for people being correctly signposted through Information, advice and guidance is currently slightly below target and

shown as amber. This is mainly due to data related to this indicator not being captured for every initial contact. A new report to review the results will be created and Q2 figures should report more positively and the service is expected to achieve the year end target.

- 2.17 Additional work is ongoing across the department to ensure that data capture is more robust and all activity is captured in a format that is reportable.

Residential and Nursing care

- 2.18 The increase in the number of people aged 18-64 in residential and nursing care is linked to both an increase in demand through demographic pressures and through the large number of reviews and reassessments being carried out in the 1st quarter as a result of the re-organisation of the service and increased review capacity. It is also impacted by delays in the New Accommodation for Independent Living (NAIL) project and should ease when anticipated NAIL provision comes on line in December 2016.

- 2.19 Similarly the increase in people aged 65 and above in residential and nursing care is linked to demographic pressures and the large number of reviews and reassessments being carried out due to the service re-organisation and increased review capacity. It is also impacted by delays in Vishram House placements becoming available, which is anticipated to happen in December 2016 and should ease demand on residential and nursing later this financial year.

Public Health and Wellbeing (including Sports)

- 2.20 Public Health services are performing well overall. There were strong performance returns for the percentage of people taking up the offer of a health check and also reported waiting times for interventions. Although Brent has an Amber status for opiates treatment, it has only performed slightly below target.

- 2.21 The borough is also doing consistently well for sports visits to council-run sports centres both for dry visits (non-swimming) and for swims.

Better Place:

Housing Supply - Homelessness and Temporary Accommodation:

- 2.22 Performance has been mixed in this area. The overall number of households living in non-self-contained Bed & Breakfast (B&B) has for more than six weeks now been reduced to zero. However, we still have a high number of households in non-self-contained Bed and Breakfasts, 115 households against a target of 30 for Q1. Similarly there is a higher than target number of households in Temporary Accommodation overall (Amber RAG status) and the number of households impacted by the overall benefit cap (OBC) in temporary accommodation is also high.
- 2.23 Although the target for the outturn homelessness acceptance figure for 2015/16 was not met, there has been an overall decrease in the number of homeless households from the previous year, the figure is currently 154. This bucks the London trend where homelessness acceptances are rising.

Housing Supply and Provision

- 2.24 Other initiatives to increase and improve housing supply in the borough showed steady performance during the first quarter of the year, e.g. 450 HMOs were licensed, nearly 5,000 other dwellings were licensed, over 20 empty properties were brought back into use and over 200 dwellings were improved through enforcement action.
- 2.25 Brent Housing Partnership (BHP) is monitoring the renewal of all gas safety certificates for the first time rather than a snapshot at the end of the period. 26 gas safety certificates issued in Q1 were not completed before their anniversary date as one remained outstanding at the end of June. Through proactive actions from the property services team we expect this number will reduce month on month. One certificate remained outstanding at the end of the period.
- 2.26 General satisfaction rates for BHP repairs are quite low this quarter and the service will be tracking this area closely over 2016/17 to ensure improvement. (This indicator is not part of the corporate suite – this information is to provide context only).

Sustainable Environment

Attractiveness of the Public Realm

- 2.27 The service is performing well in many areas. These include sites with unacceptable levels of graffiti and litter, waste enforcement, residual waste per household the time taken to remove fly-tips and working streetlights.

- 2.28 An improvement action plan approved by the scrutiny committee to reduce fly tipping (illegal rubbish dumping) has now been implemented; we are promoting the “Love Where You Live” campaign, implementing uniformed litter patrols from 13th June 2016, issuing Fixed Penalty Notices (FPNs) for littering offences and using CCTV wherever possible to identify offenders of illegal rubbish dumping and littering.
- 2.29 Due to increased awareness and better modes of reporting fly-tips through the “Love Where You Live” campaign, a higher number has been reported across Brent. However, this does not necessarily mean there are more fly-tips in the borough but that they are being better captured and recorded. Performance removing fly tips in time remains strong.

Recycling

- 2.30 We are significantly away from target (Red RAG) for municipal waste tonnages sent to landfill. There has been an increase in municipal waste tonnages since 2014, which reflects the economic recovery nationwide. In addition, there is a significant amount of new housing being constructed throughout the borough at present, with more to come. Every additional household/ resident in Brent will only make meeting our target more challenging.
- 2.31 The Council is working closely with Veolia and West London Waste Authority on improving communications and education, to encourage people to generate less waste (such as engaging in the Love Food Hate Waste campaign), and (where waste is unavoidable) to reuse or recycle. Both Brent and Veolia are committed to working together to bring down our tonnages if at all possible.

Community Protection

Reducing Crime

- 2.32 Brent continues to perform strongly against target in its Youth Offending Indicators. The decline in the number of Brent young people entering the criminal justice system for the first time is pronounced. There were 212 young people in 2012 who became first-time entrants compared to 130 in 2015. The most significant contributory factor to this success is the MOPAC funded Brent YOS Triage Programme which provides early intervention and an alternative approach to receiving a criminal sentence for your people who have admitted committing low level offences. One hundred and sixty nine young people completed Triage in 2015/16, and the number of participants looks set to increase further this year as a further 47 took part in the first quarter of 2016/17. The Council continues to work with the police in supporting initiatives and education to lower crime rates across the borough.

Arts and Leisure Facilities

- 2.33 Brent sports centres continue to perform well with higher than target performance during Q1 for sport centre visits
- 2.34 The target for the number of physical visits to libraries and online transactions has been exceeded this quarter. However, we are below target for library stock issued although Willesden and Ealing Road libraries are performing well (Amber RAG status). Following on from the recent customer survey, several key actions have been implemented to improve performance in this area. However, because of the shortfall in the first quarter it may be difficult to meet the year-end target for library stock issues.

Better Local:

Customer Care

- 2.35 There is good customer care performance in the areas of average days taken to process new benefit claims and waiting times in our local offices. And although there have been improvements in our telephone call answer rates from the previous quarter we are still below target across the organisation. Various steps are being taken in across the Council to improve monitoring and our overall level of customer care performance.

Complaints and Information Requests:

- 2.36 Performance on timeliness of response on stage 1 complaints and stage 2 corporate complaints have improved from the previous quarter remain below the 100% target set. Performance on statutory stage 2 complaints has been significantly below target. Although these types of cases are relatively low in number, investigations are complex and detailed. An action plan is in place to improve performance in this area.
- 2.37 For Freedom of Information requests, the council has achieved its highest ever level of performance at 96% responded in time.
- 2.38 There has been a 14% increase in members' enquiries received from 596 in Q4 to 696 in Q1 and timeliness dipped from 96% in the previous quarter to 94% this quarter.

Corporate Health

Council revenue:

- 2.39 The value of NNDR (non-domestic rates) is currently below target due to large payments being received on 30 June but not posted to account until 1st July. These will appear in the Q2 results. In addition the ending of retail rate relief means there is an additional £2M to collect

from a large number of small shops some of which are finding it difficult to pay.

2.40 Council Tax arrears collection is below target and Red RAG this quarter due to arrears in April and May being affected by transfers and refunds. The council is expecting performance to improve in Q2.

2.41 On a positive note, the value of Council Tax collected and value of Council Tax/Housing Benefit overpayments recovered are exceeding target and thus our performance here is strong.

3.0 Recommendations

3.1 Cabinet has been asked to:

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

4.0 Financial implications

None.

5.0 Legal implications

5.1 Under section 4 of the Local Government Act 2000, every local authority in England must prepare a sustainable communities strategy for promoting or improving the economic, social and environmental well-being of their area and contributing to the achievement of sustainable development in the United Kingdom. A local authority may modify its Sustainable Communities strategy from time to time. When preparing or modifying its strategy, a local authority must consult with and seek the participation of “each partner authority” it considers appropriate, and any other person the local authority considers appropriate. The council’s Borough Plan 2016-19 is the council’s current strategy pursuant to section 4 of the Local Government Act 2000.

5.2 In table 3 of part 4 of the council’s constitution, it states that the Cabinet is responsible for formulating and preparing the sustainable communities strategy and then submitting the same to Full Council for consideration and adoption or approval. The Sustainable Communities’ Strategy constitutes part of the policy framework. The council’s Borough Plan 2016-19 was agreed by Full Council in 2016.

6.0 Diversity implications

- 6.1 There are no direct diversity implications. However the report includes performance measures related to the council's diversity objectives and is part of the framework for ensuring delivery of these key outcomes.

Contact officer

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PETER GADSDON
Director, Performance, Policy and Partnerships

Cabinet - Corporate Performance Report September 2016



Borough Plan and Brent 2020 Performance Summary – Quarter 1 (April 2016 to June 2016)

How did Brent perform?

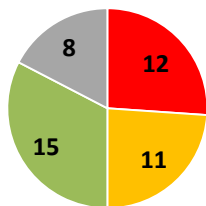
Legend: Red Amber Green Contextual

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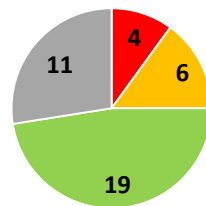


Quarter 1 – Performance summary of priorities

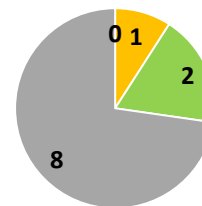
Better Lives



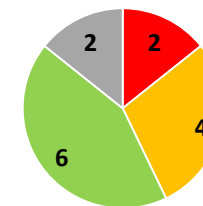
Better Place



Better Local



Corporate Health



Borough Plan and Brent 2020 Performance Summary – Quarter 1 (April 2016 to June 2016)

Key for Performance Tables (all priorities)

Unless otherwise defined, performance information is assessed using the following tolerances to give a RAG rating:

Red		Greater than 5% outside target*
Amber		0.01% - 5% outside target*
Green		At target or exceeding target
Contextual		No target set

**please note some indicators are set at a 10% tolerance due to national requirement*

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Supporting local enterprise, generating jobs for local people and helping people into work and promoting fair pay

Regeneration

Performance Indicator	15/16 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual Q4	Actual YTD	Target YTD	Good is?	RAG YTD	2020 Priority	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
NI 157a - Percentage of major applications determined in 13 weeks, or formally agreed period	N/A	89%	-	-	-	89%	70%	Bigger is Better	Green		75.4% (LAPS 2014/15)		Amar Dave	Clr Mashari
NI 157b - Percentage of minor applications determined in 8 weeks, or formally agreed period	N/A	68%	-	-	-	68%	75%	Bigger is Better	Red		73.7% (LAPS 2014/15)	Performance reflects considerable changes to the service and significant focus on dealing with major applications in Wembley	Amar Dave	Clr Mashari
NI 157c - Percentage of other applications determined in 8 weeks, or formally agreed period	N/A	72%	-	-	-	72%	85%	Bigger is Better	Red		79.7% (LAPS 2014/15)	Performance reflects considerable changes to the service and significant focus on dealing with major applications in Wembley	Amar Dave	Clr Mashari

Employment

Performance Indicator	15/16 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual Q4	Actual YTD	Target YTD	Good is?	RAG YTD	2020 Priority	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
HE 81 - Jobs - Wembley Works - Employment Outcomes	123	42	-	-	-	42	42	Bigger is Better	Green	Employment & Skills	-		Amar Dave	Clr Mashari
HE 83 - Earnings - London Living Wage signups	17	6	-	-	-	6	10	Bigger is Better	Red	Employment & Skills	-	No London Living Wage KPIs were met as accreditation enquiries over the last few months have been very low, therefore there has been no conversions into accreditations. The Living Wage Foundation have also noted enquiries slow down over the summer generally across the board. Additionally there is no intense marketing being delivered at the moment for the Living Wage campaign, whilst a new engagement plan for the next quarter has been put together and reviewed. What's more, November sees London Living Wage week.	Amar Dave	Clr Mashari
HE 84 - Priority Areas - The Living Room - Employment Outcomes	45	16	-	-	-	16	10.5	Bigger is Better	Green	Employment & Skills	-		Amar Dave	Clr Mashari
HE 89 - Brent Works - Apprenticeship Outcomes	New for 2016/17	14	-	-	-	0	12.5	Bigger is Better	Green	Employment & Skills	-		Amar Dave	Clr Mashari
HE 90 - New Business Groups formed	New for 2016/17	3	-	-	-	3	1	Bigger is Better	Green	Business & Housing	-		Amar Dave	Clr Mashari
HE 91 - Brent Starts Enrolments	New for 2016/17	1174	-	-	-	1174	1596	Bigger is Better	Red	Employment & Skills	-	We are actually seeing a turnaround from last academic year in these figures, despite the service not quite hitting its stretch targets. 2014/15 saw the service experience a £366K clawback due to underperformance. These 2015/16 figures show that we will avoid a repeat of that same situation.	Amar Dave	Clr Mashari
HE 92 - Brent Starts Retention	New for 2016/17	91.80%	-	-	-	91.80%	92%	Bigger is Better	Amber	Employment & Skills	-	We are implementing a change programme at Brent Start that aims to create an outstanding service with high levels of retention and achievement. We will continue to monitor these numbers with the full expectation that targets will be hit	Amar Dave	Clr Mashari
HE 93 - Brent Starts Achievement Rate	New for 2016/17	89.50%	-	-	-	89.50%	90%	Bigger is Better	Amber	Employment & Skills	-	We are implementing a change programme at Brent Start that aims to create an outstanding service with high levels of retention and achievement. We will continue to monitor these numbers with the full expectation that targets will be hit	Amar Dave	Clr Mashari

Partnerships

Performance Indicator	15/16 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual Q4	Actual YTD	Target YTD	Good is?	RAG YTD	2020 Priority	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
Number of community assets transferred to the community	1	0	-	-	-	0	-	Contextual			-		Peter Gadsdon	Clr McLennan

Making sure that our children and young people have access to the best education and training, achieve to their potential and have the best start in life

Schools and Education

Performance Indicator	15/16 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual Q4	Actual YTD	Target YTD	Good is?	RAG YTD	2020 Priority	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
PP 21 - New reception classes created	12	0	-	-	-	12	15	Bigger is Better	Amber		-	Awaiting commentary	Amar Dave	Clr Mashari
PP 22 - New primary school places created	1,785	780	-	-	-	780	285	Bigger is Better	Green		-		Amar Dave	Clr Mashari
EDC 01 - Percentage of schools that are judged good or outstanding by Ofsted	91%	91%	-	-	-	91%	95%	Bigger is Better	Amber		88 (Prim'y) 86 (2ndary) LGIinform 2014/15 academic year	The overall figure has not changed in Q1. This is because the primary school (ARK Franklin) which was inspected for the first time and was judged good has had a statistically insignificant effect on the overall percentage.	Gail Tolley	Clr Mitchell-Murray
EDC 05 - Number of primary schools that are judged good or outstanding by Ofsted	51	52	-	-	-	52	51	Bigger is Better	Green		-	This increased following the inspection of ARK Franklin.	Gail Tolley	Clr Mitchell-Murray
EDC 06 - Number of secondary schools that are judged good or outstanding by Ofsted	10	10	-	-	-	10	11	Bigger is Better	Amber		-	There were no inspections of secondary schools in Q1.	Gail Tolley	Clr Mitchell-Murray
EDC 43 - Percentage of pupils attending Brent schools that are judged as being either good or outstanding	86%	86%	-	-	-	86%	95%	Bigger is Better	Amber		-	The overall proportion of pupils educated in good and outstanding schools was not affected significantly by the ARK Franklin judgement. Two large schools JFS and Crest are not due for re-inspection until later in the reporting year. Inspections that took place in July will be reported in Q2, for example, Alperton.	Gail Tolley	Clr Mitchell-Murray
EDC 09 - Take up of the 2 year old Nursery Education Grant (%)	66%	62%	-	-	-	62%	75%	Bigger is Better	Red		-	The lower take up rate in Q1 was anticipated. The summer term is traditionally slow in terms of childcare take-up as parents wait until September to enrol children in nursery. We have had the same pattern in previous years and usually see a spike in take-up in the Autumn term. Last year we had a 16% increase between the Summer and Autumn terms and we are expecting a similar increase this year. We have kept 75% as our target for the year as we reached 70% last year and are aiming to reach 75% by March 2017.	Gail Tolley	Clr Mitchell-Murray
EDC 37 - No. of CYP applying for Reception and Yrs 1&2 (ages 4-6) not offered a school place w/in 4 wks	0	0	-	-	-	0	0	Smaller is Better	Green		-		Gail Tolley	Clr Mitchell-Murray
EDC 38 - No. of CYP applying for Yr 3, 4, 5 & 6 (ages 7-10) not offered a school place w/in 4 wks	0	0	-	-	-	0	0	Smaller is Better	Green		-		Gail Tolley	Clr Mitchell-Murray
EDC 39 - No. of CYP applying for Yr 7, 8, 9, 10 & 11 (ages 11-16) not offered a school place w/in 4 wks	2	0	-	-	-	0	0	Smaller is Better	Green		-		Gail Tolley	Clr Mitchell-Murray
NI117 - Percentage of 16 to 18 year olds who are not in education, employment or training (NEET)	2.6%	2.2%	-	-	-	2.2%	3.5% (annual Nov-Jan)	Smaller is Better	Green	Employment & Skills	13th nationally in 2014/15 (5th for NEET and not known combined) Department for Education	Performance against this target is measured nationally as an average over a three month period from November to January each year. Therefore the most accurate representation of this performance indicator will be available in quarter 4.	Gail Tolley	Clr Mitchell-Murray
NI 148 - Percentage of care leavers in education, employment or training	56.8%	48%	-	-	-	48%	58%	Bigger is Better	Red	Employment & Skills	47.6% Department for Education 2014/15	The cohort includes a proportion of Unaccompanied Asylum Seekers whose immigration status prevents them accessing employment and education post-18 years old, which has a significant impact.	Gail Tolley	Clr Mitchell-Murray

Supporting vulnerable people and families when they need it

Children's Social Care

Performance Indicator	15/16 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual Q4	Actual YTD	Target YTD	Good is?	RAG YTD	2020 Priority	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
CSC MT 67 - Percentage of Looked After Children placed with foster carers	71%	70%	-	-	-	70%	75%	Bigger is Better	Amber	Demand Management	76.4% Department for Education 2014/15	The most recent reporting period has continued to see an increase in unaccompanied asylum seeking children (UASC) approaching the borough for support. There were 72 UASC in the Local Authority's care as at 30th June 2016, compared to 58 at 31st December 2015. The proportion of all Looked After Children who are UASC is now 20.5%, compared to 14.8% in April 2015. Therefore, a greater number and proportion of LAC are now residing in semi-independent accommodation. This reflects the older age range of young people entering the care system within Brent.	Gail Tolley	Cllr Mitchell-Murray
CSE 01 - The number of Child Sexual Exploitation suspicions	36	7	-	-	-	7	-	Contextual		Regeneration	-		Amar Dave	Cllr Pavey
CSE 02 - The number of Child Sexual Exploitation related crimes	22	8	-	-	-	8	-	Contextual		Regeneration	-		Amar Dave	Cllr Pavey
CSE 03 - The number of Child Sexual Exploitation disruptions	10	0	-	-	-	0	-	Contextual			-		Amar Dave	Cllr Pavey
CSE 04 - The number of detections (Child Sexual Exploitation flagged)	8	0	-	-	-	0	-	Contextual			-		Amar Dave	Cllr Pavey
CSC MT 79 Percentage of Looked After Children with an up to date Personal Education Plan	69%	90.25%	-	-	-	90.25%	100%	Bigger is Better	Amber		-	Those Looked After Children without current PEPs are mainly Unaccompanied Asylum Seeking Children (UASC) where issues like age assessments have held up PEP progression. Please note that the cohort for this calculation is as at 30th June 2016.	Gail Tolley	Cllr Mitchell-Murray
CSC MT 60 - Percentage of social workers on a permanent contract	68%	63%	-	-	-	64%	75%	Bigger is Better	Red	Demand Management	-	The external TMP Recruitment Campaign which began in mid-May 2016 is seeking to attract permanent social work staff to the Council. Progress has been very slow in attracting new applicants. The campaign is 3/4 of the way through and is being reviewed.	Gail Tolley	Cllr Mitchell-Murray
CSC MT 66 - Percentage of Looked After Children placed with In-House (Brent) foster carers	31%	32%	-	-	-	32%	-	Contextual		Demand Management	-		Gail Tolley	Cllr Mitchell-Murray
CSC MT 65 - Percentage of Looked After Children placed with independent fostering agencies	26%	25%	-	-	-	25%	-	Contextual		Demand Management	-		Gail Tolley	Cllr Mitchell-Murray
CSC MT 34 - Percentage of Looked After Children placed with relatives and friends	13%	12%	-	-	-	12%	-	Contextual		Demand Management	-		Gail Tolley	Cllr Mitchell-Murray
CSC ADOPT 07 - Average days between a child entering care and moving in with its adoptive family, for those adopted	494	554	-	-	-	554	550	Smaller is Better	Red	Demand Management	609 (statistical neighbours) Adoption Leadership Board (2012-15)	This is a 3 year average, and we have had just 1 adoption in this quarter. It is anticipated that the average days will decrease as we increase our adoption numbers through this reporting year.	Gail Tolley	Cllr Mitchell-Murray
NI 062 - Stability of placements of Looked After Children: 3 or more placement moves (%)	12.5%	1.1%	-	-	-	1.1%	13%	Smaller is Better	Green	Demand Management	9.2% (statistical neighbours) Department for Education 2014/15		Gail Tolley	Cllr Mitchell-Murray

Supporting vulnerable people and families when they need it

Adult's Social Care

Performance Indicator	15/16 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual Q4	Actual YTD	Target YTD	Good is?	RAG YTD	2020 Priority	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
Making Safeguarding Personal: Proportion of outcomes that are recorded as fully met	76.5%	80.0%	-	-	-	80.0%	80.0%	Bigger is Better	Green		-	This indicator is on target for quarter.	Phil Porter	Clr Hirani
ASCOF 2D The outcome of short-term services: sequel to service (REABLEMENT)	64.2%	59.0%	-	-	-	59.0%	75.0%	Bigger is Better	Red	Demand Management	71.8% (NASCIS 2014/15)	The service is currently moving towards full integration with the rehab service and is in a period of transition. The new service will go live in September, with new providers starting in October.	Phil Porter	Clr Hirani
ASCOF 1C (2A) - Proportion of people who use services that receive a direct payment	21.6%	20.5%	-	-	-	20.5%	21.7%	Bigger is Better	Amber	Demand Management	26.7% (LAPS 2014/15)	Direct payments are being promoted strongly and service areas are scrutinised to see if any services were not loaded as DP where they should have been. An Initial number of packages have been identified and these will be converted to Direct payments for Q2; The continuing DP project will significantly increase the numbers by the end of Q4 and allow us to meet the year end target.	Phil Porter	Clr Hirani
Number of admissions to residential & nursing care homes, 18-64	10	4	-	-	-	4	1.5	Smaller is Better	Red	Demand Management		The spike in this indicator is linked to the large number of reviews and reassessments being carried out in the 1st quarter as a result of re-organisation of the service and increased review capacity. It is also impacted by delays in the NAIL project and should ease when anticipated NAIL provision comes on line in December.	Phil Porter	Clr Hirani
No. of admissions to residential & nursing care homes, 65+	93	44	-	-	-	44	18	Smaller is Better	Red	Demand Management		The spike in this indicator is linked to the large number of reviews and reassessments being carried out in the 1st quarter as a result of re-organisation of the service and increased review capacity. It is also impacted by delays in Vishram House becoming available, which is anticipated to happen in December and should ease demand on residential and nursing	Phil Porter	Clr Hirani
ASC LPI 23 - Number of assessments & reviews of carers	992	190	-	-	-	190	388	Bigger is Better	Red	Demand Management	-	The carers review and assessments process is currently under review and will change to ensure the joint assessments which are not loaded onto the system will be on the system. Carer Assessments are currently carried out by the carers centre and are not captured on Mosaic, it is anticipated better recording and including figures from the carers centre will boost the figures and allow us to meet the year end target	Phil Porter	Clr Hirani
ASC LPI 22 -The proportion of initial contacts to Adult Social Care who are directed appropriately to information, advice and guidance (IAG)	36.6%	37.3% (snapshot figure as of 30 June 2016)	-	-	-	36.6%	40.0%	Bigger is Better	Amber	Demand Management	-	We are slightly below target for this indicator mainly due to data related to this indicator not being captured for every initial contact. A new report to review the results will be created and Q2 figures should report more positively.	Phil Porter	Clr Hirani

Enabling people to live healthier lives and reducing health inequalities

Public Health

Performance Indicator	15/16 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual Q4	Actual YTD	Target YTD	Good is?	RAG YTD	2020 Priority	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
PH 11 - Successful completions as a proportion of all opiate drug users in treatment	6.7%	6.4%	-	-	-	6.4%	6.7%	Bigger is Better	Amber		-	The current national position is 6.7% which means Brent is just below national average individual agency data has been delayed for qtr 1	Phil Porter	Clr Hirani
PH 12 - % of clients waiting to start first intervention	100%	100%	-	-	-	100%	90%	Smaller is Better	Green		-	No waiting times reported	Phil Porter	Clr Hirani
RS PH 03 - % of residents that complete a health check as a proportion of those offered	55%	34.0%	-	-	-	34.0%	30.0%	Bigger is Better	Green		-	Please note that performance is forecast quarterly against an annual target of 55%. This quarter the overall number of health checks received was 1952 out of a possible cohort of 5760.	Phil Porter	Clr Hirani

Better Place: Making sure that Brent is an attractive place to live with a pleasant, sustainable environment, clean streets and well-cared for parks and green spaces

Public Realm and Highways

Performance Indicator	15/16 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual Q4	Actual YTD	Target YTD	Good is?	RAG YTD	2020 Priority	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
NI 195a - Percentage of sites with unacceptable levels of litter	5%	5%	-	-	-	5%	6%	Smaller is Better	Green	Regeneration	4.2% (LAPS 2015/16)		Amar Dave	Clr Southwood
NI 195c - Percentage of sites with unacceptable levels of graffiti	2%	2%	-	-	-	2%	3%	Smaller is Better	Green		2.7% (LAPS 2015/16)		Amar Dave	Clr Southwood
RW 05 - Tonnes of municipal waste sent to landfill	68,351	18,426	-	-	-	18,426	55,680	Smaller is Better	Red		-	There has been an increase in municipal waste tonnages since 2014, reflecting the economic recovery nationwide. In addition, there is a significant amount of new housing being constructed throughout the borough, with more to come. Every additional household in Brent will only make the meeting our target more challenging. We are constantly working with Veolia and West London Waste Authority on improving communications and education, to encourage people to generate less waste (such as engaging in the Love Food Hate Waste campaign), and (where waste is unavoidable) to reuse or recycle.	Amar Dave	Clr Southwood
RW 18 - Number of waste enforcement cases investigated which lead to a non sanctionable outcome	528	153	-	-	-	153	550	Bigger is Better	Green		-		Amar Dave	Clr Southwood
RW 19 - Number of waste enforcement cases investigated which lead to a sanctionable outcome	630	184	-	-	-	184	500	Bigger is Better	Green		-		Amar Dave	Clr Southwood
RW 08d - Number of flytips reported on public land (large and small)	13,197	4,820	-	-	-	4,820	3,000	Smaller is Better	Red	Regeneration	-	Due to higher resident awareness through campaigns such as "Love Where You Live", we are continuing to see a high number of fly tips reported across the borough. This doesn't mean that the actual number of fly tipping incidents have increased, just what is reported as fly tipping. We are promoting the "Love Where You Live" campaign, implemented uniformed litter patrols, issuing Fixed Penalty Notices for littering offences and using CCTV wherever possible to identify offenders of fly tipping and littering.	Amar Dave	Clr Southwood
NI 191 - Number of kilograms of residual household waste collected per household	479	120	-	-	-	120	480	Smaller is Better	Green		131 (LAPS Q1 2015/16)		Amar Dave	Clr Southwood
NI 192 - Percentage of household waste sent for re-use, recycling and composting	40%	40.5%	-	-	-	40.50%	45%	Bigger is Better	Amber	Regeneration	30.8% (LAPS 2015/16)	This figure is reflective of the London-wide picture, where recycling rates have plateaued over recent years. Further work is underway in partnership with Veolia to improve performance through concerted communications and education campaigns and through continued promotion of the Brent's recycling service	Amar Dave	Clr Southwood
RW 08 - Average time taken to remove flytips (days)	0.74	0.96	-	-	-	0.96	1	Smaller is Better	Green	Regeneration			Amar Dave	Clr Southwood
Gulleys regularly cleared	94%	97%	-	-	-	97%	92%	Bigger is Better	Green				Amar Dave	Clr Southwood
Performance Indicator	15/16 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual Q4	Actual YTD	Forecast YTD	Good is?	RAG YTD	2020 Priority	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
Parking driver compliance- PCNs issued: Parking contraventions	99,721	28,066	-	-	-	28,066	-	Contextual			-		Amar Dave	Clr Southwood
SS 33 - Parking driver compliance- PCNs issued: CCTV bus lane	8,370	2,324	-	-	-	2,324	-	Contextual			-		Amar Dave	Clr Southwood
SS 34 - Parking driver compliance- PCNs issued: CCTV moving traffic	73,990	19,945	-	-	-	19,945	-	Contextual			-		Amar Dave	Clr Southwood
FIN EP 11 - Parking revenue: Car parks / Off street P&D	£499,137	£138,172	-	-	-	£138,172	-	Contextual		Raising Income	-		Amar Dave	Clr Southwood
Percentage of resident permits purchased online	78%	79%	-	-	-	79%	-	Bigger is Better	Amber		-	The performance of this measure has been improving since Brent website content was improved in Dec 2015.	Amar Dave	Clr Southwood

Better Place

Better Place: Continue to reduce crime, especially violent crime, making people feel safe

Community Protection

Performance Indicator	15/16 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual Q4	Actual YTD	Target YTD	Good is?	RAG YTD	2020 Priority	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
Offences of Violence with Injury	2,883	809	-	-	-	809	-	Contextual			-		Amar Dave	Clr Southwood
Residential Burglary offences	2,007	389	-	-	-	389	-	Contextual			-		Amar Dave	Clr Southwood
Robbery offences	966	210	-	-	-	210	-	Contextual			-		Amar Dave	Clr Southwood
CST 09 - Theft of and from motor vehicles	2,655	676	-	-	-	676	-	Contextual			-		Amar Dave	Clr Southwood
CST 05 - Calls to the police for ASB	8,254	2,455	-	-	-	2,455	-	Contextual			-		Amar Dave	Clr Southwood
CST 24 - Sanctioned Detection rate for domestic violence	35.7%	35.3%	-	-	-	35.3%	-	Contextual			-	Rolling 12 month figure	Amar Dave	Clr Southwood
Gang-related offences (Gun discharges and Knife injury victims (under 25 years old non domestic)	85	84	-	-	-	84	-	Contextual			-	Rolling 12 month figure	Amar Dave	Clr Southwood
NI 019 - Reoffending rate for young offenders per cohort	41.0%	42.6%	-	-	-	42.6%	43.2%	Smaller is Better	Green	Regeneration	-	The data for this indicator comes from the Police National Computer and is published by the Ministry of Justice. The 12 month reoffending rate for the Jul 13-Jun 14 cohort is presented, this is the latest available data.	Gail Tolley	Clr Mitchell-Murray
BCST 05 - First time entrants to the Youth Justice System aged 10-17 per cohort	119	130	-	-	-	130	157	Smaller is Better	Green	Regeneration	424 (London) LGINform 2014/15	The data for this indicator comes from the Police National Computer and is published by the Ministry of Justice. The data is shown in rolling full-years for the 12 months to March, July, September, and December of each year. The latest figures available are for Jan 15-Dec 15.	Gail Tolley	Clr Mitchell-Murray
SSL 01 - % of street lighting working as planned	99.94%	99.94%	-	-	-	-	99.9%	Bigger is Better	Green				Amar Dave	Clr Southwood

Better Place: Increase the supply of affordable, good quality housing

Housing and Growth

Performance Indicator	15/16 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual Q4	Actual YTD	Target YTD	Good is?	RAG YTD	2020 Priority	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
BHP 04 - % of properties with a valid gas certificate	99.99%	99.99	-	-	-	99.99	100	Bigger is Better	Amber	-	-	BHP are monitoring the renewal of all gas safety certificates for the first time rather than a snapshot at the end of the period. 26 gas safety certificates issued in quarter 1 were not completed before their anniversary date, one remained outstanding at the end of June. Through proactive actions from the property services team we expect this number will reduce month on month. One certificate remained outstanding at the end of the period. A weekly report on gas renewal actions is being sent to property service managers and the Head of Property Services including detailed information on a case by case	Phil Porter	Clr Farah
BHP 05 - Average re-let time minor voids	30.7	24.29	-	-	-	24.29	24	Smaller is Better	Amber	-	-	Awaiting commentary	Phil Porter	Clr Farah
BHP 06 - Average re-let time major voids	59	48	-	-	-	48	61	Smaller is Better	Green	-	-		Phil Porter	Clr Farah
HE 36 - Households in TA	2,933	2,906	-	-	-	2,906	2870	Smaller is Better	Amber	Business & Housing	-	Awaiting commentary	Phil Porter	Clr Farah
HE 55 - Households in non self contained B&B for more than 6 weeks	2	0	-	-	-	0	0	Smaller is Better	Green	Business & Housing	-		Phil Porter	Clr Farah
HE 59 - Number of households in non-self-contained B&B	124	115	-	-	-	115	30	Smaller is Better	Red	Business & Housing	-	Awaiting commentary	Phil Porter	Clr Farah
HE 31 - Accepted homeless	745	154	-	-	-	154	180	Smaller is Better	Green	Business & Housing	-		Phil Porter	Clr Farah
HE 53 - Number of OBC impacted households in temporary accommodation	New for 2016/17	94	-	-	-	94	80	Smaller is Better	Red	Business & Housing	-	Awaiting commentary	Phil Porter	Clr Farah

Ensuring good quality, accessible arts and leisure facilities

Sports and Culture

Performance Indicator	15/16 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual Q4	Actual YTD	Target YTD	Good is?	RAG YTD	2020 Priority	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
SP 10 - The overall number of wet and dry visits to Brent's sports centres	1,600,785	421,419	-	-	-	421,419	400,609	Bigger is Better	Green	-	-		Phil Porter	Clr Hirani
SP 07 - The overall number of swim visits to Brent's sports centres	566,614	143,569	-	-	-	143,569	143,003	Bigger is Better	Green	-	-		Phil Porter	Clr Hirani
The overall number of dry side visits to Brent's sports centres	1,034,171	277,850	-	-	-	277,850	257,606	Bigger is Better	Green	-	-		Phil Porter	Clr Hirani
Total number of physical visits to libraries	2,404,283	663,619	-	-	-	663,619	642,388	Bigger is Better	Green	-	-		Phil Porter	Clr Pavey
LIB 10 - Number of library stock issued	1,059,083	255,780	-	-	-	255,780	269,657	Bigger is Better	Amber	-	-	It has been a challenging few months for library issues. The Library at Willesden Green is performing strongly as our busiest library and our library at Ealing Road has been performing well. However, overall issues are only slightly up on last year (1%) and below target. We have maintained our regular performance meetings and are focusing our actions in response to our recent customer survey. This has included setting up new customer engagement in stock selection for community languages, developing new stock displays, rotating some specialist stock and working towards a community engagement plan for each library. Despite this it will be challenging to make up the shortfall from the first quarter and we feel it is unlikely we will hit our year-end target.	Phil Porter	Clr Pavey
Total number of instances of participation with Brent Museum and Archive service	New for 2016/17	13,746	-	-	-	13,746	6,225	Bigger is Better	Green	-	-		Phil Porter	Clr Pavey
Number of online interactions	New for 2016/18	783,011	-	-	-	783,011	607,500	Bigger is Better	Green	-	-		Phil Porter	Clr Pavey

Building community resilience and promoting citizenship

Partnership Working

Performance Indicator	15/16 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual Q4	Actual YTD	Target YTD	Good is?	RAG YTD	2020 Priority	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
CCE 21 - Number of people attending Brent Connects forums	693	205	-	-	-	205	-	Contextual			-	No data available until mid-August	Peter Gadsdon	Cllr McLennan
Number of people registered as volunteer	531	315 (April and May only)	-	-	-	315 (April and May only)	-	Contextual		Employment & Skills	-	No data available until mid-August	Peter Gadsdon	Cllr McLennan
PAR 01 - Income to benefit the borough secured by local voluntary groups, with CVS support	£1,509,639	£567,412	-	-	-	£567,412	-	Contextual		Demand Management	-	No data available until mid-August	Peter Gadsdon	Cllr McLennan
PAR 04 - Number of local voluntary sector groups receiving 1-2-1 advice and guidance from CVS	314	63	-	-	-	63	-	Contextual		Demand Management	-	No data available until mid-August	Peter Gadsdon	Cllr McLennan

Working with partners to find new ways or providing services that are more finely tailored to individual, community and local needs

Internal Business

Performance Indicator	15/16 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual Q4	Actual YTD	Target YTD	Good is?	RAG YTD	2020 Priority	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
BCS 01 - Percentage of telephone calls answered by BCS	82%	86%	-	-	-	86%	90%	Bigger is Better	Amber	Demand Management	-	86% of all calls received by BCS in the quarter were answered: a total of 156,250 calls. In some teams performance is exceeding the 90% target: Contact centre - planning, building control, regulatory services, Childrens' information service, benefit overpayments. However there are a number of teams where performance is not yet at 90%, these include: Contact centre ASC team, Council Tax, Benefits, R&N and the Finance Service Centre. The following actions are being taken to address this : Recruitment to vacant posts in benefits, FSC, Contact Centre and R&N is increasing the capacity available to handle calls. A review with ASC of arrangements for phone handling for the ASC team in the contact centre - with proposals for improving this being evaluated. Strengthened management at team leader level in the Benefits phone team and FSC - with further recruitment to team leader posts under way. A review of procure to pay processes with Depts and clarification about the roles of budget managers and FSC to help address the fundamental issues that are causing calls (reported to CMT in July). Contractual discussions with Capita re phone performance and eradication of backlogs in relation to correspondence - to address performance issue and support collection.	Althea Loderick	Cllr Pavey
BCS 03 - Average customer waiting time in local offices (mins)	23	23	-	-	-	23	30	Smaller is Better	Green	Demand Management	-		Althea Loderick	Cllr Pavey
RB 01 - Average days taken to process new benefit claims and change events	8.3	7.07	-	-	-	7.07	8.7	Smaller is Better	Green	Demand Management	-		Althea Loderick	Cllr Pavey

Working with partners to find new ways or providing services that are more finely tailored to individual, community and local needs

Internal Business continued

Performance Indicator	15/16 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual Q4	Actual YTD	Target YTD	Good is?	RAG YTD	2020 Priority	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
BCS 11 - Percentage of telephone calls answered through the council's ACD system	83%	84%	-	-	-	84%	90%	Bigger is Better	Red	-	-	Overall answer rates for ACD calls managed outside BCS are at 85% this quarter. BHP have made good improvement and are now achieving 88% answer rates - and electoral registration are at 89%. Housing Options and Housing Resources are at 87% and 83% respectively - and Children services (schools admissions) and the ASC Hospital discharge team are at 73% and 72% respectively. Actions in progress : The Customer Promise score card is now live providing each Dept with a dash board of their performance across all Customer Promise standards. Performance against published Promises is being reported to CMT on 14 July with a view to each Dept developing improvement plans to tackle the issue impacting on performance. ASC have an " Improving Residents' work stream" which is seeking to address issues with all contact handling and they anticipate improvements as this begins to take effect. ACD performance Council wide is at 84% - this compares to circa 50% of non ACD calls - so there is a need to improve telephone performance in the round.	Althea Loderick	Cllr Pavey
CMP 02 - Percentage of stage 1 complaints responded to within timescale	88%	93%				93%	100%	Bigger is Better	Red		-	Council performance is improving every quarter and we are actively working to improve timeliness of responses to complaints across the council. Since Q3 15/16, we have been producing a weekly report for directors showing their departmental response rates. We have noticed a marked improvement in response rates across the council.	Peter Gadsdon	Cllr McLennan
CMP 04 - Percentage of stage 2 complaints responded to within timescale (Corporate)	New for 2016/17	86%				86%	100%	Bigger is Better	Red		-	Timeliness of response rates for Stage 2 (Corporate) complaints has improved over the past six months. The corporate complaints team are actively taking steps to improve performance.	Peter Gadsdon	Cllr McLennan
CMP 04 - Percentage of stage 2 complaints responded to within timescale (Statutory)	New for 2016/17	33%				33%	100%	Bigger is Better	Red		-	There were 3 ASC final reviews due and one was completed in time. Whilst the volumes remain low, the investigations remain complex. We have acknowledged that the performance is not good enough and are currently carrying out a thorough analysis in to what exactly is the factor behind the poor performance. Once identified, necessary action plan will be put in place and an improvement in performance will be noticeable.	Peter Gadsdon	Cllr McLennan
Total number of complaints upheld / partially upheld	398	161	-	-	-	161	-	Contextual			-		Peter Gadsdon	Cllr McLennan
Total number of complaints not upheld	379	117	-	-	-	117	-	Contextual			-		Peter Gadsdon	Cllr McLennan
Total number of decisions made by the ombudsman on complaints investigated	11	19	-	-	-	19	-	Contextual			-		Peter Gadsdon	Cllr McLennan
Total number of complaints upheld by the ombudsman	16	5	-	-	-	5	-	Contextual			-		Peter Gadsdon	Cllr McLennan
FOI 02 - Percentage of FOI responded to within 20 working days	93%	96%	-	-	-	96%	100%	Bigger is Better	Amber		86.9% (LAPS 2015/16)	All departments bar one maintained or improved their response rate performance this quarter. We are seeing a continuous improvement in our performance and 96% is the highest quarterly figure we have reached.	Peter Gadsdon	Cllr McLennan

Working with partners to find new ways or providing services that are more finely tailored to individual, community and local needs

Internal Business continued

Performance Indicator	15/16 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual Q4	Actual YTD	Target YTD	Good is?	RAG YTD	2020 Priority	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
Percentage of members enquiries responded to within 10 days	96%	94%	-	-	-	94%	100%	Bigger is Better	Red		-	There has been a 14% increase on members enquiries received from 596 in Q4 to 696 in Q1. In Quarter 1 we closed 637 enquires out of 696 in time. Giving a percentage of 94%. This is in comparison 531 of 596 in Q4, which was a percentage of 92%. Despite a noticeable increase in volume and number of cases closed, performance was up 2% percent from the previous quarter.	Peter Gadsdon	Cllr Butt
Number of SARs (Subject Access Requests) responded to within the statutory 40 days	74%	87%	-	-	-	87%	80%	Bigger is Better	Green		-		Peter Gadsdon	Cllr McLennan

Corporate Health

Corporate Health

Internal Business

Performance Indicator	15/16 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual Q4	Actual YTD	Target YTD	Good is?	RAG YTD	2020 Priority	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
Number of deaths registered within 5 days (excluding those referred to the Coroner) (%)	71.07%	92.14%	-	-	-	92.14%	95%	Bigger is Better	Amber		81% (South East England Average) 76% (National Average) General Register Office	Performance was at an average of 91% year to date achieved against a set target of 95%. It is important to recognise the regional average is 81% and the national average is 76%, we are comparatively above both these measures. What can we do to improve the figures? We currently offer approximately 6 appointments daily which are can potentially be booked as (a birth or death appointment) it appears these optional bookings get taken by birth appointments. There is a greater need for additional death appointments (which need to be registered within 5 days and bearing in mind the urgency of burial for the Jewish and Muslim communities). Birth appointments often get booked quicker usually due to the customers need to attend to register with fathers who are on paternity leave (within 2 weeks or specifically at weekends when there is more support).	Althea Loderick	Cllr Pavey
Percentages of invoices paid on time	77%	80%	-	-	-	80%	-	Contextual			90.2% (LAPS 2015/16)		Althea Loderick	Cllr McLennan
Percentage of Council Tax collected	96.19%	30.52%	-	-	-	30.52%	30.18%	Bigger is Better	Green	Business & Housing / Raising Income	29.6% (LAPS Q1 2015/16)		Althea Loderick	Cllr Pavey
RB 03 - Non-Domestic Business Rates (NNDR)	98.32%	28.82%	-	-	-	28.82%	29.01%	Bigger is Better	Amber	Business & Housing / Raising Income	31.2% (LAPS Q1 2015/16)	End of June below target due to large payments being received on 30 June but not posted to account until 1 July. In addition the ending of retail rate relief means there is an additional £2M to collect from a large number of small shops some of which are finding it difficult to pay	Althea Loderick	Cllr Pavey
RB 04 - Value of CT/HB overpayments recovered	£7,170,549	£2,270,000	-	-	-	£2,270,000	£2,150,000	Bigger is Better	Green	Raising Income	-		Althea Loderick	Cllr Pavey
RB 05 - Value of Council Tax arrears recovered	£3,011,339	£247,116	-	-	-	£247,116	£400,000	Bigger is Better	Red	Raising Income	-	Arrears collection below target due to arrears cash in April and May being affected by transfers and refunds	Althea Loderick	Cllr Pavey
RN 04 - Registration and Nationality external income achieved to date	£253,857	£191,235	-	-	-	£191,235	£270,000	Bigger is Better	Red	Raising Income	-	The following factors have influenced the shortfall of income: <ul style="list-style-type: none"> Immigration Act 2014 – sham marriages has reduced number of marriages overall. The waiting period before a marriage can take place has extended from 28 – 70 days in cases where Immigration investigate, due to stringent checks made by UKVI. UKVI change of strategy for Citizenship application with the additional requirement for Knowledge of Life and Language or a degree level certification – We saw the policy take effect on our income for citizenship particularly in quarter one and two showing a reduction in income. Q1 of 16/17 showing slight improvement to citizenship and NCS numbers which has a positive outlook for income. Chief Inspectorate of Immigration ministerial decision on NCS policy Vacancies in Brent and Barnet were being withheld to offset the reduction in income in quarter 4, recruitment has taken place in Q1 of 16/17, with existing budgetary provisions available, training is in progress for new staff, rotation of staff in Brent and Barnet will begin in Q2 to increase the service diary capacity and to reduce service waiting times. 	Althea Loderick	Cllr Pavey

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Corporate Health

Corporate Health

Digital Services

Performance Indicator	15/16 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual Q4	Actual YTD	Target YTD	Good is?	RAG YTD	2020 Priority	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
Digital Services: System availability - Website	New for 2016/17	99.50%	-	-	-	99.50%	99.90%	Bigger is Better	Amber	-	-	The Brent website is monitored 24x7, as it is a critical 'always on' live service. For this reason, we do not exclude any planned maintenance window, 0.5% downtime equates to approximately 10 hours scheduled maintenance and upgrade tasks accomplished in this period.	Althea Loderick	Clr McLennan
Digital Services: System availability - Email Service	New for 2016/17	99.99%	-	-	-	99.99%	99%	Bigger is Better	Green	-	-		Althea Loderick	Clr McLennan
Digital Services: System availability - Remote Access Service	New for 2016/17	99.84%	-	-	-	99.94%	99%	Bigger is Better	Green	-	-		Althea Loderick	Clr McLennan
Digital Services: System availability - Desktop Service	New for 2016/17	100%	-	-	-	100%	99%	Bigger is Better	Green	-	-		Althea Loderick	Clr McLennan
Digital Services: Percentage of calls resolved within SLA timescales	New for 2016/17	77.41%	-	-	-	77.41%	80%	Bigger is Better	Amber	-	-	During Q1 we entered into the new shared service arrangement, which placed temporary pressures on existing support staff with additional project delivery. We anticipate that as the shared service settles into BAU, it should be possible for the SLA performance to improve.	Althea Loderick	Clr McLennan
Digital Services: Net Promoter Score	New for 2016/17	60.61	-	-	-	60.61	20	Bigger is Better	Green	-	-	Net Promoter Score (NPS) is a management tool that is used to gauge the loyalty of a firm's customer relationships. It serves as an alternative to traditional customer satisfaction research and has been widely adopted with more than two thirds of Fortune 1000 companies. NPS measures the loyalty that exists between a provider and a consumer. The provider can be a company, employer or any other entity. The provider is the entity that is asking the questions on the NPS survey. The consumer is the customer, employee, or respondent to an NPS survey.	Althea Loderick	Clr McLennan

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Workforce

Performance Indicator	15/16 Outturn	Actual Q1	Actual Q2	Actual Q3	Actual Q4	Actual YTD	Target YTD	Good is?	RAG YTD	2020 Priority	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
HR 12 a - Average days sickness (Previous 12 months)	5.89	6.17	-	-	-	6.17	-	Contextual	Grey	-	-		Althea Loderick	Clr McLennan