



## Cabinet

**Monday 24 October 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
Southwood	Lead Member for Environment

**For further information contact:** Thomas Cattermole, Head of Executive and Member Services: 020 8937 5446; [thomas.cattermole@brent.gov.uk](mailto:thomas.cattermole@brent.gov.uk)

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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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<b>1</b>	<b>Declarations of interests</b>	
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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.

<b>2</b>	<b>Petitions (if any)</b>	
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<b>3</b>	<b>Minutes of the previous meeting</b>	1 - 8
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<b>4</b>	<b>Matters arising</b>	
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## Chief Executive's reports

<b>5</b>	<b>Community and Wellbeing Scrutiny Committee Recommendations</b>	9 - 14
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This report sets out the recommendations to Cabinet which the Community and Wellbeing Scrutiny Committee agreed at its meeting on 20 July 2016. Cabinet are asked to note the recommendations set out in Appendix A.

**Ward Affected:**  
All Wards

**Lead Member:** Lead Member for Housing and Welfare Reform (Councillor Harbi Farah)

**Contact Officer:** Pascoe Sawyers, Head of Strategy and Partnerships

Tel: 020 8937 1045

pascoe.sawyers@brent.gov.uk

## Resources reports

<b>6</b>	<b>Budget Proposals 2017/18 – 2018/19</b>	15 - 64
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This report sets out draft budget proposals for 2017/18 and 2018/19. Subject to the results of consultation it is envisaged that these would then form the basis of the budget to be agreed at the Full Council meeting of February 2017.

**Ward Affected:**  
All Wards

**Lead Member:** Deputy Leader (Councillor Margaret McLennan)  
**Contact Officer:** Conrad Hall, Chief Finance Officer  
Tel: 020 8937 6528 conrad.hall@brent.gov.uk

## Chief Executive's reports - continued

### 7 Sustainability and Transformation Plan 65 - 82

This report sets out the North West London STP priorities, how they align with the Brent STP priorities, the approach to delivering these and the financial implications associated with the proposals.

**Ward Affected:**  
All Wards

**Lead Member:** Lead Member for Community Wellbeing (Councillor Krupesh Hirani)  
**Contact Officer:** Peter Gadsdon, Director, Performance, Policy and Partnerships  
Tel: 020 8937 1400  
peter.gadsdon@brent.gov.uk

### 8 Annual Complaints Report 2015/2016 83 - 114

This report provides an overview of complaints received by the Council during the period April 2015 to March 2016. High level data for the past 3 years has been included where available for the purpose of comparison. Departmental/service area analysis has been provided for the 2015 – 2016 operational year (based on the current structure).

**Ward Affected:**  
All Wards

**Lead Member:** Deputy Leader (Councillor Margaret McLennan)  
**Contact Officer:** Raj Chavda, Complaints Team  
Tel: 020 8937 4240 raj.chavda@brent.gov.uk

### 9 Advice Small Grant Approval 115 - 122

The procurement and award of Brent's Local Advice and Guidance Service contracts were considered by Cabinet on 16 November 2015 and 8 February 2016. One of the contracts awarded to Brent Citizen's Advice Bureau was the Brent Advice Partnership contract. This contract included administration of a small advice grants programme of £242,000 per year to include recommending to Officers the award of small advice grants of up to £10,000 using delegated powers. A recommendation from Brent Advice Partnership's Advice Fund Grant's Panel has now been received to award a grant in the sum of £18,500 and as a result Cabinet approval is sought to permit such award.

**Ward Affected:**  
All Wards

**Lead Member:** Deputy Leader (Councillor Margaret McLennan)  
**Contact Officer:** Pascoe Sawyers, Head of Strategy and Partnerships  
Tel: 020 8937 1045  
pascoe.sawyers@brent.gov.uk

## Regeneration and Environment Reports

### 10 Visitor Permit Pricing 123 - 148

This report summarises the outcome of the formal consultation on the proposed change to the structure of visitor parking permits in Brent, and the associated price increases for stays of more than two hours. The report also notifies Cabinet of the contents of an online public petition relating to this issue (see paragraph 6.11) which has received 312 signatures.

**Ward Affected:**  
All Wards

**Lead Member:** Lead Member for Environment (Councillor Eleanor Southwood)  
**Contact Officer:** Gavin F Moore, Head of Parking and Lighting  
Tel: 020 8937 2979 gavin.f.moore@brent.gov.uk

### 11 The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016 149 - 154

This report seeks authority to set a higher level of charge when issuing Fixed Penalty Notices for small-scale fly-tipping. This is in accordance with new legislation which provides for a default payment level of £200- or £120 for early payment; whilst allowing the opportunity for Councils to set their own levels of charges between £150 and £400.

**Ward Affected:**  
All Wards

**Lead Member:** Lead Member for Environment (Councillor Eleanor Southwood)  
**Contact Officer:** Robert Anderton, Environment Services  
Robert.Anderton@brent.gov.uk

### 12 School Led Building Projects at Roe Green Infant School and Our Lady of Grace Catholic Infant School – Approval to Procure Works 155 - 164

This report seeks Cabinet approval for each school to procure a works contract for its own proposed nursery extension building works. This report also seeks a delegation of Cabinet's authority to award high value works contracts to a relevant Officer in order for the schools project programmes to be maintained ready for September 2017.

**Ward Affected:**  
Dollis Hill;  
Queensbury

**Lead Member:** Lead Member for Regeneration,  
Growth, Employment and Skills (Councillor  
Roxanne Mashari)

**Contact Officer:** Cheryl Andani, Property and  
Asset Management  
Tel: 020 8937 3227 cheryl.andani@brent.gov.uk

## Resources reports - continued

- 13 Award of a Contract for Postal Services** 165 -  
180

This report requests authority to award a contract as required by Contract Standing Order No 88. This report summarises the process undertaken in selecting the supplier for the contract and recommends to whom the contract should be awarded.

**Ward Affected:**  
All Wards

**Lead Member:** Deputy Leader (Councillor  
Margaret McLennan)

**Contact Officer:** Philippa Brewin, Procurement  
Tel: 0208 937 1733  
philippa.brewin@brent.gov.uk

- 14 Reference of item considered by Scrutiny Committees (if any)**

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

## Appendix 2, Award of a Contract for Postal Services

- 16 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: Tuesday 15 November 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 Tuesday 13 September 2016 at 7.00 pm

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

Also present: Councillors Chohan, Harrison, Hossain, Perrin and Warren

1. **Declarations of interests**

None

2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 15 August be approved as an accurate record of the meeting.

3. **Matters arising**

None

4. **Financial Position 2017/18 - 2019/20 and option to fix RSG settlements**

Councillor Margaret McLennan, Deputy Leader, introduced the report. She informed Members that the report sets out the council's medium term financial position and the major strategic considerations arising from this.

She stated that 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.

Councillor McLennan stated that significant savings have been delivered by the Council but that difficult choices about the levels of service provision also had been confronted to meet the financial targets. She stated that the Council was now in a sound financial position despite the substantial cuts in central government funding awarded to Brent.

With the permission of the Chair, Councillor John Warren (Brondesbury Park) said that Full Council should be given the opportunity to consider the issue of fixing RSG up until 2019/20, not solely Cabinet. He stated that Full Council should also be given the opportunity to consider the associated efficiency plan prior to its submission to DCLG. He stated that he would raise the issue at Full Council on 19 September 2016.

In response to Councillor Warren, Conrad Hall, Chief Finance Officer, stated that the majority of London Boroughs had considered the RSG settlements at Cabinet meetings and not Full Council meetings. It was clarified that that the decision on the Financial Position 2017/18- 2019/20 and option to fix RSG settlement is a function exercisable by the Cabinet.

It was reiterated that 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.

Councillor McLennan, Deputy Leader, stated that the Council would prepare an efficiency plan to central government based on the council's medium term financial plan.

RESOLVED:-

- (i) Cabinet noted the overall financial position and the risks inherent in it.
- (ii) Cabinet noted 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.
- (iii) Cabinet delegated to the Chief Executive and Leader authority to decide whether or not to accept the fixed RSG settlement.
- (iv) Cabinet delegated 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.
- (v) Cabinet noted 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.
- (vi) Cabinet noted the progress in developing a financing programme for the investment strategy.
- (vii) Cabinet agreed 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.

#### **5. Fair Debt Recovery Policy and In-House Enforcement Agents (Bailiffs) Service**

Councillor Margaret McLennan, Deputy Leader, introduced the report stating that as a result of continuing budget pressures, the 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.

Councillor Roxanne Mashari, Cabinet Member for Regeneration, Growth, Employment and Skills welcomed the report. She suggested using resident focus groups to get feedback from residents.



Councillor Mashari asked that the scope of the policy be amended to include parking fines. Conrad Hall, Chief Finance Officer, agreed to investigate this possibility.

Councillor Ellie Southwood, Cabinet Member for Environment, asked that mention be made of accessible communications. She is aware of written summons letters being written to residents with visual impairments.

RESOLVED:-

- (i) Cabinet approved the suggested overarching principles for a Council-Wide Fair Debt Policy;
- (ii) Cabinet approved the suggested approaches to individuals with multiple debts, vulnerable debtors, and those in financial difficulty;
- (iii) Cabinet approved 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.
- (iv) Cabinet noted 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.

## 6. **Future Use of Preston Park Annexe**

Councillor Muhammed Butt, Leader of the Council, welcomed those who had come to the meeting for this item.

Referring to previous Council policies on libraries, Cllr Butt indicated that the Council was keen to work alongside communities libraries in a non-adversarial way. He referred Members to the recent decision by the Barham Park Trust. He indicated the Council's wish to establish a way forward for the Borough's community libraries (Preston Community Library, Barham Park, Cricklewood, Kensal).

He welcomed the work carried out by these community groups. He indicated the Council's desire to establish a strategy outlining how the Council intends to work with such groups going forward.

On behalf of the Cabinet, Councillor Butt asked the Strategic Director of Resources, in conjunction with other colleagues, to draft a strategy on how the Council would work with such community groups going forward which would enable these groups to continue the vital community work that they carry out.

He indicated the Council's desire, if possible, to ensure Preston Community Library is able to continue the work it currently does. Such a strategy would enable such groups to have access to spaces owned by the Council, if appropriate.

He asked that Preston Community Library be awarded a three month license to be able to review the situation regarding school places with the Council's Children and Young People's department. In January 2017, a 6 month licence could be

considered and then potentially a 12 month license. This would avoid the uncertainty felt by Preston Community Library currently.

Finally, Councillor Butt indicated the Council's clear support for the work of such groups as well as indicating that Preston Community Library would not be expected to meet the income target of £51k.

Councillor Harrison (Preston Ward) and Councillor Hossain (Preston Ward) welcomed the intervention by the Leader of the Council. Councillor Harrison requested that the report be withdrawn. Councillor Hossain particularly welcomed the work carried out and the services being provided by Preston Community Library.

Councillor Warren (Brondesbury Park Ward) asked for clarification about the Leader's opening remarks. He asked for clarity about the rent that Preston Community Library might be asked to pay. He asked for the proposals to be totally reconsidered. He stated that he was keen to ensure that all community libraries were treated equally and particularly reference Kensal Rise Community Library.

Michael Rushe, Chair of the South Kenton & Preston Park Residents' Association welcomed the work by Preston Community Library. He questioned the feasibility of providing school places on the site.

Philip Bromberg asked for additional detail to support the Leader's opening remarks. He urged the Cabinet to keep their manifesto pledge made before May 2014 i.e. *"to offer the building at a peppercorn rent to any local community group who can provide a sustainable community library"*. He stated that a fantastic facility had been established by Preston Community Library. He spoke of the Council's decision regarding allotments in Brent which had been allocated on *peppercorn rents*. He asked for a clear steer that

Councillor Michael Pavey, Cabinet Member for Stronger Communities, with responsible for Libraries, corrected the report stating that Preston Community Library is in no way a 'pop up' community library. He welcomed the redevelopment of the site, ideally including the adjacent site. He stated this should not prevent the establishment of a community library. Councillor Pavey welcomed the Leader of the Council's opening remarks. He supported the drafting of a Community Libraries Strategy. Councillor also proposed three amendments to the report recommendations: (1) during any construction period, a clear commitment should be given to Preston Community Library (2) he suggested a clear commitment be given to weight procurement processes to social value rather than financial value, (3) that the £51k rent not be cash based but could be linked to social value.

Councillor Ellie Southwood, Cabinet Member for Environment, welcomed the facilities provided by Preston Community Library. She echoed Cllr Pavey's remarks about the procurement process – suggesting that the social value of community libraries be recognised.

Councillor Roxanne Mashari, Cabinet Member for Regeneration, Growth, Employment and Skills welcomed the development of a strategy which would provide an appropriate framework. She seconded Councillor Pavey's three amendments.

Councillor Margaret McLennan, Deputy Leader of the Council with responsibility for the voluntary sector, outlined the number of community run schemes in Brent.

Carolyn Downs, Chief Executive, clarified the amendments made to the report:

- A commitment to support through any development the Preston Community Library.
- Seek to explore social value as opposed to financial value in the procurement process.

Councillor Michael Pavey, Cabinet Member for Stronger Communities, asked that his three amendments to the report be reflected in today's decision. He repeated the three amendments. It was clarified that these amendments would be fully considered in the report due back to Cabinet within three months.

Councillor Krupesh Hirani, Cabinet Member for Community Wellbeing, requested clarification about school places.

Gail Tolley, Strategic Director Children and Young People, provided clarity about school places and the situation of in-year arrivals.

Councillor Butt, Leader of the Council, stated that Preston Community Library would be granted a three month license extension and said that the situation would be reviewed in January.

He thanked the various speakers including Councillors Harrison, Hossain and Warren.

RESOLVED:

- I. Option 2: to purchase the adjacent land to deliver 19 new homes and D1 community use space.
- II. To allow a 3 month period for the Council to negotiate with the adjacent landowner(s).
- III. To delegate 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.
- IV. That officers, within three months, bring back the results of negotiations, and a draft community library strategy.
- V. That a further report would be presented setting out when available: detailed plans, outcomes of consultation and investment requirements.
- VI. To support the redevelopment process.
- VII. Their commitment to social value as opposed to financial value.

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

Councillor Ellie Southwood, Cabinet Member for Environment, introduced the report stating that 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).

In response to questions from Councillor Pavey, Councillor Southwood said that she would provide him with an analysis of the proposed work on Forty Lane.

### RESOLVED:

- I. Noted the 2017/18 total TfL provisional LIP allocation of £3,545,000.
- II. Approved the proposed 2017/18 programme of LIP Corridors, Neighbourhoods and Supporting Measures schemes, as set out in Appendix A of the 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.
- III. Authorised 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.
- IV. Noted the scheme allocations are provisional and that schemes may be subject to change during development and following the consultation process.
- V. Authorised the Head of Highways and Infrastructure in consultation with the Lead Member for Environment to vire 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.

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

Councillor Harbi Farah, Cabinet Members for Housing and Welfare Reform stated that he had chaired the Community Infrastructure Levy (CIL) and Section 106 task group prior to joining Cabinet. He stated that the task group had been requested by Scrutiny Members to ensure Brent council is achieving the best financial outcomes for the borough with its current CIL and section 106 agreements.

The task group had set out to analyse the current CIL and S106 processes with a view to ensuring that communities and councillors are engaged in the making of funding decisions.

Councillor John Warren, Brondesbury Park, welcomed the report but asked whether the process of allocating funding could be sped up.

In noting recommendation 24, Cabinet suggested an amendment to the recommendation to state that at least half of the Planning Committee members serve a minimum of two years terms at any given time.

RESOLVED:-

- I. Cabinet considered the contents of the Community Infrastructure Levy (CIL) and Section 106 task group's report.
- II. Cabinet noted 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.
- III. Cabinet agreed to receive a progress report against the recommendations in six months' time.

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

Councillor Margaret McLennan, Deputy Leader, introduced the report.

Councillor John Warren, Brondesbury Park, welcomed the report stating that the format was more user friendly. He suggested that a further improvement would be to make Cabinet Members further accountable for the performance in each Directorate, especially if there is a dip in performance.

Cabinet Members agreed with Councillor Warren welcoming further lead member accountability.

RESOLVED:-

- I. Noted the performance information contained in the report and agreed remedial actions as necessary.
- II. Considered the current and future strategic risks associated with the information provided and agree remedial actions as appropriate.

III. Agreed to challenge progress with responsible officers as necessary.

10. **Reference of item considered by Scrutiny Committees (if any)**

None

11. **Exclusion of Press and Public**

None

12. **Any other urgent business**

None.

The meeting ended at 8.34 pm

M BUTT  
Chair



**Cabinet**  
24 October 2016

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

For information

Wards affected: ALL

**Recommendations to Cabinet from the Community and  
Wellbeing Scrutiny Committee**

**1.0 Summary**

1.1 This report sets out the recommendations to Cabinet which the Community and Wellbeing Scrutiny Committee agreed at its meeting on 20 July 2016.

**2.0 Recommendations**

That Cabinet:

2.1 Notes the recommendations as set out in Appendix A.

**3.0 Background**

3.1 The Community and Wellbeing Scrutiny Committee requested a report to its meeting on 20 July about the selective, mandatory and additional licensing schemes and their effectiveness since each of the schemes was introduced.

3.2 Landlord licensing is a flagship scheme for the local authority. It started with the mandatory landlord licensing scheme which was set up more than a decade ago. Mandatory licensing is borough-wide, but applies only to properties which are three-storey or more and with five or more tenants living in the property. Selective licensing and additional licensing were both launched in November 2014. The selective licensing scheme applies to any privately rented property; but it operates in just three wards: Harlesden, Wembley Central and Willesden Green. Additional licensing operates borough-wide for houses in multiple occupation of up to two floors and is occupied by three or more households.

3.3 A report was presented to the committee on landlord licensing on 20 July 2016 by the Cabinet Member for Housing, Strategic Director Community Wellbeing, Operational Director Housing and Culture, and the Private Housing Licensing Manager. Members of the Community and Wellbeing Scrutiny Committee asked questions based on the report and the presentation which they heard.

3.4 On 27 July 2015 Cabinet voted to set up an Ethical Lettings Agency to be operated by Brent Housing Partnership. The agency's main focus is intended

to be on securing properties from private landlords for tenants who are homeless or threatened with homelessness, and who have been nominated by the Housing Needs Team. Therefore, the successful implementation of this policy should have a positive impact on some of the most vulnerable residents.

- 3.5 Community and Wellbeing Committee requested a report to assess to what extent the Ethical Lettings Agency had been introduced by the Cabinet. A report was presented by Cabinet Member for Housing, Strategic Director Community Wellbeing, Operational Director Housing and Culture to committee on 20 July.

#### **4.0 Detail**

##### **Landlord licensing**

- 4.1 On the basis of the report presented to the committee and the testimony at the committee, the members of Community and Wellbeing Scrutiny Committee made eight recommendations about landlord licensing to the Cabinet.
- 4.2 The central recommendation was that Cabinet extends selective licensing to all 21 wards rather than just Harlesden, Wembley Central and Willesden Green. This was based on the evidence presented to committee that in the three wards where selective licensing has been introduced the number of properties licensed has exceeded the estimate of licensable properties in those areas. For example, the estimated of licensable properties in Wembley Central was 703; however, since selective licensing started 968 properties have been licensed.
- 4.3 The scrutiny committee was told that work is being done on extending the selective licensing scheme, and noted that if a borough-wide scheme was to be implemented in Brent it would require the approval from the Secretary of State.
- 4.4 Two recommendations were made to help communicate the licensing schemes to landlords, tenants and residents. This included producing an information pack for tenants, and including information about Brent's landlord licensing schemes in the annual household Council Tax bills. Data requested by the committee and provided by the Private Housing Licensing Team at the meeting suggests that a large proportion of tenants are likely to have English as a second language so the information should be produced in plain English.
- 4.5 The committee also heard about additional powers which the council can use under the Housing and Planning Act 2016 to tackle rogue landlords and agents. The scrutiny committee made a number of recommendations, including a database of rogue landlords, and a zero-tolerance approach to rogue landlords. However, the committee also heard that work is being done to work with the private rented sector to improve standards and also recommended that there is a strategy for greater collaborative working with landlords and lettings agents.

##### **Ethical Lettings Agency**

- 4.6 Committee heard that the proposal for an agency had not been viewed as viable by Brent Housing Partnership which undertook research of similar proposals in



other boroughs which showed a mixed picture in terms of success. Officers were now waiting for details of a London-wide letting agency which was being developed by the Mayor of London and the Greater London Authority (GLA).

- 4.7 The scrutiny committee was concerned that a scheme which the Cabinet had agreed to last year had not been implemented. However, they noted that the effectiveness of similar schemes elsewhere appears to be mixed and recommended that a proper assessment of these schemes is done to better understand the viability of introducing an Ethical Lettings Agency in Brent.
- 4.8 Members of the Community and Wellbeing committee also recommended that Cabinet explores the possibility of working with the Mayor of London, and that Brent supports a pan-London Ethical Lettings Agency within the public sector.
- 4.9 Members also supported partnership working with the private rented sector and recommended a strategy is for collaborative working with estate agents to develop and promote tenancies and Brent's vision for ethical property letting.

## **5.0 Financial Implications**

- 5.1 There are no financial implications arising from this report.

## **6.0 Legal Implications**

### Selective Licensing

- 6.1 Under section 80(2) HA 2004, before introducing a selective licensing scheme, the Council's Cabinet must consider that – (a) the first or second set of general conditions mentioned in s80(3) or (6) of the HA 2004; or (b) any conditions specified in an order under s.80(7) of the HA 2004 as an additional set of conditions are satisfied in relation to the area.
- 6.2 The second set of general conditions is set out in section 80(6) of the HA 2004 and they are as follows:  
(a) that the area is experiencing a significant and persistent problem caused anti-social behaviour;  
(b) that some or all of the private sector landlords who have let premises in the area (whether under leases or licences) are failing to take action to combat the problem that it would be appropriate for them to take; and  
(c) that making a designation will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, lead to a reduction in, or the elimination of, the problem.
- 6.3 In August 2014, Brent Council's Cabinet designated a Selective Licensing area to cover the three wards of Harlesden, Wembley Central and Willesden Green and this became effective from 1 January 2015. This designation currently expires on 31 December 2019.
- 6.4 On 27 March 2015, the Government issued statutory guidance regarding selective licensing schemes. Once a proposal for selective licensing for more than 20% of the Council's area has been approved by a Council's Cabinet following a consultation period of at least 10 weeks, such a decision requires

the approval of the Secretary of State. The Government has indicated its reluctance to agree to borough wide selective licensing schemes.

#### Lettings Agency

- 6.5 The general power of competence under section 1 of the Localism Act 2011 gives local authorities a broad range of powers "to do anything that individuals generally may do" subject to limits within other legislation and there are no adverse limits on the proposed scheme under the current legislation. Section 93 of the Local Government Act 2003 gives the power for local authorities and their subsidiaries to charge individuals for services but not to make a profit. As BHP is providing the service, there are no procurement issues that arise for the Council. The decision for BHP to set up and operate a lettings agency requires the approval of the Council's Cabinet
- 6.6 Furthermore, the Council has powers under section 24(1) of the Local Government Act 1988 to provide any person with financial assistance for the purposes of, or in connection with, the acquisition, construction, conversion, rehabilitation, improvement, maintenance or management (whether by that person or by another) of any property which is or is intended to be privately let as housing accommodation. Although this power is subject to consent from the Secretary of State for the purposes of section 25 of the Local Government Act 1988, in 2010 the Secretary issued a general consent under section 25 and that general consent allows, amongst other things, a local authority to provide any person with any financial assistance (other than the disposal of an interest in land or property) : (a) for the purposes of or in connection with the matters mentioned in section 24(1) of the 1988 Act;

### **7.0 Diversity Implications**

It is anticipated that the recommendations put forward in this report will have a positive impact on and will help achieve better outcomes for some of the most vulnerable residents and individuals / groups experiencing socio-economic disadvantage, including but not limited to homeless people, low income households, people who are subject to unlawful eviction, residents living in poor conditions and/or fuel poverty.

While the recommendations are likely to in/directly benefit vulnerable residents and socio-economic groups (e.g. communication and information provided in plain English, zero tolerance approach to rogue landlords, monitoring the diversity profile of landlords, setting up an Ethical Lettings Agency, etc), there may potentially be some unintended consequences. The Council's lawful actions against landlords, for example, may have potential negative impact on some vulnerable tenants who live in overcrowded conditions because they cannot afford to pay a higher rent but do not qualify for the support provided by the Housing Needs team. Decision-makers should therefore proactively consider and monitor the equality implications of the implemented individual recommendations to ensure that any unintended negative consequences are mitigated.

## **Contact Officers**

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PETER GADSDON  
Director of Policy, Performance and Partnerships


## **APPENDIX A**

### **Landlord licensing, 20 July 2016**

1. A policy or protocol is in place for raids, televised raids and prosecutions to ensure there is a balanced approach to such matters throughout Brent; additionally, civil penalties, as introduced by the Housing and Planning Act 2016, be incorporated into this policy or protocol.
2. The council continues with a zero tolerance approach with landlords, managing agents, lead tenants where raids have revealed the properties to be overcrowded.
3. That there be mechanism in place to collect data in relation to types of landlords (for example, multi-property or single-property landlords), ethnicity of landlords and a link made between licensing and homelessness to access the impact of the licensing and to better target resources.
4. A communication or information pack for tenants in plain English is produced which is accessible to those who have English as an additional language, as to their obligations.
5. Licensing information be included in the Council Tax bills (as opposed to the information set out in the accompanying booklets) and in replies to Local Land Searches;
6. A strategy is in place for collaborative working with estate agents and letting agents to ensure they are fully aware of their obligations under Brent's licensing schemes and that they promote the same to landlords and tenants.
7. A policy or protocol is in place to formulate a database of rogue landlords and estate agents and letting agents.
8. Introduce borough-wide implementation of selective licensing to provide an absolute assurance of Brent's commitment to raising standards and that the officers seek the necessary permission from the Secretary of State.

### **Ethical Lettings Agency, 20 July 2016**

1. A proper assessment is done of other local authority schemes and their respective outcomes to ascertain viability of the scheme in Brent.
2. Officers liaise with the Mayor of London's deputy mayor for housing to assess the feasibility of Brent working with the GLA on a pan-London scheme.
4. A strategy is put in place for collaborative working with estate agents to develop and promote tenancies in supportive living and Brent's vision for ethical lettings of properties.
4. Officers explore the possibility of a pan-London or sub-regional ethical lettings agency within the public sector on a not-for-profit basis.

 <b>Brent</b>	<p style="text-align: center;"><b>Cabinet</b> 24 October 2016</p> <p style="text-align: center;"><b>Report from the Chief Finance Officer</b></p>
Wards affected: ALL	
<b>Budget Proposals 2017/18 – 2018/19</b>	

## 1. Introduction

- 1.1. This report sets out draft budget proposals for 2017/18 and 2018/19. Subject to the results of consultation it is envisaged that these would then form the basis of the budget to be agreed at the Full Council meeting of February 2017.
- 1.2. The process following this cabinet meeting is:
  - These proposals, together with any changes made by cabinet, will form the basis of a consultation between November and January with local residents, businesses and other stakeholders;
  - The two scrutiny committees will review the budget proposals and report accordingly;
  - General purposes committee will review the calculation of the council tax base;
  - In December Cabinet will receive a paper on the Collection fund surplus which is a technical report on the distribution of estimated surplus on collection of council tax and NDR; and
  - After consultation, a budget paper will be presented for Cabinet to recommend a final budget and council tax to the February 2017 Council meeting.

## 2. Recommendations

- 2.1. That Cabinet notes the overall financial position.
- 2.2. That Cabinet endorses the savings previously agreed, as set out in Appendix One.
- 2.3. That Cabinet agrees to consult on new draft policy options, as summarised in Appendix two and detailed in Appendix Three.

- 2.4. That Cabinet agrees to consult on council tax increases of 3.99% in each of 2017/18 and 2018/19.
- 2.5. That Cabinet endorses the technical assumptions underpinning the budget as set out throughout the report.
- 2.6. That Cabinet authorizes the drawdown of further capital resources to support delivery of the temporary accommodation reform plan, as set out on paragraph 6.7.

### **3. Key Assumptions and Review of Revenue Budget Proposals**

- 3.1. The council's recent financial history, the medium term financial outlook and the implications of these were set out in the September Cabinet report. There have been no material changes to the position, and it should therefore be read in conjunction with this report.

#### **Technical budget assumptions**

- 3.2. NDR income is expected to grow by between 3.2% and 3.5% per annum in 2017/18 and through to 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 between 1.2% and 1.5%. The existing NDR top up grant 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.
- 3.3. Business rates revaluation in 2017/18 adds significant volatility to this position, which will be managed through existing contingency reserves. Whilst the revaluation itself has been published, the calculation of business rates both payable by businesses and income due to the borough is dependent on the value of the business rates multiplier as well as the revaluation, and the multiplier will not be finalized until later this year. Another uncertainty is that Central Government is consulting on how these changes will be phased in for different sizes of business. The monies that the council spends on business rates will be affected by all these changes, as there are several unknowns this cannot be quantified exactly at this point in time. On the income side, there is a consultation from Central Government on how to change the amounts of business rates top up and tariffs to mitigate the impact of the revaluation on council's net income, overall the impact on all councils should be zero, but there may be some councils who lose or gain based on the specifics of the final mechanism.
- 3.4. 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. Following the September Cabinet meeting the Leader and Chief Executive have written to DCLG accepting the proposal to fix this settlement, for the reasons set out previously. This does not imply that the Council believes that the settlement is adequate; merely that reducing volatility in this way is the best alternative in the circumstances.

- 3.5. Council tax base is assumed to grow at 4.4% per year every year from 2017/18 to 2019/20 due to additional housebuilding 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. This is related to, but not directly correlated with, the rate of population growth.
- 3.6. 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. Table 1 below shows the net impact of these changes.

	2016/17 £m	2017/18 £m	2018/19 £m	2019/20 £m
<b>Income</b>				
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	98.4	102.7	107.4	112.3
Specific grants	34.2	30.4	29.4	28.4
<b>Total Income</b>	<b>272.2</b>	<b>261.6</b>	<b>258.4</b>	<b>255.4</b>

Table 1

### **Expenditure pressures**

- 3.7. 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%). The numbers in these two groups are significant determinants of the level of spending on children's social care and adult social care respectively. Some of this population growth has already taken place and has therefore been factored in to the council's existing budgets. Table 2 below sets out the additional costs expected to be incurred in 2017/18 through to 2019/20. For the avoidance of doubt, this is the additional cost of providing the same level of services caused by a rising population. It follows that recognising this in the budget is a technical assumption – albeit an important one – and does not imply any change in policy choices.

Department	Service Units	Marginal Growth p.a. 2017/18 to 2019/20 £m	Basis
Regeneration & Environment	Brent Transport Services	0.1	1.3-1.4% growth in population 0-15 years
Regeneration & Environment	Refuse Collection	0.1	1.1% growth in population
Regeneration & Environment	Public Realm (excluding Refuse Collection)	0.2	1.1% growth in population
Children and Young People	Children's social care	0.4	1.0 to 1.2% growth in population 0-18 years; 0.9% growth population 0-21 years
Community Well Being	Learning Disabilities (18-65)	0.2	0.8% growth in population 18-65 years
Community Well Being	Older People (65+) Non Home Care	0.3	2.6% growth in population over 65
Community Well Being	Older People (65+) Home Care	1.5	Projected growth in home care hours
Resources	Customer Services	0.1	1.1% growth in population over 18
Resources	Legal services	0.1	Additional caseload caused by above, principally children's social care
Various	Revenue – see below	(1.0)*	Additional revenue, see below
<b>Total Demography</b>		<b>2.0</b>	

Table 2 \*Aggregate impact, not per annum

- 3.8. The main consequence of a rising population (in the narrow terms of the direct impact on the council's budget) is to increase costs. Crudely put, residents require services and services cost money to deliver. However, a growing population also necessarily results in some additional revenue for those services for which the council charges, in addition to the impact on the council tax base, which has already been set out. The principal sources of revenue are from services such as parking, provision of adult social care, various planning and licensing fees, use of paid for facilities such as leisure centres and so on.
- 3.9. Any changes to the actual fee structures for these services will be dealt with separately. However, just as the budget must recognise, at a technical level, the costs of a growing population so too it must recognise the additional revenue generated from the additional demand for those services which are charged for. This is estimated to be £1m based on the population data above.
- 3.10. The pay settlement for 2017/18 is known to be 1%, which adds £1.1m to the total staffing costs. As the 2018/19 settlement is not yet agreed the budget assumes, for financial planning purposes, that it will also be at 1%. General contract inflation is also assumed to average at 1.3%, which will cost £3.0m each year, with an additional £0.8m for specific identified service issues. This is an average figure, and there is some risk attached to it. If inflation starts to move more sharply upwards, as some analysts are forecasting, then this may



subsequently need to be reviewed. In addition, the cost of paying providers for the uplift caused by the annual increases to bring the national living wage up to 60% of median earnings by 2020 will add £0.4m to the adult social care budget each year.

- 3.11. The budget also needs to recognise a series of adjustments to what are usually referred to as “central” items which are not carried against individual departmental budgets. These are summarised in the following paragraphs.
- 3.12. There are a set of costs associated with pensions, redundancy and other related payments. The main issue is the impact of the triennial actuarial review of the pension fund, which will affect pension costs from 2017/18 onwards. The relative position of the pension fund has recently strengthened, but this has been against the background of generally poor investment returns over the last three years, coupled with likely increases to mortality assumptions. The run off of the closed LPFA fund adds to this, partially offset by the ongoing gradual reduction in the number of payments for previously granted premature retirements. (Any new early retirements are met by capital contributions at the point of the decision). Finally, the ongoing strategy to meet new redundancy costs from identified reserves has reduced the pressure on the revenue budget and the need to make savings. As this was not intended to be permanently sustainable the base budget is adjusted upwards to match likely future liabilities. The total impact of these items is £1.0m, including insurance costs, the majority of which relates directly to the actuarial review.
- 3.13. The council also receives grants for its three PFI schemes, commonly referred to as PFI credits. The long-term structure of these has been built into the council’s budget plans, as it was known at the time that the deals were signed, in some cases as long as 20 years ago. With the end of the street lighting PFI contract within the budget planning period this leads to a reduction in this grant income line, offset by changes in the relevant service expenditure lines, but for transparency is shown here as a pressure of £1m in 2017/18, rising to £1.5m over the budget planning period.
- 3.14. The council also needs to recognise unavoidable costs associated with London wide policies. The main issue here is freedom passes, the cost of which is paid for across London and redistributed according to data provided by the Oyster cards that record journeys. Given Brent’s ageing demographic, and relatively good transport links, the inevitable consequence is that the costs of the scheme continue to rise locally, by an estimated £0.7m each year. In addition, Brent is required to contribute towards London wide levies, such as to the Environment Agency and for Lea Valley Park, adding £0.2m per year to the cost base.
- 3.15. Any logically constructed budget also requires contingencies. The council aims to deliver all of its agreed savings proposals, and has a good record of consistently achieving over 90% of these. Good governance mechanisms are in place to continue this record of achievement, but it is nonetheless proposed to continue to make a 10% allowance for slippage, in line with recent policy. This allows for reinvestment in services when delivery exceeds this allowance and, more importantly, avoids the need for short-term action to cut services if

delivery slips. This is an important contingency device, and setting a budget without it in today's challenging financial environment would be imprudent. The council also retains its £2.5m social value investment fund. Table 3 below shows the impact of these items:

	2017/18 £m	2018/19 £m	2019/20 £m
Payroll Inflation	1.1	1.1	1.1
Service specific inflation	4.2	4.2	4.2
Pension related costs and insurances	1.0	1.0	1.0
PFI credits	1.0	0.5	0.1
Freedom passes and levies	0.9	0.9	0.9
Contingency and social value	3.5	3.5	3.5
<b>Total other growth</b>	<b>11.7</b>	<b>11.2</b>	<b>10.8</b>

Table 3

#### 4. Calculation of Savings Targets to 2019/20

- 4.1. The additional savings required are the difference between the council's anticipated total expenditure less forecast 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, as shown in Table 4 below.

	2016/17 £m	2017/18 £m	2018/19 £m	2019/20 £m
<b>Expenditure</b>				
Net 2016/17 budget plus expenditure funded by specific grants	272.2			
Assumed budget b/f before growth and savings		272.2	261.6	258.4
Net demographic growth		2.0	2.0	2.0
Other growth		11.7	11.2	10.8
Savings previously agreed (February 2016) <sup>1</sup>		(9.5)	(9.2)	0.0
Savings previously agreed (February 2015) <sup>1</sup>		(4.3)	(1.6)	0.0
<b>Total Expenditure</b>	<b>272.2</b>	<b>272.1</b>	<b>265.0</b>	<b>272.2</b>
<b>Less Total Income</b>	<b>(272.2)</b>	<b>(261.6)</b>	<b>(258.4)</b>	<b>(255.4)</b>

<sup>1</sup> See Appendix One

<b>Net additional savings required</b>		<b>10.5</b>	<b>6.6</b>	<b>16.8</b>
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Table 4

## 5. 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. A 2% increase in council tax per year would not cover all the additional costs, demographic and inflationary, of providing for the growing population requiring adult social care. The table below sets out the impact of council tax rises in each of 2017/18 and 2018/19.
- 5.3. A 3.99% increase on council tax is the maximum permitted under the existing legislation, unless a referendum is conducted. Increasing council tax by this amount would generate £4.1m p.a. additional income in 2017/18, rising as set out in the table below for the compounded impact of increases in the council tax base, as shown in Table 5 below.

	<b>2017/18</b>	<b>2018/19</b>	<b>2019/20</b>
	<b>£m</b>	<b>£m</b>	<b>£m</b>
<b>Net additional savings required</b>	<b>10.5</b>	<b>6.6</b>	<b>16.8</b>
Net additional income with 3.99% a year council tax increase	(4.1)	(4.7)	(5.3)
<b>Cumulative savings required with 3.99% council tax increase</b>	<b>6.4</b>	<b>1.9</b>	<b>11.5</b>

Table 5

- 5.4. This clearly illustrates the significance of the decision on council tax, for which reason it is proposed to consult on the increases in 2017/18 and 2018/19. Legally, separate decisions on council tax will still formally be required at each of the budget setting meetings of the Full Council (i.e. in February 2017 and February 2018).

## 6. Budget Options for Consideration

### Technical adjustments to the budget from policy changes

- 6.1. The council make repayments of the principal associated with previous borrowing for capital expenditure through the statutory minimum revenue provision (MRP) regime. There are considerable complexities in the actual operation of this. What follows is a summary of the issues and their impact on the budget in relatively plain English.

- 6.2. Although the need to set aside MRP, as a charge to the revenue account, is statutory, there is considerable discretion as to how this can be applied. To date the council's policy has, arguably, been more prudent than strictly necessary, essentially repaying most debt relatively early in the life of the assets that were built or acquired through borrowing, and consequently repaying less debt as those assets age.
- 6.3. By way of analogy, this is very different to the approach used by most people when they buy a house through a mortgage. An ordinary repayment mortgage would normally result in the debt being repaid through an annuity payment, which means that the total payment for both interest and repaying the debt stays constant over time. By adjusting the MRP policy so that it more closely matches the life of the assets acquired the actual charges to the revenue account would more closely match the actual schedule for repayment of debt, and be more akin to how a typical annuity mortgage on a house would work.
- 6.4. Put another way, in previous years, the council has made charges to the general fund to repay debt that were greater than the amount of debt to be repaid, resulting in an increase of unusable reserves.
- 6.5. For the audited 2015/16 accounts, this policy was revised and the minimum revenue provision reduced to a level appropriate to the level of debt repayments. This has two impacts. Firstly, the council has funded routine maintenance (not improvement) works to its highways infrastructure through annual borrowing, which was never the most suitable source of financing. With the revenue resources released through the change in MRP policy this can be funded through general expenditure, reducing debt charges in future years. Secondly, the MRP charge in 2017/18 can be reduced by £3m from that currently built into the budget plans. This amount then declines gradually year-on-year, as the change in MRP policy itself does not change the total amount of council borrowing. In other words, the impact of the policy is to change the timing of debt repayments, not the total amount, and over the very long term (more than 50 years) the total impact is therefore necessarily nil.
- 6.6. The council also has an agreed investment strategy, the initial focus of which is to deliver the temporary accommodation reform plan. These plans were agreed by Cabinet in April and March 2016 respectively. Their purpose, as with all council plans, is ultimately to improve outcomes for residents. In this case, by reducing the demand for expensive temporary accommodation in the private sector the council can, through investing in its own provision, improve outcomes at the same time as reducing costs. Financial modelling shows that the dividend on the council's investment, after new borrowing costs are met, will be £0.7m each year.
- 6.7. In agreeing these plans Cabinet authorized an initial tranche of borrowing of £10m to finance acquisition of properties. This was to test the model, which has been shown to be financially sound. It is a challenging market in which to operate, and identifying properties that are suitable to meet the housing need at a price that makes the model affordable is not straightforward. However, as the model has now been shown to work it is proposed that Cabinet authorize

officers to proceed with the balance of planned acquisitions and to draw down the remaining £40m of the authorized fund.

- 6.8. Finally, agreed revisions to the current approach to Supported Living to challenge and renegotiate the current highest costing Supported Living places, using new procurement models are projected to save £0.5m.
- 6.9. The council, in response to rising demand, is also reviewing its approach to controlled parking zones (CPZs). This is an emerging policy area, but it is unarguably the case that the rapid rise in the population creates more demand for controlled parking. The council seeks to mitigate this through the planning process, to avoid a simple 1:1 (or even greater) correlation between new development and car ownership. However, whilst the council can seek to create a place where car ownership is not seen as essential, individuals clearly can, and do, choose to own cars. As the space in the borough is, by definition, fixed and finite, there is therefore inevitably a correlation from new developments to the total amount of car ownership which in turn impacts on the demand for CPZs.
- 6.10. This is a complex calculation. The budget has already recognised that increased car ownership will necessarily impact on the council's revenue budget. Car owners pay residents' fees where they are in existing CPZs, use (from time to time) the council's paid for car parking facilities and, sometimes, incur fines for parking contraventions. As the number of residents, and therefore cars, continues to rise there is also a tendency for the demand for CPZs to rise. In some areas CPZs are popular with residents, as they can be an effective way of managing this demand and hence enabling them to park close to their own homes. In other areas CPZs are not popular, generally those where the impact of development has been less and hence finding parking spaces is not normally difficult.
- 6.11. The council's approach has been, and will continue to be, to implement CPZs subject to consultation. However, given the known demographic trends it is logical to construct the budget on the assumption that more CPZs will, over time, be agreed. CPZs generate revenue by way of fees from residents, which is used to cover the costs of implementation and to fund other highways related expenditure. The assumption for planning purposes is that this will result in £0.5m additional revenue in each of 2017/18 and 2018/19, which will be tested as policy is developed in this area.

### **Policy options**

- 6.12. Table 6 below summarises this and shows the new policy options proposed for consultation. These are scheduled in Appendix Two and set out in more detail in Appendix Three.

	2017/18 £m	2018/19 £m	2019/20 £m
<b>Annual savings required</b>	<b>10.5</b>	<b>6.6</b>	<b>16.8</b>
<b>Impact of council tax, if 4% increases agreed</b>	<b>(4.1)</b>	<b>(4.7)</b>	<b>(5.3)</b>
<b>Further savings required</b>	<b>6.4</b>	<b>1.9</b>	<b>11.5</b>
<b>Technical adjustments</b>			
MRP revenue impact	(3.0)	0.3	0.3
Temporary Accommodation	(0.5)	(0.2)	0.0
Supported living	(0.2)	(0.3)	0.0
Parking demand	(0.5)	(0.5)	0.0
<b>Subtotal technical adjustments</b>	<b>(4.2)</b>	<b>(0.7)</b>	<b>0.3</b>
<b>Balance of savings required</b>	<b>2.2</b>	<b>1.2</b>	<b>11.8</b>
Sexual health transformation	(0.3)	(0.3)	
Introduce ASC charges from day 1	(0.2)	0.0	
Day care transformation	(0.3)	0.0	
20% nursing care to Supported living	(0.1)	(0.2)	
Mental health transformation	(0.5)	0.0	
Bulky waste service	(0.3)	0.0	
Special projects budget	(0.1)	0.0	
Further regulatory services saving	0.0	(0.1)	
Parking charges	0.00	(1.0)	
Public Realm	(0.5)	(0.4)	
Street lighting CMS	0.0	(0.1)	
<b>Subtotal possible policy options</b>	<b>(2.3)</b>	<b>(2.1)</b>	
<b>Cumulative position if all changes made</b>	<b>(0.1)</b>	<b>(0.9)</b>	<b>11.8</b>

Table 6

- 6.13. For the two years being considered in detail there are therefore sufficient proposals for there to be a choice about which of these are adopted. Some minor refinement of the timing of budget plans would be needed between 2017/18 and 2018/19, but at this stage the important point is that the published proposals would be sufficient over the two years in question. Further, although additional savings are required in 2019/20, the council has two years to identify what these could be, and can use this time to develop plans to address this gap.
- 6.14. It is worth highlighting the significance of the proposal to consult on council tax increases set out in this. The budget for the next two years can, broadly, be balanced if these increases are agreed. If not, additional savings of £8.8m would be required to be identified, and the longer-term gap for 2019/20 would be £5.3m higher at £16.8m not £11.5m.

## **7. Sustainability and Transformation Plan**

- 7.1. In December 2015, the NHS shared planning guidance 2016/17 – 2020/21 outlined a new approach to help ensure that health and care services are built around the needs of local populations. To do this, every health and care system in England was required by central government to produce a multi-year Sustainability and Transformation Plan (STP), showing how local services will evolve and become sustainable over the next five years – ultimately delivering the Five Year Forward View vision of better health, better patient care and improved NHS efficiency. The STP for North West London was submitted in June 2016, with a view to implementation starting in autumn 2016.
- 7.2. If no action is taken, across North West London, the NHS is forecasting a £1.15bn funding gap by 2020/21 with a further £145m gap in Adult Social Care. For Brent this equates to approximately £21m. This is greater than the figures shown above as the figures above show what Brent Council can afford to spend from its own resources, the STP shows what is necessary to make the local health and care system sustainable.
- 7.3. If the approach of social care being solely funded by Brent Council is adopted, without additional funding from the STP, then the council will only be able to afford meeting its most basic duties, and will be unable to contribute to placing the local health and care system on a more sustainable path.
- 7.4. The “Adult Social Care gap”, takes a prudent view on projections of current demographic and acuity trends in to consideration as well as price led factors (National Living Wage), as well as the transformations in service delivery that would be necessary to make the local health and care system more sustainable.
- 7.5. Local government has faced unprecedented reductions in their budget through the last two comprehensive spending reviews, and the impact of the reductions in social care funding in particular has had a significant impact on NHS services. To ensure that the NHS can be sustainable long term we need to protect and invest in social care, and in preventative services, to reduce demand on the NHS and to support the shift towards more proactive, out of hospital care. This includes addressing the existing gap, and ensuring that the costs of increased social care that will result from the delivery areas set out in the STP.
- 7.6. Without the STP and access to NHS reoccurring transformational funding the council will struggle to do any more than deliver the most basic services, which will put at risk items such as preventative services in the short to medium term.

## **8. Financial Implications**

- 8.1 The financial implications are set out throughout the report. As the budget proposals are for consultation at this stage, not agreement, there are no direct costs associated with agreeing the recommendations, other than for consultation, the costs of which are built into existing budgets.

- 8.2 The proposed further drawdown of approved budgets to support investment in the temporary accommodation reform plan is consistent with the previously agreed strategy. As with any investment, it is not entirely without risk, but the underlying financial model shows that it remains affordable even with the rising property market. Officers will continue to monitor progress carefully.

## **9. Legal Implications**

- 9.1. A local authority must budget so as to give a reasonable degree of certainty as to the maintenance of its services. In particular, local authorities are required by the Local Government Finance Act 1992 to calculate as part of their overall budget what amounts are appropriate for contingencies and reserves. The Council must ensure sufficient flexibility to avoid going into deficit at any point during the financial year. The Chief Financial Officer is required to report on the robustness of the proposed financial reserves.
- 9.2. Under the Brent Member Code of Conduct members are required when reaching decisions to have regard to relevant advice from the Chief Finance Officer and the Monitoring Officer. If the Council should fail to set a budget at all or fail to set a lawful budget, contrary to the advice of these two officers there may be a breach of the Code by individual members if it can be demonstrated that they have not had proper regard to the advice given.
- 9.3. In accordance with the Local Government Finance Act 1992, where a payment of Council Tax that a member is liable to make has been outstanding for two months or more at the time of a meeting, the member must disclose the fact of their arrears (though they are not required to declare the amount) and cannot vote on any of the following matters if they are the subject of consideration at a meeting: (a) any decision relating to the administration or enforcement of Council Tax (b) any budget calculation required by the Local Government Finance Act 1992 underlying the setting of the Council Tax or (c) any recommendation, resolution or other decision which might affect the making of the Annual Budget calculation. These rules are extremely wide in scope so virtually any Council decision which has financial implications is one which might affect the making of the budget underlying the Council Tax for next year and thus is caught. The former DoE (now DCLG) shared this interpretation as it made clear in its letter to the AMA dated 28th May 1992. Members who make a declaration are not entitled to vote on the matter in question but are not prevented by the section from taking part in the discussion. Breach of the rules is a criminal offence under section 106 which attracts a maximum fine of £1,000.

## **10. Staffing and Diversity Implications**

- 10.1. Under the Public Sector Equality Duty (PSED) of the Equality Act 2010, Brent Council is required in the exercise of its functions, to have due regard to the need to:



- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act,
  - advance equality of opportunity between people who share a protected characteristic and those who do not, and
  - foster good relations between people who share a protected characteristic and those who do not.
- 10.2. There nine protected characteristics are: age, disability, gender, gender identity, ethnicity/race, religion/belief, sexual orientation, pregnancy and maternity, marriage and civil partnership.
- 10.3. The PSED does not prevent decision-makers from making difficult decisions in the context of the requirement to achieve a significant level of savings across all operations. It supports the Council to make robust decisions in a fair, transparent and accountable way that takes into account the diverse needs of all our local communities and of our workforce. The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Council, bearing in mind the principles of relevance and proportionality.
- 10.4. This report sets out the overall financial framework and seeks authority to consult on the above listed draft budget proposals for 2017/18 and 2018/19. Subject to the results of consultation it is envisaged that these would then form the basis of the budget to be agreed at the Full Council meeting of February 2017.
- 10.5. To date, all draft proposals have been subject to the Council’s Equality Analysis (EA) screening process the purpose of which is to assess their potential/likely impact on service users and/or employees with protected characteristics. The findings from the services’ screening analyses are summarised in Appendix 3.
- 10.6. The final proposals put to Cabinet for approval in February 2017 will be informed by the consultation findings and the appropriate level of equality analyses to ensure that Members can make informed decisions on whether to adopt, amend or reject these. Where the proposals are likely to affect employees, the diversity implications on staff will be separately assessed via the staff equality analysis process.

## **11. CONTACT OFFICERS**

Conrad Hall

Chief Finance Officer

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CONRAD HALL

Chief Finance Officer

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## Appendix One: Savings agreed in Feb 15 and Feb 16

Ref No	Unit /Service	Description:	Item	2017/18 (£'000)	2018/19 (£'000)
<b>Pre 15/16 Budget Agreed Savings</b>					
ASC002	Residential & Nursing	Increase Extra Care and Supported Living.	Transform the accommodation based care market in line with the Council's Market Position Statement. Developing Extra Care Sheltered/Supported Living Accommodation to give the vast majority of people who need accommodation based care greater independence and improved quality of life. Savings of £370k included in 2015/16	1,400	1,400
R&G001	Regeneration & Growth	Updated TA forecast based on 13/14 performance	Further planned reductions in temporary accommodation costs reflecting improved management and reductions in numbers.	500	0
R&G011	Regeneration & Growth	Investment Team	Full year effect of funding changes for development fund and information manager.	20	0
R&G012	Regeneration & Growth	Planning & Building Control	Increase income through generating more trading business. Prioritise resources on non-ringfenced income generation work – particularly targeting and securing work through cross-boundary working via partnership schemes. Savings of £50k included in 2015/16.	25	0
R&G017	Regeneration & Growth	Facilities Management & Civic Centre	To be read in conjunction with R&G26. This proposal assumes further letting of space in the Civic Centre to a third party with a resulting service charge for the cost of FM. The saving assumes a further floor of the Civic Centre can be made available and let by 2016.	124	0
R&G018	Regeneration & Growth	Housing Needs	Shared service arrangements for housing register and allocated scheme - £100k to £200k. Initial work being undertaken with neighbouring borough where the use of common approaches and systems has been identified. This may offer potential for shared service savings and the spreading of back office/overhead costs. Initial arrangements to be in place during 15/16 (part-year saving). Savings of £20k included in 2015/16.	40	0

Ref No	Unit /Service	Description:	Item	2017/18 (£'000)	2018/19 (£'000)
R&G025a	Regeneration & Growth	Income Generation through gaining "Approved Inspection" status	Enabling Brent to undertake Building Regulation work throughout England. Explore the potential for increasing the level of income generated by Building Control through gaining "Approved Inspector" status. This would enable Brent to undertake Building Regulation work throughout England without need to obtain the host local authority's agreement to work within their area. This ability will allow Brent to market the services in the same way as the private sector company and compete with Private Sector AI's. In taking forward this model we will review our charges to reflect market rates but ensure they remain competitive and need to develop mechanisms whereby inspection of works can be effectively resourced / undertaken.	35	0
R&G025f	Regeneration & Growth	Letting Agency	Establishing a lettings agency which will generate increased income from the provision of property and tenancy management services to private sector properties.	175	175
R&G025g	Regeneration & Growth	Increased Income and Efficiencies from Disabled Facilities Work	Efficiencies in relation to the administration and supervision of Disabled Facilities Grant in areas such as services to self funders / partnership working better integration with BHP.	40	0
R&G026	Regeneration & Growth	Income from the Civic Centre	Proposals will be developed for increased income from the Civic Centre. The additional income assumed from 16/17 onwards assumes that an additional floor being made available and a tenant found to occupy the space on a commercial basis from 2016. To be read in conjunction with R&G17 which represents the service charge that could be achieved and the FM costs that could then be offset.	150	0
R&G029	Regeneration & Growth	Regeneration Investment Service	Reduction in base budget for special adhoc projects within Regeneration	100	0
R&G035	Regeneration & Growth	Housing Needs Service Redesign and Efficiencies	Reduce the number of Housing Options Officer posts by 4, over a two year period from 2016/17. Current approaches can be streamlined and operational efficiencies gained.	100	0

Ref No	Unit /Service	Description:	Item	2017/18 (£'000)	2018/19 (£'000)
ENS015	Community Services	Parking Service	Full year effect of previously agreed proposals.	134	0
ENS016	Community Services	Street Lighting	Replace existing street lighting with LED lighting and a central management system. Capital investment of £7m has been approved to finance this.	750	0
ENS020	Community Services	Libraries, Art and Heritage – grants	Full year effect of previously agreed proposals which will leave an ongoing budget of £50k	155	0
ACE002	Strategic Commissioning	Review of grant funding to London Councils	Previously agreed proposal, which required a two thirds majority approval in London Councils. This was not secured and work is underway to identify an alternative approach.	340	0
R&G005	Community Services	Capita Savings	The Capita contract for Revenues & Benefits provides for 3% savings to be delivered year on year. The proposal here represents the full outcome of the renegotiation of the Capita contract price undertaken as part of the decision to extend the current contract for a further 3 years from 1st May 2016 to 30th April 2019. Savings of £321k included in 2015/16.	207	0
<b>Driving Organisational Efficiency</b>					
DOE001	Support Planning, Reablement & Mental Health	Increase Direct Payments	This will mean that people pay for their home care/community support through independent Personal Assistants or direct purchasing of support from providers. A market for Independent Personal Assistants will continue to be developed in the local area to maximise the benefit.	50	50

Ref No	Unit /Service	Description:	Item	2017/18 (£'000)	2018/19 (£'000)
DOE002a	Early Help	Transformation of the design and delivery of early help	Effective and co-ordinated early intervention will build resilience and independence which will in turn move cases out of high risk and high cost services. As far as possible there will be a one worker to one family approach. Savings will be achieved through three main workstreams: 1. More effective co-ordination and signposting and to early intervention services delivered by partners including schools and the voluntary sector; 2. Improved use of research to ensure a greater strategic focus on high impact interventions and more effective assessment of individual need. Savings will be achieved by reducing delivery of low impact or repeat interventions; 3. Planned structural change across CYP. In the first instance this will enable the delivery of a more coherent offer which is expected to reduce demand for high cost services. Any reduction in demand will then enable a further reduction in headcount.	350	550
DOE002b	Children's Social Care	Signs of Safety and Social worker re	Increased efficiencies of £200k driven by the Signs of Safety programme and a linked, but separate, reduction in the reliance on agency staff across the division. There are approximately 70 agency social workers, deputy and team managers in children's social care currently. Over the two year period the plan is to reduced this by 40, this would realise a saving of approximately £300k.	300	200

Ref No	Unit /Service	Description:	Item	2017/18 (£'000)	2018/19 (£'000)
DOE002c	Children's Social Care	Regionalising Adoption	Government has indicated its intention to regionalise some or all of local authority adoption services by 2017. In London the preparatory work is being led by the London Adoption Consortium which is currently conducting a scoping exercise on the model that this regionalisation could take and the scale and type of services that could be regionalised. This piece of work is due to conclude in March 2016 with a view to delivering from April 2017. Local Authorities will not be able to stop providing adoption services but they will be delivered differently; whether through a collection of Local Authorities or commissioned with a single provider. This will lead to some efficiencies – particularly in the area of the recruitment and assessment of adopters as well as the provision of post-permanency support. Current estimates are that it will be 15% of the budget £100k.	100	0
Page 33 DOE003	Community Services	To review staffing structures and spans of control across the eight services divisions	Savings of £2.25m would come from a 20% reduction in FTE across all eight services. The review would particularly include contract management and strategy development arrangements so that these can be standardised and rationalised across all large operational contracts in a way that creates consistency of approach and improved service outputs. The services referred to are those that were located in what was at that time called the Community Services division of the Chief Operating Officer's department.	1,125	1,125
DOE004	Corporate Business Support	Review support service costs	The proposal is to review the level of support services provided within the council in the future to create a leaner more efficient service to users. The options for achieving the saving are: restructuring, merging, outsourcing, shared services, and driving greater efficiency through technology and self-service.	500	500
<b>Civic Enterprise</b>					

Ref No	Unit /Service	Description:	Item	2017/18 (£'000)	2018/19 (£'000)
CE001	Support Planning & Reablement	Additional Continuing Health Care (CHC) Funding	The saving comes from the CCG funding care packages rather than the council. It should mean a better service for users with complex needs. The CCG should fund this care as they have the necessary skills to meet these needs. Previously a move to CHC funding has meant a loss of choice and control for the user that they had with a social care package, but this is no longer the case as they can now have a Personal Health Budget.	400	400
CE002	Cross Department	Income Generation	The generation of advertising and sponsorship income of £300k from increasing the number of on street (large and small format) billboards, lamppost banner, advertising on the council's website/intranet and roundabout sponsorship. Put in place concession contracts for the installation of wireless equipment on lampposts and review current position on rooftops and small spaces/buildings generating £210k. Carry out a review of fees and charges comparing Brent to neighbouring authorities in order to bring our charges in line including for services that were previously free with a view to raising £1.99m of additional revenue.	1,250	1,250
CE003	Digital Services	IT Sales	Following the successful provision of ICT services to the LGA and the establishment of the shared service with Lewisham. The Lewisham service will start in April 2016 covering infrastructure support and in 2017/18 will be extended to other applications. Digital services would be looking to offer ICT services on a commercial basis to other organisations. The service is already in discussion with a number of London boroughs that have expressed interest in what we can do for them and are looking to develop this so that we can have something in place for April 2018.	375	375



Ref No	Unit /Service	Description:	Item	2017/18 (£'000)	2018/19 (£'000)
CE004	Parking & Lighting/Parking	Eliminate the additional overhead costs of the Serco parking contract	It was originally intended that the cost of the overheads for the Serco parking contract would be apportioned on a 60:38:2 ratio between the three participating boroughs: LB Brent; LB Hounslow; and LB Ealing; respectively. The ratio was calculated in proportion to the value of the overhead costs being transferred to Serco at the commencement of the contract. Immediately prior to the letting of the contract, LB Hounslow identified a shortfall on the savings target required by their administration. It was agreed between the boroughs that, on a temporary basis, the ratio would be amended to 80:18:2 (Brent: Hounslow: Ealing), with a review in January of each year to assess whether the additional contribution from Brent to Hounslow could still be justified. Brent's additional contribution is £347k p.a. and this will be reviewed.	300	47
CE005	Finance	Better collection of debts and arrears	To generate at least £1m per annum from better collection of debts and arrears across the range of council paid for services and taxes. A review of the balance sheet and underlying processes has indicated that this is a realistic but stretching target at this stage. Following a detailed review by the One Council programme office and consultation with managers across the council officers have identified opportunities to improve debt collection, including through more efficient processing, better management of arrears, improved cross-council working through a newly established debt board and better management of clients with multiple debts. This work follows the successful pilot in adult social care debt that demonstrated the potential is one service area, and this model is now proposed to be extended across the council.	1,000	0
CE006	Regeneration and Growth	Civic Centre - Rental Income	Additional income could come from additional lets eg Library café space, increased income from the basement car park or from further release of office space	125	125

Ref No	Unit /Service	Description:	Item	2017/18 (£'000)	2018/19 (£'000)
<b>Making Our Money Go Further</b>					
MGF001	Procurement	Contract Renewal Savings	There are 161 contracts due for renewal over the next three years (2016/17 - 2018/19). This includes 63 contracts above £500k and 98 contracts below £500k. The aim will be to approach the market with a target of 10% savings against current contract prices. In addition savings to be achieved on the end of the Streetlight PFI contract by replacing the current contract requirements by a repairs only contract.	3,500	4,500
MGF003	Regeneration and Growth	FM Contract	Savings in FM contract. This could flow from a further reduction in buildings within the contract or from a revision to the contract. The alternative option which is unlikely to be acceptable to CMT, is to negotiate a reduction in the contract in return for triggering the additional period which is available at the end of the current contract period.	100	100
				13,770	10,797

Ref No	Unit /Service	Description:	Item	2017/18 (£'000)	2018/19 (£'000)
1718BUD1	Public Health	Sexual health transformation	Through participation in the London Sexual Health Transformation Programme including the London wide procurement of a 'front door' to sexual health services and a joint procurement with Ealing and Harrow of an integrated local sexual health service savings are anticipated through a diversion of activity to lower cost settings	250	350
1718BUD2	Adult Social Care	Client Contributions	The introduction of a provisional charge for Community Care and Accommodation based care will generate revenue earlier in the process and avoid people not contributing to service due to non-compliance with the financial assessment process. This provisional charge removes the inherent delay in assessing a client after the actual care package has commenced.	250	0
1718BUD3	Direct Services	Day Services	John Billam and New Millennium to become more inclusive services which bring in the community and additional income to make effective and efficient use of key assets.	300	0
1718BUD4	Residential & Nursing	Extending NAIL provision	An extension to the New Accomodation for Independent Living programme. Proposal to move the lowest needs Nursing care clients to appropriate Supported Living schemes.	100	200
1718BUD5	Mental Health	Mental Health recovery pathway	Savings would be realised through negotiation with providers on the highest cost Supported Living placements. It is estimated that this would release £0.5m	500	0
1718BUD6	Environmental Improvement	Bulky Waste Collection	Charging for bulky waste services, as most other councils do, in order to generate a circa £250k annual operating surplus. The service is currently free of charge to residents, offering 3 collections of up to 5 items per year.	250	0
1718BUD7	Regeneration	Special Projects	Special Projects budget will be review and efficiencies of £0.1m found. All future projects would need to secure funding via alternative routes based on specific project requirements.	100	0
1718BUD8	Regeneration and Environment	Service efficiency	Review of current staffing structure to deliver efficiency savings in the regulatory services structure	0	100
1718BUD9	Parking	Parking Charges	To conduct a review of the charging structure for residents' permits and pay and display parking. The additional income is based on a presumption that the additional income generated would be approximately equal to four years' inflation	0	1000
1718BUD10	Environmental Improvement	Public Realm contract	The Public Realm Contract with Veolia includes a schedule of potential savings that can be exercised at any time during the course of the contract.	500	400
1718BUD11	Parking & Lighting	Street Lighting	It is considered that an additional £100k p.a. could be saved through a rigorous review of lighting levels at a highly localised level across the borough, utilising new technology purchased for this purpose.	0	100
				2250	2150

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**Appendix Three:**  
**Detailed new policy options**

## Budget Options Information

<b>Reference:</b>	1718BUD1
<b>Service(s):</b>	Public health: Sexual health transformation
<b>Lead Member(s):</b>	Cllr Hirani

<b>Policy Proposals:</b>	Through participation in the London Sexual Health Transformation Programme including the London wide procurement of a 'front door' to sexual health services and a joint procurement with Ealing and Harrow of an integrated local sexual health service savings are anticipated through a diversion of activity to lower cost settings
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### Financial and Staffing Information

<b>2016/17</b>	
<b>Total budget for the service(s) £'000:</b>	5,616
<b>Total post numbers in the services(s) (FTE):</b>	0

	<b>2017/18</b>	<b>2018/19</b>
	£'000	£'000
<b>Budget implications:</b>	£250	£350
	FTE	FTE
<b>Proposed staffing reduction</b>	0	0

### How would this affect users of this service?

Analysis of activity in current sexual health services and a waiting room survey indicates that not all current attendances at GUM clinics need that specialist service. Brent is participating in a London wide procurement of a new 'front door' to sexual health services. The front door into services will be web based, a single platform providing patients with information about sexual health, on line triage, signposting to the most appropriate service for their needs and the ability to order self-sampling tests.

### Key milestones

Dec 2015 Cabinet:

Agreed continued participation in the collaboration with other London boroughs in the London Sexual Health Services Transformation Programme with the intention of

procuring genitourinary medicine (GUM services) and Contraception and Sexual Health Service (CaSH) in a new collaborative commissioning model.

Contract award Sub regional integrated service Dec 2016 (subject to confirmation of Ealing's timelines)

Contract award for services: Feb 2017

Contract start 1 April 2017

### **Key consultations**

Engagement with service users and clinicians is ongoing through LSHTP

### **Key risks and mitigations**

The Programme Steering Group maintain an active risk log and review mitigating actions. The most significant risks relate to

- the collaborative nature of the programme including a failure to agree service models, to align decision making and to agree collaboration agreements
- a failure to change patient and / or clinician behaviour and so not achieve the diversion of activity on which savings are based

### **Equality impact screening**

Is there potential for the proposed policy to have a disproportionate adverse impact on any of the following groups:	
	Yes/No
Disabled people	No
Particular ethnic groups	No
Men or Women (include impacts due to pregnancy/maternity)	No
People of particular sexual orientation/s	No
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	No
People in particular age groups	No
Groups with particular faiths/beliefs	No
Marriage / civil partnership	No

*If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment.*

EIA required?:	Yes
EIA to be completed by:	Public health team
Deadline:	Dec 2016

Lead officer for this proposal:	Melanie Smith, DPH
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## Budget Options Information

<b>Reference:</b>	1718BUD2
<b>Service(s):</b>	Adult Social Care
<b>Lead Member(s):</b>	Cllr Hirani

<b>Policy Proposals:</b>	Income generation – The introduction of a provisional charge for Community Care and Accommodation based care will generate revenue earlier in the process and avoid people not contributing to service due to non-compliance with the financial assessment process. This provisional charge removes the inherent delay in assessing a client after the actual care package has commenced.
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### Financial and Staffing Information

<b>2016/17</b>	
<b>Total budget for the service(s) £'000:</b>	<b>-7,038</b>
<b>Total post numbers in the services(s) (FTE):</b>	<b>0</b>

	<b>2017/18</b>	<b>2018/19</b>
	£'000	£'000
<b>Budget implications:</b>	£250	0
	FTE	FTE
<b>Proposed staffing reduction</b>	0	0

### Budget implications

Savings of £0.25m generated from collecting income earlier in the process.

### How would this affect users of this service?

The impact on service users has been assessed through the production of an EIA, a full 30 day public consultation and the production and agreement of a cabinet report earlier this year. The impact is not significant as proposed charges should have been collected anyway, or if someone is not eligible to make a financial contribution, the charge will be re-paid to them. Feedback from the consultation process was mainly positive, with users expressing the view that a 'light touch' assessment process is positive and less intrusive, and expressing the view that the



Council collecting charges due to them is fair as long as there is a clear and consistent process for doing so.

### **Key milestones**

Light touch assessments were implemented at the end of August 2016.

### **Key consultations**

A 30 day public consultation was undertaken during June 2016.

### **Key risks and mitigations**

Risk of actually collecting this income remains a problem in terms of debt recovery. Mitigation is to work closely with debt team to flag debt early.

### **Equality impact screening**

Is there potential for the proposed policy to have a disproportionate adverse impact on any of the following groups:	
	Yes
Disabled people	Yes
Particular ethnic groups	No
Men or Women (include impacts due to pregnancy/maternity)	No
People of particular sexual orientation/s	No
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	No
People in particular age groups	Yes
Groups with particular faiths/beliefs	No
Marriage / civil partnership	No

*If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment.*

EIA required?:	Yes
EIA to be completed by:	EIA has already been completed
Deadline:	<i>Completed</i>

Lead officer for this proposal:	Helen Woodland
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## Budget Options Information

<b>Reference:</b>	1718BUD3
<b>Service(s):</b>	Adult Social Care
<b>Lead Member(s):</b>	Cllr Hirani

<b>Policy Proposals:</b>	Direct Services – John Billam and New Millennium to become more inclusive services which bring in the community and additional income to make effective and efficient use of key assets.
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### Financial and Staffing Information

<b>2016/17</b>	
<b>Total budget for the service(s) £'000:</b>	4,059
<b>Total post numbers in the services(s) (FTE):</b>	112

	<b>2017/18</b>	<b>2018/19</b>
	£'000	£'000
<b>Budget implications:</b>	300	
	FTE	FTE
<b>Proposed staffing reduction</b>	0	0

### Budget implications

£0.3m achieved through more effective management of day centres, increasing income through additional use and reducing costs.

### How would this affect users of this service?

Service users and families would still continue to receive their service, but it would be part of a wider and more inclusive use of the building.

### Key milestones

Jan 17 – Building on previous work at New Millennium agree implementation plan  
Jan 17 – Consultation with service users, families, unions and staff  
March 17 – Implement changes to the service  
April 17 – Building on the lessons learnt at New Millennium, start co-production at John Billam to identify opportunities

June 17 – Agree implementation plan  
 October 18 – implement new model of service

**Key consultations**

Extensive consultation required with users and carers in both day centres would be required however the service developed, and with Unions, staff and with potential providers

**Key risks and mitigations**

Risk that users and carers will oppose the changes to the service – mitigated through extensive and ongoing communication and engagement  
 If the first risk becomes an issue, significant risk of adverse publicity and public protest – mitigated through extensive and ongoing communication and engagement  
 Risk that the council cannot generate the additional income and efficiencies – mitigated through financial modelling and change management  
 Risk that we will need to consider outsourcing as the way to drive the change.

**Equality impact screening**

Is there potential for the proposed policy to have a disproportionate adverse impact on any of the following groups:	
	Yes/No
Disabled people	Yes
Particular ethnic groups	No
Men or Women (include impacts due to pregnancy/maternity)	No
People of particular sexual orientation/s	No
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	No
People in particular age groups	No
Groups with particular faiths/beliefs	No
Marriage / civil partnership	No

*If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment.*

EIA required?:	Yes
EIA to be completed by:	Helen Woodland
Deadline:	

Lead officer for this proposal:	Helen Woodland
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### Budget Options Information

<b>Reference:</b>	1718BUD4
<b>Service(s):</b>	Adult Social Care
<b>Lead Member(s):</b>	Cllr Hirani

<b>Policy Proposals:</b>	Extending NAIL provision for people in Nursing Care
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### Financial and Staffing Information

<b>2016/17</b>	
<b>Total budget for the service(s) £'000:</b>	<b>7,813</b>
<b>Total post numbers in the services(s) (FTE):</b>	<b>0</b>

	<b>2017/18</b>	<b>2018/19</b>
	£'000	£'000
<b>Budget implications:</b>	100	200
	FTE	FTE
<b>Proposed staffing reduction</b>	0	0

### Budget implications

Proposal to move lowest need (c.20%) of clients currently in nursing care to Supported Living which would deliver a £0.3m saving. This is based on an analysis of nursing home placements, which suggest there are a number of placements at the simpler end.

### How would this affect users of this service?

Clients would need to agree to the move and some may find moving traumatic. Families and carers may also be averse to disrupting stable placements. Some users may prefer a less institutional environment and regain independence and skills lost through being in nursing care.

### Key milestones

April 17 - Identification of lowest need nursing care clients  
 April-June 17 – identification of potential alternative SL placements

April – June 17 – Reassessment of clients’ needs  
 June – Ongoing – Discussion of reassessments with service users and families  
 July – ongoing – planned moves of identified clients who agree to move

**Key consultations**

Consultation with individual service users and families will be a key part of this process, but no formal consultation is required.

**Key risks and mitigations**

Risk of adding to the already challenging target of identifying further NAIL units and ensuring the CCG support this in terms of Nursing care contributions. This will be mitigated through early identification of resource requirements to identify placements and facilitate moves (although this will have a cost implication). Risks around health input will be mitigated by early and ongoing communication with health colleagues.

Risk that moves are subject to user and family co-operation and choice. Risk will be mitigated through communication with families, carers and users.

**Equality impact screening**

Is there potential for the proposed policy to have a disproportionate adverse impact on any of the following groups:	
	Yes
Disabled people	No
Particular ethnic groups	No
Men or Women (include impacts due to pregnancy/maternity)	No
People of particular sexual orientation/s	No
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	No
People in particular age groups	Yes
Groups with particular faiths/beliefs	No
Marriage / civil partnership	No

*If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment.*

EIA required?:	Yes
EIA to be completed by:	Amy Jones
Deadline:	

Lead officer for this	Amy Jones
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proposal:	
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## Budget Options Information

<b>Reference:</b>	1718BUD5
<b>Service(s):</b>	Adult Social Care
<b>Lead Member(s):</b>	Cllr Hirani

<b>Policy Proposals:</b>	Mental Health Service – Further development of the recovery pathway, focusing on supported living and supporting the move to general needs housing and independence.
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### Financial and Staffing Information

2016/17	
<b>Total budget for the service(s) £'000:</b>	<b>1,329</b>
<b>Total post numbers in the services(s) (FTE):</b>	<b>0</b>

	2017/18	2018/19
	£'000	£'000
<b>Budget implications:</b>	500	0
	FTE	FTE
<b>Proposed staffing reduction</b>	0	0

### Budget implications

£0.5m achieved through:

- enabling a more effective recovery pathway – better access to housing and employment will accelerate step down to general needs housing,
- Supported by ongoing negotiations with providers to manage costs and focus on the right support.

### How would this affect users of this service?

This would support the delivery of the current objectives of the service, supporting people to move towards independence, and further efficiencies would be achieved through negotiations, which would not mean a change in service.

## **Key milestones**

Ongoing process:

- Improving access to general needs housing
- Negotiation and provider development.

## **Key consultations**

None required, but changes to accommodation will be part of the care plan, and the support provided and managed by CNWL

## **Key risks and mitigations**

The significant housing pressures mean it is difficult to free up enough of the right kind of housing at the right price

Risk of being unable to achieve price reductions through negotiations. Risk mitigated through clear negotiation plan and strategy.

## **Equality impact screening**

Is there potential for the proposed policy to have a disproportionate adverse impact on any of the following groups:	
	No
Disabled people	No
Particular ethnic groups	No
Men or Women (include impacts due to pregnancy/maternity)	No
People of particular sexual orientation/s	No
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	No
People in particular age groups	No
Groups with particular faiths/beliefs	No
Marriage / civil partnership	No

*If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment.*

EIA required?:	No
EIA to be completed by:	
Deadline:	

Lead officer for this proposal:	Helen Duncan-Turnbull
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### **Budget Options Information**

<b>Reference:</b>	1718BUD6
<b>Service(s):</b>	Environmental Improvement
<b>Lead Member(s):</b>	Cllr Southwood
<b>Policy Proposals:</b>	£0.25m from the collection of bulky waste items

### **Financial and Staffing Information**

<b>2016/17</b>	
<b>Total budget for the service(s) £'000:</b>	<b>29,000</b>
<b>Total post numbers in the services(s) (FTE):</b>	<b>35</b>

	<b>2017/18</b>	<b>2018/19</b>
	£'000	£'000
<b>Budget implications:</b>	250	0
	FTE	FTE
<b>Proposed staffing reduction</b>	0	0

### **Budget implications**

The proposal is about introducing a differentiated charging scheme for the removal of bulky items, retaining some level of free service, so that:

- operating costs are recovered
- a popular service can be sustained
- waste disposal volumes are better controlled
- demand is better regulated
- waiting times are reduced; and
- monies received can be re-invested in the service

### **How would this affect users of this service?**

Customers may notice altered operational arrangements and revised service terms and conditions. In some instances, service users would need to pay for the removal of bulky items or make alternative arrangements for disposal.

### **Key milestones**

- Modelling of options – 2016
- Decision on preferred option – 2017
- Implementation of revised charges- 2017

### **Key consultations**

No formal consultation is envisaged.

### **Key risks and mitigations**

- The proposal is about introducing a differentiated charging scheme for the removal of bulky items, with some level of free service being retained. Monies would be re-invested to sustain the service and to improve the customer offer. A reshaped service would also better address the problem of illegal rubbish dumping across the borough.

### **Equality impact screening**

Is there potential for the proposed policy to have a disproportionate adverse impact on any of the following groups:	
	Yes/No
Disabled people	Y
Particular ethnic groups	Y
Men or Women (include impacts due to pregnancy/maternity)	Y
People of particular sexual orientation/s	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
People in particular age groups	Y
Groups with particular faiths/beliefs	Y
Marriage / civil partnership	N

*If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment.*

EIA required?:	Yes
EIA to be completed by:	
Deadline:	

Lead officer for this	C Whyte
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proposal:	
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## Budget Options Information

<b>Reference:</b>	1718BUD7
<b>Service(s):</b>	Regeneration
<b>Lead Member(s):</b>	Cllr Butt & Cllr Mashari

<b>Policy Proposals:</b>	Special Projects budget will be reviewed and efficiencies of £0.1m found.
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## Financial and Staffing Information

<b>2016/17</b>	
<b>Total budget for the service(s) £'000:</b>	300
<b>Total post numbers in the services(s) (FTE):</b>	9

	<b>2017/18</b>	<b>2018/19</b>
	£'000	£'000
<b>Budget implications: (Regeneration Only)</b>	100	0
	FTE	FTE
<b>Proposed staffing reduction</b>	2	0

### How would this affect users of this service?

There are no direct users of this service. The council will still need to resource new projects from time to time, but this will be done on a case by case basis rather than as part of an ongoing team.

### Key milestones

Agree alternative funding if appropriate

### Key consultations

Staff restructure

### **Key risks and mitigations**

With the alternative funding in place the key risk will be around uncertainty. As the founding sources identified above are directly linked to development activity.

### **Equality impact screening**

Is there potential for the proposed policy to have a disproportionate adverse impact on any of the following groups:	
	No
Disabled people	
Particular ethnic groups	
Men or Women (include impacts due to pregnancy/maternity)	
People of particular sexual orientation/s	
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	
People in particular age groups	
Groups with particular faiths/beliefs	
Marriage / civil partnership	

*If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment.*

EIA required?:	No
EIA to be completed by:	
Deadline:	

Lead officer for this proposal:	Amar Dave
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## Budget Options Information

<b>Reference:</b>	1718BUD8
<b>Service(s):</b>	Regeneration and Environment
<b>Lead Member(s):</b>	

<b>Policy Proposals:</b>	Review of current staffing structure to reduce staffing costs in regulatory services
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### Financial and Staffing Information

<b>2016/17</b>	
<b>Total budget for the service(s) £'000:</b>	2,341
<b>Total post numbers in the services(s) (FTE):</b>	78

	<b>2017/18</b>	<b>2018/19</b>
	£'000	£'000
<b>Budget implications:</b>	0	100
	FTE	FTE
<b>Proposed staffing reduction</b>	0	2

### Budget implications

Within Regeneration a manager post will be deleted from Trading Standards – Note under the trading standards agreement with Harrow 50% of the saving from the post will need to be offered to Harrow. In Environment, an option is to delete an existing vacant post.

### How would this affect users of this service?

This proposal should not have a direct impact on users of the service.

### Key milestones

### Key consultations

Staff

**Key risks and mitigations**

Harrow may not agree

**Equality impact screening**

Is there potential for the proposed policy to have a disproportionate adverse impact on any of the following groups:	
	Yes/No
Disabled people	N
Particular ethnic groups	N
Men or Women (include impacts due to pregnancy/maternity)	N
People of particular sexual orientation/s	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
People in particular age groups	N
Groups with particular faiths/beliefs	N
Marriage / civil partnership	N

*If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment.*

EIA required?:	No
EIA to be completed by:	
Deadline:	

Lead officer for this proposal:	Aktar Choudhury
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## Budget Options Information

<b>Reference:</b>	1718BUD9
<b>Service(s):</b>	Parking and Lighting
<b>Lead Member(s):</b>	Cllr Southwood

<b>Policy Proposals:</b>	£1.0m from additional parking charges
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### Financial and Staffing Information

2016/17	
<b>Total budget for the service(s) £'000:</b>	<b>Income £19.9m</b>
<b>Total post numbers in the services(s) (FTE):</b>	<b>23</b>

	2017/18	2018/19
	£'000	£'000
<b>Budget implications:</b>	0	1,000
	FTE	FTE
<b>Proposed staffing reduction</b>	0	0

### Budget implications

This is an exercise to account for the parking pressures that are expected to arise from an increase in the borough's population. Regeneration and increased development may result in additional cars and increased parking pressures. This creates the need to provide parking restrictions that meet current and future demand, with the revenue paying for the service and any additional revenue being reinvested in the service. This exercise will consider residential parking permits and some car parking tariffs but will not include a review of visitor parking charges.

### How would this affect users of this service?

Some parking charges may increase although visitor parking charges will not be considered.

### Key milestones



- Preparation of new parking tariffs - 2017
- Consultation on new parking tariffs - 2017
- Decision to increase parking charges – 2017
- Implementation of revised parking charges - 2018

**Key consultations**

Consultation on increased parking charges – 2017

**Key risks and mitigations**

Any increase in parking tariffs may be unpopular initially. However, this will serve to mitigate parking congestion and will create more sustained environmental benefits. The revenue received will pay for the service, with any additional revenue being reinvested in the service.

**Equality impact screening**

Is there potential for the proposed policy to have a disproportionate adverse impact on any of the following groups:	
	Yes/No
Disabled people	Y
Particular ethnic groups	N
Men or Women (include impacts due to pregnancy/maternity)	N
People of particular sexual orientation/s	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
People in particular age groups	Y
Groups with particular faiths/beliefs	N
Marriage / civil partnership	N

*If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment.*

EIA required?:	Yes
EIA to be completed by:	
Deadline:	

Lead officer for this proposal:	C Whyte
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## Budget Options Information

<b>Reference:</b>	1718BUD10
<b>Service(s):</b>	Environmental Improvement
<b>Lead Member(s):</b>	Cllr Southwood

<b>Policy Proposals:</b>	£900k from efficiencies in the Public Realm contract operation.
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### Financial and Staffing Information

2016/17	
<b>Total budget for the service(s) £'000:</b>	<b>29,000</b>
<b>Total post numbers in the services(s) (FTE):</b>	<b>35</b>

	2017/18	2018/19
	£'000	£'000
<b>Budget implications:</b>	450	450
	FTE	FTE
<b>Proposed staffing reduction</b>	0	0

### Budget implications

This proposal generates £900k from operational efficiencies within the Public Realm Contract. These will rationalise operational arrangements so they better manage and properly resolve hot spots and other persistent problems.

### How would this affect users of this service?

Service users may see revised working practices and operational schedules.

### Key milestones

Service review – 2016  
Negotiation with Veolia 2016  
Implementation of service changes – 2017-2018

### Key consultations

No formal consultation envisaged.

**Key risks and mitigations**

Any change in operations may be noticeable to residents used to familiar and established working practices. However, these changes are specifically intended to improve environmental standards overall. They will ensure the most persistent and most noticeable problem areas are eliminated once and for all.

**Equality impact screening**

Is there potential for the proposed policy to have a disproportionate adverse impact on any of the following groups:	
	Yes/No
Disabled people	Y
Particular ethnic groups	Y
Men or Women (include impacts due to pregnancy/maternity)	Y
People of particular sexual orientation/s	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
People in particular age groups	Y
Groups with particular faiths/beliefs	Y
Marriage / civil partnership	N

*If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment.*

EIA required?:	Yes
EIA to be completed by:	
Deadline:	

Lead officer for this proposal:	C Whyte
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## Budget Options Information

<b>Reference:</b>	1718BUD11
<b>Service(s):</b>	Parking & Lighting
<b>Lead Member(s):</b>	Cllr Southwood

<b>Policy Proposals:</b>	Maximise the potential of the soon-to-be operational Central Management System to maximise street lighting energy efficiencies.
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### Financial and Staffing Information

2016/17	
<b>Total budget for the service(s) £'000:</b>	<b>3,200</b>
<b>Total post numbers in the services(s) (FTE):</b>	<b>3</b>

	2017/18	2018/19
	£'000	£'000
<b>Budget implications:</b>	0	100
	FTE	FTE
<b>Proposed staffing reduction</b>	0	0

### Budget implications

The Central Management System for street lighting, which the council is currently procuring, provides the opportunity to review street lighting levels at a micro-level. Although deployment of the System will already be contributing to the agreed £0.75m p.a. saving expected from street lighting, it is considered that an additional £0.1m p.a. could be saved through a rigorous review of lighting levels at a highly localised level across the borough.

### How would this affect users of this service?

Some users may notice marginally lower lighting levels than expected at certain locations. However any impact would not be sufficient to affect lighting levels required for road safety, or to meet expectations of community safety.

### Key milestones

Procurement of CMS – 2016-17  
 CMS fully operational – 2017  
 Complete review and implement detailed Lighting Plan - 2018

**Key consultations**

N/A. Resident and visitor feedback on lighting levels could be acted on quickly.

**Key risks and mitigations**

Some users may notice marginally lower lighting levels than expected at certain locations. Should the lighting level not be acceptable at a specific location the CMS does allow corrective adjustments to be made rapidly.

**Equality impact screening**


Is there potential for the proposed policy to have a disproportionate adverse impact on any of the following groups:	
	Yes/No
Disabled people	N
Particular ethnic groups	N
Men or Women (include impacts due to pregnancy/maternity)	N
People of particular sexual orientation/s	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
People in particular age groups	N
Groups with particular faiths/beliefs	N
Marriage / civil partnership	N

*If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment.*

EIA required?:	No
EIA to be completed by:	
Deadline:	

Lead officer for this proposal:	C. Whyte, Operational Director, Environment
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 <p><b>Brent</b></p>	<p style="text-align: center;"><b>Cabinet</b> 24 October 2016</p> <p style="text-align: center;"><b>Report from the Chief Executive of Brent Council and Chief Officer of Brent Clinical Commissioning Group</b></p>
<p>For information</p> <p style="text-align: right;">Wards affected: ALL</p>	
<p><b>Sustainability and Transformation Plan</b></p>	

## 1.0 Summary

- 1.1 NHS England has published the Five Year Forward View (FYFV), setting out a vision for the future of the NHS. Planning guidance released in December 2015 set out the requirement for local areas to develop a Sustainability and Transformation Plan (STP) to help local organisations plan how to deliver a better health service that will address the FYFV 'Triple Aims' of improving people's health and wellbeing, address the quality of care which people receive and to address the financial gap. This is a new approach across health and social care to ensure that health and care services are planned over the next 5 years and focus on the needs of the place where people live, rather than individual organisations.
- 1.2 There are tangible benefits for areas with good STPs through the newly established Sustainability and Transformation Fund (STF). Planning guidance suggests that ambitious STPs will be attract an early STF allocation.
- 1.3 At the North West London level, the Strategic Planning Group has been responsible for developing the joint proposals and planning at the system level. This has included bringing together local plans into the Sustainability and Transformation Plan for North West London. The STP describes plans at different levels of 'place' – across the whole system in North West London, from the local to the sub-regional, as appropriate.
- 1.4 In parallel to the NW London SPG, a local Brent STP Planning Group was established, comprising Council, CCG, acute, community and mental health provider, Health watch and Brent CVS representatives to develop a local STP. Brent continues to evolve and contribute to the completion of the full NW London STP whilst working to implement Brent specific priorities aligned to the NW London STP.
- 1.5 The local version of the STP focusses on how Brent will achieve the triple aim locally. The Brent STP therefore represents Brent's overarching 5-year strategy and implementation plans to improve health and well-being, the quality of services provided, and achieves financial sustainability. It is a triangulation of existing plans, plus new initiatives where gaps in existing plans have been identified, and where we

believe a different approach to joint working can make a real difference to people in Brent.

- 1.6 It is proposed that the Brent STP will be the overarching strategic plan for Brent. The STP has to reflect and respond to three gaps: Health and Wellbeing, Care and Quality and Finance and Efficiency. Therefore, it makes sense that these sections reflect updated health and wellbeing priorities and Better Care Fund (primarily focused on Care and Quality) priorities. However, it is important to note that this is an evolving process. The NW London and Brent STP priorities are designed to accelerate the pace of integration through strengthening collaboration between commissioners, providers and partners to address the triple aims of the Five Year Forward View.
- 1.7 The partnership nature of STP requires that the responsibility for overseeing the development and implementation of the STP priorities and deliverables is through the Brent Health and Well Being Board locally. To this end, the Health and Well Being Board has recently reviewed and extended its membership to include key partners such as London North West Hospitals Trust and Central and North West London Foundation Trust to ensure effective governance arrangements underpinning the STP.
- 1.8 This report sets out the North West London STP priorities, how they align with the Brent STP priorities, the approach to delivering these and the financial implications associated with the proposals.

## **2.0 Recommendations**

- 2.1 Cabinet is requested to note the progress in developing the NW London and Brent STP.
- 2.2 Cabinet is requested to endorse the proposed 'big ticket' items which are designed to accelerate integration and closer collaboration between partners, providers and commissioners for the benefit of local residents.

## **3.0 Background**

- 3.1 Planning Guidance released in December 2015 set the requirement to develop a shared five-year plan, a Sustainability and Transformation (STP) Plan. This should describe how areas will locally deliver the requirements of the Five Year Forward View (5YFV). Boroughs in NW London are required collaborate as 'place based systems' across health and local government to address the ambition set out in the FYFV.
- 3.2 The formal Brent STP will be developed at the level of the NW London footprint, and will describe plans at different levels of 'place' – across the whole system in North West London, from the local to the sub-regional, as appropriate. Local plans will form the building blocks of the STP. Expectations include:
  - Bring system leadership together to tackle the significant challenge to meet the improvement in care standards for people in NW London.
  - Collaborate through strategic partnerships to reduce demand for services through effective early intervention, taking into account the interplay of broader socio-economic factors such as housing, employment, and the built environment (e.g. air quality), on the health outcomes for the people of NW London.
  - Co-produce a consolidated Sustainability and Transformation Plan (STP) for NW London that responds to identified challenges across the health and care



economy and which reflects the local operating plans agreed in local communities in line with NHS England planning guidance.

- 3.3 STPs are not an end in themselves, but a means to build and strengthen local relationships, enabling a shared understanding of where we are now, our ambition for 2020 and the concrete steps needed to get us there. There will be tangible benefits for areas with good STPs through the newly established Sustainability and Transformation Fund.
- 3.4 The STP will be an umbrella plan and will bring together local place-based plans to address the health and care triple aim or 'gaps' described in the Five Year Forward View:
- Health and well-being gap
  - Care and quality gap
  - Finance and efficiency gap
- 3.5 An early checkpoint submission was made to NHS England on 15th April 2016 and a further draft on 30th June 2016. The final plan will be submitted on 21<sup>st</sup> October 2016.

#### **4.0 Detail**

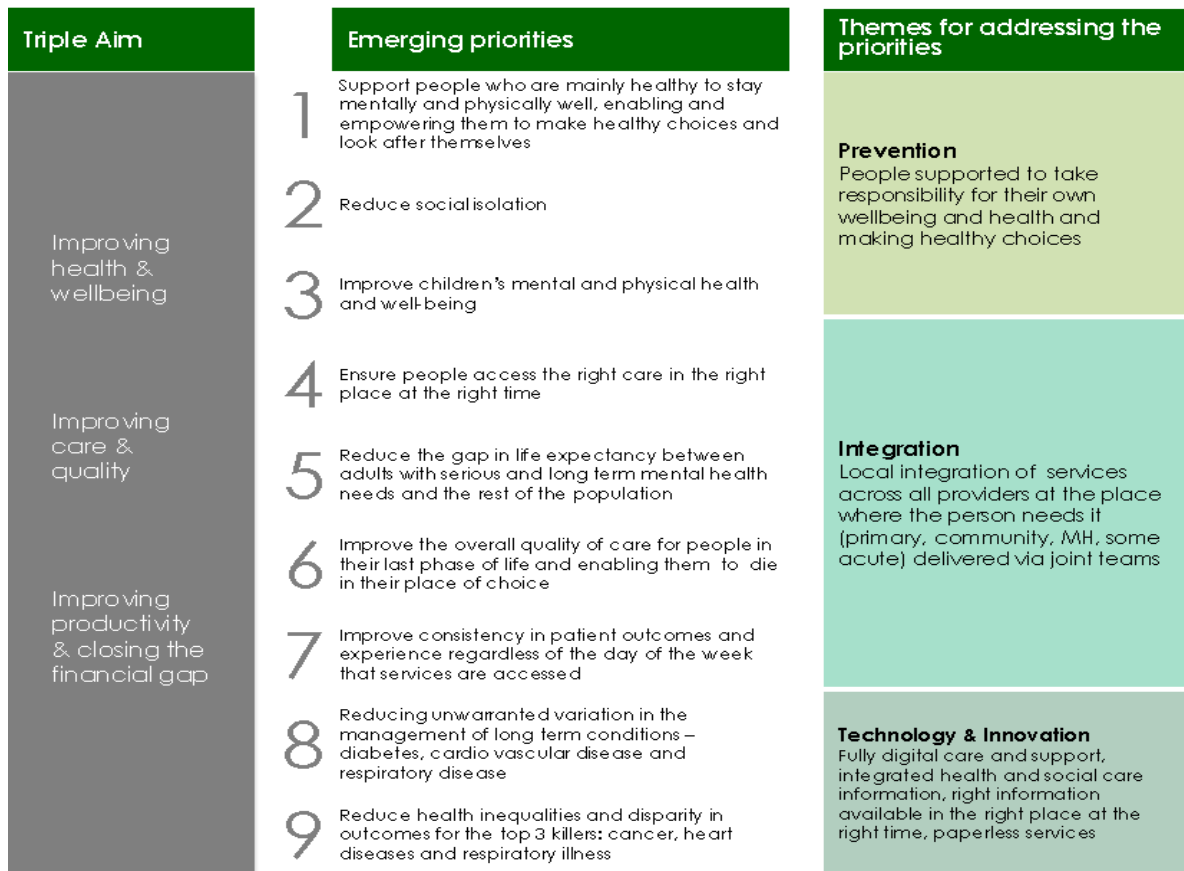
##### *PRINCIPLES AND APPROACH*

- 4.1 In order to support the development of a plan as ambitious as the STP, it is critical to lay out some key principles so that everyone involved works together in the same way. In addition to those adopted by North West London, Brent included:
- Make decisions based on a population or whole NWL system view (rather than an individual organisation or area view)
  - Maintain trust and transparency, and raise any issues that may be encountered
  - Recognise that Brent has both Brent deliverables and as part of the NWL footprint
  - Recognise that work will go on between meetings in order to progress within timescales, and commit to making best efforts to attend all meetings
  - Each member is responsible both for representing their respective organisation view and for cascading back outcomes from the Planning Group
- 4.2 The NW London STP takes a population segmentation approach to understand the changing needs of our population. This approach is at the core of how we intend to collectively design services and implement strategies around these needs.

##### *NW LONDON EMERGING PRIORITIES AND DELIVERY AREAS*

- 4.3 The emerging NW London priorities are a consolidation of local place based planning, sub-regional strategies and plans and the views of the sub-regional health and local government Strategic Planning Group. They seek to address the challenges described

by the 'as-is' picture and deliver the vision and 'to-be' ambitions using an evidence-based, population segmentation approach.



4.4 The emerging NW London priorities designed to address the triple aim of the Five Year Forward View. These priorities map to the core themes for addressing the challenges across the NW London system and emerging delivery areas. These priorities have been influenced by Brent priorities, which have been derived from our Health and Wellbeing Strategy and our Joint Strategic Needs Assessment. This local intelligence highlights the changing needs, challenges and issues facing our population. An updated NWL STP plan is in the process of being submitted to NHSE and Brent plan will also be updated to include the outcomes from our local engagement events.

*BRENT'S PRIORITIES and DELIVERABLES*

4.5 From the emerging NWL priorities 5 delivery areas have been agreed for local STP plans reflecting where we need to focus on to deliver at scale and pace.

- 4.6 Thus the Brent plan has five delivery areas these being:
- DA1 – Radically upgrading prevention and wellbeing
  - DA2 – Eliminating unwarranted variation and improving LTC management
  - DA3 – Achieving better outcomes and experiences for older people
  - DA4 - Achieving better outcomes for children and adults with mental health needs
  - DA5 – Ensuring we have safe, high quality sustainable acute services

- 4.7 It should be noted that the draft plan includes a commitment to close the social care funding gap (£17m in Brent by 2020) and also to invest £110m in prevention. These two financial commitments are to be strongly welcomed.

Five of the eight councils who are impacted by the plan have commissioned Ernst Young to test the assumptions in the plan specifically related to the cost of additional out of hospital care to social care as a result of any proposed changes to acute services. The Terms of Reference are attached at Appendix 1.

- 4.8 The Brent specific health and well-being gaps have been identified as:
- Common mental health disorders (CMD): large numbers and projected to increase - in 2014, an estimated 33,959 people aged 18 to 64 years were thought to have a CMD
  - Severe and enduring mental illness: affects 1.1% of the population
  - Mental well-being: the percentage of people with depression, mental health issues or other nervous disorders in employment is 23% also lower than both the England rate (36%)
  - Significant and growing challenges to provide housing which potentially further undermine mental wellbeing
  - Childhood obesity: Brent is in the worst quartile nationally in terms of the % of children aged 10-11 classified as overweight or obese – 38%
  - Diabetes: by 2030 it is predicted 15% of adults in Brent will have diabetes
  - Long Term Conditions: 20% of people have a long term condition
  - Dementia: prevalence of dementia in people aged 65 years and over is 2,225 (2016) (and 80% of prevalence is diagnosed)
  - STIs/HIV: 1,404 STIs per 100,000 population compared to 829 in England
  - Health-related behaviour: physical inactivity: worst in West London; nutrition: 47% get 5 a day; tobacco use; alcohol; take up of immunisations
- 4.9 The Brent specific care and quality gaps have been identified as:
- Caring for an ageing population: 35% of all emergency admissions in Brent are for those aged 65 and over; once admitted this group stays in hospital longer, using 55% of all bed days.
  - End of Life Care: Brent has one of the highest percentages of deaths taking place in hospital in the country
  - Primary care: wide variation in clinical performance; Brent is in the worst quartile nationally for patient experience of GP services.
  - Long Term Condition management: Brent is in the worst quartile nationally in terms of people with a long-term condition feeling supported to manage their condition.
  - Cancer: Brent is in the second lowest quartile nationally in terms of GP referral to treatment for cancer and worst quartile in terms of cancer patient experience.
  - Serious and long-term mental health needs: people with serious and long term mental health needs have a life expectancy 20 years less than the average.

4.10 Brent's priorities are based on our understanding of changing needs and our vision for care and support in 2020. We will work to achieve this vision and address the triple aims through the following:

### Health & Wellbeing

- Wellbeing is seen in its widest sense. It is not just about healthcare but wider factors such as employment, housing, and lifestyle. Brent will be a Dementia-Friendly Borough.
- Mental and physical health is given equal importance and will be considered holistically at the point of care.
- A significantly strengthened approach to prevention will improve the health status of Brent on a medium to long-term basis.
- Joining up health promotion, self-care and non-statutory support across the continuum enables people, including those with LTCS, to make decisions, take actions & manage a broad range of factors that contribute to their health & wellbeing on a day-to day basis.

### Care & Quality

- An integrated workforce plan is in place to develop skills, enable flexible use of staff across settings of care, improve workforce planning, and support local recruitment and retention, including of local Brent residents.
- Primary care providers are better equipped through a new federation and model of care to provide more care in the community.
- An Accountable Care Partnership will be accountable for the end-to-end care and outcomes of a population group, i.e. people aged 18 or over with one or more long term conditions who are at risk, in need or unstable.
- There will be a concentration of acute hospital services to develop centres of excellence. These will achieve higher clinical standards and more efficient care delivery. Central Middlesex will be redesigned as a H&WB Centre, including urgent care.
- Expanded provision of early interventions for people with mental health problems and reduced reliance on inpatient care.
- An integrated approach to commissioning (and providing) services locally, including Nursing Care Homes, improving quality.
- A unified Frailty and Older People's Care model will stitch together existing services and models into a single pathway that ensure older people receive high quality and timely acute care and active support to maintain independence.

### Finance & Efficiency

- Brent CCG and Council will minimise the impact of changing demographics through the cumulative impact of the initiatives outlined in the Brent STP, and ensuring that best practice is achieved across all service areas in Brent.
- Reduced acute and residential care demand will be achieved through a range of initiatives, including: new EOLC pathways; effective case management of people with complex needs; reduced variation in the management of LTCs (including Right Care); enhanced care in Nursing Homes; implementation of 'discharge to assess' models as part of the WLA integrated discharge initiative; and implementation of a unified Frailty and Older People's Care model.
- Providers will achieve and maintain financial balance by implementing internal financial recovery plans, including the redesign of CMH, reductions in Length of Stay, reduced reliance on agency staff, and Carter Review recommendations.
- A strong delivery focus will be required to ensure the Brent STP is fully implemented on time.

4.11 From the above, the local STP Group has identified five 'big ticket' items, e.g. those that will have the greatest impact on closing the gaps and that can only be delivered fully from working as a collective. These are described below:

- I) Prevention and Self–Care, which reflects the need for a step change in behaviour across the system to manage demand, which will include:
  - Making Every Contact Count (MECC) – i.e. use every opportunity to achieve health and wellbeing, and involve systematic promotion of benefits of healthy living
  - Workplace based Health Promotion programme - i.e. adapted version of London Healthy Workplace Charter for small businesses in Brent; contracts issued with workplace health and wellbeing as a 'social value' requirement
  - Widen the scope of SIBI - SIBI currently delivers a 2nd tier service, but the service can be re-aligned to support 1st (signposting and advice, with links to existing services) and 3rd tier patients (intensive support for short periods (6weeks to 3 months) using multi-agency approach
  - Self-Care as part of Whole Systems Integrated Care
  
- II) Renew the ambition and focus in Brent's Better Care Fund schemes to ensure we are tackling the care and quality gap, which will include:
  - A renewed focus on Nursing and Care Home Provision, this will build on the current Better Care Fund scheme 3 and link to the NWL market management ambition of jointly commissioning all out of hospital care jointly
  - Lead the way in the implementation of the West London Alliance integrated discharge pilot, which proposes to cut through the complexities of cross borough provision with one Borough discharging all social care placements for west London
  - Develop a Frailty Model in tandem with CMH development, responding to changing needs of local demography, to include the services and pathways that address the needs of this cohort which will enable a focus of resources on this cohort of population with the highest demand through
  - Re-confirm the original vision for Whole Systems Integrated Care (WSIC) building on the work done with primary care to full integrate Primary Care Transformation + community based acute prevention and discharge services, social care, housing and voluntary services in to a single pathway.
  
- III) Recognise the significant impact we could have by working together in a One Public estate model, and deliver an exemplar of the approach – Central Middlesex Hospital:
  - Redevelop the Central Middlesex Hospital (CMH) site into a Brent Health & Well-Being Centre providing a range of local services (including the Urgent Care Care)
  - Broaden the scope of existing discussions to take in the wider CMH site, to include the new nursing home and extra care facility opposite in order to do two things: 1) focus on the place shaping opportunity to make this a better place to live and work, and 2) make very strong links between the acute and primary services at CMH and the social care facilities to ensure high quality services.
  
- IV) Ensure that mental health and wellbeing has the same focus as physical health and wellbeing:
  - Start from the principle that housing, and for people of working age employment, underpin mental health and wellbeing and therefore, this needs to be fully integrated into the current health and care models
  - We need a different system wide response to improve and sustain discharge from secondary mental health services so people can live independent lives

- Ensure we work across primary care and employment and housing services to support people with common mental illness
  - Make Brent a Dementia-Friendly Borough.
- V) Integrated Workforce and Organisational Development, which underpins all of the above:
- Shared intelligence and understanding of the workforce, based on joint modelling using the Healthy London Partnership workforce model, which fully integrates assumptions across health and social care and allows integrated workforce planning and career paths
  - Through Making Every Contact Count ensure that there is accountability to the customer, not the service, in everything we do
  - Define the roles, and train the people needed to deliver the new models of integrated
  - Find ways to develop a multi-disciplinary workforce and teams, for example, in mental health, which focus not only health, but also on housing and employment
  - Work together to define and tackle the growing challenge we have to find key workers essential to success – homecare, residential and nursing workers, nurses and doctors.

We have been the first health and care system to take the STP to our communities. Three public events were organised by the Council and CCG in different areas of Brent and officers and Cllr Hirani and Dr Kong (Brent CCG Chair) engaged the public to have a say on our plans. There was a good response at all the events. We expect more comments through online and postal feedback. In addition we had an engagement event at the Council and another one planned for the Health Partners Forum on 19<sup>th</sup> October.

The main themes coming out of these events are summarised below:

- prevention activities: e.g. gym membership, physical activity for adults, incentivise sessions in the community, smoking cessation programmes and alcohol intervention; information and advice on diet & nutrition, address social isolation;
- easier and early access to aids, equipment and adaptations for older people before their condition deteriorates;
- proactive and integrated care: this includes better co-ordination between Council and Health services, hospital discharges should be appropriate and supported by community services, holistic support for people with long term conditions, e.g. diabetes, Asthma, HIV, e.g. social and psychological support to help better management of long term conditions;
- improve care for the elderly and disable people, more respite services and support for carers;
- improvement in GP appointments – shorter waiting periods and sufficient time with GPs;
- improve referral to treatment time, faster access to diagnostic services;
- improved disabled access in the borough, accessibility of services is crucial;
- mental health promotion in schools, raising awareness in different communities, crisis support for people with mental health problems, shift funding from medication costs to counselling and talking therapies, other forms of interventions; and
- improve waiting times at A &E at Northwick Park hospital, extended hours health services for easier access by people who are at work during standard working hours.

The Brent STP plan will continue to evolve and improve taking into consideration local needs and feedback and translate in the delivery of the five big ticket areas.

#### *NHS ENGLAND FEEDBACK*

- 4.12 Following submission of the draft STP on 30<sup>th</sup> June, representatives from NW London met with NHS England on Thursday 14 July where the draft document was well received. We have recently received feedback to support the October submission. Overall NHSE were “very impressed” by our commitment to system-wide working and noted that our proposals have great potential to deliver the Five Year Forward View and provide a route to sustainably improved services for patients. While impressed by our vision, NHSE did identify that delivering our vision at scale and pace will be challenging.
- 4.13 NHSE identified a number of areas for us to focus on to develop the final plan, these areas include:
- Further detail on our plans for primary and wider community services and how these will impact on hospital based activity
  - Further detail on our plans for engagement with local communities, clinicians and staff and a clear narrative which articulates the benefits for proposed changes to the public
  - Further detail on our productivity proposals
  - Updated plans for mental health following the publication of the Forward View for Mental Health
  - Year on year financial trajectories
  - Finalise the development of the Business Case for submission to NHSE Investment Committee (IC)
  - Finalise the proposal to implement the new model of care at Ealing Hospital including an affordable capital proposal for approval by the IC
  - A clearer articulation of the impact on quality of care as a result of our plans
  - Making links with neighbouring STPs that could provide opportunities or obstacles to your planning

## *GOVERNANCE AND MONITORING*

- 4.14 Going forward, in order for us to work together across the system to deliver the transformation set out in the STP, we need to develop an effective governance approach at the NWL level and in Brent.
- 4.15 At the NWL level, the process this far has been overseen by The Strategic Planning Group (SPG) which is a forum for a wide range of system leaders (primarily senior managers and lay partners) from across the system. This is spearheaded by a Leadership Group comprising Dr Mohini Parmar (Chair), Claire Parker, Rob Larkman (both CCG accountable officers), Tracey Batten (CEX Imperial) and Carolyn Downs (CEX, LB Brent). The NW London programme is establishing a Joint Health and Care Transformation Group which will have representation from across local government and health, including commissioners, providers and lay representatives. The purpose of this group will be to oversee the development of the STP and its delivery, and its first meeting is scheduled for 22 September. The purpose and membership of this group has been discussed at the NW London Strategic Planning Group (SPG) in July which agreed that a smaller representative group was required to provide oversight. There will be governance groups established at NW London level to oversee the mobilisation and delivery of the 5 Delivery Areas. There will be four councillors on the joint board and four council officers, these being Cllr Sachlin Shah (Vice Chair), Cllr P Copthorne (Hillingdon), Cllr R Robotham (Westminster), Cllr S Curran (Hounslow), Carolyn Downs (CEX Brent), Michael Lockwood (CEX Harrow), Charlie Parker (CEX Westminster), Liz Bruce (DASS Tri-Borough).
- 4.16 In Brent, the development and implementation of the Brent work stream priorities to address the gaps will be overseen by the Health and Well Being Board. The Brent Health and Well Being Board has recently reviewed and extended its membership to include key partners such as London North West Hospitals Trust and Central and North West London Foundation Trust to ensure effective governance arrangements underpinning the STP. A task and finish local Brent STP Planning Group was established in April, comprising Council, CCG, acute, community and mental health provider, Health watch and Brent CVS representatives to develop the local STP. A proposal will go to the Health and Wellbeing Board in October, which seeks to streamline existing adults governance (and align with the children's structures that reports to the Health and Wellbeing Board) bringing together the existing boards such as the Better Care Fund Board with the task and finish STP group to create a clear focus and accountability going forward.
- 4.17 The STP challenge is significant, and the NWL and Brent response relatively new, and so there remains a commitment to review and improve structures as the full NW London STP is finalised, whilst ensuring we keep and clear focus on implementing Brent specific priorities aligned to the NW London STP. The degree to which these structures can continue to deliver a shared perspective on the challenges, co-production of the solutions, clear accountability and effective monitoring of progress and impact will be a crucial test as STP develops.

## *ENGAGEMENT*

- 4.18 Beyond the involvement of lay partners in the core groups, the programme has also undertaken a number of patient and public engagement activities, including hosting 22 face to face engagement events across all eight boroughs to help co-design the local



plans. These events have included workshops, seminars and public meetings and have been very popular with providers, patients, clinicians, Healthwatch, lay partners, carers and their families.

4.19 At a NW London level we have identified the key audiences that we will be engaging with over the next four months. A core narrative covering our health and social care challenges and opportunities, STP purpose, development, goals, strategic approach and priorities has also been developed and distributed across the organisations within the STP footprint. Over the next four months, the programme will be engaging with stakeholders in four main ways:

a. With partners – we have held, and will continue to hold, market stall events to showcase the range of work which is happening across NW London. In addition to these events, we have also designed a programme of more deliberative-style events which look to bring together different groups of individuals from across the sector to think creatively about the challenges and opportunities in the STP, and thus more directly shape the development and implementation of our plan.

b. With staff – We regularly send internal communications across organisations and update progress through newsletters, bulletins and regular updates from Chief Executives and Chief Operating Officers. More detailed engagement plans are being developed across all organisations and locations. These plans will include workshops with clinicians and local government officers.

c. With patients and residents – We have developed a programme of traditional town hall style meetings and other face to face events across the eight boroughs. In addition to these local meetings, we will also be holding a pan NW London event, with at least one being held in the inner boroughs and one in the outer boroughs.

d. Online – We have developed an online engagement tool allowing us to target specific audiences with tailored messages. The development of our online engagement approach is essential in order to reach residents who won't attend face to face events.

4.20 In Brent, discussion of the STP has been integrated into core engagement events through this process wherever possible, for example, the Health Partners event in April was focused on STP and had the usual good attendance. A focused STP event is planned for 26th September at the Civic Centre, which aims not only to consult on the current content of the STP, but also how we continue to improve engagement through as the STP develops. A crucial part of this will be building engagement plans for each of Brent's big ticket items, which will need to reflect the specific nature of the proposals to ensure that we deliver a customer focused, design led approach to developing the detail of these individual projects through meaningful engagement with the public and other stakeholders.

## **5.0 Financial Implications**

5.1 Approximately £12m of net savings are required each year to close the CCG financial gap over the next five years. The Council will have a £17m gap by 2020 without applying the Council tax precept and £9m if Brent applied the precept year on year up to 2020. LNWHT provides services to three key commissioners, and therefore only a proportion of its 'gap' is directly associated with Brent; similarly with CNWL. This

signals a significant finance and efficiency gap which needs to be addressed through quality, innovation, productivity and prevention initiatives across the system rather than within individual organisations.

5.2 The transformation required to close the Health & Well-Being and Care & Quality gap in Brent will enable closing the Finance & Efficiency gap. The STP provides the opportunity to think and work fundamentally differently across local government, the NHS and the wider public and voluntary and community sector. The aim being to respond to the significant financial challenges by working collectively to develop new integrated models of prevention and care which can transform the way services are delivered, reduce duplication, and minimise infrastructure costs. In summary, Brent will close the finance and efficiency gap over the next five years by:

- Brent CCG and Council will minimise the impact of changing demographics through the cumulative impact of the initiatives outlined in the Brent STP, and ensuring that best practice is achieved across all service areas in Brent.
- Reduced acute and residential care demand will be achieved through a range of initiatives, including: new End of Life Care pathways; effective case management of people with complex needs; reduced variation in the management of Long Term Conditions (including Right Care); enhanced care in Nursing Homes; implementation of 'discharge to assess' models as part of the WLA integrated discharge initiative; and implementation of a unified Frailty and Older People's Care model.
- Providers will achieve and maintain financial balance by implementing internal financial recovery plans, including the redesign of CMH, reductions in Length of Stay, reduced reliance on agency staff, and Carter Review recommendations.
- A strong delivery focus to ensure the Brent STP is fully implemented on time.

5.3 The STP and associated funding to support local, regional and sub-regional transformation is critical to the health and care economy. Without collective agreement and a plan to address the finance and efficiency gap both health and quality of care will continue to deteriorate. There remain residual gaps for both CCG and Council, and therefore (a) existing opportunities must be maximised, and (b) further opportunities will be required in order to ensure that the CCG and Council continue to provide high quality services to a growing Brent population.

5.4 New care models will be enabled by a new provider model. In 2014 Brent developed an ambition for a health and care system where delivery and performance is led and managed by a partnership of providers who form an Accountable Care Partnership (ACP). Providers work together to plan and manage care, ensuring funding flows to where it is needed most by working within a defined budget to achieve a shared set of priorities and outcomes. This was known as an Accountable Care Partnership (ACP), reflecting the need to break down barriers between health and care and reshape provision around patient, service user and carer needs.

5.5 The Five Year Forward View (FYFV) and new contracting frameworks provide real opportunity to progress. Brent plans for an ACP align well to the Multi-speciality Community Provider (MCP) model from the FYFV and this is the model we will pursue. We have already made good progress and are facilitating partnerships between Primary Care, Community, Mental Health, Social Care, Acute, the voluntary sector and others.

- 5.6 Brent GP Networks have recently developed a joint venture meaning they can mobilise to provide services at scale and in common and work together to continuously improve quality and make decisions on resource allocation and performance as a partnership. This provides the foundation on which partnerships with other at scale providers can be built. As an MCP the providers would be commissioned to deliver end to end care with functions and governance focused on outcomes and on clinical and financial accountability.

## **6.0 Next steps**

### *NW LONDON SPG*

- 6.1 NW London is required by NHS England to submit our final plan on 21st October (although this date is still provisional). Feedback from NHS England, local governance boards and from the public and staff engagement described above is being incorporated to help develop and shape the final plan.
- 6.2 Our intention is to receive and incorporate feedback in September to enable sign-off of the final plan by organisations in early October ahead of the final submission. Between now and the October submission we will there will be a number of engagements with NHSE London as plans are finalised.
- 6.3 NW London has already committed to delivering a series of outputs for 2016/17 through the draft STP. The programme teams have been proactive in identifying opportunities to accelerate delivery to ensure that we meet the ambitions set out in the draft plan, and the STP programme team will continue to measure and support this.
- 6.4 In addition, the programme is finalising 17/18 deliverables and benefits, and aligning these deliverables to the 17/18-18/19 planning round and two year contracts.

### *BRENT STP GROUP*

- 6.5 Brent will continue to build and strengthen local relationships, throughout the STP development process, supported by a shared understanding of strengths and challenges faced as well as a clear ambition for 2020, and a set of concrete steps to get there.
- 6.6 Progress has commenced on the establishment of local working groups to progress key STP work streams. The governance underpinning delivery will be formalised at the Health and Well Being Board in October.
- 6.7 Detailed review and analysis of the suggested financial opportunities in the Brent context are being used to inform project initiation documents to be agreed across partners
- 6.8 There will need to be ongoing collaboration and input to the NW London SPG and Delivery Boards to ensure alignment and opportunities are maximised.
- 6.9 Finally, we will continue the journey of 'Horizontal integration' of Primary Care as the foundation on which alignment between primary care and other providers can be built from 16/17 onwards. We will commence specific and detailed conversations with providers about the next steps to achieve this looking at the entire pathway from home to hospital and back again.

## **7.0 Legal Implications**

7.1 The provisions of the Care Act 2014, accompanying Regulations and Guidance must also be born in mind in the development of the proposed Sustainability and Transformation Plan.

## **8.0 Diversity Implications**

8.1 N/A

## **Contact Officers**

1. Carolyn Downs, Chief Executive – Brent Council
2. Rob Larkman, Chief Officer – Brent, Harrow and Hillingdon CCGs

## **Appendix**

1. The Brief - Independent review of assumptions underpinning hospital and out of hospital changes in Northwest London (NWL)

## **Appendix 1 – The Brief**

### **Independent review of assumptions underpinning hospital and out of hospital changes in Northwest London (NWL)**

#### **1. Summary**

West London boroughs are seeking to commission an independent review of the assumptions and data, including in out of hospital care, that should be used to inform how and when significant changes to acute services and investment in out of hospital services should take place in Northwest London. This analysis will primarily test the existing assumptions, establish a current baseline position and trajectory, and develop the criteria and assumptions that should be used to inform a review of delivery in 2018, before any substantive changes to acute services are made.

#### **2. Background**

The STP plan stated that:

*“All STP partners will review the assumptions underpinning the changes to acute services and progress with the delivery of local services before making further changes and NHS partners will work jointly with local communities and councils to agree a model of acute provision that addresses clinical quality and safety concerns and expected demand pressures”*

*“There will be no substantial changes to A&E in Ealing or Hammersmith & Fulham, until such time as any reduced acute capacity has been adequately replaced by out of hospital provision to enable patient demand to be met. NHS partners will review with local authority STP partners the assumptions underpinning the changes to acute services and progress with the delivery of local services before making further changes and will work jointly with local communities and councils to agree a model of acute provision that addresses clinical safety concerns and expected demand pressures.”*

Appendix A also committed partners to work jointly to:

- develop an agreed approach to the delivery of the commitments , following the 30 June checkpoint
- develop an acceptable set of review criteria for any changes
- strengthen the supporting data and evidence base, and understand the financial risks and benefits and overall business case across health and care by October 2016
- agree a ‘review point’ in 2018 to review the agreed criteria
- co-produce the final plan with leaders, clinicians and the public from June through to October 2016

In addition, partners in Northwest London are agreed that:

- There needs to be a substantial investment in GP and out-of hospital services to meet the additional demands of more vulnerable patients, and a recruitment drive for additional GPs and primary care staff.
- There needs to be a sub-regional out-of-hospital strategy produced, with clear metrics and targets setting out at what level such services will be considered sufficiently successful to allow for further reconfiguration, and
- Levels of spending on social care in North West London and elsewhere have been hit by both central government policies and demand pressures, requiring social care

budgets to be increased and protected to maintain patient flows from hospital to domiciliary and residential care.

The proposed work is intended to support the delivery of the commitments in the STP and the areas listed above.

### **3. Conditions for the independent analysis**

It is clear that in order for the work to achieve joint agreement, there are a number of shared principles that must underpin the work:

- a) The review must be set within the context of the commitments and plans within the STP, and the impact on the whole health and care system. The outcome of the review must not be pre-determined by existing positions or previous or current work, although it can and should be informed by it.
- b) Both NHS and LG partners commit to taking an open book approach to data, and all parties will work to provide this access in a timely and supportive manner
- c) The work must be genuinely whole system, focussing on what is in the best interest of patients and service users with the limited resources available across the system. This should include considerations of safety and quality, and also the extent to which additional out of hospital capacity is reducing demand
- d) That it does not undermine efforts to secure additional capital funding through the IMBC, recognising that any changes to acute services and out of hospital services will be underpinned by the joint commitments within the STP, including the outcome of the analysis
- e) That the analysis is independent, and endorsement of the conclusions is not assumed by any party engaged or involved in the work

### **4. Scope of work**

The proposed scope of the work will therefore be to:

- a) Based on consultation with all partners, outline the top priority areas of focus in relation to proposed changes to acute services and out of hospital care
- b) Based on consultation with partners, provide advice about which metrics and assumptions should be used to inform the baseline position, trajectory and review point before changes to such services should proceed. This should include:
  - the population (both total and high risk/need cohorts, and current and projected)
  - activity levels across the system, including A&E and out of hospital care
  - capacity in the system, actual and required
  - criteria for assessing safety and quality
  - indicative resources allocated to the respective parts of the system
  - capital and investment assumptions and high level summary of requirements
  - finance and activity modelling for social care to show what demand looks like in a 'do nothing' scenario, and then assuming the out of hospital shifts have taken place based on current plans and evidence
- c) Using these agreed metrics, determine an appropriate baseline and trajectory upon which such measures and assumptions should be used for the review point in 2018 before changes are made
- d) The work should also provide a high level analysis of Estates issues including the potential opportunities for better use of assets, retention of receipts locally and access to capital across Local Government and Health, to ensure that the out of hospital infrastructure is adequate to meet the needs of the population, given the constraints around additional capital investment through the STP.
- e) Produce a report with full independent advice on the assumptions and data on the current baseline and trajectory
- f) Develop draft criteria to be used for the future review checkpoint in 2018

## **5. Timescales**

The indicative milestones for the project, to align with key STP milestones are:

- 8<sup>th</sup> August: invitation to tender issued
- 17<sup>th</sup> August: work commences
- 2<sup>nd</sup> September: consultation and data collection complete
- 9<sup>th</sup> September: first draft of report for consultation with partners
- 16<sup>th</sup> September: amended draft of report for approval/final amendments
- 23<sup>rd</sup> September: final draft of report
- 7<sup>th</sup> October: conclusion of additional ad hoc support /engagement and alignment

The final STP will be submitted at the end of October, and will need to reflect the outcomes of this work as appropriate. Work is expected to start immediately upon award of the contract

## **6. Governance**

- The work will be managed by WLA with oversight from individual borough chief executives.
- A full list of people will be drawn up from across the NHS and boroughs as part of the consultation to ensure the full spectrum of evidence is reflected

## **7. Conflicts of interest**

Bidders are asked to declare any potential conflicts of interest

## **8. Evaluation Criteria**

8.1 The mini competition process will be conducted to ensure that proposals are evaluated fairly to ascertain the most economically advantageous tender. The evaluation will be based on the contents of the written document submitted (Attachment 2) in accordance with the scoring guidelines attached. Tenderers may be contacted to clarify the content and meaning of details within their response.

8.2 Responses to the Authority's requirements will be evaluated under the following:

- Track record and experience (20%)
- Understanding of the tasks and objectives (20%)
- Robustness of delivery profile (20%)
- Capacity to undertake the work (10%)
- Finance (30%)

8.3 After the initial scoring process, the Authority may produce a short list of the highest-scoring tenders and may invite a presentation from each short-listed organisation, or take up references.

## **9.0 Instruction to Tenderers on their Response**

9.1 Tenderers should respond to this opportunity by completing:

9.1.1 Attachment 3 – The Proposal


9.1.2 Attachment 4 – Form of Tender

- 9.2 The closing date for the submissions is **Tuesday 16<sup>th</sup> August at 12:00 hrs.** Tenders must be submitted electronically using the London Borough of Ealing's e tendering system from where this tender was obtained. Please allow yourself sufficient time to upload documents to the tender portal as no submissions after this date/time will be accepted.

## **10.0 Relevant Appendices and Links**

STP Draft Submission



 <p><b>Brent</b></p>	<p><b>Cabinet</b> 24 October 2016</p> <p><b>Report from the Director of Performance, Policy &amp; Partnerships</b></p>
<p>For decision <span style="float: right;">Wards affected: None</span></p>	
<p><b>Annual Complaints Report 2015 – 2016</b></p>	

## 1.0 Summary

- 1.1 This report provides an overview of complaints received by the Council during the period April 2015 to March 2016. High level data for the past 3 years has been included where available for the purpose of comparison. Departmental/service area analysis has been provided for the 2015 – 2016 operational year (based on the current structure).
- 1.2 Complaints concerning the Adult Social Care and Children and Young People departments come under separate statutory complaint procedures and are therefore provided as separate analysis reports in appendices A and B respectively.

## 2.0 Recommendations

- 2.1 Cabinet is asked to:
- a) Note and consider the Council's performance in managing and resolving complaints.
  - b) Note the actions being taken to improve response times to complaints and reduce the number of complaints which escalate to stage 2 (final review).
  - c) Note the ongoing measures to improve services as a results of complaints and improve the customer experience.

## 3.0 Detailed Considerations

### Headlines

3.1 The key headlines from the Council's complaints performance are as follows:

#### *Volumes*

- Number of new stage 1 complaints received (corporate and statutory) has decreased year on year - 1,812 stage 1 complaints in 2015/16 (106 cases or 6% less than in 2013/14).
- Reduction in new Ombudsman cases from 74 cases in 2013/14 to 63 cases in 2015/16 (15% reduction over 3 years)
- Volume of stage 2 (escalated) cases increased by 16% over the past 3 years from 160 to 186 final review cases.

#### *Nature/Reason for Complaints*

- The top two reasons for complaints over the past 3 years were delay/failure to provide a service and inadequate communication with residents and services users.

#### *Outcome of Complaints*

- Increased number of cases upheld or partly upheld at the first stage - 623 cases in 2013/14 rising to 677 cases in 2015/16, demonstrating a more willing attitude to acknowledge fault at the initial stages of a complaint.
- More cases being fully upheld at stage 2 (17 upheld cases in 2013/14 compared to 49 upheld cases in 2015/16). There has been a notable increase in the number of BHP cases escalated to stage 2 and subsequently upheld or partly upheld.

#### *Timeliness of Complaints*

- Timeliness of stage 1 complaint responses steadily increased from 73% in 2013/14 to 88% of responses in time for 2015/16.
- Stage 2 response timeliness also increased from 61% in 2013/14 to 78% in 2015/16, despite higher volumes of complaints processed.

#### *Compensation*

- The number of cases awarded compensation and total amounts paid has been increasing over the past 3 years (2013/14 – 79 cases, c£28k to 2015/16 - 168 cases, c £75k).

#### *Ombudsman Enquiries*

- The number of referrals made to the Ombudsman has been increasing however the number of new cases accepted by the Ombudsman has reduced.
- In the vast majority of cases investigated the Ombudsman agreed with the Council's decision at stage 2 and in some instances imposed an increased financial remedy.

## Council's Complaint Framework

3.2 The Council's Complaints Framework sets out the stages and timescales for dealing with both corporate and statutory complaints:

<b>Complaint Type</b>	<b>Stages</b>	<b>Timescales (Written Response)</b>
<b>Corporate</b>	2 stages + Ombudsman	Stage 1: 20 working days Stage 2: 30 working days
<b>Adults (Statutory)</b>	1 stage (provision/final) + Ombudsman	Stage 1: 20 working days (extension up to 6 months in complex cases)
<b>Children (Statutory)</b>	3 stages + Ombudsman	Stage 1: 10 working days (extension to 20 working days in complex cases)  Stage 2: 25 days (extension to 65 working days in complex cases)  Stage 3: 45 working days

3.3 Service areas are responsible for the local management and resolution of all corporate and statutory stage 1 complaints. The corporate Complaints Service team manages final review/stage 2 corporate complaints on behalf of the Chief Executive. Children's statutory complaints are reviewed by an independent investigator and independent person at stage 2 and by an independent panel at stage 3.

3.4 The outcome of a complaint is decided in one of these ways:

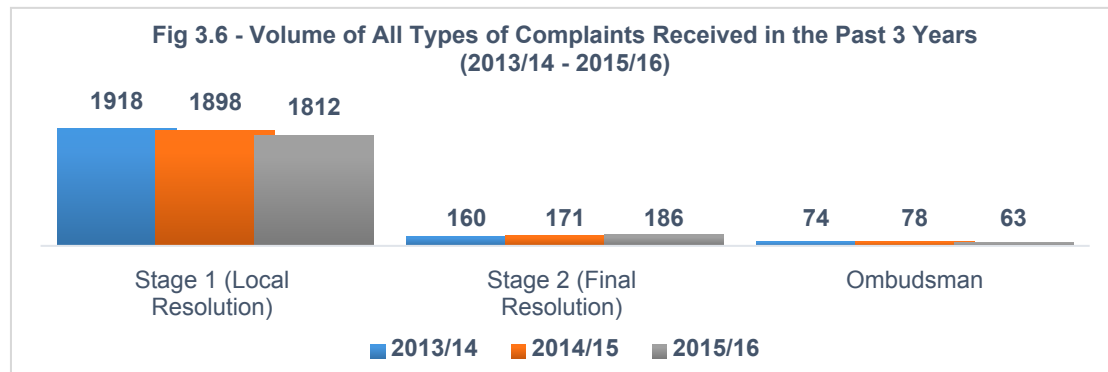
- *"Upheld"* – this is where the Council has accepted responsibility for the matter arising. The complaint response will offer an apology, clarify what happened and the remedy to the problem. We will also identify actions to prevent this from happening again.
- *"Partially Upheld"* – this is where the Council accepts some responsibility for part of the complaint. We will send a complaint response as above also highlighting our reason for not accepting the whole complaint
- *"Not Upheld"* – this means the investigation into the complaint has not found the Council at fault. The complaint response will explain our reasons for this decision

3.5 The Council's performance against the timescales outlined in the framework and other performance measures are detailed in this report. It should be noted that departmental analysis provided for 2015/16 is based on the current departmental/service area structure although the composition of departments has changed over recent years.

## Volume of Complaints

### *Volumes of Complaints – All Stages 3 Year Comparison*

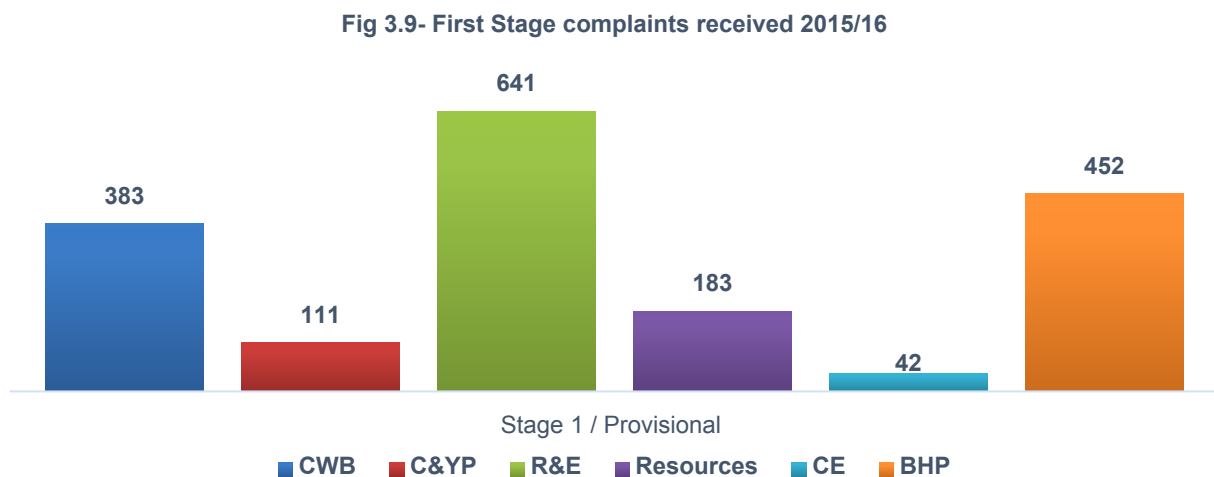
- 3.6 Over the past three years, the number of stage 1 complaints received (corporate and statutory) has decreased year on year. The Council received 1,812 stage 1 complaints in 2015/16 (106 cases or 6% less than in 2013/14). Similarly there has been a reduction in new Ombudsman cases from 74 cases in 2013/14 to 63 cases in 2015/16 (11 fewer cases or 15% less than in 2013/14). Further details on Ombudsman cases are provided later on in this report.



- 3.7 In contrast to stage 1 (local resolution) complaints, the volume of stage 2 (final resolution) complaints has been increasing year on year with 186 stage 2 cases received in 2015/16 (26 cases or 16% more than in 2013/14). This is mainly due to an increased number of cases relating to Brent Housing Partnership (BHP), Planning and Brent Customer Services.
- 3.8 There were three Children stage 3 cases in 2015/16. Previously there were three cases in 2014/15 and one case in 2013/14.

### *Volume of Stage 1 Complaints – Departmental Overview 2015/16*

- 3.9 The Council received 1,812 stage 1 complaints in 2015/16 and the departmental breakdown is shown in the chart below:

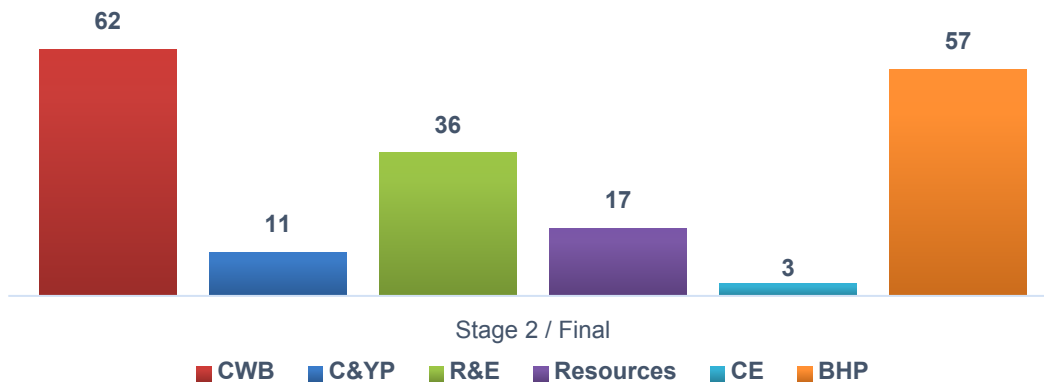


- 3.10 Regeneration and Environment (R&E) received the largest volume of stage 1 complaints, i.e. 641 cases or 35% of all stage 1 complaints. Complaint volumes overall across the department went down from the 735 first stage complaints received in the previous year (reduction of 94 cases). In 2015/16, Parking, Environmental services and Planning were the departmental service areas with the highest number of complaints. The number of Parking complaints dropped from 271 in 2014/15 to 182 in 2015/16 (33% reduction) as there had been a greater focus on clearly distinguishing between complaints and appeals relating to parking tickets and ensuring the correct process was followed. There was a 32% increase in Environmental services complaints from 2014/15 and these were mainly regarding waste services. These complaints were usually quickly resolved at the first stage with very low escalation rates to the second stage. There were 39 complaints about Planning in 2015/16 with a higher than average escalation rate to stage 2, although a low rate of upheld cases at the second stage.
- 3.11 BHP also had a high number of stage 1 complaints in 2015/16 – 452 cases or 25% of all stage 1 complaints received. Property Services, Neighbourhood Services and Customer Services were the areas that received the most complaints. More than half of BHP complaints for 2015/16 were related to Property Services (53% or 239 complaints) and the key themes were delays/poor workmanship with repairs or major works and communication. Neighbourhood Services received 99 complaints (22%) primarily about cleaning of communal areas. 11% of complaints (50 cases) were received in the BHP Customer Services team mainly about inadequate communication. Overall BHP complaints increased by 75 cases (17%) from the previous year. There has been a trend in BHP of increasing stage 1 complaints with higher than average escalation rates to stage 2 and then upheld at the final review stage.
- 3.12 The Community Wellbeing department was the third highest area for complaints in 2015/16. Housing services received 193 complaints (50%) mainly about the housing process, temporary accommodation and customer care. Adult Social Care received 108 complaints (28%) and further detail is provided in Appendix A. Library services accounted for 15% of complaints (58 cases) mainly about customer care.
- 3.13 Of the 183 complaints received by the Resources department, 87 cases (47%) were regarding Benefits services and 56 cases (30%) were regarding Revenue services. There was an increase in Benefits related cases, particularly around the processing of claims for self-employed customers.
- 3.14 Children & Young People department received 111 complaints in 2015/16 and further detail is provided in Appendix B.
- 3.15 The 42 complaints recorded against the Chief Executive's department related to complaints concerning two or more departments being managed centrally the Complaints Service team. These complaints were not about the service areas within the Chief Executive's department.

### *Volume of Stage 2 Complaints – Departmental Overview 2015/16*

3.16 In 2015/16, 186 cases were escalated to Stage 2 and the departmental breakdown is shown in the chart below:

Fig 3.16 - First Stage complaints received 2015/16

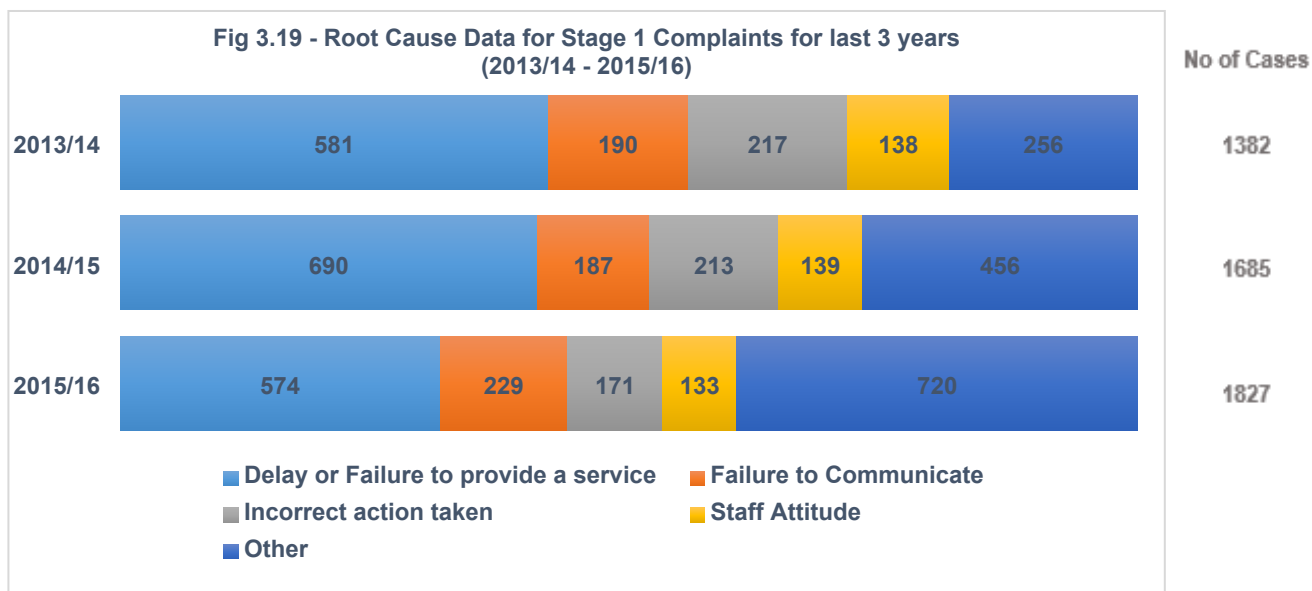


3.17 The Community Wellbeing department generated the highest amount of escalated stage 2 complaints (62 cases or 33% of all stage 2 cases). These final review complaints were in relation to Housing, Adult Social Care and Private Housing Services. BHP's 57 escalated cases (31%) were predominately to do with Property Services. In Regeneration and Environment, escalated cases arose mainly from Parking, Planning, Community Safety and Highways services. Revenues and Benefits services were the main source of escalated complaints in the Resources department.

3.18 The yearly increases in stage 2 complaints across the Council can partly be attributed to significant increases in BHP complaints over recent years and is also indicative that stage 1 complaints were not always dealt with fully and appropriately at the initial stage.

#### *Nature / Reasons for Complaints – 3 Year Comparison*

3.19 High level analysis on the nature or reasons for complaints is provided below with a caveat on the level of detail provided. The nature/root cause of the complaint is determined and recorded on the iCasework system by the officer responsible for closing the case and the classifications used have been too broad to allow for any further detailed analysis. The Complaints Service team is currently working with departments to improve the classification types and to enable more in depth analysis and reporting.



3.20 The chart above shows that over the past three years delay/failure to provide a service and inadequate communication with residents and services users have been the top two reasons why the Council received complaints.

3.21 There was a noticeable rise in the number of cases being classified as “other” and the work with departments to improve classifications will provide much better insight and clarity in future.

*Nature / Reasons for Complaints – High Volume Services in 2015/16*

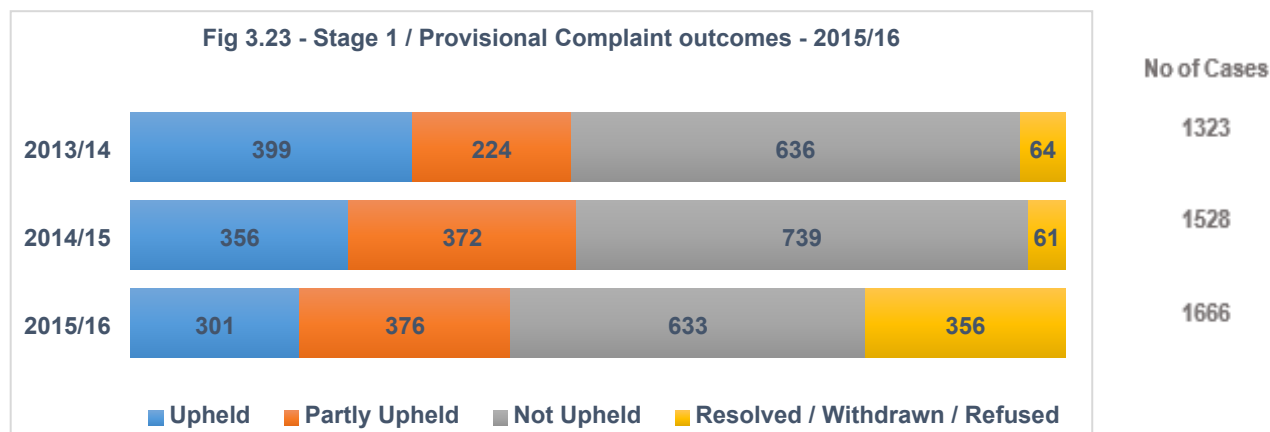
3.22 The top 3 service reasons for complaints for high volume service areas across the Council in 2015/16 is summarised in the table below. This information is based on classifications used by the service areas.

Service Area	Top 3 Service Reasons for Complaints
Housing	<ul style="list-style-type: none"> <li>• Applications</li> <li>• Assessments</li> <li>• Temporary Accommodation</li> </ul>
Parking	<ul style="list-style-type: none"> <li>• Parking permit applications</li> <li>• On street enforcement</li> <li>• Penalty Charge Notices (PCN's )</li> </ul>
Environmental Services	<ul style="list-style-type: none"> <li>• Contractor Conduct</li> <li>• Non Collection</li> <li>• Street Cleaning</li> </ul>
Brent Customer Services	<ul style="list-style-type: none"> <li>• Benefits – Over payment</li> <li>• Benefits – Change of circumstances</li> <li>• Council Tax recovery</li> </ul>
Planning	<ul style="list-style-type: none"> <li>• Planning Applications</li> <li>• Planning Enforcement</li> <li>• Building Control – Other</li> </ul>

## Outcome of Complaints

### Stage 1 Complaint Outcomes – 3 Year Comparison

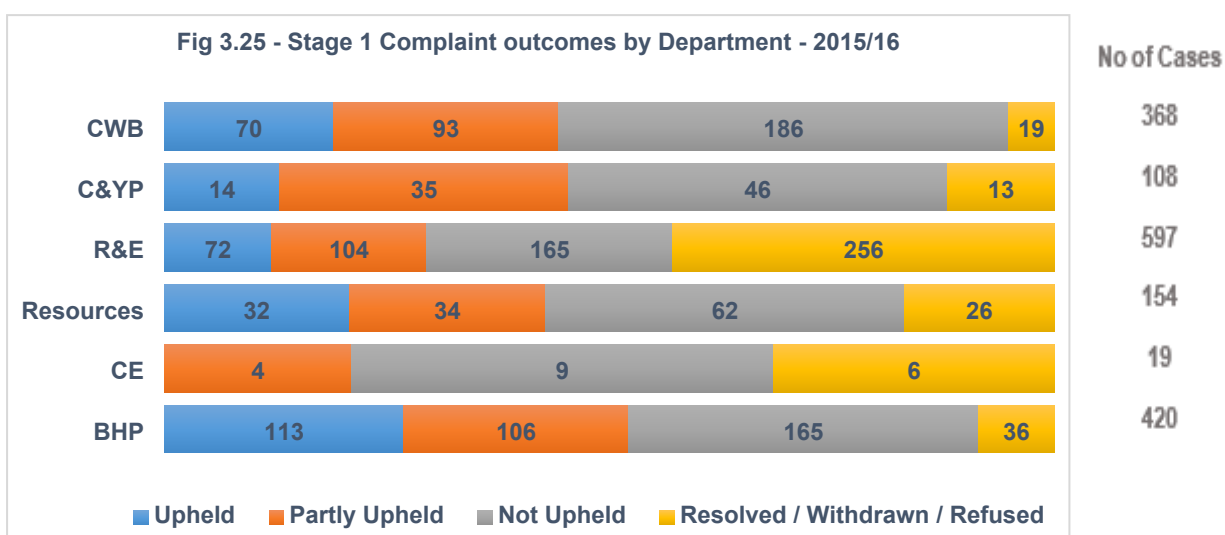
- 3.23 The chart below shows the outcome of stage 1 complaints closed cases over the past three years. As more and more complaints are being completed and closed there has also been an increase in the number of cases upheld or partly upheld at the first stage - 623 cases in 2013/14 rising to 677 cases in 2015/16. This is a reflection that service areas are acknowledging faults and trying to remedy complaints at the first stage.



- 3.24 The 5-fold spike in cases counted as 'resolved/withdrawn/refused' is largely due to an administrative anomaly. The Public Realm service (R&E department) had incorrectly logged service requests as complaints and then showed them as 'resolved' on the system when the service request had been dealt with. Since 2015/16, Public Realm no longer record service requests in this way on the system, although genuine complaints are properly recorded on the iCasework system.

### Stage 1 Complaint Outcomes – Departmental Overview 2015/16

- 3.25 Outcomes of first stage complaints managed within service areas and departments are shown in the chart below. Again, the significant proportion of cases upheld or partly held by departments reflect a more open and transparent attitude to admitting to errors and mistakes on our part.





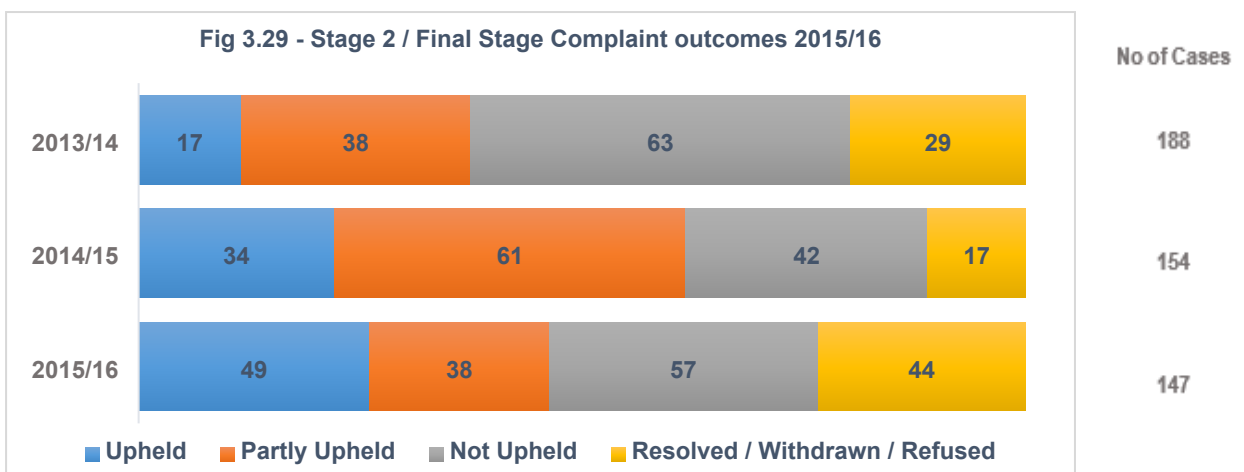
3.26 The R&E Department was able to resolve a large number of environmental services complaints (waste collection, recycling and street cleanliness) satisfactorily at the first stage.

3.27 BHP had the highest volume of stage 1 complaints determined as upheld and partly upheld across the Council (51% of 420 BHP stage 1 outcomes). The majority of decisions related to BHP Property Services (Repairs) complaints in which follow up actions / works orders were not completed or followed through.

*Stage 2 Complaint Outcomes – 3 Year Comparison*

3.28 There has been a significant increase in the number of cases upheld, and at the other end of the spectrum, significant increases in the number of cases that were resolved/withdrawn/refused. The increase is mainly due to a rise in BHP complaints and the subsequent increase in BHP cases upheld. There may also be some correlation to outcomes at the first stage of the complaint over the past three years. The number of fully upheld stage 1 cases has decreased whilst the number of fully upheld cases has increased at the second stage.

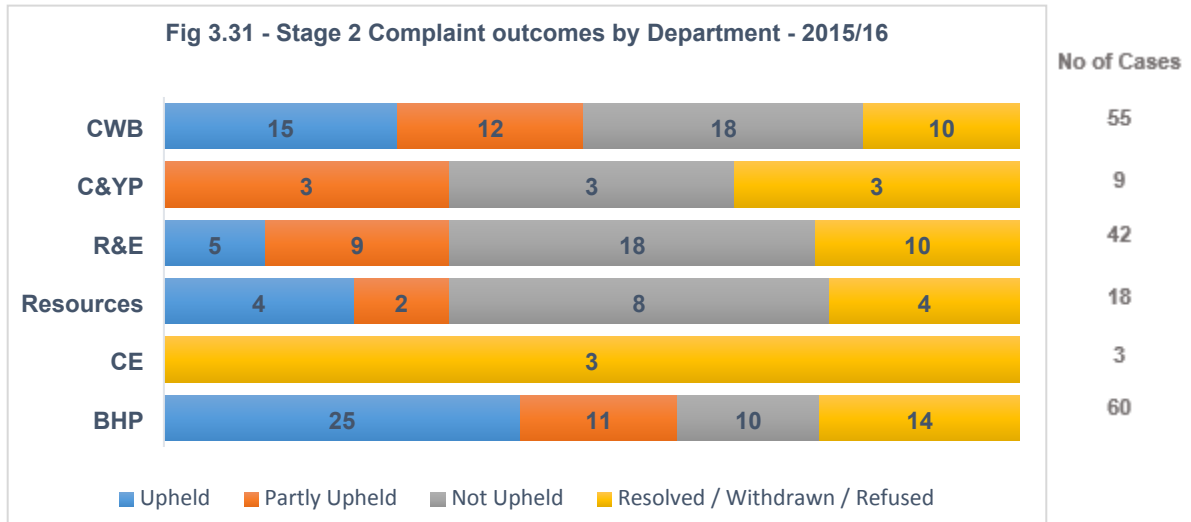
3.29 The increased number of stage 2 cases resolved/withdrawn/refused reflects a more stringent approach taken by the Complaints Service team in assessing the merits of request for final stage investigations.



*Stage 2 Complaint Outcomes - Departmental Overview 2015/16*

3.30 CWB department had 27% of stage 2 investigations upheld in 2015/16. This was largely to do with complaints against Housing and the Clients Affairs team, with the latter attributing to a high volume of upheld decisions.

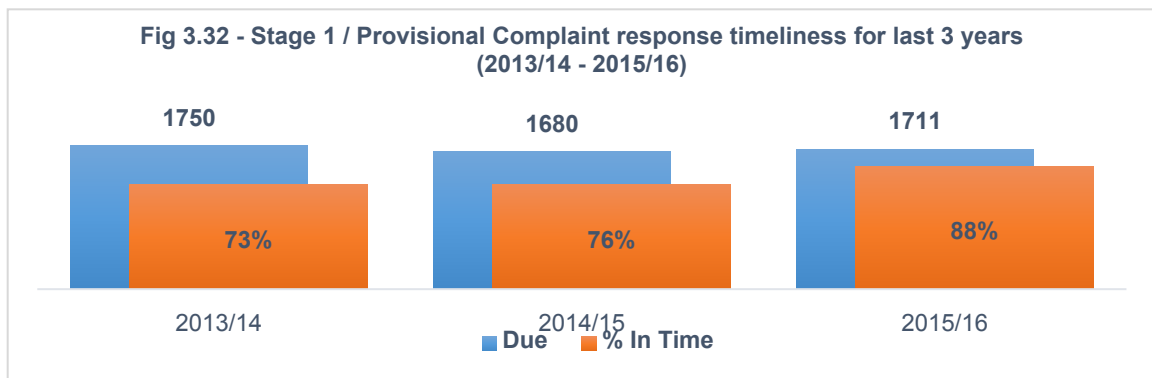
3.31 BHP cases accounted for 32% of all stage 2 cases. Out of the 60 BHP cases investigated at final review, 42% (25 cases) were upheld. When combined with partly upheld decisions, 60% of all BHP stage 2 investigations were upheld in some form.



**Timeliness of responses**

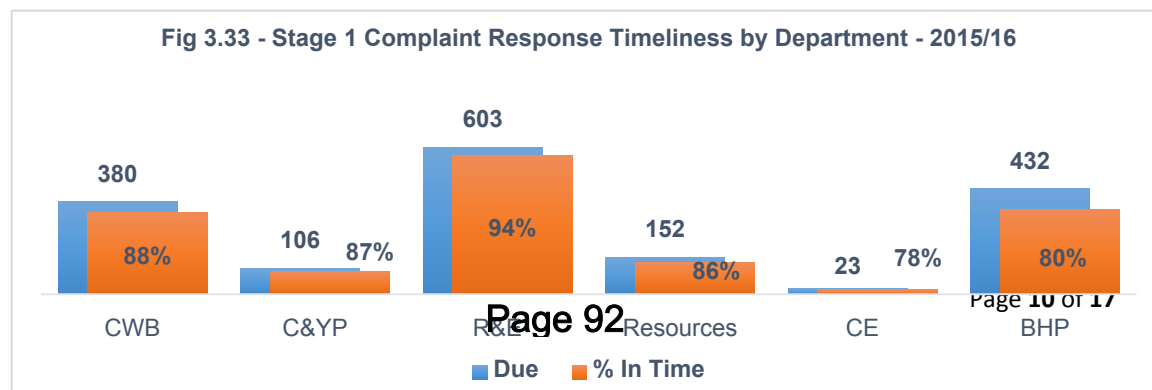
*Timeliness of Stage 1 Cases – 3 Year Comparison*

3.32 The number of stage 1 cases closed over the last 3 years has broadly remained the same. On a positive note there has been a marked improvement in the timeliness of responses across the Council, from 73% completed on time in 2013/14 to 88% on time in 2015/16. It is important that we continue to ensure that the quality of our responses are good as well as striving towards achieving our Council target of all complaints being responded to in time (100% target).



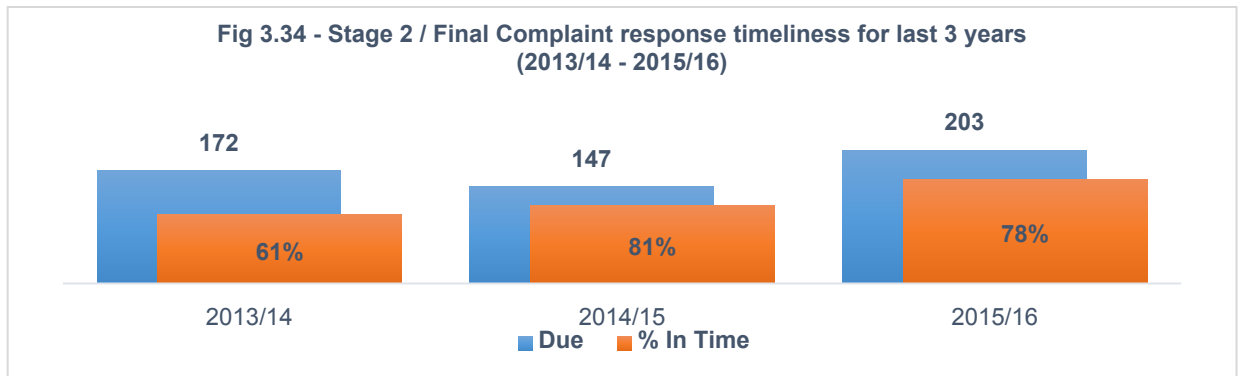
*Timeliness of Stage 1 Cases – Departmental Overview 2015/16*

3.33 In 2015/16 the Council’s performance on timeliness of stage 1 responses peaked at 88%. Regeneration & Environment and Community Wellbeing showed really strong performance in this regards. There has also been a significant improvement in this area in BHP.



### *Timeliness of Stage 2 Cases – 3 Year Comparison*

- 3.34 All Stage 2 cases are managed by the Corporate Complaints Service Team and therefore only a 3-year comparison has been provided as departmental analysis of timeliness would not be relevant here. The volume of new stage 2 cases received and closed has steadily been increasing over the last 3 years and in spite of this there has also been a notable improvement in timelessness of stage 2 responses; i.e. from 61% of cases completed on time in 2013/14 to 78% of cases completed on time in 2015/16.



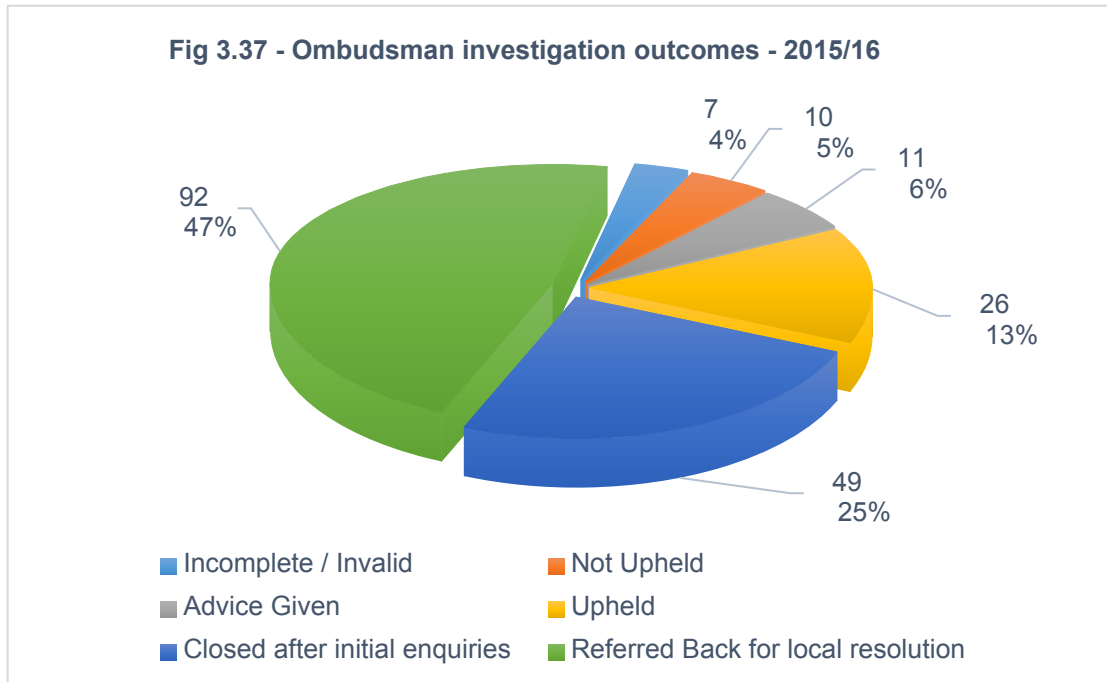
### Local Government Ombudsman (LGO)

#### *Volume of Ombudsman Cases – Referrals & Accepted Cases*

- 3.35 The number of cases referred to the Local Government Ombudsman (LGO) against Brent Council has increased from 169 referrals in 2014/15 to 195 referrals. And although the number of referrals has increased, the number of new cases accepted by the LGO has dropped from 74 new accepted cases in 2013/14 to 63 new accepted cases in 2015/16 (a reduction of 15%).
- 3.36 The Housing Ombudsman (HO) deals with housing management/BHP issues and takes a mediation type approach to resolving referrals. There is a sizeable backlog of HO investigations of more than a year. The HO has been in contact with the Council regarding a small number of complaints but has not produced any recent performance reports.

*Outcome of Ombudsman Cases (LGO)*

3.37 The chart below summarises the outcomes of the Ombudsman cases against the Council in 2015/16:



3.38 Out of the 195 referrals to the LGO, 92 cases (47%) were referred back to the Council to investigate through the complaints process. This normally happens when the customer has contacted the LGO before they had exhausted the Council’s complaints process. Furthermore the LGO closed their investigation after initial enquiries on 49 referrals, which suggests they were satisfied with the Council’s handling of the complaint and found no need to investigate further. LGO advice was also given on 11 cases.

3.39 The LGO investigated and made decisions on 36 cases out of the 195 referrals considered (18% of referrals). Ten cases were not upheld by the Ombudsman meaning that the LGO either agreed with the Council’s decision or did not find any injustice.

3.40 The LGO ‘upheld’ 26 cases of the 195 original referrals (13% of all referrals). However it should be noted that the LGO takes a different approach to classifying their cases and decisions as shown below:

LGO Classifications	No of Cases	%
The Council upheld the complaint and the LGO decision confirmed this	2	8%
The Council upheld the complaint. The LGO upheld the complaint because the Council’s complaint recommendations were not implemented	3	12%
The Council upheld the complaint and the LGO decision confirmed this. The LGO recommended an enhanced remedy	2	8%

<b>LGO Classifications</b>	<b>No of Cases</b>	<b>%</b>
The Council did NOT uphold the complaint but the LGO did	4	15%
The Council did NOT uphold the complaint and the LGO decision confirmed this	4	15%
The Council did NOT uphold the complaint and the LGO decision confirmed this. The LGO recommended a remedy	3	12%
The Council failed to engage with complainant / LGO to remedy the issue	3	12%
The LGO decided to investigate without giving the Council the opportunity to do so	5	18%
<b>Total</b>	<b>26</b>	

3.41 Interestingly in 14 out of the 26 cases investigated, the LGO did not challenge the Council's decision at stage 2. There were also 5 other cases which the LGO investigated without giving the Council the opportunity to do so first.

#### *Learning Points from LGO Cases*

3.42 There were 3 cases upheld by the Ombudsman where service areas had been advised to engage with the complainant in the first instance to resolve the complaint and to avoid further escalations. However our failure to follow this advice resulted in the LGO taking on the cases rather than the cases going through our complaints process.

- The first case was in Passenger Transport where a passenger suffered a seizure whilst being transported by the Council. There was no process in place to manage this and as a result the customer suffered. Following on from the LGO's findings, the Council has since put measures in place to deal with a similar situation in the future.
- The other two cases were in Housing and the service area was advised to carry out reviews of outcomes. By the LGO stepping in on behalf of the complainant, further corrective actions were recommended to improve communications and several changes were made to processes and procedures to ensure similar incidents did not occur.

#### Compensation

3.43 The number of cases awarded compensation and the total amount of compensation awarded has been increasing over the past three years. There may be several reasons why this has been happening. First of all it is important to recognise that the Council has undergone significant changes in our workforce and how we operate, in very turbulent times for local government. There has still been a commitment to delivering excellent customer services during these times however mistakes and errors have been made. Culturally there is greater willingness and openness to recognise our failings and weaknesses as an organisation and to remedy this. And at a service specific level there has been a significant increase in compensation paid on BHP cases.

Complaint Stage	2013/14 Compensation		2014/15 Compensation		2015/16 Compensation	
	Cases	£	Cases	£	Cases	£
Stage 1 / Provisional	31	£12,747	61	£38,726	90	£40,363
Stage 2 / Final	46	£14,394	67	£39,274	66	£28,592
LGO	2	£375	4	£600	12	£5,560
<b>Total</b>	<b>79</b>	<b>£27,516</b>	<b>132</b>	<b>£79,050</b>	<b>168</b>	<b>£74,515</b>
<b>Average Compensation paid</b>	<b>£348</b>		<b>£599</b>		<b>£443</b>	

3.44 In 2015/16, BHP accounted for 55% of compensation cases (92 out of 168 cases) and 41% of all compensation paid (£30,551 out of £74,515). Previously in 2014/15, BHP accounted for 56% of compensation (74 out of 132 cases) and 39% of all compensation paid (£30,830 out of £79,050).

#### Compliments

3.45 There were 23 compliments captured on the iCasework database for the period 2015/16. The majority of the feedback was in relation to services provided by Culture and teams within BHP. It is probably true to say that there has been an under-recording of compliments or positive feedback on the iCasework system. It is most likely that positive feedback has been sent directly to officers or teams and not recorded on the system. From now on, staff will be reminded to do so and compliments will be included in our complaints performance reporting. Below are a few anonymised examples of compliments received in 2015/16.

Department / Service	Compliment
<b>R &amp; E / Cemeteries</b>	<i>Thank you so much for meeting us and finding the gravestone, x. I'm very impressed that someone had taken the trouble to place it back on the correct grave and with the service you all provide there at Brent.</i>
<b>CWB / Accommodation Services</b>	<i>Brent Council, this is NOT a complaint. I just want to say that i have looked at your latest locata freesheet today (edition 431) and i just had to commend and applaud the amount of properties advertised. I am very impressed and happy because so many people will be getting the home they so desperately need. Brent Council....you have done a very good job and well done! Trust me you will make over 100 people/families ecstatic in just one week. Keep up the good work and well done again!!</i>
<b>CWB / Culture</b>	<i>I've just visited the library at Willesden and I must say, it is very impressive. It is a nice and pleasant place to study. I will be back.</i>
<b>BHP / Customer Response Team</b>	<i>Dear Sir/Madam, I would like to report that the leak was fixed by a plumber from Wates and he told me that the cause of the leak was the washing machine as I expected. I would like to take this opportunity to</i>

	<i>thank x, x and x from BHP for their swift action in solving the leak problem. And also a big thank you to my good Cllr. X and Mr. X.</i>
<b>BHP / Property Services</b>	<i>Hi. Just wanted to say a big thank you to x. She was the only person that was able to help me! Had a leak in my house since Saturday afternoon and no one done anything. Once again thank you for your help x, we need more people like you!</i>

### Improving Complaint Performance

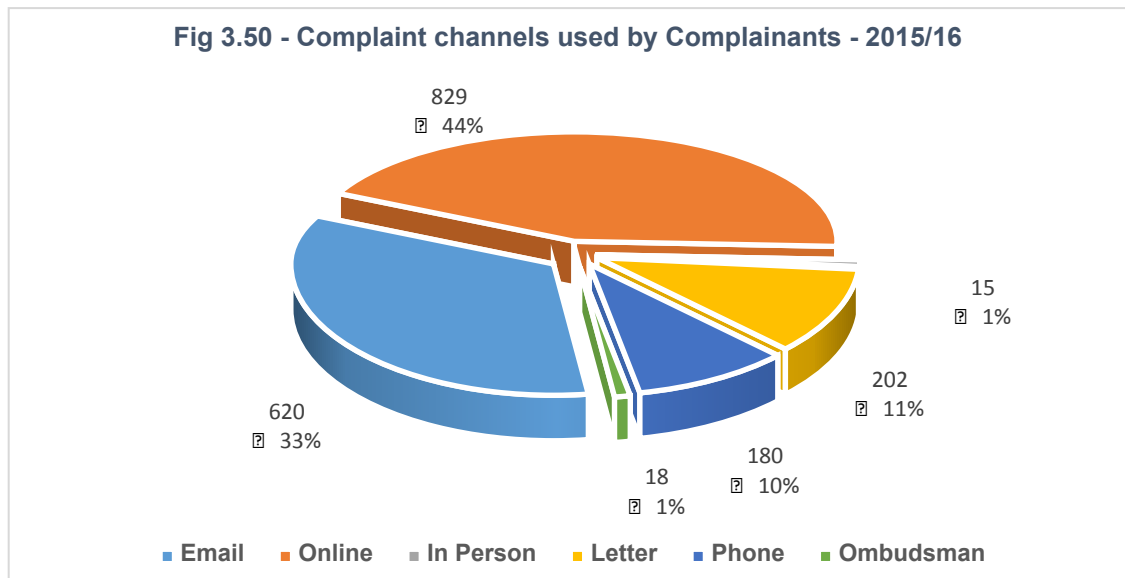
- 3.46 This report and appendices include several examples of learning points from corporate, statutory and ombudsman complaints. Some of the key themes for improvement were procedures, joined up services, communication and customer care. Ultimately we need to keep working on embedding the lessons learned and service improvements within the organisation to prevent mistakes from being repeated and improve the customer experience. This is not an easy challenge but there is strong leadership and commitment across the organisation to improve our performance.
- 3.47 A number of measures have been put in place over the past 12 months to raise our performance across the Council and this is having a positive impact on current performance. These measures include:
- Regular weekly monitoring of performance by Chief Executive, CMT and managers
  - Monthly monitoring of corrective actions identified from complaints
  - Closer working between corporate complaints teams and service area managers to review the complaints and introduce service improvements.
  - Support and advice to BHP to improve complaints performance.
  - Improved use of the iCasework system to monitor and analyse complaints performance.
- 3.48 BHP's performance on complaints has been an area of particular concern and special focus for improving performance. The main concerns regarding performance were that:
- BHP related complaints accounted for the highest percentage of cases upheld or partly upheld at both stages of the complaints process.
  - BHP also accounted for the highest amount of compensation paid.
- 3.49 Alongside the wider review of BHP performance, a number of other measures have been put in place to address specific concerns about complaint performance. These actions included:
- BHP reviewing their complaints process which resulted in them forming a dedicated complaints team to act as a central hub for managing complaints.
    - Timeliness of stage 1 responses has improved from 56% on time in 2014/15 to 80% on time in 2015/16.
    - BHP accepted fault in more complaints at the first stage thus leading to an increase in complaints upheld and partly upheld. However, there continued to be a significant rise in the number of complaints

escalated to stage 2, prompting questions over the quality of the investigations that were carried out at the first stage, therefore resulting in BHP paying out more compensation and being further monitored.

- In addition, the Complaints Service Team took part in a BHP-led review of their complaints function. The Council were able to provide feedback on areas of concern.
- The Complaints Service Team have started to provide BHP with additional support with systems training, as well as complaints investigation mentoring, in order to improve the quality of first stage complaint responses and improve efficiency. Whilst there were noticeable improvements towards the end of 2016, the Council will continue to work closely with BHP into 2016/17.

### Complaint Channels

3.50 In general, complainants are using electronic channels (email and online) to lodge complaints and are moving away from the use of letter and telephone.



## **4.0 Financial Implications**

4.1 There are no direct financial implications arising from this report. Instead, the details provided on compensation payments reflect the monetary impact of when we do not get things right first time as an organisation and the need to improve the customer experience and minimise the financial penalties incurred by the Council.

## **5.0 Legal Implications**

5.1 Complaints concerning the Adult Social Care and Children and Young People Department come under separate statutory complaint procedures. It is a legal requirement to produce annual reports for these areas and these are include appendices A and B with reference to the statutory frameworks for management these statutory complaints



## **6.0 Staffing/Accommodation Implications (if appropriate)**

6.1 None

## **7.0 Diversity Implications (if appropriate)**

7.1 A report on equality and diversity related complaints received by Brent Council was presented to the Equalities Committee in January 2016. The report covered both corporate and statutory complaints for April to September 2015. The report provided analysis of voluntarily disclosed diversity data from complainants as well as any potential diversity related complaint matters. Based on the findings there was no evidence of discriminatory practices or trends.

## **8.0 Background Papers**

Appendix A – ASC Complaints Annual Report 2015/16

Appendix B – CYP Complaints Annual Report 2015/16

### **Contact Officer**

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DIRECTOR, PERFORMANCE, POLICY AND PARTNERSHIPS

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**Annual Complaints Report 2015 – 2016**  
**Appendix A – Adult Social Care Complaints**

**Cabinet – 24 October 2016**

**Summary**

1. This report provides an overview of complaints made about Adult Social Care (ASC) during 2015 – 2016 as required under The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009, the Health and Social Care (Community Health & Standards Act 2003 and the Local Authority Social Services Complaints (England) Regulations 2006

**Statutory Complaints Process**

2. The Department of Health defines a complaint as, “an expression of dissatisfaction or disquiet about the actions, decisions or apparent failings of a council’s adult social care provision which requires a response”
3. Anyone who has received a service; is currently receiving a service or is seeking a service from us can make a complaint. This includes anyone affected by decisions we make about social care, including a service provided by an external provider acting on behalf of the Council. In such a case they can complain directly to the provider or to us. External providers are required to have their own complaints procedures and must comply with them. They are also required to share this information on complaints and outcomes with the Council.
4. There is only one stage in this process. All complaints made to the Council are logged and acknowledged. The Council will try to resolve the complaint as soon as possible, and no later than within 20 working days. If delays are expected, the complainant is consulted and informed appropriately. All responses, whether or not the timescale has been agreed with the complainant, must be made within six months of receiving the complaint. In exceptional circumstances, an investigation may take longer and this will be discussed with the complainant.
5. All complaints are signed off by the Head of Service and complainants are given the opportunity to have their complaint reviewed by the Director of Adult Social Care. In some cases, some complaints may need to be passed on to the Safeguarding Leads as appropriate, where the complaints process may be suspended, in order to allow the safeguarding process to be completed. In cases where the complaint is across several organisations, one organisation will act as the lead and co-ordinate a joint response to the complainant. The final complaint response must set out the Council’s standard paragraph advising their right to approach the LGO should the complainant remain dissatisfied.

## Headlines

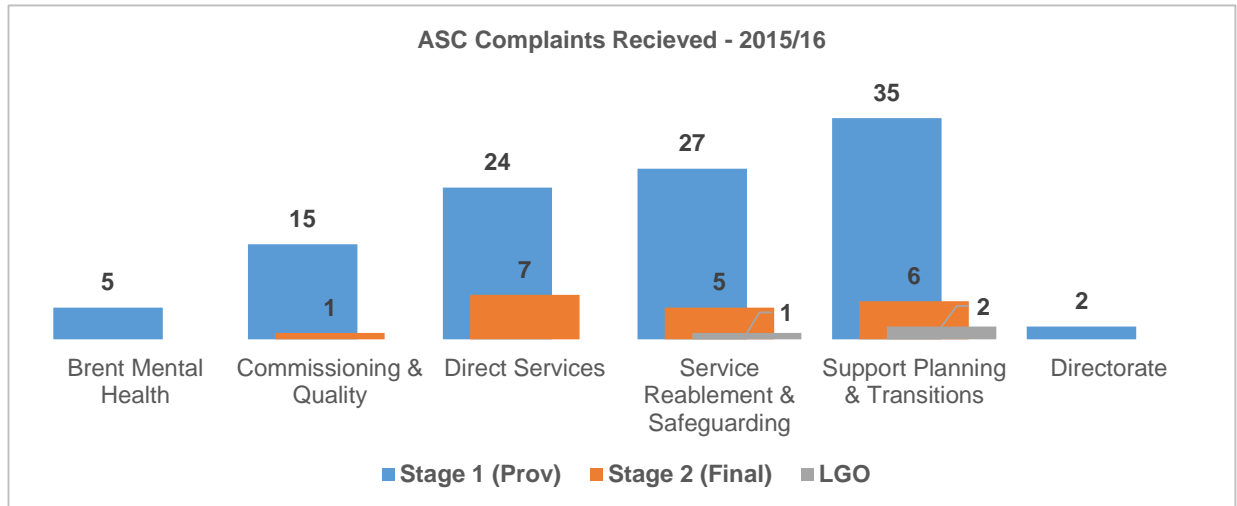
6. The main headlines from ASC complaints performance are:
  - 108 stage 1 complaints received in 2015/16 (8% reduction from the previous year).
  - Highest volume service areas for stage 1 complaints - Support Planning & Transitions (32%), Reablement & Safeguarding (25%) and Direct Services (22%)
  - 65% of stage 1 cases were upheld or partly upheld
  - 78% of stage 1 complaints were responded on time, significantly improved performance from previous years
  - £7,759 paid in compensation.

## ASC Service Users

7. There are approximately 3,000 service users in ASC and approximately 3.5% of these customers or someone acting on their behalf raised a complaint about a service that they received in 2015-16.

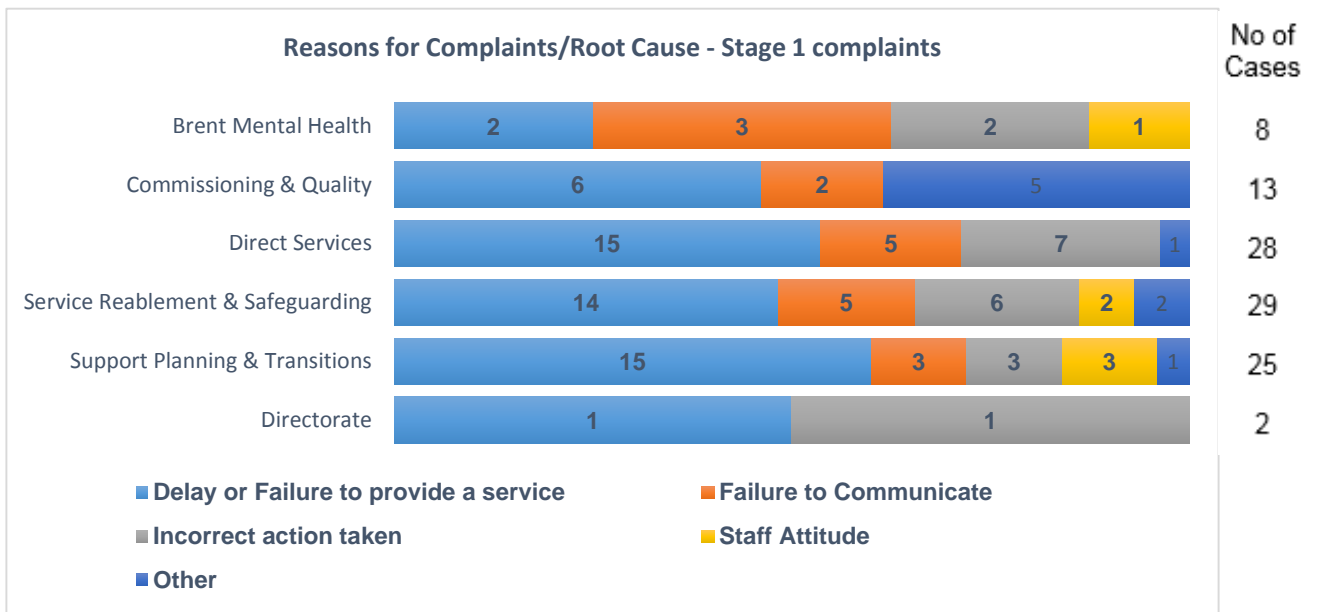
## Complaints Received

8. ASC received 74 Statutory Complaints and 34 Corporate Complaints a total of 108 complaints in this year. This is a reduction of 8% (118) on complaints received in the preceding year 2014-15.
  - Support Planning and Transitions team: received 32% of the complaints made to ASC. This team deal with the more complex support cases and annual reviews and have to manage the realistic expectations of the families and service users. The complaints received by the team mainly consist of disagreements with the care package the service user has been assessed to receive. Also disagreement that the service user is able to reside at home rather than being placed in a care home at the request of families.
  - Home Care Providers: ASC have approximately 1,700 care packages with Home Care providers, complaints received about homecare packages account for 1%. The majority of concerns received are reported direct to the home care provider and resolved.
  - Client Affairs Team: accounted for 22% of complaints for ASC. The complaints centred on Appointee/Deputyship, Billing and Financial Assessments.
9. The chart below shows the number of complaints received at Stage 1/Provisional, Stage 2 /Final and Ombudsman for 2015/16.



10. The Council reviewed 19 complaints following dissatisfaction with the Provisional Response. This is an escalation rate of 17%. The Complaint Service team is working with Adult Social Care to improve the quality of investigation and provisional responses.

**11. Nature / Reasons for Complaints**



12. Complaints about delay or failure to provide a service accounted for half of the complaints received. Failure to communicate and incorrect action were 17% and 18% respectively. Staff attitude accounted for 6%

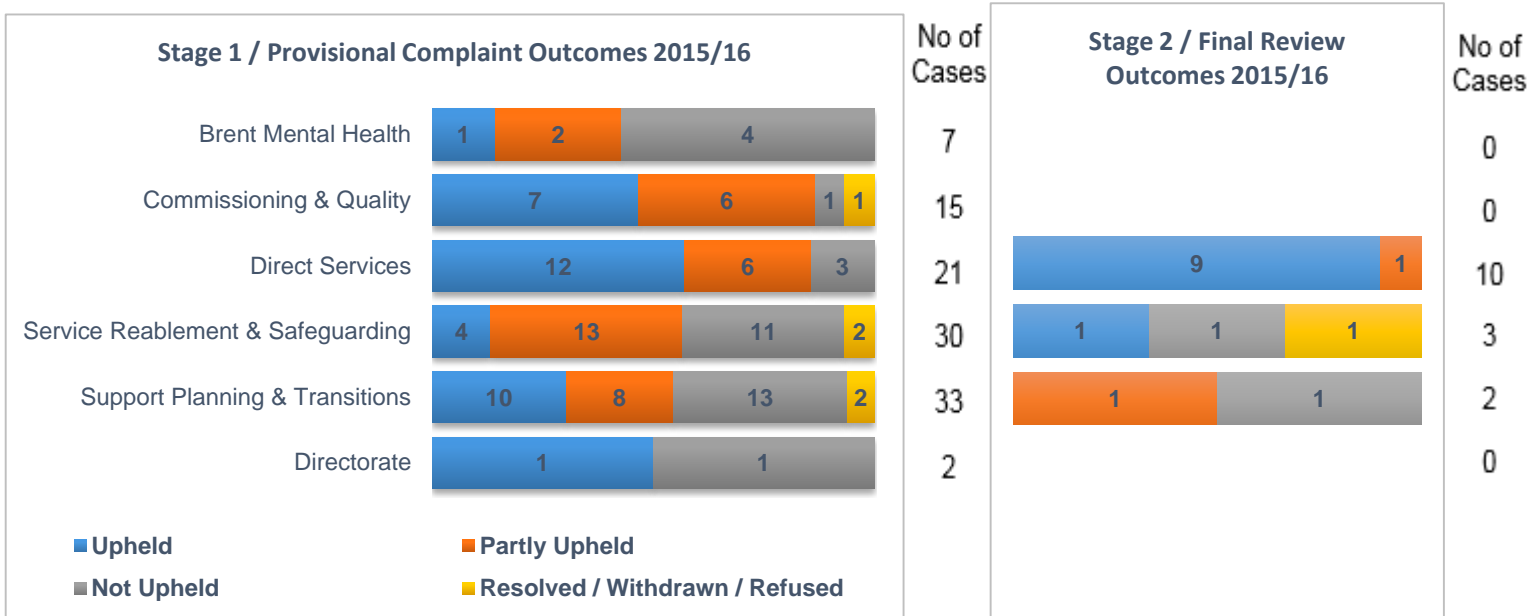
13. It should be noted that complaints about staff attitude usually arise when social workers and service users have not been in agreement about actions taken or a decision that has been made. Complaints of this nature are not usually upheld and service users may then feel that the Council did not meet their expectations.

14. Other examples of the types of issues that lead to complaints are listed below:-

- Delay/failure to provide a service – concerns raised about delays with care needs assessment.
- Poor communication - a number of complaints were received regarding telephone calls not being answered and failure to respond to messages.
- Incorrect action taken – when advising a client of their financial assessment the team had backdated the assessment to the incorrect date.

### Complaint Outcomes

15. The chart below shows the outcome of complaints at stage 1 and final review.



16. Complaints at the provisional/stage 1 shows that some fault by the Council (upheld or partly held) was found in 65% of cases. This shows an openness and transparency within ASC to acknowledge faults and resolve the concerns of the service user.

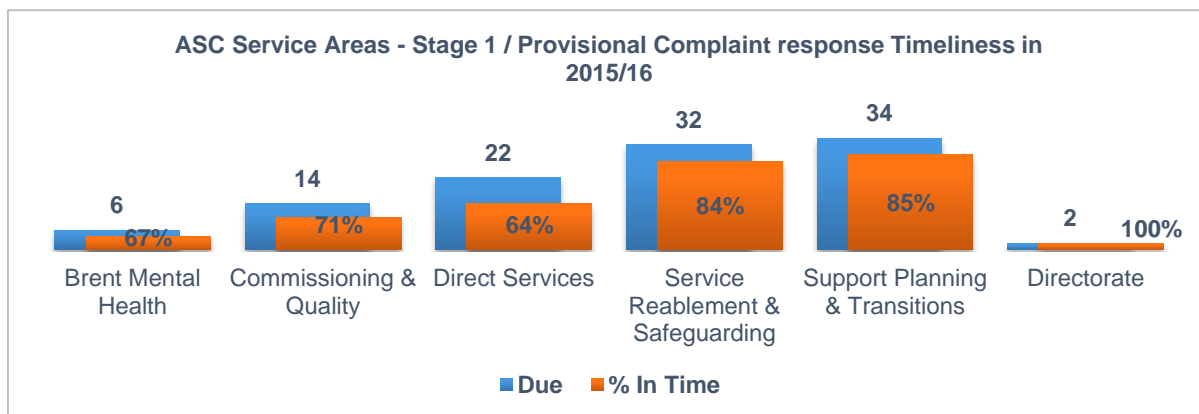
17. Apart from the Client Affairs Team, the remainder of ASC services only had 2 complaints in the year overturned at Final Review, which compares well with the rest of the Council.

18. Client Affairs Team had 21 complaints closed during the year of which fault was found in 86% of cases. Just under 50% of the complaints were reviewed at the final stage, as the complainants were dissatisfied with the responses they received in the Provisional Response. In every case considered at the final response/stage 2 level, the Council was found to be at fault and the complaint was upheld. Clearly there had been some problems with the quality of the complaints investigation of the first stage and the Complaint Service team has been working with ASC management team to

improve this situation. Improvement began to show in the final quarter of 2015/16 as a result of this intervention.

### Timeliness of Responses

19. The chart below shows stage 1 complaint response times across the various ASC service areas in 2015/16:



20. ASC responded to 78% of all complaints within timescales, this was an improvement of 21% on the preceding year and there is continued focus within the department to strive for the 100% Council target.

### Compensation

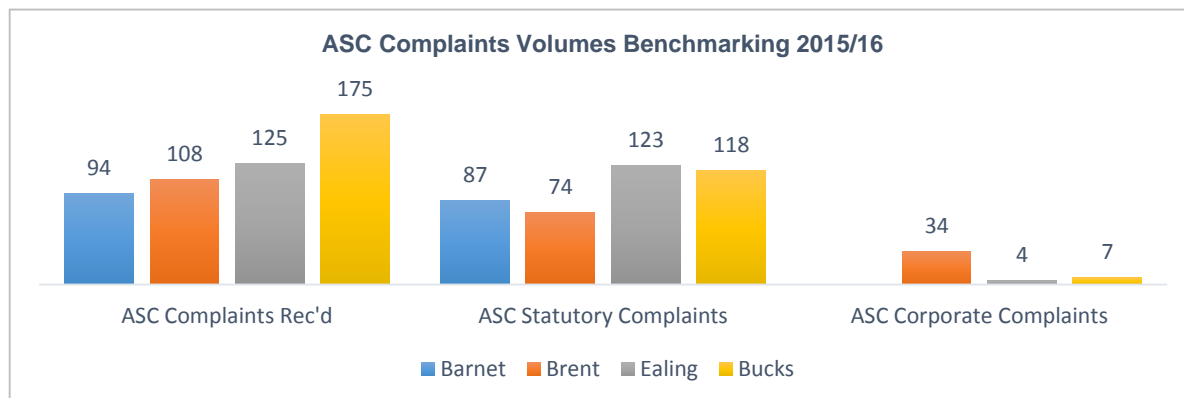
21. ASC paid out £7,759 in compensation in 2015/16 of which one case received compensation at stage 1. Four cases were paid compensation at final review, three cases were from the Client Affairs Team and one case from Support Planning. The LGO also awarded compensation in two cases. This suggests that consideration of remedies including compensation need to be considered at the earliest stage.

### Local Government Ombudsman Decisions in 2015/16

22. The Local Government Ombudsman received 21 referrals for ASC throughout the year. Five referrals were closed after initial enquiries, 13 were referred back to the Council's own complaint procedure and 3 cases were upheld as follows:
- Case 1: the Council had failed to assess the family's needs appropriately and in a timely manner. The Council agreed to carry out new assessment and pay compensation
  - Case 2: the Council had failed to assess a client's needs properly or adequately or address the carer's needs. The Council agreed to apologise, pay compensation and investigate ways to engage with the service user
  - Case 3: the Council failed to arrange sufficient provision in the care plan. The Council agreed to implement a 15 minute increase in the care package and pay compensation

## Benchmarking

23. Brent belongs to the North West London Social Care Complaint managers group. The Council has benchmarked complaints received against our central and west London neighbours and our performance compares favourably.



## Customer Feedback and Engagement

24. The majority of customer contact with the Complaint Service team is reactive in that we respond to direct contact from customers and their representatives when they have a problem with a service. We have attended some providers and community organisations meeting to introduce ourselves and provide advice on the complaint processes. Through our initial contact we have managed to resolve a number of complaints at the point of contact e.g. finding early resolutions to invoicing/billing queries that could have turned into more formal complaints.

## Compliments

25. Customers and their representatives are encouraged to tell the Council if they are happy with their care or to highlight good service. People can send feedback to the Complaint Service team or ASC directly. In 2015/16 the Complaint Service Team received 11 compliments about Adult Social Care an increase on the previous year. Two examples follow:-

- ***From a family of a service user who passed away*** “we would all as a family like to thank you & the department for all the help & support that we received from yourselves. Words cannot express how grateful we are.”
- ***From a relative*** “I can only repeat what I have said before. I shall be grateful to you for your very professional and dedicated attention and the enormous amount of help and assistance that you have given to him to attempt to ensure that he receives the support he needs”



## Learning From Complaints

26. Learning from complaints provides opportunities for services to be improved and shaped by customer experience. ASC managers are encouraged not only to respond to complaints fully but to identify learning points that can help improve services. Here are some examples of how customer feedback changed and improved service delivery:

Customer Feedback - 'You Said'	Service Area Changes - 'We Did'
You told us that the invoice charges were wrong and had not agreed to the increased charges. You have not received a reply to your telephone calls	We found that we had backdated the increase in charges without sufficient notification. We agreed to remove these charges. We have reviewed the way we have dealt with telephone calls and issued reminders to staff on answering the telephone
You have told us that our invoices concerning homecare charges do not reflect your periods in hospital	We agreed that our information concerning absences and cancelations of homecare packages do not automatically update the invoices. We agreed to review how we capture this information and update the invoices we provide for Homecare services
That the exclusion of a service user with challenging behaviour from the Day Centre had not been handled correctly and that there was no appeal process in place	Following consultation with the family's involved we have put in place a Challenging Behaviour Protocol and Termination of Placement Protocol. All staff have been trained on communicating recording and implementation of plans. We have also implemented a Procedure for an appeals panel to hear such exclusion appeals

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**Annual Complaints Report 2015 – 2016**  
**Appendix B – Children & Young People Complaints**

**Cabinet – 24 October 2016**

### **Summary**

1. This report provides an overview of complaints activity across the Children & Young People department in 2015-16.

### **Statutory Complaints Process**

2. There are two types of complaint process followed by Children & Young People (C&YP). The Children Act 1989 Representation Procedure (England) Regulations 2006 for all complaints relating to actions taken under the Children Act (statutory complaints) and the Council's Complaint Process for all other complaints.
3. *The Children's Act 1989 Representation Procedure (England) Regulations 2006 has three stages:*
  - Stage 1: Local Resolution – responded by the Head of Service for the team complained about
  - Stage 2: Independent Investigation – complaint is investigated by an "Independent Investigator" a person external to the service usually independent of the Council. We have to appoint an "Independent Person" who is independent of the Council
  - Stage 3: Review Panel – the complaint investigation is reviewed by a panel of three Independent People appointed by the Council
4. *Council's Corporate Complaints*
  - Stage 1: responded to by the Head of Service
  - Stage 2: Review / Investigation by the Complaints Service team on behalf of the Chief Executive

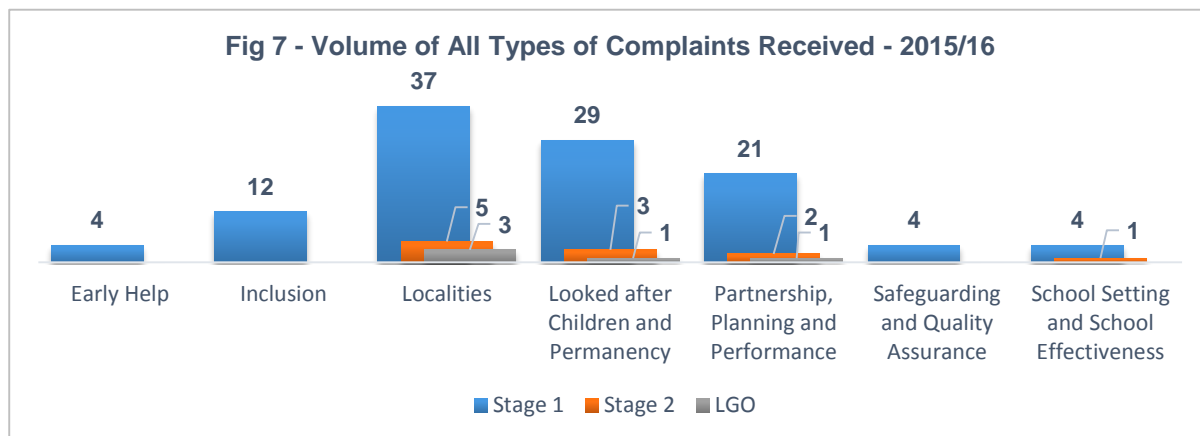
### **Headlines**

5. The main headlines from CYP complaints performance are:
  - Stage 1 complaint numbers decreased for the fourth year in succession
  - 49 statutory stage 1 complaints and 62 corporate complaints
  - Low 10% escalation rate to stage 2
  - Main reasons for complaints received in 2015/16 were poor communication, delays or failure to provide a service, incorrect action taken and staff attitude
  - 87 % of all complaints within time in 2015/16 (compared with 59% on time in 2014/15)
  - £1,250 compensation in 2015 on two cases.

- There are approximately 4,000 service users in CYP and approximately 3% of these customers or someone acting on their behalf raised a complaint about a service that they received in 2015-16.

## Complaints Received

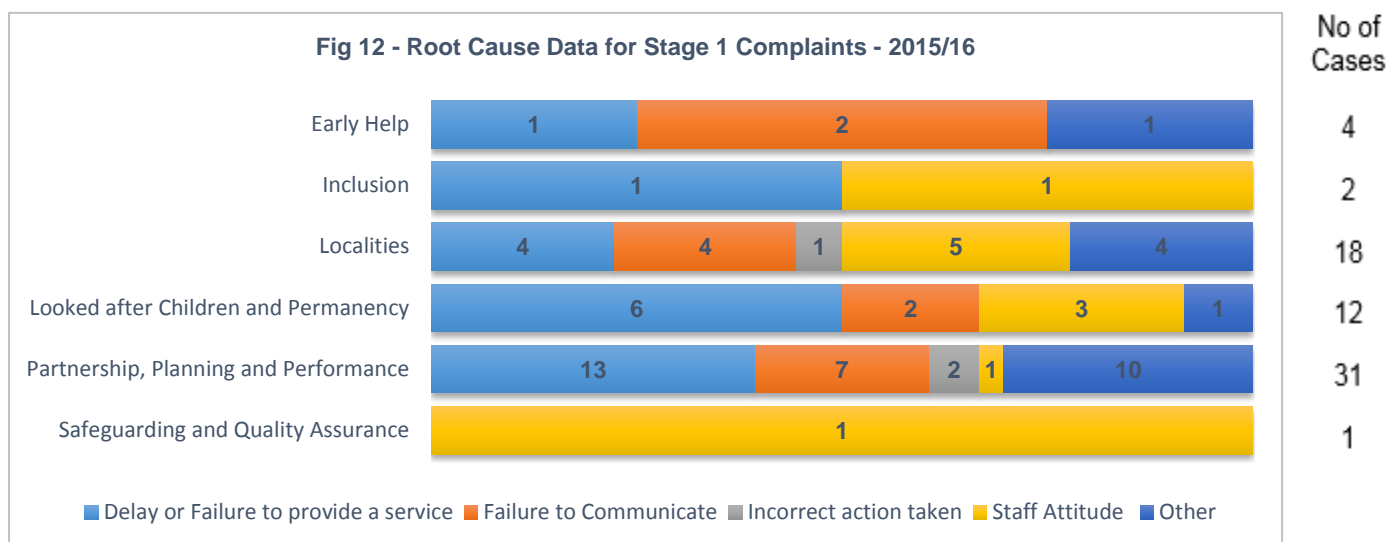
- The chart below shows the number of complaints received at Stage 1, Stage 2 and Local Government Ombudsman for 2015/16.



- A total of 111 stage 1 complaints were received, a decrease of 12 cases or 10% on the previous year. This total consisted of 49 statutory complaints and 62 corporate complaints. The majority of complaints listed under Early Help, inclusion, and Setting and School Effectiveness were corporate complaints with the remaining complaints falling under the Children's statutory complaint procedure.
- Stage 1 complaint numbers reduced for the fourth year in succession indicating the department's ability to resolve issues without the need for a formal complaint investigation
- The Council received eleven stage 2 requests which represents 10% of all cases. This consisted of eight corporate complaints and three statutory complaints
- Under the Children's statutory procedure the complainant has a right for their complaint to be heard by an Independent review panel at stage 3. There were three independent panels during the year (this is not shown in the chart above as the numbers are so low and would be difficult to see to display in the chart above).

## Nature / Reasons for Complaints

12. The main reasons for complaints received in 2015/16 were poor communication, delays or failure to provide a service, incorrect action taken and staff attitude. Complaints about delays or a failure to provide the service the customer was expecting accounted for just over a third of the complaints received. Failure to communicate accounted for 21% of complaints and staff attitude for 15%

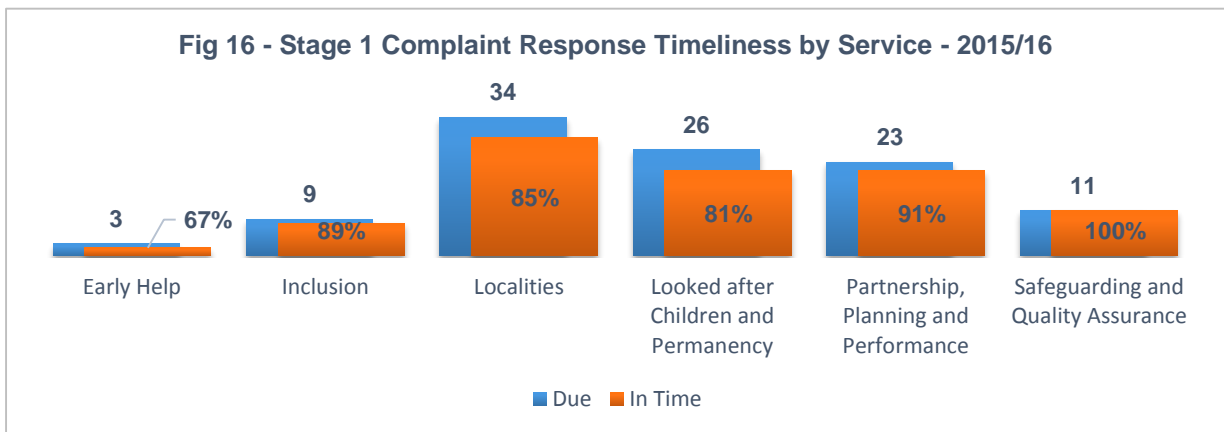


13. Children and Young People's Services intervenes to promote the best interests of children, however families do not always agree with the action that has been taken and as a result may choose to make a complaint about this. Similarly the most common reasons for complaints against staff members are when they disagree with a decision that has been made, or general poor service. There has been an increasing number of complaints received from fathers of children. Most often this has been about fathers who do not live in the family home or are not the primary carer for their children and felt social care services had not communicated with them enough.
14. It is probably true to say that many of the stage 1 complaints reflect the unhappiness of parents and carers about some of the decisions made by staff acting in the best interests of children. And whilst the feelings and views of parents and carers about these decisions are understandable most of these complaints were not upheld.
15. Examples of the types of issues that fall under each of the main reasons for a complaint are listed below:-
- Alleged poor staff attitude - much of the work of Localities staff involves them in taking actions in connection with highly sensitive child protection or child in need issues, which parents or carers may not be in agreement with. These factors undoubtedly have some bearing on the fact that staff attitude is a common theme raised in complaints.
  - Delay in the payment of financial support – a particular complaint concerned a parent of a child with a disability, who complained that her direct payment package had been suspended without notice. The investigation revealed that the payments had been suspended because requested receipts had not been provided and that two warning letters had sent prior to the payments stopping.

- Poor communication - a doctor complained about a social worker who failed to respond to several information requests the doctor had made in connection with a young person who was subject to child protection proceedings.
- Incorrect action taken – a parent complained that a social worker had taken incorrect action in referring them to the Troubled Families programme. The complaint investigation identified that the family situation was such that they should not meet the relevant threshold and should not have been referred. An apology was given, and training delivered to relevant staff to enhance understanding of the programme.

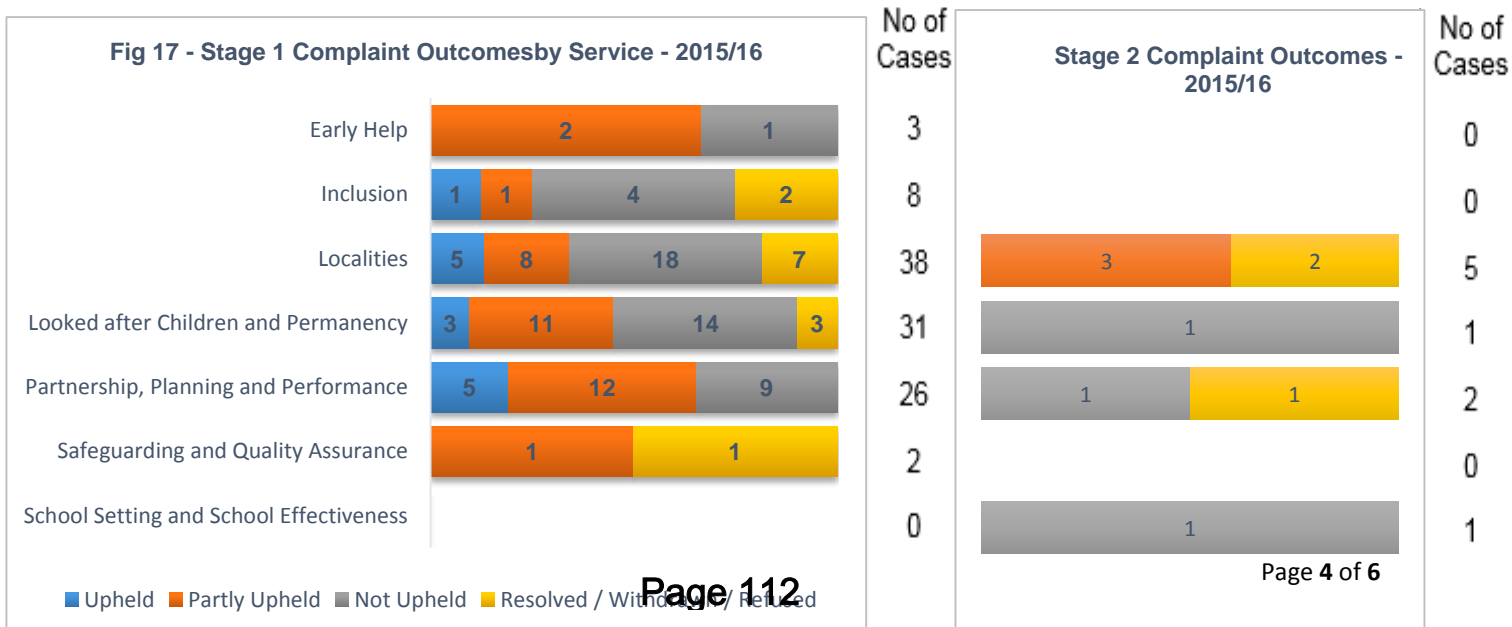
### Timeliness of Responses

16. The chart below shows stage 1 complaint response times by service area in 2015/16. C&YP responded to 87% of all complaints within timescales. This was a significant improvement from the previous year's performance of 59% of complaints responded on time. The department continues to have a strong focus in improving the timeliness and quality of responses.



### Complaint Outcomes

17. The chart below shows the outcome of complaints at stage 1 and stage 2



18. 45% of stage 1 complaints were fully or partly upheld demonstrating a willingness by the service areas to admit errors or mistakes and to remedy the situation.
19. The Council carried out three statutory stage 2 investigations during the years and all three resulted in the complaints being partly upheld, one of these escalated to the Local Government Ombudsman
20. There were three Stage 3 independent panels held in 2015/16
  - a) The complaint concerned the way the Council dealt with the process of a child Protection Investigation. The Council had previously admitted fault in the way they had handled the process. The Panel Upheld the complaint and increased the level of compensation
  - b) The complaint concerned the way the Council had dealt with another child protection process with a family. The panel partly upheld the complaint and recommended a meeting with the Operational Director
  - c) The complaint concerned the way that a child and family assessment had been delivered to the family. The Panel did not uphold the complaint and stated the remedy previously offered was suitable

### **Compensation**

21. Children & Young People paid out £1,250 compensation in 2015 on two cases. One complainant was awarded £1,000 by the stage 3 independent panel and £250 was awarded by the Local Government Ombudsman in the second case.

### **Local Government Ombudsman**


22. The Local Government Ombudsman (LGO) has received 16 referrals for CYP throughout the year. Three referrals were closed after initial enquiries, five were referred back to the Council's own complaint procedure, two were not upheld and two closed with advice given. Four complaints upheld as follows:
  - Case 1: there was a fault in the way the Council dealt with the process of a Child Protection investigation. The LGO accepted the Council's remedy as agreed at the independent review panel and the LGO upheld the complaint
  - Case 2: The Council delayed paying an adoption allowance but did not misrepresent the amount to be received. The LGO accepted the Council had provided a suitable remedy, but still upheld the complaint
  - Case 3: the complaint concerned respite for a child with disabilities. The LGO accepted that we had mostly remedied the fault but decided to increase the compensation.
  - Case 4: the complaint concerned the handling of the client's personal data. The LGO accepted the Council had provided a suitable remedy, but still upheld the complaint

## Learning from Complaints

23. Lessons learned from complaints can help shape and improve our services and the customer experience and there is a commitment in the department for managers and staff to use the learning to improve services.
24. A few examples of how the learning points from complaints helped to improve services are provided below:

<b>Customer Feedback - 'You Said'</b>	<b>Service Area Changes - 'We Did'</b>
You told us about an injury sustained by a member of the family at a short break centre	We agreed to review the effectiveness of supervisory and Information transfer procedures at the centre. Staff received training on Conflict Resolution
You told us about how social care had carried out the child protection assessment of the family	We agreed to review the supervision policy and procedure and Induction arrangements for new staff
You told us about the child in need assessment in regards to requiring assistance for housing	We agreed to review how information and referrals were made between different service teams



 <p><b>Brent</b></p>	<p><b>Cabinet</b> 24 October 2016</p> <p><b>Report from the Director of Performance, Policy and Partnerships</b></p>
For Action	Wards Affected: All
<p><b>Local Advice and Guidance Services, Brent Advice Partnership – Advice Small Grants</b></p>	

## 1.0 Summary

- 1.1 The procurement and award of Brent's Local Advice and Guidance Service contracts were considered by Cabinet on 16 November 2015 and 8 February 2016. One of the contracts awarded to Brent Citizen's Advice Bureau was the Brent Advice Partnership contract. This contract included administration of a small advice grants programme of £242,000 per year to include recommending to Officers the award of small advice grants of up to £10,000 using delegated powers. A recommendation from Brent Advice Partnership's Advice Fund Grant's Panel has now been received to award a grant in the sum of £18,500 and as a result Cabinet approval is sought to permit such award.

## 2.0 Recommendations

Members are asked to:

- 2.1 Note Chief Officers' powers to make grants as set out in paragraph 3.5.
- 2.2 Note the making of Round 1 Brent Advice Partnership's Advice Fund grants using delegated powers as set out in Figure 1 at paragraph 3.8.
- 2.3 Approve the making of a Brent Advice Partnership's Advice Fund grant of £18,500 to Advice4Renters for the period of 1 year for the reasons detailed in paragraphs 3.09 – 3.12. If approved, the grant will be used to employ a Client Support Co-ordinator to provide consistent casework assistance, undertake training and supervision of both volunteer teams to free up specialist solicitors/advisers time to assist more clients of Advice4Renters. This will have a positive impact on individuals / groups experiencing socio-economic disadvantage including but not limited to homeless people, low income households, lone parents, people who are subject to unlawful eviction, residents living in poor conditions and/or fuel poverty.

### 3.0 Detail

3.1 On 16 November 2015, Cabinet approved inviting tenders for local advice and guidance services. One of the contracts to be procured was for the operation of the Brent Advice Partnership (BAP), a borough wide advice partnership, including the provision of a digital information and advice gateway. In addition however, the BAP contract included provision for administration of an advice small grants programme

3.2 On 8 February 2016, Cabinet approved the award of the BAP contract to Brent Citizen's Advice Bureau.

3.3 In order to ensure efficient administration of the Brent Advice Fund grants programme, previous reports detailed that grant applications would be assessed by a BAP panel and any grants up to £10k would be awarded pursuant to delegated powers.

3.5 The position with regard to awarding grants is therefore that Chief Officers have delegated powers to award grants or give other financial or other assistance to organisations in the following circumstances:

3.5.1 to make grants of up to £10k in respect of Brent Advice Fund grants:

3.5.2 to make grants in accordance with the provisions of section 9 of the table at paragraph 2.5 of the Part 4 of Brent's Constitution namely:

- a) Provided that if the grant or other financial assistance involves the grant of funds from Council's own resources:
  - (i) the relevant Director is satisfied that no adverse capital finance or other negative implications would arise, unless written consent of the Chief Finance Officer is obtained.
  - (ii) no grant shall be made by officers if it amounts to more than £5k per annum except in the case of the Edward Harvist Trust where a grant not exceeding £7k per annum may be made.
  - (iii) no grant shall be withdrawn or reduced by officers if the receiving body has received a grant from the Council for each of the last five years for the same purpose unless such withdrawal is due to the fact that the body no longer meets the relevant grant criteria or conditions of grant.
  - (iv) the grant criteria has been approved by the Cabinet other appropriate body or person with appropriate authority.
  - (v) no grant shall be made by officers from the council 'Main Programme Grant' (now the Voluntary Sector Initiative Fund) or the 'Development Fund' except with the prior approval of the Cabinet.
- b) Provided that where the grant or other financial assistance involves the distribution of funds received from a third party the grant or other financial assistance complies with the conditions under which the funds have been received by the Council.

## Brent Advice Fund Grants

- 3.6 The online application form for Brent Advice Fund grants and guidance notes are available at:

<http://brentadvicefund.grantsupporter.com/>.

Two programmes are available to applicants, namely:

- Capacity Grants of up to £3k, for bidders seeking to improve their organisation's suitability in delivering advice services by funding items such as advice quality marks and capital IT equipment
- Advice Grants of up to £10k, for bidders seeking to deliver advice services and who already have the "set-up" to begin/resume advice delivery. Organisations can apply for over £10K in exceptional circumstances. Priority areas for the advice grants are updated for each round of grants based on the data around advice needs from the main advice contract from the previous quarter.

- 3.7 There are 4 rounds of advice grants per year. This report refers to Round 1. The closing date for Round 1 of the Brent Advice Fund was 4 July 2016. All applicants must be signed up to BAPs membership agreement. The applications were considered by The Brent Advice Fund Panel which is made up of a Citizens Advice Brent Trustee, the CEO of CVS Brent and the Partners for Brent Manager, Brent Council. 14 applications were submitted, seeking a total of £146,257.10 (£13,650 seeking Capacity Grants and £132,607.10 seeking Advice Grants). A total of £58,162.33 was recommended for award to 9 applicants (£12,000 seeking Capacity Grants and £46,162.33 seeking Advice Grants). In addition the Panel recommended for award an application from Advice4Renters for £18,500 which is subject to Cabinet approval via this report.
- 3.8 Details of the Brent Advice Fund grants approved by the Brent Advice Fund Grants Panel in Round 1 and awarded pursuant to delegated powers are outlined in Figure 1 below:

**Figure 1 - Brent Advice Fund Grants 2016: Round 1**

Organisation	Grant Summary	Total Grant Approved	Capacity / Advice
Advice4Renters	Funding for a Client Support Co-ordinator to provide consistent casework assistance, undertake training and supervision of two volunteer teams resulting in assisting more clients.	£18,500.00	A
1VoiceCommunity	To achieve Advice Quality Standard (AQS) to provide SEND impartial, information advice and support to families with SEND CYP in Brent and to prepare the organisation to manage a future advice project.	£3,000.00	C
BHCAC	The project will build beneficiaries' resilience through welfare reform support. The project will help beneficiaries make informed choices, secure their welfare entitlements to enable them to remain in control of their own lives and prevent problems arising in the first place or recurring.	£10,000.00	A
Energy Solutions	Aims to strengthen the organisation's capacity to provide advice on utility debts to Brent residents by obtaining the Advice Quality Standard (AQS). Achieving this standard will ensure residents are receiving good quality advice that is in line with current legislation and best practice and strengthen the organisation's ability to attract future funding to continue to offer our services to local people.	£3,000.00	C
Help Somalia Foundation	"Advice4Life" will provide remedial advice and 1-1 support to resolve people's debts and enable increased income to pay for essentials [shelter, food and clothing] plus proactive support enabling beneficiaries to better manage their finances and households avoiding future financial issues – 500 beneficiaries.	£10,000.00	A
Hornstars SC	The project will hold a welfare benefits advice surgery two days a week for those from marginalised communities particularly from the Horn of Africa. Target of 100 clients.	£9,920.00	A
Royal Association for the Deaf	The project will support deaf residents with IAG, Welfare Benefits and other areas. All staff are fluent in BSL. Will also provide Deaf Awareness training to local voluntary organisations.	£8442.33	A
SAAFI	To ensure the continuation of advice, information and information services by employing an advice worker and applying to become accredited AQS.	£7,800.00	A
Salisbury World	To gain AQS in order to improve the quality, monitoring and evaluation of services, with a view to increasing capacity. The project is about empowering refugees and new migrants to access accurate information and make informed decisions, becoming active, fulfilled members of their local communities.	£3,000.00	C
Sufra	To contribute to advice training modules for staff which will improve the quality of life of 360 vulnerable residents who are in need welfare advice and assistance. This will be achieved through one-to-one advocacy and assistance tailored to each individual.	£3,000.00	C
<b>Total</b>		£58,162.33 (not including Advice4Renters) £76,662.33 (including A4R)	

*Summary of Advice4Renters Bid*

- 3.9 A bid requesting £18,500.00 was submitted by Advice4Renters was approved by the Brent Advice Fund Grants Panel. Advice4Renters are providing £15,135 in matched funding.
- 3.10 Advice4Renters has two volunteer teams assisting their Housing Advice Centre. Frontline volunteers assist clients online and with general enquiries. Volunteer casework assistants work with solicitors and advisers to progress cases. The training and experience provided means that after a few months, volunteers often move on to formal training or employment. The grant has been requested to employ a Client Support Co-ordinator to provide consistent casework assistance, undertake training and supervision of both volunteer teams to free up specialist solicitors/advisers time to assist more clients.
- 3.11 The outputs of the funding are detailed below:

Activity description	Output Measure 1	Output Measure 2
Provision of specialist casework appointments	1 new appt slot per week	1 new client per week (50 weeks)
20 front-line volunteers recruited and trained	20 new front line vols trained	60 enquiries dealt with per week
10 casework assistants recruited and trained	10 new caseworker vols trained	500 client cases progressed

- 3.12 The outcomes of the funding are detailed below:

i) The outcomes for the additional 50 private renters assisted through specialist casework will include homelessness prevention; improved living conditions (e.g. repairs done and/or lower fuel bills); more affordable rents (e.g. challenging unlawful rent increases; negotiating rent reduction as compensation for disrepair); preventing or ceasing landlord harassment; and reinstatement of tenants who have been evicted and/ or financial compensation for them. Clients will be better informed of the progress of their cases and issues will be resolved more quickly.

ii) 60 additional clients will be better able to manage their affairs following non-specialist assistance with matters such as online debt advice; savings and loans through the Credit Union; access to Benefits Checker; assistance to navigate Brent Advice Matters website, etc.

iii) Training and work experience opportunities will be created for more volunteers who will be able to get into employment or further education as a result.

3.13 In view of the above, Officers would recommend making a grant of £18,500.00 to Advice4Renters

#### **4.0 Financial Implications**

4.1 The Voluntary Sector Initiative Fund – Advice Small Grants budget allocation for 2016/18 is £242,000.

4.2 The recommendations made in this report can be implemented within the available budget. £59k has been approved previously. If this grant is approved that would leave £165k for the remaining 3 rounds.

#### **5.0 Legal Implications**

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

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

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

5.4 Under section 3(1) of the Local Government Act 1999, Brent Council, as a "best value authority" is under general duty of best value to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness". Under the duty of best value, the Council should consider overall value, including environmental and social value, when reviewing service provision. In March 2015 the Government circulated revised Best Value Statutory Guidance, the full guidance is available here:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/418505/Revised\\_Best\\_Value\\_Statutory\\_Guidance\\_final.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418505/Revised_Best_Value_Statutory_Guidance_final.pdf)

5.5 The Equality Act 2010 (the Act) introduced a new public sector equality duty requiring the Council in the exercise of its functions, to have due regard to the need to:

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

5.6 The duty continues to be a "have regard duty", and the weight to be attached to it is a matter for the Council, bearing in mind the issues of relevance and proportionality. It

is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations. Members are referred to Section 6 below.

## **6.0 Diversity Implications**

- 6.1 An Equality Analysis, also known as an Equality Impact Assessment was undertaken as part of the process of the approval of Brent's Local Advice and Guidance Service contracts. This report refers to the purely procedural matter of approving grants recommended by the Brent Advice Fund Grants Panel which exceed £10,000 and therefore there are no diversity implications arising from it, other than the relevant legal implications mentioned above.

### **Background Documents**

- Authority to Tender Contract for Local Advice and Guidance Services – Cabinet Report 16 November 2015
- Authority to Award Contracts for Advice and Guidance Services in Brent – Cabinet Report 8 February 2016


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 <b>Brent</b>	<p style="text-align: center;"><b>Cabinet</b> 24 October 2016</p> <p style="text-align: center;"><b>Report from the Strategic Director, Regeneration and Environment</b></p>
Ward Affected: All	
<b>Visitor Permit Charging</b>	

## 1.0 Purpose of Report

- 1.1 This report summarises the outcome of the formal consultation on the proposed change to the structure of visitor parking permits in Brent, and the associated price increases for stays of more than two hours. This follows Cabinet agreement on 27 June 2016: to proceed to formal consultation on these changes, informed by the results of extensive informal consultation; and to a coherent set of linked proposals for reform.
- 1.2 The report also notifies Cabinet of the contents of an online public petition relating to this issue (see paragraph 6.11) which has received 312 signatures.
- 1.3 Cabinet is recommended to proceed to implementation of the proposals to revise the visitor parking pricing scheme as set out in this report.

## 2.0 Recommendations

That Cabinet agrees to:

- 2.1 Note the petition referred to in paragraph 6.11 of this report.
- 2.2 Introduce new visitor parking charges in all Controlled Parking Zone (CPZ) areas, with a £1.50 charge for up to 2 hours, a £3 charge for up to 4 hours, and a £4.50 charge for 'all-day' visitor parking of more than 4 hours; and
- 2.3 Implement the charging structure and price changes, including amendment of the relevant Traffic Management Orders, to be effective from 08<sup>th</sup> November 2016 or a later date to be set by the Strategic Director for Regeneration and Environment in consultation with the Lead Member for Environment.

### 3.0 Background and Development

- 3.1 The Council regulates and charges for on-street parking to manage demand from residents, businesses and visitors, assist the smooth flow of traffic, and reduce the number of vehicle trips, particularly at peak times. The Parking Strategy sets the context in which on-street parking policies and charges are made, this supports the council's aims of encouraging the uptake of sustainable travel options, reducing air pollution, and reducing the number of people killed and injured on the borough's roads.
- 3.2 The Parking Strategy states that charges should be reviewed regularly to ensure that they are consistent with charges made in other boroughs. The strategy also states that the '*Council will progressively develop a parking and CPZ permit charge structure that reflects balanced transport policies and overarching environmental aims and objectives*'. In September 2012, the Council's Executive adopted a pricing principle which was that '*No charge should be made that undermines policy objectives*'. A key objective in increasing visitor parking charging is to encourage the use of more sustainable modes of transport, such as public transport, cycling and walking.
- 3.3 The proposal to increase visitor parking charges to better manage demand was endorsed by Cabinet in the December 2014 budget report. The report confirmed that the price of visitor parking was markedly cheaper in Brent compared to neighbouring boroughs; and that an increase in the tariff would help to control excessive levels of demand.
- 3.4 Demand for parking in Brent is very high, especially within Controlled Parking Zones (CPZs). Over time the Council has introduced a number of measures to control the demand for kerb space. On-street parking in the south-eastern part of the borough, and some areas of the south-west of the borough around Wembley, is managed through Controlled Parking Zones. These areas are more densely developed compared to the northern part of the borough, and have better public transport links. The south-eastern part is well served by Jubilee line and Overground stations in zones 2 and 3, whilst the south-western part is well served by stations on the Jubilee/Metropolitan, Bakerloo and Piccadilly lines, and on the National Rail network [Wembley Stadium, Sudbury and Harrow Road].
- 3.5 At its meeting on 16 November 2015, Cabinet was asked to agree a set of options for changes to Brent's visitor parking pricing scheme. The proposals were intended to improve the management of parking demand within the borough's CPZs, to enable more realistic choices to be made by visitors when considering the options of driving or using more sustainable modes of travel, and to ensure that charges stand comparison with those in adjoining boroughs.
- 3.6 Following the November 2015 report, which focused mainly on visitor parking charges, the March 2016 Cabinet report proposed that the council take a more holistic look at on-street parking. These included a number of proposed changes to the council's wider policies and charging regimes for on-street parking. Cabinet agreed at its meeting on 14 March 2016 to undertake a borough-wide consultation on a series of changes to the way in which the council manages, and charges for, on-street parking in CPZs. The report proposed a number of changes to both policy and charges. Cabinet agreed to consider these potential changes after consultation with residents.

- 3.7 The borough wide consultation started on 13th April 2016 and closed on 10th May 2016. Over 3,300 questionnaire responses were received directly from over 25,000 parking account holders invited to participate; a response rate of 13%. The results of the consultation were considered and a set of firm recommendations on the proposals were agreed by Cabinet at its meeting on 27th June 2016.
- 3.8 As had been anticipated, respondents to the 'informal' consultation expressed a majority view against increasing the price of visitor permits, although over a quarter did favour the increase (67% opposed; 26% in favour). At focus group discussions, concerns were expressed about the imbalance between the supply of parking spaces in the borough and the current demand amongst residents and visitors. It was felt this should be a priority for the Council to address. When taken together, the quantitative and qualitative results of the informal consultation painted a mixed picture, although the level of opposition to the proposed price changes was less than expected.
- 3.9 This report summarises the outcome of the statutory consultation to Cabinet. It also advises Cabinet of a petition that has been received, although this does not form part of the responses to the statutory consultation.
- 3.10 The 28-day statutory consultation period was held from 28th July to 25th August 2016. The consultation focused on the proposed new structure for visitor parking permits and associated price changes. This means:
- Introducing a new 2 hour visitor permit priced at £1.50; freezing this price at the current rate
  - Introducing a new 4 hour visitor permit priced at £3.00
  - Increasing the price of an all-day visitor permit to £4.50

Cabinet also agreed on 27<sup>th</sup> June 2016 to a linked increase in the price of the Visitor Household permit to £163.00 (for 12 months, with lower priced options for 6 and 3 months). Implementation of the increase is under way (see Section 4 below).

#### **4.0 Visitor Household Permits**

- 4.1 The council currently offers a Visitor Household permit to residents. This is a paper permit which displays the name of the resident's street. It allows visitors to park in any resident or shared use bay, but only in the named street (or part of the street) within the Controlled Parking Zone shown on the permit. The permit may be displayed on any vehicle, regardless of engine size or ownership. Each household may only hold one Visitor Household permit, which is currently priced at £110. Almost 4,000 Visitor Household permits are in use, with the associated income making a substantial contribution to the cost of managing and enforcing Controlled Parking Zones.
- 4.2 On 27th June 2016, Cabinet agreed to (i) rescind the previous decision to withdraw the Visitor Household Permit; and (ii) increase the cost of the Visitor Household permit to better align it with the cost of resident permits. This would also ensure a consistent approach is taken with the new price structure for individual visitor permits, seeking to manage the demand for parking spaces by visitors. In order to avoid the risk of disproportionately affecting those CPZ residents who receive care, the increase in price of Visitor Household permits would be less than the increase in price of daily visitor permits. Cabinet agreed that the annual cost of a Visitor

Household permit would increase, from the level set: £108 in 2013; £109 in 2014; £110 in 2015; to £163 in 2016/17. The £163 charge is the same as the highest cost resident permit for vehicles in the proposed Standard emissions band. This is a lower level of price increase than that applied to individual visitor permit bookings for visits of more than 2 hours. Implementation of this decision is under way.

- 4.3 To align the scheme with resident permits, future annual inflation adjustments to the price of this permit will be made on 1st April each year, to ensure the cost continues to be identical to that for a third Resident's permit for vehicles in the new 'Standard' carbon emission charge band.

## **5.0 Visitor Parking Pricing Scheme**

- 5.1 Daily visitor parking permits allow residents who live in Controlled Parking Zones to receive visitors during a Zone's operational hours; there is no limit on the numbers which can be purchased. Daily visitor parking permits are currently priced at £1.50 per day. This price has not increased since 2013 when virtual permits replaced the former scratch card system.
- 5.2 Residents can book a parking session for their visitor online, over the telephone or by text message, providing they have a parking account. In 2014/15 residents booked just over 411,000 visitor parking sessions; in 2015/16 bookings increased to more than 451,000.
- 5.3 A proposal to increase daily visitor parking charges to better manage demand was endorsed by Cabinet in the December 2014 budget report; the report demonstrated that the price of visitor parking was markedly cheaper in Brent compared to neighbouring boroughs; and that an increase in the tariff would help control levels of demand.
- 5.4 In November 2015, Members received a detailed report on visitor parking charges. Cabinet took a decision to link the cost of visitor parking to the cost of public transport to encourage people to consider swapping to more sustainable modes of transport. The cheapest return fare on public transport is £3; and the capped cost of bus fares for a single day is £4.50. Cabinet also agreed to a single pricing structure borough-wide to ensure fair pricing for less well-off residents living in high demand areas. A full analysis of the relevant issues taken into account in arriving at these decisions was contained within the 16th November 2015, 14th March 2016 and 27th June 2016 Cabinet reports.
- 5.5 These proposals were further refined in the 14th March 2016 Cabinet report. The report made a revised proposal to retain the current £1.50 charge for visitor parking permits of up to 2 hours duration. This would freeze the cost for short term visitors at the current rate, with the aim of encouraging a reduction in the amount of time vehicles are parked on-street. Additional 2 hour bookings could be made to extend a visitor parking stay, but for any stays of more than 4 hours duration a single payment of £4.50 for an all-day permit would offer better value.
- 5.6 The council's Parking Strategy states that charges should be reviewed regularly to ensure that they are consistent with charges made in other boroughs. Brent's CPZs are located in two distinct parts of the borough. The majority are in the south east of the borough, which borders Westminster, Kensington & Chelsea, Hammersmith & Fulham, Camden, Ealing and Barnet. The remainder are largely in the south west of Brent, closer to Ealing than any other borough.

5.7 Cabinet has previously sought to align charges in Brent close to the level set by its outer London partner authorities, LB Ealing and LB Hounslow, rather than the high charges common in inner London. Cabinet has also taken the view that pressures on parking demand in Brent's CPZs are significantly more intense than in outer boroughs on the edge of London, such as Harrow and Barnet.

5.8 The table below sets out the prices of daily visitor parking permits in all neighbouring boroughs, alongside current proposals for Brent. The most expensive charging regimes are at the head of the table; least expensive at the foot.

Borough	Products Offered	2 Hours	4 Hours	All Day
<b>Westminster</b>	Pay and Display only. 4 hour max stay*	£3.40- £9.80	£6.80- £19.60	N/A
<b>Kensington &amp; Chelsea</b>	Pay and Display only. 4 hour max stay*	£2.40- £9.20	£4.80- £18.40	N/A
<b>Hammersmith &amp; Fulham</b>	Hourly charge	£3.60	£7.20	£14.40**
<b>Camden</b>	Hourly charge, with all day cap	£1.92	£3.84	£6.49
<b>Hounslow</b>	Hourly charge	£1.50	£3.00	£6.00**
<b>Brent (proposed)</b>	2 hour, 4 hour and all day	£1.50	£3.00	£4.50
<b>Ealing</b>	Hourly charge, with all day cap	£1.20	£2.40	£4.50
<b>Harrow</b>	All day	£1.69	£1.69	£1.69
<b>Brent (current)</b>	All day	£1.50	£1.50	£1.50
<b>Barnet</b>	All day	£1.00	£1.00	£1.00

\* Max stay limits vary across these boroughs

\*\* Do not offer an all-day visitor permit. Price is based on the cheapest cost of an 8 hour booking

**6.0 Consultation**

6.1 Results of the first stage ‘informal’ consultation were reported to Members in the 27th June cabinet report. As had been anticipated, consultation respondents expressed a majority view against increasing the price of visitor permits, although over a quarter did favour the increase (67% opposed; 26% in favour). A total of 3,319 responses were received. Cabinet considered these responses, the associated feedback on the proposed price changes, and the wide-ranging qualitative feedback. Cabinet then agreed the recommendation: “*To proceed to formal consultation on a Traffic Management Order, under the Road Traffic Regulation Act 1984, introducing new visitor parking charges in CPZ areas, with a £1.50 charge for up to 2 hours, a £3 charge for up to 4 hours, and a £4.50 charge for ‘all-day’ visitor parking of more than 4 hours*”.

**Formal Consultation**

6.2 The 28 day statutory consultation was conducted from 28th July to 25th August 2016. A questionnaire entitled “*Visitor parking consultation*” was launched on the council’s Brent Connects Consultation Portal. The consultation documents were distributed to ward councillors and statutory authorities, including the emergency services, and the notices were advertised in the local papers and the London Gazette.

6.3 The table below shows the response to the online questionnaire as part of the consultation.

*Do you agree to the proposed changes to visitor parking?*

Total Responses	In favour of proposed price increases	Opposed to proposed price increases	Undecided
260	10	248	2

6.4 The completion of 260 questionnaires represents a much smaller response rate than the 3,319 respondents who completed questionnaires during the first stage consultation. Of the total number of respondents, 220 identified the Brent Controlled Parking Zone in which they lived, 7 lived outside of a CPZ, 31 indicated they were not sure which CPZ they lived in and 2 did not provide a response.

6.5 Respondents did not comment on the new structure of visitor parking permits per se. Instead comments focused on the proposed higher charge rates for visits of more than 2 hours. As expected, permit account holders generally did not support the proposed price increases. The questionnaire provided a free text box and the respondents comments have been captured and categorised below into ten response types based on similarities in the comments made.

Respondents opposed to the price increase (see 6.6 below)	66
Respondents opposed to the price increase citing potential impact on other households (see 6.6 below)	69
Respondents identified as elderly or disabled people opposed to the price increase (see Section 10 and Appendix)	11
Respondents identified as elderly or disabled people opposed to the price increase citing incorrect prices (see 6.8, Section 10 and Appendix)	22
Respondents opposed to the price increase citing restrictions within their CPZ and requesting a review of the CPZ (see 6.9 below)	14
Respondents opposed to the price increase who did not feel the Council's policy objectives would be met (see 7.1 and 7.2 below)	28
Opposed for miscellaneous reasons	22
Opposed with no comments	16
Respondents in favour of the new structure and price increase	10
Undecided	2

## 6.6 Affordability

In respect of affordability, the proposed pricing structure is very close to that in place in Hounslow and Ealing which have similar populations of car owners to Brent. The proposed charges are significantly less than those in the four neighbouring inner boroughs included in the benchmarking analysis. Many less well-off households and their visitors do not own cars, and are therefore less likely to pay visitor parking charges. The charges proposed are directly linked to the equivalent public transport fares which non-car owners would expect to pay: the £3 cost of a return bus fare; and the £4.50 charge for an all-day bus pass. In addition, for residents receiving regular visitors at least once per week, the Visitor Household Permit (costing £163 for a full year) offers a potentially much better value alternative than the use of daily visitor permit bookings. Finally, a recent study has suggested that households in London typically incur costs of about £3,000 to £3,500 p.a. for each car they own; parking charges of £1.50 to £4.50 per day should be seen in that context.

## 6.7 Impact on elderly and disabled people

These issues are addressed in detail in section 11 below and in the Appendix.

6.8 Scrutiny of the comments made has shown that there remains significant confusion about the new pricing structure. A number of respondents mistakenly believed that the £4.50 charge applied to all visits, whereas in fact this cost would only be incurred for visits of more than four hours. Opposition to the proposals is therefore overstated; in particular 22 of the 33 respondents citing the impact on elderly and disabled people as their reason for opposing the price increase misunderstood the proposed charge structure. In most cases cited, residents' care or support visit could still be covered by a 2 hour visitor permit at a cost of £1.50 – the same as the current rate. If visits are regular (at least once per week) then the purchase of

a Visitor Household Permit (£163 for a full year) could represent better value than purchasing individual visitor permits at £4.50 per day

#### 6.9 Respondents requesting a CPZ review

14 respondents indicated that the detailed design of their own CPZ was the key issue in influencing their opposition to the proposals. It is intended that these concerns will be directly addressed in the forthcoming programme of CPZ reviews. Officers are preparing proposals to undertake these reviews as a planned and fully funded programme which will be recommended to Cabinet.

- 6.10 Ten respondents were in favour of the introduction of a new price structure and associated price increase for stays of longer than 2 hours. Of these 10 respondents, 9 lived within a CPZ. Whilst 2 respondents provided no additional comments, 4 respondents stated explicitly that £1.50 was too cheap.

#### Online Petition relating to the price increase

- 6.11 An online petition was submitted via the council's website. This e-petition reads "We the undersigned petition the council to re-consider the public consultation results against the increase in parking charges. The council has decided to increase visitor parking charges, some by 200% despite public consultation against it." 312 people had signed this e-petition by the closing date. The petition was active from 01 July 2016 and ended on 11 September 2016. The petition does not form part of the statutory consultation process but Cabinet is recommended to note the petition when considering the recommendations in this report. The relevant considerations are set out in paragraphs 6.6 to 6.10 above, sections 7 and 10 and the Appendix.

### **7.0 Permits and Prices – Policy Objectives and Conclusions**

- 7.1 In line with the council's previously agreed policy position, strong weight does need to be given to the traffic management, carbon reduction and public health (air pollution) considerations. In light of: the mixed feedback received across both consultation exercises; the continued growth in visitor parking bookings; and the Cabinet decision to retain the Visitor Household permit; there continues to be a pressing need to tackle the severe pressure on demand for parking space in the borough.
- 7.2 The low cost of visitor parking contributes to the high demand for parking space in Brent. People choose to drive instead of using more sustainable alternatives. Feedback from residents and focus groups during the informal consultation stage highlighted that there is continued overcrowding in many of the roads in Controlled Parking Zones, making it harder for residents and their genuine visitors to park. Statistics show that visitor parking bookings are particularly high in the south eastern part of the borough, close to the borders of several other London boroughs. Evidence also suggests that some households within Brent are using daily visitor permits to book parking on behalf of commuters. We believe the low cost of visitor parking in Brent encourages this abuse, which is unfair to residents and their genuine visitors who may then struggle to find a parking space. It also contributes to local traffic congestion, increased carbon emissions and air pollution.
- 7.3 Having considered the stakeholder feedback following the consultation process, it is recommended that the council proceeds with the changes to the structure of



visitor permits and pricing agreed by Cabinet in the report of 27 June 2016. The rationale for proceeding with the price increase, with the objective of managing demand for parking spaces within the borough, is set out in full detail in the previous reports to Cabinet (Appendices A to C). Officers have concluded that these arguments remain valid.

### Daily Visitor Permits

- 7.4 It is proposed that the change in pricing structure for visitor permits be confirmed effective from 08th November 2016 or a later date to be set by the Strategic Director for Regeneration and Environment. This will provide residents the option of purchasing daily visitor vouchers at £1.50 for up to 2 hours, £3.00 for 4 hours and £4.50 for a booking of greater than 4 hours.
- 7.5 On the same date the price of Visitor Household permits would increase, available in the options of £163 for a 12 month permit, £99 for 6 months, or £66 for 3 months, as agreed by Cabinet on 27th June 2016.

## **8.0 Financial Implications**

### Visitor Parking Pricing Scheme - Financial Implications

- 8.1 The table below forecasts the total income which would be generated by agreeing the pricing structure set out in this paper. The forecast assumes a baseline level of demand derived from the 2015 calendar year, and an overall reduction in demand.

Option Description	Product Split	Transaction Volumes	Forecast Income	Increase
Current: £1.50 All day	N/A	451,119	£676,679	-
Proposed: £4.50/£3.00/£1.50 for: All day   4 Hours   2 hours; with associated demand reductions	40%   30%   30%	451,119	£1,309,188	£632,509

For budget planning purposes, the estimated increase in net visitor parking income is £632k p.a. as shown in the table above. It is anticipated that the proposed price increase for Visitor Household permits (see section 4) would increase income by an estimated additional £218k. In total therefore net income could be expected to increase by £850k p.a. This is a shortfall of £45k compared to the income anticipated in the December 2014 Budget report. However, this shortfall could be closed by 2017/18 through efficiency savings and additional enforcement income. No change would therefore be required to budget planning assumptions from 2017/18 onwards.

- 8.2 If the target date for implementation of 08th November 2016 is met, the estimated additional income would be limited to £325k in 2016/17, resulting in a budget pressure of £570k from the total income of £895k from charge increases assumed in the December 2014 budget report. The budget pressure will need to be managed and closely monitored.
- 8.3 The financial forecast does not factor in the possibility of customers stockpiling the current all day £1.50 permit prior to the price increase taking effect. This would

have the effect of increasing visitor parking sales in the immediate short term, but lead to a reduction in sales in the following period. Action will be taken where possible to mitigate the impact of stockpiling, however.

- 8.4 Charges for parking are designed to help regulate demand for the limited spaces available and to improve the flow of traffic in the borough. As in many other areas of local authorities' activities, an estimate of the financial impact of changes in pricing policy - in this case an increase in the income likely to be raised – needs to be made, in order to ensure that the budget reflects the requirement to use such income to fund matters which are listed and set out in section 55(4) of the Road Traffic Regulation Act 1984.
- 8.5 Brent invests considerably more in funding such costs than the total income that it raises from parking charges. In 2015/16, the £10.119m surplus on the parking account was used to cover the revenue cost of the Transportation service (£2.291m) and make a contribution of £7.828m to the cost of concessionary fares. The surplus generated does not cover the full expenditure that the Council incurred in 2015/16 on concessionary fares. The total cost to the council for offering this service to its residents is £16,091m.

#### Visitor Household Permits - Financial Implications

- 8.6 For budget planning purposes, an increase in the Visitor Household permit from £110 p.a. to £163 p.a. could be expected to result in an increase in income of £218k by 2017/18.

### **9.0 Legal Implications**

- 9.1 Under section 45 of the Road Traffic Regulation Act 1984 (RTRA 1984), a local authority has powers to designate parking places on the highway, to charge for use of them, and to issue parking permits for a charge.
- 9.2 Section 55 of the RTRA 1984 makes provision for the monies raised under section 45 of the RTRA 1984, in that it provides for the creation of a ring-fenced account (the SPA – Special Parking Account) into which monies raised through the operation of parking places must be placed, and for the application of any surplus funds. Any surplus generated is appropriated into the Council's General Fund at the year end and can be spent on matters defined in section 55(4) of the RTRA 1984 Act (mainly transport and highways matters, which are listed in the Act).
- 9.3 Section 122 of the RTRA 1984 imposes a general duty on local authorities when exercising functions under the RTRA. It provides, insofar as is material, as follows:

*"(1) It shall be the duty of every local authority upon whom functions are conferred by or under this Act, so to exercise the functions conferred on them by this Act as (so far as practicable having regard to the matters specified in subsection (2) below) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway..."*

*(2) The matters referred to in subsection (1) above as being specified in this subsection are—*

*(a) the desirability of securing and maintaining reasonable access to premises;*

*(b) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;*  
*(bb) the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy);*  
*(c) the importance of facilitating the passage of public service vehicles;*  
*(d) any other matters appearing to the local authority to be relevant”*

9.4 Although the Mayor of London’s Transport Strategy has now superseded earlier Traffic Management and Parking Guidance (TMPG) for London, the boroughs continue to rely on the TMPG document as an authoritative interpretation of the legal framework. It advises:

*“(2.23) The level of parking charges must be set for traffic management reasons, such as to ration available space and ensure that there is a rapid turnover of parking spaces, rather than to maximise revenue. This is because section 122 of the Road Traffic Regulation Act 1984 does not include the maximisation of revenue from parking charges as one of the relevant considerations to be taken into account in securing the safe, expeditious and convenient movement of traffic”.*

9.5 This interpretation of the RTRA 1984, in the context of on-street charges, is widely accepted. Case law supports the view that the Act’s purpose is not revenue-raising and this is set out in the judgements in the cases of *R (on the application of Cran) v LB Camden [1995]* and *R (on the application of Attfield) v London Borough of Barnet [2013]*. The British Parking Association’s Parking Practice Notes “1 - Charging for Parking” (Revised August 2011) emphasises this point by quoting the Camden judgement, saying that the RTRA 1984:

*“...is not a fiscal measure. It contains no provision which suggests that parliament intended to authorise a council to raise income by using its powers to designate parking places on the highway and to charge for their use”.*

In the *Attfield v Barnet* case, the Court ruled that the RTRA 1984 did not authorise a local authority to use its powers to charge for parking in order to: raise surplus revenue for other transport purposes funded by the Council’s general fund; to defray other road transport expenditure; and reduce the need to raise income from other sources, such as fines, charges and council tax.

9.6 The revision to visitor parking charges does require the amendment of the existing Traffic Management Order (TMO) under the Road Traffic Regulation Act 1984.

## **10.0 Diversity Implications and Equalities Analysis**

10.1 S149 of the Equality Act 2010 requires the Council to have due regard to the need to eliminate discrimination, and advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not. An Equalities Analysis relating to the issues considered in this report is attached as an Appendix.

10.2 As part of the consultation process, consultees were invited to complete an equalities monitoring questionnaire. Statistics on their equalities characteristics

were captured during the consultation process are contained in the tables below, followed by a table capturing responses to the questions of ‘Do you regularly provide unpaid support caring for someone who is elderly, frail or disabled?’ with a final table indicating the number of respondents based on the Controlled Parking Zone in which they live.

10.3 Monitoring questions relating to gender reassignment, pregnancy and maternity status, religious belief and sexual orientation were not asked, as these were not considered directly relevant to the implementation of an increase in visitor parking charges. Respondents were asked their gender but no specific equalities issues relating to gender have been identified.

10.4 The tables below set out detailed response rates. Given that disability and age were identified as potential equalities issues, the key findings were:

- 25% of respondents said they were 65 or over
- 9.5% of respondents said they had a disability
- 21% of respondents said they provided care or support

Age	Respondents	%age
16-24	4	1.52%
25-34	17	6.44%
35-44	45	17.62%
45-54	48	18.39%
55-64	56	22.22%
65-74	48	18.77%
75+	16	6.13%
Prefer not to say	26	9.95%

Disability	Respondents	%age
Yes	25	9.51%
No	202	77.95%
Prefer not to say	33	12.93%

Gender	Respondents	%age
Female	141	55%
Male	95	36%
Prefer not to say	24	09%

Providing unpaid care or support	Respondents	%age
Yes	55	20.99%
No	167	65.27%
Prefer not to say	38	14.4%

<b>Controlled Parking Zone</b>	<b>Respondents</b>
HA	4
HA/HW	7
HS	2
HW	14
HY	3
K	0
KB	7
KC	0
KD	13
KG	4
KH	2
KL	11
KM	0
KQ	10
KR	10
KS	8
MA	24
MK	4
MW	22
NC	0
NS	1
NT	3
QA	0
SA	1
SH	0
ST	1
W	1
Y	0
No Response	2

10.5 A detailed Equality Analysis of the proposals was previously undertaken and included in the 16th November 2015 report agreed by Cabinet. Cabinet was concerned to see whether there was any evidence that an increase in visitor parking charges could disproportionately affect those residents who live in CPZs and receive visitors who provide them with care or support. This may be particularly relevant to elderly residents, or those with disabilities. However two measures are in place which will provide significant mitigation against this impact: the Essential User Permit; and the Visitor Household permit. In addition, the retention of the existing £1.50 charge rate for visits of up to 2 hours provides further mitigation.

10.6 The Essential User Permit is issued by the Council to charitable and public sector organisations which provide essential services, including formal residential and community care to people who live or work in Controlled Parking Zones. Formal care is provided to people with critical or high needs relating to age or disability. Residents who receive visits from an Essential User Permit holder will be

unaffected by the proposal to increase visitor parking charges, in respect of their formal care visits.

- 10.7 In addition, the Visitor Household permit will continue to offer a significantly cheaper alternative to daily visitor permits for those residents who receive regular visitors to their property. At its meeting on 27<sup>th</sup> June 2016, Cabinet took an explicit decision to continue to offer the Visitor Household permit, a reversal of the decision taken during 2012/13 to discontinue this permit offer. A key factor in Cabinet's decision was the mitigating impact of the availability of the Visitor Household permit for elderly and disabled residents: *"Given the clear popularity of the current permit, and concerns regarding any alternative for people needing care and support, it is proposed that the existing Visitor Household permit should be retained. This would maximise its potential use to meet informal care and support needs, provide access to customers' households for business vehicles, and would appear to be the strong preference of residents within CPZs"*. Many holders of Visitor Household Permits choose this option because they receive regular informal care or support visits in relation to their age or disability. Residents who purchase this permit would be affected to a significantly lesser extent than other residents due to the proportionately lower increase in the cost of this permit (50%). This compares with the increases proposed for single visits of more than 2 hours (100% increase) or for single visits of more than 4 hours (200% increase). The purchase of the Visitor Household Permit by those residents who receive care or support visits means that they would not be disproportionately affected by the proposals to increase visitor parking charges. Furthermore, the Visitor Household Permit would become even better value than previously for householders receiving regular care or support visits; it is possible that demand for this Permit will increase, thereby further reducing the impact on these households of the price increases proposed for individual visitor permits.
- 10.8 In conclusion therefore, the proposals in this report are not considered to have a disproportionate impact on older or disabled residents. Substantive mitigating options are in place to protect these equality groups through the availability of the Essential User Permit and the Visitor Household Permit. In addition, given the high level of misunderstanding about the pricing structure (see paragraph 6.8 above), specific work will be undertaken to ensure that older people and disabled account holders are aware that short visits can still be booked for £1.50 rather than the full day cost of £4.50.

## **Background Papers**

19<sup>th</sup> September 2012 Executive report – Parking service simplification and pricing

15<sup>th</sup> July 2013 Executive report – Statutory consultation on proposed changes to parking

tariffs, charges and permits

15<sup>th</sup> December 2014 Cabinet report – Budget 2015/16 and 2016/17

[16th November 2015 Cabinet report](#) – Visitor Parking Charges

[Cabinet 14th March](#) – On-Street Parking Service Offer and Charges in CPZs

[Cabinet 27th June](#) - On-Street Parking Service Offer and Charges in Controlled Parking Zones; Decisions Following Consultation

2015 Parking Strategy

2016 Long Term Transport Strategy

## **Appendix**

### Appendix A - Equalities Analysis on Visitor Price Structure

#### **Contact Officers**

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# Visitor Parking Charging Structure and Price Changes

**Department**  
R & E/Environmental Services

**Person Responsible**  
Anthony Vartanian

**Created**  
08<sup>th</sup> September 2016

**Last Review**  
November 2015

**Status**

**Next Review**

## Stage 1 Screening Data

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

The proposal to introduce a new charging structure for daily visitor parking permits is aimed at enabling the Council to better control demand for kerbside parking space within Controlled Parking Zones in Brent.

The rationale for the increase in visitor parking charges is:

- 1) that there is evidence of excessively high levels of demand for parking in certain parts of Brent, especially in those Controlled Parking Zones which are close to neighbouring boroughs;
- 2) that there is evidence of commuter parking, which is likely due to the current low price of the annual visitor parking permit;
- 3) to better align Brent's charging structure with those of neighbouring boroughs;
- 4) to encourage take up of more sustainable modes of transport by pricing the daily visitor parking product to at least match the cost of a return bus journey; and
- 5) to improve air quality in Brent and reduce carbon emissions.

The proposed changes are;

- 1) to increase the cost of the annual Visitor Household permit from £110 in 2015 to £163 in 2016/17. The £163 charge is the same as the highest cost resident permit for vehicles in the proposed Standard emissions band. At this level, the cost of the Visitor Household permit better aligns with the cost of resident permits. This would also ensure a consistent approach is taken with the new price structure for individual visitor permits, seeking to manage the demand for parking spaces by visitors. In order to avoid the risk of disproportionately affecting those CPZ residents who receive care or support visits, the increase in price of Visitor Household permits would be proportionately significantly less than the increase in price of daily visitor permits.
- 2) to introduce a new pricing structure for the Daily Visitor Parking charges with a proposal to retain the current £1.50 charge for visitor parking permits of up to 2 hours duration. This would freeze the cost for short term visitors at the current rate, with the aim of encouraging a reduction in the amount of time vehicles are parked on-street; introduce a new 4 hour

visitors permit priced at £3.00 and for any stays of more than 4 hours duration, increase the price of the permit to a single payment of £4.50 for an all-day permit. The price of visitor parking is markedly cheaper in Brent compared to neighbouring boroughs and an increase in the tariff would help control levels of demand.

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

The following key stakeholders are affected by the changes made:

Residents of Brent who live in a CPZ area and who receive visitors who travel by car, and people who visit residents living in CPZs.

The GLA has estimated that the London Borough of Brent's population in 2015 was 321,000. Controlled Parking Zones cover 49% of Brent's residential addresses. This therefore equates to approximately 56,000 households and 157,000 residents in CPZs potentially affected by the changes to the new visitor parking structure and associated price increase, together with their visitors.

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

The proposal to increase visitor parking charges may affect those residents who live in CPZs and receive visitors who provide them with informal care or support, and may therefore receive more visits than other households. This may particularly affect elderly residents, or those with disabilities.

### **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**

The proposal to increase visitor parking charges may affect those residents who live in CPZs and receive visitors who provide them informal care or support, and may therefore receive more visits than other households. This may particularly affect elderly residents, or those with disabilities.

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

The proposal to increase visitor parking charges does not change or remove the service provision of visitor parking.

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

Approximately half of the borough is affected; no specific geographic areas within Brent's Controlled Parking Zones have been identified as having known equalities issues with regard to age and disability.

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

The proposal to increase visitor parking charges may affect those residents who live in CPZs and receive visitors who provide them with care or support, and may therefore receive more visits than other households. This may particularly affect elderly residents, or those with disabilities.

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

The proposal does not specifically relate to any of the Equality objectives in the Council's Equality Strategy 2015-19.

**4. Use the comments box below to give brief details of what further information you will need to complete a Full Equality Analysis. What information will give you a full picture of how well the proposal will work for different groups of people? How will you gather this information? Consider engagement initiatives, research and equality monitoring data.**

Research and engagement activities carried out are provided in Section 7.

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**Stage 2: Analysis**

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

**5.1 Age (select all that apply)**

- Positive
- Neutral
- Negative

**Please give details:**

The proposal to increase visitor parking charges may affect those residents who live in CPZs and receive visitors who provide them with informal care or support. This may particularly affect elderly residents.

Residents requiring formal care for *critical* or *substantial* needs can have their formal carers' parking needs met through the council's Essential User Permit scheme. This is provided to public and voluntary sector staff who provide care to residents in CPZs. Nonetheless, many residents with critical or substantial needs do also receive informal care and support, often from friends or family members who would not qualify for an Essential User Permit. In addition, all residents with moderate, low, or unknown care needs are entirely dependent on informal care and support.

Many residents therefore use their Visitor Household permit to ensure that people providing them with care or support can park when making a visit. In order to avoid the risk of

disproportionately affecting those CPZ residents who receive care. The 50% increase in price of Visitor Household permits would be considerably less than the 100% and 200% increase applied to daily visitor permits for stays of over 2 hours. The Visitor Household permit would continue to provide excellent value to residents receiving at least one regular visitor per week on average.

In addition, if the increased charge to visitors for long stay parking succeeds in controlling demand for spaces, visitors providing care and support to elderly residents would find it easier to secure a parking space.

### **5.2 Disability (select all that apply)**

- Positive
- Neutral
- Negative

#### **Please give details:**

The proposal to increase visitor parking charges may affect those residents who live in CPZs and receive visitors who provide them with informal care. This may particularly affect residents with disabilities.

Residents requiring formal care for *critical* or *substantial* needs can have their formal carers' parking needs met through the council's Essential User Permit scheme. This is provided to public and voluntary sector staff who provide care to residents in CPZs. Nonetheless, many residents with critical or substantial needs do also receive informal care and support, often from friends or family members who would not qualify for an Essential User Permit. In addition, all residents with moderate, low, or unknown care needs are entirely dependent on informal care and support.

Many residents therefore use their Visitor Household permit to ensure that people providing them with care or support can park when making a visit. In order to avoid the risk of disproportionately affecting those CPZ residents who receive care, the 50% increase in price of Visitor Household permits would be considerably less than the 100% and 200% increase applied to daily visitor permits for stays of over 2 hours. The Visitor Household permit would continue to provide excellent value to residents receiving at least one regular visitor per week on average.

In addition, if the increased charge to visitors for long stay parking succeeds in controlling demand for spaces, visitors providing care and support to disabled residents would find it easier to secure a parking space.

### **5.3 Gender Identity and Expression (select all that apply)**

- Positive
- Neutral
- Negative

#### **Please give details:**

No impact identified

**5.4 Marriage and Civil Partnership (select all that apply)**

- Positive
- Neutral
- Negative

**Please give details:** No impact identified

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

- Positive
- Neutral
- Negative

**Please give details:** No impact identified

**5.6 Race (select all that apply)**

- Positive
- Neutral
- Negative

**Please give details:** No impact identified

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

- Positive
- Neutral
- Negative

**Please give details:** No impact identified

**5.8 Sex (select all that apply)**

- Positive
- Neutral
- Negative

**Please give details:** No impact identified

**5.9 Sexual orientation (select all that apply)**

- Positive  
 Neutral  
 Negative

**Please give details:** No impact identified

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

- Positive  
 Neutral  
 Negative

**Please give details:** No impact identified

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

- Yes  
 No

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

A wide range of methods were employed to consult stakeholders on the proposals and research undertaken which informed the visitor parking charges proposals. These included:

- Benchmarking cost comparison with public transport fares
- Benchmarking cost comparison with other London local authorities
- Analysis of booked visitor parking sessions data
- Analysis of the policy objectives of the 2015 Parking Strategy and 2016 Long Term Transport strategy
- Analysis of Census data to ascertain levels of household car ownership in Brent
- Borough wide public consultation with over 3,300 responses received directly from over 25,000 parking account holders invited to participate
- Engagement and support during the informal consultation to better explain the proposals, and invite participation to complete the questionnaire, was provided to members of the Disability & Politics User group at Brent Mencap.
- Focus Group sessions arranged to capture qualitative opinions expressed by participants
- Formal consultation on a Traffic Management Order, under the Road Traffic Regulation Act 1984 was undertaken on the proposed change to the structure of visitor parking permits in Brent, and the associated price increases for stays of more than two hours. 260 responses were received.

## **What did you find out from consultation or data analysis?**

The data analysis shows that the cost of visitor parking charges in Brent is low in comparison to neighbouring London boroughs, including the partner boroughs of Ealing and Hounslow which have a similar demographic; that there is evidence of excessively high levels of demand for parking in certain parts of Brent, including commuter parking; and that a price increase which is better aligned with those of neighbouring boroughs would encourage take up of more sustainable modes of transport and contribute towards reducing carbon emissions and improving air quality in Brent.

Nonetheless it was anticipated that parking account holders would be resistant to proposals to increase the price they are charged for visitor parking permits.

The informal consultation respondents expressed a majority view against increasing the price of visitor permits, although over a quarter did favour the increase (67% opposed; 26% in favour) from the 3,300 responses received. At the focus group discussions, concerns were expressed about the imbalance between the supply of parking spaces in the borough and the current demand amongst residents and visitors. It was felt this should be a priority for the Council to address. Other respondents were not convinced that the proposals would protect the environment or solve identified parking problems. When taken together, the quantitative and qualitative results painted a mixed picture, although the level of opposition to the proposed price changes was less than expected.

The completion of 264 questionnaires during the 28 day statutory consultation represents a much smaller response rate of 1% when compared to the 3,319 respondents (over 13% of parking account holders) who completed the online questionnaire during the first stage consultation. Respondents did not express opposition to the new structure of visitor parking permits. However, 252 respondents were opposed to the associated price increase for stays of longer than 2 hours. A significant number of residents – particularly amongst those receiving care and support - misunderstood the proposal and expressed opposition on the basis of an incorrect assumption that the £4.50 charge would apply to all visits including short care visits. In fact, visits of less than 2 hours duration will remain at £1.50. This issue is further addressed in the Delegated Authority report (paragraph 6.5) and below.

## **Were the participants in any engagement initiatives representative of the people who will be affected by your proposal?**

An analysis of the 264 responses to the formal Traffic Management Order consultation shows that:

- 25% of respondents said they were 65 or older
- 9% of respondents said they had a disability
- 21% of respondents said they provided care or support to others

These proportions were broadly in line with the 3,300 responses received to the informal consultation exercise. It is considered that both surveys do also broadly reflect the pattern of parking account holders in the borough.

## **How did your findings and the wider evidence base inform the proposal?**

Given the views expressed in response to the proposed price increase the proposals have been reviewed, taking account also of the realistic expectation that there would be customer resistance to the proposed price increases. The review did take into account the views and issues expressed during the formal consultation.

The review has confirmed the findings of the earlier data analysis:

- the cost of visitor parking charges in Brent is low in comparison to neighbouring London boroughs, including the partner boroughs of Ealing and Hounslow which have a similar population demographic of car owners
- there is evidence of excessively high levels of demand for visitor parking in certain parts of Brent, including commuter parking employing visitor permits
- a price increase which is better aligned with those of neighbouring boroughs would encourage take up of more sustainable modes of transport and contribute towards reducing carbon emissions and improving air quality in Brent.

The data analysis, consultation exercises and subsequent review have identified a clear and robust rationale for increasing the cost of the annual visitor parking permit to £163 for a full year, £98 for six months and £66 for three months and introducing a new visitor parking charge in all Controlled Parking Zone (CPZ) areas, with a £1.50 charge for up to 2 hours, £3 charge for up to 4 hours, and £4.50 charge for 'all-day'.

Specifically addressing the potential equalities implications, the use of Essential User Permits and the Visitor Household Permit are essential components in such an approach. In addition the continued availability of short term visitor permits at a charge of £1.50 does need to be explicitly clarified for elderly and disabled residents.

## **STAGE 3: ACTION PLANNING**

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

If the increased charge to visitors for long stay parking succeeds in controlling excess demand for spaces, visitors providing informal care and support to elderly and disabled residents would find it easier to secure a parking space.

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

The following measures are in place to mitigate the adverse impacts that an increase in the cost of visitor parking will have on residents who live in CPZs and receive visitors who provide them with care.

Measure 1: The Council provides an Essential User Permit to charitable and public sector organisations which provide essential formal care and services to people who live or work in Controlled Parking Zones. The eligibility criteria states that "any person who performs a statutory service on behalf of the Council, including social housing management and residential or community care management, or is a health visitor, general practitioner, district or community nurse, midwife, chiropodist, dentist or osteopath employed by the National Health Service, or who provides home visiting on behalf of a religious or non - profit making charitable organisation". The residents who receive care visits from an Essential User Permit holder will be unaffected by the proposal to increase visitor parking charges.




Measure 2: Residents are currently able to purchase a Visitor Household permit, which allows their visitors to park in any resident or shared use bay, within the resident's street in the Zone shown on the permit. This permit may be displayed in any vehicle. This product is currently priced at £110, and it is proposed to increase this to £163. The proposed increase (50%) is proportionately less than the increase applied to daily visitor permits (100% for stays of 2 to 4 hours and 200% for stays over 4 hours). At its current price, and even with the proposed increase, it offers a significantly cheaper alternative to daily visitor permits for those residents who receive regular visitors to their property. £163 would be equivalent to 55 four-hour visitor permits costing £3 each; or 109 two hour permits costing £1.50 each. Residents who purchase the Visitor Household permit and receive care visits will be affected to a lesser extent than other residents by any increase in the cost of the Visitor Household permit price; the purchase of this permit by those residents who receive care visits means that they will not be disproportionately affected by the proposal to increase visitor parking charges.

Measure 3: A significant number of respondents to the formal consultation were unclear about the fact that the £1.50 cost of short-term visits of up to 2 hours would not change. Steps will therefore need to be taken to ensure that parking account holders are clear about all of the options available to them, including the continuing availability of visitor permits for stays of up to 2 hours at a cost of £1.50; and the option of purchasing a Visitor Household Permit, covering a full year's parking for one visitor at a time for £163.

**10. Please explain how any remaining negative impacts can be justified?**

The Daily Visitor Permits and Visitor Household permit are universally available to all residents who live in a CPZ, therefore there are no remaining negative impacts.

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 <p><b>Brent</b></p>	<p><b>Cabinet</b> 24 October 2016</p> <p><b>Report from the Strategic Director of Regeneration &amp; Environment</b></p>
<p>For Action</p>	
<p><b>The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016</b></p>	

## 1.0 Summary

- 1.1 From 9 May 2016, local authorities in England have been given the power to issue Fixed Penalty Notices (FPN's) for small-scale fly-tipping.
- 1.2 The legislation provides for a default payment level of £200- or £120 for early payment; whilst allowing the opportunity for Councils to set their own levels of charges between £150 and £400.
- 1.3 The Enviro-Crime Enforcement Team is currently using this new power and applying the default payment level. This report seeks authority to set a higher level of charge within Brent.

## 2.0 Recommendation

- 2.1 It is recommended that Cabinet approves the proposal to set the upper payment level for fly tipping Fixed Penalty Notices to the maximum of £400 with an early payment charge of £350.

## 3.0 Background

- 3.1 Following a Government consultation on proposals to enhance measures to tackle waste crime early in 2015 it was found that there was a high level of support for the introduction of FPNs for small-scale fly-tipping to complement the existing framework of enforcement sanctions.
- 3.2 As a consequence, from 9 May 2016, local authorities in England have been given the power to issue FPN's for small-scale fly-tipping offences under the *Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016*. This new

FPN may be served as a criminal penalty in lieu of prosecution for a criminal offence.

- 3.3 As explained above, the legislation sets out a default payment level of £200 with a lesser amount of £120 being due if payment is made within 10 days, whilst allowing the opportunity for Councils to set their own levels of charges between £150 and £400 and giving them the discretion to set lower payment rates for charges paid within 10 days from the date of issue.
- 3.4 Currently fly tipping offences committed in Brent are investigated by The Council's Enviro-Crime Enforcement Team with the following possible actions/outcomes:
  - i. No further action- where there is insufficient evidence to pursue, or it has not been possible to locate a suspect
  - ii. Written warning- where it is not considered in the public interest to pursue any further
  - iii. Caution/ warning with costs- where the offence is admitted and there are extenuating circumstances.
  - iv. Prosecution- where no contact has been made with the council, the offence is not admitted to, or the gravity of the nature of the offence is too serious to be dealt with in any other way.
- 3.5 Where appropriate, the Enviro-Crime Enforcement Team has also historically used its powers under Sections 87 and 88 of the Environmental Protection Act 1990 (EPA) to issue FPN's for littering where enforcing against small-scale fly tips of up to 4 black bags; charging offenders £80, with a £50 early payment charge applying if payment is made within the first 10 days. The arrival of this new FPN provides the opportunity to impose a more substantial penalty for fly tipping offences, and will also allow a clear distinction to be made between the activities of the Enviro-Crime Enforcement Team and the new Uniformed Litter Patrols (who are specifically tasked with using the above legislation to tackle littering).
- 3.6 The new FPN sits between option (ii) and (iii) above in terms of the order of "seriousness" of the enforcement action.
- 3.7 It is proposed to set the upper payment level to £400 with an early payment sum of £350 applying. This will send out a strong message that fly-tipping is unacceptable criminal behaviour and that the Council take this issue seriously.
- 3.8 This aligns with the recommendation from London Councils' Transport & Environment Committee, which considered the matter on 16 June 2016, and (although it does not have the legal power to set a pan-London penalty level), agreed to provide a steer for a pan-London penalty for fly-tipping and set it at £400 (with a reduction to £350 if paid within 10 days).

- 3.9 A survey of other London Boroughs, the results of which are shown at Appendix 1, also shows broad alignment among respondents, with the majority either already imposing, or planning to introduce the maximum £400 fine, and nearly half either offering no early repayment option, or providing only a modest discount.
- 3.10 Apart from the payment levels, the difference between a FPN issued for littering and the new Fly tipping FPN is that:
- FPNs for littering can be issued on the spot as littering is a “committing offence” i.e. an authorised officer witnessed the littering and does not need further evidence to issue a FPN.
  - FPNs for fly-tipping cannot be issued on the spot, as fly-tipping is not a “committing offence” and the alleged offender has to be given the opportunity to be interviewed under caution in accordance with the Police and Criminal Evidence Act 1984.

#### **4.0 Financial Implications**

- 4.1 The code of practice states that the FPN regime is not intended as an additional source of income for authorities. Any income generated is designed to address all aspects of environmental crime.
- 4.2 Existing budgets already cover the costs of enforcement, including prosecution activities. This report does not propose any measures that are not already funded within existing budgets and, if successful, may generate additional income to the Council through increased fine revenue being received.
- 4.3 In general, as the success of any FPN is advertised, the public become more compliant and fewer offences are committed and less income received, which is the main intention of the policy.
- 4.4 Any additional income received will be used to offset costs associated with issuing the fixed penalty notices which will be met from existing budgets, as well as environmental campaigns to increase education and compliance.

#### **5.0 Legal Implications**

- 5.1 The proposed steps are entirely in line with the provisions of the *Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016*.
- 5.2 The steps give full effect to the aim of the new provisions which is: to settle less serious matters by way of fixed penalty notices.
- 5.3 There are therefore no negative legal implications with the action proposed.

#### **Contact Officer**

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AMAR DAVE  
Strategic Director- Regeneration & Environment

Appendix 1- Comparison with other London Boroughs

<b>Borough</b>	<b>FPN Rate</b>	<b>Early Payment?</b>	<b>Notes</b>
<b>Bexley</b>	400		
<b>Bromley</b>	400*	N/A	Proposals to introduce £400 fine to be considered shortly
<b>Camden</b>	150	120	
<b>City</b>	400	180	
<b>Ealing</b>	400	N/A	
<b>Enfield</b>	200*	N/A	Plan to increase to £400 later this year
<b>Greenwich</b>	400		
<b>Hammersmith &amp; Fulham</b>	400*	150*	Proposals to be submitted shortly
<b>Harrow</b>	200	N/A	
<b>Haringey</b>	200		
<b>Hounslow</b>	400	250	
<b>Islington</b>	400	200	
<b>Kensington &amp; Chelsea</b>	400	N/A	
<b>Lewisham</b>	400	250	
<b>Merton</b>	400		
<b>Newham</b>	400	350	
<b>Redbridge</b>	400*	350	To be considered by Cabinet on 18 October
<b>Sutton</b>	400	N/A	
<b>Waltham Forest</b>	400	N/A	
<b>Wandsworth</b>	400	N/A	

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 <b>Brent</b>	<b>Cabinet</b> 24 October 2016  <b>Report from the Strategic Director                  of Regeneration and Environment</b>
For Action	Wards affected: ALL
<b>School Led Building Projects at Roe Green Infant School                  and Our Lady of Grace Catholic Infant School – Approval                  to Procure Works Contracts</b>	

## 1.0 Summary

- 1.1. Roe Green Infant School and Our Lady of Grace Catholic Infant School both wish to expand existing nursery provision in order to offer 30 hours free education and childcare to families from September 2017 in line with Government policy. In order to do this both schools require additional accommodation.
  
- 1.2. This report seeks Cabinet approval for each school to procure a works contract for its own proposed nursery extension building works. Schools are required to abide by the LA's financial regulations and standing orders in purchasing, tendering and contracting matters. Officer are therefore facilitating the schools fulfilling these responsibilities.
  
- 1.3. This report also seeks a delegation of Cabinet's authority to award high value works contracts to a relevant Officer in order for the schools project programmes to be maintained ready for September 2017.

## 2.0 Recommendations

The Cabinet is recommended to:

- 2.1 Approve inviting tenders on the basis of the pre-tender considerations set out in paragraph 3.9.
  
- 2.2 In respect of paragraph 2.1 above, approve the evaluation of tenders on the basis of the evaluation criteria set out in paragraph 3.9 of this report.
  
- 2.3 Delegate authority to award these high value works contracts to the Strategic Director of Regeneration and Environment in consultation with the Chief Finance Officer and Chief Legal Officer.

### **3.0 Detail**

- 3.1 Schools are required to abide by the LA's financial regulations and standing orders in purchasing, tendering and contracting matters. It is a particular government requirement that all Schools shall approve and abide by both Financial Regulations and Contract Procedure Rules.
- 3.2 Both of these proposed works contracts are for school led building projects. The responsibility for the project and subsequent risks are with the respective school and their Governing Body. For example, if the project is delivered beyond programme and over budget, the school would be responsible for the impact(s).

#### **Roe Green Infant School**

- 3.3 The Headteacher of Roe Green Infant School advised Officers in July 2016 that the school intended to rebuild and expand the existing nursery. The School had appointed an architect to develop designs. Cost estimates and a project plan had been prepared. The School had saved the necessary funding for the project.
- 3.4 Officers from the Capital programme Team and Early Years Team met with the Headteacher and the school's architect in August to discuss the proposals. The Early Years Team are satisfied Roe Green Infant School have a sound proposal for the provision of additional 30 hr nursery places and that building on the success of an Outstanding school would be beneficial to local children and young people.
- 3.5 The project proposal is to build a new two storey nursery in the garden of the existing one and then to demolish the existing nursery and landscape that area into a new external play space with additional external access to the first floor.

#### **Our Lady of Grace Catholic Infant School**

- 3.6 The proposal to expand the nursery at this school came forward through the Early Years team invitation to all schools to bid for EY capital funding for the 30hr offer from the Education Funding Agency (EFA). OLOG made an application and this highlighted the requirement to seek Cabinet approval for any works contract.
- 3.7 Due to the tight timescales associated with the EFA funding stream it is important to seek necessary approvals in advance of confirmation of funding. Should funding not been granted then the project will not proceed.
- 3.8 EFA is expected to announce funding allocations in December 2016 for completion of projects ready for September 2017 academic year. In order to complete the proposed project by September the School's professional team has advised that work must start on site in the New Year. Therefore approval to procure works is sought in advance of funding being secured in order to enable this to happen.
- 3.9 The project includes a new build 60 place full time Pre-School Nursery with associated external landscaping for outdoor learning. The project will also

include demolition of the existing undersized/unsuitable Pre-School Nursery to replicate KS1 external play/learning lost by the construction of the new Nursery.

### Pre-tender Considerations

3.10 In accordance with Contract Standing Orders 88 and 89, pre-tender considerations for both projects to be let using a formal tender route are set out below for the approval of the Cabinet:

#### Roe Green Infant School

Ref.	Requirement	Response
(i)	The nature of the service	Rebuild and expansion of the nursery building at Roe Green Infant School
(ii)	The future estimated value of the contract/s	£600,000
(iii)	The contracts term	34 weeks plus 12 months defects period
(iv)	The tender procedure to be adopted.	Restricted Procedure
(v)	The procurement timetable	<ul style="list-style-type: none"> <li>• Adverts placed</li> <li>• Expressions of interest (Pre-Qualification Questionnaire) returned (30 day PQQ period)</li> <li>• Shortlist drawn up in accordance with pre-determined minimum standards as to financial standing and technical competence</li> <li>• Invite to tender</li> <li>• Deadline for tender submissions (minimum 30 day ITT period)</li> <li>• Panel evaluation</li> </ul>
		<ul style="list-style-type: none"> <li>• 25 October 2016</li> <li>• 25 November 2016</li> <li>• 28 November – 2 December 2016</li> <li>• 5 December 2016</li> <li>• 5 January 2017</li> <li>• 5 January 2017 – 13 January</li> </ul>

		<ul style="list-style-type: none"> <li>• Award of contracts</li> </ul>	<p>2017</p> <ul style="list-style-type: none"> <li>• 20 January 2017</li> </ul>
(vi)	The evaluation criteria and process	<p><u>Pre-qualification stage</u> Shortlists are to be drawn up in accordance with the Council's Contract Management Guidelines by a pre-qualification questionnaire (PQQ).</p> <p>The pre-qualification will test the capacity and capability of potential bidders as well as potential bidder eligibility to take part in the Procurement. Bidders will be shortlisted to five to be invited to tender.</p> <p><u>Invitation to Tender (ITT)</u> For those that are shortlisted, they will receive an Invitation to Tender (ITT).</p> <p>Tenders will be evaluated on the basis of the most economically advantageous tender using the following criteria and overall weightings.</p> <p>1. Quality Quality will consist of 35% of the overall evaluation. The quality assessment will be evaluated using the following criteria.</p> <ul style="list-style-type: none"> <li>• Quality and accuracy of tender return</li> <li>• Proposed application of previous experience to the project</li> <li>• Health and Safety approach</li> <li>• Involvement of children / community</li> <li>• Interview presentation</li> </ul> <p>2. Price Price will consist of 65% of the overall evaluation.</p> <p>Price will be evaluated using a lump sum price that will be built up from fixed costs for Overheads and Profits, Preliminaries and Construction works costs.</p>	
(vii)	Any business risks associated with entering the contract	No specific business risks are considered to be associated with agreeing the recommendations in this report.	
(viii)	The Council's Best Value duties	This procurement process and on-going contractual requirement will ensure that the Council's Best Value obligations are met.	

		An officer from the Capital Programme Team will be part of the evaluation panel to help achieve this during the procurement process.
(ix)	Any staffing implications	There are no direct staffing implications
(x)	The relevant financial, legal and other considerations	See Sections 4 and 5.
(xi)	Measures to deliver economic, social or environmental benefits in accordance with the Public Services (Social Value) Act 2012	The Public Services (Social Value) Act 2012 does not require contracts for public works under the EU threshold to consider social value. However, the contractor will be expected to work with the school to provide educational workshops and site visits to the school children. This will engage the children in the project as well as provide learning opportunities.

### Our Lady of Grace Catholic Infant School

Ref.	Requirement	Response
(i)	The nature of the service	New Build 60 place full time Pre-School Nursery with associated external landscaping for outdoor learning
(ii)	The future estimated value of the contract/s	£720,000
(iii)	The contracts term	17 weeks plus 12 months defects period
(iv)	The tender procedure to be adopted.	Restricted Procedure
(v)	The procurement timetable	<ul style="list-style-type: none"> <li>• Adverts placed</li> <li>• Expressions of interest (Pre-Qualification Questionnaire) returned (minimum 30 day PQQ period)</li> <li>• Shortlist drawn up in accordance with pre-determined minimum standards as to financial standing and technical competence</li> <li>• Invite to tender</li> </ul>
		<ul style="list-style-type: none"> <li>• 5 December 2016</li> <li>• 13 January 2017</li> <li>• 16 January 2017 – 3 February 2017</li> <li>• 3 February 2017</li> </ul>

		<ul style="list-style-type: none"> <li>• Deadline for tender submissions (minimum 30 day ITT period)</li> <li>• Panel evaluation</li> <li>• Award of contract</li> </ul>	<ul style="list-style-type: none"> <li>• 3 March 2017</li> <li>• 6 March – 24 March</li> <li>• 3 April 2017</li> </ul>
(vi)	The evaluation criteria and process	<p><u>Pre-qualification stage</u> Shortlists are to be drawn up in accordance with the Council's Contract Management Guidelines by a pre-qualification questionnaire (PQQ).</p> <p>The pre-qualification will test the capacity and capability of potential bidders as well as potential bidder eligibility to take part in the Procurement. Bidders will be shortlisted to five to be invited to tender.</p> <p><u>Invitation to Tender (ITT)</u> For those that are shortlisted, they will receive an Invitation to Tender (ITT).</p> <p>Tenders will be evaluated on the basis of the most economically advantageous tender using the following criteria and overall weightings.</p> <p>1. Quality Quality will consist of 30% of the overall evaluation. The quality assessment will be evaluated using the following criteria.</p> <ul style="list-style-type: none"> <li>• Project and Construction Programme</li> <li>• Health and Safety</li> <li>• Proposed application of previous experience to the project</li> <li>• Interview presentation</li> </ul> <p>2. Price Price will consist of 70% of the overall evaluation.</p> <p>Price will be evaluated using a lump sum price that will be built up from fixed costs for Overheads and Profits, Preliminaries and construction works costs.</p>	
(vii)	Any business risks associated with entering the contract	No specific business risks are considered to be associated with agreeing the recommendations in this report.	

(viii)	The Council's Best Value duties	This procurement process and on-going contractual requirement will ensure that the Council's Best Value obligations are met.  An officer from the Capital Programme Team will be part of the evaluation panel to help achieve this during the procurement process.
(ix)	Any staffing implications	There are no direct staffing implications
(x)	The relevant financial, legal and other considerations	See Sections 4 and 5.
(xi)	Measures to deliver economic, social or environmental benefits in accordance with the Public Services (Social Value) Act 2012	The Public Services (Social Value) Act 2012 does not require contracts for public works under the EU threshold to consider social value. However, the contractor will be expected to work with the school to provide educational workshops and site visits to the school children. This will engage the children in the project as well as provide learning opportunities.

#### **4.0 Financial Implications**

- 4.1 The costs of the proposed works will be met in different ways. Roe Green Infant School has saved budget over the last four years for this improvement work and currently has sufficient funding in its balances to afford the estimated cost of the project at £700k (to include a works contract of £600k and consultancy and other fees). In addition the school has made an application to the EFA for match funding, which if successful, would enable some school budget to be retained for other priorities.
- 4.2 Our Lady of Grace Catholic Infant School has made an application to the EFA for capital funding to implement the 30 hrs free childcare. A requirement of that funding application is for the school to provide 25% of the cost of the project. The School has confirmed that it has funds available to do this via the Diocese of Westminster. They have committed £225,000 and the school are committing £25,000 to the project costs.
- 4.3 It is envisaged that tendered costs will fall within the current capital programme budget, however schools will need to manage the programme within the overall allocation. Should the project costs exceed the anticipated budget each School is responsible for that financial risk.

#### **5.0 Legal Implications**

- 5.1 All procurement by schools maintained by the LA must comply with EU Public Procurement Legislation (the Public Contracts Regulations 2015), the LA's Financial Regulations and Contract Standing Orders.
- 5.2 The estimated value of the two contracts is above the Council's Standing Orders threshold for High Value Works Contracts of £500,000. For High Value Contracts, the Cabinet must approve the pre-tender considerations set out in

paragraph 3.19 above (Standing Order 89) and the inviting of tenders (Standing Order 88).

- 5.3 Cabinet is asked to delegate authority to award these high value contracts to the Strategic Director of Regeneration and Environment in consultation with the Chief Finance Officer and Chief Legal Officer. If this recommendation is approved then once the tendering process is undertaken Officers will report to the Chief Officer on behalf of each school in accordance with Contract Standing Orders, explaining the process undertaken in tendering the contracts and recommending award.
- 5.4 Both Schools are maintained by the Local Authority and as such are required to follow the Council Standing Orders in respect of procurement. The contract will be between the respective Schools' Governing Bodies and the successful contractor (Education Act 2002, Paragraph 3 of Schedule 1).
- 5.5 The estimated costs of the two contracts are below the Public Contracts Regulations 2015 threshold for public works contracts (currently £4,104,394). Therefore, the Council does not need to observe the full requirements of the EU Regulations in relation to the mandatory minimum 10 calendar standstill period imposed by the EU Regulations before the contracts can be awarded. However, Contract Standing Order 107(c) states tender acceptance shall be communicated to the successful tenderer as soon as possible but subject to any relevant call-in provisions.
- 5.6 The Public Contracts Regulations 2015 require contracting authorities to notify all tenderers in writing of the Council's decision to award and providing additional debrief information to unsuccessful tenderers on receipt of a written request.

## **6.0 Diversity Implications**

- 6.1 These proposals for new nursery provision at the Schools provide spaces for the 30 hours fee childcare set by the Government. The schools have ethnically diverse local populations. Increased nursery provision will help to improve choice and enhance diversity and enable the schools to provide additional places required for Brent's growing pupil population.

## **7.0 Staffing/Accommodation Implications**

- 7.1 There are no staffing or accommodation implications for the immediate purpose of this report.

## **8.0 Public Services (Social Value) Act 2012**

- 8.1 Whilst the Public Services (Social Value) Act 2012 ("Social Value Act") does not formally apply to works contracts, the schools have had regard to the ethos of the Social Value Act and the contracts will allow for pupil engagement in an important industry as well as providing educational opportunities during the construction works.




## **Background Papers**

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 <p><b>Brent</b></p>	<p><b>Cabinet</b> 24 October 2016</p> <p><b>Report from the Strategic Director of Resources</b></p>
<p>Wards affected: ALL</p>	
<p><b>Award of a Contract for Postal Services</b></p>	

**Appendix 2 of this report is Not for Publication**

## **1.0 Summary**

- 1.1. This report requests authority to award a contract as required by Contract Standing Order No 88. This report summarises the process undertaken in selecting the supplier for the contract and recommends to whom the contract should be awarded.

## **2.0 Recommendations**

Members are requested to:

- 2.1. Note the Council's participation in a collaborative procurement under a framework agreement for a contract for postal services.
- 2.2. Approve the award of a contract for Collection and Delivery of Mail to Royal Mail Group Limited, for a period of two years and 319 days from 1<sup>st</sup> November 2016 to 15<sup>th</sup> September 2019 with an option to extend for a further year to 15<sup>th</sup> September 2020.

### **3.0 Detail**

#### *Background*

- 3.1 The Council has a need for mail services, whereby outgoing post is collected from Council buildings and delivered to individual addressees. Whilst an increasing amount of communication from the Council is in digital only format, there are still large volumes of hard copy correspondence that need to be delivered.
- 3.2 The Council's mail is currently collected and delivered by Royal Mail under a contract that was awarded following a pan-London procurement in 2013. The contract is used by the digital post room and spend is from the centralised budget for postal services. This contract expired on 10<sup>th</sup> September 2016 and there is a need to put a new contract in place. Upon expiry of the contract, the Council continued to use Royal Mail as the default national provider, and Royal Mail have agreed to continue to apply the previous contract rates in the interim period until the new contract commences.
- 3.3 The 2016/2017 budget for the service is £265k.

#### *The selection process*

- 3.4 It is proposed that a supplier is appointed using the outcome of a further competition exercise carried out on behalf of London Local Authorities from a framework established by the Crown Commercial Service ("CCS").

#### *The Framework*

- 3.5 The CCS framework RM1063 Postal Goods and Services (the "Framework") commenced on 17<sup>th</sup> February 2015, and expires on 16<sup>th</sup> February 2018.
- 3.6 The process adopted by the CCS for the procurement of the Framework was based upon the Open (one-stage) tendering procedure under the Public Contracts Regulations 2006. An OJEU contract notice was placed in July 2014. This indicated that the Framework was a national one which would be open for use by all local authorities as well as some other public sector bodies. It was advertised as a 4-year framework agreement.
- 3.7 Seven different sub-lots were tendered, and each sub-lot was evaluated separately. A position on the Framework was awarded to the highest scoring suppliers in each of the sub-lots. Nine suppliers have been appointed to Lot 1: Collection and Delivery. An OJEU award notice was placed in May 2015 confirming the award.

#### *The London Authorities' further competition exercise.*

- 3.8 In June 2016, a group of 27 London local authorities led by the London Borough of Harrow on behalf of the London Boroughs Postal Board carried out a further competition exercise from the CCS Framework. Brent was

specifically identified in that further competition exercise as a body that was participating. Tenders were invited for Lot 1: Collection and Delivery.

- 3.9 The proposed contract end date will be the same for all participating authorities, and is set at three years from the earliest date that any authority would be able to enter into contract.
- 3.10 The instructions for the further competition under the Framework stated that contracts would be awarded on the basis of a 20% - 40% price and 60% - 80% quality weighting to determine the most economically advantageous tender. An overview of the evaluation criteria and weightings used for this further competition is provided in the table below:

<b>Criteria</b>	<b>Section Weighting</b>
Quality: Understanding of requirements	10%
Quality: Methodology for delivering the services	12.5%
Quality: Technical assistance during implementation	2.5%
Quality: Implementation plan including lead times	10%
Quality: After sales service	5%
Quality: Meeting security requirements	7.5%
Quality: Support to achieve environmental considerations	2.5%
Quality: Commitment to meeting SLAs and KPIs.	10%
<b>Quality: Total</b>	<b>60%</b>
<b>Price</b>	<b>40%</b>
<b>Total</b>	<b>100%</b>

- 3.11 The nine suppliers appointed to Lot 1 of the Framework were invited to tender, and of these one submitted a tender response.
- 3.12 The tender evaluation panel consisted of officers from the London Boroughs of Barnet, Brent, Camden, Ealing, Enfield, Greenwich and Tower Hamlets. From these boroughs, there were representatives from the service areas managing postal services and also procurement representatives. The details of the final evaluation scores are contained in Appendix 1, and prices in Appendix 2.
- 3.13 As the tender received met acceptable standards and price, officers therefore recommend the award of the contract to that tenderer, Royal Mail Group Limited.
- 3.14 Savings under the new contract on a like for like basis are estimated to be £21,000. There is also scope for increasing usage of the lower priced services in the contract by minimising handwritten envelopes and improving address formatting. If 50% of the current standard 2<sup>nd</sup> class mail were moved to a machine readable service such as advanced mail, the savings would be

approximately £4,880.00 per annum. There are also opportunities for the Council to make further savings by changing staff behaviours relating to the use of mail services. For example, if 50% of current 1<sup>st</sup> Class Mail were to be sent 2<sup>nd</sup> Class, approximately £9,960.00 per annum would be saved. Similarly, if 50% of A4 letters that are currently sent in A4 envelopes were folded and put into C5 or DL envelopes, approximately £2,900.00 would be saved. Royal Mail Group are keen to develop a strong relationship with the London Boroughs, and have the skills and resources available to assist the Council in identifying areas where such savings can be made. Their tender response commits to working with us, providing guidance and information to help us to make the changes that will generate the savings.

#### **4.0 Financial Implications**

- 4.1 The Council's Contract Standing Orders state that contracts for supplies, services and works exceeding £500k shall be referred to Cabinet for approval of the award of the contract.
- 4.2 The estimated value of the contract for Collection and Delivery of Mail is £242k per annum, and will vary depending on the volumes of outgoing mail. This is based on a £21k per annum savings on a like for like basis (£265k currently). Large mailouts for elections and consultations, for example, will increase the volumes substantially. Conversely, the increased use of digital methods of communication would reduce cost. Based on £242k per annum, the total value over the contract period is estimated at £696k.
- 4.3 It is important that the Council considers all means of reducing contract spend to meet existing procurement savings. The Council has a 10% minimum procurement savings target. Based on current volumes of mail, this is not possible, which strengthens the case for the need to reduce the amount of mail sent out by post and the need to change staff behaviour as outlined in 3.14.
- 4.4 It is estimated that annual cost reductions would be £21k and the changes to operating practices (as noted in 3.14 above) would achieve a further £18k of annual savings, reducing the contract value further. These savings would be delivered in 2017/18 and 2018/19 respectively. If, however, the Digital Board was successful in delivering channel shift quickly, then potentially more savings could be delivered.
- 4.5 There is no cost to the Council of using the Framework and there are no other associated costs of the contract.

#### **5.0 Legal Implications**

- 5.1 The estimated value of the proposed call off Contract is higher than the EU threshold for Services and the award of the contract is therefore governed by the Public Procurement Regulations 2015 (the "Procurement Regulations"). The award is subject to the Council's own Standing Orders in respect of High Value contracts and Financial Regulations.

- 5.2 The Procurement Regulations allow the use of framework agreements and prescribe rules and controls for their procurement. Contracts may then be called off under such framework agreements without the need for them to be separately advertised and procured through a full EU process.
- 5.3 The Council's Contract Standing Orders state that no formal tendering procedures apply where contracts are called off under a framework agreement established by another contracting authority, where call off under the framework agreement is approved by the relevant Chief Officer and provided that the Chief Legal Officer has advised that participation in the framework is legally permissible. Legal Services have reviewed the Framework and is able to confirm that participation in the Framework is legally permissible.

## **6.0 Equality Implications**

- 6.1. The proposals in this report have been subject to scrutiny and officers believe that there are no equality implications.

### **Background Papers**

London Boroughs Postal Board Invitation to Quote – Further Competition under Crown Commercial Service Framework RM1063 Lot 1.

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## Appendix 1

### EVALUATION OF TENDERS FOR THE PROVISION OF POSTAL SERVICES TO THE LONDON BOROUGHS POSTAL BOARD

#### The Process

The nine suppliers appointed to the Lot 1 Collection and Delivery of the Crown Commercial Services Framework RM1063 were invited to tender using the CCS eSourcing tendering portal.

The nine suppliers were:

DX Network Services Ltd  
Financial Data Management Plc  
Opus Trust Marketing Ltd  
Postal Choices Ltd (TA One Post Ltd)  
PostalSort Limited  
Royal Mail Group Ltd  
The Mailing House Group Limited  
UK Mail Ltd  
Whistl UK Ltd (Previously known as TNT Post UK Ltd)

Tenders were invited on 20/06/2016.

The deadline for submissions was 09/07/2016.

One supplier submitted a tender by 09/07/2016.

The evaluation panel members were drawn from several of the participating boroughs and included staff from the postal service areas as well procurement. It consisted of:

<b>Name</b>	<b>Role</b>	<b>Organisation</b>
Steve Adams	Service	LB Tower Hamlets
Amanda Allen	Procurement	LB Barnet
Philippa Brewin	Procurement	LB Brent
Peter Farebrother	Service	LB Camden
Rupinder Hardy	Service	LB Ealing
Helen Irvine	Service	LB Enfield
Sue King	Service	RB Greenwich
Amanda Lamming	Service	LB Enfield
Richard LeDonne	Service	LB Camden
Daniel Ossei	Service	LB Ealing

The method statement scoring was conducted according to the following methodology:

Score	Criteria
4	Excellent response suggesting the specification will be satisfactorily met in all relevant respects with added value.
3	Good response suggesting the specification will be satisfactorily met in all relevant respects.
2	Weak response suggesting there may be shortcomings of a less serious nature in the relevant aspect of service.
1	Poor or unsatisfactory response showing limited evidence of ability to meet requirement – omissions/weakness in key areas.
0	No response or totally inadequate. None of the evaluation points have been covered within the response.

The pricing was scored using a relative scoring methodology, whereby the lowest price achieves 100%, and other prices are scored in proportion to this.

The quality and price scores were then weighted 60% quality and 40% price.

### **The Outcome**

The detail of the rates and pricing is in Appendix 2. As only one tender was received, this price was allocated the maximum price score.

The detail of the scoring against the criteria is shown below, along with the total scores:

Criterion	Weighting	Royal Mail Group Ltd	
		Raw Score	Weighted Score
1. Provision of Goods and/or Services: Demonstrate a good understanding of the Goods and/or Services required to meet the Contracting Body requirements.	10%	75.00%	7.50%
2. Methodology: e.g. a clear demonstration of how the Goods and/or Services will be fulfilled and delivered.	12.5%	100.00%	12.50%
3. Technical assistance: a clear demonstration of the technical assistance that will be provided during implementation	2.5%	75.00%	1.875%
4. Implementation plan proposed for delivering the required Goods and/or Services including lead times.	10%	75.00%	7.50%

5. After sales service – demonstrate a robust after sales support structure is in place.	5%	75.00%	3.75%
6. Security: demonstrate that all the security requirements of the Contracting Body can be met.	7.5%	75.00%	5.625%
7. Environmental characteristics: what support can be offered to help the Contracting Body achieve any environmental considerations?	2.5%	75.00%	1.875%
8. Service Levels and Key Performance Indicators (KPIs): demonstrate a clear commitment to meeting the SLA's and KPI's.	10%	75.00%	7.50%
Total Quality Score			48.13%
Price Score	40%	100.00%	40.00%
Overall Total Score			88.13%

Royal Mail Group Ltd was therefore selected by the panel as the preferred supplier.

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