Public Document Pack

Cabinet

Monday 13 February 2017 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 and Welfare Reform
Hirani	Lead Member for Community Wellbeing
Miller	Lead Member for Stronger Communities
M Patel	Lead Member for Children and Young People
Southwood	Lead Member for Environment
Tatler	Lead Member for Regeneration, Growth, Employment and Skills

For further information contact: Thomas Cattermole, Head of Executive and Member Services
020 8937 5446 thomas.cattermole@brent.gov.uk

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democracy.brent.gov.uk

The press and public are welcome to attend this meeting

recycle for Brent

Agenda

Introductions, if appropriate.

Apologies for absence.

Item Page

1 Declarations of interests

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

2 Minutes of the previous meeting 1 - 8

The minutes of the previous meeting are attached for members' consideration.

3 Matters arising

4 Petitions (if any)

Chief Executive's reports

5 Budget and Council Tax 2017/18 to 2019/20 9 - 178

This report sets out the recommendations regarding the Budget and Council Tax for 2017/18 to 2019/20 for Cabinet and Full Council to approve.

To follow:

- Appendix K – consultation results
- Equality Impact Assessment

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

Resources reports

6 Joint ICT Work with the London Borough of Southwark 179 - 226

This report sets out proposals for working with the London Borough of Southwark to provide them with ICT services by November 2017.

Ward Affected: All Wards	**Lead Member**: Deputy Leader (Councillor Margaret McLennan) **Contact Officer**: Prod Sarigianis, Head of Digital Services Tel: 020 8937 6080 prod.sarigianis@brent.gov.uk

Children and Young People reports

7 Brent Council's School Admission Arrangements for 2018/19 227 - 264

This report sets out the proposed Admission Arrangements and scheme of co-ordination for Brent community schools for 2018/19 for Cabinet approval. No changes are proposed to Admission Arrangements for community schools for 2018/19. The Cabinet is also asked to note the analysis undertaken of the impact on admissions for September 2016 of the new criteria approved by Cabinet in April 2015.

Ward Affected: All Wards	**Lead Member**: Lead Member for Children and Young People (Councillor Mili Patel) **Contact Officer**: Brian Grady, Operational Director, Safeguarding, Strategy and Partnerships Tel: 020 8937 4173 brian.grady@brent.gov.uk

Community Well-being reports

8 Housing Revenue Account (HRA) Budget and Rent-setting for Council Dwellings for 2017/18 265 - 284

This report sets out the Housing Revenue Account (HRA) forecast outturn for 2016-17 and the proposed HRA budget for 2017-18 as required by the Local Government and Housing Act 1989.

Ward Affected: All Wards	**Lead Member**: Lead Member for Housing and Welfare Reform (Councillor Harbi Farah) **Contact Officer**: Phil Porter, Strategic Director Community Wellbeing Tel: 020 8937 5937 phil.porter@brent.gov.uk

9 NAIL Programme Accommodation and Financial Mitigation Plan 285 - 302

The NAIL (New Accommodation for Independent Living) Programme is a major cross-Council strategic initiative to provide high quality accommodation for a range of vulnerable people which promotes their

wellbeing and ability to live independently through good design. To meet needs and deliver significant savings for Adult Social Care for 2017/18 the Council will require access to additional properties suitable for occupation by learning disabled and mental health customers. Given the availability of housing stock within Brent this will prove challenging, and significant capital investment will be required.

Ward Affected:
All Wards

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

10 Authority to Award Multiple Contracts under the Accommodation Plus Dynamic Purchasing System 303 - 362

In accordance with Contract Standing Orders 88 and 89, this report seeks Cabinet authority to award 7 Accommodation plus contracts. This report also seeks to update cabinet on the work successfully undertaken to recommission a new and innovative model of care for housing related support services and on the successful commissioning of 2 new schemes of New Accommodation Independent Living provision.

Ward Affected:
All Wards

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

Regeneration and Environment reports

11 Brent Neighbourhood Community Infrastructure Levy (NCIL) Allocation Process 363 - 376

The Community Infrastructure Levy (CIL) is a charge applied to development to help fund strategic (borough-wide) and neighbourhood infrastructure to address deficits that might otherwise be caused by development. Brent's CIL was formally introduced on 1 July 2013. The purpose of this report is to propose a NCIL allocation process for approval by Cabinet.

Ward Affected:
All Wards

Lead Member: Lead Member for Regeneration, Growth, Employment and Skills (Councillor Shama Tatler)
Contact Officer: Nkechi Okeke-Aru, Programme Management Office
Nkechi.Okeke-Aru@brent.gov.uk

12 Draft Supplementary Planning Document Basement Development 377 - 406

This report seeks approval by Cabinet of the draft Brent Basement Supplementary Planning Document.

Ward Affected:	**Lead Member**: Lead Member for Regeneration,
All Wards	Growth, Employment and Skills (Councillor Shama Tatler)
	Contact Officer: Paul Lewin, Planning, Policy and Projects
	Tel: 020 8937 6710 paul.lewin@brent.gov.uk

13 Updating Brent Council's Planning Strategy (The Local Plan) 407 - 438

The report considers the need to, and indicative timescales for, updating the Council's planning strategy (the local plan). The report also proposes a mechanism to ensure corporate and councillor input and sets out an approach to reviewing and updating supplementary planning documents.

Ward Affected:	**Lead Member**: Lead Member for Regeneration,
All Wards	Growth, Employment and Skills (Councillor Shama Tatler)
	Contact Officer: Paul Lewin, Planning, Policy and Projects
	Tel: 020 8937 6710 paul.lewin@brent.gov.uk

14 South Kilburn Draft Supplementary Planning Document 439 - 544

This report seeks approval of a draft South Kilburn Supplementary Planning Document for consultation.

Ward Affected:	**Lead Member**: Lead Member for Regeneration,
Kilburn; Queens Park	Growth, Employment and Skills (Councillor Shama Tatler)
	Contact Officer: Paul Lewin, Planning, Policy and Projects
	Tel: 020 8937 6710 paul.lewin@brent.gov.uk

15 Appointment of Architecturally Led Multidisciplinary Design for Queens Park/ Cullen House site South Kilburn 545 - 552

This report seeks Cabinet's approval to the extension and variation to the existing contract for an architect, Maccreanor Lavington Architects and for the appointment of a wider consultant team; for the completion of a s73/s96a application for minor material amendment or for non-material amendments and for the completion of design works to the consented scheme.

Ward Affected: Kilburn	**Lead Member**: Lead Member for Regeneration, Growth, Employment and Skills (Councillor Shama Tatler) **Contact Officer**: Richard Barrett, Head of Estate Regeneration Tel: 020 8937 1334 richard.barrett@brent.gov.uk

16 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)"

Authority to Award Multiple Contracts under the Accommodation Plus Dynamic Purchasing System – Appendix 1

17 Reference of item considered by Scrutiny Committees (if any)

18 Any other urgent business

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

Date of the next meeting: Monday 13 March 2017

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

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

LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET
Monday 16 January 2017 at 7.00 pm

PRESENT: Councillor Butt (Chair), Councillor McLennan (Vice-Chair) and Councillors Farah, Hirani, Miller, Southwood and Tatler

Also present: Councillors Kelcher and Perrin

Apologies for absence were received from: Councillors W Mitchell Murray

1. **Apologies for Absence**

   Apologies for absence were received from Councillor W Mitchell Murray.

2. **Declarations of Interests**

   Councillor Harbi Farah, Cabinet Member for Housing and Welfare Reform, declared a personal and prejudicial interest in respect of Agenda Item 12 as his former partner lives in one of the properties in Appendix 1 (Housing PFI – Property and Rents Schedule 2017/18). He advised that he would leave the meeting for that item.

3. **Minutes of the Previous Meeting**

   RESOLVED:-

   that the minutes of the previous meeting held on 12 December 2016 be approved as an accurate record of the meeting.

4. **Matters Arising (If Any)**

   There were no matters arising.

5. **Petitions (If Any)**

   There were no petitions presented to Cabinet.

6. **Appointments to Committees (If Any)**

   RESOLVED:

   i. That Councillor Shama Tatler, Cabinet Member for Regeneration, Growth, Employment and Skills, be appointed as substitute member of the Barham Park Trust Committee.

7. **Reference of items considered by Scrutiny Committees (if any)**

Recommendations to Cabinet from the Resources and Public Realm Scrutiny Committee: The Brent Road Re-Surfacing Strategy

Councillor Ellie Southwood Hirani, Cabinet Member for Environment, introduced the report thanking the Resources and Public Realm Committee for their work on this subject.

RESOLVED:

i. Cabinet noted the recommendations as set out in appendix A of the report;
ii. Cabinet agreed that the appropriate Cabinet member explore the viability of each recommendation made within their portfolio; and report back to the Resources & Public Realm Scrutiny Committee with updates in the next six months.

Recommendations from Community and Wellbeing Scrutiny Committee: Sustainability and Transformation Plan

Councillor Krupesh Hirani, Cabinet Member for Community Wellbeing, introduced the report thanking the Resources and Public Realm Committee for their work in this important area.

RESOLVED:

i. Cabinet is noted the recommendations as set out in Appendix A of the report.

Recommendations from Community and Wellbeing Scrutiny Committee: New Accommodation for Independent Living Project

Councillor Krupesh Hirani, Cabinet Member for Community Wellbeing, introduced the report thanking the Resources and Public Realm Committee for their work on this subject.

RESOLVED:

i. Cabinet noted the recommendations as set out in Appendix A of the report.

8. **Devolution of Business Rates Task Group**

Councillor Margaret McLennan, Deputy Leader of the Council, introduced the report. Councillor McLennan thanked the Members of the task Group, Chaired by Councillor Joel Davidson, Brondesbury Park.

Councillor Tom Miller, Cabinet Member for Stronger Communities, echoed Councillor McLennan's statement, saying that this report is an example of the scrutiny function working well.

RESOLVED:

i. Cabinet noted the recommendations made by the Resources and Public Realm Scrutiny Committee on the Devolution of Business Rates task group report, set out in Appendix A.
ii. Cabinet noted that the Resources and Public Realm Scrutiny Committee supports the Devolution of Business Rates and believe that there are real opportunities for Brent to benefit from this policy change.
iii. Cabinet agreed that the appropriate Cabinet member explore the viability of each recommendation made within their portfolio; and report back to the Resources & Public Realm Scrutiny Committee with updates in the next six months.

9. **Budget Scrutiny Panel Report**

Councillor Matt Kelcher, Resources and Public Realm Scrutiny Committee Chair, introduced the report. He stated that the Budget Scrutiny Panel was a joint Panel comprising of members from both Scrutiny Committees with the chair of the Resources and Public Realm Committee chairing the group to reflect that Committee's responsibility for resources and budgetary issues.

The Panel members from Resources and Public Realm had been Councillors Kelcher, Patel and Tatler (Councillors Ezeajughi and Davidson acted as substitutes on one occasion). The members from Community and Wellbeing had been: Councillors Sheth, Colwill and Chohan (Councillor Kansagra acted as a substitute on one occasion).

Councillor Margaret McLennan, Deputy Leader of the Council, stated that she had welcomed the opportunity to engage with Members of the Scrutiny Committees in the budget process.

Councillor Kelcher stated that the Panel had scrutinised the Cabinet's plans and offered suggestions and recommendations for improvements where appropriate. Cabinet Members agreed to study the suggestions and recommendations in their portfolios.

RESOLVED:

i. Cabinet reviewed and noted the Budget Scrutiny Panel report.

10. **Award of a Contract for Translation and Interpreting Services**

Councillor Margaret McLennan, Deputy Leader of the Council, introduced the report stating that the Council currently has a contract with Pearl Linguistics for the provision of its translation and interpreting services.

She clarified that Pearl has been providing these services since 1st September 2015 and the current contract expires on 31 March 2017.

In order to put a new contract in place, a tender exercise has been carried out on behalf of the London Boroughs of Barnet, Brent and Harrow, with the aim of appointing one supplier to deliver a managed service for all three Council's translation and interpreting requirements, whilst achieving cost reductions as a result of the aggregated service volumes and the attractive opportunity that this represents to the market.

RESOLVED:

i. Cabinet awarded of a contract for Translation and Interpreting Services to DA Languages Limited, for a period of three years from 1 April 2017 to 31 March 2020, with an option to extend for a further year to 31 March 2021.

11. **New Homelessness Prevention and Relief Programme for Single People**

Councillor Harbi Farah, Cabinet Member for Housing and Welfare Reform, introduced the item. He stated that, following the Council's Housing and Vulnerable People Outcomes Based Review and the successful application for £900k from the Department of Communities and Local Government (DCLG) Homelessness Prevention Trailblazer fund for the period April 2017 to March 2019, this report requests Cabinet approval to commit up to £900k match funding to fund local voluntary sector organisations to deliver homelessness prevention and relief outcomes for single people who are homeless or at risk of homelessness in Brent.

He clarified that the final amount to be spent will depend on the number of successful outcomes which are achieved.

Cabinet Members welcomed the report.

RESOLVED:

i. Cabinet noted that the Council has successfully applied for £900k from the Department of Communities and Local Government Homelessness Prevention Trailblazer fund for the period April 2017 to March 2019
ii. Cabinet agreed to delegate authority to the Strategic Director, Community Wellbeing, in consultation with the Lead Member for Housing and Welfare Reform, to approve criteria for grant funding, to approve criteria for the evaluation of bids and to approve the allocation of grant on acceptable terms for evidenced homeless prevention and relief, and accommodation sustainment outcomes, for single people.
iii. Cabinet approved expenditure from council resources of up to £900k between January 2017 and March 2020 to contribute to the achievement of the outcomes referred to in 2.2 above by the voluntary sector under the grant agreement(s), and for necessary set up costs.

12. **Housing Tenancy Conversions – Update and 2017/18 Conversions**

Councillor Harbi Farah, Cabinet Member for Housing and Welfare Reform, declared a personal and prejudicial interest and left the room for this item.

Councillor Muhammed Butt, Leader of the Council, introduced the report stating that the council's Housing Private Finance Initiative (PFI) project provides 364 units of Temporary Accommodation (TA) for homeless households and 20 units of residential care accommodation through contractual arrangements running until 2028.

He stated that the financial viability of the project has been affected adversely by a number of external factors including the Government's welfare reforms.

Councillor Butt stated that the council is required to reduce the rents for all remaining TA units within the PFI, by £40 per week from 1 April. Rent increases will be applicable to some Discounted Market Rent properties from April 2017.

RESOLVED:

i. Cabinet noted the £40 per week rent reduction for Temporary Accommodation units which are included in the PFI contract from April 2017.
ii. Cabinet approved the variable rent increases for Discounted Market Rent units which are included in the PFI contract from April 2017.
iii. Cabinet noted the current position with regard to the first tranche of tenancy conversions, to be completed by March 2017.
iv. Cabinet agreed during 2017/18 to convert up to 122 units of Temporary Accommodation which are included in the PFI contract to alternative tenures, of which at least 72 properties shall be let as Affordable Rent equivalent units and the balance shall be Discounted Market Rent units, as set out in the report
v. Cabinet delegated authority to the Strategic Director Community Wellbeing, in consultation with the Chief Finance Officer and the Chief Legal Officer, to issue to Brent Coefficient Limited a schedule setting out the units to be allocated as Affordable Rent/Discounted Market Rent units in accordance with the PFI contract.

13. **Independent Living Fund**

Councillor Krupesh Hirani, Cabinet Member for Community Wellbeing, introduced the report stating that the Independent Living Fund (ILF) was a national scheme set up in 1988 which funded care packages separately from Local Authorities.

He clarified that the ILF stopped taking new applicants in 2010, and closed for existing users on 30 June 2015 which resulted in Local Authorities becoming solely responsible for meeting the eligible needs of all those people under the Care Act 2014 as part of its core statutory duty.

In April 2015, Brent Council made a decision that whilst there was Central Government funding there would be no immediate reduction in support. However given the funding was not provided in perpetuity, the Council decided it would need to review all packages and determine the social care eligible level of need which may mean a reduction in funding for some individuals at some point.

The long term funding settlement for ILF is now clear with the Government reducing the ILF grant provided to Brent Council every year until it completely ceases in 2020. This report sets out the options and recommendations regarding the future of funding for ILF users.

Members expressed a preference for Option 1.

RESOLVED:

i. Cabinet noted the national funding changes and the impact they have in Brent.
ii. Cabinet agreed to implement Option 1 as the most equitable and financially sustainable option.

14. **Gordon Brown Outdoor Education Centre - Award of High Value Works Contract**

Councillor Muhammed Butt, Leader of the Council, stated that this report concerns the award of a high value works contract for the construction of a new accommodation block at the Gordon Brown Outdoor Education Centre.

He stated that the Gordon Brown Outdoor Education Centre is owned by the London Borough of Brent and is set in twenty-five acres of a Conservation Area in rural Hampshire countryside.

The Centre provides outdoor activities and learning through residential and day visits, contributing to children's learning about environmental issues and the outdoors.

RESOLVED:

i. Cabinet noted that the preferred procurement route differs from that originally approved by Cabinet in June 2015.
ii. Cabinet delegated authority to award a high value works contract to the Strategic Director of Regeneration and Environment in consultation with the Leader of the Council.

15. **Head Lease Purchase of Lodge and Manor Court in Wembley Central**

Councillor Margaret McLennan, Deputy Leader, introduced the report dealing with the proposed purchase of the head lease in relation to two large residential blocks within the Housing Revenue Account (HRA) known as Manor Court (40 units) and Lodge Court (38 units) located in Wembley Central, on either side of Wembley Central Station.

She stated that the Council owns a sub-lease for the blocks for a fixed period. The remaining term of the sub-lease is 49 years. The Council will be required to return ownership of the blocks to the head lessee with vacant possession when the sub-

lease comes to an end, which will mean re-housing the secure tenants in alternative accommodation.

She informed Cabinet Members that an opportunity has arisen for the Council to acquire the head lease under negotiated agreement.

The proposal to purchase the head lease is in line with the Council's Residential Leasehold Property Strategy, approved by Cabinet in September 2013, which supports a strategic approach to managing the Council's residential leasehold portfolio through advance acquisitions.

RESOLVED:

i. Cabinet gave approval for officers to negotiate with Holaw (401) Ltd for their head lease, on a without prejudice and subject to lease basis. The purchase of the head lease would remove the rent liability the Council currently has under its sub-lease and extend the Council's ownership in the blocks by an additional 70 years.
ii. Cabinet delegated authority to the Strategic Director, Resources to approve the final terms of the purchase

16. **One Public Estate Programme in Brent**

Councillor Muhammed Butt, Leader of the Council, introduced the report providing a briefing on the Council's newly established One Public Estate Programme; governance arrangements; next steps: and proposals for evolving a common public sector estates strategy.

He stated that Cabinet agreement is being sought on priorities for next phase OPE projects with a particular emphasis on the fit with delivering the Health Service Transformation Plan.

RESOLVED:

i. Cabinet note the Council's success in obtaining £222,500 of Cabinet Office funding under the One Public Estate (OPE) programme, and the arrangements in hand to successfully deliver the programme.
ii. Cabinet considered and agreed the list of priority projects for further OPE bids as set out in the report.
iii. Cabinet agreed the withdrawal of the Northwick Park Pavilion from the Community Asset Transfer Programme

17. **Bridge Park - Approval to Enter into the Conditional Land Sale Agreement**

Councillor Muhammed Butt, Leader of the Council, introduced the report which followed on from the four previous reports.

He stated that the report provides an update and seeks approval to enter into a Conditional Land Sale Agreement (CLSA) with the “Purchaser”, a UK-registered subsidiary company that has General Mediterranean Holdings SA (GMH – a Luxembourg-registered business) as the parent company and Harborough Invest Inc (a British Virgin Islands based business), who already own part of the development site as the second guarantor of the Purchaser's obligations under this CLSA.

RESOLVED:

i. Cabinet agreed to enter a Conditional Land Sale Agreement (CLSA) with the “Purchaser” a UK-registered subsidiary company (still to be formed) that has General Mediterranean Holdings SA as the parent company and Harborough Invest Inc as the second guarantor.
ii. Cabinet acknowledged that the sale of the Council's surplus land to the Purchaser under this CLSA is subject to the following Conditions:
    a. -The “Planning Condition”
        - The “Vacant Possession Condition” and
        - The “Financial Viability Condition.
iii. Cabinet noted that the price payable by the Purchaser for the land it purchases from the Council will be re-calculated following satisfaction of the Conditions, with a development appraisal ascertaining the residual value of the land.
iv. Cabinet delegated authority to the Strategic Director, Resources, consultation with the Portfolio Lead Member for Property, in respect the negotiation and entering of a Conditional Land Sale Agreement with the “Purchaser” and awarding any professional services contracts relating to progressing the redevelopment plans for a new leisure centre at Bridge Park.

18. **Exclusion of Press and Public**

19. **Any Other Urgent Business**

None.

The meeting was declared closed at 7.40pm.

M BUTT
Chair

Brent	**Cabinet** 13 February 2017 **Report of the Chief Finance Officer**
	Wards affected: ALL

Budget and Council Tax 2017/18 to 2019/20

1 Introduction

Strategic overview

1.1 The council takes a long-term and strategic approach to its corporate and financial planning, linking the Borough Plan and Brent 2020 Vision to the budget decisions set out by way of this report. This has been adapted, and will continue to be adapted, in order to meet residents' most important needs whilst remaining within the financial constraints imposed by the ongoing austerity regime.

1.2 In the past two years, central government's approach to local authority funding has changed. Prior to this, the strong policy emphasis had been to encourage councils to freeze council tax and make savings from expenditure budgets as funding from central government was cut. As part of the local government finance settlement for 2016/17, central government removed the financial incentive for councils to freeze council tax. Further, as serious pressures on local government finance caused by demand for adult social care had been identified, central government agreed to a proposal from local government leaders to allow an additional 2% increase in council tax to fund adult social care, making the overall increase allowable without a referendum 3.99%. The local government funding formulae were constructed on the basis that local authorities would increase council tax.

1.3 In setting the 2016/17 budget, the council decided to raise council tax by this maximum of 3.99%, raising £3.8m, and so avoiding £3.8m in cuts to council services. However, increases in council tax alone are not enough to finance the growing pressures on the council to deliver more services. Councils must agree a balanced budget, so to close the gap left after the council tax increase a savings of £24.7m were agreed in February 2016 for the 2017/18 and 2018/19 financial years. The cornerstone of the approach adopted in 2016/17 was to focus on civic enterprise and procurement, seeking to achieve greater value from existing assets and contracts before reducing service specifications and standards. These were planned to achieve savings, in 2017/18 and 2018/19 as follows:

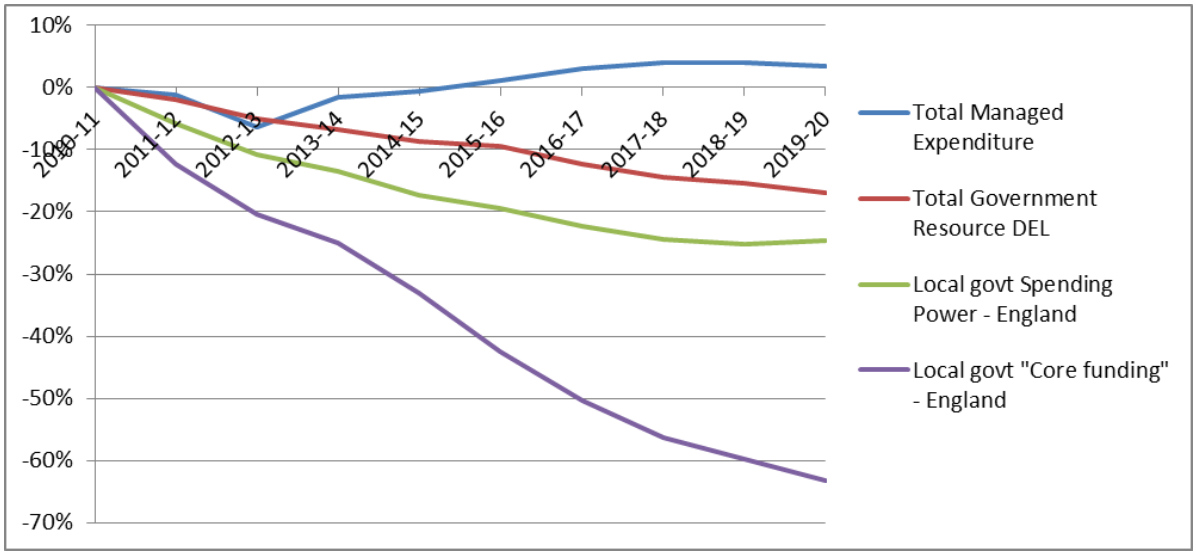
- civic enterprise – a work stream to make the council more entrepreneurial, and generate income of £5.6m; and
- procurement – a work stream to deliver savings of £8m by improving commissioning and procurement of services.

The budget set in February 2016 closed but did not eliminate the gap for 2017/18 and 2018/19.

1.4 In October 2016, Cabinet agreed to consult on a 3.99% increase in Council Tax (2% Adult Social Care precept plus 1.99% for general purpose). Some additional savings of £4.4m were also consulted upon. Following that, in December 2016, as part of the provisional local government finance settlement, central government recognised the immediate pressures in the care market. It has therefore allowed local authorities to bring forward up to 2% of the precept for 2019/20, by increasing 2017/18 and 2018/19 council tax by an additional 1%, in return for a corresponding reduction in the precept for 2019/20. Brent could therefore increase Council Tax by up to 4.99% in each of 2017/18 and 2018/19, but if it exercised this flexibility then the maximum allowable increase in 2019/20 would be 1.99%.

1.5 After due consideration the recommendation of this report is that the budget should be constructed on the basis of a council tax increase of 3.99% in each of the next three years. This is what was consulted upon and so is clearer for residents. The additional flexibility announced in December 2016 is also of relatively minor financial benefit to the council, and has negligible long term impact from 2019/20 onwards. By increasing the council tax in this way the impact of stark and ongoing reductions to local government funding since 2010 will be partly mitigated.

Chart 1 – Cumulative like-for-like reduction in public spending measures 2010-11 to 2019-20



Source: HMT, Budgets and Autumn Statements since 2011; DCLG, LGF Settlements 2011-12 to 2017-18
NB DEL is "Departmental Expenditure Limits", and excludes key demand led spend such as welfare, tax credits and public sector pensions.

1.6 The fact that the Treasury expects local government spending power to fall much more slowly between 2016/17 and 2019/20 than between 2010/11 and 2015/16 demonstrates that government assumes, as part of its economic and financial forecasting, that most councils will tend to increase council tax. Officers understand that most councils in London are considering council tax rises.

1.7 A 3.99% increase in council tax would require a resident in a band D property to pay £43.92 per year more or about £0.84 per week. For those in receipt of council tax support, these figures would typically be reduced by about 80%, i.e. to £8.78 per year, or £0.17 per week.

1.8 Demographic change in Brent continues to drive costs. The Office for National Statistics projects that from 2017 to 2020 the number of over 65s in Brent will grow by over 8%; and the number of under 15s by 3.5%. This is much faster than the population as a whole, which is nonetheless forecast to grow by 3.2%. The proposed increase in Council Tax will help to offset these pressures, but nonetheless officers estimate that by 2020 over half of the council's budget will be spent on social care.

1.9 Although demography, in this context, is typically discussed as a cost pressure it also results in additional income. As a consequence of this, and of the planning and regeneration policies adopted by the council, the council tax base (i.e. the number of properties on which council tax is paid) is growing significantly year on year. This increases the council tax payable to the council, and helps the council finance the various pressures caused by population growth.

1.10 The council is required to balance its budget in this year as in all years. In order to balance its budget the council has developed an approach that will help it meet the goals of the Borough Plan and Brent 2020 Vision, comprising:

- Increases in council tax to minimise the requirement to reduce services;
- Innovative capital investment to reduce costs in key services, such as temporary accommodation;
- Planning for growth in services facing major demographic pressure for example adult social care; and
- Investing in key services for the Brent community, e.g. community safety.

1.11 This report is structured as follows:

- Recommendations for cabinet and full council to approve
- Summary of the process to develop the budget
- The forecasts against the current year's (2016/17) revenue budgets are summarised, in order to ground the later issues in practical concerns;
- Changes to the future revenue position, based on the provisional local government finance settlement, which was released after the last Cabinet report on the subject;
- The results of consultation, equalities and staffing analyses and other relevant factors are set out; and
- Finally, the report then turns to the capital programme, the emerging investment strategy and to the associated prudential borrowing indicators and treasury management measures.

1.12 The key features of the revenue budget now proposed are that:

- Brent's council tax charges are increased by 3.99% from their 2016/17 level.
- Further savings of £4.4m are proposed, split between £2.3m in 2017/18, and £2.1m in 2018/19.

2 Recommendations

Cabinet

2.1 Agree to recommend to full council an overall 3.99% increase in the Council's element of council tax for 2016/17 with 2% as a precept for Adult Social Care and a 1.99% general increase.

2.2 Note that if the 2% adult social care precept in the Council's element of council tax is rejected, Adult Social Care expenditure will be cut by £2.1m in 2017/18 from the levels proposed in this paper.

2.3 Agree to recommend to full council the General Fund revenue budget for 2017/18, as summarised in Appendix A.

2.4 Note the cost pressures, technical adjustments and savings detailed in Appendix B.

2.5 Note the dedicated schools' grant as set out in section 7.

2.6 Agree the pension fund contribution rates of 32.5%, 33.8% and 35.0% for 2017/18, 2018/19 and 2019/20 respectively.

2.7 Note the report from the Budget Scrutiny Panel in Appendix C.

2.8 Agree to recommend to full council the capital programme as set out in Appendix D.

2.9 Agree to recommend to full council the Treasury Management Strategy and the Annual Investment Strategy for 2017/18 set out in Appendix E.

2.10 Note the Prudential Indicators measuring affordability, capital spending, external debt and treasury management set out in Appendix F.

2.11 Note the advice of the Chief Legal Officer as set out in Appendix G.

2.12 Note the categorisation of Earmarked Reserves and Provisions set out in Appendix H.

2.13 Agree, and where relevant agree to recommend to full council, the schedules of fees and charges set out at Appendix I, and the proposed new fees and charges policy in Appendix J, including the officer delegated powers to which it refers.

2.14 Note the results of consultation as set out in section 9 and detailed in Appendix K.

Full Council

2.15 Agree an overall 3.99% increase in the Council's element of council tax for 2017/18 with 2% as a precept for Adult Social Care and a 1.99% general increase.

2.16 Agree that if the 2% adult social care precept in the Council's element of council tax is rejected, Adult Social Care expenditure will be cut by £2.1m in 2017/18 from the levels proposed in this paper.

2.17 Agree the General Fund revenue budget for 2017/18, as summarised in Appendix A.

2.18 Agree the cost pressures, technical adjustments and savings detailed in Appendix B

2.19 Agree the dedicated schools' grant as set out in section 7.

2.20 Agree the pension fund contribution rates of 32.5%, 33.8% and 35.0% for 2017/18, 2018/19 and 2019/20 respectively.

2.21 Note the report from the Budget Scrutiny Panel in Appendix C

2.22 Agree the capital programme as set out in Appendix D.

2.23 Agree the Treasury Management Strategy and the Annual Investment Strategy for 2017/18 set out in Appendix E.

2.24 Agree the Prudential Indicators measuring affordability, capital spending, external debt and treasury management set out in Appendix F.

2.25 Note the advice of the Chief Legal Officer as set out in Appendix G.

2.26 Agree the categorisation of Earmarked Reserves and Provisions set out in Appendix H.

2.27 Agree the schedules of fees and charges to be set by council set out at Appendix I and the proposed new fees and charges policy at Appendix J, including the officer delegated powers to which it refers.

2.28 Note the results of consultation as set out in section 9 and detailed in Appendix K.

These recommendations only include a provisional Council Tax level for the GLA as its final budget was not agreed when this report was dispatched. This means that the statutory calculation of the total amount of Council Tax under Section 30(2) of the Local Government Finance Act 1992 may be amended by the final Greater London Authority precept.

2.29 In relation to the council tax for 2017/18 we resolve:

That the following amounts be now calculated by the Council for the year 2016/17 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 as amended:

(a) £981,517,657 being the aggregate of the amount that the Council estimates for the items set out in Section 31A(2) of the Act.

(b) £874,652,471 being the aggregate of the amounts that the Council estimates for the items set out in Section 31A(3) of the Act.

(c) £106,865,186 being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year.

(d) £1,145.16 being the amount at (c) above, divided by the amount for the taxbase of 93,319, agreed by the General Purposes Committee on the 8th Dec 2016, calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year.

(e) Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
763.44	890.68	1,017.92	1,145.16	1,399.64	1,654.12	1,908.60	2,290.32

being the amounts given by multiplying the amount at (d) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

2.30 That it be noted that for the year 2017/18 the proposed Greater London Authority precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, in respect of the Greater London Authority, for each of the categories of dwellings are as shown below:

Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
186.68	217.79	248.91	280.02	342.25	404.47	466.70	560.04

2.31 That, having calculated the aggregate in each case of the amounts at paragraph 2.29(e) and 2.30, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of council tax for the year 2017/18 for each of the categories of dwellings shown below:

Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
950.12	1,108.47	1,266.83	1,425.18	1,741.89	2,058.59	2,375.30	2,850.36

That it be noted that the Chief Finance Officer has determined that the Council's basic amount of Council Tax for 2017/18 is not excessive in accordance with the principles approved under Section 52ZB of the Local Government Act 1992.

(a) That the Chief Finance Officer be and is hereby authorised to give due notice of the said council tax in the manner provided by Section 38(2) of the 1992 Act.

(b) That the Chief Finance Officer be and is hereby authorised when necessary to apply for a summons against any council tax payer or non-domestic ratepayer on whom an account for the said tax or rate and any arrears has been duly served and who has failed to pay the amounts due to take all subsequent necessary action to recover them promptly.

(c) That the Chief Finance Officer be and is hereby authorised to collect revenues and distribute monies from the Collection Fund and is authorised to borrow or to lend money in accordance with the regulations to the maximum benefit of each fund.

2.32 That in the event that the GLA sets a different council tax precept to that set out in this report (which was the published provisional amount at the date of despatch) that authority be delegated to the Chief Finance Officer to vary the amounts at 2.30, but only insofar as to reflect the GLA decision, and to make consequential, but no other, amendments to the amounts at 2.31.

3 Budget Development Process

3.1 Proposals in this budget have been developed by the members of the Cabinet, taking account of the advice of officers. The key processes for doing this were, in summary, as follows:

- Development of the budget approach, based on the updated medium term financial outlook which was considered by the Cabinet in September 2016;
- Meetings involving Cabinet and Corporate Management Team members to consider the key service and budget issues likely to affect the council in future years;
- Development by officers, in consultation with relevant Lead Members, of budget proposals for individual services within the context of the Borough Plan and the overall resources available;
- The publication of a detailed list of savings proposals at Cabinet in October 2016 for consultation purposes;
- Debates through the Budget Scrutiny Panel of the Scrutiny Committee;
- Review of the schools budgets by schools forum;
- Presentations and question and answer sessions at each Brent Connects meeting, and three pop up consultations;

- Considering feedback from the public, whether received by the general 'consultation@brent.gov.uk' email address or other direct representations;
- Receipt of petitions from the public and representations from other interested parties, such as recognised trades unions and local businesses; and
- Conducting Equality Impact Assessments of proposals, where appropriate, in order to ensure that their consequences were properly understood.

4 The Council's current year revenue budget and forecasts

4.1 The table below show the council's current revenue budget and forecasts. Overall, the council is expected to underspend slightly on the General Fund.

Department	Expenditure	Income	Net budget	Forecast spend	Variance
	£m	£m	£m	£m	£m
Children & Young People	67.4	26.6	40.8	43.6	2.8
Community Wellbeing	196.6	75.1	121.5	124.6	3.1
Regeneration & Environment	72.0	38.4	33.6	29.9	(3.7)
Resources	50.2	16.6	33.6	35.4	1.8
PPP	11.4	0.8	10.6	10.6	0.0
Corporate financing	45.8	40.0	5.8	1.3	(4.5)
Total (General fund)	**443.4**	**197.5**	**245.9**	**245.4**	**(0.5)**
DSG funded activity	206.3	206.3	0.0	(0.9)	(0.9)
HRA funded activity	53.0	53.0	0.0	(3.1)	(3.1)
Overall position	**702.7**	**456.8**	**245.9**	**241.4**	**(4.5)**

Children and Young People

4.2 The department is forecasting an overspend of £2.8m for 2017/18 made up of overspends on Social Care placements of children (£2.2m) including unaccompanied asylum seeking children (UASC), the additional cost of filling vacant social work posts with agency staff (£0.8m) and the number of intentionally homeless referrals (£0.3m) offset by underspends in other areas of the department (£0.5m). Addressing these in 2017/18 will involve continuing to manage the mix of Social Care placements, developing the recruitment strategy to recruit and retain more permanent social work staff and the integrated housing and children's services team delivering cost reductions relating to intentionally homeless families. Once the UASC dispersal programme begins to operate nationally as expected, some mitigation of UASC costs will be realized.

Community Well Being

4.3 The main issue in setting the 2017/18 budget is that a combination of higher levels of need and a sharp increase in the number of clients receiving community based packages has led to an unmitigated pressure of £1m. This is planned to be addressed in 2017/18 by continuing to manage down demand for social care so that the planned growth funding for 2017/18 is sufficient to accommodate the increase in client numbers in 2016/17. The remainder of the variance is that some of the savings planned for 16/17 were delayed resulting in an overspend of £2.6m, offsetting these the implementation of the temporary accommodation reform plan resulted in a one off underspend of £0.5m.

Resources

4.4 Of the items causing the £1.8m overspend in Resources in 2016/17, all items are currently on track to be delivered by 2017/18, except the Legal overspend of £1m. This reflects demand for legal services so if demand cannot be managed down then greater risks would need to be accepted due to less legal advice on key issues or more funding would need to be allocated. The latter option would need to be balanced by additional savings. A staffing restructure has taken place and reduces pressure into 2017/18 to £0.7m.

Regeneration and Environment

4.5 During the period July to September 2016 the department carried out a forensic review of all significant budget headings. The consequence is that the department is able to forecast a significant in-year underspend of approx. £3.7m. This exercise was extremely effective as a budget management tool. However, in a number of cases the savings identified were ones planned to be delivered in 2017/18, with for example posts being held vacant in anticipation of budgeted staffing restructures. As a result of these and similar actions a substantial in year underspend was generated, without which the council would be facing an overall overspend in 2016/17. The strategic consequence is that the department is not, subject to all the usual forecasting uncertainties, at risk of overspending in 2017/18, and will be able to ensure that strategic priorities such as bolstering the planning service and developing a town centre management service can be met.

Conclusion

4.6 There are some budget pressures within 2016/17 that are potentially structural as may continue into 2017/18 if the issues causing them are not addressed. There are steps planned to address the structural overspend within Children and Young People, but some of this depends on the implementation of the dispersal programme for unaccompanied asylum seeking children, and is therefore outside the council's control. Similarly, there are plans to address the structural overspend of £1m in Community Well Being, and plans are being developed to address the pressures of £0.7m on legal spend.

4.7 Assuming that the plans to address the overspends in Children and Young People and Community Well Being work, and structural overspends in these areas are eliminated in 2017/18, then the major risk outstanding is addressing the legal overspend. If in 2017/18 the legal overspend continues, then this cost could be absorbed for one year as part of the contingency budget whilst plans are developed and implemented. However, there is not enough contingency to absorb all three structural overspends discussed in the paragraph. Given the relative scale of the structural overspend in Children and Young People, addressing this structural overspend is critical to delivering services within budget in 2017/18.

5 Future Revenue Funding Position

Changes to financing assumptions since October

5.1 The provisional local government finance settlement was announced on 15 December 2016. The report to Cabinet for 24 October 2016 was based on estimates of what would be proposed within the settlement, and it is therefore necessary to update these assumptions in setting the final budget. The following table and section summarises these changes.

Cumulative change between October and January budget models	**2017/18 £m**	**2018/19 £m**	**2019/20 £m**
Additional Savings required in October 2016 (Negative number means more savings proposed than required)	**(0.1)**	**(0.9)**	**11.8**
Better			
Education Services	(0.8)	0.0	0.0
ASC Support Grant	(1.3)	0.0	0.0
NDR & NDR top up	(0.3)	(0.9)	(1.7)
Pension fund	(0.5)	(0.2)	(0.3)
Worse			
Business Rates growth for Brent owned properties	0.6	0.8	0.8
CF surplus	0.0	0.5	1.0
West London Waste	0.8	1.1	1.1
Demand assumptions	0.5	0.0	0.0
Reserve movements			
Transfer to earmarked reserves	1.0		
Transfer from earmarked reserves		(1.0)	
Total change in financial position for year	**0.0**	**0.2**	**0.9**
Additional Savings required in Budget Proposals (Negative number means more savings proposed than required)	**(0.1)**	**(0.7)**	**12.7**

Better

5.2 The following changes in isolation would improve the council's financial position:

5.3 The provisional settlement included a transitional provision for the phasing out of the Education Services Grant. In the October cabinet report it had been assumed that this would be phased out entirely in 2017/18. The effect is that there will be previously unforeseen grant income of £0.8m in 2017/18, and this will be the final year for this grant.

5.4 To help councils with the pressures on Adult Social Care, an additional grant is being provided in 2017/18 based on relative need. London Councils anticipate that Brent's share will be £1.3m, and understand that this grant will only be paid in 2017/18. This is being funded by a reduction in the New Homes Bonus paid to councils, the impact on Brent of this is £1.7m in 2017/18 and £3.4m in 2018/19, which reduces monies available for capital financing. In the round, Brent is therefore a net loser. Neither of these proposals could have reasonably been forecast in October.

5.5 The provisional local government settlement followed the announcement of the business rates revaluation on 28 September 2016. As a result of the revaluation, Brent's combined figures for expected business rates income plus top up are £0.3m higher in 2017/18, £0.9m higher in 2018/19 and £1.7m higher in 2019/20 than previously forecast. However this is partially offset by the additional business rates Brent will have to pay on those properties it owns itself, as set out in paragraph 0 below.

5.6 This year is the triennial pension fund revaluation at which the council must set, based on proper professional advice from the fund actuary, the pension fund contribution rates necessary to achieve a 100% funding level in an appropriate period of time. At the last valuation, three years ago, the strategy had been to reach a fully funded level in 22 years. To be consistent and to maintain its fiduciary responsibilities to the fund, this 'deficit recovery period' should now be reduced to the remaining 19 years, which is what is recommended.

5.7 Although the actuarial valuation process is not yet complete it is sufficiently so to confirm reasonable figures for the purposes of the budget. The budget had been constructed on an assumption of additional costs of £0.5m p.a. in each of the three years 2017/18 to 2019/20, taking into account that although investment performance would exceed the previous actuarial expectations this would be counter-balanced by very low interest rates depressing gilts and hence the discount factor. The valuation process has largely confirmed these assumptions, resulting in proposed pension fund contribution rates of 32.5%, 33.8% and 35.0% in each year respectively. The actuary has confirmed that these rates are consistent with the council's long term strategy to reach a fully funded level in 19 years.

5.8 The necessary growth in pension fund contributions will be funded through a combination of £0.4m growth per year in the budget (this releases £0.1m/year) plus some use of reserve established for this purpose. In the first

year, the £0.4m is not needed and will be released for use in 2018/19 (see paragraph 0). This use of reserves is forecast to halve the current pension fund reserve over the next seven years. (As this use of reserves for the pension fund has no net impact on the council's savings requirements, it is not shown in the table above.)

Worse

5.9 The following changes in isolation would worsen the council's financial position:

5.10 The downside of result of the business rates revaluation is that the rates payable by the authority for the properties it occupies will increase by £0.6m in 2017/18, with a further increase of £0.2m in 2018/19. However, as set out above in paragraph 5.5, the council also benefited from the other side of this change.

5.11 The latest figures for council tax income and growth in the council tax base indicate that the available surplus will be slighter lower than previously forecast, and the planned use of council tax surplus has been reduced by £0.5m in 2018/19 and £1m in 2019/20 as a result.

5.12 There are additional charges from the West London Waste Authority, expected to total £0.8m in 2017/18 and a further £0.3m in 2018/19 across the pay as you throw levy and the fixed cost levy. This increase is due to a combination of population and business growth, inflation, and 2017/18 being the first year of the operation of the Severnside Energy Recovery Centre. One off savings on the Fixed Cost Levy were taken in 2016/17, and it had been expected based on communications from the West London Waste Authority that the Fixed Cost Levy would return to 2015/16 previous levels, not that there would be an increase. The costs for the pay as you throw levy had been assumed to be growing no faster than the population (1.1%/annum) in the budget proposals, but costs for 2017/18 and 2018/19 are now forecast to grow faster than this.

5.13 Assumptions about how quickly changes in population growth would increase income by increasing demand for chargeable services, such as parking permits, have changed, moving £0.5m of additional income, from 2017/18 to 2018/19. This makes the position for 2017/18 £0.5m worse, but has no long term impact.

Reserve movements

5.14 The changes above alter the timing of when savings can be made. The combined effect of the changes is to release £1m in 2017/18. It is proposed to transfer this £1m to an earmarked reserve to release in 2018/19 to offset the impact of the changes in assumptions in later years. This achieves a broadly neutral position, comparing the budget assumptions as they were set out in the autumn to those figures now confirmed. It illustrates the importance of the council holding reasonable and prudent levels of reserves in order to avoid

having to make sudden and substantial changes to its budget plans whenever any budget assumptions have to change.

Other Changes to estimates

5.15 The final figures for Public Health grant show that this was £0.5m lower in 2017/18 than previously forecast. Under current policy, expenditure on Public Health is directly linked to the level of grant, so this will have no overall impact on the requirement for savings, but will clearly reduce the total amount available to be spent on public health services.

5.16 In November, Cabinet approved entering into a Partnership Agreement with the Police for the MetPatrol Plus scheme, provided that the cost of this could be accommodated within the overall budget. The autumn budget report had anticipated additional costs to fund community safety services, and the £0.4m cost of this scheme is consistent with that assumption, and it has therefore been built into the overall budget estimates for these purposes.

5.17 A policy is being developed to address the introduction of the apprenticeship levy by central government. Approval for this policy will follow the council's normal decision making process. It is expected that any additional costs due to the apprenticeship levy can be met from within the proposed budgets by use of contingencies.

Overall impact and conclusion

5.18 Aside from the wider and long-term strategic considerations the council will also need to deal with the specifics of budget setting. Decisions of external bodies affect the budget process. Notifications from some levying bodies and of some grants are still awaited, but are expected to be managed within the proposed budget. The precept for the GLA is due to be confirmed by the Greater London Assembly on 20 February 2017.

6 HRA Budget

6.1 The detailed HRA budget is set out in a separate report to the Cabinet on 13 February 2017. The proposals reflect an overall rent reduction of 1% as required by the Welfare and Reform Bill 2015. The Bill sets out the government's policy for social housing rents, which in its current form requires Registered Providers of social housing to reduce rents by 1% per year, for four years with effect from April 2016. The effect of this on the HRA operating account is a total loss in income to the HRA over the next three years of over £1.4m. The separate report on this agenda sets out how this significant pressure is being managed.

7 Schools Revenue Budget

7.1 The Schools Budget is funded directly from a Dedicated Schools' Grant (DSG) which is ring-fenced and so does not impact directly the Council's overall budget requirement. Schools are also allowed to build reasonable levels of reserves which are also ring-fenced.

7.2 As at 31 March 2016, Brent's maintained schools held £24.8m in balances, a relatively high figure, prudently held in view of upcoming school funding reforms.

7.3 Overall DSG funding has increased for 2017/18 due to growing pupil numbers, however on a per pupil level it remains a cash flat settlement, with the main schools block funded on 41,879 pupils at £5,522 per pupil totaling £231.3m. The other blocks support early years provision, funded at £23.4m, and high needs provision which includes all special schools, funded at £52.7m. Total DSG funding for 2017/18 is £307.4m.

7.4 The mainstream schools funding formula is set in consultation with the schools forum. In early December 2016 the schools forum approved some slight increases to the pupil funding factor rates as a reaction to changes in how deprivation data is recorded by the Department for Education. This ensured that all available funding was allocated out to schools, and reduced the number in receipt of the minimum funding guarantee (MFG) when compared to the 2016/17 funding formula. The MFG ensures that mainstream schools are guaranteed to not lose more than 1.5% per pupil for pupils in years' reception to 11.

7.5 The fundamentals of the funding formula remain unchanged from the previous year, with the primary to secondary funding ratio remaining at the national average of 1:1.29. Changes to individual school allocations are therefore in line with changes in pupil numbers. A number of schools are expanding and as a result overall pupil numbers have increased by over 500 in Brent. The two secondary schools experiencing rapid growth of 58 and 116 pupils have gained £238K and £675K, whilst 26 primary schools experienced growth in pupil numbers with an average gain of £125K. Reductions in funding are also in line with decreasing pupil numbers, for example two secondary schools have significant drops of 25 and 54, which results in funding reductions of £260K and £441K respectively. In the primary phase, 30 schools had a fall in pupil numbers resulting in an average reduction of £44K.

7.6 The final funding formula was calculated during December and the schools forum recommended the schools budget as set by the funding formula at a meeting on the 18 January 2017.

7.7 The fundamentals of the funding formula remain unchanged from the previous year, with the primary to secondary funding ratio remaining at the national average of 1:1.29. The final funding formula was calculated during December 2016 and allocations are broadly cash flat with any individual school funding change the result of changing pupil numbers. The schools forum recommended the schools budget as set by the funding formula at a meeting on the 18 January 2017.

8 Equalities Implications

8.1 Under the Public Sector Equality Duty (PSED) in the Equality Act 2010, Brent Council is required to pay due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between different protected groups when making decisions. The groups protected by law, also known as protected characteristics, are age, disability, gender, race, religion or belief, pregnancy and maternity, marriage and civil partnership, sexual orientation and gender reassignment. Although socio-economic status (people on low income, young and adult carers, people living in deprived areas, groups suffering multiple disadvantage, etc) is not a characteristic protected by the Equality Act 2010, Brent Council is committed to considering the impact on socio-economic groups.

8.2 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 considers the diverse needs of all our local communities and workforce. Consideration of the duty should precede and inform decision making. It is important that decision makers have regard to the statutory grounds in the light of all available material, including relevant equality analyses and consultation findings. If there are significant negative equality impacts arising from a specific proposal, then decision makers may decide to amend, defer for further consideration or reject a proposal after balancing all of the information available to them.

8.3 Members are reminded that the budget can be described as a financial plan of the Council's current operational intent. Where known, the equality impact of change must be disclosed. In February 2016 Full Council agreed its budget for 2016/17, and also approved a number of other proposals to be built into the budget from 2017/18. These proposals went through a consultation and were subject to equality analyses (EAs).

8.4 The new saving proposals for 2017/18 to 2018/19 are set out in Appendix B. All saving proposals have been subject to the Council's EA screening process to assess their potential/likely impact on service users and employees with protected characteristics. Where the EA screening has identified a disproportionate negative impact with no reasonable mitigation, the proposals have been or will be subject to a full EA.

8.5 It should be noted that some of the proposals are in the early stages of development, and therefore services were not able to conduct full equality analyses at this stage. Where it was not possible to fully assess the impact

from individual proposals, these will be subject to separate Cabinet decisions informed by full EAs prior to implementation.

9 Consultation

9.1 The council recognises consultation as a key part of policy formulation, and makes considerable effort to ensure that the views of residents and other groups are taken into account. The Council has consulted on the budget options in a variety of ways. Legally, the results of consultation are something that Members must have due regard to in making budget decisions. However, consultation need not legally be the single or even most significant determining factor in choosing between difficult options, although at Brent considerable emphasis is usually placed on the results of consultation.

9.2 The results of different forms of consultation cannot simply be evaluated against one another. It is not possible to state on an entirely objective basis, for example, whether the number of written representations made against a particular proposal should have greater or lesser weight in the decision making than the objections made verbally by groups of service users at a Brent Connects meeting. Members must use their judgement in assessing these various factors in order to help make choices about the budget.

9.3 The Scrutiny Committees have reviewed these proposals through their budget panel and also the process through which they were developed. The panel's report is attached in full at Appendix C.

9.4 The council has consulted on the budget discussions with the Leader and deputy Leader at all the Brent Connects meetings, responses collected online and by post on the specific budget proposals. Three pop up events on the budget with the Leader and Deputy Leader were held during January 2016.

Summary of Issues Raised at Brent Connects events

9.5 Five consultation events were held between 12 January 2016 and 3 February 2016 at locations throughout the borough. The meetings had the following levels of attendance:

Date	Location	Attendance
11 January	Brent Connects Wembley	47
18 January	Brent Connects Harlesden	32
24 January	Brent Connects Kilburn	22
7 February	Brent Connects Willesden	TBC
8 February	Brent Connects Kingsbury & Kenton	TBC

The Leader of the Council delivered a presentation outlining the financial position and the difficult budget choices faced by the Council. The Leader and deputy Leader then took questions from the audience and provided answers, supported by senior officers where appropriate for matters of technical detail.

9.6 As consultation was not planned to finish until after dispatch of this paper, a supplementary paper will be published before 13 February summarising the responses, and covering responses and meetings after the dispatch of this paper.

9.7 At the date of writing, 57 people have responded to the online consultation. Their responses have varied considerably from person to person. Taking the council tax increase as an example, several people have expressed support for it, others have opposed any rise, a handful have proposed that council tax rises should be limited to just inflation and some have made no comment either way. It is important to note that some of the proposals made could not be legally implemented by the council as they would breach the council's obligations or the council lacks the legal powers necessary to implement some of the suggestions, such as new taxes. Overall, no clear themes emerge from the responses to the consultation.

9.8 All of these consultation responses are important. Members need to have regard to them, but are not obliged to follow the suggestions made, and members could not legally implement some of the suggestions made. It is relevant to note that the consultees are, statistically speaking, "self selecting" and therefore not necessarily reflective of opinion in the borough as a whole, nor are they necessarily statistically significant. On the other hand, the people who have responded have chosen to take the time to review the council's proposals and to contribute their thoughts, and often their views will be representative of the views of a much larger number of people.

10 The calculation of council tax

10.1 The calculation of the council tax for Brent services is set out in the table below. The calculation involves deducting core government grants and retained business rates from Brent's budget, deducting the surplus on the Collection Fund, and dividing by the tax base.

Calculation of Brent's Council Tax for 2017/18

	£m
Proposed Brent budget	267.7
Less Revenue Support Grant	(42.7)
Less Retained Business Rates (net of appeals provision)	(36.6)
Less Business Rates Top up	(49.5)
Less Collection Fund Surplus	(2.3)
Less Other Specific Grants	(29.7)
Total to be met from Council Tax for Brent Budget	**106.9**
Tax Base (Adjusted Band D equivalents)	**93,319**
Band D Council Tax (£)	**£1,145.16**

Greater London Authority (GLA)

10.2 Each financial year, the Mayor and London Assembly must prepare and approve a budget for each of the constituent bodies and a consolidated budget for the authority as a whole.

10.3 The Mayor's initial budget is based on a precept at Band D is £280.02 for 2017/18. This represents an increase of £4.02 or 1.5%. These figures are subject to final confirmation.

Setting the Tax

10.4 The council is required to make certain calculations under sections 30, 33, 34 and 36 of the Local Government Finance Act 1992. These calculations are:

- The basic amount of council tax for both Brent Council and the GLA;
- The basic amount of council tax for each valuation band for both Brent and the GLA;
- The aggregate amount of council tax for each valuation band, which includes the basic amount for Brent and the GLA.

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10.5 In accordance with these requirements, Members are asked to agree the calculations set out in the recommendations.

10.6 Any amendments agreed to the budget will require a recalculation to be undertaken.

11 The Capital Programme and Investment Strategy

Introduction

11.1 The investment strategy adopted in April 2016 was prepared to address a gap in the council's planning and resource allocation framework, so as to enable the development of a wider capital programme tailored to meet the council's emerging Brent 2020 aspirations. It replaced the council's historical approach to rolling forward capital budget allocations without linking them to strategic objectives.

11.2 The immediate focus of the investment strategy was to identify ways to generate reductions in operating expenditure, and it is likely that this will always remain a significant focus. The initial focus was on financing the temporary accommodation reform plan and establishing an investment company. This latter company - Investing 4 Brent - was approved by Cabinet in November 2016 and held its inaugural board meeting on 20 December 2016.

11.3 The Temporary Accommodation (TA) reform plan was approved by Cabinet in March 2016. It contains a number of measures to reduce reliance on and the costs of temporary accommodation. The principal link with the investment strategy is the acquisition of a private rented sector (PRS) portfolio. By doing this the council is able, through its investment company, to act as a responsible landlord and deliver housing at lower cost than the private sector does. The financial model is predicated on long-term appreciation in property prices and so is not without risk. That said, as the council can afford to be a long-term investor these risks are reasonable.

The 2016/17 Capital Programme

11.4 The capital programme for 2016/17 budget was £223.1m. The latest forecasts estimate that only £111.4m will be spent and so the balance has been rephased into 2017/18 or later years. Better planning and delivery of capital spend are essential to match borrowing and treasury management activity to expenditure, in order to optimise the use of any temporary cash balances.

11.5 The table below shows the 2016/17 forecast against budget.

Board	Budget £m	Forecast Outturn £m	Variance £m
Corporate Landlord	2.5	1.0	(1.5)
Estates Regeneration Board	3.7	2.5	(1.2)
Housing Investment Board	129.5	69.0	(60.5)
Schools Programme Board	47.4	15.7	(31.7)
South Kilburn Programme Board	17.3	9.9	(7.4)
Transport & Highways Board	22.7	13.3	(9.4)
Grand Total	**223.1**	**111.4**	**(111.7)**

11.6 Overall delivery has not matched expectations. In particular, unrealistic programming, project management delays in the Infill programme, contractual delays street lighting project and challenges with the main contractor in schools have caused the biggest variances. This is dealt with in great detail in the January Resources & Public Realm Scrutiny report. Therefore, it is interesting to note that broadly the Capital spend in 2016/17 has matched the overall spend in 2015/16, bar an upswing in the delivery of the social housing improvement project in the HRA.

11.7 A key impact of this under-delivery is that delays in the NAIL schemes will in turn delay the realisation of savings in the Adult Social Care budget. Reasons include planning delays, additional re-design work and lower level of bidder interest. On the NAIL schemes, officers have reviewed a range of accommodation options and there are recommendations in an accompanying paper to mitigate the shortfall in savings.

The 2017/18 to 2019/20 Capital Programme

11.8 The table below summarises the capital programme as agreed in March 2016, including monies carr`ied forward from the previous year. It then sets out:

a) Those cases where the timing of the practical delivery of schemes is now expected to be different to that anticipated when the budget was set, and hence also shows the re-profiling of the capital programme required to reflect this. By definition these changes do not alter the total amount of capital allocated, merely the timing of anticipated delivery.

b) Those cases where additional grants can result in additional expenditure within the programme, and the financing and expenditure figures have been amended accordingly. An example of this is the £0.9m for works funded by Transport for London

c) Those cases where, since March 2016, Cabinet has authorised additional expenditure through specific decisions, which now needs to be formally reflected into the capital programme. These schemes are

intended as self-financing, and have no requirement for additional net revenue expenditure. The capital financing has been updated to reflect these schemes. The schemes are:

- £50m extra in the PRS Acquisition Programme. Income generated from the additional housing units over the life of the assets will pay for the purchase costs and interest.
- Knowles House (£23.9m), London Road (£32.7m), Church End (£21.8m) and Stonebridge (£0.3m to date) are all intended to be self-funding through the generation of additional revenue streams.
- Additional capital budgets for planned acquisitions as agreed by Cabinet

d) This brings the capital programme up to date. A series of further proposals are then set out for consideration. These are:

- In line with prudent financial management practices the council has moved away from borrowing to finance maintenance and repair works to its highways infrastructure network, but the total amount invested, or planned to be invested, is unchanged at £3.5m from previous policy decisions
- A separate report to Cabinet on 13 February 2017 details capital spending plans for the HRA of £52.8m covering works to the current HRA housing stock, and additional affordable housing. This is funded by resources from within the HRA and will have no impact on council tax. This report has been constructed on the assumption that those plans will be agreed.
- A separate report on this agenda sets out proposed additional borrowing for NAIL scheme of £20.6m to purchase and refurbish new and existing properties. This report has been constructed on the assumption that those plans will be agreed.

11.9 Council will in time need to update its future capital plans, once the spatial planning strategy has been developed and refined. As in previous years, an indicative amount has been estimated purely for the purposes of calculating the capital financing requirement, at £150m. This is an enabling figure only, and no specific expenditure or borrowing could be incurred against this without separate Cabinet authority.

11.10 A summary of the proposed capital programme is below.

Capital Programme

	2016/17 £m	2017/18 £m	2018/19 £m	2019/20 £m	Total £m
Approved Budget - Feb 2016	**162.8**	**100.0**	**20.0**	**5.4**	**288.2**
Carry-forward from 2015/16	**10.5**	0.0	0.0	0.0	**10.5**
Amended Original Budget	**173.3**	**100.0**	**20.0**	**5.4**	**298.7**
Additional Schemes Approved by Cabinet					
Transport for London	0.2	0.0	0.0	0.0	0.2
Stonebridge Development	0.3	0.0	0.0	0.0	0.3
Willesden Green Library	0.2	0.0	0.0	0.0	0.2
Carleton & Granville	1.7	0.0	0.0	0.0	1.7
Knowles House	0.4	23.5	0.0	0.0	23.9
Highways Investment Plan	2.0	0.0	0.0	0.0	2.0
Clock Cottage - increased budget	0.0	0.0	0.7	0.0	0.7
London Road	0.2	32.5	0.0	0.0	32.7
PRS Acquisition Programme	20.0	30.0	0.0	0.0	50.0
Church End Adjoining site	8.5	7.0	5.8	0.5	21.8
Acquisition strategy	16.4	0.0	0.0	0.0	16.4
Highways 2017/18 Allocation - Brent spend	0.0	3.5	3.5	3.5	10.5
Highways 2017/18 Allocation - TfL	0.0	0.9	0.0	0.0	0.9
HRA Stock Investment Plan	0.0	32.8	20.0	0.0	52.8
NAIL Refurbishment	0.0	20.6	0.0	0.0	20.6
Budget prior to Re-profiling	**223.2**	**250.8**	**50.0**	**9.4**	**533.4**
Re-profiling					
Re-profiled - General Fund	(83.5)	(48.1)	88.2	43.4	0.0
Re-profiled - HRA	(29.5)	15.3	6.4	7.8	0.0
Re-profiled Total Budget	**110.2**	**218.0**	**144.6**	**60.6**	**533.4**
Items in the Pipeline					
Estimate of Projects Approved in 2017/18	0.0	15.0	80.0	55.0	150.0
Estimated Financing Requirements	**110.2**	**233.0**	**224.6**	**115.6**	**683.4**

Financing of Capital

11.11 Capital investment can be financed in a variety of ways. For the council the main sources are government grants, other external contributions, s106 and CIL receipts and council contributions, whether by way of borrowing or direct revenue contributions.

11.12 Officers and Members developed an investment strategy, designed to integrate the revenue and capital budget and to address major service and financial pressures. Knowles House, London Road, Church End and the PRS Acquisition programme all represent examples of this holistic investment strategy.

11.13 The table below notes the planned financing of the proposed expenditure. Overall, the borrowing requirement is the difference between the expenditure and the amount of financing available, with the caveat that some sources of funding are subject to conditions. Based on the Council's approved Capital programme, it will need to borrow £162.3m, consisting of £111.4m to fund General Fund schemes and £50.9m to fund HRA schemes. It is estimated that a further £130.0m borrowing would be required to support the additional projects that are expected but to which the Council has not formally approved to date. The £130m will include the proposal for an improved CCTV system, which is expected to cost £2.3m, if this is approved by Cabinet.This analysis makes assumptions around CIL that a further £20m would be generated to fund future schemes.

Borrowing Requirements

	General Fund £m	**HRA £m**	**Total £m**
Approved Expenditure	400.5	132.9	533.4
Capital Receipts (incl. RtB)	(87.7)	(16.0)	(103.7)
External Contributions	(3.3)		(3.3)
Grants	(96.7)	(4.0)	(100.7)
Section 106	(10.9)		(10.9)
Internal Contribution	(15.1)	(53.0)	(68.1)
New Homes Bonus	(21.3)		(21.3)
Major Repairs Reserve		(9.0)	(9.0)
Earmarked Reserves	(54.1)		(54.1)
Approved Budget to Be Funded from Borrowing	**111.4**	**50.9**	**162.3**
Pipeline Items	150.0		150.0
Additional CIL Generated	(20.0)		(20.0)
Estimated Requirement to be Funded from Borrowing	**241.4**	**50.9**	**292.3**

11.14 Given the extraordinary pressures faced by the council, the investment strategy entails borrowing very large sums. At the last budget setting, the Council established an enabling provision of £150m but the new estimates as the strategy has developed are potentially significantly higher.

11.15 It is critically important that any borrowing entered into must meet the tests set out in the CIPFA Prudential Code, specifically that they are prudent, affordable and sustainable. This requires detailed scrutiny of business cases to ensure that they cover all material risks and opportunities. Furthermore, borrowing that is ultimately entered into should only be undertaken when officers and Members are satisfied that appropriate provision has been made to ensure that the interest costs can be serviced and the principal eventually repaid.

11.16 Appendix F sets out the council's prudential indicators. It is important to stress that the authorised limit – the maximum amount that the council may borrow – has for a number of years been several hundred millions pounds above the level of actual borrowing – last year it was set at £400m above the level of actual borrowing. It is proposed to increase that by £100m to £500m, in light of the Council's investment strategy, while recognizing that the Council has been prudent with its estimate of the additional resources that may finance capital spend. Potentially, the additional growth would cost up to an additional £3m to service annually, should the borrowing become necessary, and if this was not offset by additional income or savings. The calculation noted above merely follows from the strength of the council's balance sheet, as it is largely prescribed by statute and regulation.

12 Financial Implications

12.1 The council's financial position has been set out in this report and Members are under a legal obligation to set a balanced budget. In doing so they are obliged, under normal administrative principles, to take into account the various relevant factors, particularly in respect of consultation and equalities. In doing so Members are, of course, entitled to exercise their political judgement, paying regard to the relevant factors rather than being absolutely determined by them.

12.2 The budget report sets out a comprehensive picture of the council's finances over the short, medium and long term to assist in the decision making process in setting the 2017/18 budget and the forward looking business plans.

12.3 Overall, expenditure in 2016/17 is expected to be contained within the agreed budgets, although there are significant variances within that overall result. In consequence, the general reserve is expected to be retained at £12m with no need for amendment. This level is relatively low for London, but is not unreasonable.

12.4 In considering the budget report, the following key considerations should be highlighted in particular.

- The extent to which the overspends in 2016/17 are structural, that is, that they will or may recur in 2017/18, is a particular risk. Any element of these overspends that may be structural will, if not addressed during 2017/18, require further savings to be agreed next year to offset this. Whilst plans are in place to address this the scale of risk is significant.

- Delivering the saving programme agreed in February 2016 will present substantial management challenges, particularly around procurement and civic enterprise savings. Again, considerable management attention has been and is being devoted to ensure that these can be delivered, but it is important to stress again the inherent risks in delivering such a large and complex programme.

12.5 That said, the budget now proposed is realistic and affordable, albeit challenging. The increases in council tax set out, if agreed in this and subsequent years, will generate significant additional revenue over time, minimising the number of difficult new decisions about funding for specific services to be proposed. If agreed, this budget would provide for affordable services in 2017/18 and 2018/19, but a further gap of nearly £13m remains in 2019/20. Building on the outcome based reviews and other initiatives to start to close this gap quickly will be an important future consideration.

12.6 Formally, this section of the report is the report of the section 151 officer to which the council is required by section 25 of the Local Government Act 2003 to have regard confirming that if the budget as proposed were to be agreed the estimates made for the purposes of the calculations are robust and the proposed financial reserves are adequate.

13 Legal Implications

13.1 These are set out in Appendix G.

14 Staffing Implications

14.1 The impact of the budget proposals are outlined in Appendix B. Of the proposals identified within this appendix there are some where there is a potential impact on staffing but it is anticipated that fewer than twenty staff could be subject to redundancy. In instances where individual restructurings are likely to bring about redundancies in excess of twenty it is necessary for Cabinet to approve them.

14.2 The Council will apply its Managing Change Policy and Procedure in the application of all restructuring arrangements which have an impact on staff, consulting with staff and trade union representatives accordingly.

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2017/18 REVENUE BUDGET

	2016/17 £m	2017/18 £m
Service Area Budgets		
Community Wellbeing	121.5	119.4
Children & Young People	40.8	40.7
Regeneration & Environment	30.2	28.1
Resources	29.3	28.1
Performance, Policy & Partnerships	10.3	10.0
Total Service Area Budgets	232.0	226.3
Other Budgets	39.6	41.3
Total Budget Requirement	**271.6**	**267.6**
Less		
Revenue Support Grant	56.0	42.7
Retained Business Rates	34.9	36.6
Business Rate Top up	48.8	49.5
Specific Grants	33.7	32.0
	173.4	**160.8**
Total to be met from CT for Brent Budget	**98.3**	**106.9**
Total to be met from CT for GLA Precept	**24.6**	**26.1**
Taxbase - Band D Equivalents	89,254	93,319
Brent Council Tax Requirement at Band D	**£1,101.24**	**£1,145.16**
Brent % Increase	**3.99%**	**3.99%**
GLA Precept	**£276.00**	**£280.02**
GLA % Increase	**-6.44%**	**1.46%**
TOTAL BAND D including Precepts	**£1,377.24**	**£1,425.18**
TOTAL % Increase	**1.72%**	**3.48%**

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Savings agreed in Feb 15 and Feb 16

Ref No	Unit /Service	Description:	Item	2017/18 (£'000)	2018/19 (£'000)
Pre 15/16 Budget Agreed Savings					
ASC002	Residential & Nursing	Reduce residential care to necessary minimum and increase extra care/supported living housing	Transform the accommodation based care market in line with the Council's Market Position Statement. Reducing to a minimum the focus on residential and nursing care and 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 accomodation 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
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

Ref No	Unit /Service	Description:	Item	2017/18 (£'000)	2018/19 (£'000)
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 requied 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
Driving Organisational Efficiency					
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
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

Ref No	Unit /Service	Description:	Item	2017/18 (£'000)	2018/19 (£'000)
DOE002b	Children's Social Care	Signs of Safety and Social worker recrui	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
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
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 Cheif 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

Ref No	Unit /Service	Description:	Item	2017/18 (£'000)	2018/19 (£'000)
Civic Enterprise					
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)
Making Our Money Go Further					
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

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Appendix B:
Detailed new policy options

Budget Options Information

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

Policy Proposals:	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

Financial and Staffing Information

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

	2017/18	**2018/19**
	£'000	£'000
Budget implications:	£250	£350
	FTE	FTE
Proposed staffing reduction	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 genitourinary medicine (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.

Subregional contract award March 2017

Contract award for service (by City of London) March 2017

New service commences June 2017

Key consultations

Engagement with service users and clinicians is ongoing through the London Sexual Health Transformation Partnership (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

A full Equality Analysis was carried out as part of the decision-making and is available at: https://www.brent.gov.uk/media/16406381/london-sexual-health-transformation-project-ea.pdf. The relevant equality considerations are reflected in the tender specification and procurement process.

EIA required?:	Yes
EIA to be completed by:	Public Health team
Deadline:	Completed

Lead officer for this proposal:	Melanie Smith, DPH

Budget Options Information

Reference:	1718BUD2
Service(s):	Adult Social Care
Lead Member(s):	Cllr Hirani

Policy Proposals:	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.

Financial and Staffing Information

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

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

Budget implications

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

How would this affect users of this service?

A full Equality Analysis (EA) has been carried out to assess the impact on service users with protected characteristics. The EA and the final cabinet report were also informed by the findings of a 30 day public consultation and the production and agreement of a cabinet report earlier this year.

The findings of the consultation and the EIA show that 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

The Equality Analysis was carried out as part of the decision-making process and is available at: http://democracy.brent.gov.uk/documents/s42560/charging-for-asc-app-eia.pdf. The relevant equality considerations were reflected in the final decision.

EIA required?:	Yes
EIA to be completed by:	Adult Social Care
Deadline:	Completed

Lead officer for this proposal:	Helen Woodland

Budget Options Information

Reference:	1718BUD3
Service(s):	Adult Social Care
Lead Member(s):	Cllr Hirani

Policy Proposals:	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.

Financial and Staffing Information

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

	2017/18	**2018/19**
	£'000	£'000
Budget implications:	300	
	FTE	FTE
Proposed staffing reduction	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 a high quality 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
April 17 – Consultation with service users, families, unions and staff
Sept 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
July 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 as well as 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	Yes
Groups with particular faiths/beliefs	No
Marriage / civil partnership	No

EIA required?:	Yes
EIA to be completed by:	Helen Woodland
Deadline:	February 2017

Lead officer for this proposal:	Helen Woodland

Budget Options Information

Reference:	1718BUD4
Service(s):	Adult Social Care
Lead Member(s):	Cllr Hirani

Policy Proposals:	Extending NAIL provision for people in Nursing Care

Financial and Staffing Information

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

	2017/18	**2018/19**
	£'000	£'000
Budget implications:	100	200
	FTE	FTE
Proposed staffing reduction	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 low needs placements.

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 Supported Living 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 New Accommodation for Independent Living (NAIL) units and ensuring the Clinical Commissioning Group (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

A full Equality Analysis was carried out in November 2014 to assess the potential / likely impact on service users with protected characteristics and is available at: https://www.brent.gov.uk/media/16406380/new-accommodation-for-independent-living-ea.pdf . It was subsequently updated to inform the final decision.

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	Yes
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	Yes
Marriage / civil partnership	No

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

Lead officer for this proposal:	Amy Jones

Budget Options Information

Reference:	1718BUD5
Service(s):	Adult Social Care
Lead Member(s):	Cllr Hirani

Policy Proposals:	Mental Health Service – Further development of the recovery pathway, focusing on supported living and supporting the move to general needs housing and independence.

Financial and Staffing Information

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

	2017/18	**2018/19**
	£'000	£'000
Budget implications:	500	0
	FTE	FTE
Proposed staffing reduction	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 Central and North West London.

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:	
	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

EIA required?:	Yes
EIA to be completed by:	Adult Social Care
Deadline:	February 2017

Lead officer for this proposal:	Helen Duncan-Turnbull

Budget Options Information

Reference:	1718BUD6
Service(s):	Environmental Improvement
Lead Member(s):	Cllr Southwood

Policy Proposals:	£0.25m from the collection of bulky waste items (This is a discretionary service)

Financial and Staffing Information

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

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

- We operate the charging mitigations based on the Garden Waste charging model
- 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
- a commercial offer is made available to landlords for the responsible removal of bulky household items, mitigating problems frequently associated with the dumping of items from rented properties.
- A 'linked' service for the collection of items specifically for re-use is made possible.

The service is currently free of charge to residents, offering 3 collections of up to 5 items per year.

Modelling shows that various service options may be possible, depending on the level of charge made and the anticipated waiting time.

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.

For the first time, a commercial service would be provided to landlords. This is intended to help resolve long-standing problems associated with the dumping of large household items from rented properties.

Key milestones

- Modelling of options – 2017
- 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 improve the customer offer. A reshaped service would also better address the problem of illegal rubbish dumping across the borough.

- 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 and a commercial offer to landlords would also better address the problem of illegal rubbish dumping across the borough, particularly with respect to waste from rented properties.
- Any charge will also help facilitate new ‘linked’ and separate arrangements for the collection of items specifically for recovery and re-use.
- It is envisaged any charge would help regulate demand for the service thus reducing the amount of waste presented overall. Environmentally, such an arrangement supports the universal principle of ‘producer pays’.
- Whilst any charge may be unpopular initially, this service is a discretionary service for which the council is entitled to make a charge.
- Levels of dumped waste will be closely monitored and enforcement and communications will be targeted to resolve any ‘hot spot’ areas. Any surplus income generated could be re-invested if necessary to support this work and to enhance clear up operations.

- Charging for the collection of bulky household items is common practice. The council will consult other similar authorities to ensure proper communications and effective implementation. The council will reference best practice to ensure the benefits to the environment and for the customer are optimised.

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

A change has been made to the screening document upon review, in identifying that whilst there may be an impact upon certain groups mentioned above, it is not believed that the impact will be disproportionate for the following reasons:

- We believe the mitigating factor which will cause an impact but not disproportionately, is the consideration in the proposal to examine the retention of a free element to the service. These will be dependent on the final model.

- The decision to charge was previously publically consulted upon in 2014/15 and no issue was raised regarding sensitivity of introducing a charge for the service.

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

Lead officer for this proposal:	C Whyte

Budget Options Information

Reference:	1718BUD7
Service(s):	Regeneration
Lead Member(s):	Cllr Butt

Policy Proposals:	Special Projects budget will be reviewed and efficiencies of £0.1m found.

Financial and Staffing Information

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

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

Not Applicable

Key risks and mitigations

A case by case approval may introduce delays in project commissioning, to mitigate against this we will agree the projects to be commissioned at the start of the year and seek bulk approval at the start of the year.

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	

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

Lead officer for this proposal:	Amar Dave

Budget Options Information

Reference:	1718BUD8
Service(s):	Regeneration and Environment – Trading Standards
Lead Member(s):	Cllr Tom Miller

Policy Proposals:	Review of current staffing structure to reduce staffing costs in regulatory services

Financial and Staffing Information

2016/17	
Total budget for the service(s) £'000:	2,341
Total post numbers in the services(s) (FTE):	9 FTE

	2017/18	**2018/19**
	£'000	£'000
Budget implications:	100	0
	FTE	FTE
Proposed staffing reduction	1	0

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.

How would this affect users of this service?

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

Key milestones

This post is currently vacant.

Key consultations

Harrow Council
Staff

Key risks and mitigations

Harrow may not agree the proposed arrangement – offer up 50% savings to Harrow

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

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

Lead officer for this proposal:	Aktar Choudhury

Budget Options Information

Reference:	1718BUD9
Service(s):	Parking and Lighting
Lead Member(s):	Cllr Southwood

Policy Proposals:	Additional income may arise from a planned review by the Parking and Lighting Service within Regeneration and Environment of the use of parking charges to cover cost and mitigate parking pressure. It is estimated that the review may lead to increased income of £1.0m. Any additional income above that needed to cover costs would not be available to meet other budget pressures and can only be re-invested in line with the provisions set out in the Traffic Management and Road Traffic Regulation Acts.

Financial and Staffing Information

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

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

Budget implications

The Regeneration and Environment Department is planning an exercise to establish any unresolved and escalating parking pressures that can be mitigated by an increase in the cost of resident parking permits and other parking charge increases. The review will seek to address parking pressures in the context of an increase in the borough's population. Increases in resident and business permit costs above inflation may be justified if it is established that the costs of managing and enforcing parking restrictions are not currently being fully covered. Regeneration and increased development may result in additional cars and increased parking pressures. This creates the need to match parking charges to current and future demand, with the revenue cost of the service and investment in it. This exercise will consider residential parking permits and some car parking tariffs including a review of Pay and Display charges, but will not include a review of visitor parking charges.

How would this affect users of this service?

- Those paying for parking, including resident and business permit holders, would be subject to higher charges.
- Differential charging could see different areas of the borough subject to different pay and display tariffs.
- 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.

Increases in resident and business permit costs above inflation may be justified if the council can demonstrate that the costs of managing and enforcing parking restrictions are not currently being fully covered.

Increased pay and display charges would mitigate parking congestion and create more sustained environmental benefits.

Evidence from the 2011 Census and resident permit sales does not currently suggest there is significant growth in vehicle ownership in CPZ areas.

The legislative framework does not allow authorities to increase permit prices for the purpose of raising revenue – they are a charge made to vehicle owners for the service of managing and enforcing CPZs. For any increase in permit charges to be valid, the council must therefore set out to clearly evidence that the costs of managing and enforcing CPZs are not currently being fully covered. The proposal is that any revenue received would pay for the service. Any additional income above that needed to cover costs would not be available to meet other budget pressures and can only be re-invested in line with the provisions set out in the Traffic Management and Road Traffic Regulation Acts.

Any proposal to increase pay & display charges or to introduce differential charges must similarly show evidence of congestion in parking bays. Officers must therefore undertake an exercise to establish whether a new demand has emerged since the last review 12 months ago, which Cabinet endorsed in March 2016. Again, the legal framework does not permit authorities to increase on-street parking charges simply for the purpose of raising revenue.

Local authorities do not have powers to seek to deter car ownership by increasing resident and business permit prices.

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

Budget Options Information

Reference:	1718BUD10
Service(s):	Environmental Improvement
Lead Member(s):	Cllr Southwood

Policy Proposals:	£900k from efficiencies in the Public Realm contract operation

Financial and Staffing Information

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

	2017/18	**2018/19**
	£'000	£'000
Budget implications:	450	450
	FTE	FTE
Proposed staffing reduction	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	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

Budget Options Information

Reference:	1718BUD11
Service(s):	Parking & Lighting
Lead Member(s):	Cllr Southwood

Policy Proposals:	Maximise the potential of the soon-to-be operational Central Management System to maximise street lighting energy efficiencies.

Financial and Staffing Information

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

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

Budget implications

The Central Management System for street lighting (CMS)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

Street lighting contributes to road safety and reducing the fear of crime, and lighting levels need to be set with these objectives in mind. Young adults are more likely to be active outside the home between the hours of midnight and 6 am; and adults working or travelling to work during these hours might also be impacted. Girls and women are perceived to be more likely to have concerns about potential crime during the hours of darkness. The proposal to introduce a Lighting Strategy would however provide the potential to mitigate any disadvantage to specific groups. Should the Council decide to introduce a Lighting Strategy with an element of noticeable light dimming, a full Equality Impact Assessment will be undertaken as part of the design of the Lighting Strategy and action plan in due course.

Is there potential for the proposed policy to have a disproportionate adverse impact on any of the following groups:	
	Yes
Disabled people	N
Particular ethnic groups	N
Men or Women (include impacts due to pregnancy/maternity)	Yes
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	Yes
Groups with particular faiths/beliefs	N
Marriage / civil partnership	N

EIA required?:	Yes
EIA to be completed by:	Parking & Lighting Service
Deadline:	December 2017

Lead officer for this proposal:	C. Whyte, Operational Director, Environment

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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 reviewed 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 strucuture to deliver efficiency savings in the regulatory services structure	100	0
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.	450	450
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
				2300	2100

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Unit /Service	Description:	Item	2017/18 (£'000)	2018/19 (£'000)
Central	MRP revenue impact	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.	3000	-300
Community Services	Temporary Accomodation	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.	500	200
Adult Social Care	Supported living clients	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.	200	300
Regeneration and Environment	Demand for services	Assumptions about how quickly changes in population growth would increase income by increasing demand for chargeable services, such as parking permits.	0	1000
			3700	1200

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SERVICE GROWTH / COST PRESSURES - 2017/18 - 2019/20

Service	Item	2017/18	2018/19	2019/20	Comments
		£m	£m	£m	
	Demographic Changes				
Regeneration & Environment	Brent Transport Services	0.1	0.1	0.1	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. 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.
Regeneration & Environment	Refuse Collection	0.1	0.1	0.1	
Regeneration & Environment	Public Realm (excluding Refuse Collection)	0.2	0.2	0.2	
Children & Young People	Children's social care	0.4	0.4	0.4	
Adult Social Care	Learning Disabilities (18-65)	0.2	0.2	0.2	
Adult Social Care	Older People (65+) Non Home Care	0.3	0.3	0.3	
Adult Social Care	Older People (65+) Home Care	1.5	1.5	1.5	
Resources	Customer Services	0.1	0.1	0.1	
Resources	Legal services	0.1	0.1	0.1	
Central	Income	(1.0)	0.0	0.0	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.
	Total Demographic Changes	**2.0**	**3.0**	**3.0**	
	Service Specific Inflation				
Various	Payroll Inflation	1.1	1.1	1.1	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%.
Central	Contract inflation	3.0	3.0	3.0	General contract inflation is assumed to average at 1.3%, which will cost £3.0m each year
Adult Social Care	Older People - Living wage for carers	0.4	0.4	0.4	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
Central	Other service specific inflation	0.8	0.8	0.8	General contract inflation is assumed to average at 1.3%, which will cost £0.8m for specific identified service issues
Resources	Business Rates	0.6	0.2	0.0	As a result of the business rates revaluation, the rates payable by the authority for the properties it occupies increase by £0.6m in 2017/18, with a further £0.2m in 2018/19.
Regerantion & Environment	West London Waste fixed charge levy growth	0.8	0.3	0.0	There are additional charges from the West London Waste Authority, expected to total £0.8m in 2017/18 and a further £0.3m in 2018/19 across the pay as you throw levy and the fixed cost levy. This increase is due to a combination of population and business growth, inflation, and 2017/18 being the first year of the operation of the Severnside Energy Recovery Centre. These costs are currently being reviewed as a part of the service review for the Public Realm
	Total Service Specific Inflation	**6.7**	**5.8**	**5.3**	
	Pension related costs, risk mitigation and insurances				
Central	Insurance fund	0.1	0.1	0.1	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.
Central	Central Items other cost pressures (excl Levies)	0.4	0.4	0.4	
Central	Pension fund	0.0	0.8	0.4	

Central	PFI credits	1.0	0.5	0.1	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.
	Total Pension related costs, risk mitigation and insurances	**1.5**	**1.8**	**1.0**	
	Freedom passes and levies				
Adult Social Care	Freedom pass growth	0.7	0.7	0.7	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
Central	Levies	0.2	0.2	0.2	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
	Total Freedom passes and levies	**0.9**	**0.9**	**0.9**	
	Contingency and social value				
Central	Savings risk mitigation fund	1.1	1.0	1.0	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
Central	Social value investment fund	2.5	2.5	2.5	
	Total Contingency and social value	**3.6**	**3.5**	**3.5**	
	GRAND TOTAL OF SERVICE COST / GROWTH PRESSURES	**14.7**	**15.0**	**13.7**	

Brent	**Resources & Public Realm Scrutiny Committee** 10 January 2017 **Report from the Director of Performance, Policy & Partnerships**
For Information	Wards Affected: ALL

Budget Scrutiny Panel Report

1. Summary

1.1 The Budget Scrutiny Panel was led by Brent's Resources and Public Realm Scrutiny Committee Chair, Councillor Matt Kelcher. In October 2016 the panel convened to analyse the Council's 2017/18 – 2018/19 budget proposals.

1.2 The Panel have scrutinised the Cabinet's plans and offered suggestions and recommendations for improvements where appropriate.

1.3 This was a joint Panel comprising of members from both Scrutiny Committees with the chair of the Resources and Public Realm Committee chairing the group to reflect that Committee's responsibility for resources and budgetary issues. The confirmed members from Resources and Public Realm are: Councillors Kelcher, Patel and Tatler (Councillors Ezeajughi and Davidson acted as a substitutes on one occasion). The members from Community and Wellbeing are: Councillors Sheth, Colwill and Chohan (Councillor Kansangra acted as a substitute on one occasion).

2. Recommendations

That the Resources and Public Realm Scrutiny Committee review and agree the Budget Scrutiny Panel report.

3. Details

3.1 The Panel met twice formally and further corresponded by email and telephone when producing this report. The Panel interviewed the Council's Chief Executive and Chief Financial Officer in person. The Panel also met with Strategic Directors and Cabinet members where it sought to explore key lines of enquiries.

3.2 This report is the beginning, and not the end, of the budget scrutiny process. It is not designed to be a comprehensive account of all of the panel's concerns and queries

about the draft Council budget. Instead, it summarises some of the panel's broad thoughts about the direction and content of this budget.

3.3 This report is designed to provoke a discussion and further debate at future meetings of the Scrutiny Committee, where all Councillors will be able to question the Deputy Leader of the Council, and senior officers, about any aspect of the budget.

4. Financial Implications

4.1 Scrutiny is an important part of the budget development process. The report does not have direct financial consequences per se, since decisions on the budget will be taken by council. However, if any recommendation to adjust the budget by amending savings proposals was accepted then the financial consequences of this would have to be matched in finalising the budget.

5. Legal Implications

5.1 None arising from the panel's review of the budget proposal.

6. Diversity Implications

6.1 None

7. Staffing/Accommodation Implications (if appropriate)

7.1 None

8. Background Papers

8.1 The budget papers referred to in this report were submitted to the Brent Cabinet meeting for 24 October 2016 and can be found on the ModernGov or the Councils website, Link Below
Agenda for Cabinet on Monday 24 October 2016, 7.00 pm

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Report of the Budget Scrutiny Panel

Part One: Introduction

Methodology

Brent has two scrutiny committees:

- Community and Wellbeing which focuses on issues such as health and housing, and;
- Resources and Public Realm which focuses on issues such as customer service and crime.

An issue as broad and cross cutting as the budget obviously affects all area of the Council's work and cannot be scrutinised by a single committee. It was therefore decided to establish a time-limited Budget Scrutiny Panel comprised of three members representing each permanent Committee.

These were:

- Representing Community and Wellbeing: Councillor Ketan Sheth, Councillor Colwill, Councillor Chohan (Councillor Kansangra and Councillor Davidson both acted as a substitute on one occasion)
- Representing Resources and Public Realm: Councillor Kelcher, Councillor M Patel, Councillor Tatler (Councillor Ezeajughi acted as a substitute on one occasion)

	Councillor Kelcher		Councillor Ketan Sheth
	Councillor M Patel		Councillor Chohan
	Councillor Tatler		Councillor Colwill
	Councillor Ezeajughi		Councillor Kansangra
	Councillor Davidson		

This composition was politically balanced in line with the makeup of the Council, with one member representing the Conservative opposition group and five the ruling Labour group.

As the latter committee leads on subjects like Council resources, investment and regeneration, the Chair of this Committee, Councillor Kelcher, chaired the Budget Scrutiny Panel and is the author of this report.

The work of the Panel was particularly supported by scrutiny officers Kisi Smith-Charlemagne and Pascoe Sawyers and the Panel thanks them for their characteristic diligence and dedication throughout this process.

The Panel held four formal meetings in addition to informal conversations, telephone calls and emails.

The first of these meetings consisted of the panel scoping the areas they felt needed closer investigation and coming to a collective view on which of the proposed savings and cuts they felt might be inappropriate.

The second meeting focused on broad discussions around key themes identified in the budget and the Council's broader financial position. Several senior officers including the Chief Executive and Chief Financial Officer were present to share their expertise.

The third meeting was held to allow the Panel to question Cabinet members on specific areas of concern within their portfolios, particularly cuts they were responsible for bringing forward and implementing.

The fourth meeting brought together the Panel for a final time to agree on its recommendations and the content of the final report which will go forward to the next meeting of the Resource and Public Realm Scrutiny Committee to be responded to by the Deputy Leader of the Council.

First Thoughts

The Panel were very encouraged by much of the information presented in the budget and the clearly diligent process by which it was set.

Last year, the Budget Scrutiny Panel felt that the role of Scrutiny in setting the Council's budget was a bit of an afterthought with the publication of the Panel's report not even being noted on the budget timetable.

However, this year there certainly seems to have been an improvement with senior officers and cabinet members keen to participate in our (sometimes lengthy) discussions and the work of the Panel included on the Forward Plan and the Leader of the Council's report to his Group.

Similarly, it was clear that the extent of savings required this year – whilst still deeply alarming – are not as severe as in previous years and certainly not on the scale of some other London boroughs. This is testament to the medium and long term planning built into recent budgets, for example the breathing room of 10 per cent "slippage" built into anticipated savings.

It is our opinion that the budget proposed is balanced and that it should move forward for further scrutiny and consultation.

Part Two: Major Themes

Four-year settlement
The Panel endorses the decision by Cabinet to accept a four-year grant settlement from central government. To be clear, this statement does not mean we believe the settlement is adequate or appropriate, just that it is the best plausible option on the table for the Council to take.

By accepting a deal of this nature – rather than renegotiating a new grant every year as has previously been the norm – the Council can plan for the future with a relative degree of certainty. Certainty is thin on the ground in a world with Brexit dominating the news and should be welcomed wherever it is found.

Furthermore, the Panel felt it was unlikely that, if central government were to find itself with far more funds than anticipated within the next four years, these would be passed down to local government. The pattern of previous years has been for governments of all stripes to prioritise funding to the NHS or schools and certainly not to Councils.

Council Tax
The Panel believes that the Council should continue to consult on plans to increase the Council Tax over the next couple of years.

Until Business Rates become more fully devolved to local government and Brent's Civic Enterprise policies fully mature, Council Tax will remain our primary lever by which to generate significant new income. When any organisation, particularly a Council which provides services to the most vulnerable in society, faces overwhelming cuts to its budget it is duty bound to look at such levers.

The maximum a Council may increase its Council Tax by without recourse to a referendum is 4.99 per cent (a 1.99 per cent general increase plus 3 per cent set aside for social care).

Councils were previously allowed to raise council tax by up to 2 per cent per year under the social care precept. However, from next year local authorities will be allowed to use the social care precept to raise council tax bills by 3 per cent in 2017-18 and a further 3 per cent 2018-19. The net increase of the social care precept would need to remain at 6 per cent over the next three financial years, meaning if councils chose to levy 3 per cent in both 2017-18 and in 2018-19, they would not be able to raise a precept in 2019-20.

As these are very recent central government changes, Brent Cabinet have not yet formed a view on how this change will impact on Brent's council tax rates.

Increasing Brent's Council Tax by 4.99 per cent in the next couple of years could have a significant impact on the Council's ability to continue to deliver these services as clearly demonstrated in the table 1 below.

Table 1

	2016/17	2017/18	2018/19	2019/20
In year Savings required	0.0	10.5	6.6	16.8
Additional council tax @ 4.99% for two years, then 1.99% for one	0.0	(5.1)	(5.9)	(3.1)
Savings required with @ 4.99% for two years, then 1.99% for one	0.0	5.4	0.7	13.7

Of course, the Budget Scrutiny Panel was also acutely aware that it would be the ordinary residents of Brent who would have to pick up this tab.

The median income for residents of Brent is £33,482, significantly lower than both the outer London (£37,366) and inner London (£41,428) medians. We therefore have a special responsibility to ensure that the level of our Council Tax is not punitive.

Fortunately, it seems that Brent has so far met this obligation as our Council Tax is at the lower end of the spectrum in comparison to other London boroughs (Table 2).

We recommend that over the long-term Brent keeps a close watch on its position in this table to ensure that our Council Tax level does not rise out of kilter with the rest of London.

However, in the short term we believe that a Council tax rise would be affordable for most of our local residents, particularly with Council Tax Support which ensures those on eligible benefits only pay 20 per cent of the tax.

To put into context:

- A typical Band D property will currently be charged £1101.24 a year in 2016/17 (this is the Brent charge and excludes the GLA precept)
- A rise of 4.99 per cent would add £55.07 to this bill
- This would cost the tax pay a little over a pound per week

Table 2: London Councils Council tax Band D Monitoring

	2015-16 Council Tax for the authority	2015-16 Council Tax for area of billing authority (incl GLA precept)	2016-17 Council Tax for the authority	2016-17 Council Tax for area of billing authority (incl GLA precept)
	(Band D)	(Band D)	(Band D)	(Band D)
	£	£	£	£
INNER LONDON				
City of London	857.31	943.44	857.31	931.2
Camden	1,042.10	1,337.10	1,083.66	1359.66
Greenwich	981.04	1,276.04	1,020.18	1296.18
Hackney	998.45	1,293.45	1,018.42	1294.42
Hammersmith & Fulham	727.81	1,022.81	727.81	1003.81
Islington	981.22	1,276.22	1,020.37	1296.37
Kensington & Chelsea	782.58	1,077.58	782.58	1058.58
Lambeth	943.7	1,238.70	981.35	1257.35
Lewisham	1,060.35	1,355.35	1,102.66	1378.66
Southwark	912.14	1,207.14	930.38	1206.38
Tower Hamlets	885.52	1,180.52	920.85	1196.85
Wandsworth	388.42	683.42	403.91	679.91
Westminster	377.74	672.74	392.81	668.81
OUTER LONDON				
Barking & Dagenham	1,036.67	1,331.67	1,078.03	1354.03
Barnet	1,102.07	1,397.07	1,121.07	1397.07
Bexley	1,150.53	1,445.53	1,196.43	1472.43
Brent	**1,058.94**	**1,353.94**	**1,101.24**	**1377.24**
Bromley	1,030.14	1,325.14	1,071.27	1347.27
Croydon	1,171.39	1,466.39	1,218.13	1494.13
Ealing	1,059.93	1,354.93	1,059.93	1335.93
Enfield	1,100.34	1,395.34	1,144.17	1420.17
Haringey	1,184.32	1,479.32	1,208.01	1484.01
Harrow	1,234.36	1,529.36	1,283.61	1559.61
Havering	1,219.00	1,514.00	1,267.64	1543.64
Hillingdon	1,112.93	1,407.93	1,112.93	1388.93
Hounslow	1,079.77	1,374.77	1,079.77	1355.77
Kingston-upon-Thames	1,379.65	1,674.65	1,407.24	1683.24
Merton	1,106.45	1,401.45	1,106.45	1382.45
Newham	945.63	1,240.63	964.54	1240.54
Redbridge	1,095.53	1,390.53	1,139.22	1415.22
Richmond-upon-Thames	1,287.39	1,582.39	1,306.39	1582.39
Sutton	1,163.60	1,458.60	1,210.03	1486.03
Waltham Forest	1,152.21	1,447.21	1,198.18	1474.18
Greater London Authority	295		276	
GLA - City of London	86.13		73.89	

Reserves
The Council currently has unallocated reserves of around £12m. The Panel are comfortable with this level and do not propose taking money out of reserves to make up for losses in the Council's grant.

The Council still faces many financial risks, from global factors in an uncertain political world, to local issues such as the increasing demand generated by the ageing population of Brent and the potential increase in demand for social care.

Should all of these risks to come to fruition the Council would only have reserves to cover the attendant costs for a couple of years. This is of course unlikely but reserves exist to cover the unlikely and we believe it would be imprudent to reduce them.

Front-line/back office distinction
For entirely understandable and even laudable reasons, the Council have so far prioritised savings in back office functions ahead of cuts to frontline staff. However, it was the strong impression of the Panel that we have now reached the point where no further cuts could be made in this area without directly impacting the front line.

We therefore would suggest that in future years any proposed reductions in spending should not be targeted to meet a strict ratio which guarantees more back office cuts. Instead we think all cuts should be evidenced-based with a clear understanding of what changes service users will experience being at the heart of any suggestions.

Parking
Within the budget the Cabinet are announcing a 'demand-led' review of Controlled Parking Zones (CPZs) in Brent. This essentially means that if local Councillors or residents raise an issue with a CPZ in their locality it can be reviewed.

This is welcome in itself, and we are in no doubt that the Council will be inundated with suggestions from local people. However, this also provides the potential to prioritise the views of those people who are most plugged into the system and have the skills, confidence and experience required to respond to a public consultation. The Overview and Scrutiny Committee has previously recommended that the Council undertake a large project – which locally elected Councillors should be ideally placed to assist with – of building up a database of every resident's association in the borough. This would be a valuable tool in seeking to ensure that people in every area of Brent are encouraged to participate in this consultation.

A complete reassessment of parking in every area of Brent could overcome this and allow areas without CPZs currently to be treated to the same scrutiny as those with them. Furthermore, the Panel supported the idea of mid-day windows in CPZs to protect local people from commuter parking near stations, but to allow them to welcome visitors, deliveries and trades people in the middle of the day.

We also feel that the review could have been even more ambitious with the aim of devising a new parking policy to last twenty years. This would provide even greater financial certainty in a key area of fees and charges for the Council as well as resolving a range of long-standing concerns raised by local residents.

Areas of overspend
The Panel identified the Community and Wellbeing, specifically Adult Social Care and Children and Young People's Departments as the areas where the risk of overspend is greatest as a proportion of the budget.

This is not least because, the demand for social care is unpredictable and in times of national austerity the Council can only do so much to limit this demand.

The Adult Social Care Department, the Council faces challenges of a changing demography with our residents living longer and developing more complex needs.. As a result, the last three years has seen this department deliver care to an increasing number of users and also find funds for more complex and expensive care packages.

The Panel broadly supported the mechanisms with which the Adult Social Care team are managing this increasing demand. These include promoting New Accommodation for Independent Living (NAIL) and introducing new equipment to minimise the need for two carers to provide care.

Despite finding new ways to meet demand, the pressure is still growing. There is a gap and we would urge the Council to continue to work innovatively to fill this gap

Within the Children and Young People's Department there seem to be two clear factors which cause this.

Firstly, the costs of children's placements has been increasing in Brent. This is particularly due to the high number of unaccompanied asylum-seeking children. The generally accepted target for the number of children's placement in a borough is 0.07 per cent of the population, which would account for 50 children in Brent. We currently have 150 CYP, 90 of whom are in placement, and 60 of whom are care leavers for which we have a continuing and ongoing responsibility.

Secondly, many social workers still prefer to work through agencies rather than being direct employees of a local authority. This brings a significant extra financial burden to Brent. It is good news that the percentage of social workers who come from an agency has decreased from 65 per cent to 35 per cent since 2014, but more progress needs to be made, particularly amongst senior social workers and Social Work Managers where 54 per cent remain on agency contracts.

All of this contributes to an overspend of £0.8m in the department which the Council has been able to meet in previous years due to an underspend in other areas.

There is some hope that changes in IR35 legislation will remove a tax loophole which currently allows agency workers who do not meet the HMRC's definition of self-employed to claim additional expenses. The additional monetary expenses encourages social workers not to take full time employment with a Council.

However, as a report written to be read in the real world, it would be remiss of us not to acknowledge that the recent record of the government successfully closing tax loopholes has been patchy at best, therefore we are cautious about Brent relying on this reform to address the issue.

Encouragingly, we heard that one of the Council's partners – impower, who work with many local authorities to reduce placement costs – have stated that from their experiences there are not any large or obvious inefficiencies in Brent's operations and that other boroughs have actively copied some of our efficiency drives.

The Panel does not think that underspends elsewhere can be relied upon continually, nor would we like to see cuts to the frontline in this most important of departments. We therefore hope the Council can continue with its efforts to drive down costs through efficient working and continually reducing the number of agency staff.

Need for a philosophical shift

Fundamentally, the Panel believes that there needs to be a shift in cultural thinking throughout the local government sector, in order to adapt to the revolution in funding which will soon be upon us. The government have committed to removing the block grant to

councils by 2020 and instead letting the local government sector keep all income generated from business rates instead. This will be the biggest change to local government finance in thirty years.

We are pleased to see that Brent is ahead of the curve when it comes to gearing up for this change. In 2016 the Resources and Public Realm Committee commissioned a cross-party task group to thoroughly investigate this new policy and come up with proposals on how the Council should adapt to these changes. Our research indicates that we are the only Council in London, and perhaps the country, to undertake such a move, and our report has already been presented to the wider London Scrutiny Network.

But, of course, there is still much more to be done. The report on budget assumptions which went to Cabinet in October 2016 refers many times to the anticipated growth in the Council Tax base which will come with additional house building in the borough. But come 2020 a square metre of domestic property would be worth less to the Council than a square metre of highly-rateable non-domestic property. This will represent a huge change which will require a deep shift in philosophy throughout the sector.

The Panel was impressed with the Council's Civic Enterprise strategy which seeks to lead such a cultural shift and questioned cabinet members and officers at length about the work we do to attract business to the borough.

We want to ensure that there is cross-departmental work to promote more mixed developments through the planning system so that all housing developments feature some areas for business use and vice versa. This will secure local jobs and diversify our local tax base.

To begin this process we ask that a report outlining all large-scale developments in the recent and upcoming years is brought to the appropriate Scrutiny Committee in three months' time. This should emphasise what proportion of the developments were given over to either category and allow members to take a view on whether the balance has been done correctly.

Furthermore, we believe that there should be a specific focus in any regeneration and development work on our local tube stations and transport hubs. These are the windows to our borough and convenient places to shop. The Council should be forceful when dealing with TFL and seek to maximise business space in tube stations and use every development of a tube station as a potential to attract a new business to Brent.

More broadly, we believe that there is the potential to go much, much further when it comes to growing our local private sector. The Panel were attracted to the idea of creating a single post, or small team, whose sole role would be to attract business to the borough. We believe that this could be funded through incentives with the additional rates brought into the borough used to pay costs and wages, it would therefore not represent a significant new financial burden.

We would also emphasise that significant private sector experience be essential for anyone applying for this position or team, and that the role not be specifically tied to any one department within the Council. Instead the business manager or business team should have free reign to float between departments identifying areas where the work of the Council may be making things unnecessarily (we would very much emphasise the word "unnecessarily") difficult for businesses and suggesting improvements.

Of course, they should not have the only or final say and the Council should never simply become a tool of business, but with such huge changes to the financing of local government soon to be upon us we feel that creating a new point of view within our structures could be essential in ensuring Brent takes a lead in adapting to life after the central government grant.

In other countries, such as Germany, membership of a Chambers of Commerce is compulsory for registered businesses ensuring that these Chambers are much more powerful and authoritative voices for businesses in their areas and that they have a semi-formal relationship with public bodies. The option suggested by the Panel for Brent could replicate some of the best features of this system.

Such reforms to the machinery of government – local or national – to support our own businesses are long overdue in this country. The head of the US Small Business Administration reports directly to the US President whereas none of the 15 direct reports to the permanent secretary in BIS is responsible for small British businesses. No wonder 45 per cent of US Federal procurement spend goes to home grown American small businesses - a figure represents roughly eight times the lending rate of the UK Enterprise Finance Guarantee scheme after taking into account the relative sizes of the two economies.

Brent should not be afraid to think big, and realise the huge role it can play in creating a virtuous cycle where local businesses are supported to grow and then contribute back into the community and council coffers.

One in every seven pounds in the UK is spent by the state, making procurement one of the key levers that any public sector body has to boost business, employment and the economy.

Currently many businesses feel frustrated and locked out of the public sector procurement process. All public sector bodies set their own pre-qualification test for procurement contracts, so in any given area the Council might ask for copies of accounts dating back five years and a biography of the CEO, the Fire Service might ask for six years of accounts and a biography of every director, the CCG for something different altogether.

Brent Council is ideally placed to act as a central coordinator bringing together all public sector bodies who procure services in Brent and get them to synchronise their pre-qualification policies. This would give a strong message that Brent is open for business and encourage businesses to base themselves here so that they can access many different procurement opportunities, and in the long term pay more business rates back into Brent.

We would emphasise that within in this there would also be a golden opportunity to ensure further Living Wage payment within local supply chains if such a commitment became a more regular requirement to secure local procurement opportunities.

To truly adapt to the changing world of local government finance we must not only think openly but big and learn from the best practice around the world.

Part Three: Detailed Policy Options

The Budget Scrutiny Panel considered all of the detailed cuts and savings brought forward by the Cabinet. Before reaching a collective conclusion on any single proposal we sought further information, initially by email and then in meetings with the relevant officers and cabinet members.

On a broad note, we found that the way the proposals were laid out in the Cabinet papers meant a lot of detail was lacking. When we questioned officers and cabinet members it was clear that a lot of thought had gone into the proposals. However, the very short format of the document of proposals led to a lot of initial misunderstandings and the need to ask further questions. As these are public documents we feel that local residents wanting to know about changes to council spending might also be confused by them and the lack of detail which might lead to confusion about what is being cut. We recommend the format is rejigged to give more latitude to officers writing them in future years.

1718BUD1 – Adult Social Care
We support the principle of providing more information about sexual health services online as an end in itself, and we hope this will also have the desired effect of reducing the number of people who feel compelled to present themselves at clinics to find the information they need.

However, we would ask that more mitigation work is done to ensure that those who do not have easy access to the internet are still able to get the information they need. For example, those who regularly use public libraries to surf the web might not feel comfortable about accessing this information in a public arena, and it might even get blocked by some particularly zealous servers.

1718BUD2 – Adult Social Care
Following further questioning of officers, the Panel were broadly comfortable with the idea of bring forward charges which would be incurred in any case.

1718BUD3 – Adult Social Care
The Panel agreed with the concept of using Brent Council assets, including buildings more widely. This is a more efficient and effective way of working.

1718BUD4 – Adult Social Care
Moving people towards supported living is a laudable goal as many people prefer to live in an independent setting. This should be an aim of the Council in any circumstances and so we believe it is regretful that it may be seen by some as a purely financial reform by being presented in this budget.

However, we would like every effort to be made to identify those users who may be fearful of change at the earliest possible stage to ensure work is done to reassure than and help them to adapt.

1718BUD5 – Adult Social Care
As noted above, we believe that moving people with care needs to more permanent and independent settings is generally a laudable aim. This was one policy where we felt it might be a stretch for the Council to achieve the level of saving anticipated due to the general housing pressures in the borough, but hope that the general precautions built into the budget will mean that this would not unbalance the overall budget in any case.

1718BUD6 – Environmental Improvement
The Panel had severe concerns about this proposal, primarily focused around the potential reputational damage to “Brand Brent” for what is a relatively small saving.

We understand that this proposal is designed to offer a “gold standard” option for people who wish to dispose of bulky waste items. In essence rather than wait the current standard period of time of around six weeks for a free collection they can pay to have the items removed sooner. However, as the policy is stated on the detailed options paper this is less than clear and could be interpreted as restricting the right of local people to have their bulky waste collected by the Council. This is a sensitive political area and we feel that when speaking about this subject the Council needs to be extra careful to get its messaging right so no misinformation gets into the public arena.

We are not confident that the Council has fully modelled the potential cost of an increased level of illegal rubbish dumping which may occur if people come to believe that they will have to pay new costs to have their bulky waste taken away. This could undermine the overall level of savings.

Overall, the Panel felt that similar savings may be achievable by better sign posting people to other agencies who collect waste for free, including the growing number of furniture and electrical charity shops, or charities which provide furniture and white goods to people on low incomes.

This will not be a simple task. Council staff will have to be trained to give absolutely accurate information to ensure that residents do not become frustrated or feel they are being misinformed.

An example would be a local person ringing the Council to ask them to take away a sofa. The resident would be informed that they can wait up to 6 weeks for the Council to take it away, or call their local British Heart Foundation store who could take it away more quickly and for free. The Council operative would have to be sure from the call that it was an item of furniture the charity shop would take, and have the correct number for the shop as well as knowing the areas it collects from etc.

Similarly, Council departments would need to work together even more closely to ensure that products offered for collection to the environmental teams are passed to the benefits teams when people are in need of second hand goods for their homes.

We believe that this investment in time and training would be worthwhile as it would not only reduce the number of collections the Council needs to carry out but also reduce the amount of waste going into landfill which incurs a Landfill Tax charge to the Council. It would also have the wider social benefit of promoting re-use and recycling as first options in even more circumstances.

1718BUD7 – Regeneration
Overall the Panel agreed that this saving was sensible and achievable. However, we noted that this was a strange area in that the budget item was shared by two lead members. This reflected some wider confusion about exactly who on the cabinet has final responsibility for regeneration projects. We would recommend that this is cleared up so that Councillors and members of the public are able to hold the correct politician accountable at all times.

1718BUD8 – Regeneration and Environment
The Panel noted that a major risk associated with this saving was that agreement with Harrow Council, with whom we share the service, is required first. In similar circumstances in future it would probably be prudent to get confirmation of support from the partner authority before factoring in the saving to the budget papers.

1718BUD9 – Parking and Lighting
Our comments on parking, to which this saving refers, have been given in full above.

1718BUD10 – Environmental Improvement
The Panel was encouraged by the fact that we have an outcome based contract with our suppliers which should help this saving to be delivered without a severe detriment to residents.

But, we were also clear that, with the impending change in council funding through business rate devolution, Brent should have an ambition to encourage business, large and small, to come to the borough. As such any future decisions - particularly around budgetary decisions about the public realm - and the look of the borough need to assess the impact and the ambition we have to attract business to Brent. The new business manager positions we have suggested could play a lead role in this work by giving feedback on the likely reaction of business to any suggested reforms in this department.

The Panel also proposed that the Council could make further savings in the road and curb repair contracts by instituting a bond on residents and businesses carrying out large scale

refurbishments or developments. This would ensure that if their use of skips and large vans damages the public highway the Council would have the necessary funds to make good.

1718BUD11 – Parking and Lighting
We were satisfied with this proposed saving.

Part Four: Key Recommendations

This report has presented the Budget Scrutiny Panel's views on a wide range of topic attending to the budget. The report should be read as a whole with suggestions and ideas to be pulled out of almost every section. However, the key recommendations for reform which we would like to highlight are as follows:

1. In future, any further proposals to reduce spending in Council budgets should be thoroughly evidence-based, with research into the likely impact on service users from any such change. The Council will need to be flexible and open-minded in looking at the most effective ways to deliver better services to Brent residents for the lowest possible cost.
2. The current demand-led review of Brent's CPZ should be expanded with the aim of delivering a settlement for the whole of Brent which will be sustainable over the next twenty years to give further financial certainty to the authority. As part of this, the idea of day time visitor windows should be particularly investigated.
3. A report outlining all large-scale developments in the recent and upcoming years should be brought to the appropriate Scrutiny Committee in three months' time. This would emphasise how mixed used each development was and allow scrutiny members to take a view on whether the balance is currently correct.
4. The Council should be forceful when dealing with TFL and seek to maximise business space in tube stations and use every development of a tube station as a potential to attract a new business to Brent.
5. A single "Business Attraction Manager" post, perhaps accompanied by a small team, should be set up in Brent. This would be a none-departmental role with the responsibility of attracting business to the borough and incentivised financially to achieve this without become a new financial burden to the Council.
6. Brent should seek to coordinate all local public sector bodies to develop a standard set of pre-qualification tests for procurement opportunities to make it easier for local firms to bid for work.
7. We believe that Cabinet should reconsider proceeding with proposal 1718BUD6 which would introduce charges a more rapid collection of bulky waste, due to the reputational risk to Brent. Specifically, officers should model whether better signposting to other local services, including those within the authority, could deliver similar savings.

BOARD (PROGRAMME)	2016/17 £'000s	2017/18 £'000s	2018/19 £'000s	2019/20 £'000s	Total £'000s
Corporate Landlord (GF)	**962**	**1,555**	**0**	**0**	**2,517**
Barham Park	0	50	0	0	**50**
Corporate Landlord	812	1,105	0	0	**1,917**
ICT	0	400	0	0	**400**
Libraries	150	0	0	0	**150**
Estates Regeneration Board (GF)	**2,520**	**1,217**	**0**	**0**	**3,737**
Barham Park	0	354	0	0	**354**
Landscaping	129	0	0	0	**129**
Parks	336	0	0	0	**336**
Sports	325	224	0	0	**549**
Town Regeneration	0	446	0	0	**446**
Affordable Housing	311	0	0	0	**311**
Estates Regen - small Schemes	0	167	0	0	**167**
Bridge Park Regeneration	1,418	26	0	0	**1,444**
Housing Investment Board (GF+HRA)	**68,958**	**159,941**	**103,539**	**28,050**	**360,488**
Housing Investment Board (GF)	**37,852**	**92,260**	**77,179**	**20,248**	**227,539**
Housing Zone	224	4,524	0	0	**4,748**
NAIL	6,673	31,722	42,279	11,248	**91,922**
PRS	10,000	30,000	10,000	0	**50,000**
Church End	980	11,100	9,900	9,000	**30,980**
Affordable Housing	19,975	14,914	15,000	0	**49,889**
Housing Investment Board (HRA)	**31,106**	**67,681**	**26,360**	**7,802**	**132,949**
Infill Development Programme	4,387	23,376	6,360	641	**34,764**
Major Repairs & Maintenance	26,719	32,765	20,000	7,161	**86,645**
Acquisition strategy	0	11,540	0	0	**11,540**
Schools Programme Board (GF)	**14,387**	**30,628**	**19,638**	**29,087**	**93,740**
Academies	-1,316	887	1,244	858	**1,673**
Asset Management & Devolved Capital	1,862	2,162	1,040	0	**5,064**
Educational Facilities	129	413	29	559	**1,130**
Expansion of School Places	13,712	27,165	17,325	27,670	**85,872**
South Kilburn Programme Board (GF)	**9,851**	**11,188**	**17,711**	**0**	**38,750**
South Kilburn	9,551	9,288	16,100	0	**34,939**
District Energy	0	500	1,611	0	**2,111**
Carlton & Granville	300	1,400	0	0	**1,700**
Transport & Highways Board (GF)	**13,323**	**13,606**	**230**	**0**	**27,159**
Public Realm	2,561	4,815	3730	3500	**14,606**
Street Lighting	0	7,820	0	0	**7,820**
TfL	5,258	900	0	0	**6,158**
Transport	148	71	0	0	**219**
Pavements, Roads & Streetscene	5,355	0	0	0	**5,355**
Approved Total Budgets	**110,001**	**218,135**	**144,619**	**60,637**	**533,392**
Pipeline					
Estimate of Items Approved in 2017/18	0	15,000	80,000	55,000	**150,000**
Estimated Capital Programme	**110,000**	**233,135**	**224,619**	**115,637**	**683,392**

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Appendix E

TREASURY MANAGEMENT STRATEGY STATEMENT

Introduction

1. The Chartered Institute of Public Finance and Accountancy's Code of Practice for Treasury Management in Public Services requires local authorities to determine their Treasury Management Strategy Statement (TMSS).

2. As per the requirements of the Prudential Code of Practice, 2011, the Authority has adopted the CIPFA Treasury Management Code and reaffirmed its adoption at its annual Budget meeting, most recently on 3 March 2014.

3. The purpose of this TMSS is, therefore, to set out the following:
    i. Treasury Management Strategy for 2017/18
    ii. Annual Investment Strategy for 2017/18

    The approved Strategies will be implemented from the date of approval by the Council.

4. The Authority had borrowed £416m of long term debt and had £201m invested at 30 November, 2016 and, therefore, has potentially large exposures to financial risks including the loss of invested funds and the effect of changing interest rates. The successful identification, monitoring and control of risk is central to the Authority's Treasury Management Strategy.

Capital Financing Requirement

5 The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR). The CFR, together with usable reserves, are the core drivers of the Authority's Treasury Management activities.

6 At 30 November, 2016 the Authority's had £416m of long term debt and £201m of investments. These are set out in further detail below.

Existing Investment & Debt Portfolio Position

Table 1

	30/11/2016 Actual Portfolio £m	30/11/2016 Average Rate %	31/3/2016 Average rate %
External Borrowing:			
PWLB – Maturity	288	5.01	5.01
PWLB – EIP	32	2.56	2.56
LOBO Loans	96	4.93	4.82
Total Gross External Debt	416	4.80	4.76
Investments:			
Market Deposits	181	0.38	0.52
Money Market Funds	20	0.33	0.47
Total Investments	201	0.37	0.51
Net Debt	215		

7 The movement in actual external debt and usable reserves combine to identify the Authority's borrowing requirement and potential investment strategy in the current and future years. The Authority's current strategy is to maintain borrowing at the lowest level possible unless interest rate prospects present a clear case for taking long term borrowing ahead of immediate requirements. The Council's CFR is greater than its borrowing. However, the increased emphasis on imaginative capital investment to transform the financial position will require some amendments to the detail of this strategy, although the core principle of minimizing borrowing costs will remain.

Interest Rate Forecast

8 There is significant uncertainty in the marketplace regarding the mid to long-term interest rates but the Council's Treasury Management advisers, Arlingclose, forecast that official UK Bank Rate will remain at 0.25% for the immediate future. However, 30-year gilt yields and PWLB rates have risen by 0.6% in the last three months. Therefore, the market is already pricing in inflation into the longer term interest rates. However, due the uncertainty surrounding Brexit and the Presidential Election in the US, few market commentators see an early rise as likely. Officers will continue to monitor developments with the advice of Arlingclose but giving due regard to other published information.

Borrowing Strategy

9 The Council currently holds a significant cash balance at present and this seems likely to continue for the next two or three years at least. This occurs in a situation in which longer term rates are significantly in excess of short term rates. If borrowing is undertaken in this environment there will be a net cost of holding this money until it is used, sometimes called the "cost of carry". As borrowing is often for longer dated periods (anything up to 60 years) the cost of carry needs to be considered against a backdrop of uncertainty and affordability constraints in the Authority's wider financial position. Therefore the Council does not intend to borrow in advance of need to fund its activities.

10 The Authority will adopt a flexible approach to any future long-term borrowing in consultation with, Arlingclose Ltd. The following issues will be considered prior to undertaking any external borrowing:

- Affordability;
- Maturity profile of existing debt;
- Interest rate and refinancing risk;
- Borrowing source.

Sources of Borrowing and Portfolio Implications

11 In conjunction with advice from Arlingclose, the Authority will keep under review the following borrowing sources:

- Internal balances
- PWLB
- Other local authorities
- European Investment Bank
- Leasing
- Structured finance
- Capital markets (stock issues, commercial paper and bills)
- Commercial banks
- UK Municipal Bond Agency

As the Council did not foresee an immediate need to borrow, and as it was aware of the risks of joint and several liability, it did not take any part in setting up the UK Muncipal Bond Agency (UKMBA). However, the option of joining the UKMBA or issuing bonds in our own name, is under constant review. As it is anticipated that the Council will borrow in the near future to fund its ambitious capital programme, a more comprehensive review and decision from whom to borrow will take place at that juncture, after seeking appropriate, formally given advice.

12 The Council has no immediate need to borrow externally, due to our current cash balances, so it can avail itself of borrowing. Furthermore, the cost of carry means use of shorter dated borrowing and repayment by Equal Instalments of Principal (EIP) is more cost effective. This increases volatility in the debt portfolio in terms of interest rate risk but is counterbalanced by its lower interest rates and that borrowing costs are closer to investment returns. It also maintains an element of flexibility to respond to possible future changes in the requirement

to borrow. The Authority's exposure to shorter dated and variable rate borrowing is kept under regular review.

13 The Authority has £80.5m exposure to LOBO loans (Lender's Option Borrower's Option) of which £40.0m of these can be "called" within 2017/18. £15m of these were transformed into regular fixed rate loans in 2016/17.

14 LOBOs are so-called because lenders can exercise their rights at set times to amend the interest rate on the loan. At that point, the Borrower can accept the revised terms or reject them and repay the loan without penalty. LOBO loans present a potential refinancing risk to the Authority since the decision to call a LOBO is entirely at the lender's discretion which is compensated for by a lower interest rate being paid. This risk is mitigated by the fact that the Council's current cash holdings mean that any repayment could be accommodated by reducing deposits in a relatively short time and that it would financially advantageous to do so at current interest rates.

15 Any LOBOs called will be discussed with Arlingclose prior to acceptance of any revised terms. The default position will be the repayment of the LOBO without penalty i.e. the revised terms will not be accepted. It is considered a significant possibility that some LOBOs may be called over the next few years due to the need to comply with Basle III regulations for banks in 2019.

Debt Rescheduling

16 The Authority's debt portfolio can be restructured by prematurely repaying loans and refinancing them on similar or different terms to achieve a reduction in risk and/or savings in interest costs.

17 The lower interest rate environment and changes in the rules regarding the premature repayment of PWLB loans have adversely affected the scope to undertake worthwhile debt restructuring although occasional opportunities arise. The rationale for undertaking any debt rescheduling or repayment would be one or more of the following:

- Reduce investment balances and credit exposure via debt repayment
- Align long-term cash flow projections and debt levels
- Savings in risk adjusted interest costs
- Rebalancing the interest rate structure of the debt portfolio
- Changing the maturity profile of the debt portfolio

18 The possible benefit of undertaking a restructuring needs to be carefully evaluated as it depends on how the repayment is resourced. Officers will monitor the portfolio together with Arlingclose and remain alert for opportunities where the potential savings justify the risks involved. Borrowing and rescheduling activity will be reported to the Cabinet and Council in the Annual Treasury Management Report and the mid year report.

Annual Investment Strategy

19 In accordance with investment guidance issued by the Department for Communities and Local Government (CLG), and best practice, this Authority's primary objective in relation to the investment of public funds remains the security of capital. The liquidity or accessibility of the Authority's investments is secondary, followed by the yield earned on investments. However, the likely rise in inflation presents a further risk to the Council in so far as current investment yields are likely to be below the rate of inflation. This means that the value of these investments is declining as time goes on. Though not clearly visible, this will progressively erode the purchasing power of Treasury investments.

20 The graph in Annex D shows a comparison between Brent's portfolio and that of Arlingclose's other clients. Brent's portfolio has a very low risk compared with many of the others, but also a lower yield than would be expected for that risk. Brent currently uses quite a narrow range of the instruments which are available, chosen because they are short term and with highly rated counterparties, principally the UK government, local authorities and major UK banks. Additional yield can be offered either in return for higher inherent risk or reduced liquidity (i.e. longer maturities or lower marketability). However, this risk can be mitigated in a number of ways:

- Diversification over a range of counterparties;
- Seeking collateral or additional security for capital invested;
- Focusing on capital strength or sound business models.

21 Corporate bonds, for example, can give significantly higher yields than our current deposits but give exposure to risks from economic, commercial and operational difficulties. Diversification would involve investing small amounts with a large number of companies or buying diversified Funds. Seeking additional security could involve exchanging our deposit for known high credit quality assets, or a claim on a pool of assets. Seeking capital strength would involve investing in companies with high levels of assets in relation to liabilities or a strong fixed asset base, or whose business is not subject to marked fluctuations in activity or profitability. Annex C compares some readily available options.

22 The Council has a borrowing portfolio of £416m and a Capital Financing Requirement of £584m. This £168m difference generates 0.37% of interest. If borrowed for 25 years on Equal Instalment of Principal terms, it would cost 2.55%. Together, this equals a total 2.92% return, representing a saving of £4.9m to the Council, but also an opportunity to invest.

23 Brent currently holds a historically high level of cash which has risen over the last three years. A significant part of this is related to unspent capital grants and Section 106 contributions, which are already reducing. However, there are other elements that will grow, such as CIL. The Capital programme has increased in scale and the relative ease of direct purchasing of assets (PRS and land) means that spend is more likely to meet ambitious targets than in prior years. Therefore overall, the Council will continue to have significant balances invested for at least the next couple of years.

24 Having an appropriate lending list of counterparties, remains critically important to protecting Brent's investments. A list of extremely secure counterparties would be very small, and the limits with each would be correspondingly high. This would expose the authority to a risk of an unlikely but potentially large loss. This arises because the arrangements for dealing with banks in difficulty now require a loss to be imposed on various categories of liabilities of the banks to allow the bank to recapitalize itself and continue in business (sometimes referred to as bail in).

25 Local authority deposits could be exposed to a loss of up to 40%, beyond which the government would be able to give support. As a consequence, the Council has taken steps to reduce exposure to banks, by shortening maturity limits, by investing principally in instruments which can be sold in the event of warning signs being noticed and by diversifying. The Authority and its advisors remain alert for signs of credit or market distress that might adversely affect the Authority. However, The Council wishes to maintain the option of using a wider range of instruments which are not subject to bail in, where appropriate, and this would include the instruments referred to in Annex C. All of these would be need a thorough vetting by officers and the Council's Treasury advisors, Arlingclose.

26 Investments are categorised as Specified or Non-Specified within the investment guidance issued by the CLG. Specified investments are sterling denominated investments with a maximum maturity of one year. They are also of a high credit quality as determined by the Authority and are not investments that needed to be accounted for as capital expenditure. Non-specified investments are, effectively, everything else. Investments for more than a year remain non-specified until they mature.

27 The types of investments that will be used by the Authority and whether they are specified or non-specified are as follows:

Table 2: Specified and Non-Specified Investments

Investment	Specified	Non-Specified
Term deposits with banks and building societies	✓	✓
Term deposits with other UK local authorities	✓	✓
Investments with Registered Providers	✓	✓
Certificates of deposit with banks and Building Societies	✓	✓
Gilts	✓	✓
Treasury Bills (T-Bills)	✓	✗
Bonds issued by Multilateral Development Banks	✓	✓
Local Authority Bills	✓	✗

Commercial Paper	✓	✗
Corporate Bonds	✓	✓
AAA-Rated Money Market Funds	✓	✗
Other Money Market Funds and Collective Investment Schemes	✓	✓
Debt Management Agency Deposit Facility	✓	✗

28 Registered Providers (Housing Associations and Registered Social Landlords) have been included within specified and non-specified investments for 2017/18. Any investments with Registered Providers will be analysed on an individual basis and discussed with Arlingclose prior to investing.

29 The minimum credit rating for non-UK sovereigns is AA+ (or equivalent). For specified investments the minimum long term rating for counterparties is A- (or equivalent). Within these criteria the Chief Finance Officer (CFO) will have discretion to accept or reject individual institutions as counterparties on the basis of any information which may become available. The countries and institutions that currently meet the criteria for investments are included in Annex A. The Council uses the lowest rating quoted by Fitch, Standard and Poor or Moody, as recommended by CIPFA.

30 Any institution will be suspended or removed should any of the factors identified above give rise to concern, and caution will be paramount in reaching any investment decision regardless of the counterparty or the circumstances. Credit ratings are monitored continually by the Authority, using the advice of Arlingclose on ratings changes, and action taken as appropriate.

31 The Authority banks with National Westminster Bank (Natwest). At present, Natwest does not meet the Authority's minimum credit criteria (its Moody's rating is Baa1). While it does not give cause for immediate concern, its status is being monitored and the necessary actions should it deteriorate have been considered. In the meantime, as far as is consistent with operational efficiency, no money is being placed with Natwest and credit balances in the various Council accounts are being kept to a minimum level. This is why the Pension Fund, in the midst of restructuring its investments, recently agreed to make use of the Treasury function to loan to other organisations.

Investment Strategy

32 With short term interest rates expected to remain low for many years, an investment strategy will typically result in a lengthening of investment periods, where cash flow permits, in order to lock in higher rates of acceptable risk adjusted returns.

33 Following on from the banking crisis of 2008/09 and government interventions to prevent the collapse of the banking system, there has been an increase in legislative restrictions on the extent and manner in which public money can be used in the event of an impending bank failure. In future, governments will be unable to invest public money to rescue banks in difficulty until a significant contribution has been made by those who have certain kinds of investments in

the bank concerned, a process called “Bail in”. These include deposits by those deemed to be in a position to assess the risk involved, including local authorities.

34 Secured deposits of various kinds are not included in bail in provisions. Some other forms of deposits are, but can be sold if felt to be at risk. It is likely that the Council’s preferred instruments in lending to institutions without some kind of government guarantee will increasingly be in the form of secured or marketable instruments.

35 In order to diversify a portfolio largely invested in cash, investments will be placed with a number of approved counterparties over a range of maturity periods. Maximum investment levels with each counterparty will be set by the Chief Finance Officer to ensure that prudent diversification is achieved.

36 Money market funds (MMFs) will be utilised but good treasury management practice prevails, and whilst MMFs provide good diversification, the Authority will also seek to mitigate operational risk by using at least two MMFs where practical. The Authority will also restrict its exposure to MMFs with lower levels of funds under management and will not exceed 0.5% of the net asset value of the MMF. In addition, each Fund will be limited to a maximum deposit of £10m and no more than half the Council’s deposits will be placed with MMFs.

37 The investment strategy will provide flexibility to invest cash for periods of up to 370 days in order to access higher investment returns, although lending to UK local authorities can be for up to 5 years. The upper limit for lending beyond a year is £40m. In practice, lending for more than one year will be only to institutions of the highest credit quality and at rates which justify the liquidity risk involved. Marketable instruments may have longer maturities, though the maturity will be considered in conjunction with the likely liquidity of the market and credit quality of the institution.

38 Annex C summarises the main features of some instruments which the Council does not use at present but would like to reserve the option to use in the future. Before using any of these, officers would take advice from Arlingclose and adopt suitable guidelines to manage risk from exposure to the new instruments.

39 Collective Investment Schemes (Pooled Funds):
The Authority has evaluated the use of Pooled Funds and determined the appropriateness of their use within the investment portfolio. Pooled funds enable the Authority to diversify the assets and the underlying risk in the investment portfolio and provide the potential for enhanced returns. Investments in pooled funds will be undertaken with advice from Arlingclose. The Authority currently has no investments in Pooled Funds at present, but may make prudent use of them in the future.

40 Investment Policy:
Treasury Management in the Public Services: Code of Practice (the Code) was updated in November 2011, with a greater focus on risk management and significance of capital security as the Council's primary objective in relation to investments.

41 The Council maintains, as the cornerstones for effective treasury

management:-

- A treasury management policy statement, stating the policies, objectives and approach to risk management of its treasury management activities;
- Suitable treasury management practices (TMPs), setting out the manner in which the Council will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities.

Policy on Use of Financial Derivatives

42 The Authority does not currently use standalone financial derivatives (such as swaps, forwards, futures and options) and will only do so where they can be clearly demonstrated to reduce the overall level of the financial risks that the Authority is exposed to. Additional risks presented, such as credit exposure to derivative counterparties, will be taken into account when determining the overall level of risk. Embedded derivatives will not be subject to this policy. Where schemes contain an embedded derivative they will be subject to evaluation as part of the appraisal of the particular scheme.

43 Financial derivative transactions may be arranged with any organisation that meets the approved investment criteria. The current value of any amount due from a derivative counterparty will count against the counterparty credit limit and any relevant foreign country limit.

44 The Authority will only use derivatives after seeking expertise, receiving a legal opinion and ensuring officers have the appropriate training for their use.

Policy on apportioning Housing Revenue Account (HRA)

45 Local authorities are required to recharge interest expenditure and income attributable to the HRA in a way which is fair to the HRA without detriment to the General Fund. The guidance is non-specific, so the Council is required to adopt a policy that will set out how interest charges attributable to the HRA will be determined. The CIPFA Code recommends that local authorities outline this policy in their TMSS.

46 As of 1 April 2012, the Council notionally split each of its existing long-term loans into General Fund and HRA pools. Individual loans or parts of loans have been allocated to the HRA, on the basis of achieving the same long term rate as that which applied to the General Fund at the self-financing date. In the future, new long-term borrowing will be assigned in its entirety to one pool or the other, allocating the costs and benefits to each accordingly.

47 Differences between the value of the HRA loans pool and the HRA's underlying need to borrow results in a notional element of internal borrowing. This balance will be assessed over the year and interest charged to the HRA at an appropriate rate for short term borrowing. The HRA will also hold reserves and balances which will be invested with the Council, and interest will be paid on identified balances at a rate which recognises that any investment risk is borne by the General Fund.

Monitoring and Reporting on the Treasury Outturn and Prudential Indicators

48 The CFO will report to the Audit Committee, Cabinet and Full Council on treasury management activity as follows:

- Annually, against the strategy approved for the year.
- A mid-year report on the implementation of strategy and main features of the year's activity to date.

Training

49 CIPFA's Code of Practice requires the CFO to ensure that all members with treasury management responsibilities, including scrutiny of the treasury management function, receive appropriate training relevant to their needs and understand fully their roles and responsibilities. Arlingclose delivered a training session for members on 19 November, 2015. Staff regularly attend training courses, seminars and conferences provided by Arlingclose, CIPFA and others. Relevant staff are also encouraged to study for professional qualifications from CIPFA and other appropriate organisations.

Treasury Management Advisers

50 The Authority uses Arlingclose as Treasury Management Advisors and receives the following services:

- Credit advice
- Investment advice
- Technical advice
- Economic & interest rate forecasts
- Workshops and training events
- HRA support
- Other matters as required

The Authority maintains the quality of the service with its advisers by holding quarterly meetings and tendering periodically.

Annex A

ANNUAL INVESTMENT STRATEGY 2017/18

List of institutions which meet the Council's credit worthiness criteria:

Jurisdiction	Counterparty
UK	Lloyds/Bank of Scotland plc
UK	Barclays Bank plc
UK	Close Brothers ltd
UK	Goldman Sachs International Bank
UK	HSBC Bank plc
UK	Abbey National/Santander (UK) plc
UK	Coventry Building Society
UK	Leeds Building Society
UK	Nationwide Building Society
Australia	Australia and NZ Banking Group
Australia	Commonwealth Bank of Australia
Australia	National Australia Bank Ltd
Australia	Westpac Banking Corporation
Canada	Bank of Montreal
Canada	Bank of Nova Scotia
Canada	Canadian Imperial Bank of Commerce
Canada	Royal Bank of Canada
Canada	Toronto-Dominion Bank
Denmark	Danske Bank a/s
Germany	FMS Wertmanagement
Germany	Kreditanstalt fuer Wieferauf
Germany	Landesbank Hessen-Thuringen
Germany	Landeskred Baden-Wuerttenburg
Germany	Landwirtschaftliche Rentenbank
Germany	Landesbank Sachsen-Anhalt
Netherlands	Bank Nederlandse Gemeenten
Netherlands	Cooperatieve Rabobank UA
Netherlands	ING Bank NV

Singapore	DBS Bank Ltd
Singapore	Overseas-Chinese Banking Corporation
Singapore	United Overseas Bank Ltd
Sweden	Nordea Bank AB
Sweden	Svenska Handelsbanken a shs
Switzerland	Credit Suisse AG
USA	JPMorgan Chase Bank NA

The list above represents the institutions which meet the criteria at the time of preparation of the strategy. It does not include institutions to whom we are prepared to lend on the basis of sovereign or quasi sovereign status. The Authority's Chief Finance Officer may introduce new names which meet the criteria from time to time and may adopt more restrictive limits on maturity or value as seems prudent. The Council may also lend any amount to any UK national or local government body for up to 5 years. However, in light of the reductions of central government funding, additional credit worthiness criteria will be required, so smaller bodies with weaker balance sheets would be unlikely to meet the Council's rigorous standards.

An operational list of institutions which are approved to take deposits from the Council will be prepared and circulated to dealing and approving Officers from time to time. This includes money market funds. A protocol will also be maintained describing how investments will be chosen and managed.

Group Limits - for institutions within a banking group, the authority may lend the full limit to a single bank within that group, but may not exceed the limit for all group members. All direct investments with a bank or group will be subject to that limit.

Annex B

Non-Specified Investments

Instrument

Call accounts, term deposits and Certificates of Deposit (CDs) with banks, building societies and local authorities which do not meet the specified investment criteria (on advice from Arlingclose)

Deposits with registered providers

Gilts

Bonds issued by multilateral development banks

Sterling denominated bonds by non-UK sovereign governments

Money Market Funds rated below AAA and Collective Investment Schemes

Corporate and debt instruments issued by corporate bodies

Collective Investment Schemes (pooled funds) which do not meet the definition of collective investment schemes in SI 2004 No 534 or SI 2007 No 573. These would be capital expenditure.

The Authority will hold up to a maximum of £40m in non-specified investments at any time, which may all be in one category subject to individual counterparty limits.

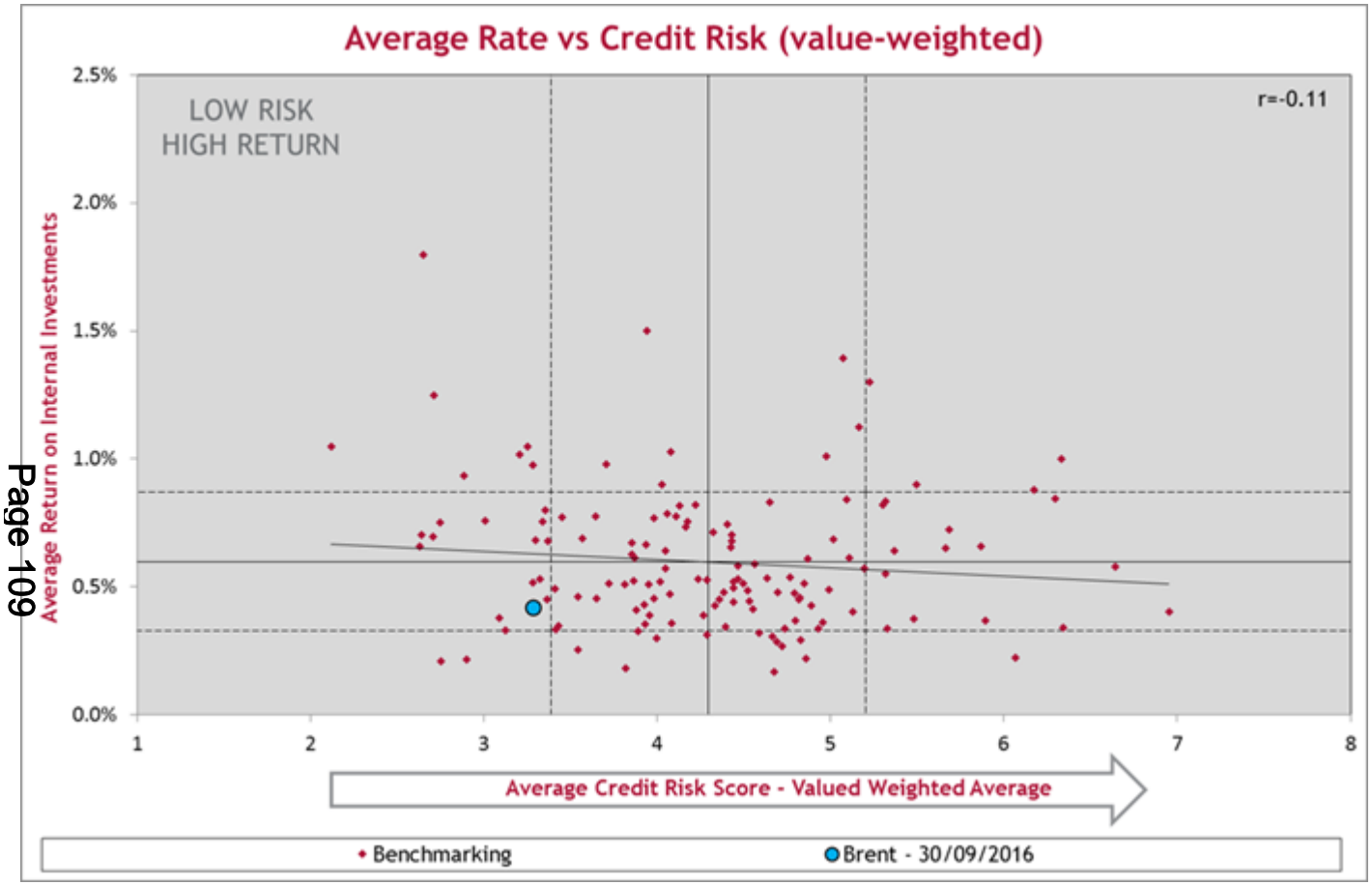
Annex C

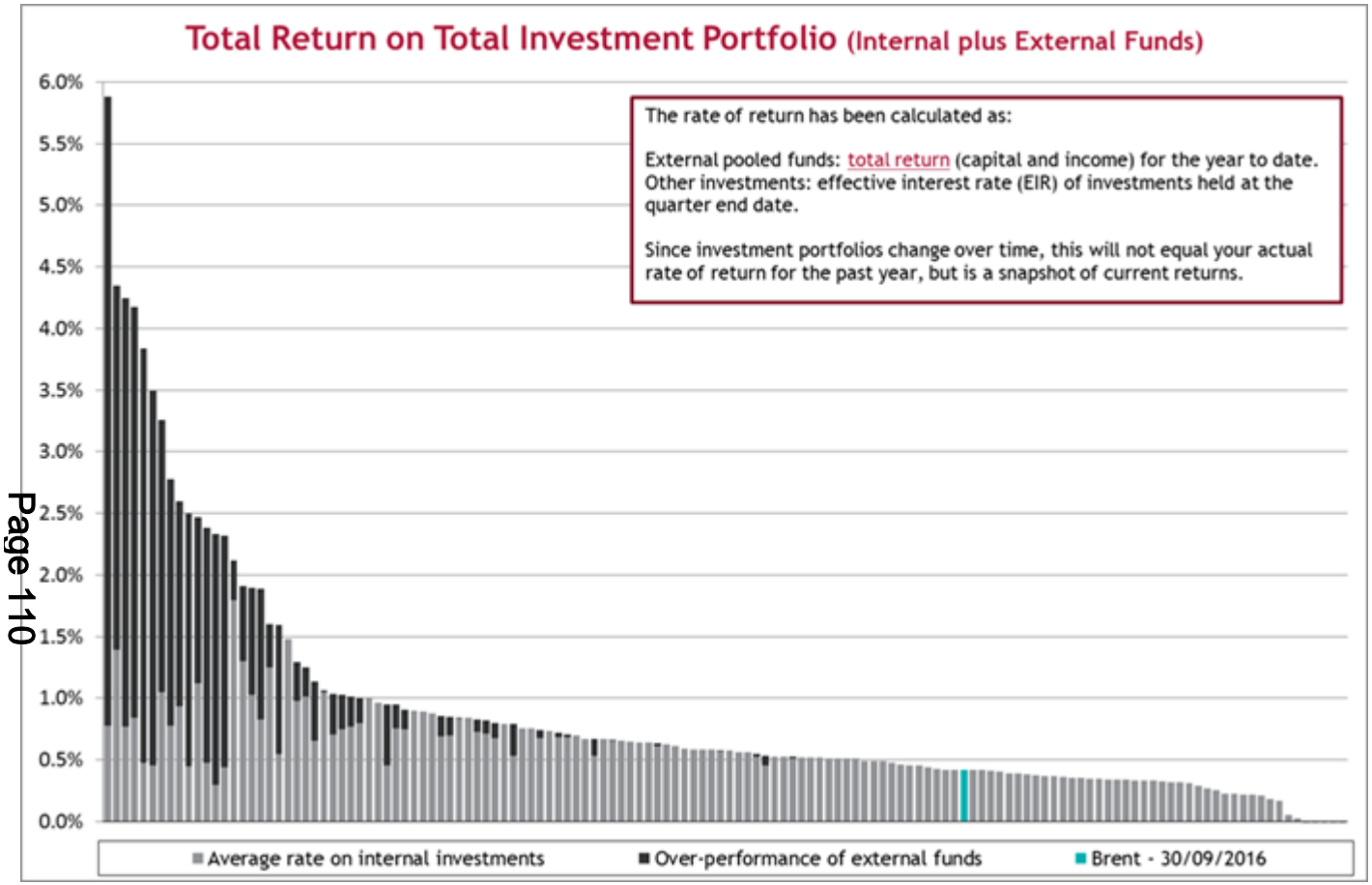
Other available options

All of the instruments are exempt from the risk of being bailed in if the institution borrowing the Council's money is eligible for bail in.

Instrument (and suitable time scale)	Features	Advantages	Disadvantages
Short bond or cash plus funds 6 months – 2 years	Purchase shares Cash invested in a diversified portfolio of liquid securities	Improved yield from various sources Redeemable asset	Volatility low but value could be below purchase price for some periods
Repurchase arrangement (repo) 1 month – 1 year	Loan to counterparty secured by exchange of collateral as security repayment (usually government stocks)	Offers improved yield by allowing extension of maturity limits	Not easily marketable, so would normally be held to maturity
Covered bonds 3 months – 3 years	Bond guaranteed by nomination of a pool of assets as security. Bond will have its own credit rating	Offers improved yield by allowing extension of maturity limits and use of counterparties who would be excluded by their own rating	Marketable but the market price would fluctuate so should be bought with the intention of holding to maturity
Corporate bonds 1 month – 2 years	Loan to company in marketable form. Security is the companies credit rating and assets	Improved yield because of lower liquidity and economic risk. Corporate capital structures are often more secure than financial counterparties	Risks of a different nature to financial counterparties: more exposed to market and economic risk
Corporate bond funds 6 months – 3 years	Purchase shares Cash invested in a diversified portfolio of corporate borrowing	Diversification means reduced risk Wide range of yields depending on liquidity and risk appetite	Higher level of volatility so may have to be prepared to wait to liquidate investment on favourable terms
Property Funds 5 years	Purchase shares Cash invested in a diversified portfolio of properties	Yields can be high by Treasury standards	Can be very volatile and may need long periods to be able to achieve value

Annex D


Average Rate vs Credit Risk (value-weighted)
LOW RISK
HIGH RETURN
r=-0.11
Average Return on Internal Investments
2.5%
2.0%
1.5%
1.0%
0.5%
0.0%
1
2
3
4
5
6
7
8
Average Credit Risk Score - Valued Weighted Average
Benchmarking
Brent - 30/09/2016


Total Return on Total Investment Portfolio (Internal plus External Funds)
6.0%
5.5%
5.0%
4.5%
4.0%
3.5%
3.0%
2.5%
2.0%
1.5%
1.0%
0.5%
0.0%
The rate of return has been calculated as:
External pooled funds: total return (capital and income) for the year to date.
Other investments: effective interest rate (EIR) of investments held at the quarter end date.
Since investment portfolios change over time, this will not equal your actual rate of return for the past year, but is a snapshot of current returns.
Average rate on internal investments
Over-performance of external funds
Brent - 30/09/2016

Prudential Indicators, 2016/17 – 2019/20

1.1 Background:

There is a requirement under the Local Government Act 2003 for local authorities to have regard to CIPFA's Prudential Code for Capital Finance in Local Authorities when setting and reviewing their Prudential Indicators.

1.2 Gross Debt and the Capital Financing Requirement:

	2015/16 £m	2016/17 £m	2017/18 £m	2018/19 £m	2019/20 £m
Estimated capital financing requirement for:					
- General Fund	446.1	446.1	446.1	584.5	688.8
- HRA	138.2	138.2	155.0	181.4	189.2
- Total	584.3	584.3	601.1	765.9	878.0
HRA Limit on Indebtedness:	199.3	199.3	199.3*	199.3*	199.3*

*The capital programme is under regular review to ensure the HRA Limit on Indebtedness is not breached.

1.3 Estimates of Capital Expenditure:

	2016/17 £m	2017/18 £m	2018/19 £m	2019/20 £m
Planned capital spending:				
- General Fund	80.2	150.5	114.8	49.3
- HRA	31.1	67.7	26.4	7.8
- **Total**	**111.3**	**218.2**	**141.2**	**57.1**

1.4 Affordability indicators:

The ratio of financing costs to net revenue stream is an indicator of affordability and is based on costs net of investment income:

Ratio of Financing Costs to Net Revenue Stream	2016/17 Approved %	2016/17 Revised %	2017/18 Estimate %	2018/19 Estimate %	2019/20 Estimate %
General Fund	10.49	7.97	5.68	7.67	9.72
HRA	15.01	12.80	13.83	15.93	16.18
Total	11.27	8.76	7.01	9.01	10.75

1.5 Incremental Impact of Capital Investment Decisions:

The incremental impact of capital investment decisions is an indicator of affordability that shows the impact of capital investment decisions on Council Tax and Housing Rent levels. The incremental impact is calculated by comparing the total revenue budget requirement of the current approved capital programme with an equivalent calculation of the revenue budget requirement arising from the proposed capital programme.

Incremental Impact of Capital Investment Decisions	2016/17 Approved £	2017/18 Estimate £	2018/19 Estimate £	2019/20 Estimate £
Increase in Band D Council Tax	0.00	0.00	43.30	86.15
Increase in Average Weekly Housing Rents	0.00	1.16	3.47	4.69

1.6. Authorised Limit and Operational Boundary for External Debt:

1.6.1 The Authority has an integrated treasury management strategy and manages its treasury position in accordance with its approved strategy and practice. Overall borrowing will therefore arise as a consequence of all the financial transactions of the Authority and not just those arising from capital spending reflected in the CFR. The Authorised Limit is the statutory limit determined under Section 3(1) of the Local Government Act 2003 (referred to in the legislation as the Affordable Limit).

1.6.2 The Operational Boundary has been set on the estimate of the most likely, i.e. prudent but not worst case scenario with sufficient headroom over and above this to allow for unusual cash movements. The Operational Boundary and Authorised Limit are prepared on the same basis but the Authorised Limit includes additional headroom to allow for strategic decisions which may increase borrowing for short periods.

	2016/17 Approved £m	2016/17 Revised £m	2017/18 Estimate £m	2018/19 Estimate £m	2019/20 Estimate £m
Authorised Limit	750	790	900	1000	1080
Operational Boundary	650	690	800	900	980

1.7 Upper Limits for Fixed Interest Rate Exposure and Variable Interest Rate Exposure:

1.7.1 These indicators allow the Authority to manage the extent to which it is exposed to changes in interest rates. This Authority calculates these limits on net principal outstanding sums (i.e. fixed rate debt net of fixed rate investments).

1.7.2 The upper limit for variable rate exposure has been set to ensure that the Authority is not exposed to interest rate rises which could adversely impact on the revenue budget. The limit allows for the use of variable rate debt to offset exposure to changes in short-term rates on investments

	Existing level at 01/01/16 %	2016/17 Approved %	2016/17 Revised %	2017/18 Estimate %	2018/19 Estimate %	2019/20 Estimate %
Upper Limit for Fixed Interest Rate Exposure	100	100	100	**100**	100	100
Upper Limit for Variable Interest Rate Exposure	40	40	40	40	40	40

1.7.3 The limits above provide the necessary flexibility within which decisions will be made for drawing down new loans on a fixed or variable rate basis; the decisions will ultimately be determined by expectations of anticipated interest rate movements as set out in the Authority's treasury management strategy.

1.8 Maturity Structure of Fixed Rate borrowing:

1.8.1 This indicator highlights the existence of any large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates and is designed to protect against excessive exposures to interest rate changes in any one period, in particular in the course of the next ten years.

1.8.2 It is calculated as the amount of projected borrowing that is fixed rate maturing in each period as a percentage of total projected borrowing that is fixed rate. The maturity of borrowing is determined by reference to the earliest date on which the lender can require payment.

1.8.3 LOBOs are classified as maturing on the next call date i.e. the earliest date that the lender can require repayment.

Maturity structure of fixed rate borrowing	Level at 30/11/16 %	Lower Limit %	Upper Limit %
under 12 months	10	0	40
12 months and within 2 years	2	0	20
2 years and within 5 years	14	0	20
5 years and within 10 years	2	0	60
10 years and within 20 years	6	0	100
20 years and within 30 years	0	0	100
30 years and within 40 years	49	0	100
40 years and within 50 years	17	0	100

1.9 Credit Risk:

1.9.1 The Authority considers security, liquidity and yield, in that order, when making investment decisions.

1.9.2 Credit ratings remain an important element of assessing credit risk, but they are not a sole feature in the Authority's assessment of counterparty credit risk.

1.9.3 The Authority also considers alternative assessments of credit strength, and information on corporate developments of and market sentiment towards counterparties. The following key tools are used to assess credit risk:

- Published credit ratings of the financial institution (minimum A- or equivalent) and its sovereign (minimum AA+ or equivalent for non-UK sovereigns);
- Sovereign support mechanisms;
- Credit default swaps (where quoted);
- Share prices (where available);
- Economic fundamentals, such as a country's net debt as a percentage of its GDP;
- Corporate developments, news, articles, markets sentiment and momentum;
- Subjective overlay.

1.9.4 The only indicators with prescriptive values remain to be long term credit ratings. Other indicators of creditworthiness are considered in relative rather than absolute terms.

1.10. Upper Limit for total principal sums invested over 364 days:

The purpose of this limit is to contain exposure to the possibility of loss that may arise as a result of the Authority having to seek early repayment of the sums invested.

Upper Limit for total principal sums invested over 364 days	2016/17 Approved £m	2016/17 Revised £m	2017/18 Estimate £m	2018/19 Estimate £m	2019/20 Estimate £m
	20	20	40	40	40

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ADVICE FROM THE CHIEF LEGAL OFFICER

1. INTRODUCTION

This appendix sets out in some detail Members' individual responsibilities to set a legal budget and how Members should approach the task. It also reminds Members about the rules concerning pecuniary and other interests.

2. WHEN THE BUDGET MUST BE SET

Under Section 31A of the Local Government Finance Act 1992, budget calculations have to be made before 11th March, but they are not invalid merely because they are made on or after 11th March. However, delay in setting the Council Tax will have very serious financial consequences. It will render the Council vulnerable to legal proceedings requiring it to set the tax. In any event, it is important that the tax is set well in advance of 1st April as no sum is payable for Council Tax until 14 days after the date of posting bills. Serious financial losses will accrue very soon from a late setting of Council Tax as income is delayed and interest is foregone.

An important feature of Council Tax is that the statutory budget calculation must be followed exactly. If not the Council Tax resolution will be invalid and void.

3. NOTICE

There is a requirement to publish notice of the amount set for Council Tax in at least one local paper within 21 days of the Council's decision under section 38(2) of the Local Government and Finance Act 1992. There is also a duty to consult with representatives of Non-Domestic Ratepayers about the proposed revenue and capital expenditure before the budget requirement is calculated under section 65 of the Local Government and Finance Act 1992.

4. MEMBERS' FIDUCIARY DUTIES

The obligation to make a lawful budget each year is shared equally by each individual Member. In discharging that obligation, Members owe a fiduciary duty to the Council Taxpayer.

The budget must not include expenditure on items which would fall outside the Council's powers. Expenditure on lawful items must be prudent, and any forecasts or assumptions such as rates of interest or inflation must themselves be rational. Power to spend money must be exercised bona fide for the purpose for which they were conferred and any ulterior motives risk a finding of illegality. In determining the Council's overall budget requirement, Members are bound to have regard to the level of Council Tax necessary to sustain it. Essentially

the interests of the Council Taxpayer must be balanced against those of the various service recipients.

Within this overall framework, there is of course considerable scope for discretion within the 2017/18 financial year, especially on the part of the Cabinet. Setting a budget is not the same as deciding what expenditure will in fact be incurred. To budget for expenditure is to estimate likely expenditure and/or make financial provision for such expenditure. However, Members will bear in mind that in making the budget commitments are being entered which will have an impact on future years. Some such commitments are susceptible to change in future years, such as staff numbers which are capable of upward or downward adjustment at any time. Other commitments however impose upon the Council future obligations which are binding and cannot be adjusted, such as loan charges to pay for capital schemes. For some specific proposals within the overall Budgetary framework, Cabinet decisions have already been made. For some other proposals, subject to relevant consultation where necessary, decisions by the Cabinet will need to be made, especially where the making of such a decision would result or would be likely to result in the permanent closure of a facility used by the public or a permanent and significant reduction in the level of services or facilities provided to the public other than where such closure or reduction in service is considered necessary by the relevant strategic director for reasons of health and safety.

Only relevant and lawful factors may be taken into account and irrelevant factors must be ignored. A Member who votes in accordance with the decision of his or her political group but who does so after taking into account the relevant factors and professional advice will be acting within the law. Party loyalty and party policy are capable of being relevant considerations for the individual Member provided the member does not blindly toe the party line without considering the relevant factors and professional advice and without properly exercising any real discretion.

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 (the Chief Legal 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.

5. ARREARS OF COUNCIL TAX AND VOTING

In accordance with section 106 of the Local Government Finance Act 1992 (“the 1992 Act”), 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.

(c) Any recommendation, resolution or other decision which might affect the making of the Annual Budget calculation.

Members should note the following points:

(i) These rules are extremely wide in scope. 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.

(ii) The rules do not apply just to full Council meetings but extend to committees and sub-committees of the Council and to the Cabinet and its Highways Committee.

(iii) 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.

(iv) Members will have a defence under section 106 of the 1992 Act if they did not know that the section applied to them (i.e., that they were in arrears to the relevant extent) at the time of the meeting. Thus unwitting Members who for example can prove that they did not know and had no reason to suppose at the time of the meeting that their bank has failed to honour a standing order will be protected should any prosecution arise.

(v) It is not enough to state that a benefit application has been submitted which has not yet been determined, as Members remain liable to pay pending determination.

(vi) Breach of the rules is a criminal offence under section 106 of the 1992 Act which attracts a maximum fine of £1,000.

Members' attention is also be drawn to the effect of the Local Authorities (Standing Orders)(England)(Amendment) Regulations 2014 which came into effect on 25 February 2014 which is that where any vote is taken at a Council meeting on setting the budget for the authority, the Minutes of the meeting will record the names of all Councillors present at the vote and how each Councillor voted (for or against) or the fact that they abstained from voting.

6. DISCLOSABLE PECUNIARY INTERESTS

Members are reminded to consider whether they have a disclosable pecuniary interest or a personal or prejudicial interest in the setting of the council's budget. If a member has a relevant interest they must disclose the interest at the meeting, subject to the provisions in the Code in respect of sensitive interests. If the interest is a disclosable pecuniary interest or a prejudicial interest as set out in the Brent Members Code of Conduct) the member may not participate in the discussions or vote on the matter, although if the interest is prejudicial only,

the member may remain for the purposes of making representations or asking questions. .

Members should seek early advice to avoid any confusion on the night of the meeting if they consider they have a relevant interest.

Dispensations

The Council's Monitoring Officer may, on written request from a Member, grant a dispensation to relieve the applicant from the restrictions on participation and voting. Dispensation may be granted if:-
- Without the dispensation the number of persons prohibited from participating would be so great a proportion to impede the effectiveness of the meeting;
- The representation of different political groups would be affected and likely to alter the likely outcome of any voting at the meeting;
- Granting the dispensation is in the interests of persons living in the Borough;
- Every Member of the Council's Cabinet would be precluded from participating in the meeting;
- It is appropriate to grant a dispensation.

Dispensation may be granted for up to 4 years. A dispensation will mean that the Member to whom it is granted can speak and vote on a matter in which they have a relevant interest. Where the Monitoring Officer is undecided on the best response, and time is not of the essence, the decision could be passed to Standards Committee for decision and there is no Standards Committee meeting currently fixed before the budget setting meeting.

7. RESPONSIBILITIES OF CHIEF FINANCIAL OFFICER AND AUDITORS' POWERS

Chief Financial Officer and Monitoring Officer

Section 114 of the Local Government Finance Act 1988 places the Chief Financial Officer under an obligation to prepare a report (to full Council) if it appears to him that the expenditure the Authority proposes to incur in a financial year is likely to exceed its resources available to meet that expenditure. A failure to take note and act on such a report could lead to a complaint to the Standards Board. Similarly, the Council's Monitoring Officer is required to report to Full Council if it appears to her that a decision has been or is about to be taken which is or would be unlawful or would be likely to lead to maladministration.

Under section 25 of the Local Government Act 2003 the Chief Financial Officer is required to report to the authority on the robustness of the estimates made for the purposes of the calculations required to be made by the Council and the adequacy of the proposed financial reserves. These are the estimates which the Cabinet is required to determine and submit to Full Council and are contained within this report. However, if the Council were minded to agree a budget based on different estimates e.g. if Council did not agree with the

estimates provided by the Cabinet then those estimates which the Council would adopt would effectively become 'the estimates' for the purpose of Section 25 and as such should be subject to a report by the Chief Financial Officer.

External Auditors' Powers

Section 91 of the Local Government Act 2000 and section 19A of the Audit Commission Act 1998 provide that an External Auditor may issue an "Advisory Notice" if he has reason to believe that an Authority is about to take a course of action which, if pursued to its conclusion, would be unlawful and likely to cause a loss or deficiency. This power is to be used where the matter is significant either in amount or in principle or both.

While the advisory notice has effect it is not lawful for the authority to implement or take the course of action in question unless it has considered the issues raised in the notice and given the auditor notice that it intends to proceed with that course of action in a specified period and that period has expired.

In addition, it is also open to the Auditor to apply for judicial review on any decision of an Authority or failure to act which it is reasonable to believe would have an effect on the accounts of an Authority.

8. SPECIFIC BUDGET ADVICE

Balances and Other Budget Calculations

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 section 31A(2)(b) and (c) of the Local Government Finance Act 1992 to calculate as part of their overall budget what amounts are appropriate for contingencies and reserves. The Council faces various contingent liabilities set out in the main budget report. Furthermore the Council must ensure sufficient flexibility to avoid going into deficit at any point during the financial year. Members will need to pay careful attention to the advice of officers here. As set out previously, under section 25 of the Local Government Act 2003 the Chief Finance Officer is required to report to the authority on the adequacy of the proposed financial reserves.

In addition to advising on the robustness of the estimates as set out above, the Chief Finance Officer is also required to report on the robustness of the proposed financial reserves. The same advice applies to these as to the other calculations required to be made by the Council.

Having considered the officer's report the Council is then required to *"have regard to the report"* but it is not required to adopt the recommendations in it. However, Members must demonstrate they have acted reasonably if they do not adopt the recommendations.

Localism Act 2011

Sections 72 to 79 and Schedules 5 to 7 of the Localism Act 2011 amended the legislation regarding the calculation of council tax. Schedule 5 of the Localism Act provides for a council tax referendum to be held if an authority increases its relevant basic amount of council tax in excess of principles determined by the Secretary of State. Authorities will not be able to exceed the Secretary of State's principles without having held such a referendum. The principles applicable for 2017/18 are discussed at paragraphs 1.2 to 1.4 of the main report.

Alternative Proposals

If alternative proposals to those contained in this report are moved at the budget setting meeting, the Chief Finance Officer will need to consider if the estimates or proposed financial reserves contained in this report are affected and whether a further report (which may be oral) is required under section 25 of the Local Government Act 2003. If the Chief Finance Officer is unable to report on the estimates or the reserves because of the lateness of the alternative proposals then he will not be able to comply with this statutory requirement. The Act does not say what happens if this duty is not fulfilled and nor does it say whether the Council can set the budget without that advice. It follows from this then that there is no express statutory prohibition. However, the authority is at risk of a Judicial Review by an interested person e.g. a resident or the Audit Commission if the Council has failed to have regard to a report of the Chief Finance Officer on the estimates and reserves used for its budget calculations.

Capital Programme

The requirements of the *"Prudential Code"* established in the Local Government Act 2003 are set out in the report.

Expenditure Charged to the Housing Revenue Account

Members will be aware that the Housing Revenue Account (HRA) is by law to be maintained separately from the General Fund and there are strict rules which determine to which account any expenditure must be charged. There are only very limited areas of discretion here. Members should bear in mind that if they wished to review any current determination which affects the apportionment of charges between the General Fund and HRA, they would need to do so on the basis of an officers' report and specific legal advice. The Housing Revenue Account must be maintained in balance throughout the year and the Council is under a duty to prevent a debit balance in the Housing Revenue Account pursuant to Section 76 Local Government and Housing Act 1989.

Equalities Legislation

Section 149 of the Equality Act 2010 sets out the public sector equality duty which requires the Council, when exercising its functions to have 'due regard' to the need to eliminate discrimination (both direct and indirect discrimination), harassment and victimization and other conduct prohibited under the Equality Act, and to advance equality of opportunity and foster good relations between those who share a 'protected characteristic' and those who do not share that protected characteristic.

A 'protected characteristic' is defined in the Equality Act as:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race; (including ethnic or national origins, colour or nationality)
- religion or belief;
- sex;
- sexual orientation.

Marriage and civil partnership are also a protected characteristic for the purposes of the duty to eliminate discrimination.

Having due regard to the need to 'advance equality of opportunity' between those who share a protected characteristic and those who do not, includes having due regard to the need to remove or minimize disadvantages suffered by them. Due regard must also be had to the need to take steps to meet the needs of such persons where those needs are different from persons who do not have that characteristic, and encourage those who have a protected characteristic to participate in public life.

Complying with the duty may involve treating some people better than others, as far as that is allowed by the discrimination law.

Due regard to the need to eliminate discrimination, advance equality, and foster good relations must form an integral part of the decision making process. The Council must consider the effect that implementing a particular policy will have in relation to equality before making a decision.

There is no prescribed manner in which the equality duty must be exercised. However, the council must have an adequate evidence base for its decision making. This can be achieved by gathering details and statistics on who use the facilities. A careful consideration of this assessment is one of the key ways in which the Council can show "due regard" to the relevant matters. Where it is apparent from the analysis of the information that the proposals would have an adverse effect on equality then adjustments should be made to avoid that effect (mitigation).

The duty is not to achieve the objectives or take the steps set out in s.149. Rather, the duty on public authorities is to bring these important objectives relating to discrimination into consideration when carrying out its functions. "Due

regard" means the regard that is appropriate in all the particular circumstances in which the authority is carrying out its functions.

There must be a proper regard for the goals set out in s.149. At the same time, the council must also pay regard to any countervailing factors, which it is proper and reasonable for them to consider. Budgetary pressures, economics and practical factors will often be important. The weight of these countervailing factors in the decision making process is a matter for the Council.

The equality and diversity implications of budget proposals are considered at all stages of the budget process, from the development of the initial budget strategy, through consideration of individual growth and savings proposals, to the production of service development plans. The processes in place are therefore aimed at ensuring that the budget proposals in this report do not discriminate against communities or individuals because of age, ethnicity, gender, disability, religion, or sexual orientation, and support the council in meeting its other duties to promote equal opportunities and good race relations.

Earmarked Reserves and Provisions

Officers have the authority to make transfers from these reserves and provisions up to the amounts in them for the specified purpose.

Reserves

2 Year Olds - Additional Funding	Gordon Brown
Area Child Protection	Gordon Brown RCCO
Ark Academy - TFL Contribution	Harlesden Project
Big London Energy Switch	Health Care Commission
Brent Safe Neighbourhood Board	HMO Licensing
Capital Financing	Homeless Strategy
Capital Funding	Housing Client Deposits
Capital Transformation Reserve	IIP, BIBS Restructure & Outplacement Training
CCG Funding - Public Health Resource Centre	Individual Electoral Registration
Central DSG	Innovation Programme Children's Social Care
Centralised Reserve	Insurance
Chalkhill	JFS School PFI
Chief Executive - Strategic & Cultural Projects	Local Elections
Community Infrastructure Levy (CIL)	Local Housing Allowance
Copland Legal Case	Local Housing Allowance Funding
Council Tax Scheme Grant	Local Welfare Assistance
Countryside Stewardship Grant	Long Term Sickness
Customer Services Reception Capital Works	Lottery Heritage
DCLG New Burdens	Mortgage Repossession Fund Grant
DCLG New Burdens Additional Funding	Multi Agency Front Door
Delayed Transfer of Care	New Accommodation for Independent Living (NAIL)
Dennis Jackson	New Recruitment System
DWP – Local Housing Allowance 2012/13	NNDR Revaluation Refunds
DWP - Transition Funding	PCT Joint Venture
DWP - Welfare Changes	Pension Liabilities
Employment Initiatives	Positive Activities for young People
Environment Stewardship Grant	Preventing Homelessness
Finance systems	Private Landlords Rent Deposit Scheme
Food Standards Agency	Proceeds of crime - Trading Standards

Football Foundation	Public Health
Future Funding Risk	Public Health Transitional Costs
Pupil Premium	SP&I Grants Paid in Advance
Redundancy & Redundancy	SP&I NHS Funding
Resident's Attitude Survey	SP&I Voluntary Sector Grants
Revenue Contribution to Capital	SP&I Working with Families
Salix	Sports England
Schools	Streetgames Funding
Schools Legal Contingency	Tackling Illegal Landlords
Section 106	Temporary Accomodation Housing Benefit
SEN Reform Grant	Tenancy Fraud Initiative
Service Pressures	The Library at Willesden Green Capital Works
Service Pressures - Temporary Accommodation	Transformation
Services to Schools - NHS Grants	Transformation Challenge
Single Status	Veolia Performance Payment
Social Care Training Programme	Wembley Youth and Community
Social Fund	Westbrook Bequest
South Kilburn	Willesden Green Library Refit
South Kilburn Sinking Fund	Willesden Sports Centre PFI
SP&I Community Safety Grant	Youth Offending - Nurse Funding

Provisions

Affordable Housing PFI	Insurance
Corporate Leases	NNDR - Brent Share of Revaluation
Disrepair cases	Repairs PSL Scheme
HRA Insurance	

SERVICES	Current Brent Charges	Current Brent Volume	Proposed amendment	**Increase / unit**	**Potential Income from Increase**	Rationale
Culture, Sports and Recreation						
LEISURE DISCOUNT SCHEME						
Sports Hall Hire - Peak	57.00	3425	58.00	£1.00	£3,425.00	Prices have not been increased for the last 3 years and are in line with competitor rates.
Dance Studio Peak	37.00	16	39.00	£2.00	£32.00	Prices have not been increased for the last 3 years and are in line with competitor rates.
Badminton Court Peak	9.50	870	10.50	£1.00	£870.00	Prices have not been increased for the last 3 years and are in line with competitor rates.
Table Tennis Peak	5.40	214	6.00	£0.60	£128.40	Prices have not been increased for the last 3 years and are in line with competitor rates.
Gym Membership	36.00	741	25.00	-£11.00	-£8,151.00	Reducing price to compete with cheaper gyms in the area
Gym Membership - Joint	61.20	26	49.00	-£12.20	-£317.20	As above
Gym Membership - Annual	330.00	3	250.00	-£80.00	-£240.00	Reducing price to compete with cheaper gyms in the area
Gym casual use - adults Peak	6.10	9032	6.50	£0.40	£3,612.80	Prices have not been increased for the last 3 years and are in line with competitor rates.
Sauna and Steam Peak	5.70	5145	6.50	£0.80	£4,116.00	Prices have not been increased for the last 3 years and are in line with competitor rates.
Sauna and Steam Off Peak	4.50	3723	4.80	£0.30	£1,116.90	Prices have not been increased for the last 3 years and are in line with competitor rates.
Sauna and Steam - Membership	33.00	9	34.00	£1.00	£9.00	Prices have not been increased for the last 3 years and are in line with competitor rates.
Parties	100.00	65	110.00	£10.00	£650.00	Some parties are delivered in partnership and fees are set. Prices have not been increased for the last 3 years and are in line with competitor rates.
Coach for parties	30.00	N/A	35.00	£5.00		Prices have not been increased for the last 3 years and are in line with competitor rates.
Boardroom – Full Day	68.00	362	69.00	£1.00	£362.00	Not increased in 3 years and in line with competitor rates
Community Suite - Full Day	139.20	937	139.90	£0.70	£655.90	Not increased in 3 years and in line with competitor rates
Tropics Suite - Full Day	208.50	78	209.00	£0.50	£39.00	Not increased in 3 years and in line with competitor rates
Syndicate Room - Full Day	257.40	532	258.00	£0.60	£319.20	Not increased in 3 years and in line with competitor rates
Conference Room - Full Day	403.20	370	404.00	£0.80	£296.00	Not increased in 3 years and in line with competitor rates
Function Hall - Full Day	790.00	1146	800.00	£10.00	£11,460.00	Not increased in 3 years and in line with competitor rates.

SERVICES	Current Brent Charges	Current Brent Volume	Proposed amendment	**Increase / unit**	Potential Income from Increase	Rationale
Sports hall – Full Day	1700.00	0	1900.00	£200.00	£0.00	Not increased in 3 years and in line with competitor rates.
Boardroom – Per Hour	11.60	250	12.00	£0.40	£100.00	Not increased in 3 years and in line with competitor rates.
Community Suite – Per Hour	23.20	699	24.00	£0.80	£559.20	Not increased in 3 years and in line with competitor rates.
Tropics Suite– Per Hour	34.75	12	35.00	£0.25	£3.00	Not increased in 3 years and in line with competitor rates.
Syndicate Room – Per Hour	42.90	532	43.00	£0.10	£53.20	Not increased in 3 years and in line with competitor rates.
Conference Room – Per Hour	67.20	344	68.00	£0.80	£275.20	Not increased in 3 years and in line with competitor rates.
Function Hall – Per Hour	86.90	49	90.00	£3.10	£151.90	Not increased in 3 years and in line with competitor rates.
Libraries						
If any library item has to be ordered	1.65	60	3.00	£1.35	£81.00	Increase charge to reflect free reservations and customer reservations. This service used to purchase out of print items from second hand websites such as amazon - which costs the service additional fees to process. This is also in line with neighbouring boroughs
CDs 3 week loan	1.00	190	2.00	£1.00	£190.00	CDs no longer stocked in Brent Libraries, only those borrowed from other authorities generate any income. This was because issues fell dramatically and this income was used to support the collection, it became a cost to provide the service to very few users so it was disbanded. Increase to cover cost of inter-lending.
Reserved book from the British Library	1.65	9.00	10.00	£8.35	£75.15	Keen to raise this, particularly for British Library requests which cost at least £12.50 per item (not including staff time) £10 charge for British Library items suggested last year after bench marking against neighbouring services.
				TOTAL INCOME	**£19,873**	
Food and Health & Safety						
Cadaver certificate (3 working days' notice)	52.00	0	58.00	£6.00	£0.00	Updated as a result of benchmarking – fees aligned with neighbouring boroughs.
Cadaver certificate (urgent next day service)	103.00	0	113.00	£10.00	£0.00	Updated as a result of benchmarking – fees aligned with neighbouring boroughs.

SERVICES	Current Brent Charges	Current Brent Volume	Proposed amendment	**Increase / unit**	Potential Income from Increase	Rationale
Food Export Health Certificates (3 working days)	52.00	178	58.00	£6.00	£1,068.00	Updated as a result of benchmarking – fees aligned with neighbouring boroughs.
Food Export Health Certificates (urgent next day service)	103.00	0	113.00	£10.00	£0.00	Updated as a result of benchmarking – fees aligned with neighbouring boroughs.
Food destruction certificate	200.00	0	220.00	£20.00	£0.00	Updated as a result of benchmarking – fees aligned with neighbouring boroughs.
Freezer breakdown certificate	200.00	0	220.00	£20.00	£0.00	Updated as a result of benchmarking – fees aligned with neighbouring boroughs.
Pool water analysis single pool	192.00	5	200.00	£8.00	£40.00	Updated as a result of benchmarking – fees aligned with neighbouring boroughs.
Pool water analysis double pool	358.00	0	375.00	£17.00	£0.00	Updated as a result of benchmarking – fees aligned with neighbouring boroughs.
Schools Legionella Water Sampling	1510.00	5	1585.00	£75.00	£375.00	Updated as a result of benchmarking – fees aligned with neighbouring boroughs.
Schools Drinking Water Sampling	505.00	5	530.00	£25.00	£125.00	Updated as a result of benchmarking – fees aligned with neighbouring boroughs.
Food Hygiene Rating Scheme (FHRS) rating re-assessment	0	25	260.00	£260.00	£6,500.00	New charge. The FHRS Brand Standard is changing in 2017 to allow Councils to charge for requests for re-rating
Special treatments exhibition including any treatment from categories B, C or D	£1,131 plus £95 per company administering	0	£1,185 plus £95 per company administering	£54.00	£0.00	Updated as a result of benchmarking – fees aligned with neighbouring boroughs.
Special treatments - lasers (Cat A)	734.00	0	750.00	£16.00	£240.00	Updated as a result of benchmarking – fees aligned with neighbouring boroughs.
Special treatments - massage, acupuncture, tattooing etc (cat B)	597.00	0	610.00	£13.00	£325.00	Updated as a result of benchmarking – fees aligned with neighbouring boroughs.

SERVICES	Current Brent Charges	Current Brent Volume	Proposed amendment	**Increase / unit**	Potential Income from Increase	Rationale
Special treatments - beauty treatments, etc (Cat C)	357.00	0	365.00	£8.00	£400.00	Updated as a result of benchmarking – fees aligned with neighbouring boroughs.
Special treatments - manicure, nose and ear piercing, etc (Cat D)	168.00	0	200.00	£32.00	£160.00	Updated as a result of benchmarking – fees aligned with neighbouring boroughs.
Special treatments - licence variation including addition or change of therapist	97.00	0	105.00	£8.00	£40.00	Updated as a result of benchmarking – fees aligned with neighbouring boroughs.
				TOTAL INCOME	**£9,273.00**	
Public Realm (Highways)						
Temporary Crossing – Commercial:	£50/ month	3	£500/ month	£450.00	£6,000	Income based on estimated volume of 12 with enforcement resource. Revised charge better aligned with neighbouring boroughs
Crane Oversail	£200/ licence	0	£350/ licence	£150.00	£3,500	Income based on estimated volume of 10 with enforcement resource. Revised charge better aligned with neighbouring boroughs
Crane (mobile platform):	£200/ day	38	£300/ day	£100.00	£14,400	Income based on estimated volume of 48 with enforcement resource Revised charge better aligned with neighbouring boroughs
Scaffolding	£76/ fortnight	99	£211/ fortnight	£135.00	£20,889	Income based on estimated volume of 99 with enforcement resource. However numbers drop off if uplift applied with no enforcement resource Revised charge better aligned with neighbouring boroughs
Hoarding	£76/ fortnight	99	£211/ fortnight	£135.00	£20,889	Income based on estimated volume of 99 with enforcement resource. However numbers drop off if uplift applied with no enforcement resource Revised charge better aligned with neighbouring boroughs
Skips (licences)	£42/ fortnight	1800	£45/ fortnight	£3.00	£85,500	Income based on estimated volume of 1900 with enforcement resource. However numbers drop off if uplift applied with no enforcement resource. Revised charge better aligned with neighbouring boroughs

SERVICES	Current Brent Charges	Current Brent Volume	Proposed amendment	**Increase / unit**	Potential Income from Increase	Rationale
Skips (fines)	£207	10	£207	0	£10,350	Income based on estimated volume of 50 with enforcement resource.
Building Material licences (Residential)	£78/ month	3	£150/ month	£72.00	£15,000	Income based on estimated volume of 100 with enforcement resource. Revised charge better aligned with neighbouring boroughs
Builders Material Licences (Commercial)	£78/ month	0	£300/ month	£222.00	£3,000	Income based on estimated volume of 10 with enforcement resource. Revised charge better aligned with neighbouring boroughs
Skip Company- Annual Registration fee:	£0	0	£270.00	£270.00	£13,500	Income based on estimated volume of 50 with enforcement resource. Revised charge better aligned with neighbouring boroughs
Container/Portacabin licences:	£0	0	£300.00	£300.00	£6,000	Income based on estimated volume of 20 with enforcement resource. Revised charge better aligned with neighbouring boroughs
FPN's - skips – failure to comply with conditions of permission.	£0	0	£100/£50	£100/£50	£3,750	Income based on estimated volume of 50 with enforcement resource. Also assumes 50% early payment. Revised charge better aligned with neighbouring boroughs
FPN's - skips- unlit	£0	0	£100/£50	£100/£50	£7,500	Income based on estimated volume of 100 with enforcement resource. Also assumes 50% early payment. Revised charge better aligned with neighbouring boroughs
Abandoned Vehicle FPN's	£0	0	£200/£120	£200/£120	£3,200	Income based on estimated volume of 20 with enforcement resource. Also assumes 50% early payment. Revised charge better aligned with neighbouring boroughs
Saving Transportation the cost of pavement damage or recouping					£15,000	Assumed saving from delivering enforcement activity

SERVICES	Current Brent Charges	Current Brent Volume	Proposed amendment	**Increase / unit**	Potential Income from Increase	Rationale
Recouping costs of road traffic accident damage and clean up costs					£40,000	Assumed saving from delivering enforcement activity
				TOTAL INCOME	**£ 102,000.00**	£102k is the net benefit once the cost of resourcing the team to deliver the service has been paid.
Highways and Transportation						
Domestic Vehicle Crossing	25.00	225	70.00	45.00	£ 10,125.00	To align with neighbouring boroughs
Industrial Vehicle Crossover	25.00	10	70.00	45.00	£450.00	To align with neighbouring boroughs
Temporary Traffic Management Order	2150.00	77	2250.00	100.00	£7,700.00	To align with neighbouring boroughs
				TOTAL INCOME	**£18,275.00**	
Licensing						
Animal boarding	227.00	1	250.00	£ 23.00	£23.00	Cost recovery and upper quartile in line with other London Boroughs
Breeding of dogs	227.00	0	270.00	£ 43.00	£ -	Cost recovery and upper quartile in line with other London Boroughs
Leaflet distribution (application)	179.00	8	180.00	£ 1.00	£8.00	Cost recovery
Occasional sales except educational establishments (application)	175.00	10	179.00 (Plus £10 per stall per day see line 23)	£ 4.00	£40.00	Cost recovery and in line with other London Boroughs
Performing animals	231.00	4	250.00	£ 19.00	£76.00	Cost recovery and in line with other London Boroughs
Pet animals (pet shops)	180.00	1	182.00	£ 2.00	£2.00	Cost recovery and in line with other London Boroughs
Poisons (alteration)	40.00	0	45.00	£ 5.00	£ -	Delete as de-regulation means that we can no longer charge

SERVICES	Current Brent Charges	Current Brent Volume	Proposed amendment	**Increase / unit**	Potential Income from Increase	Rationale
Sex establishments	5000.00	1	2000.00	-£ 3,000.00	-£3,000.00	Westminster case – Hemming v LB Westminster– have to reduce the cost as it does not cost £5k to inspect. Local Authority will be challenged about the cost and there is no justification for 5K.
Street trading (new application)	73.00	20	74 plus £3 per sq. metre per day	£ 1.00	£20.00	Cost recovery
Street trading (variation)	49.00	0	50.00	£ 1.00	£ -	Cost recovery
Licensing Surgeries (to help small businesses)	125.00		150.00	£ 25.00	£ -	Provision of new service for small businesses based on cost recovery
Rejected searches	0 .00	800	25.00	£ 25.00	£10,000.00	New charge. There are approximately 800 rejected searches per annum. However, it must be noted that land charges for solicitors is a competitive field and once they realise there are going to be charges for rejected searches, the number of rejected searches will fall. Therefore, it must not be assumed that this additional income will be forth coming regularly. It is likely to drop. Although current volume is 800 – the total number of searches has been consistently dropping over the last three months. Therefore, the potential increase should be £10,000
				TOTAL INCOME	**£7,169.00**	
Public Realm (Recreation)						
Hire of pavilion per hour	48.00	5	£ 50.00	£ 2.00	£10.00	Modest uplift after two years of static fees
Hire of pavilion per hour after 8pm in Winter, after 10pm in summer per hour	62.00	1	£ 64.00	£ 2.00	£2.00	Modest uplift after two years of static fees
Partial cost recovery of events in parks - Category 2	160.00	15	£ 1,000.00	£ 840.00	£12,600.00	To better reflect the cost of accommodating events

SERVICES	Current Brent Charges	Current Brent Volume	Proposed amendment	**Increase / unit**	Potential Income from Increase	Rationale
Partial cost recovery of events in parks - Category 3	320.00	5	£ 2,000.00	£ 1,680.00	£8,400.00	To better reflect the cost of accommodating events
Reinstatement (Refundable deposit)- category 3	1000.00		£ 2,500.00	£ 1,500.00	£ -	To better reflect the cost of accommodating events
Partial cost recovery of events in parks (ticketed events) up to 300 hundred attendees	0.00	1	£ 200.00	£ 200.00	£200.00	To better reflect the cost of accommodating events
Deposit	0.00	0	£ 3,000.00	£ 3,000.00	£ -	To better reflect the cost of accommodating events
Partial cost recovery of events in parks (ticketed events) up to 400 hundred attendees	0.00	1	£ 400.00	£ 400.00	£400.00	To better reflect the cost of accommodating events
Deposit	0.00		£ 6,000.00	£ 6,000.00	£ -	To better reflect the cost of accommodating events
Partial cost recovery of events in parks (ticketed events) up to 1000 hundred attendees	0.00	new charge	£ 900.00	£ 900.00		To better reflect the cost of accommodating events
Deposit	0.00		£ 10,000.00	£ 10,000.00	£ -	To better reflect the cost of accommodating events
Soccer Adult Single	75.30	40	£ 77.00	£ 1.70	£68.00	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Soccer Adult Short Season [13 week pre booked]	885.00	20	£ 902.00	£ 17.00	£340.00	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Soccer Adult Long Season [17 weeks pre-booked]	1155.00	15	£ 1,178.00	£ 23.00	£345.00	Modest uplift after two years of static fees. To better align with neighbouring boroughs

SERVICES	Current Brent Charges	Current Brent Volume	Proposed amendment	**Increase / unit**	Potential Income from Increase	Rationale
Soccer Junior 11-a-side Single	45.20	0	£ 46.10	£ 0.90	£ -	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Soccer Junior 9-a-side Single	39.10	0	£ 40.00	£ 0.90	£ -	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Soccer Junior 7-a-side Single	26.50	0	£ 27.00	£ 0.50	£ -	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Soccer Junior 5-a-side Single	17.75	0	£ 18.50	£ 0.75	£ -	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Soccer Junior 11-a-side Short Season [13 week pre booked]	530.00	0	£ 540.00	£ 10.00	£ -	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Soccer Junior 11-a-side Long Season [17 weeks pre-booked]	693.00	8	£ 707.00	£ 14.00	£112.00	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Soccer Junior 9-a-side Short Season [13 week pre booked]	460.00	2	£ 470.00	£ 10.00	£20.00	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Soccer Junior 9-a-side Long Season [17 weeks pre-booked]	600.00	2	£ 612.00	£ 12.00	£24.00	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Soccer Junior 7-a-side Short Season [13 week pre booked]	310.00	2	£ 317.00	£ 7.00	£14.00	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Soccer Junior 7-a-side Long Season [17 weeks pre-booked]	405.00	0	£ 413.00	£ 8.00	£ -	Modest uplift after two years of static fees. To better align with neighbouring boroughs

SERVICES	Current Brent Charges	Current Brent Volume	Proposed amendment	**Increase / unit**	Potential Income from Increase	Rationale
Soccer Junior 5-a-side Short Season [13 week pre booked]	210.00	12	£ 215.00	£ 5.00	£60.00	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Soccer Junior 5-a-side Long Season [17 weeks pre-booked]	275.00	1	£ 280.00	£ 5.00	£5.00	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Rugby Adult Single	81.50	99	£ 84.00	£ 2.50	£247.50	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Rugby junior single	47.25	6	£ 49.00	£ 1.75	£10.50	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Gaelic Adult single (with changing)	100.00	0	£ 102.00	£ 2.00	£ -	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Gaelic Adult single (without changing)	70.00	0	£ 71.50	£ 1.50	£ -	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Gaelic junior single (with changing)	57.00	0	£ 60.00	£ 3.00	£ -	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Gaelic junior single (without changing)	39.90	0	£ 41.00	£ 1.10	£ -	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Hurling Adult single	100.00	0	£ 102.00	£ 2.00	£ -	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Hurling Junior single	52.50	0	£ 53.50	£ 1.00	£ -	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Cricket single	105.00	6	£ 110.00	£ 5.00	£30.00	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Cricket Adult [11 week season]	1095.00	9	£ 1,116.00	£ 21.00	£189.00	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Cricket Junior (11 week season)	545.00	0	£ 556.00	£ 11.00	£ -	Modest uplift after two years of static fees. To better align with neighbouring boroughs

SERVICES	Current Brent Charges	Current Brent Volume	Proposed amendment	**Increase / unit**	Potential Income from Increase	Rationale
Cricket junior single	63.00	0	£ 64.50	£ 1.50	£ -	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Artificial cricket wicket (adults) per match	73.50	48	£ 75.00	£ 1.50	£72.00	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Artificial cricket wicket (juniors) per match	44.00	0	£ 45.00	£ 1.00	£ -	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Bowls- per green	2300.00	3	£ 2,345.00	£ 45.00	£ 135.00	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Bowls - per rink per season	465.00	0	£ 474.00	£ 9.00	£ -	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Tennis Court - adult, per hour	6.50	1181	£ 6.63	£ 0.13	£153.53	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Tennis court - junior, per hour	0.00	1310	£ 2.00	£ 2.00	£2,620.00	New charge. To better align with neighbouring boroughs
Tennis court - where no more than 50% of players are adults	3.25	1682	£ 3.30	£ 0.05	£84.10	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Multi Use Games Areas (not including changing rooms)	0.00	new charge	Should be £17.25	£ 17.25		New charge. To better align with neighbouring boroughs
Netball Court - adult per hour (not including changing rooms)	15.00	1	£ 30.00	£ 15.00	£15.00	To better align with neighbouring boroughs
Netball Court - junior per hour (not including changing rooms)	9.00	1	£ 20.00	£ 11.00	£11.00	To better align with neighbouring boroughs

SERVICES	Current Brent Charges	Current Brent Volume	Proposed amendment	**Increase / unit**	Potential Income from Increase	Rationale
Adult training soccer/rugby/Gaelic/Hurling not on a pitch (per 2 hours including changing rooms, excluding floodlights)	50.00	400	£ 60.00	£ 10.00	£4,000.00	To better align with neighbouring boroughs
Junior training soccer/rugby/Gaelic/hurling not on a pitch (per 2 hours including changing rooms, excluding floodlights)	31.50	40	£ 35.00	£ 3.50	£140.00	To better align with neighbouring boroughs
Floodlights per hour	0.00	60	£20	£ 20.00	£1,200.00	To better align with neighbouring boroughs
Yoga in the park unmarked ground	0.00	new charge	£16 per hour			New charge to help regulate the use of parks for yoga
Unmarked ground school/sports use (Morning or afternoon - 3 hours including changing rooms)	48.00	20	£ 50.00	£ 2.00	£40.00	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Hire of changing rooms only (during normal staffing hours)	31.50	1	£ 48.00	£ 16.50	£16.50	To better align with neighbouring boroughs
Power Driven Model Aircraft Flying Licence	37.00	26	£ 38.00	£ 1.00	£26.00	Modest uplift after two years of static fees. To better align with neighbouring boroughs
Late cancellation fees	0.00	20	15%	£ 0.15	£3.00	New charge to address issue of late cancellation

SERVICES	Current Brent Charges	Current Brent Volume	Proposed amendment	**Increase / unit**	Potential Income from Increase	Rationale
Bootcamp/ personal fitness sessions (per hour)	0.00	1	£ 50.00	£ 50.00	£50.00	New charge in response to rise in demand for boot camps and personal fitness in parks
Burial rights - Person 16yrs (ADULT) + (earth)	2140.00	300	£ 2,200.00	£ 60.00	£18,000.00	To better align with neighbouring boroughs
Burial rights - Baby/Child under 16 full grave space	2140.00	5	£ 2,200.00	£ 60.00	£300.00	To better align with neighbouring boroughs
Burial rights - Baby/Child under 16 half grave space	725.00	20	£ 950.00	£ 225.00	£4,500.00	To better align with neighbouring boroughs
Burial rights - Path side graves (earth)	3230.00	8	£ 3,250.00	£ 20.00	£160.00	To better align with neighbouring boroughs
Burial rights - Woodland grave for 1 interment (includes 1 tree)	2405.00	5	£ 2,450.00	£ 45.00	£225.00	To better align with neighbouring boroughs
Burial rights - Woodland grave for ashes	2405.00	0	£ 2,450.00	£ 45.00	£ -	To better align with neighbouring boroughs
Interment - Person 16yrs (ADULT) + (earth)	665.00	300	£ 700.00	£ 35.00	£10,500.00	To better align with neighbouring boroughs
Interment - Baby/Child under 16 full grave space	235.00	5	£ 250.00	£ 15.00	£75.00	To better align with neighbouring boroughs
Interment - Baby/Child under 16 half grave space	185.00	20	£ 200.00	£ 15.00	£300.00	To better align with neighbouring boroughs
Fees & Charges applicable to only Brent residents - Re-open Graves						
Interment - Person 16yrs + (earth)	665.00	50	£ 960.00	£ 295.00	£14,750.00	To better align with neighbouring boroughs

SERVICES	Current Brent Charges	Current Brent Volume	Proposed amendment	**Increase / unit**	Potential Income from Increase	Rationale
Interment - Person 16yrs + (vault)	330.00	1	£ 350.00	£ 20.00	£20.00	To better align with neighbouring boroughs
Fees & Charges applicable to only Brent residents - Common Graves						
Interment - Person 16yrs + (earth)	950.00	5	£ 1,000.00	£ 50.00	£250.00	To better align with neighbouring boroughs
Interment - Baby/Child under 16 full grave space	590.00	2	£ 600.00	£ 10.00	£20.00	To better align with neighbouring boroughs
Interment - Baby/Child under 16 half grave space	295.00	30	£ 350.00	£ 55.00	£1,650.00	To better align with neighbouring boroughs
Fees & Charges applicable to only Brent residents - Cremated Remains / Ashes						
Burial rights - In new half grave space	810.00	30	£ 840.00	£ 30.00	£900.00	To better align with neighbouring boroughs
Interment - In new half grave space	210.00	20	£ 220.00	£ 10.00	£200.00	To better align with neighbouring boroughs
Interment - In existing graves space	210.00	20	£ 220.00	£ 10.00	£200.00	To better align with neighbouring boroughs
Interment - in existing vault	125.00	0	£ 130.00	£ 5.00	£ -	To better align with neighbouring boroughs
Fees & Charges applicable to Non Brent residents						
Burial rights - Person 16yrs + (earth)	3245.00	100	£ 3,360.00	£ 115.00	£11,500.00	To better align with neighbouring boroughs
Burial rights - Baby/Child under 16 full grave space	3245.00	0	£ 3,360.00	£ 115.00	£ -	To better align with neighbouring boroughs
Burial rights - Baby/Child under 16 half grave space	1090.00	12	£ 1,150.00	£ 60.00	£720.00	To better align with neighbouring boroughs
Burial rights - Path side graves (earth)	4870.00	20	£ 4,900.00	£ 30.00	£ 600	To better align with neighbouring boroughs

SERVICES	Current Brent Charges	Current Brent Volume	Proposed amendment	**Increase / unit**	Potential Income from Increase	Rationale
Burial rights - Woodland grave for 1 interment (includes 1 tree)	3505.00	0	£ 3,550.00	£ 45.00	£ -	To better align with neighbouring boroughs
Burial rights - Woodland grave for ashes	3505.00	0	£ 3,550.00	£ 45.00	£ -	To better align with neighbouring boroughs
Interment - Person 16yrs + (earth)	1010.00	10	£ 1,025.00	£ 15.00	£150.00	To better align with neighbouring boroughs
Interment - Baby/Child under 16 full grave space	350.00	5	£ 360.00	£ 10.00	£50.00	To better align with neighbouring boroughs
Interment - Baby/Child under 16 half grave space	275.00	15	£ 285.00	£ 10.00	£150.00	To better align with neighbouring boroughs
Interment - Path side graves (earth)	1010.00	15	£ 1,025.00	£ 15.00	£225.00	To better align with neighbouring boroughs
Interment - Woodland grave for 1 interment (includes 1 tree)	1010.00	5	£ 1,025.00	£ 15.00	£75.00	To better align with neighbouring boroughs
Interment - Woodland grave for ashes	320.00	0	£ 330.00	£ 10.00	£ -	To better align with neighbouring boroughs
Fees & Charges applicable to Non Brent residents - Re-open Graves						
Interment - Person 16yrs + (earth)	1010.00	1	£ 1,025.00	£ 15.00	£15.00	To better align with neighbouring boroughs
Fees & Charges applicable to Non Brent residents - Common Graves						
Interment - Person 16yrs + (earth)	1430.00	3	£ 1,460.00	£ 30.00	£90.00	To better align with neighbouring boroughs
Interment - Baby/Child under 16 full grave space	895.00	2	£ 910.00	£ 15.00	£30.00	To better align with neighbouring boroughs
Interment - Baby/Child under 16 half grave space	445.00	20	£ 460.00	£ 15.00	£300.00	To better align with neighbouring boroughs

SERVICES	Current Brent Charges	Current Brent Volume	Proposed amendment	**Increase / unit**	Potential Income from Increase	Rationale
Fees & Charges applicable to Non Brent residents - Cremated Remains / Ashes						
Burial rights - In new half grave space	1215.00	10	£ 1,635.00	£ 420.00	£4,200.00	To better align with neighbouring boroughs
Interment - In new half grave space	320.00	15	£ 390.00	£ 70.00	£1,050.00	To better align with neighbouring boroughs
Interment - In existing graves space	320.00	5	£ 390.00	£ 70.00	£350.00	To better align with neighbouring boroughs
Interment - in existing vault	195.00	0	£ 200.00	£ 5.00	£ -	To better align with neighbouring boroughs
Additional Charges for both Brent residents & non residents						
Coffin/casket 7' long or 28'' wide in earth grave	395.00	30	£ 410.00	£ 15.00	£450.00	To better align with neighbouring boroughs
Coffin/casket 7' long or 30+" wide in earth grave	525.00	30	£ 540.00	£ 15.00	£450.00	To better align with neighbouring boroughs
Earth grave for 3 (Carpenders park only)	535.00	5	£ 545.00	£ 10.00	£50.00	To better align with neighbouring boroughs
Shroud timbers & slats	110.00	10	£ 130.00	£ 20.00	£200.00	To better align with neighbouring boroughs
Grave surround	35.00	5	£ 45.00	£ 10.00	£50.00	To better align with neighbouring boroughs
Transfer burial rights	70.00	30	£ 80.00	£ 10.00	£300.00	To better align with neighbouring boroughs
Burial Register search fee	27.00	40	£ 30.00	£ 3.00	£120.00	To better align with neighbouring boroughs
Chapel hire	65.00	3	£ 75.00	£ 10.00	£30.00	To better align with neighbouring boroughs
Saturday burials at Alperton, Paddington and Willesden	575.00	5	£ 600.00	£ 25.00	£125.00	To better align with neighbouring boroughs

SERVICES	Current Brent Charges	Current Brent Volume	Proposed amendment	**Increase / unit**	Potential Income from Increase	Rationale
Cancellation of an interment or late arrival of funeral cortege of more than 20 mins	170.00	5	£ 250.00	£ 80.00	£400.00	To better align with neighbouring boroughs
Memorial [full with Landing]	245.00	103	£ 295.00	£ 50.00	£5,150.00	To better align with neighbouring boroughs
Headstone / plaque	245.00	100	£ 250.00	£ 5.00	£500.00	To better align with neighbouring boroughs
Inscriptions / works	85.00	50	£ 90.00	£ 5.00	£250.00	To better align with neighbouring boroughs
Memorial removal for interment	130.00	40	£ 140.00	£ 10.00	£400.00	To better align with neighbouring boroughs
Memorial replacement after interment	130.00	40	£ 140.00	£ 10.00	£400.00	To better align with neighbouring boroughs
Memorial raise and level (full memorials)	52.50	10	£ 55.00	£ 2.50	£25.00	To better align with neighbouring boroughs
Memorial raise and level (plaques)	36.75	10	£ 38.00	£ 1.25	£12.50	To better align with neighbouring boroughs
Tree Plaque at Carpenders Park (inc. VAT) (Single)	195.00	1	£ 200.00	£ 5.00	£5.00	To better align with neighbouring boroughs
Tree Plaque at Carpenders Park (inc. VAT) (Double)	250.00	7	£ 270.00	£ 20.00	£140.00	To better align with neighbouring boroughs
Bench with plaque on to existing landing (inc. VAT)	935.00	10	£ 1,100.00	£ 165.00	£1,650.00	To better align with neighbouring boroughs

SERVICES	Current Brent Charges	Current Brent Volume	Proposed amendment	**Increase / unit**	Potential Income from Increase	Rationale
Bench Plaques only at Carpenders Park (inc. VAT - 5 years)	125.00	10	£ 130.00	£ 5.00	£50.00	To better align with neighbouring boroughs
Concrete based bench with plaque (inc. VAT not at Carpenders Park)	1100.00	10	£ 1,200.00	£ 100.00	£1,000.00	To better align with neighbouring boroughs
Burial Register search fee	27.00	40	£ 30.00	£ 3.00	£120.00	To better align with neighbouring boroughs
Chapel hire	65.00	3	£ 75.00	£ 10.00	£30.00	To better align with neighbouring boroughs
Saturday burials at Alperton, Paddington and Willesden	575.00	5	£ 600.00	£ 25.00	£ 125.00	To better align with neighbouring boroughs
Cancellation of an interment or late arrival of funeral cortege of more than 20 mins	170.00	5	£ 250.00	£ 80.00	£400.00	To better align with neighbouring boroughs
Memorial [full with Landing]	245.00	103	£ 295.00	£ 50.00	£5,150.00	To better align with neighbouring boroughs
Headstone / plaque	245.00	100	£ 250.00	£ 5.00	£500.00	To better align with neighbouring boroughs
Inscriptions / works	85.00	50	£ 90.00	£ 5.00	£250.00	To better align with neighbouring boroughs
Memorial removal for interment	130.00	40	£ 140.00	£ 10.00	£400.00	To better align with neighbouring boroughs
Memorial replacement after interment	130.00	40	£ 140.00	£ 10.00	£400.00	To better align with neighbouring boroughs
Memorial raise and level (full memorials)	52.50	10	£ 55.00	£ 2.50	£25.00	To better align with neighbouring boroughs
Memorial raise and level (plaques)	36.75	10	£ 38.00	£ 1.25	£12.50	To better align with neighbouring boroughs

SERVICES	Current Brent Charges	Current Brent Volume	Proposed amendment	**Increase / unit**	Potential Income from Increase	Rationale
Tree Plaque at Carpenders Park (inc. VAT) (Single)	195.00	1	£ 200.00	£ 5.00	£5.00	To better align with neighbouring boroughs
Tree Plaque at Carpenders Park (inc. VAT) (Double)	250.00	7	£ 270.00	£ 20.00	£140.00	To better align with neighbouring boroughs
Bench with plaque on to existing landing (inc. VAT)	935.00	10	£ 1,100.00	£ 165.00	£1,650.00	To better align with neighbouring boroughs
Bench Plaques only at Carpenders Park (inc. VAT - 5 years)	125.00	10	£ 130.00	£ 5.00	£50.00	To better align with neighbouring boroughs
Concrete based bench with plaque (inc. VAT not at Carpenders Park)	1100.00	10	£ 1,200.00	£ 100.00	£1,000.00	To better align with neighbouring boroughs
				TOTAL INCOME	**£125,213.13**	
Pest Control						
Pest - Bedbugs (2 visits)	199.00	160	£220.00	£ 21.00	£3,360.00	There are a number of reasons for increasing charges - 1) There have been no prices increases in Brent Pest Control charges for the last 3 years 2) The cost of stock (rodenticides, insecticides) has increased in line with inflation every year and we have kept our prices the same - the same can be applied to staff costs. 3) In line with pest control companies of a similar size and statue the new prices are more comparable 4) we are now on a par with what other local authorities charge * Please note that the £97 charge for cockroaches is only for one visit. The increase to £139 is for 2 visits. Currently the service are carrying out one visit but are having to follow up, which is leading to follow up visits for free. In reality cockroach treatment should always be 2 visits.
Combined Rats and cockroaches	163.00	9	£227.00	£ 64.00	£576.00	
Pest - Beetles, garden ants (1 visit)	97.00	6	£99.00	£ 2.00	£12.00	
Pest - Cockroaches (1 visit)	97.00	97	£139.00*	£ 42.00	£4,074.00	
Pest - Fleas (2 visits)	139.00	19	£144.00	£ 5.00	£95.00	
Pest - Mice (3 visits)	97.00	508	£110.00	£ 13.00	£6,604.00	
Combined mice and cockroaches	163.00	8	£227.00	£ 64.00	£512.00	

SERVICES	Current Brent Charges	Current Brent Volume	Proposed amendment	**Increase / unit**	Potential Income from Increase	Rationale
Pest - Rats (3 visits)	97.00	380	£110.00	£ 13.00	£4,940.00	
Pest - Wasps (1 visit)	56.00	160	£60.00	£ 4.00	£640.00	
Wasps (two nests at same premises)	81.00		£85.00	£ 4.00		
Pest - multiple property discount	-15.00	unable to report	-£10			
				TOTAL INCOME	**£20,813.00**	
Public Safety						
Stadium Safety Certification (General/New Style)	1500.00	1 x 80hrs	95 per hour (approx. 160 hrs)	£ 95.00	£7,600	New charges. Our fee of £95 per hour is broadly in line with what similar stadia in London are charging and the fee represents the degree of complexity, knowledge and skill needed to enforce the legislation at the sports ground.
Stadium Safety Certification (Special)	1796.40	6 x 30hrs	95 per hour (approx. 30 hrs)	£ 95.00	£17,100	
Revision of Safety Certificate	0.00	1 x 4hrs	95 per hour (approx. 4 hrs)	£ 95.00	£380	
				TOTAL INCOME	**£25,080**	
Registration and Nationality						
Approved Premises Weddings Internal Monday - Thursday Before 4pm	£135.00	364	£150.00	£ 15.00	£5,460.00	No fee increase for 3 years since move to BCC Benchmarked with surrounding North West London LA's Facilities on offer higher spec than previous venue
Approved Premises Weddings Internal Friday Before 4pm	£160.00	102	£175.00	£ 15.00	£1,530.00	No fee increase for 3 years since move to BCC Benchmarked with surrounding North West London LA's Facilities on offer higher spec than previous venue

SERVICES	Current Brent Charges	Current Brent Volume	Proposed amendment	**Increase / unit**	Potential Income from Increase	Rationale
Approved Premises Weddings Internal Saturday Before 4pm	£230.00	237	£250.00	£ 20.00	£4,740.00	No fee increase for 3 years since move to BCC Benchmarked with surrounding North West London LA's Facilities on offer higher spec than previous venue
Approved Premises Weddings Internal Sunday Before 4pm	£300.00	79	£325.00	£ 25.00	£1,975.00	No fee increase for 3 years since move to BCC Benchmarked with surrounding North West London LA's Facilities on offer higher spec than previous venue
Approved Premises Weddings Internal Saturday After 4pm	£350.00	1	£400.00	£ 50.00	£50.00	No fee increase for 3 years since move to BCC Benchmarked with surrounding North West London LA's Facilities on offer higher spec than previous venue
Approved Premises Weddings External Venues Sunday	£400.00	43	£450.00	£ 50.00	£ 2,150.00	No fee increase for 3 years since move to BCC Benchmarked with surrounding North West London LA's Facilities on offer higher spec than previous venue
Approved Premises Weddings External Saturday	£350.00	25	£400.00	£ 50.00	£1250.00	No fee increase for 3 years since move to BCC Benchmarked with surrounding North West London LA's Facilities on offer higher spec than previous venue
Approved Premises Weddings Internal & External Venues Bank Holidays inc Christmas and Easter weekends	£400.00	7	£600.00	£ 200.00	£ 1400.00	No fee increase for 3 years since move to BCC Benchmarked with surrounding North West London LA's Facilities on offer higher spec than previous venue Increased Customer interest in marriages on public holidays especially Easter and August Bank Holidays
NCS adult fee	£55.00	1,591.00	Monday-Friday: £60.00 Saturday: £75.00	£ 5.00	£7,955.00	levied at the fee officer time and cost of copies * Demand (1191 + 400 [Monday-Friday + Saturday])
NCS minor	£35.00	701.00	Monday-Friday: £35.00 Saturday: £45.00	£ -	£ -	levied at the fee officer time and cost of copies * Demand (526 + 175 [Monday-Friday + Saturday])
Private Ceremonies (M- F)	£105.00	80	£110.00	£ 5.00	£400.00	No fee increase for 5 years
				TOTAL INCOME	**26,910.00**	

SERVICES	Current Brent Charges	Current Brent Volume	Proposed amendment	**Increase / unit**	Potential Income from Increase	Rationale
Planning						
Duty Planning Officer Service	n/a	n/a	£75.00	£75.00	£3600	To provide an accessible service to local residents and businesses.
Correspondence Service L 1 (Householder & Small Business)	200.00	81	£ 150.00	-£50.00	**-£4050**	To provide an accessible service to local residents and businesses.
Correspondence Service L2 (up to 4 residential units/400m2 floorspace)	800.00	39	£ 500.00	-£300.00	**-£11700**	To provide a coherent offer which differentiates between the nature and scale of proposals.
Correspondence Service L3 5 to 9 residential units or 401m2 to 900m2 of floorspace)	n/a		£1000.00	£1000.00	**£10000**	To provide a coherent offer which differentiates between the nature and scale of proposals.
Correspondence Service L 4 (more than 10 residential units or 901m2 of floorspace)	n/a		£ 1500.00	£1500.00	**£15000**	To provide a coherent offer which differentiates between the nature and scale of proposals.
Meeting Service L 1 (householder & small business)	n/a		£ 275.00	£275.00	**£8250**	To provide an accessible service to local residents and businesses.
Meeting Service L 1 + optional Site Visit Service (householder & small business)	n/a		£ 475.00	£475.00	**£9500**	To provide an accessible service to local residents and businesses.
Meeting Service L 2 (up to 4 residential units or up to 499m2 of floorspace)	n/a		£750.00	£750.00	**£1500**	To provide a coherent offer which differentiates between the nature and scale of proposals.

SERVICES	Current Brent Charges	Current Brent Volume	Proposed amendment	**Increase / unit**	Potential Income from Increase	Rationale
Meeting Service L3 (5 to 9 residential units or 500 to 999m2 of floorspace)	1500.00	26	£1500.00	£0.00	**0**	To provide a coherent offer which differentiates between the nature and scale of proposals.
Meeting Service L4 (more than 10 residential units or more than 1,000m2 of floorspace)	4000.00-7500.00	30	£3500.00	-£500.00 to -£4000.00	**-£92000**	To provide a coherent offer which differentiates between the nature and scale of proposals.
Development Team service	10000.00	6	£6000.00	-£4000.00	**-£24000**	To provide an enhanced tailor made offer for strategic schemes.
Strategic Meeting	n/a		£4000.00	£4000.00	**£40000**	To provide an enhanced tailor made offer for strategic schemes.
Issue Meeting	n/a		£2000.00	£2000.00	**£60000**	To provide an enhanced tailor made offer for strategic schemes.
Presentation to Planning Committee	n/a		£4000.00	£4000.00	**£40000**	To facilitate early engagement with Councillors.
				TOTAL INCOME	**£56,100**	

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Appendix J (i) **FEES & CHARGES**

1.0 Introduction

1.1 The Brent 2020 vision sets out the actions the council needs to take over the next five years to deliver priorities and support the residents of Brent. One of the five key priorities agreed for Brent 2020 was raising additional income to support the delivery of core services.

1.2 This has been progressed through the establishment of the Civic Enterprise Board which, amongst other things, is tasked with implementing a strategic approach to optimise income generation including a work stream to review and revise existing fees and charges.

1.3 An initial budget planning document was agreed as part of the current medium term financial plan (MTFP), which outlined a rationale for increased income from fees and charges, benchmarking Brent Council with the average service income for 2013/14 for Outer London Boroughs. These amounts are the net increase in income, after deducting any necessary expenditure to provide any additional services. This formed the basis for the income target set against this work stream. In some cases the fees proposed have been adjusted downwards in recognition of changes in the market and level of competition. No additional net income was assessed for Adult Social Care, Children's services or Education / Schools.

1.4 To progress this work, a research exercise was undertaken. Those areas identified as offering services that attract a fee, make a charge or impose a fine were contacted to provide a record of those charges. Potential new charges/fees were also sought. The exercise also required service managers to undertake benchmarking to establish the level of charge imposed by neighbouring boroughs or by similar service providers nearby. Information was also sought with respect to the level of demand for each service.

1.5 An overall policy to amend Fees and Charges has been produced. This is intended to provide the means of altering fees and charges, through delegated powers, so that managers have greater flexibility and control in optimising commercial returns. A copy of the policy is provided at the bottom of this report.

1.6 The table below indicates the target and the potential shortfall in MTFP income generation plans after receiving revisions from service areas. The proposed revision to charges by service area is provided at Appendix I. Not all fees and charges were able to be amended because many are fixed by statute.

1.7 This shows that service managers are currently comfortable with revising their fees and charges upwards to a level that contributes an additional £0.7m revenue towards the Civic Enterprise target.

Additional Income MTFP Target	Target*	Yr 1	Yr 2	2 Yr Shortfall
Waste	470		376	94
Planning and Development	322	56		266
Highways and Transportation (Excl Parking)	464	86	34	344
Culture, Sport and Recreation	726	145		581

Subtotal MTFP Targets	**1,982**	**287**	**410**	**1,285**
Additional to MTFP Target				
Public Safety / Food Safety		34		-34
Licensing		7		-7
Pest Control		21		-21
Subtotal additional savings	**0**	**62**		**-62**
Additional Income totals	**1,982**	**349**	**410**	**1,223**

*To bring us in line with Outer London Averages 2013-14

1.8 **Regeneration and Environment**, therefore, offers the most significant potential for upward revision, with the main contributors being waste, sports/event bookings and burial charges within Environmental Improvement, works fees within Highways and Infrastructure, completely new enforcement work around highways damage and building works and more aggressive commercial activity with respect to pest control. Employment and Skills have not contributed to this exercise because that service is in the midst of reviewing its fees in greater detail, on the basis they are extremely complicated due to the system of concessions/means tests. Fees imposed for parking have also not been included as part this exercise because potential increases in this area are assumed by a separate savings exercise.

1.9 Waste
The council currently charges customers £40 for an annual subscription to the garden waste collection service. This operates fortnightly and has just under 20,000 customers, some of whom are eligible for a concessionary 20% reduction in the cost. Benchmarking shows that, of the 33 London Boroughs for which we have data, just under half (15) also currently impose a charge for garden waste; and of those that charge, 11 are charging more than us for a similar service, with some charging up to £96 per annum for a comparable service. Some boroughs who operate a chargeable service offer some form of means-tested/ income related discount, whilst others offer no discount. Section 93 of the Local Government Act 2003 allows local authorities to recover the costs of providing discretionary services such as garden waste collection, but the income from any charge should not exceed the cost of providing the service. The council proposes an increase to £50 for 2017/18, increasing to £60 in £2018/19, in order to move the service towards a cost neutral position. The current rate of £40 will be held for renewals made up to 31st March 2017.

1.10 Highways Enforcement
The council proposes the creation of a new Highways Enforcement team, to sit within the Environmental Improvement Service, to be specifically focused on strengthening highways enforcement (damaged infrastructure, pavements etc.) on a cost recovery basis. At present, highways enforcement is limited by virtue of the resources available. This means that the function is entirely reactive, and that the highway infrastructure is only afforded limited protection from unauthorised use and damage. It also means income from licences and fines is low. The proposal envisages a dedicated team, responsible for co-ordinating the Council's Highways Enforcement and licensing work, dealing with offences (and licensing work) relating to hoardings, skips and scaffolding, advertising boards, abandoned vehicles, untaxed vehicles,

grass verges, building materials, cranes, and vegetation overhanging the public highway. A business case has now been developed which would see the creation of a team of four, comprising, i.e. a focused team, proactively patrolling known problem areas and issuing licences and/or fines for builders' materials, skips, cranes, hoardings, and cross-overs, among other things; as well as working with the Planning and Highways team to ensure any damage incurred on the highway can be traced back to developers wherever possible, and they can be held to account for the cost of repairs. The business case demonstrates that a dedicated team would more than pay for itself through revenue generated and costs avoided. A total net benefit of £102k is anticipated.

1.11 Planning and Development

In terms of planning, one of the recommendations from the 2016 Planning Improvement Peer Challenge by the Local Government Association (LGA) related to enhancing the pre-application advice service to improve the offer generally, but particularly for local residents and small businesses and for strategically important applications. This has necessitated a review of the range of services offered and applicable fees. The current pre-application service has been reviewed to enable a clear and coherent offer that differentiates between scale and complexity of proposals, offers a greater choice of methods for receiving advice (written, meeting, site visit etc.), and ensures early councillor and corporate involvement where appropriate on strategic schemes. In some cases the fees proposed have been adjusted downwards. It is hoped this will make seeking pre-application advice more accessible. In particular, the proposal enhances the offer to householders and small businesses (currently, the fee for written advice is £200; the proposal introduces a short meeting with the Duty Planner at £75). It also enhances the offer for strategic applications which are important to the Council, offering a range of meetings and the opportunity to present to committee to seek early councillor views. The new offer and fee structure is intended to be launched in April 2017. The income received will fund the resources needed to deliver the service.

1.12 Food Safety

The Council carries out around 1000 food hygiene inspections a year of premises who are then issued a rating under the Food Hygiene Rating Scheme (FHRS) rating between 0 and 5. They can request a re-visit to re-assess any poor FHRS rating, and we currently expect approximately 10% of inspected businesses to do this. The inspections are free of charge, currently. The FHRS Brand Standard is changing in 2017 to allow Councils to charge for requests for re-rating. Brent has opted to become an early adopter of this charging scheme. The general power to charge is subject to a duty to secure that the income from charges does not exceed the costs of provision of that service (it is provided upon a non-commercial basis). No charge could be imposed for an inspection visit that is required by Law. The fee has been calculated and set at £260 per re-rating request for 2017-18. It is anticipated that the council will receive and process approximately 25 requests for re-visits/re-rating in 2017-18 equating to an income of £6,500.

1.13 Within **Community Wellbeing**, the Culture Service offered the greatest upward revision (£20k), particularly with respect to the library service and for sports activities.

1.14 Within **Resources,** the Registration and Nationality service seek to adjust prices, however the service area is subject to a separate savings target and therefore are not included in the fee increases summarised in the table at paragraph 3.7.

2.0 Legal Implications

2.1 The Fees and Charges Policy sets out the legal powers the Council has in respect of fees and charges.

2.2 In broad terms, currently in the absence of any delegations, any increase in fees and charges for regulatory services (e.g. licensing, planning etc.) have to be reported to Full Council for approval if associated with a non-executive function. Fees and charges for discretionary services are usually executive functions and therefore any increase would need to be approved by Cabinet.

2.3 The policy proposes that the Chief Executive and Strategic Directors, in consultation with the relevant Cabinet Member, be given the delegated power to set and vary fees and charges either annually or more frequently where this is considered necessary. The parameters within which officers can set and vary fees and charges are set out in Annex A, as are those fees and charges which have been excluded from the scope of officer delegated powers.

3.0 Financial Implications

3.1 Additional income of £0.7m has been identified from increasing existing fees and charges, across 2017/18 and 2018/19. This is mostly in 2018/19 and unless further opportunities are identified there will be a shortfall against the budget assumptions, requiring additional savings to be found.

4.0 Equality Implications

4.1 One of the five key priorities agreed for Brent 2020 was raising additional income to support the delivery of core services.

4.2 Any increase in fees and charges, regardless of the service provided, will have a more adverse impact on those individuals and socio-economic groups who are less able to meet the cost. Some charges may particularly impact on specific age groups (e.g. burial service charges and fees) and those who are less mobile or have a disability (e.g. waste collection charges). On the whole, however, children, young people and vulnerable adults are protected from the proposed fees and charges. No additional net income is planned for Adult Social Care, Children's services or Education / Schools. Service areas will be tasked to ensure that any changes are properly communicated and that whenever possible any specific individual needs that emerge are reasonably considered.

4.3 A high level Equality Analysis is included below. Any proposed changes that may have a more significant impact on service users with protected characteristics, will require individual equality analyses and will be subject to separate decisions around policy and implementation.

Brent Council Fees and Charges Policy

1 Introduction

1.1 By using its powers to charge for goods and services, Brent Council is able to generate additional income to support investment in services and/or reduce the overall level of expenditure to be met by local tax payers.

1.2 The aim of this Fees and Charges Policy is to ensure that the Council makes use of all the powers available to it in order to recover the full cost of providing services. In using these powers however, the Council will wish to take care to ensure that the consequences of charging on individuals, the wider aims of the Council itself and / or organisations do not adversely impact on those who are vulnerable or in difficulties. The Policy therefore is aimed at meeting the following objectives from the Borough Plan and 2020 Vision:-

Borough Plan

Our Values: Fairness, Respect, Equality and Excellence

2020 Vision

Raising income through our assets – to support the delivery of core services

2 Background

2.1 The overriding aim of the charging policy is to maximise income generation and collection to enhance the social and economic well being of the community the council serves, whilst ensuring a fair price for all services reflecting the ability of the community to pay and the relative demand for the service. Maximisation of income, following a decision to charge, is also dependent on a charge being raised and that amount being collected, both in a timely way.

Legal Position

2.2 The majority of the Council's statutory services, Building Control being a key exception, are funded directly from the Council's other main sources of revenue, i.e. government grants and local taxation. Examples of services funded in this way include Highways, Children's Services, Street Cleansing and Domestic Refuse services.

2.3 Income received by Brent from fees and charges is generated by both statutory and discretionary services. Where fees and charges apply to statutory services these are often set nationally, for example, some planning and licensing fees.

2.4 The remaining income generating services where the Council levies fees and charges are of a discretionary nature. These cover a wide range of services such as Libraries, Pest Control, Leisure & Recreation facilities, and Parking. Discretionary Services are those that an authority has the power to provide but is not obliged to.

2.5 The Legal Powers that the Council has to raise fees and charges are set out in

3 Managers' Guidance

Overview

3.1 The Managers' Guidance has been written to provide information to Managers in Brent Council responsible for applying fees and charges to goods and services delivered. The aim is to encourage a consistent and cost effective approach to the setting of charges for services provided by:

a. Specifying the process and frequency for reviewing existing charges for all areas of the council's work for which charges could in principle be set

b. Providing guidance on the factors that need to be taken into consideration when charges are being reviewed

c. Requiring more active use of market intelligence when setting charges

d. Establishing parameters for calculating different levels of charges

e. Recommending the criteria for applying concessions or discounted charges consistently across the council

Calculation of Fees and Charges

3.2 Fees and charges raised must be based on the full cost of the service. Charges cannot be set at a level to recover more than cost if that is all the Council has the legal power to do, but the definition of cost includes direct costs of service provision together with overhead and central costs. The cost recovery limit applies to the overwhelming majority of services which the Council can set a charge for. If, however, the Council has the legal power to do so careful consideration should be given to charging more than the full cost of the service. For example, charging could be used as a tool to manage excess demand for limited spaces on leisure centre classes. In overview there are 3 ways in which fees and charges may be set:

A) Fees and charges prescribed by legislation, usually in a regulatory context, and varied from time to time which the person liable has an obligation to pay;

B) Fees and charges reviewed and set by members (e.g. Cabinet or Full Council) from time to time (usually annually); and

C) Fees and charges reviewed and set by officers from time to time acting under delegated powers.

3.3 As part of the annual budget cycle each department will carry out a review of existing fees and charges together with opportunities to raise additional income from new areas of charging, and present proposals for revised charges.

Approvals

3.4 In broad terms setting fees for regulatory services (i.e. licensing, planning, etc) are non-executive functions. These therefore need to be submitted to Full Council for approval. Full Council can, however, delegate this function to a committee, officer etc.

3.5 Fees and charges for discretionary services are usually executive functions and

therefore need to be approved by Cabinet. Cabinet can, however delegate this function.

Concessionary Charging

3.6 The purpose of offering concessions must be to support council priorities. Generally the reasons for operating concessionary charges will fall into one of two categories: to influence the level of demand for a service or to reflect the circumstances of service users. Concessions must also be reviewed at least on an annual basis, to confirm both the level of subsidy and also their ongoing relevance.

3.7 The Finance Department will maintain a list of concessions in operation and keep under review requests for concessions to be offered. For customer / clients who cannot pay, action must be taken to ensure that there are sufficient safeguards in place to allow access to service, and that appropriate steps are taken to recognise the realistic payment capacity of vulnerable individuals.

3.8 Concessionary charges should not normally apply at times when it would result in a loss of income from customers paying the full charge, unless prior approval has been given by a senior Council officer.

3.9 No concessions will be provided to non-Brent residents.

Education related services

3.10 With regards to education related services, services and packages will be based around the academic year and not on the municipal financial year.

VAT

3.11 Managers must ensure that the correct treatment of VAT is applied to the fees and charges they are responsible for. The correct treatment should be agreed with Finance in advance of application.

Other statutory requirements

3.12 Managers must also ensure that when setting fees and charges or reporting to members they are aware of any special statutory requirements that need to be complied with. For example, before changes to some fees and charges can be implemented, there may be a statutory requirement to consult and/or publish a notice in a local newspaper.

4 Payment Methods

4.1 All collection methods and payment terms must be effective, efficient and appropriate for the service. The preferred methods of payment are those direct to the bank such as direct debits and standing orders. Other methods are acceptable such as cheques, payments the telephone or internet; cash via Post Office and Banks and Pay Zone / Pay Point (All Pay) outlets.

4.2 Wherever practical do to so payment for services provided should be sought in advance to minimise debt recovery issues.

4.3 The full cost recovery analysis will need to factor in the cost of processing payments and that some payment methods are preferred.

5. Equality impact Assessments

5.1 Under Section 149 of the Equality Act 2010, the Council has a duty when exercising its functions to have 'due regard' to the need to eliminate discrimination and other conduct prohibited under the Act and advance equality of opportunity and foster good relations between those who share a "protected characteristic" and those who do not. This is the public sector equality duty. The protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The purpose of the duty is to enquire into whether a proposed decision disproportionately affects people with a protected characteristic. In other words, the indirect discriminatory effects of a proposed decision. Due regard is the regard that is appropriate in all the circumstances.

5.2 Before the Council exercises its fees and charging powers, the impact on individuals or groups of individuals who share a protected characteristic must be carefully considered and properly factored into the decision making process using the Council's EA screening template.

6 Review of Policy

6.1 This Policy is to be reviewed a minimum of every two years to ensure consistency with wider council and departmental objectives and priorities. The next review of this Policy is scheduled to take place in April 2019.

Fees and Charges - Legal Powers

Under the Localism Act 2011 there is a general power of competence which explicitly gives councils the power to do anything that an individual can do which is not prohibited by other legislation. This activity can include **charging** (i.e. to recover the costs of providing a discretionary service which the person has agreed to) or can be undertaken for a commercial purpose (i.e. to generate efficiencies, surpluses and profits) through a special purpose trading company. This is what is more commonly known as **trading**. Charging and trading activities can be aimed at benefiting the Council, the borough or its local communities.

These powers are in addition to similar powers set out in the Local Government Act 2003. The 2003 Act empowers councils to charge for any discretionary services (i.e. services councils have the *power* to provide but do not have a *duty* to provide by law) on a cost recovery basis. For example, the Council could decide to provide a new discretionary service, that is an addition to or enhancement of a statutory service, and then charge for it.

The 2011 Act power and the 2003 Act power cannot be used where charging is prohibited or where another specific charging regime applies. Statutory guidance published in 2003 outlines how costs and charges should be established and that guidance remains in force (see: '*General Power for Best Value Authorities to Charge for Discretionary Services'*, ODPM, 2003). The Council must have regard to the guidance when charging for discretionary services under the 2003 Act.

In particular, the guidance contains useful advice on setting charges. It explains that for each discretionary service for which a charge is made, councils need to secure that, taking one year with another, the income from charges for that service does not exceed the costs of provision. The requirement to take one year with another recognises the practical difficulties council will face in estimating the charges. It establishes the idea of balancing the books over a period of time (not less than 1 year and no more than 3 years). Any over or under recovery that results in a surplus or deficit of income in relation to costs in one period should be addressed by the council when setting its charges for future periods so that over time income equates to costs.

The 2003 Act also enables councils to trade in activities related to their functions on a commercial basis with a view to profit through a company.

Under the Local Authorities (Goods and Services) Act 1970 councils also have powers to enter into agreements with each other and a long list of designated bodies. These activities are not limited to cost recovery and a profit can be generated from these activities.

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Fees and Charges Policy - Guidance for Managers

1) Process and Frequency for Reviewing Charges

At a minimum, an annual review of all charges should be undertaken to ensure they are consistent with the
Council's priorities, are fully recovering all costs and take account of service aims, market sensitivity and customer preferences.

The setting of appropriate fees and charges should be an integral part of service planning and improvement. The following arrangements for reviewing charges will be applied to all areas of the Council where charges for services already exist or could in principle be set:

- Reviews should be carried out in consultation with the relevant Cabinet Member.

- The Chief Executive or the relevant Strategic Director, in consultation with the relevant Cabinet Member, have the delegated power to set and vary fees and charges either annually or more frequently where this is considered necessary. For example, in order to protect usage and income in response to significant market developments. The parameters within which officers can set and vary fees are set out in **Annex A**. However, there are some fees and charges which officers cannot set or vary because it requires a decision by members. The fees and charges which have been excluded from the scope of officer delegated powers are also set out in **Annex A**.

- When introducing a new charge it will be necessary to establish the lawful basis of any
charge.

2) Factors to consider when reviewing charges

Reviews of charges will need to consider the following factors:

- inflationary pressures - charges should be increased in line with inflation unless there is a
good reason why not. It is good practice to use a consistent measure of inflation across services where possible.
- the actual or potential impact of any competition in terms of price or quality
- trends in user demand and the forecast effect of price changes
- customer survey results
- whether the particular service should be expected to cover its costs or should be subsidised, and to what extent
- council wide and service budget targets
- cost structure implications arising from developments such as investments made in the
service
- alternative charging structures that could be more effective
- proposals for targeted promotions during the year, and evaluation of any that took place in
the previous year
- method and cost of income collection

- any bad debt provisions as appropriate
- time factors where advance bookings have been taken, notifications to customers of any change to fees must be timely and in advance
- if fees are amended regularly during the year, considerations need to be given to amending internal systems, particularly re: paid customers
- the public sector equality duty (i.e. section 149 of the Equality Act 2010)
- Social Value impact

A list of questions is provided at **Annex B** to assist service managers to review fees and charges.

3) The Use of Market Intelligence

All managers of services for which a new charge is introduced (particularly for services that have previously been provided for free) should consult with the market and users of the service who are most likely to be affected on the range, quality and cost of the services. Where cost effective to do so, comprehensive and accurate usage statistics, commensurate to the size of the service, should be maintained for all services and at all facilities where charges are made. This will enable analysis of usage, justification of any subsidy given by the Council and accurate forecasting of the effect of price changes on usage. This is necessary to understand the needs, behaviour and expectations of the market and its users, and their ability to pay. This information should be used in the review of charges.

All managers of services for which a charge is made should take steps to identify competitors
offering similar or related services, and make use of comprehensive and dynamic market intelligence in evaluating:

- their charging policy
- the range of services provided
- the quality of services provided
- their cost structure

Benchmarking should be undertaken regularly with other councils in the local area, service providers and with relevant national groupings of authorities, to ensure that charges are at comparable levels and that significant differences are understood and justified.

4) Parameters for calculating different levels of charges

Charges should be set at a level to maximise both take-up and income targets. Wherever possible the income raised should cover the full cost of providing the service in question. If a service is unable to cover the full cost then the subsidy to the service should be fully justified in terms of achieving the Council's priorities. There are restrictions on making a profit from Charging in most cases. Guidance on calculating full costs is set out in **Annex C**.

Full cost should be based on the direct cost of service provision including staff, supplies and services, equipment, premise costs including support service costs where appropriate but not capital charges – however the revenue implications of capital charges can be considered after consultation with Finance.

For certain services it will be normal entrepreneurial practice to set Promotional Charges, Differential Charging and Frequent User Discounts:

- Promotional Charges are defined as short term charges that are targeted to increase take-up or awareness of the services that are available

- Differential Charges can be used to dampen demand at peak times and increase revenue from spare capacity

- Frequent User Discounts are to be used only for commercial reasons such as generating customer loyalty where alternative provision from competitors exists, and where market analysis shows a real risk of reduced income if they are not offered.

Fines - There may be circumstances where income generation is not the key driver for the way in which charges are set, for example, where the Council wishes to manage demand, or deter or incentivise certain behaviours such as encouraging re-cycling, discouraging trade use
of civic amenity waste sites etc. In this context, however, the general principles of charging should apply and in particular that any charged activities, enforcement etc must at least recover cost.

5) Concessions

There are two potential areas of concessions, the first type based on an individual's status, for example child, student, pensioner, disabled person plus a second level based on ability to pay
linked to receipt of means-tested benefits, such as housing benefit.

Concessionary charges should not normally apply at times or in situations which would result in the loss of income from customers paying the full charge. No concessions will be provided to non-Brent Council residents.

Within the overall aim of minimising any social or economic barriers to the take-up of services,
Managers should at all times consider ways in which a proportion of income generated from charges could be used in the interests of social inclusion. The types of mechanisms that might
be made available to encourage take-up of council services by disadvantaged groups might include transport to facilities, provision of child care, additional promotional discounts to encourage use, or development activity to raise levels of aspiration. Accurate user statistics should be maintained to ensure that a subsidy being provided on social inclusion grounds is effective.

6) Parking

The level of on-street 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. Whilst it is reasonable for a Council to take due regard of estimated costs and income arising from the management of parking, it is not lawful for a local authority to use the Road Traffic Regulation Act 1984 to justify imposing charges to raise 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.

Fees and Charges Charging Policy Framework

Annex A

Setting of Fees and Charges by Officers

1) *Statutory Fees*

These are set by Government and the Council is unable to vary the amounts to be charged. The Chief Executive or the relevant Strategic Director can implement any changes to statutory fees in accordance with the law and any changes shall be reported to Cabinet and Full Council as part of the annual budget process.

2) All other fees and charges

i) The following fees and charges must be approved by Cabinet or Full Council (in the absence of any other delegation) before any changes are made:-

- Parking fees
- Garden waste fees

ii) Other than those fees and charges set out in 2(i) above, all other fees and charges may be set or varied from time to time to reflect increases in inflation or market conditions on the following basis:-

a) The Chief Executive and relevant Strategic Director may impose new fees and charges, or vary current fees and charges up to +/-20% overall in any one calendar year period.

b) However, if the fees and charges are below £1, they can be increased by up to £1 overall in any one calendar year period.

c) Any new or varied fees and charges must be reported to Cabinet and Full Council as part of the annual budget process.

Annex B

The Head of Service is responsible for the target setting and performance management of income generation.

Charging Review – Questions to be considered

The following questions, based on the Audit Commission's 2008 document *"Positively Charged"*, are provided to assist service managers to undertake a review of their charges.

1. What do we want to achieve including:

- How much income is being targeted for and why?
- Whose use of services does the Council wish to subsidise and by how much?
- Whose behaviour does the Council wish to influence and in what ways?
- How will charges help improve value for money, equity and access to services?

2. What's the current picture?

- What is the current charge?
- How do charges compare to similar councils and other service providers?
- How are charges structured and why?
- Are cost effective mechanisms available for paying and collecting charges?
- Are income targets being achieved?
- What is the impact, intended or unintended, of charges on local people?
- Which people are using services and which aren't?
- Which users are paying for services and which aren't?
- Are concessions being taken up by the people at whom they are targeted?
- Are the take-up of related benefits in this area being maximised?

3. What do local people think of our charges?

- Have service users and the public been consulted about the current and proposed charges plus their views on value for money of the service?

4. What are the next steps?

- What changes, if any, should be made to the level and structure of charges?
- How will the impact of charges be evaluated?
- What data will be required?
- Can the data be collected cost effectively?
- When will approach be reviewed?

Annex C

Calculation of Overheads Costs in Fees

1. Introduction

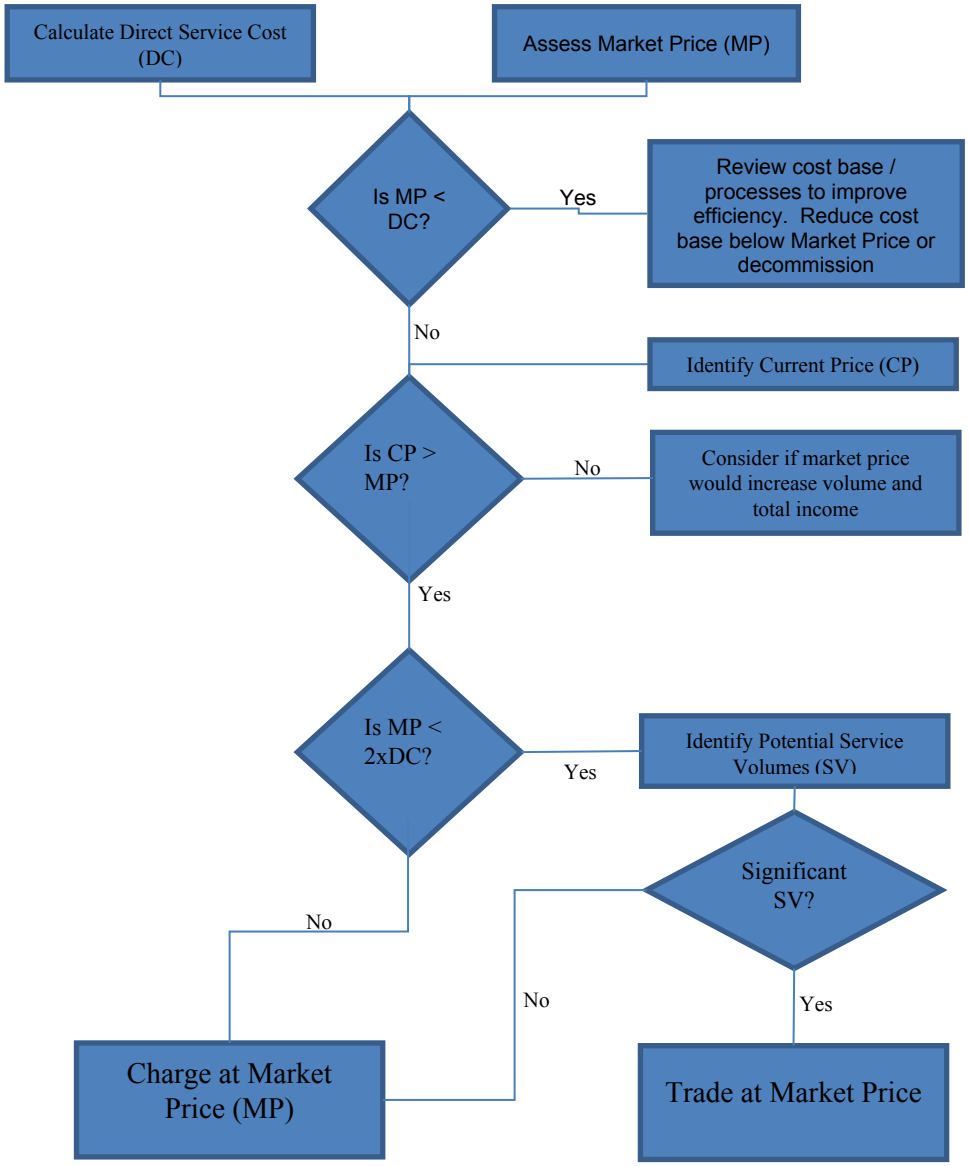
The full cost of running the organisation will not be visible to service managers who may be making commercial decisions as to the setting of fees and charges. The basis upon which the costs of delivering a service are calculated can be used to determine if charging or trading is an appropriate model for maximising income.

2. The difference between Charging and Trading

Charging in the context of this policy means the power to charge for a service. The limiting factor in charging for goods and services provided is that in most cases it is limited to cost recovery only. Whereas trading for services allows for fees and charges to be regulated by the market. The limiting factor for trading for services is the market price for the service and the sustainability of any company set up specifically to trade for that service.
Ultimately, the maximum price for a service is set by the market, the decision as to whether to charge or to trade in that service is determined by the cost base for delivery of that service.

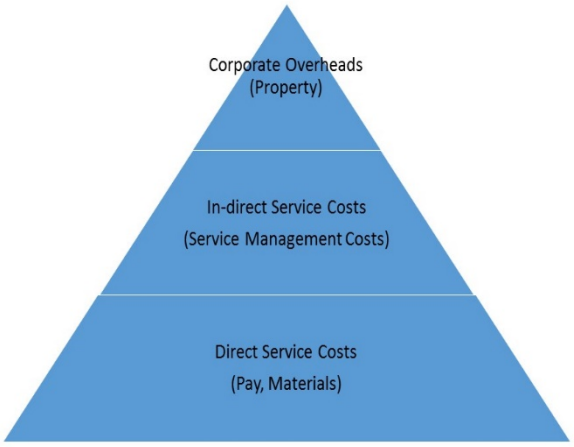
3. Trade or Charge 'Acid Test' decision matrix

The following flowchart is a simplification of the process for assessing whether charging or trading is appropriate.



4. Calculating the total cost of delivery

Calculating the costs of a service is a complex process that overlays direct costs, service overheads and corporate overheads to produce a total service unit cost.



Direct Service Costs
Direct Service Costs include Pay, National Insurance and Pension plus any associated costs such as travel, materials, printing, stationery – any costs that the service manager has within their budgetary control. The unit of cost would be based upon the sevice being offered – per instance, per hour, per session and would include all of the direct service costs for providing that unit of service. Units may be combined if appropriate such as visits per week to calculate the cost of a visit.

In-direct Service Costs
This could include annual leave, statutory holiday and Training (non-chargeable time), service management and administration & support, service specific IT etc.

Corporate Overheads
Corporate Overheads would include the political and management infrastructure of the Council, property and support services

5. Applying Corporate Overheads

The audited accounts of the Council have been reviewed to assess the value of corporate overheads in relation to staff costs. The Corporate Overhead costs that may be included within the calculation of the total service unit cost is **80% of the staff cost** of service provision.

Incorporating this level of corporate overheads into a total service unit cost enables the Council to set fees and charges at as close to the Market Rate as possible, this maximising income from fees and charges, only considering setting up companies to trade for services where there is a compelling case to do so.

6. Recommendation

In considering which charging basis to use it is recommended that services charge the **market or benchmarked rate for fees and charges**, subject to the market price being no more than double the direct cost of providing the service. Where the market price is greater than double the direct cost of providing the service, a review of the actual costs of delivering the service should be undertaken and consideration as to whether trading in that service is appropriate.

Equality Analysis- Blank Form – Online EA System

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 proposals are intended to vary levels of fees and charges across a range of council services to raise additional income to support the delivery of core services. The proposed fees and charges have been adjusted in line with Outer London Averages (2013-14). In some cases the fees have been adjusted downwards to be in line with competitors' charges. No additional net income is planned for Adult Social Care, Children's services or Education / Schools.

The work stream is part of the Council's Brent 2020 vision and is one of the projects the Council needs to take over the next five years so that it can continue to deliver priorities and support the residents of Brent.

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

The proposals will affect anyone in receipt of these services.

Any potential staff implications will be assessed separately.

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

Any increase in fees and charges, regardless of the service provided, will have a more adverse impact on those individuals and socio-economic groups who are less able to meet the cost.

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

Fees imposed for waste collection, for example, will have a more adverse impact on those less able to transport waste themselves due to a mobility difficulty, disability or age. Increased charges of burial services will have an impact on age and socio-economic groups. Decreased gym membership fees may have a positive impact on residents.

Most proposals require only a modest revision of fees and charges. Any proposed changes that may have a more significant impact on service users with protected characteristics, will require individual equality analyses and will be subject to separate decisions around policy and implementation.

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

No services will be removed but charges may increase / decrease to bring the Council in line with Outer London Averages (2013-14) or with competitors' charges. No additional net income is planned for Adult Social Care, Children's services or Education / Schools.

This work is intended to sustain and support the delivery of core services across the Council.

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

The proposals relate to the affordability of Council services. Any increase in fees and charges, regardless of the service provided, will have a more adverse impact on those individuals and socio-economic groups who are less able to meet the cost.

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

Yes.

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

Yes. It relates to the following equality objective: To ensure that local public services are responsive to different needs and treat users with dignity and respect.

Recommend this EA for Full Analysis?

Yes. At this stage a high level analysis has been carried out given the broad range of services involved.

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.

Any proposed changes that may have a more significant impact on service users with protected characteristics, will require individual equality analyses and will be subject to separate decisions around policy and implementation.

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: Some charges may particularly impact on specific age groups (e.g. burial service charges and fees) those who are less mobile or have a disability (e.g. waste collection charges). On the whole, however, children, young people and vulnerable adults are protected from the proposed fees and charges. No additional net income is planned for Adult Social Care, Children's services or Education / Schools.

5.2 Disability *(select all that apply)*

- ☐ Positive
- ☐ Neutral
- ☑ Negative

Please give details:

Some charges may particularly impact on those who are less mobile or have a disability (e.g. waste collection charges). On the whole, however, children, young people and vulnerable adults are protected from the proposed fees and charges. No additional net income is planned for Adult Social Care, Children's services or Education / Schools.

5.3 Gender Identity *(select all that apply)*

- ☐ Positive
- ☑ Neutral
- ☐ Negative

Please give details:

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

- ☐ Positive
- ☑ Neutral
- ☐ Negative

Please give details:

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

- ☐ Positive
- ☐ Neutral
- ☑ Negative

Please give details:

Some charges may particularly impact on those who are less mobile (e.g. waste collection charges).

5.5 Race *(select all that apply)*

- ☐ Positive
- ☑ Not known
- ☐ Negative

Please give details:

Any proposed changes that may have a more significant impact on service users with protected characteristics, will require individual equality analyses and will be subject to separate decisions around policy and implementation.

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

- ☐ Positive
- ☑ Not known
- ☐ Negative

Please give details:

Any proposed changes that may have a more significant impact on service users with protected characteristics, will require individual equality analyses and will be subject to separate decisions around policy and implementation.

5.8 Sex *(select all that apply)*

- ☐ Positive
- ☑ Not known
- ☐ Negative

Please give details:

Any proposed changes that may have a more significant impact on service users with protected characteristics, will require individual equality analyses and will be subject to separate decisions around policy and implementation.

5.9 Sexual orientation *(select all that apply)*

☐ Positive
☑ Neutral
☐ Negative

Please give details:

5.10 Other (please specify): socio-economic groups

☐ Positive
☐ Neutral
☑ Negative

Please give details:

Any increase in fees and charges, regardless of the service provided, will have a more adverse impact on those individuals and socio-economic groups who are less able to meet the cost.

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

Any proposed changes that may have a more significant impact on service users with protected characteristics, will require individual equality analyses and will be subject to separate decisions around policy and implementation.

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

A benchmarking exercise was undertaken to establish the arrangements and charges of comparable services at neighbouring boroughs. Those areas identified as offering services that attract a fee, make a charge or impose a fine were contacted to provide a record of those charges. Potential new charges/fees were also sought. Information was also sought with respect to the level of demand for each service.

What did you find out from consultation or data analysis?

It was established that the council offers comparable services at non-comparable charges and that there were significant opportunities to adjust charges in line with those imposed by neighbouring boroughs and local competitors.

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

The proposals are wide-ranging and cover a number of unrelated different council services.

Any proposed changes that may have a more significant impact on service users with protected characteristics, will require individual equality analyses and will be subject to separate decisions around policy and implementation.

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

The proposals were informed by analysis of charges made for similar / comparable services in neighbouring boroughs.

STAGE 3: ACTION PLANNING

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

Any proposed changes that may have a more significant impact on service users with protected characteristics, will require individual equality analyses and will be subject to separate decisions around policy and implementation.

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

Please refer to point 8 above.

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

Raising additional income is crucial for the Council so that it is able to sustain and support the delivery of core services.

Brent	**Cabinet** 13 February 2017 **Report from the Strategic Director Resources**
For Action	Wards Affected:ALL

Joint ICT work with London Borough of Southwark

1.0 Summary

1.1 This report sets out proposals for working with the London Borough of Southwark to provide them with ICT services by November 2017.

2.0 Recommendations

2.1 That the Cabinet approves plans for the ICT Shared Service to be extended to cover the London Borough of Southwark.

2.2 Approves in principle the delegation from Southwark Council to Brent (as the primary host authority in the Shared Service with London Borough of Lewisham) of the delivery of ICT services and notes that a further report will be brought to Cabinet in June 2017 to approve delegation in its final terms.

2.3 Notes the ongoing due diligence process and the development of inter-authority agreement(s) for delegation of the ICT service delivery.

2.4 Approves the entering into a Memorandum of Understanding (attached as Appendix A to this Report) with the London Borough of Southwark and London Borough of Lewisham and notes the approval of the funding of preparatory and transition work at an estimated cost of £3 million as noted to the Southwark Cabinet Report (attached as Appendix B to this Report).

2.5 Approves entering into an interim Inter-Authority Agreement which will cover the 3 boroughs obligations with regard to the preparatory and transition activities as detailed in paragraph 5.5 (b), liabilities, insurance arrangements and use of assets in relation to the Shared Service and delegates authority to the Chief Officer Strategic Director Resources to agree the final terms of the interim Inter- Authority Agreement(s).

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2.6 Approves the delegation of authority to the Chief Officer Strategic Director Resources to authorise procurement and award of contracts on behalf of the London Borough of Southwark up to a maximum of £3 million (in the aggregate) as referred to in paragraph 2.5.

2.7 Approves the development of a final more detailed Inter- Authority Agreement for delegation of the ICT service delivery which will cover the 3 boroughs obligations, liabilities and insurance arrangements and use of assets in relation to the shared service.

2.8 Approves interim governance arrangements based on a shared joint partnership board to include representatives of Brent, Lewisham and Southwark working on an equal basis.

2.9 Notes that Lewisham and Southwark officers are presenting reports to their respective Cabinets in relation to this delegation and future shared service.

3.0 Detail

3.1 Brent established a shared service for delivery of ICT services with the London Borough of Lewisham in April 2016. The service is hosted by Brent, is overseen by a joint committee of members from both councils and is managed by a joint management board of officers.

3.2 The service has been operating for just under a year and in that period successfully transitioned ICT services at Lewisham from their previous contract with Capita and completed a major infrastructure refresh programme to bring previously under-invested Lewisham ICT services on the same platform as Brent. Both councils realised significant financial savings in the process.

3.3 Officers have been in discussion with a number of authorities to explore the possibility of offering them ICT services, with the aim to build a stronger team with additional capacity and resilience, while at the same time realising further savings for the councils.

3.4 London Borough of Southwark was in a similar position as Lewisham, having a contract with Capita that was coming to an end and the council was not looking to extend it. Southwark went through a procurement exercise in 2016 and that was unsuccessful. Having then looked at the options available to them, they shortlisted two options:

i. delegating IT services to the existing Shared Service between Brent and Lewisham, where Brent would be the host authority.

ii. provision of IT services procured through the Westminster IT Services Framework with BT as the primary supplier.

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3.5 Southwark officers worked with both BT and shared service officers to better define both options in order to evaluate them. As an outcome of this exercise they decided that they would work towards taking the shared service option forward.

3.6 Following this decision officers from the three councils attended a series of workshops bringing together their key stakeholders and advising officers to explore how the service could be developed and the potential benefits to all three partners.

3.7 The workshops were designed to enable senior officers to understand and agree the following;-

i. Partnership principles
ii. Statutory framework that enables shared services
iii. Potential governance models
iv. Potential benefits realisation
v. Risk
vi. The most appropriate shared service model
vii. The internal legal process to establish the shared service

3.8 In addition, an important aspect of the workshops was testing the commitment of senior stakeholders to a shared service, thus ensuring we were embarking on a viable long term collaboration..

3.9 The authorities identified that they shared a number of key objectives and synergies. These included:-

i. Clear technology synergies (i.e.: common applications, infrastructure and roadmaps)
ii. Common financial and service pressures
iii. Need to achieve value for money (meets current and future affordability targets and quality expectations)
iv. A need to strengthen overall service risk management and resilience.
v. A political appetite to do something different in partnership with other authorities.

3.10 At the final workshop, senior stakeholders from all three authorities agreed that a shared service was a compelling proposition and gave the necessary commitments to progressing this as a recommendation to their respective Cabinets.

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3.11 Following cabinet approval, officers will be working further on due diligence and transition planning, as well as the development of an inter-authority agreement.

3.12 It has been agreed that Southwark will be funding the cost of their transition in full to ensure that the work involved in transition does not impact the ICT service to Brent and Lewisham. To achieve that, this will include interim staff to provide additional capacity for the transition project, to backfill for existing Shared Service staff, but also to ensure that other project work is completed early to avoid resource conflicts during transition.

4.0 Financial Implications

4.1 All project work, including the procurement of IT hardware and software and recruiting interim staff to provide additional capacity or backfill any existing shared service staff working on the transition project, will be funded in full by Southwark. Southwark Cabinet report attached as Appendix A contains the recommendation that Southwark approve funding of preparatory and transition costs estimated to be £3 million.

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

5.0 Legal Implications

Governance and Legal Compliance

5.1 Officers have considered the statutory framework that permits local authorities to establish shared services. The Local Government Acts 1972, and 2000, the Localism Act 2011 and the Local Authorities (Arrangement for the discharge of Functions) (England) Regulations 2012 give local authorities the authority to delegate (arrange for the discharge) of their functions by;-

- another local authority;
- the executive of another local authority; or
- a joint committee.

5.2 The proposed delegation and Shared Service will be undertaken in accordance with the statutory framework noted in paragraph 5.1 above under which the Brent / Lewisham shared ICT service was already established. For clarity, Lewisham delegated delivery of their ICT service to Brent and separately Brent and Lewisham delegated governance of the delivery of the ICT service to a Joint Committee that oversees the performance and strategic

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direction of the shared ICT service with operational control executed through a joint Management Board supervised by a Joint Committee

5.3 A number of options for the future governance arrangements of the potentially expanded shared service are available, such as establishing a 3-way joint committee or forming a "Teckal" company (this being a joint company for public sector shared services where the intention is to continue to provide the services from within the public realm).

5.4 There is considered to be some advantage in taking the time to consider these options thoroughly, drawing on the experience Brent and Lewisham have accrued in sharing ICT services and other shared services and engaging consultants if appropriate. Given this it is proposed to adopt a three-stage approach to governance as set out and summarised in Table 2 (Governance overview) below.

Stage 1: To expedite the work required to fully develop the service design and the establishment of the transition team to undertake detailed planning and transition preparation it is proposed that the service should progress with an initial arrangement to enable Brent to incur cost on behalf of Southwark to establish the service design and transition programme. Each authority will have an equal say in the running of the service design and transition programmes.

Stage 2: Subject to Cabinet approval of the delegation of the delivery of the ICT service, Interim governance will be implemented. This will consist of a joint 3-way partnership board with representatives from each of the three partner authorities. After service commencement, this board will manage delivery of the 3-way Shared Service until such time as permanent governance is implemented.

Stage 3: Following appraisal of the governance options, a further report to the Cabinet of each of the three Shared Service authorities will seek authorisation for the recommended model prior to its implementation.

Governance Stage	**Main Features**
Initial (Stage 1)	A memorandum of understanding. A form of initial arrangement to allow Brent to incur expenditure on behalf of Southwark to establish the service design and transition programme.
Interim (Stage 2)	Southwark delegates ICT service to Brent. 3-way officer partnership board to manage preparatory phase and post commencement service. Current Lewisham to Brent delegation and joint committee and management board continue as is.
Medium-term (Stage 3) (within 12 months)	Consider long-term options: New joint committee, possible Teckal company or other.

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Table 1: Governance overview

5.5 Having considered the necessary mechanisms and authorisations required to enable the Shared Service partnership to progress it is proposed that;-

a) Brent, Southwark, and Lewisham agree a non-legally binding memorandum of understanding (MOU). This will enable development of the detailed delivery model, full transition planning and associated budget allocations.

b) The three parties intend to agree an interim inter-authority agreement as soon as possible to address their obligations, liabilities, insurance arrangements and use of assets in relation to the preparation and transition to the Shared ICT Service. This will enable development of the detailed delivery model, full transition preparation and associated budget allocations to be progressed and also give formal authority for Brent to purchase necessary hardware and software in relation to the transition. The interim agreement will form the basis for a subsequent more detailed inter-authority agreement between the parties to be developed after completion of due diligence.

c) Subject to all parties agreeing the detail, a report setting out the scope of the Shared Service, the associated financial model and setting out the terms of the delegation/s of Southwark's ICT will be recommended to the June meeting of the Cabinet of each of the three Shared Service authorities for approval.

The interim governance arrangements set out in the MOU and delegation of authority are intended to be in effect for a period of up to 12 months so as to enable the most appropriate governance model to be determined and implemented.

5.6 It should be noted that until the permanent governance arrangements for the Shared Service are approved by their respective authorities (the interim period) the existing Shared ICT Service governance requires that Brent and Lewisham continue to meet as a joint Management Board and to report service performance relating to their authorities only to their Joint Committee.

5.7 It should also be noted that the arrangements proposed are not intended to amount to procurement of services within the scope of the EU Procurement Rules. Instead it is intended that Southwark Council delegate certain of its functions for delivery of ICT to Brent Council and when implemented the plan will involve Brent (as the host authority for the existing shared service with Lewisham) exercising the function on behalf of Southwark pursuant to the powers referred to in paragraph 5.1, as opposed to a contractual arrangement.

5.8 It is anticipated that the Transfer of Undertakings (Protection of Employment Regulations) 2006 will potentially apply on transfer of workforce engaged in provision of Southwark's ICT service and further details of this are included in the Section 7 below Staff /Accommodation Implications.

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5.9 In preparation for service commencement, the Shared ICT Service will be developed and augmented to ensure that it has the relevant skills and resource to undertake work to the required level. Governance is being developed and will be implemented and enforced. This will include a three-way management board which will receive service levels and key performance indicators, balanced scorecard, risk log, budget monitoring and project highlight reports on a monthly basis. Third party supplier contracts will be reviewed and where possible harmonised to enable consolidated reporting and efficient management. Consideration will be given to how the three partner Authorities can motivate and incentivise the Shared ICT Service to deliver an end to end service which delivers a significantly enhanced end user experience and/or a measurable and quantifiable productivity gain.

6.0 Diversity Implications

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

7.0 Staffing/Accommodation Implications

7.1 Brent will act as the host authority and will be responsible for employing all staff engaged to deliver the shared ICT service. Separately, each authority will employ ICT staff to deliver a local ICT function.

7.2 Brent as the host authority will take-on the existing Southwark ICT service from Capita and provide ICT services to the three authorities. It is estimated that the extended shared service will require an additional 46 staff, taking the team complement to 96.

7.3 As an on-going service is being transferred it is anticipated that the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) may well apply. Staff covered by this legislation and engaged to deliver operational services would potentially transfer from Capita to Brent (as host authority). In addition, it is possible that a small number of Southwark IT staff may also be in-scope to transfer to Brent.

7.4 It is noted that there would be an increase in staff complement across both the local Southwark and Shared ICT Service teams. Consequently it is expected that the need to make staff redundant as a result of the proposed the proposed changes to the ICT Service delivery model and the restructure of

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Southwark's retained ICT team should be minimised. Indeed, many staff will become part of a larger IT function with increased opportunities for staff development and progression.

7.5 In terms of accommodation implications, it is anticipated that the majority of staff in the shared service will be based at the Brent Civic Centre. This will result in an additional requirement for office space for the Shared Service, and this has been costed in our work so far defining the financial model. Some staff will need to travel between all locations, and officers will have to maintain a small local presence at both Southwark and Lewisham from a rota of staff moving between the authorities.

8.0 Background Papers

None

Appendices

Appendix A - Memorandum of Understanding (attached)
Appendix B - The London Borough of Southwark Cabinet Report title: ICT Shared Service with Brent and Lewisham (to follow)

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APPENDIX A TO CABINET REPORT

MEMORANDUM OF UNDERSTANDING

between

(1) THE MAYOR & BURGESSES OF THE LONDON BOROUGH OF BRENT

(2) THE MAYOR & BURGESSES OF THE LONDON BOROUGH OF LEWISHAM

and

(3) THE MAYOR & BURGESSES OF THE LONDON BOROUGH OF SOUTHWARK

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THIS MEMORANDUM OF UNDERSTANDING

is dated 2017

Parties

(1) **THE MAYOR & BURGESSES OF THE LONDON BOROUGH OF BRENT** of the Civic Centre, Engineers Way, Wembley, HA9 OFJ **("LBB")**

(2) **THE MAYOR & BURGESSES OF THE LONDON BOROUGH OF LEWISHAM** of Laurence House, Catford, London, SE6 4RU **("LBL");** and

(3) **THE MAYOR & BURGESSES OF THE LONDON BOROUGH OF SOUTHWARK** of 160 Tooley Street, London SE1 2QH **("LBS")**

1. BACKGROUND

1.1 LBB and LBL have agreed to collaborate and work with one another to establish and participate in a Shared ICT Service (the "Shared Service") which started on 1 April 2016. LBS is interested in collaborating and participating in the Shared Service and the parties wish to work together to investigate the possibility of LBS joining the existing Shared Service arrangement or the possibility of the three parties agreeing tri-partite arrangements either based on the existing agreement (with adjustments to accommodate and cater for new equal participant and related service needs) or a different service model possibly a new company with directors appointed from the three parties or other tri-partite service model to be discussed and mutually agreed between the parties. With this in mind LBS has drawn up some details of the matters it wishes to explore and discuss with representatives of LBB and LBL and an outline of these matters is given in Annex A to this MoU (the discussions and matters referred to in this paragraph and in Annex A are referred to in this MoU as the "**Project"**).

1.2 The parties wish to record the basis on which they will collaborate with each other on the Project. This Memorandum of Understanding ("**MoU"**) aims to outline:

(a) the key objectives of the Project;

(b) the principles of collaboration prior to entry into a more detailed legally binding Collaboration and Inter Authority Agreement;

(c) the interim governance structures the parties will put in place for the purposes of furtherance of the Project; and

(d) the respective roles and responsibilities the parties plan to have during the Project.

2. KEY OBJECTIVES FOR THE PROJECT

The parties shall undertake the Project to achieve the key objectives set out in Annex A to this MoU ("**Key Objectives"**).

3. PRINCIPLES OF COLLABORATION

The parties agree to adopt the following principles when carrying out the Project (**Principles**): The parties will use their reasonable endeavours to

(a) collaborate and co-operate with one another in pursuit of the Key Objectives;

(b) Communicate openly about major concerns, issues or opportunities relating to the Project;

(c) learn, develop and seek to achieve the Key Objectives. Share information and experience to learn from each other, work collaboratively to identify solutions, eliminate duplication of effort, mitigate risk and reduce cost;

(d) adopt a positive outlook. Behave in a positive, proactive manner;

(e) adhere to statutory requirements and good practice. Comply with applicable laws and standards including EU procurement rules, data protection and freedom of information legislation;

(f) endeavour to act in a timely manner recognising the timing and dates needed to achieve performance of the Project;

(g) manage stakeholders; and

(h) act in good faith to support achievement of the Key Objectives and compliance with these Principles.

4. PROJECT GOVERNANCE

4.1 Overview

The governance structure referred to below will apply in relation to the Project.

4.2 Guiding principles

The following guiding principles are adopted. The Project's governance will:

(a) provide strategic oversight and direction;

(b) be based on agreed roles and responsibilities at organisation, group and, where necessary, individual level;

(c) align decision-making authority with the criticality of the decisions required;

(d) be aligned with Project scope and each Project stage (and may therefore require changes over time);

(e) aim to provide coherent, timely and efficient decision-making; and

(f) correspond with the key features of the Project governance arrangements anticipated by this MoU.

4.3 **Sponsors' Board**

(a) The **Sponsors' Board provides** overall strategic oversight and direction to the Project. This group will consist of:

LBB : Althea Loderick & Peter Gadstone

LBL : Kevin Sheehan

LBS : Emma Marinos

4.4 **Project Group**

(a) The Project Group will provide strategic management at Project and work stream level. It will provide assurance to the Sponsors' Board that the Key Objectives are being pursued and that the Project is aiming to perform within any boundaries set by the Sponsors' Board.

(b) It is intended that the Project Group will consist of representatives from each of the parties. The Project Group should be able to draw on technical, commercial, legal and communications resources as appropriate into the Project Group.

5. ROLES AND RESPONSIBILITIES

The parties intend to enter discussions on the details of the Project and as part of these discussions may choose to agree that there will be a more specific allocation of roles and responsibilities for particular aspects of the Project. Any such allocation will need to have the agreement of all the parties.

6. ESCALATION

6.1 If either party has any issues, concerns or complaints about the Project, or any matter in this MoU, that party shall notify the other party and the parties shall then seek to resolve the issue by a process of consultation. If the issue cannot be resolved within a reasonable period of time, the matter shall be escalated to the Project Group, which shall decide on the appropriate course of action to take. If the matter cannot be resolved by the Project Group within ten days, the matter may be escalated to the Sponsors' Board for resolution.

6.2 If either party receives any formal inquiry, complaint, claim or threat of action from a third party (including, but not limited to, claims made by a supplier or requests for information made under the Freedom of Information Act 2000) in relation to the Project, the matter shall be promptly referred to the Project Group (or its nominated representatives). No action shall be taken in response to any such inquiry, complaint, claim or action, to the extent that such response would adversely affect the Project, without the prior approval of the Project Group (or its nominated representatives).

7. INTELLECTUAL PROPERTY, CONFIDENTIALITY & FOI

7.1 The parties intend that any intellectual property rights created in the course of the Project shall vest in the party whose employee created them (or in the case of any intellectual property rights created jointly by employees of two or more parties it is the party that is lead party for the work concerned).

7.2 Where any intellectual property right vests in either party in accordance with the intention set out in clause 7.1 above, that party shall grant an irrevocable licence to the other parties to use that intellectual property for the purposes of the Project.

7.3 Each party shall keep confidential information relating to the intellectual property rights of the other parties, commercially sensitive information and confidential information with regard to the Shared Service, the Project and plans envisaged by this MoU shall use all reasonable endeavours to prevent its employees and agents from making any disclosure to any person of such information. This shall not apply to:

a) Information which a party can demonstrate is already generally available and in the public domain otherwise than as a result of a breach of this clause;
b) Any disclosure which is required by any law (including any order of a court of competent jurisdiction), any Parliamentary obligation or the rules of a governmental or regulatory authority having the force of law, however where a disclosure is to be made pursuant to FOI Legislation the parties agree that the provisions of clause 7.5 and 7.6 shall apply to any disclosure;
c) Any disclosure of information which is already lawfully in the possession of the receiving party prior to its disclosure by the disclosing party;
d) Any disclosure by a party to a department, office or agency of the Government; or
e) Any disclosure for the purpose of the examination and certification of a party's accounts and audit requirements.

7.4 Where disclosure is permitted under clause 7.3, the disclosing party/Council shall endeavour to ensure that the recipients of the information shall be placed under the

same conditions of confidentiality as expressed above by the disclosing Council although the parties acknowledge that this may not always be possible.

7.5 **Freedom of Information:**

a) The parties recognise that they are public authorities as defined by Freedom of Information (FOI) Legislation and therefore recognise that information relating to this MoU may be the subject of an Information Request under FOI Legislation ("Information Request").

b) The parties shall assist each other in complying with their obligations under FOI Legislation, including but not limited to reasonable assistance without charge, in gathering information to respond to a valid Information Request made under the FOI Legislation.

c) Any Council/party ("Council") shall be entitled to disclose any information relating to this MoU in response to an Information Request, save that in respect of any Information Request which is in whole or part a request for Exempt Information (i.e. exempt information that is exempt of may be lawfully withheld within the parameters of the FOI Legislation) in such circumstances the following procedure shall apply:

- the Council which receives the Information Request shall circulate the Information Request and shall discuss it with the other parties;
- the Council which receives the Information Request shall in good faith consider any representations raised by the other parties when deciding whether to disclose Exempt Information; and
- the Council which receives the Information Request shall not disclose any Exempt Information beyond the disclosure required by FOI Legislation without the consent of the other parties to which it relates.

7.6 The parties to this MoU acknowledge and agree that any decision made by a Council which receives an Information Request as to whether to disclose information relating to this MoU pursuant to FOI Legislation is solely the decision of that Council. A Council will not be liable to the other parties for any loss, damage, harm or detrimental effect arising from or in connection with the disclosure of information in response to a valid Information Request under the FOI Legislation.

8. TERM AND TERMINATION

8.1 It is intended that this MoU shall commence on the date of signature by all the parties hereto, and shall expire on either:

- the date of completion of the Project;

- the date when the parties enter into a more detailed Collaboration & Inter Authority Agreement for the Shared Service, which will supersede the arrangements in this MoU; **or**

- the date falling 12 months after 17th February 2017;

whichever of those dates occurs soonest.

8.2 Either party may terminate this MoU by giving at least one months' notice in writing to the other parties.

9. VARIATION

This MoU, including the Annexes, may only be varied by written agreement of all three parties as represented by the Sponsor's Board.

10. COSTS

10.1 Except as otherwise provided, the parties shall each bear their own costs and expenses incurred in entering into and implementing this MoU.

11. STATUS

11.1 This MoU is not intended to be legally binding, and no legal obligations or legal rights shall arise between the parties from this MoU.

11.2 Nothing in this MoU is intended to, or shall be deemed to, establish any partnership or joint venture between the parties, constitute either party as the agent of the other party, nor authorise any of the parties to make or enter into any commitments for or on behalf of the other party or parties.

11.3 The entry into and signature of this MoU shall be subject to approval of:

- the Cabinet of the London Borough of Brent

- The Mayor of the London Borough of Lewisham

- the Cabinet of the London Borough of Southwark.

12. GOVERNING LAW AND JURISDICTION

This MoU shall be governed by and construed in accordance with English law and, without affecting the escalation procedure set out in clause 6; each party agrees to submit to the exclusive jurisdiction of the courts of England and Wales.

ANNEX A – PROJECT OVERVIEW

The aim of the Project over the period of twelve months following the approval of the Cabinet and/or Mayor of the three Council authorities, is to undertake a review of the existing arrangements for a Shared ICT service, Southwark Council's service arrangements and needs and the adaptation of these and the respective needs and arrangements of the other two councils so that all three councils can join together as equal parties in a tri-partite shared service arrangement.

The parties wish to develop plans and examine alternative models for to implement changes in the existing arrangements so to bring Southwark Council into the Shared Service arrangement as an equal partner. This could be based on a Joint Committee structure with each party having one-third equal representation rights or possibly a new company model with each party appointing representatives on a Board of Directors and having equal voting rights; or could be an alternative hybrid model that the parties mutually agree to use.

The proposal is to aim for the initial tri-partite service to Go-Live by August 2017 and for there to be a Run-in period between August and December. During this time the parties would review how the service is working, service needs, operational factors and related matters, with a view to using the information gathered, to decide how best to adjust the existing governance arrangements and to adapt a governance model best suited to three parties being equal members in the venture.

KEY OBJECTIVES & PRINCIPLES

KEY ISSUES FOR CONSIDERATION

Strategic Outcomes

1. To enable the three councils to maximise the use of digital technologies to transform themselves into responsive, efficient and cost-effective organisations.

2. The objective of the ICT service will be to achieve the strategic outcomes described in table 1 below by 2020.

Primary outcomes	**Secondary outcomes needed to achieve primary outcome**
Building a **solid platform for transformation**	• Building a **modern, common infrastructure** that partners can rely on. • Generating **more innovation by investing together** to make the most of technology. • Creating **shared strategies and roadmaps**, with the flexibility to reflect local needs.
Delivering **a quality service**	• Providing **a reliable, quality user experience.** • Delivering **constant improvement** by keeping service levels and processes under review. • Building a **talented team** with a great reputation.
Providing **great value-for-money**	• Maximising **economies of scale,** taking a common approach where practical and beneficial. • Offering **affordable services** that compare well with other providers. • Benefiting by **sharing the cost of investment** in new developments.
Forging **a lasting partnership**	• Acting as a **partnership of equals** that everyone benefits from. • Delivering **greater resilience** by sharing and mitigating risks. • Offering each partner **more capacity and capability** by pooling resources and knowledge.

Table 1: Strategic Outcomes

3. The strategic outcomes referenced in Table 1 are underpinned by the agreed partnership principles and future behaviours (see below) that address and enable the opinions and expectations of all three authorities.

Partnership Principles

4. Senior stakeholders agreed the following overarching principles upon which the shared service will be founded;-

   I. **Part of the family**, they are our in-house service and an important part of our team in each organisation.

   II. **Modern and forward-looking,** working closely with our digital strategists to transform our organisations.

   III. **Our expert ICT adviser** on the technology solutions needed to deliver the partners' digital strategies.

   IV. **Our provider for all ICT services**, using external services and support when they needed.

   V. **Managed collectively**, with sponsors from each partner providing leadership for the service.

VI. **Committed to converging** to a common approach and infrastructure by default, varied only when strictly necessary.

VII. **Delivering on an ambitious plan** for the development of the service that is agreed and monitored by the partnership.

VIII. **Working to common standards** of service levels and performance that are realistic given the funding available.

IX. **Accounting for its success** in performing well against those standards, including through benchmarking.

X. **Committed to reducing costs** both in its own budgets and in the cost of partners' services to the public.

XI. **Managed simply and transparently** in the way it is governed, makes decisions, spends money and manages its budget.

XII. **Open to growth**, but only at a sustainable rate that does not represent a risk to the service.

XIII. The agreed principles and supported by five partnership behaviours that the partners (together and individually) are determined to adopt: -

5. Senior stakeholders have accepted that managing a shared service was very different to managing an outsourced service or indeed an in-house team in a single authority. In order to ensure the shared service has the best possible relationship with the managing authorities stakeholders agreed that adopting partnership behaviours would be critical. They therefore agreed;-

    - We will not **treat the service as a separate entity** that is external to our organisations and will not give it a separate identity.
    - We will adopt a **non-adversarial mind-set** and will not treat the partnership as a contracted, commercial supplier that needs 'clienting'.
    - We will not **complicate the partnership's decision-making** by operating different levels of delegation from each partner.
    - We will not **insist on significant differences** in the service processes and technology for a London Borough.
    - We will not **take unilateral decisions** on technology or funding that impact the ICT service's ability to deliver for all partners.

6. These potentially represent significant cultural and behavioural changes for Southwark's officers and further work is required across the organisation to ensure that these changes are adopted and embedded. Consequently, each will be entered on the risk register for further mitigating action.

7. Detail underpinning the partnership principles will be further developed and agreed during transition planning and due diligence.

8. The partnership principles are fundamental to the memorandum of understanding which is intended to enable the detailed work required to agree the legal and governance mechanisms for establishment of the shared service to be completed.

Signed for and on behalf of
THE MAYOR & BURGESSES OF THE LONDON BOROUGH OF BRENT

Signature: .....
Name: .....
Position: .....
Date: .....

Signed for and on behalf of
THE MAYOR & BURGESSES OF THE LONDON BOROUGH OF LEWISHAM
Signature: .....
Name: .....
Position: .....
Date: .....

Signed for and on behalf of
THE MAYOR & BURGESSES OF THE LONDON BOROUGH OF SOUTHWARK
Signature: .....
Name: .....
Position: .....
Date: .....
.....

Appendix B to Brent Cabinet Report

Item No.	Classification: Open	Date: 7 February 2017	Meeting Name: Cabinet
Report title:		ICT Shared Service with Brent and Lewisham	
Ward(s) or groups affected:		All	
Cabinet Member:		Fiona Colley – Cabinet member for finance, modernisation & performance	

FOREWORD FOR CLLR FIONA COLLEY, CABINET MEMBER FOR FINANCE, MODERNISATION & PERFORMANCE

Following a thorough exploration of all procurement routes open to us since the Gateway 0 report in January 2016, I'm delighted to be asking Cabinet to approve in principle that Southwark becomes part of the Brent and Lewisham shared ICT service, for the delivery of ICT services.

The key objective is to establish a stable, resilient and quality ICT service which will deliver modern, reliable, secure, cost effective technology that supports the digital strategy and enables service transformation across the Authority.

It will also underpin the modernisation agenda of transforming where and how staff work in order to better serve our customers through implementing the workforce, ICT and workplace strategies agreed by cabinet on 1 November 2016.

This report describes the process that has arrived at this recommendation which has been based on affordability, speed of transition and service solution. It is also time for us to try something different given the 20 plus years of being with various single suppliers which have not delivered in the way we had hoped.

Given this is a new delivery model there will be a need for adjusting to a new way of working for all of us and it is important that we view this as an 'in-house' service for all three boroughs, where we will have a mutual role in its development. To conclude this will give us the ability to deliver the technology we need in order to enable savings and deliver services in a modern way that people expect.

RECOMMENDATION(S)

Recommendation(s) for the Cabinet

It is recommended that the Cabinet: -

1. Notes the outcome of the original procurement process and the work undertaken to consider alternative options.
2. Approves in principle the delegation of the delivery of the ICT service to London Borough of Brent Council as the primary host authority in a Shared ICT Service with London Borough of Lewisham and notes that a further report will be brought to Cabinet to approve delegation in its final terms.

3. Notes the ongoing due diligence process and the development of inter-authority agreements for delegation of the ICT service delivery and which will cover the 3 boroughs obligations, liabilities, insurance arrangements and use of assets in relation to the Shared ICT Service.
4. Approves the entering into a memorandum of understanding with the London Borough of Brent and London Borough of Lewisham (as outlined in Appendix A) and approves the funding of preparatory and transition work at an estimated cost of £3m and entering into an interim inter-authority agreement which will cover the 3 boroughs obligations with regard to the preparatory and transition activities and as further detailed in paragraph 93b and delegates authority to the strategic director of housing and modernisation to agree the final terms of the interim inter- authority agreement(s).
5. Notes that Brent and Lewisham officers are presenting reports to their respective Cabinets in relation to this delegation and future Shared ICT Service.
6. Notes that officers will undertake discussions with Capita regarding a further extension of the existing ITMS contract to allow the preparatory and transition activities to be completed.

BACKGROUND INFORMATION

7. In October 2012 Capita was awarded the contract to provide a fully managed ICT service. The contract initially ran from 1 February 2013 for a period of four years, with an option to extend for further periods up to 31 January 2019.
8. The current ICT managed service covers a range of service elements. These can be divided broadly into:-
    i. A business as usual service. Delivering a service desk, service management function and ICT infrastructure comprising over 7,000 fixed and mobile devices and supporting approximately 4,500 staff working at over 100 locations.
    ii. Programmes and projects. Undertaking and implementing change to maintain the existing service and deliver new and improved services.
9. A pre-procurement strategic assessment report (Gateway 0 - ICT Managed Services Sourcing Options) was received by Cabinet in January 2016. The report identified a number of performance and financial issues and risks with the current ICT service.
10. The report recommended dividing the ICT service into a number of manageable technology and service based ‘towers’ and procuring these from separate suppliers.
11. In addition to the procurement strategy the report noted that the retained ICT team should be restructured to provide an effective intelligent client function and that Applications Support functions currently outsourced to Capita should be insourced.
12. The procurement process ran from 21 September to 7 November 2016 and was unsuccessful in attracting a minimum level of interest from suppliers.
13. As a result of the failure to secure tender responses for all towers it was decided to cease the procurement and consider alternative options.

Options evaluation

14. Officers considered the following potential options for future service delivery:-
    - Joining the Brent and Lewisham’s shared ICT service
    - A direct award through the Pan-London framework
    - A fully in-sourced ICT service

- Re-procurement with variant SIAM model via a framework
- Full EU tender with variant SIAM model
- A framework direct call off with award with a single supplier
- A further extension of the existing Capita contract

15. Two options were considered viable and were shortlisted for further evaluation. The two options were:-
    - Delegating ICT services to the existing Shared ICT Service between Brent and Lewisham, where Brent would be the host authority.
    - Provision of ICT services procured through the Westminster CC Pan London ICT Services Framework with BT as the primary supplier.

Options evaluation process

16. Both BT and the Shared ICT Service were provided with information on the Authority's' requirements and current position and asked to prepare a response for evaluation.
17. It should be noted that BT were able to deploy significant resource to undertake a rapid and detailed review of the Authority's requirements and prepared a highly professional commercial offering. Conversely, as was expected the Shared ICT Service had only limited resource and experience for undertaking such an exercise. To assist, Southwark worked with Brent to develop a 'Service Blueprint'. The output of this work was then used to evaluate the Shared ICT Service offer.
18. Whilst there are several similarities, the suppliers of and the proposed solutions for the two options being evaluated are very different Consequently, a 'like-for-like' comparison of the service offers was not possible and officers therefore considered each option on its merits and ability to meet the Authority's business requirements.

Option 1) Joining the Brent and Lewisham shared ICT service

19. The existing Shared ICT Service between Brent and Lewisham was developed during 2015 and came into effect on 1st April 2016, when Lewisham transitioned from their incumbent supplier (Capita) and the Brent and Lewisham ICT functions were combined.
20. The Shared ICT Service was established using statutory powers vested in the Local Government Acts 1972 and 2000, with Lewisham delegating its ICT services to Brent under the governance of a joint committee.
21. The Shared ICT Service arose largely from Lewisham's dissatisfaction with the quality of their ICT service, which had been outsourced for many years. Lewisham were therefore seeking to transition away from their incumbent and to procure a service with improved service quality within challenging affordability criteria and timescales.
22. By contrast, the Brent service is in-house and considered to be well run but was coming under increasing pressure as a result of a reduced budget and further savings targets. For Brent to continue to deliver quality services using in-house resource required them to achieve further savings, with a preference for doing so through economies of scale and other efficiencies rather than from a reduction in head count and/or service provision.
23. Following 12 months of detailed planning the Shared ICT Service went live in April 2016. It is initially delivering Infrastructure services to the two Authorities, including common ICT infrastructure, a service desk, project management, financial management, procurement and administration services. Further sharing of services is under consideration and this is likely to result in the merging of the currently separate application support teams.

24. With the exceptions of Lewisham's digital transformation and applications support teams, Brent as the primary host authority for the Shared ICT Service employ all ICT staff, deliver comprehensive ICT services and procure and manage third party contracts to both Authorities.

25. The Shared ICT Service manages a combined budget for both Authorities and also manages separate ICT spending on behalf of each Authority (mainly infrastructure contracts). The Shared ICT Service budget for 2016/17 is circa £5.5m, however this only represents the elements of the service currently shared. Work is currently underway to further consolidate budgets and novate ICT contracts to Brent so that the Shared ICT Service can directly manage all related spending.

26. Both Authorities have reported savings; however, there is recognition that business (income) from other boroughs will be needed to deliver further efficiencies and savings. As a result, the Shared ICT Service engaged with a number of Local Authorities and public bodies to explore opportunities for 2017/18 and beyond.

Solution Overview

27. The proposal is that the Shared ICT Service takes over delivery of the majority of Southwark's ICT services currently provided by Capita. Prior to service commencement the Shared ICT Service would increase the capacity of their in-house team and ICT infrastructure to accommodate Southwark's ICT requirements. Post service commencement, services would continue to run in Capita data centres under the direct control of Shared ICT Service staff, whilst a rapid migration of services from Capita to the Shared ICT Service infrastructure is completed.

28. During this transition period no transformation would take place, although many of the service, design and capacity failings of the existing service would be remediated. Once stabilised, a transformation programme would then be undertaken. This approach seeks to minimise the reliance on and cost of Capita data centre services post service commencement.

29. The Shared ICT Service would to all intents and purposes provide an in-house ICT team on behalf of the three Authorities. Staff costs, overheads, service and financial risks associated with an in-house team would be shared. In addition to business as usual services, the Shared ICT Service would provide centralised resource for procurement and financial management as well as a pool of project management and technical resource. Service requests, installations, moves and changes (IMACDs) and small/medium projects would be delivered as part of the service whilst large scale projects that require additional resource would be funded separately.

30. In common with the BT option, the existing applications support function would be retained by Southwark, with applications support work currently undertaken by Capita, (and potentially also the related Capita staff), transferring to the Southwark applications support team. Southwark would also develop a retained ICT team to provide strategic direction and governance, undertake management engagement with the Shared ICT Service and internal business relationship management and develop and implement digital transformation in conjunction with the wider business.

Technical Synergy

31. There is a significant level of technical synergy. Brent, Lewisham and Southwark all currently use a centralised desktop and thin-client technology to deliver end user compute (EUC) services, have dedicated servers and storage and are adopting increasing use of iPad and other types of mobile device. Some re-engineering would be required, but leveraging existing Shared ICT Service solutions will enable Southwark to

deploy mobile and other solutions faster than would otherwise be the case. The direction of travel towards cloud services and increased mobility is similar, although Southwark are looking to adopt and deploy these faster then either Brent or Lewisham.

32. In the short term Southwark would be required to make a capital investment in an infrastructure refresh cycle, rather than adopt cloud based services immediately as was intended. This approach has a number of benefits in that it would facilitate a faster transition from Capita, remediate many of the technical weaknesses of the existing infrastructure, significantly improve business continuity and disaster recovery capability and provide capacity for planned projects. Importantly, the cost implications of this approach are considered to be more affordable than those for adopting cloud.

33. Overall it is considered that the Shared ICT Service would support Southwark's ICT aspirations and, following a period of stabilisation and improvement, would enable the digital transformation programme.

Governance and culture

34. The Brent / Lewisham shared ICT service is governed by a joint committee with a joint management board reporting into it. Separately, Brent delivers ICT services to the LGA through a joint Teckal company.

35. A number of governance options for incorporating Southwark into the Shared ICT Service exist. Primarily due to time constraints, it is proposed that these will be fully reviewed and a recommendation as to the most appropriate governance arrangement made at a later date.

36. As an interim arrangement, it is proposed that a Shared ICT Service joint partnership board would be established with representatives of the three Authorities working on an equal basis. The joint partnership board would initially have responsibility for transition planning and delivery. Post go-live, responsibility would be extended to cover the entire service (including service delivery and service quality).

37. The governance arrangements associated with a Shared ICT Service or partnership in many ways mirror those of a commercial organisation, however culture and behaviours will need to be adapted to suit. To this end a number of partnership principles would need to be developed.

38. As Local Authorities, the cultural fit and synergy between Southwark, Brent and Lewisham is likely to be stronger than with a commercial supplier. However, whilst Southwark are familiar with the behaviours associated with running in-house teams and managing outsourced partners, the behaviours required to develop and sustain a Shared ICT Service are quite distinct, will require focussed effort and could pose a significant risk if not adopted and applied.

Financial Model

39. The Shared ICT Service financial model is simple and provides cost transparency. All costs incurred in the delivery of Shared ICT Services would be apportioned and recharged to one or more of the partnership Authorities based on volumetrics or usage. The bulk of the annual Shared ICT Service recharge arises from staff and associated on costs. The latter includes NI, pension contributions, overtime, call-out allowances, training, subsistence and the requirement for supporting services such as accommodation, HR support, etc.

40. There are three basic methods for apportionment of costs.

    - Core pricing is based upon the aggregate number of user accounts across the Shared ICT Service (pre-determined and fixed annually). The current estimate is

that Southwark have 4,500 users out of a total Shared ICT Service user population of 10,000. Consequently, 45% of core costs would fall to Southwark.

- Some service specific costs will be apportioned based upon individual authority consumption.
- Where costs can be wholly attributed to an individual authority they will be recharged on that basis, e.g. Microsoft end user licences.

41. Consideration will need to be given to how the changing finances of one authority might impact upon the service and the service cost apportioned to the other partnership Authorities. To attempt to mitigate this, a commitment to the service budget will be required and consideration will need to be given to the following principles:-
    - The Partners will annually review and agree budget requirements for the service and recommend these to each Authority for the subsequent financial year.
    - Each Partner agrees to adjust budgets to address changes to payroll and/or related on-costs.
    - Each Partner agrees not to unreasonably withhold additional budget required to maintain the security and integrity of the aggregate services.
42. Consideration will also be given to the advantages that extending budget planning to a 3-year basis will give to the stability of the running of the Shared ICT Service and the opportunity this provides to support the medium-term financial planning of the three Authorities.
43. As expected with an in-house service, there is no service credit regime with service quality being derived from effective team and individual performance management overseen by the joint partnership board.

Staff resource

44. Brent would be responsible for employing staff to deliver the Shared ICT Service. It is estimated that an additional 46 staff would be required, thereby almost doubling the existing Shared ICT Service team. As a result of the service transferring, it is considered likely that some existing Capita and Southwark staff would be eligible to transfer to Brent (as the host authority) under the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE).
45. Considering the staff complement requirement of the Shared ICT Service team and staff in-scope for TUPE from both Capita and Southwark, it is anticipated that there will be a need for additional recruitment.
46. Pension arrangements and liabilities arising from transferring staff are yet to be determined. Southwark, Brent and Capita will be required to comply with their usual statutory obligations.
47. The proposed organisational structure of the Shared ICT Service incorporates resources to deliver the Shared ICT Services which excludes ICT resources working to the individual Authorities, such as the applications support and digital teams.
48. The proposed organisational structure of Southwark's retained ICT team excludes staff undertaking ICT work but located in departments and funded by local departmental budget.

Service Quality

49. An effective Service Level Regime currently exists for the Shared ICT Service and is monitored and managed by the existing joint management board. It is anticipated that

this will meet most of Southwark's requirements for service reporting however it is flexible and can be tailored if necessary. Where possible reporting will be harmonised to reduce management overheads of the service.

50. The Shared ICT Service advise that, in general, the performance targets for service delivery are being met, however it should be noted that some issues have been experienced with the performance of the Service Desk function to Lewisham. As part of the on-going implementation of the Shared ICT Service, the Service Desk was centralised in early September 2016. This appears to have had a positive effect and the situation is continuing to be monitored. Improvements to service levels are anticipated in the coming months.

51. LB Lewisham acts as a useful benchmark in terms of early service quality and performance given their recent transition from a Capita-managed ICT service. They provided detailed information regarding their transition and early life service, which indicates that the service transitioned and is being delivered to a high standard. Whilst as mentioned previously some issues arose post transition they report being very satisfied with the responsiveness of the Shared ICT Service team to date.

Option 2) Award to BT through Pan-London Framework

52. A Pan-London framework was established by the tri-borough Shared ICT Service, comprising the Royal Borough of Kensington and Chelsea, London Borough of Hammersmith and Fulham and Westminster City Council. The aim of the framework is to streamline the procurement process, improve efficiency and cut costs for local Authorities and is available to all 33 London boroughs.

53. The framework consists of four Lots, each of which delivers a service tower and comprises pre-defined services with unit pricing. Services are delivered to prescribed SLAs and KPIs to standardise and deliver commodity services at commodity pricing. In recognition that this approach may not meet all requirements, each Lot contains provision for bespoke services. The Lots within the framework were awarded as follows: -

- Lot 1 - End user computing (Westminster framework: awarded to BT in 2014)
- Lot 2 - Service Desk (Westminster framework: awarded to Agilisys in 2014)
- Lot 3 - Data Centre services (Westminster framework: awarded to BT in 2014)
- Lot 4 - Networks / Telephony (RBKC framework: awarded to BT in 2016)
- Bespoke Services can be procured through any Lot.

54. With the exception of the Integrator function, (for which there is no corresponding Lot) the four Lots broadly align with the service integration and management (SIAM) tower operating model that Southwark previously attempted to procure through further competition. A key difference however is that Southwark's SIAM model had envisaged different suppliers for each tower, whereas this framework would enable a maximum of two suppliers across all four Lots.

55. Given timescales for undertaking the options evaluation it was decided to reduce the scope and complexity of this option by undertaking a single supplier engagement with BT (who are the sole supplier of the Framework Lots chosen) with the view to them providing all services including a service desk.

56. BT was engaged in early November and as might be expected of a company of their size they were quickly able to assign resource to undertake a detailed review of Southwark's requirements. In contrast to the Shared ICT Service, they proactively arranged several technical workshops and were able to produce a detailed service offer

which was fully documented and presented to the Southwark ICT management team on 2 December 2016.

57. The BT service offer is very granular with each service element detailed and priced individually. All service lines were reviewed during the workshop sessions allowing an agreed scope and transparent cost model to be built.

Solution Overview

58. The BT proposal is based on provision of services under framework Lots 1, 3 and 4 with bespoke services used to provide the service desk. This mirrors the service taken from BT by the London Borough of Bromley in early 2016. The BT offer does not include a full integration service, project management or technical project resource. These can be scoped as additional services either as defined resource or provided as required on a day-rate call-off basis.

59. BT propose to take on the service "as is" from 1 August 2017 and have scoped and costed to move Southwark services onto the BT Shared Infrastructure Platform (SIP). The proposed move from Capita data centres to BT's SIP will require services and applications to be re-installed. Whilst this has a time and cost implication it should result in all services being in a known and documented state. Whilst this approach has a number of benefits it is anticipated it will take 18 months to complete, during which time services would continue to run on existing infrastructure in Capita data centres.

60. In common with other options, the existing applications support function would be retained by Southwark with applications support work currently undertaken by Capita, and potentially also the related Capita staff, transferring to the Southwark application support team. Southwark's retained ICT team would also provide strategic direction and governance, oversee service delivery, undertake business relationship management and develop and implement the digital transformation in conjunction with the H&M modernise team and the wider business. Compared to the Shared ICT Service option, the Southwark team will need additional resourcing (to act as an intelligent client) to accommodate the additional roles and responsibilities it will be required to perform.

Technical Synergy

61. Technical synergy is less important in this option as BT will resource to deliver the services required. BT have reviewed the Southwark technology currently deployed as well as the technical roadmap and no issues have been identified.

62. BT's SIP aligns in part with Southwark's intent to explore and provision cloud based services. It is however vendor specific and, in common with a number of the technical solutions proposed by BT, would tie us in to a relationship from which it may be more difficult to extricate ourselves, should we wish to do so in the future.

Governance

63. The BT governance model consists of a number of service delivery, programme and commercial boards to manage the contracted services. The model proposed broadly mirrors existing arrangements with Capita and will therefore be familiar to staff managing the contract.

64. Supporting local account governance is a joint group with representatives from BT and other Authorities contracting BT services through the Westminster framework: i.e. (Westminster, Kensington & Chelsea, Hammersmith & Fulham, Bromley). This board acts as a focus for Shared ICT Service management and joint initiatives.

Commercial approach and financial model

65. The BT financial model is that Southwark pays: -

- A fixed price for resources such as service management, problem management, etc.
- A volume price for services consumed. Volume services include service desk calls, number of users, number of servers, storage, backup, etc.
- Additionally Southwark would need to maintain 3rd party licences and supporting services although options exist to novate these to BT or have BT re-procure them on Southwark's behalf.

66. The model is largely consumption based and flexes both up and down. Discounts apply based on individual authority use and the combined volumes of all contracting Authorities. There is no minimum quantity and therefore with the appropriate notice period service elements could be reduced or even ceased entirely without financial penalty.

Compliance

67. A thorough compliance review of the Pan London framework was not undertaken. However the framework was procured in accordance with EU procurement requirements and does provide for direct award to BT. It has been used by several Authorities (so consequently the risk of there being issue with, or a challenge arising from Southwark having made a direct award under the framework is considered low.

Staff resource

68. As the service would be transferring from one service provider to another it is considered likely that some existing Capita and Southwark staff would be eligible to transfer to BT as the service provider under the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE).

69. Resourcing the applications function will likely include TUPE of staff from Capita to Southwark, and there will be a need for recruitment to fill new or revised roles within the Southwark intelligent client function.

70. Pension arrangements and liabilities arising from transferring staff are yet to be determined. Southwark and BT will be required to comply with their usual statutory obligations and, in the case of BT, any derivative contractual requirements.

Service Quality

71. As would be expected of a major ICT service supplier a comprehensive regime for monitoring and reporting on service delivery and service quality is in place.

72. Service levels are higher than for the Shared ICT Service and these are backed by a service credit regime.

73. LB Bromley acts as a useful benchmark in terms of early service quality and performance given their recent transition from a Capita-managed ICT service to BT. They provided detailed information regarding their transition and early life service which indicates that the service transitioned and is being delivered to a high standard. They report being very satisfied with the responsiveness of BT and the service to date.

Options evaluation

74. The two options were compared with consideration given to the limitations of conducting a like-for-like comparison on two such different proposals.

75. Overall both options were considered viable with advantages and disadvantages associated with each. The determining factors were considered to be: -

    - **Affordability**: basic cost modelling indicates that the Shared ICT Service would be significantly cheaper over a five-year period. There were also considered to be a greater number of opportunities for further efficiencies and savings to maintain affordability over the medium-term.
    - **Service Scope**: the Shared ICT Service includes as standard; service management and service integration across all service towers and 3rd parties, finance, contract management, procurement, a programme office and project management resource, technical project resource and solutions architects. It was therefore considered to be a more holistic service which will require a smaller retained team to manage when compared to BT.
    - **Service Delivery:** the Shared ICT Service includes; service requests, a hardware replacement budget and all installation, moves and changes. These aspects of service delivery would be delivered by BT but at additional cost.
    - **Service Solution**: BT proposed use of their Infrastructure-as-a-Service solution whilst the Shared ICT Service proposed a refresh of authority owned hardware. Whilst the direction of travel and Southwark's medium-term strategy is to move away from owned hardware to an "as-a-service" consumption model, the financial case for doing so is yet to be made. In addition, the BT option required use of Capita hosting services for an estimated 18 months whilst transformation was undertaken and completed. Continued reliance on Capita for this length of time was considered to be undesirable.
    - **Be different:** Whilst affordability, speed of transition and service solution were the most significant factors, it is worth noting that having had 20+ years of single supplier ICT managed services (which have largely failed to meet business requirements and expectations), there was a political and officer appetite to try something different.

76. The option evaluation concluded that entering into a Shared ICT Service with Brent and Lewisham offered the best option for the future provision of ICT services to the Authority.

Development of the Brent / Lewisham Shared ICT Service option

77. Having identified the Shared ICT Service as our preferred option, an external facilitator was commissioned to run five workshops. These were used to bring together the key stakeholders and advising officers to explore how the Shared ICT Service could be developed to include Southwark and the potential benefits to all three partners.

78. The workshops were designed to enable senior officers to understand and agree the following: -

    - Partnership principles
    - Statutory framework that enables Shared ICT Services
    - Potential governance models
    - Potential benefits realisation
    - Risk

- The most appropriate Shared ICT Service model
- The internal legal process to establish the Shared ICT Service

79. In addition, an important aspect of the workshops was testing the commitment of senior stakeholders to a Shared ICT Service, thus ensuring we were embarking on a viable long-term partnership.

80. The Authorities identified that they shared several key objectives and synergies. These included: -

- Clear technology synergies (i.e.: common applications, infrastructure and roadmaps)
- Common financial and service pressures
- Need to achieve value for money (meets current and future affordability targets and quality expectations)
- A need to strengthen overall service risk management and resilience
- A political appetite to do something different in partnership with other Authorities

81. At the final workshop, senior stakeholders from all three Authorities agreed that a Shared ICT Service was a compelling proposition and gave the necessary commitments to progressing this as a recommendation to their respective Cabinets.

KEY ISSUES FOR CONSIDERATION

Strategic Outcomes

82. The senior stakeholders' workshop established the principal objective of the Shared ICT Service, which is to "**enable the three Authorities to maximise the use of digital technologies to transform themselves into responsive, efficient and cost-effective organisations**".

83. Stakeholders agreed that by 2020, the ICT service would have achieved the strategic outcomes described in table 1 below.

Primary outcomes	**Secondary outcomes needed to achieve primary outcome**
Building a **solid platform for transformation**	• Building a **modern, common infrastructure** that partners can rely on. • Generating **more innovation by investing together** to make the most of technology. • Creating **shared strategies and roadmaps**, with the flexibility to reflect local needs.
Delivering **a quality service**	• Providing **a reliable, quality user experience.** • Delivering **constant improvement** by keeping service levels and processes under review. • Building a **talented team** with a great reputation for supporting the business of each partner.
Providing **great value-for-money**	• Maximising **economies of scale,** taking a common approach where practical and beneficial. • Offering **affordable services** that compare well with other providers. • Benefiting by **sharing the cost of investment** in new developments.

Forging **a lasting partnership**	• Acting as a **partnership of equals** that everyone benefits from. • Delivering **greater resilience** by sharing and mitigating risks. • Offering each partner **more capacity and capability** by pooling resources and knowledge.

Table 1: Strategic Outcomes

84. The strategic outcomes referenced in Table 1 are underpinned by the agreed partnership principles and future behaviours that address and enable the opinions and expectations of all three Authorities and are set out in full in Appendix B.

85. The adoption of the partnership principles and behaviours are fundamental to a memorandum of understanding which will enable the detailed work required to agree the legal and governance mechanisms for establishment of the Shared ICT Service to be completed.

Governance and Legal Compliance

86. Officers have considered the statutory framework that permits local Authorities to establish Shared ICT Services. The Local Government Acts 1972 and 2000, the Localism Act 2011 and the Local Authorities (Arrangements for the discharge of Functions) (England) Regulations 2012 give local Authorities the power to delegate (arrange for the discharge) of their functions by: -

    - Another local authority;
    - The executive of another local authority; or
    - a joint committee.

87. The proposed delegation and future Shared ICT Service will therefore be undertaken in accordance with the statutory framework noted in paragraph 86. For clarity, Lewisham delegated delivery of their IT service to Brent and separately Brent and Lewisham delegated governance of the ICT service to a joint committee that oversees the performance and strategic direction of the Shared ICT Service, with operational control executed through joint management boards.

88. Several options for the future Governance arrangements of the expanded Shared ICT Service are available, such as establishing a 3-way joint committee or forming a “Teckal” company (this being a joint company for public sector Shared ICT Services where the intention is to continue to provide the services from within the public realm).

89. There is considered to be some advantage in taking the time to consider these options thoroughly, drawing on the experience of Brent / Lewisham and other Shared ICT Services and engaging consultants if appropriate. Given this, it is proposed that we adopt a three-stage approach to governance as set out and summarised in table 2 below.

90. Stage 1: To expedite the work required to fully develop the service design and the establishment of the transition team, to undertake detailed planning and transition preparation, it is proposed that the service should progress with an initial arrangement to enable Brent to incur cost on behalf of Southwark to establish the service design and transition programme. Each authority will have an equal say in the running of the service design and transition programmes.

91. Stage 2: Subject to Cabinet approval of the delegation of the ICT service, Interim governance will be implemented. This will consist of a joint 3-way partnership board with representatives from each of the three partner Authorities. After service

commencement, this board will manage delivery of the 3-way Shared ICT Service until permanent governance is implemented.

92. Stage 3: Following appraisal of the governance options, a further report to the Cabinet of each of the three Shared ICT Service Authorities will seek authorisation for the recommended model prior to its implementation.

Governance Stage	**Main Features**
Initial (Stage 1)	A memorandum of understanding. An initial arrangement to allow Brent to incur expenditure on behalf of Southwark to establish the service design and transition programme.
Interim (Stage 2)	Southwark delegates ICT service to Brent. 3-way officer partnership board to manage preparatory phase and post commencement service. Current Lewisham to Brent delegation and joint committee and management board continue as is.
Medium-term (Stage 3) (within 12 months)	Consider long-term options: New joint committee, possible Teckal company or other.

Table 2: Governance overview

93. Having considered the necessary mechanisms and authorisations required to enable the Shared ICT Service partnership to progress, it is proposed that: -

    a) Southwark, Brent and Lewisham agree a non-legally binding memorandum of understanding (MOU). This will enable development of the detailed delivery model, full transition planning and associated budget allocations.

    b) The three parties intend to agree an interim inter-authority agreement as soon as possible to address their obligations, liabilities, insurance arrangements and use of assets in relation to the Shared ICT Service. This will also give authority for Brent to purchase necessary hardware and software in relation to the transition. The interim agreement will form the basis for a subsequent more detailed inter-authority agreement between the parties to be developed after completion of due diligence.

    c) Subject to all parties agreeing the detail, a report setting out the scope of the Shared ICT Service, the associated financial model and the terms of the delegation/s of Southwark's ICT will be recommended to the Cabinet of each of the three Shared ICT Service Authorities for approval.

94. The interim governance arrangements set out in the MOU and delegation of authority are intended to be in effect for a period of up to 12 months so as to enable the most appropriate governance model to be determined and implemented.

95. Until the permanent governance arrangements for the Shared ICT Service are approved by their respective Authorities (the interim period) the existing Shared ICT Service governance requires that Brent and Lewisham continue to meet as a joint management board and to report service performance relating to their Authorities only to their joint committee.

Plans for the monitoring and management of the ICT service

96. In the short-term additional resource has been assigned by Southwark to more closely manage Capita and to prepare for and assist with transition activities. Capita will be asked to appointment a dedicated Exit Manager.

97. In preparation for service commencement, the Shared ICT Service will be developed and augmented to ensure that it has the relevant skills and resource to undertake work to the required level.

98. Governance is being developed and will be implemented and enforced. This will include a three-way management board which will receive service levels and key performance indicators, balanced scorecard, risk log, budget monitoring and project highlight reports on a monthly basis.

99. Third party supplier contracts will be reviewed and where possible harmonised to enable consolidated reporting and efficient management.

100. Consideration will be given to how the three partner Authorities can motivate and incentivise the Shared ICT Service to deliver an end to end service which delivers a significantly enhanced end user experience and/or a measurable and quantifiable productivity gain.

Strategy

101. The evaluation and subsequent workshops identified a clear synergy in our business and operational requirements leading to opportunities for close collaboration on ICT and digital strategies.

102. It is recognised that whilst sharing strategy where possible will be of benefit to all, there are local business requirements which necessitate that each authority retains overall sovereignty of their strategy. The Shared ICT Service will therefore develop to maximise efficiencies and commonality in services where possible whilst maintaining flexibility.

103. A shared commercial strategy is to continually improve service quality whilst reducing cost. The partners recognise that the most practical way of achieving this is to grow the business, thereby delivering further efficiencies through economies of scale. We are however mindful that the service will need to grow in a sustainable manner and at a pace which does not create unnecessary risk to the ICT service.

Service Solution

104. Within the defined operating model, the Shared ICT Service will have responsibility for overall technical architecture, infrastructure services, service delivery, procurement and supply chain management. In addition, the service will provide access to a shared pool of project management resource.

105. The Southwark ICT organisational structure has been revised and comprises the resource to interface with and manage the Shared ICT Service as well as local project, business relationship management and digital transformation resource and applications support.

106. The elements of applications support (which is currently supplied by Capita) will be incorporated into the existing Southwark retained applications support team. This is covered in more detail in the staff resources section below.

107. From a technical perspective, Southwark will be required to invest in new infrastructure, which will be procured, commissioned and managed by the Shared ICT Service. The detail of this project will be developed during transition and due diligence. Like

Lewisham, Southwark will seek to leverage Brent's expertise, and where appropriate use existing services to deliver ICT solutions faster than would otherwise be the case.

108. Ultimately, the key objective is to establish a stable, resilient and quality ICT service, which represents a step-change from the current service. The Shared ICT Service is expected to deliver continuous innovation and service improvement through collaboration, use of a rich resource pool and effective knowledge sharing.

109. The draft operating model for the Shared ICT service is shown in Figure 1.

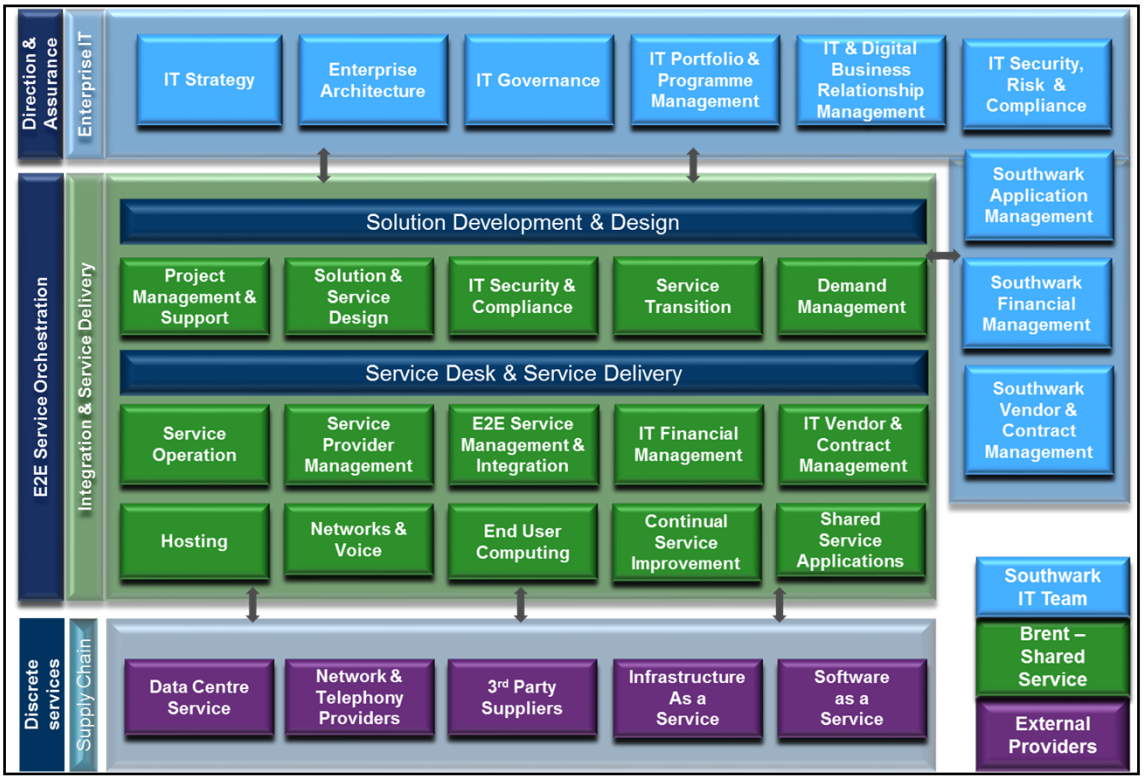

Figure 1: Draft Shared ICT Service Operating Model

Risk Management

110. A harmonised risk management strategy will be introduced. This will enable all partners to adopt common risk management processes that are clear and simple. Using such an approach will help partners to: -

- **Reduce bureaucracy** using a single process applicable across the three Authorities;
- **Identify risks** and bring consistency in understanding as to the risks services face;
- **Prioritise response to risks** – Highlighting urgent and common problems and possible solutions.
- **Eliminate issues** from the risk & assurance registers and add value back into the business
- **Benchmark risks** across the Shared ICT Service,

111. The three Authorities will remain individually responsible for ensuring that an effective Risk Management Strategy is in place, that it is subject to a formal review process and that there is a robust framework in place to identify, evaluate and control risks. This will include reports to the Joint Management Board on the aggregate risk profile.

112. Service Managers remain responsible for the effective management of risk within their service area and ensuring that staff operating within their service adhere to the best practice principles of risk management.

113. The key risks associated with establishing the Shared ICT Service, transition and service delivery are in table 3 below. Detailed risk assessments regarding transition planning and service delivery will be undertaken once the programme team has been established.

Risk	**Consideration/Mitigation**	**Risk Rating (L, M, H)**
Resistance or inability of staff and stakeholders to adapt to the Shared ICT Service. Delays or subverts the successful establishment and/or running of the Shared ICT Service.	• Ensure that the human and cultural parts of change are understood and potential conflicts anticipated and planned for. • Ensure change is led by capable leaders, who devote time and energy to working with staff and other stakeholders to explain the rationale for change and resolving areas of conflict. • Clear communications that ensure all stakeholders are informed and feel included.	High
Southwark's staff attitude and behaviours are inconsistent with the partnership principles. Staff regard the Shared ICT Service as an outsourced supplier rather than an in-house service leading to conflict	• Understand the behaviours and attitudes expected in the new Shared ICT Service • Explain to staff why new behaviours are important and how this fits into the wider picture of change through appropriate communication	High
Cultural misunderstandings between the partners Conflict between partners thereby destabilising the Shared ICT Service	• Ensure that attention is paid to understanding each partners' motives for collaborating, how they will judge success and what values will guide decision-making • Ensure change is led by joint senior management to identify potential problems and bring about agreement	High

Risk	Consideration/Mitigation	Risk Rating (L, M, H)
Failure to agree governance, service design and inter-authority agreement to delegate the service by the current Capita contract end date. A further extension period is required due to failure to implement the Shared ICT Service ready for transition.	• Capita contract extended to enable detailed service design and transition planning to be completed, with further extension periods available if required. • Appointment of programme resources (including transition and exit managers) to ensure effective delivery of the Shared ICT Service agreement, together with the transition and exit programme. • Establish an open and honest partnership early in the Shared ICT Service, ensuring that a high trust environment exists to facilitate agreements and effective resolution of any issues.	High
Failure to understand and address the increased complexity around relationships, working arrangements and risk arising from the Shared ICT Service. Destabilising and disruption of the Shared ICT Service.	• Devote time and resources early on in the partnership to understanding the values and perspective of each partner and their local professional groups • Identify the goals and outcomes for collaboration, business priorities and perceived risks, and constraints (e.g. legal and governance) that may limit flexibility • Succession planning for senior stakeholders must consider maintaining compatibility and consistency in the ongoing application of the Shared ICT Service vision and principles	High
Partner reputations may be damaged. Failure to establish the Shared ICT Service, delays to transition, poor post-transition performance and unbudgeted costs.	• Ensure that baseline costs and performance levels are properly understood (not least to avoid unfair and subjective comparisons post-transition) • Manage the change process to ensure that the desired outcomes are realised, the service meets users' needs and improves affordability and performance of baseline services • Where problems occur, make sure these are addressed quickly and effectively, so that negative perceptions do not spread	High

Table 3 – top 6 Shared ICT Service risks.

Timetable

114. An outline timetable setting out the indicative programme has been included in table 4 below.

Activity	Complete by:
Southwark Cabinet report and decision (this report)	7 February 2017
Brent Cabinet report and decision	13 February 2017
Lewisham Cabinet report and decision	15 February 2017
Memorandum of Understanding and interim Inter-Authority Agreement.	20 February 2017
Capita contractual deadline for notice of extension.	April 2017
Programme initiation, due diligence, detailed service design and transition planning.	May 2017
Detailed financial model.	May 2017
Prepare Cabinet report for Shared ICT Service delegation recommendation.	May/June 2017
Cabinet member briefing	May/June 2017
Southwark Cabinet report and decision	June 2017
Lewisham Cabinet report and decision	June 2017
Brent Cabinet report and decision	June 2017
Delegation of ICT Service and Inter-Authority Agreement. Interim governance commences.	June/July 2017
TUPE Consultation period	October 2017
Shared ICT Service transition activities continue.	October 2017
Target date for service commencement.	31 October 2017
Cabinet report to agree final governance to all three partner Authorities	Early 2018

Table 4 – Indicative programme.

Policy implications

115. The IT service underpins almost every aspect of Authority services and is instrumental to the Authority delivering its promises and fulfilling its obligations.

116. The IT service is being developed to fully support the Authority's digital strategy and to enable the future transformation of Authority services and working practices.

Community impact statement

117. All three Authorities will ensure:-

- Recruitment and employment practices encourage equality of opportunity and respect for diversity. This will tackle barriers faced by specific groups, thereby actively supports creation of a workforce that is representative of the local communities and our customers.

- They seek opportunities to work with the local community and local community organisations to tackle inequality, for example by supporting people to develop the skills they need to participate economically, culturally and socially.
- They have systems in place to deal with any complaints of discrimination promptly, fairly, openly and effectively.
- They encourage other employers to adopt similar practices.

118. Recruitment of staff to the Shared ICT Service will be undertaken across all three boroughs to ensure equality of opportunity.

119. The Shared ICT Service organisation structure includes provision for nine apprentices which will be shared equally across the three boroughs.

Resource implications (Staff)

120. Brent will act as the host authority and will be responsible for employing all staff engaged to deliver the shared ICT service. Separately, each authority will employ ICT staff to deliver a local ICT function.

121. To take-on the existing Southwark ICT service from Capita and provide ICT services to the three Authorities, it is estimated that the Shared ICT Service will require an additional 46 staff, taking the team complement to 96.

122. As an on-going service is being transferred it is anticipated that the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) may well apply. Staff covered by this legislation and engaged to deliver operational services would potentially transfer from Capita to Brent (as primary host authority). In addition, it is possible that a small number of Southwark ICT staff may also be in-scope to transfer to Brent.

123. As part of exiting from Capita, it is proposed that the applications support function they provide is in-sourced. This may result in the transfer of a small number of Capita staff to the authority under TUPE. In that event, the Authority will comply with its obligations under TUPE and related legislative provisions.

124. In preparation for transition, there is a requirement to develop internal skills and resource to align with the roles and responsibilities arising from entering into a Shared ICT Service. This will be to support Southwark's digital and transformation agenda and to take-on those aspects of application support provided currently by Capita.

125. To support this, the structure and composition of the Authority's ICT team is under review. It is considered that the Southwark ICT team will need to increase in complement to meet future demands. A draft structure has been prepared however it is likely this will be finessed following the outcome of the detailed service design work and the consultation process.

126. It is noted that there is an increase in staff complement across both the local Southwark and Shared ICT Service teams. Consequently, it is expected that the need to make staff redundant as a result of the proposed changes to the ICT service delivery model and the restructure of Southwark's retained ICT team should be minimised. Indeed, many staff will become part of a larger ICT function with increased opportunities for staff development and progression.

127. The Authority's Reorganisation, Redeployment and Redundancy Procedure on managing change and consulting with departments, staff and the respective unions will be followed in respect of all affected Southwark staff.

Financial implications

128. This report seeks approval in principle for the delegation of the ICT service to London Borough of Brent Council, as the primary host authority in a Shared ICT Service with the London Borough of Lewisham.

129. The expectation is that the Shared ICT Service will deliver better value for money, which aligns more closely with the Authority's affordability expectations in the medium term. This will be achieved through efficiencies and economies of scale (and potentially through future growth of the Shared ICT Service).

130. An additional benefit of the Shared ICT Service is that we will jointly have more influence over costs through collaboration and implementation of the partnership principles and governance.

131. The high level financial model developed during the options evaluation process is set out in paragraphs –39 - 43. This covers the three principal methods by which costs for the Shared ICT Service would be apportioned across the three Authorities. The detailed financial model will be developed over the coming months and included in the report to Cabinet seeking authority for the future delegation of the ICT service.

132. Members will note that to undertake the detailed planning required to inform the decision to delegate delivery of the ICT service to Brent as primary host authority, it will be necessary to fund the service design and transition programme.

133. This report therefore seeks approval for the required Memorandum of Understanding and an interim inter-authority agreement which will cover the 3 boroughs obligations regarding the preparatory and transition activities and to the Authority funding the programme costs (which are estimated to be £3m), making provision for this sum in the Authority's Capital Programme.

134. As set out in paragraphs 124 – 127, this report identifies the requirement to restructure the retained ICT Team to align with the roles and responsibilities arising from entering into a Shared ICT Service to better support Southwark's digital and transformation agenda, and to take on those aspects of application support currently provided by Capita.

135. The outcome of the reorganisation is subject to further detailed design and staff consultation, however budget provision for the anticipated costs arising from this reorganisation have been included in the Authority's Policy & Resources budget report for 2017/18.

136. Future consideration will be given to the advantages that may be derived from the Shared ICT Service through longer term financial planning.

Legal implications

137. Please see the supplemental advice from the director of law and democracy at paragraph 142.

Consultation

138. A cross departmental group chaired by the Strategic Director Housing and Modernisation has been established to oversee the development of the Authority's sourcing strategy, the resulting recommended service option and the effective improvement of the Authority's ICT service.

139. A series of senior stakeholder and advisor meetings incorporating representatives from all three partner Authorities have been conducted.

140. A staff survey undertaken as part of the SoCITM benchmarking exercise provided useful information which is being incorporated into our requirements.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Head of Procurement

141. Procurement were involved in the evaluation and options assessments for the new IT service. The proposed inter-authority agreement outlined in the report, to progress with a Shared ICT Service with the London Boroughs of Brent and Lewisham, would not in itself incur any direct procurement issues. Procurement of ICT goods and services will form part of the responsibility in the delegation of the service to Brent. This will be detailed in the inter-authority agreement and assurances provided to Southwark as part of agreeing to the service.

Director of Law and Democracy

142. This report requests the cabinet to give an in principle approval to delegate the delivery of the Council's ICT service to Brent council, with a further report to approve the delegation and its final terms to be brought to cabinet once those terms are finalised.

143. As noted in paragraph 86, the council is permitted to arrange for an executive function to be delegated to another Authority or to establish shared services by virtue of the Local Government Acts 1972 and 2000, the Localism Act 2011 and the Local Authorities (Arrangements for the discharge of Functions) (England) regulation 2012. There are a number of legal structures which can be adopted when sharing services, and cabinet will note that it is the intention for those alternative structures to be considered by the 3 boroughs before the final structure is recommended for approval. Specific legal advice will be provided to cabinet when the later report is brought for approval.

144. The council has previously had ICT services supplied under a client/contractor arrangement through a formal contract. The cabinet is advised that when entering into shared services arrangements these are typically through inter-authority agreements between the boroughs. Whilst these set out the principles for the arrangement, including the required performances/how they are measured and how payment is made, they are collaborative arrangements and therefore do not include provisions more common in contracts such as defaults and service credits. It is important when entering into a shared service that all boroughs adopt the necessary behaviours for such an arrangement. This has been highlighted in the risk table as a potential risk and the considerations/mitigations which are to be adopted.

145. The cabinet is also asked to approve the entering into of a memorandum of understanding (MoU) and interim inter-authority agreement. The MoU will be a non-binding agreement, further details of which are given in appendix A, which will set out the guiding principles in relation to the proposed shared service and will assist the 3 boroughs in working together initially in this transition period to determine the final shared service to be operated, and over the life of the arrangement. The interim inter-authority is required to set out the obligations of the 3 boroughs for the preparation and transition activities, including the need for Brent to purchase both hardware and software in relation to that transition.

146. The cabinet's attention is drawn to the Public Sector Equality duty (PSED) under the Equality Act 2010, and when making decisions to have regard to the need to eliminate discrimination, harassment, victimisation or other prohibited conduct, and to advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and those who do not share it. The relevant characteristics are age, disability, gender reassignment, pregnancy and maternity, race, relation, religion or belief, sex and sexual orientation. The duty also applies to marriage and civil partnership but only in relation to the elimination of discrimination.

The cabinet is specifically referred to the community impact statement at paragraphs 117-119 setting out the consideration that has been given to these issues which should be considered when approving the recommendations set out in this report.

Strategic Director of Finance and Governance Concurrent Report (FC16/035)

147. This report seeks approval in principle for the delegation of delivery of the Authority's ICT service to London Borough of Brent as the primary host authority, in a Shared ICT Service with London Borough of Lewisham and notes that a further report will be brought to cabinet later in the year to approve delegation in its final terms.

148. This represents a new opportunity to deliver an ICT service through a collaborative working arrangement with Brent and Lewisham where key decisions will be agreed and taken together within the context of affordability and ongoing financial constraints within local government. The financial implications cannot be fully determined at this point but will need to be formally agreed through the critical period of due diligence about to be undertaken with the respective parties. However, the Authority recognises that it will need to invest more in its ICT infrastructure to establish a stable, resilient and quality service which will deliver a modern, reliable and secure technology that supports the digital strategy and enables service transformation across the Authority.

149. The report seeks approval to enter into a memorandum of understanding with Brent and Lewisham and an interim inter-authority agreement covering the 3 boroughs obligations with regard to the preparatory/transition phase prior to service commencement. This will involve a one-off up-front capital cost, estimated at this time to be c £3 million, which is at the higher end of expectations and contains an element of contingency funding. This can be contained within the existing capital programme allocation for ICT. In addition, on-going provision is required to cover the extension of the existing ITMS contract with Capita up to the point when the Shared ICT Service becomes fully operational. This date will be finalised as part of the due diligence work to be completed in the coming months and will be subject to the further report to Cabinet in June.

150. A detailed financial model is currently in development which will set out the financial arrangements between the parties going forward. The bulk of costs will be largely shared by the parties in proportion to their usage (i.e. number of users), or charged directly where partially or wholly attributable to one or more parties. At this stage, indicative organisational structures for the Shared ICT Service and the retained in-house function have been developed which forms the basis of initial budget planning. Further work is required to provide assurance and protect the Authority's financial interests and mitigate potential risks.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Gateway 0 IT Managed Services Sourcing Options	Housing and Modernisation / Information and Data Services	Chris Anderson, Interim IT Manager 02075250624
http://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&MId=5144&Ver=4		
Gateway 1: IT Managed Services Procurement	Housing and Modernisation / Information and Data Services	Mark Compton-James – Head of Information Technology 07710921011
http://moderngov.southwark.gov.uk/mgIssueHistoryHome.aspx?IId=50009040&Opt=0		

APPENDICES

No.	Title
Appendix A	**Overview of Memorandum of Understanding / Inter-Authority Agreement**
Appendix B	**Partnership Principles**

AUDIT TRAIL

Cabinet Member	Councillor Fiona Colley, Cabinet Member for Finance, Modernisation and Performance
Lead Officer	Gerri Scott, Strategic Director of Housing and Modernisation
Report Author	Mark Compton-James – Head of Information Technology Chris Anderson - Head of ICT Strategy
Version	Final
Dated	24 January 2017
Key Decision?	Yes

CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	**Comments Sought**	**Comments Included**
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
List other officers here		
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team		26 January 2017

Appendix A: Overview of Memorandum of Understanding

A memorandum of understanding is being prepared by the three Authorities which will record the basis on which they will collaborate with each other.

This Memorandum of Understanding ("**MoU"**) heads of terms include:-

- Key objectives of the Shared ICT Service;
- Principles of collaboration prior to entry into a more detailed legally binding Collaboration and Inter Authority Agreement;
- Interim governance structures the parties will put in place for the purposes of furtherance of the Shared ICT Service;
- Roles and responsibilities the parties plan to have during preparation for service transition and subsequent service delivery;
- Escalation process;
- Intellectual property rights, confidentiality and freedom of information;
- Term and termination;
- Variation process;
- Costs;
- Status as legally non-binding instrument;
- Governing law and jurisdiction.

The key objectives for the partnership are set out in detail in the main body of the report. Detail on the agreed partnership principles are included in Appendix B.

Legal advisors from all three Authorities will contribute to the finalisation of the MOU and will ensure it is agreed and signed in a timely manner.

Appendix B: Partnership Principles

Partnership Principles

1. Senior stakeholders agreed the following overarching principles upon which the Shared ICT Service will be founded.

2. **Our ICT service** is a three-way partnership based on **twelve partnership principles.** Our ICT service is: -
   I. **Part of the family**, they are our in-house service and an important part of our team in each organisation.
   II. **Modern and forward-looking,** working closely with our digital strategists to transform our organisations.
   III. **Our expert ICT adviser** on the technology solutions needed to deliver the partners' digital strategies.
   IV. **Our provider for all ICT services**, using external services and support when needed.
   V. **Managed collectively**, with sponsors from each partner providing leadership for the service.
   VI. **Committed to converging** to common technology solutions wherever practical and affordable.
   VII. **Delivering on an ambitious plan** for the development of the service that is agreed and monitored by the partnership.
   VIII. **Working to common standards** of service levels and performance that are realistic given the funding available.
   IX. **Accounting for its success** in performing well against those standards, including through benchmarking.
   X. **Committed to reducing costs** both in its own budget and the cost of partners' services to the public.
   XI. **Managed simply and transparently** in the way it is governed, makes decisions, spends money and manages its budget.
   XII. **Open to growth**, but only at a sustainable rate that does not represent a risk to the service.

3. Senior stakeholders accepted that managing a Shared ICT Service was very different to managing an outsourced service or indeed an in-house team in a single Authority. To ensure the Shared ICT Service has the best possible relationship with the managing Authorities, stakeholders agreed the need to adopt appropriate partnership behaviours and it was important that particular behaviours should be avoided. They therefore agreed: -

   - We will not treat the service as a separate entity that is external to our organisations and will not give it a separate identity.
   - We will not adopt a contractual mind-set that treats the partnership as a commercial relationship that needs 'clienting'.
   - We will not complicate the partnership's decision-making by operating different levels of delegation from each partner.
   - We will not insist on significant differences in our service processes and technology.

- We will not take unilateral decisions on technology or funding that adversely impact on the ICT service to others without careful consultation and consideration.

4. These potentially represent significant cultural and behavioural changes for Southwark's officers and further work is required across the organisation to ensure that these changes are adopted and embedded. Consequently, each will be entered on the risk register for further mitigating action.
5. Detail underpinning the partnership principles will be further developed and agreed during transition planning and due diligence.
6. The partnership principles are fundamental to a memorandum of understanding, which will enable the detailed work required to agree the legal and governance mechanisms for establishment of the Shared ICT Service to be completed.

Brent	**Cabinet** 13 February 2017 **Report from the Strategic Director Children and Young People**	
For Action		Wards Affected: ALL/
Brent Council's School Admission Arrangements for 2018/19		

1.0 Summary

1.1 Cabinet is asked to agree the proposed Admission Arrangements and scheme of co-ordination for Brent community schools for 2018/19 in accordance with statutory requirements. No changes are proposed to Admission Arrangements for community schools for 2018/19.

1.2 Cabinet is asked to note the analysis undertaken of the impact on admissions for September 2016 of the new criteria approved by Cabinet in April 2015.

2.0 Recommendations

2.1 That the proposed Admission Arrangements for Brent schools and schemes of coordination for maintained schools in Brent for the 2018/2019 academic year are agreed. (Appendix 2)

3.0 Background

3.1 This report relates to the admission arrangements and oversubscription criteria of Brent community primary schools only. Brent Council is the Admission Authority for 31 community primary schools in the borough (Appendix 1). Voluntary Aided (VA) and foundation schools, academies and free schools are their own admission authority and determine their own admission arrangements and oversubscription criteria.

3.2 The School Admissions Code issued under Section 84 of the School Standards and Framework Act is the legal framework for school admissions matters. The Admissions Code requires that Admission Authorities have a mechanism to rank applications in order of priority. All schools and Admission Authorities must have admission arrangements that clearly set out how children will be offered school places, including the criteria that will be applied if there are more applications than places at the school.

3.3 As the Admissions Authority for Brent Community Schools, the council is required to consult on any proposed changes to the admission arrangements and oversubscription criteria. As no changes are recommended for 2018/19, there is no requirement for consultation.

4.0 Review of changes introduced in 2016/17

4.0 In April 2015, Cabinet agreed to introduce the following changes to admission arrangements for 2016/17 for Brent community schools:

i. to prioritise siblings and other children living in the school catchment area over siblings living outside the catchment area,

ii. amend the wording and expand the explanation of the social medical criterion to provide clearer information for parents and carers.

iii. change the method of measuring the distance in the 'tie breaker' within each criterion from the shortest safe working distance to straight line distance.

4.1 Cabinet agreed that the Admissions Service would monitor outcomes to ensure there were no unintended negative impacts resulting from the changes.

4.2 The first cohort of children to be considered under the changed oversubscription criteria were offered places on national offer day, 18 April 2016, and started Reception in September 2016. The impact of the changes has been positive.

4.3 Overall outcomes for Brent residents applying for reception places improved. The percentage of on time applicants offered their first preference school in 2016/17 increased to 81% (from 80% in 2015/16), while the percentage offered one of their preferred schools increased to 96% (from 95% in 2015/16).

4.4 The percentage of parents who live within the catchment area of a school but could not access a place at that school has reduced by 89%. In 2015, 73 families who lived within a catchment area of a school and applied for a place on time were unsuccessful in gaining a place at that school. This number reduced to only 8 families in 2016 under the changed criteria.

4.5 There has been a significant reduction in the number of admission appeals logged in 2016/17 which may reasonably be attributed to the changed oversubscription criteria.

There was a 55% reduction in Reception appeals logged between national offer day and the start of the academic year. Similarly, 50% fewer in-year appeals have been received in the 2016/17 academic year compared with the same period for 2015/16 (up to 12 December).

	2015 Reception Transfer	2016 Reception Transfer
Appeals logged between 18 April and 1 September	54	24

In-Year appeals logged between 1 September and 12 December	**In-Year 15/16 Appeals**	**In-Year 16/17 Appeals**
Reception	0	2
1	3	3
2	11	0
3	2	2
4	2	1
5	1	2
6	1	0
TOTAL	**20**	**10**

4.6 There have been no negative comments or complaints received regarding the change to straight line distance measurement or the revised wording for the social/medical criterion.

4.7 On 8 February 2016 Cabinet agreed an admissions criterion to give priority to children whose parent is a member of staff who has been employed at the school for two or more years at the time of application or has been recruited to fill a vacancy for which there is a demonstrable skill shortage. The first cohort of children to whom this criterion applies will be offered places for September 2017. The impact of the introduction of this rule will be assessed in the Admissions report to Cabinet in February 2018.

5.0 Proposed Oversubscription Criteria for Community Schools 2018/19

5.1 No changes are proposed to the oversubscription criteria for community schools in 2018/19. Cabinet is, therefore, asked to agree the following oversubscription criteria for Brent community schools for 2018/19 which are consistent with the criteria that applied in 2017/18:

1) ***LAC or previous LAC***
A 'looked after child' or a child who was previously looked after but immediately after being looked after became subject to an adoption, child arrangements, or special guardianship order.

2) ***Linked infant school***
Children attending an infant school on the same site as a junior school.

3) ***Medical or social needs***
Exceptional circumstances to do with significant medical needs and/or social needs.

4) ***Siblings in catchment***
Brothers or sisters of a child who attends the school, or an infant or junior school on the same or adjoining site, living in the catchment area of the school and who will continue to do so on the date of admission.

5) ***Children of staff***
Children whose parent is a member of staff who has been employed at the school for two or more years at the time of application or has been recruited to fill a vacancy for which there is a demonstrable skill shortage.

6) ***In catchment area***
Children living within the school's catchment area.

7) ***Siblings outside catchment area***
Brothers or sisters of a child who attends the school, or an infant or junior school on the same or adjoining site, and who will continue to do so on the date of admission.

8) ***All other applicants***.

6.0 Financial Implications

6.1 There are no specific financial implications for this report.

7.0 Legal Implications

7.1 The School Admissions Code has been issued under Section 84 of the School Standards and Framework Act. The proposed admission arrangements (appendix 1) and oversubscription criteria (see section 5 and 6) adhere to the requirements of the Admissions Code, revised 19 December 2014.

7.2 Admission Authorities are responsible for admissions and must act in accordance with the Code, the School Admissions Appeals Code, other laws relating to admissions and relevant human rights and equalities legislation. All children whose statement of special educational needs (SEN) or Education, Health and Care (EHC) plan names a particular school must be admitted to that school. Highest priority in the oversubscription criteria must be given to looked after children and previously looked after children (regulation 7, Admission Arrangements Regulations 2012). Other than these requirements, it is for the admission authorities to decide which criteria would be suitable to the school according to the local circumstances.

7.3 The local authority must finalise ("determine") admission arrangements for 2018/2019 by 28 February 2017.

8.0 Diversity Implications

8.1 There are no specific diversity implications for this report.

8.2 The changes that were introduced to Admissions Arrangements in 2015/16 have not had a negative impact on vulnerable families in Brent.

9.0 Staffing/Accommodation Implications

9.1 There are no staffing or accommodation implications for this report.

Background Papers

Appendix 1 – Brent community schools & proposed admission numbers for 2018/2019

Appendix 2 – Proposed admission arrangements and scheme of coordination for 2018/2019

Contact Officer(s)

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GAIL TOLLEY
Strategic Director Children and Young People

Appendix 1

Brent Community Schools 2018/2019 Academic Year	PAN (Planned Admission Number)
Anson Primary School	52
Barham Primary School	120
Braintcroft Primary School	90
Brentfield Primary School	90
Byron Court Primary School	150
Carlton Vale Infant School	60
Chalkhill Primary School	60
Donnington Primary School	30
Elsley Primary School	120
Fryent Primary School	120
Harlesden Primary School	90
Kingsbury Green Primary School	90
Leopold Primary School	120
Lyon Park Primary School	120
Malorees Infant School	60
Mitchell Brook Primary School	90
Mora Primary School	60
Mount Stewart Infant School	90
Mount Stewart Junior School	90
Newfield Primary School	60
Northview Primary School	30
Oliver Goldsmith Primary School	60
Park Lane Primary School	60
Preston Park Primary School	120
Roe Green School	150
Roe Green Junior School	120
Salusbury Primary School	90
Stonebridge Primary School	90
Uxendon Manor Primary School	120
Wembley Primary School	120
Wykeham Primary School	60

BRENT COUNCIL'S PROPOSED ADMISSION ARRANGEMENTS FOR 2018/19

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Planned Admission Numbers for Brent Community Schools for Admission in September 2018

Name of School	Planned Admission Number
Anson Primary School	52
Barham Primary School	120
Braintcroft Primary School	90
Brentfield Primary School	90
Byron Court Primary School	150
Carlton Vale Infant School	60
Chalkhill Primary School	60
Donnington Primary School	30
Elsley Primary School	120
Fryent Primary School	120
Harlesden Primary School	90
Kingsbury Green Primary School	90
Leopold Primary School	120
Lyon Park Primary School	120
Malorees Infant School	60
Mitchell Brook Primary School	90
Mora Primary School	60
Mount Stewart Infant School	90
Mount Stewart Junior School	90
Newfield Primary School	60
Northview Primary School	30
Oliver Goldsmith Primary School	60
Park Lane Primary School	60
Preston Park Primary School	120
Roe Green School	150
Roe Green Junior School	120
Salusbury Primary School	90
Stonebridge Primary School	90
Uxendon Manor Primary School	120
Wembley Primary School	120
Wykeham Primary School	60

Oversubscription Criteria for Brent Community Schools in 2018/19

The criteria set out below apply to the 31 Brent community schools listed on page 2.

Voluntary Aided or religious faith schools, foundation schools, free schools and academies have their own admission policies. Parents should visit the website of these schools for a copy of their admission arrangements or visit www.brent.gov.uk/admisisons.

Applications for children with an Education, Health and Care Plan (EHCP) or a Statement of Special Educational Need are made by Local Authority SEN teams. The placement of such children is made after a process of consultation between parents, the school and the Local Authority. Children with an EHCP or a Statement of Special Educational Need receive priority over others for admission to the school named on their EHCP or Statement. A Statement of Special Educational Need is a statement made by the Local authority under Section 324 of the Education Act 1996 specifying the special educational provision required for that child. An Education, Health and Care Plan is a plan made by the Local Authority under Section 37 of the Children and Families Act 2014 specifying the special education provision required for that child.

Schools should not admit more than 30 pupils in each class for Reception, Year 1 & Year 2. This is to enable the Local Authority to meet its statutory duty of having no more than 30 pupils in each class at Key Stage 1. Three year old children should not be admitted to Reception classes.

The following criteria are clear, fair and objective. It is illegal for schools to discriminate against a pupil on the basis of his/her ethnicity.

Whenever and wherever possible, children are offered a school of their parents' preference and in practice the majority of children go to the school which their parents select for them.

Sometimes, however, there are more applications for a certain school than there are places available. This is described as oversubscription. Whenever this happens, pupils are offered places in the following order of priority:

1. Looked After Children or previously Looked After Children
A 'looked after child' or a child who was previously looked after but immediately after being looked after became subject to an adoption, residence, or special guardianship order.

The highest priority must be given to looked after children and all previously looked after children. Previously looked after children are children who were looked after, but ceased to be so because they were adopted, or became subject to a child arrangements order or a special guardianship order. This includes such children who were adopted (or subject to child arrangements orders or special guardianship orders) immediately following having been looked after.

2. Linked infant school
Children attending an infant school on the same site as a junior school.

This criterion will only affect admission to a junior school that is on the same site as the infant school the child attends immediately prior to the transfer.

3. Medical or Social needs
Exceptional circumstances to do with significant medical needs and or social needs.

This criterion relates to the child's medical and or social needs. The application must be supported by written evidence that set out the particular reasons why the school in question is the most suitable and the difficulties that would be caused if the child had to attend another school. The recommendation for this specific school should demonstrate knowledge of the school in terms of resources and organisation which deems it essential that the named pupil be admitted to the specific school. The Council will not give higher priority to children under this criterion if the required documents have not been submitted.

Medical Needs
Applications made on medical grounds must be accompanied by compelling medical evidence from a hospital consultant at the time of application. The letter from the hospital consultant must provide information about the child's medical condition, the effects of this condition and why, in view of this, the child needs to attend the parent's preferred school. If the school is not the closest to home, the consultant must set out in detail the wholly exceptional circumstances for attending this school and the difficulties if the child had to attend another school. Medical claims will only be considered for one school and this should be named by the consultant. In assessing these applications, advice will be sought from Brent's Special Education Needs Service.

Social Needs
Applications made on social grounds must be accompanied by compelling evidence at the time of application. Social needs claims will be considered where there is involvement from a social worker or other professional and where it can be demonstrated that the child has exceptional social needs that cannot be met at any other school. Parents' circumstances can have an impact on a child's social needs and evidence of this will be considered.

4. Siblings in catchment
Brothers or sisters of a child who attends the school, or an infant or junior school on the same or adjoining site, *living in the catchment area of the school* and who will continue to do so on the date of admission.

This includes half and step brothers and sisters and foster children so long as they live at the same address - but **not** cousins. Siblings attending the same school should have priority over those attending a separate school on the same site.

5. Children of staff
Children whose parent is a member of staff who has been employed at the school for two or more years at the time of application or has been recruited to fill a vacancy for which there is a demonstrable skill shortage.

6. In catchment area
Children living within the school's catchment area.

The catchment area is the defined neighbourhood in which the school is sited. It is generally bounded by major roads and/or railway/tube. The catchment area is defined by the Local Authority and is designed to ensure that each address in the borough falls into the catchment area of one school. Information on which streets make up a catchment area can be obtained from the Local Authority, the school and the Local Authority's website.

7. Siblings outside catchment area
Brothers or sisters of a child who attends the school, or an infant or junior school on the same or adjoining site, and who will continue to do so on the date of admission.

This includes half and step brothers and sisters and foster children so long as they live at the same address - but **not** cousins. Siblings attending the same school should have priority over those attending a separate school on the same site.

8. All other applicants.

'Tie-break' Distance Measurement

The distance from home to school will be measured by straight-line, from a point in the property to a point in the school determined by the grid references for the centre of the school's postcode. The measuring system is an integral part of the admission software produced by Servelec Synergy Ltd, uses Ordnance Survey maps and the LLPG (Local Land Property Gazetteer) and is accurate to 1 metre.

Twins, Triplets and other children of multiple births

In the event that the school has one place to offer and the next child on the waiting list is one of twins, triplets or other children of multiple births, the Local Authority will offer both twins, all triplets or children of multiple birth a place even if this means temporarily going over the published admission number.

Split residence

Where a child lives with parents with shared responsibility, each for part of a week, the address where the child lives is determined using a joint declaration from the parents stating the pattern of residence. If a child's residence is split equally between both parents, then parents will be asked to determine which residential address should be used for the purpose of admission to school. If the residence is not split equally between both parents then the address used will be the address where the child spends the majority of the school week.

Admission to community school nurseries

The timeline and oversubscription criteria for a place in a nursery class in a community school are the same as for a Reception place. The council does not co ordinate applications for nursery places. Applications for a nursery place in a community school must be made directly to the school by 15th January 2018. Offers will be made on 18th April 2018 by the school. If the nursery is oversubscribed the Community Schools Oversubscription Criteria will be applied.

How places will be allocated at Brent community schools for September 2018 in Reception (Primary and Infant schools) and Year 3 (Junior Schools)

There is no automatic transfer from nursery to Reception class. Parents wanting to apply for a Reception place **must** complete an online application or a paper Common Application Form (CAF).

If more applications are received than there are places available, places are offered up to a school's planned admission number to applicants whose application is received by the closing date in accordance with the oversubscription criteria listed on page 3 using an equal preference system (see below).

Equal preferences

Each preference is treated as a separate application. Then using the oversubscription criteria each application is considered and ordered in a list based on how well it meets the oversubscription criteria (pg 3).

If applicants qualify for a place at more than one school, a place is offered at the school given the highest ranking by the applicant.

Application forms will be available from September 2017 and the closing date for applications will be 15 January 2018. Offer letters will be sent out on 18 April 2018.

Deferred Entry

Parents can request that the date their child is admitted to school is deferred until later in the year in which they apply or until the term in which the child reaches statutory school age. Statutory school age begins the first day of term after a child's fifth birthday.

Parents wishing to defer entry must contact the school to advise them of this after a place has been offered.

Parents can also request that their child attends part-time until their child reaches statutory school age.

Applications for children outside the normal age group

The council's policy is for children to be educated within their correct chronological year group, with the curriculum differentiated as necessary to meet the needs of individual children. This is in line with the Department for Education's (DfE) most recent "Advice on the Admission of Summer Born Children", published in December 2014, which states that, "in general, children should be educated in their normal age group, with the curriculum differentiated as appropriate, and that they should only be educated out of their normal age group in very limited circumstances.

If parents/carers believe their child should be educated in a different year group they should submit an application for the 'normal' reception round for their child, and provide supporting evidence from relevant professionals working with the child and family stating why it is in the child's best interest to be placed outside their normal age appropriate cohort. DfE guidance makes clear that "it is reasonable for admission authorities to expect parents to provide them with information in support of their request – since without it they are unlikely to be able to make a decision on the basis of the circumstances of the case.

For community schools, the council as the admission authority will decide whether the application will be accepted on the basis of the information submitted. Decisions will be based on the individual circumstances of each case including the view of parents, the relevant head teacher(s), the child's social, academic and emotional development and whether the child has been previously educated out of year group.

There is no guarantee that an application will be accepted on this basis. If the application is not accepted, this does not constitute a refusal of a place and there is no right to an independent statutory appeal. Similarly there is no right of appeal for a place in a specific year group at a school. The internal management and organisation of a school, including the placement of pupils in classes, is a matter for the head teacher and senior leadership of individual schools.

Late Applications and changes after the closing date

Application forms must be received by Brent Council by the closing date of 15 January 2018.

Applications received after the closing date will be considered as late applications and will be processed after places have been allocated to applicants who applied on-time. However, in very exceptional circumstances applications received after the closing date may be considered as on time.

Applicants who consider they have exceptional circumstances that prevented them applying between applications opening in September 2017 and the closing date, 15 January 2018, should provide independent written evidence explaining why the application was late by 5pm on Monday 5 February 2018.

Additionally, any changes to the application (e.g. order of school preference or change of preferences) received after the closing date will be treated in the same way as a late application.

Changes of Address after the closing date

Changes of address will only be considered after applicants are resident at the new address and evidence to demonstrate this has been supplied. Applications will not be processed from an intended future address except in the case of Crown servants and UK service personnel.

Evidence must be received before 12 February 2018 for the new address to be used when processing the application and calculating home to school distances. Any change of address evidenced on 12 February 2018 or later will not be included until after national offer day on 18 April 2018.

Waiting Lists

If the school place allocated is not the first preference, a child’s name will automatically be placed on the waiting list for schools which have been ranked higher than the offer made. Community school waiting lists will then be maintained by the council. The waiting list of Voluntary Aided, Foundation and Academy Schools will be maintained by the schools.

Waiting lists are not maintained on a 'first come - first served' basis. Waiting lists are kept in the priority order as explained in the oversubscription criteria.

Places are offered from the waiting list throughout the year. When a place becomes available, it is offered to the first child on the list and if it is accepted all other children will move up the list. Children may also move down the waiting list if another family, with a higher priority under the oversubscription criteria, ask for their child's name to be added to the list.

Applicants, who ask for their child's name to be placed on the waiting list for another school, after a school place has been allocated, are indicating they prefer this school to the other school already allocated. If at a later date a place is offered from the waiting list, this new offer will supersede any previous offer, which will then be withdrawn.

Looked after children and previously looked after children, and those allocated a place at the school in accordance with Brent's Fair Access Protocol, will take precedence over those on a waiting list.

Lists will be maintained throughout the school year. A child's position on the waiting list does not depend upon the time they have been on the list but will be determined by how they meet the oversubscription criteria.

This means that a child's position on the list can go down as well as up, depending upon the child's circumstances and those of other applicants.

The waiting list will be closed each year and will not roll over. A new application will have to be made for a new academic year.

Appeals

Parents can appeal against any decision made by Brent about the school where they would like their child to be educated.

When an appeal form is requested, the child's name is automatically placed on the waiting list for that school.

A child admitted to a school as a result of a successful appeal will be admitted in precedence to those on the waiting list.

There is no right of appeal against any decision not to offer a place in a nursery.

In-Year Applications

Applications received outside the normal admissions round will be considered in line with the oversubscription criteria.

A place will be offered at the school requested provided there is a vacancy in the appropriate year group. Where the year group is full and it is not possible to meet the parental preference, a place will be offered at the nearest community primary school with a vacancy in the year group.

The address used to process the application will be the address where the parent and child normally live and they must be living there at the time of application.

Admission of one child to a primary school does not give a right of admission for brothers or sisters, if places are not available for all at the same time.

PAN-LONDON CO-ORDINATED ADMISSION SYSTEM

Brent Council's Schemes for Co-ordination of Admissions to Reception, Year 3 at Junior Schools and Year 7 in Maintained Schools and Academies in 2018/19

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PAN-LONDON CO-ORDINATED ADMISSION SYSTEM

Brent Council's Schemes for Co-ordination of Admissions to Reception, Year 3 at Junior Schools and Year 7 in Maintained Schools and Academies in 2018/19

Definitions used in the schemes

"the Application Year"	the academic year in which the parent makes an application (i.e. in relation to the academic year of entry, the academic year preceding it).
"the Board"	the Pan-London Admissions Executive Board, which is responsible for the Scheme
"the Business User Guide (BUG)"	the document issued annually to participating LAs setting out the operational procedures of the Scheme
"the Common Application Form"	this is the form that each authority must have under the Regulations for parents to use to express their preferences, set out in rank order
"the Equal Preference System"	the model whereby all preferences listed by parents on the Common Application Form are considered under the over-subscription criteria for each school without reference to parental rankings. Where a pupil is eligible to be offered a place at more than one school within an LA, or across more than one participating LA, the rankings are used to determine the single offer by selecting the school ranked highest of those which can offer a place
"the Highly Recommended Elements"	the elements of the Template Scheme that are not mandatory but to which subscription is strongly recommended in order to maximise co-ordination and thereby simplify the application process as far as possible
"the Home LA"	the LA in which the applicant/parent/carer is resident
"the LIAAG Address Verification Register"	the document containing the address verification policy of each participating LA
"the Local Admission System (LAS)"	the IT module for administering admissions in each LA and for determining the highest offer both within and between participating LAs
"the London E-Admissions Portal"	the common online application system used by the 33 London LAs and Surrey County Council
"the Maintaining LA"	the LA which maintains a school, or within whose area an academy is situated, for which a preference has been expressed

“the Mandatory Elements”	those elements of the Template Scheme to which authorities **must** subscribe in order to be considered as ‘Participating Authorities’ and to benefit from use of the Pan-London Register
“the Notification Letter”	the agreed form of letter sent to applicants on the Prescribed Day which communicates any determination granting or refusing admission to a primary or secondary school, which is attached as Schedule 2
“the Prescribed Day”	the day on which outcome letters are posted to parents/carers. 1 March (secondary) and 16 April (primary) in the year following the relevant determination year except that, in any year in which that day is not a working day, the prescribed day shall be the next working day.
“the Pan-London Register (PLR)”	the database which will sort and transmit application and outcome data between the LAS of each participating LA
“the Pan-London Timetable”	the framework for processing of application and outcome data, which is attached as Schedule 3
“the Participating LA”	any LA that has indicated in the Memorandum of Agreement that they are willing to incorporate, at a minimum, the mandatory elements of the Template LA Scheme presented here.
“the Qualifying Scheme”	the scheme which each LA is required to formulate in accordance with The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) Regulations 2012, for co-ordinating arrangements for the admission of children to maintained primary and secondary schools and academies.

PAN LONDON CO-ORDINATED ADMISSIONS SYSTEM

Brent Council's Scheme for Co-ordination of Admissions to Year 7 in 2018/19

Applications

1. Brent will advise home LAs of their resident pupils on the roll of Brent's maintained primary schools and academies who are eligible to transfer to secondary school in the forthcoming academic year.

2. Applications from residents of Brent will be made on Brent's Common Application Form, which will be available and able to be submitted on-line. This will include all the fields and information specified in Schedule 1 to this Template LA Scheme. These will be supplemented by any additional fields and information which are deemed necessary by Brent to enable the admission authorities in the LA area to apply their published oversubscription criteria.

3. Brent will take all reasonable steps to ensure that every parent/carer who is resident in Brent and has a child in their last year of primary education within a maintained school, either in Brent or any other maintaining LA, receives a copy of Brent's admissions booklet and Common Application Form, including details of how to apply online. The admissions booklet will also be available to parents/carers who do not live in Brent, and will include information on how they can access their home LA's Common Application Form if unable to apply online.

4. The admission authorities within Brent will not use supplementary information forms except where the information available through the Common Application Form is insufficient for consideration of the application against the published oversubscription criteria. Where supplementary information forms are used by the admissions authorities within Brent, the LA will seek to ensure that these only collect information which is required by the published oversubscription criteria, in accordance with paragraph 2.4 of the School Admissions Code 2014.

5. Where supplementary information forms are used by admission authorities in Brent, they will be available on Brent's website. Such forms will advise parents that they must also complete their home LA's Common Application Form. Brent's admission booklet and website will indicate which schools in Brent require supplementary forms to be completed and where they can be obtained.

6. Where an admission authority in Brent receives a supplementary information form, Brent will not consider it to be a valid application unless the parent/carer has also listed the school on their home LA's Common Application Form, in accordance with paragraph 2.3 of the School Admissions Code 2014.

7. Applicants will be able to express a preference for six maintained secondary schools or Academies within and/or outside the Home LA.

8. The order of preference given on the Common Application Form will not be revealed to a school within the area of Brent. This is to comply with paragraph 1.9 of the School Admissions Code 2014 which states that admission authorities must not give extra priority to children whose parents rank preferred schools in a particular order, including 'first preference first' arrangements . However, where a parent resident in Brent expresses a preference for schools in the area of another LA, the order of preference for that LA's schools will be revealed to that LA in

order that it can determine the highest ranked preference in cases where an applicant is eligible for a place at more than one school in that LA's area.

9. Brent undertakes to carry out the address verification process as set out in its entry in LIAAG Address Verification Register. This will in all cases include validation of resident applicants against Brent's primary school data and the further investigation of any discrepancy. Where Brent is not satisfied as to the validity of an address of an applicant whose preference has been sent to a maintaining LA, it will advise the maintaining LA no later than **11 December 2017.**

10. Brent will confirm the status of any resident child for whom it receives a Common Application Form stating s/he is a 'Child Looked After' and will provide evidence to the maintaining LA in respect of a preference for a school in its area by **14 November 2017.**

11. Brent will advise a maintaining LA of the reason for any preference expressed for a school in its area, in respect of a resident child born outside of the correct age cohort, and will forward any supporting documentation to the maintaining LA by **14 November 2017.**

Processing

12. Applicants resident within Brent must return the Common Application Form**,** which will be available and able to be submitted on-line, to Brent by **31 October 2017.** However, Brent will publish information which encourages applicants to submit their application by **20 October 2017 (i.e. the Friday before half term)**, to allow it sufficient time to process and check all applications before the mandatory date when data must be sent to the PLR.

13. Application data relating to all preferences for schools in the area of a participating LA, which have been expressed within the terms of Brent's scheme, will be up-loaded to the PLR by **14 November 2017.** Supplementary information provided with the Common Application Form will be sent to maintaining LAs by the same date.

14. Brent shall, in consultation with the admission authorities within Brent's area and within the framework of the Pan-London timetable in Schedule 3A, determine and state here its own timetable for the processing of preference data and the application of published oversubscription criteria.

15. Brent will accept late applications only if they are late for a good reason, deciding each case on its own merits.

16. Where such applications contain preferences for schools in other LAs, Brent will forward the details to maintaining LAs via the PLR as they are received. Brent will accept late applications which are considered to be on time within the terms of the home LA's scheme.

17. The latest date for the upload to the PLR of late applications which are considered to be on-time within the terms of the home LA's scheme is **11 December 2017.**

18. Where an applicant moves from one participating home LA to another after submitting an on-time application under the terms of the former home LA's scheme, the new home LA will accept the application as on-time up to **11 December 2017**,

on the basis that an on-time application already exists within the Pan-London system.

19. Brent will participate in the application data checking exercise scheduled between **12 December 2017 and 2 January 2018** in the Pan-London timetable in Schedule 3A.

20. All preferences for schools within Brent will be considered by the relevant admission authorities without reference to rank order to comply with with paragraphs 1.9 of the School Admissions Code 2014. When the admission authorities within Brent have provided a list of applicants in criteria order to Brent, Brent shall, for each applicant to its schools for whom more than one potential offer is available, use the highest ranked preference to decide which single potential offer to make. [This is the 'Equal Preference System'.]

21. Brent will carry out all reasonable checks to ensure that pupil rankings are correctly held in its LAS before uploading data to the PLR.

22. Brent will upload the highest potential offer available to an applicant for a maintained school or academy in Brent to the PLR by **2 February 2018.** The PLR will transmit the highest potential offer specified by the Maintaining LA to the Home LA.

23. The LAS of Brent will eliminate, as a Home LA, all but the highest ranked offer where an applicant has more than one potential offer across Maintaining LAs submitting information within deadline to the PLR. This will involve exchanges of preference outcomes between the LAS and the PLR (in accordance with the iterative timetable published in the Business User Guide) which will continue until notification that a steady state has been achieved, or until **15 February 2018** if this is sooner.

24. Brent will not make an additional offer between the end of the iterative process and **1 March 2018** which may impact on an offer being made by another participating LA.

25. Notwithstanding paragraph 24, if an error is identified within the allocation of places at one of Brent's schools, Brent will attempt to manually resolve the allocation to correct the error. Where this impacts on another LA (either as a home or maintaining LA) Brent will liaise with that LA to attempt to resolve the correct offer and any multiple offers which might occur. However, if another LA is unable to resolve a multiple offer, or if the impact is too far reaching, Brent will accept that the applicant(s) affected might receive a multiple offer.

26. Brent will participate in the offer data checking exercise scheduled between **16 and 22 February 2018** in the Pan-London timetable in Schedule 3A.

27. Brent will send a file to the E-Admissions portal with outcomes for all resident applicants who have applied online no later than **23 February 2018**. (33 London LAs & Surrey LA only).

Offers

28. Brent will ensure, so far as is reasonably practical, that each resident applicant who cannot be offered a preference expressed on the Common Application Form, receives the offer of an alternative school place. Where this is the case Brent LA will try and offer a place at the nearest suitable academy, foundation or voluntary aided school with a vacancy.

29. Brent will inform all resident applicants of their highest offer of a school place and, where relevant, the reasons why higher preferences were not offered, whether they were for schools in the Home LA or in other participating LAs.

30. Brent's outcome letter will include the information set out in Schedule 2.

31. On **1 March 2018,** Brent will send by first class post notification of the outcome to resident applicants.

32. Brent will provide primary schools with destination data of its resident applicants by the end of the Summer term 2018**.**

Post Offer

33. Brent will request that resident applicants accept or decline the offer of a place by **15 March 2018,** or within two weeks of the date of any subsequent offer.

34. Where an applicant resident in Brent accepts or declines a place in a school within the area of another LA by **15 March 2018,** Brent will forward the information to the maintaining LA by **22 March 2018**. Where such information is received from applicants after **15 March**, Brent will pass it to the maintaining LA as it is received.

35. Where a place becomes available in an oversubscribed maintained school or academy in Brent's area, it will be offered from a waiting list ordered in accordance with paragraph 2.14 of the School Admissions Code 2014.

36. When acting as a maintaining LA, Brent will inform the home LA, where different, of an offer for a maintained school or Academy in Brent's area which can be made to an applicant resident in the home LA's area, in order that the home LA can offer the place.

37. When acting as a maintaining LA, Brent and the admission authorities within it, will not inform an applicant resident in another LA that a place can be offered.

38. When acting as a home LA, Brent will offer a place at a maintained school or Academy in the area of another LA to an applicant resident in its area, provided that the school is ranked higher on the Common Application Form than any school already offered.

39. When acting as a home LA, when Brent is informed by a maintaining LA of an offer which can be made to an applicant resident in Brent's area which is ranked lower on the Common Application Form than any school already offered, it will inform the maintaining LA that the offer will not be made.

40. When acting as a home LA, when Brent has agreed to a change of preference order for good reason, it will inform any maintaining LA affected by the change. In such cases, paragraphs 37 and 38 shall apply to the revised order of preferences.

41. When acting as a maintaining LA, Brent will inform the home LA, where different, of any change to an applicant's offer status as soon as it occurs.

42. When acting as a maintaining LA, Brent will accept new applications (including additional preferences) from home LAs for maintained schools and academies in its area.

Waiting List

43. Applicants will be automatically placed on the waiting list for school(s) ranked higher on the Common Application Form than any school already offered unless they indicated they do not wish to remain on the waiting list.

44. Waiting lists will be maintained and places allocated, as they become available, in accordance with each admission authority's published admission and oversubscription criteria.

PAN- LONDON CO-ORDINATED ADMISSIONS SYSTEM

Brent Council's Scheme for Co-ordination of Admissions to Reception and Year 3 at Junior Schools in 2018/19

Applications

1. Applications from residents of Brent will be made on Brent's Common Application Form, which will be available and able to be submitted on-line. This will include all the fields and information specified in Schedule 1 to this Template LA Scheme. These will be supplemented by any additional fields and information which are deemed necessary by Brent to enable the admission authorities in the LA area to apply their published oversubscription criteria.

2. Brent will take all reasonable steps to ensure that every parent/carer who is resident in Brent and has a child in a nursery class within a maintained school, either in Brent or any other maintaining LA, receives a copy of Brent's admissions booklet and Common Application Form, including details of how to apply online. The admissions booklet will also be available to parents/carers who do not live in Brent, and will include information on how they can access their home LA's Common Application Form if unable to apply online.

3. The admission authorities within Brent will not use supplementary information forms except where the information available through the Common Application Form is insufficient for consideration of the application against the published oversubscription criteria. Where supplementary information forms are used by the admissions authorities within Brent, the LA will seek to ensure that these only collect information which is required by the published oversubscription criteria, in accordance with paragraph 2.4 of the School Admissions Code 2014.

4. Where supplementary information forms are used by admission authorities in Brent, they will be available on Brent's website. Such forms will advise parents that they must also complete their home LA's Common Application Form. Brent's admission booklet and website will indicate which schools in Brent require supplementary forms to be completed and where they can be obtained.

5. Where a school in Brent receives a supplementary information form, Brent will not consider it to be a valid application unless the parent/carer has also listed the school on their home LA's Common Application Form, in accordance with paragraph 2.3 of the School Admissions Code 2014.

6. Applicants will be able to express a preference for up to six maintained primary schools or academies within and/or outside the Home LA.

7. The order of preference given on the Common Application Form will not be revealed to a school within the area of Brent to comply with paragraph 1.9 of the School Admissions Code 2014. However, where a parent resident in Brent expresses a preference for schools in the area of another LA, the order of preference for that LA's schools will be revealed to that LA in order that it can determine the highest ranked preference in cases where an applicant is eligible for a place at more than one school in that LA's area.

8. Brent undertakes to carry out the address verification process set out in its entry in the LIAAG Address Verification Register. This will in all cases include validation of resident

applicants against Brent's maintained nursery and primary school data and the further investigation of any discrepancy. Where Brent is not satisfied as to the validity of an address of an applicant whose preference has been sent to a maintaining LA, it will advise the maintaining LA no later than **16 February 2018.**

9. Brent will confirm the status of any resident child for whom it receives a Common Application Form stating s/he is a 'Child Looked After' and will provide evidence to the maintaining LA in respect of a preference for a school in its area by **2 February 2018**.

10. Brent will advise a maintaining LA of the reason for any preference expressed for a school in its area, in respect of a resident child born outside of the correct age cohort, and will forward any supporting documentation to the maintaining LA by **2 February 2018.**

Processing

11. Applicants resident within Brent must return the Common Application Form**,** which will be available and able to be submitted on-line, to Brent by **15 January 2018.**

12. Application data relating to all preferences for schools in the area of a participating LA, which have been expressed within the terms of Brent's scheme, will be up-loaded to the PLR by **5 February 2018.** Supplementary information provided with the Common Application Form will be sent to maintaining LAs by the same date.

13. Brent shall, in consultation with the admission authorities within Brent's area and within the framework of the Pan-London timetable in Schedule 3B, determine and state here its own timetable for the processing of preference data and the application of published oversubscription criteria.

14. Brent will accept late applications only if they are late for a good reason, deciding each case on its own merits.

15. Where such applications contain preferences for schools in other LAs, Brent will forward the details to maintaining LAs via the PLR as they are received. Brent will accept late applications which are considered to be on time within the terms of the home LA's scheme.

16. The latest date for the upload to the PLR of late applications which are considered to be on-time within the terms of the home LA's scheme is **12 February 2018.**

17. Where an applicant moves from one participating home LA to another after submitting an on-time application under the terms of the former home LA's scheme, the new home LA will accept the application as on-time up to **12 February 2018**, on the basis that an on-time application already exists within the Pan-London system.

18. Brent will participate in the application data checking exercise scheduled between **13 and 19 February 2018** in the Pan-London timetable in Schedule 3B.

19. All preferences for schools within Brent will be considered by the relevant admission authorities without reference to rank order to comply with paragraphs 1.9 of the School Admissions Code 2014. When the admission authorities within Brent have provided a list of applicants in criteria order to Brent, Brent shall, for each applicant to its schools for whom more than one potential offer is available, use the highest ranked preference to decide which single potential offer to make. [This is the 'Equal Preference System'.]

20. Brent will carry out all reasonable checks to ensure that pupil rankings are correctly held in its LAS before uploading data to the PLR.

21. Brent will upload the highest potential offer available to an applicant for a maintained school or academy in Brent to the PLR by **15 March 2018.** The PLR will transmit the highest potential offer specified by the Maintaining LA to the Home LA.

22. The LAS of Brent will eliminate, as a Home LA, all but the highest ranked offer where an applicant has more than one potential offer across Maintaining LAs submitting information within deadline to the PLR. This will involve exchanges of preference outcomes between the LAS and the PLR (in accordance with the iterative timetable published in the Business User Guide) which will continue until notification that a steady state has been achieved, or until **23 March 2018** if this is sooner.

23. Brent will not make any additional offers between the end of the iterative process and the **16 April 2018** which may impact on an offer being made by another participating LA.

24. Notwithstanding paragraph 23, if an error is identified within the allocation of places at one of Brent's schools, Brent will attempt to manually resolve the allocation to correct the error. Where this impacts on another LA (either as a home or maintaining LA) Brent will liaise with that LA to attempt to resolve the correct offer and any multiple offers which might occur. However, if another LA is unable to resolve a multiple offer, or if the impact is too far reaching, Brent will accept that the applicant(s) affected might receive a multiple offer.

25. Brent will participate in the offer data checking exercise scheduled between **26 March and 9 April 2018** in the Pan-London timetable in Schedule 3B.

26. Brent will send a file to the E-Admissions portal with outcomes for all resident applicants who have applied online no later than **11 April 2018**. (33 London LAs & Surrey LA only).

Offers

27. Brent will ensure, so far as is reasonably practical, that each resident applicant who cannot be offered a preference expressed on the Common Application Form, receives the offer of an alternative school place. Where this is the case Brent LA will try and offer a place at the nearest suitable academy, foundation or voluntary aided school with a vacancy.

28. Brent will inform all resident applicants of their highest offer of a school place and, where relevant, the reasons why higher preferences were not offered, whether they were for schools in the Home LA or in other participating LAs.

29. Brent's outcome letter will include the information set out in Schedule 2.

30. Brent will, on **16 April 2018,** send by first class post notification of the outcome to resident applicants.

31. Brent will provide nursery and primary schools with destination data of its resident applicants by the end of the Summer term 2018.

Post Offer

32. Brent will request that resident applicants accept or decline the offer of a place by **30 April 2018,** or within two weeks of the date of any subsequent offer.

33. Where an applicant resident in Brent accepts or declines a place in a school maintained by another LA by **30 April 2018,** Brent will forward the information to the maintaining LA by **8 May 2018**. Where such information is received from applicants after **30 April**, Brent will pass it to the maintaining LA as it is received.

34. Where a place becomes available in an oversubscribed maintained school or academy in Brent's area, it will be offered from a waiting list ordered in accordance with paragraph 2.14 of the School Admissions Code 2014.

35. When acting as a maintaining LA, Brent will inform the home LA, where different, of an offer for a maintained school or Academy in Brent's area which can be made to an applicant resident in the home LA's area, in order that the home LA can offer the place.

36. When acting as a maintaining LA, Brent and the admission authorities within it, will not inform an applicant resident in another LA that a place can be offered.

37. When acting as a home LA, Brent will offer a place at a maintained school or Academy in the area of another LA to an applicant resident in its area, provided that the school is ranked higher on the Common Application Form than any school already offered.

38. When acting as a home LA, when Brent is informed by a maintaining LA of an offer which can be made to an applicant resident in Brent's area which is ranked lower on the Common Application Form than any school already offered, it will inform the maintaining LA that the offer will not be made.

39. When acting as a home LA, when Brent has agreed to a change of preference order for good reason, it will inform any maintaining LA affected by the change. In such cases, paragraphs 36 and 37 shall apply to the revised order of preferences.

40. When acting as a maintaining LA, Brent will inform the home LA, where different, of any change to an applicant's offer status as soon as it occurs.

41. When acting as a maintaining LA, Brent will accept new applications (including additional preferences) from home LAs for maintained schools and academies in its area.

Waiting List

42. Applicants will be automatically placed on the waiting list for school(s) ranked higher on the Common Application Form than any school already offered unless they indicated they do not wish to remain on the waiting list.

43. Waiting lists will be maintained and places allocated, as they become available, in accordance with each admission authority's published admission and oversubscription criteria.

PAN-LONDON CO-ORDINATED ADMISSIONS SCHEME

SCHEDULE 1

Minimum Content of Common Application Form for Admissions to Reception, Year 3 at Junior Schools and Year 7 in Maintained Schools and Academies in 2018/19

Child's details:
Surname

Forename(s)

Middle name(s)

Date of Birth

Gender

Home address

Name of current school

Address of current school (if outside home LA)

Parent's details:
Title

Surname

Forename

Address (if different to child's address)

Telephone Number (Home, Daytime, Mobile)

Email address
Relationship to child

Preference details (x 6 recommended):
Name of school

Address of school
Preference ranking

Local authority in which the school is based

Additional information:
Reasons for Preferences (including any medical or social reasons)

Does the child have an Education, Health and Care Plan Y/N*

Is the child a 'Child Looked After (CLA)'? Y/N

Is the child formerly CLA but now adopted or subject of a ‘Child Arrangements Order or ‘Special Guardianship Order’? Y/N

If yes, name of responsible local authority
Surname of sibling
Forename of sibling

DOB of sibling

Gender of sibling

Name of school sibling attends

Other:
Signature of parent or guardian
Date of signature

SCHEDULE 2

Template Outcome Letter for Admissions to Reception, Year 3 at Junior Schools and Year 7 in Maintained Schools and Academies in 2018/19

From: Home LA

Date: **1 March 2018 (sec)**

16 April 2018 (prim)

Dear Parent,

Application for a Secondary / Primary School

I am writing to let you know the outcome of your application for a secondary/primary school. Your child has been offered a place at X School. The school will write to you with further details.

I am sorry that it was not possible for your child to be offered a place at any of the schools which you listed as a higher preference on your application form. For each of these schools there were more applications than places, and other applicants has a higher priority than your child under the school's published admission criteria.

Offers which could have been made for any schools which you placed lower in your preference list, were automatically withdrawn under the co-ordinated admission arrangements, as a higher preference has been offered.

If you would like more information about the reason that your child was not offered a place at any higher preference school, you should contact the admission authority that is responsible for admissions to the school within the next few days. Details of the different admission authorities for schools in the borough of X are attached to this letter. If the school is outside the borough of X, the admission authority will either be the borough in which the school is situated, or the school itself.

You have the right of appeal under the School Standards & Framework Act 1998 against the refusal of a place at any of the schools for which you have applied. If you wish to appeal, you must contact the admission authority for the school within the next few days to obtain the procedure and the date by which an appeal must be received by them.

Please would you confirm that you wish to accept the place at X School by completing the reply slip below. If you do not wish to accept the place, you will need to let me know what alternative arrangements you are making for your child's education.

You must contact this office if you wish to apply for any other school, either in this borough or elsewhere.

[You can also request that your child's name is placed on the waiting list for a school which was a higher preference on your application form than the school you have been offered. Please use the enclosed reply slip and return it to this office]. OR

{Your child's name has been placed on the waiting list for any school which was a higher preference on your application form than the school you have been offered. If you need to find out your child's position on the waiting list please contact the admission authority or the borough in which the school is situated}.

(One of the above bracketed paragraphs should be used depending on whether the LA automatically places children on a waiting list for higher preference schools).

*Please return the reply slip to me by **15 March 2018 (sec) / 30 April 2018 (prim)**. If you have any questions about this letter, please contact me on _____.*

Yours sincerely

PAN-LONDON CO-ORDINATED ADMISSIONS SCHEME

SCHEDULE 3A

Timetable for Admissions to Year 7 in 2018/19

Fri 20 Oct 2017	Published closing date (Friday before half-term)
Tues 31 Oct 2017	Statutory deadline for receipt of applications
Tues 14 Nov 2017	Deadline for the transfer of application information by the Home LA to the PLR (ADT file).
Mon 11 Dec 2017	Deadline for the upload of late applications to the PLR.
Tues 12 Dec 2017 – Tues 2 Jan 2018	Checking of application data
Fri 2 Feb 2018	Deadline for the transfer of potential offer information from Maintaining LAs to the PLR (ALT file)
Thu 15 Feb 2018	Final ALT file to PLR
Fri 16 – Thu 22 Feb 2018	Checking of offer data
Fri 23 Feb 2018	Deadline for on-line ALT file to portal
Thurs 1 Mar 2018	Offer letters posted.
Thurs 15 Mar 2018	Deadline for return of acceptances
Thurs 22 Mar 2018	Deadline for transfer of acceptances to maintaining LAs

PAN-LONDON CO-ORDINATED ADMISSIONS SCHEME

SCHEDULE 3B

Timetable for Admissions to Reception and Year 3 at Junior Schools in 2018/19

Mon 15 Jan 2018	Statutory deadline for receipt of applications
Mon 5 Feb 2018	Deadline for the transfer of application information by the Home LA to the PLR (ADT file)
Mon 12 Feb 2018	Deadline for the upload of late applications to the PLR.
Tues 13 – Tues 20 Feb 2018	Checking of application data
Thur 15 Mar 2018	Deadline for the transfer of potential offer information from the Maintaining LAs to the PLR (ALT file).
Fri 23 Mar 2018	Final ALT file to PLR
Mon 26 Mar- Mon 9 Apr 2018	Checking of offer data
Weds 11 Apr 2018	Deadline for on-line ALT file to portal
Mon 16 April 2018	Offer letters posted.
Mon 30 Apr 2018	Deadline for receipt of acceptances
Tues 8 May 2018	Deadline for transfer of acceptances to maintaining LAs

Brent Council's Scheme for Co-ordination for In-Year Admissions 2018/19

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	Definitions
Section 1	Applications
Section 2	Processing
Section 3	Offers
Section 4	Post-Offer
Section 5	Waiting Lists

Definitions

"the Home LA"	the LA in which the child is resident
"the Maintaining LA"	the LA which maintains a school to which an applicant has applied

Section 1: Applications

1. Applications for Brent Council's community schools will be made on a Brent In Year Application Form. This will include all the fields and information specified in Schedule 1 of this scheme. These will be supplemented by any additional fields and information which are deemed necessary by Brent to enable the admission authorities in the LA area to apply their published oversubscription criteria.

   Brent Council will process applications for Brent community schools and will offer to coordinate applications for Voluntary Aided, Foundation and Academy school.

2. The admission authorities within Brent Council will not use supplementary forms except where the information available through the In Year Application Form is insufficient for consideration of the application against the published oversubscription criteria. Where supplementary forms are used by the admissions authorities within Brent Council, the LA will seek to ensure that these only collect information which is required by the published oversubscription criteria.

3. Where supplementary forms are used, they will be available from the school concerned and available on Brent Council's website. Any supplementary forms must advise parents that they must also complete Brent's In Year Application Form. Brent Council's admission booklet and website will indicate which of Brent Council's schools require supplementary forms to be completed and where they can be obtained.

4. Where an admission authority in Brent Council receives a supplementary form, it will not consider it to be a valid application until the parent has also listed the school on the In Year Application Form.

5. Applicants will be able to express a preference for up to six maintained primary schools within Brent Council**.**

6. Brent Council will carry out address verification for each application.

7. Brent Council will check the status of any child where the application is based on the child being a looked after child or previously looked after child.

Section 2: Processing

8. Applicants for Brent Council's maintained schools must complete and return the In Year Application Form to Brent Council or if applying for a place at a VA (faith), Foundation or Academy school to the school directly unless the school has agreed for the coordination of the In Year Application by Brent Council.

9. Where an application is not fully completed, Brent Council and or the school will not treat the application as valid until all information is received.

10. If Brent Council receives a common application form with an application for a VA school they will send details of the application to its VA schools via the secure website.

11. Brent VA/Foundation and Academy schools will aim to inform the LA of the outcome of any application within **20 school days** from receipt of the application.

Section 3: Offers

12. Where a child is eligible for a place at only one of the nominated schools that school will be allocated to the child.

13. Where a child is eligible for a place at two or more of the nominated schools, they will be allocated a place at whichever of these is the highest ranked preference.

14. Where a Brent resident child is not eligible for a place at any of the nominated schools, the child will be allocated a place at the nearest Brent community school with a vacancy.

Section 4: Post-offer

15. Brent Council and VA, Foundation and Academy schools will request that parents accept or decline the offer of a place within two weeks.

16. Brent Council and Brent VA, Foundation and Academy schools will make every reasonable effort to contact the parent to find out whether or not they wish to accept the place. Only where the parent fails to respond and Brent Council and Brent VA, Foundation and Academy schools can demonstrate that every reasonable effort has been made to contact the parent, will the offer of a place be withdrawn on behalf of the admission authority.

17. Where a parent accepts or declines a place in a school Brent and the pupil is not a Brent resident, Brent Council will forward the information to the home LA.

Section 5: Waiting lists

18. Applicants will be not be automatically placed on the waiting list for school(s) ranked higher on the In Year Application Form than any school already offered. Applicants will have to complete and return the waiting list form to be placed on the waiting list at any schools once an offer has been made for a preference school.

19. Waiting lists will be maintained and places allocated, as they become available, in accordance with each admission authority's published admission and oversubscription criteria.

20. The waiting list will be closed each year and will not roll over

School waiting lists do not operate on a 'first-come, first-served' basis. Your place on the waiting list, and whether you will be offered a place if another child drops out, is determined by the admission's criteria. The child that meets the criteria the closest will be offered a place. The length of time you have spent on the waiting list will not give you priority over other applicants - it is possible for your child to go down the list as well as up.
Being on a waiting list does not guarantee a place at that school.

In-year admissions (primary and secondary schools)

Applications for places in any year groups other than the admissions rounds of the normal year of entry to primary and secondary schools (Reception and Year 7) will be treated as in-year admissions.

Applications to Reception and Year 7 made after 1 September 2018 will also be administered as in-year admissions.

Governing bodies of VA, Foundation and Academy Schools will have responsibility for administering applications for in-year admissions for the academic year commencing 1 September 2018. The Council is the admissions authority for community schools and will retain responsibility for the management of In Year admissions to community schools.

Parents / carers seeking a place outside of the normal admissions round for Brent secondary or primary Voluntary Aided, Foundation or Academy schools must apply directly to each school in which they seek a place unless Brent is coordinating applications for In year. List of the schools that Brent will be coordinating will be available on the website www.brent.gov.uk/admissions

Parents/carers seeking a place in a Brent Community School must apply to the Council.

Applications for entry to schools in Reception and Year 7 will be administered by the local authority until 1st September 2018, after which they will be administered as in-year applications.

The LA will transfer the waiting list for Reception and Year 7 to VA, Foundation and Academy schools by 1st September 2018.

VA, Foundation and Academy Schools will maintain their own waiting lists. Governors will apply their determined arrangements and rank applicants to determine to whom an offer will be made when a vacancy becomes available.

The Council will maintain the waiting lists for its community schools.

Schools which are their own admissions authority should inform applicants of the outcome of their application within 20 working days of receipt of the application. Schools must offer places in writing and must inform applicants of their right to appeal against the refusal of a place.

Schools will send offer letters and make timely arrangements for the admission of the child, which should be within two weeks of the place being accepted.

On receipt of an in-year application, schools must notify the local authority in which the child resides of both an application and its outcome. This should be within 20 days of receiving the application.

In line with requirements of own admission authority schools, and in order for Brent LA to fulfil its statutory duty to provide information and guidance to applicants seeking a school place, schools must provide regular returns informing the authority of the number of vacancies in each year group on a weekly basis. This will enable the Authority to maintain accurate data on the availability of places in the area. School are required to make a ‘nil’ return where appropriate.

To ensure safeguarding arrangements are in place to identify children missing education (CME) schools are also required to include in their admissions returns a list of those pupils being taken off-roll, together with their confirmed destination.

VA, Foundation, and Academy Schools will use a common in-year application form drawn up by the Authority: this will not require that applicants name more than one school or indicate the order of preference, but will facilitate applicants in being able to make applications to more than one school more readily.

Schools using supplementary information forms will need to provide the Authority with copies.

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Brent	**Cabinet** **13 February 2017** **Report from the Strategic Director, Community Wellbeing**
For Action	Wards Affected: ALL

Housing Revenue Account (HRA) Budget and Rent-setting for Council Dwellings for 2017/18

1.0 Summary

1.1 This report sets out the Housing Revenue Account (HRA) forecast outturn for 2016-17 and the proposed HRA budget for 2017-18 as required by the Local Government and Housing Act 1989. The proposed annual budget takes account of the national rent reductions as required by Government. This will reduce rental income by £470,093 in 2017-18 with further reductions required each year to 2020.

To offset this it is necessary to make significant savings to revenue budgets over this period and the budget for 2017-18 includes provision for initial efficiency and other savings. Further savings will be required in future years to assure the future financial sustainability of the HRA and to support the programmes for stock investment and new housing development agreed through the HRA Asset Management Strategy in 2013.

The proposed HRA annual budget for 2017-18 sets out proposed expenditure for housing management services, stock investment and maintenance works and new council housing development programmes as well as rent and service charge setting proposals for 2017-18. This report also sets out rent-setting proposals for other council managed partnerships by Hillside (Hyde Group) and for the Residential Pitches portfolio.

2.0 Recommendations

That Cabinet:

2.1 HRA Business Plan Budget 2017-18:

a) Note the HRA forecast outturn for 2016/17 as set out in Appendix 1 to this report.

b) Approve the proposals and agree the savings and budget reductions for the HRA budget for 2017/18, as set out in Appendix 2 to this report and agree that they be included in the overall Budget for 2017/18 for approval by Full Council on 27th February 2017.

c) Approve the HRA budget growth for 2017/18 of £3.476m and the use of £3.492m of one-off available resources.

2.2 HRA Rent Setting 2017-18:

a) Approve an average overall rent decrease (excluding service charges) from April 2017 of £0.97 per dwelling per week, for HRA council dwellings, which is an average overall rent decrease of 1% as set out in section 3.2.1 (Table 1) of this report.

b) Agree an average overall rent decrease from April 2017 of £1.29 per dwelling per week for Hillside Dwellings, which is an average overall rent decrease of 1% as set out in section 3.2.2 (Table 2) of this report.

c) Approve an average overall licence decrease (excluding service charges) from April 2017 of £2 per pitch, per week, for residential council pitches, which is an average overall licence decrease of 1% as set out in section 3.2.3 (Table 3) of this report.

2.3 HRA Service Charges 2017-18:

a) Agree to increase the service charges for HRA dwellings from April 2017 by an average of 1% (an average increase of £0.09 per dwelling per week) as set out in Appendix 3 to this report.

b) Agree an increase in Garage Rents for Council and Private Renters, as set out in section 3.3.3 (Table 4) of this report.

c) Agree to increase the service charges for Hillside dwellings from April 2017 by an average of 1.8% (an average increase of £0.16 per dwelling per week) as set out in Appendix 3 of this report.

2.4 Management Services 2017-18:

a) Agree a Management Fee for Brent Housing Partnership of £7.488m for 2017/18.

2.5 HRA Stock Investment Programmes 2017-18:

a) Approve an overall HRA stock investment programme of (£32.765m) for 2017/18, and an indicative budget of £20m for 2018/19 as set out in section 3.4 (Table 5) of this report.

2.6 HRA Development Programmes 2017-19:

a) Agree to continue delivery of Phase 1 (Infill) Council New Build Development Programme with HRA budget of £9.990m for 2017/18 and £0.906m for 2018/19 to complete 62 homes.

b) Agree to continue delivery of Phase 2 (Infill) Council New Build Development Programme with HRA budget of £18.799m for 2017/18 and £5.454m for 2018/19 to develop 95 homes.

c) Agree to continue delivery of Phase 2 (NAIL) New Accommodation Independent Living Development Programme with General Fund budget of £9.020m for 2017/18 and £1.224m for 2018-19 to complete 40 homes.

d) Agree a fesibility budget (Revenue Budget) of £0.125m for 2017/18 to work on future pipeline schemes beyond March 2018.

3.0 Detail

3.1 The Housing Revenue Account (HRA):

The Housing Revenue Account contains the income and expenditure relating to the Council's landlord duties in respect of approximately 7,962 dwellings. The HRA is a 'ring-fenced' account receiving no subsidy from the Council's General Fund nor subsidising the General Fund.

The proposed budget takes account of the rent reductions required by Government under the Welfare Reform and Work Act of 1% per annum between 2016 and 2020.

The Housing and Planning Act includes provision for the council to pay a levy to fund the RTB discount for Housing Association Tenants and requires the council to consider the disposal of vacant higher-value properties to fund this. The government has recently announced that the introduction of the levy has been deferred until April 2018 so no allowance is required in 2017-18

The rent reductions and the loss of stock through RTB and from other factors will significantly reduce the income to the HRA and a number of budget savings are proposed to mitigate the impact of this in order to support the sustainability of the HRA over the longer-term, and these are detailed later in this report.

In view of the challenges presented by the government's reforms and the issues of concern in respect of BHP's performance a review of Housing Management options has been undertaken. In November 2016 Cabinet agreed its preferred option is to bring the service in-house and this is currently being consulted on. If Cabinet should decide to proceed in this way it is expected that some savings

will be realised directly as a result and further savings are expected to be realised through the implementation of new operating arrangements and efficiencies. The extent of such savings has, however, not been determined and they have not been allowed for in setting the budget for 2017/18.

3.1.1 HRA Annual Budget Outturn Forecast 2016/17

A table setting out the 2016-17 budget and current forecast is provided at appendix 1. In summary the forecast position is as follows:

Income - 2016/17 income to the HRA is forecast to be £0.342m less than in the budget. This is largely a result of a shortfall in rental income (of £0.439m because of below-target collection and a higher level of RTBs, and offset by improvement in the garage and leaseholders' service charge income (£0.106m).

Expenditure – this is forecast to be £3.449m below budget. The main differences are:

- A reduced provision for bad debt better reflecting historic performance in debt recovery – a reduction of £0.370m
- Capital Financing – £1.5m less in interest payments reflecting lower than budgeted capital borrowing within the HRA
- Estate Wardens – a saving of c.£0.830m arising from the replacement of this service with a more limited security provision
- Repairs – An overspend mainly due to reclassification of expenditure. This is offset by underspend arising from lower expenditure on responsive and cyclical repairs and maintenance.
- General management underspend due to reclassification of BHP expenditure.

Outturn – The 2016/17 net budget (income minus expenditure) was £4.016m. This was based on the anticipated carried forward surplus from the previous year, it was expected that a remaining surplus of £0.4m would be carried forward to 2017-18.

The current forecast, as a result of the changes outlined above, is that the net forecast will be £0.910m.

In addition a higher starting surplus was carried forward from 2015/16 and as a result it is forecast that a £5.283m surplus will be carried forward into 2017-18 which will be available to support one-off expenditure.

3.1.2 Revenue Budgets

The Government's required rent reductions of 1% per annum in each of the four years from April 2016 will significantly reduce income to the HRA. This will be exacerbated by the loss of stock through Right to Buy, the redevelopment of existing units in the South Kilburn Regeneration Programme and, in future years, the potential disposal of 'high-value' properties to fund required payments to Government.

To compensate for the loss of rental income, revenue costs will need to be reduced both in 2017/18 and in subsequent years in order to ensure that the HRA remains financially sustainable. The Government's rent policy after 2020 is not known and the HRA needs to be put in a strong financial position to maximise its ability to manage any further rent reductions or restraints that are required in the longer-term and the impact of the government's other housing reforms.

Savings - the main savings in the 2017/18 budget are:

- Warden and Concierge service - a saving of £0.830m will be delivered following retendering of the Concierge service and a reduced warden service.
- Responsive repairs – a saving of £0.412m reflecting lower demand for communal repairs and other savings in the contract.
- Council Tax – a saving of £0.130m arising from a reduced void turnaround time and has been aligned with the 2015/16 expenditure, however, it should be noted that the 2016/17 liability is as yet unknown.
- Out of hours service – a saving of £0.050m from new arrangements
- Garage rents – additional income of £0.105m from garage rentals

In addition a reduction of £0.258m in provision for bad debt has been made and the budget of £0.900m for early debt repayment has been removed.

Growth - These savings and budget reductions are counter-balanced by a number of necessary growth items and the main ones of these are:

- Target Operating Model (TOM) – a budget of £1m for the necessary investment in service modernisation and improvement
- Tree works - £0.043m additional budget provision.
- New-build feasibility studies - £0.125m to develop further schemes for new council homes
- Compensation budget – an increase of £0.043m.
- Revenue contribution of £0.700m for future capital works

Overall the budget includes £3.47m Growth and the use of £5.28m of carried forward balances from 2016/17. £0.70m of the carried forward balance will be used to fund future capital expenditure on stock investment works and provide for depreciation. The remaining £4.88m of the carried forward balance is the available unallocated resource after all other HRA budgets for 2017/18 have been compiled. These additional resources will be used in line with the agreed Asset Management Strategy (2013).

The budget includes a decrease in rent of 1% per dwelling per week excluding service charges. The rent loss will amount to £470k.

The proposed budget and summary movement from 2016-17 is set out in Appendix 2 and shows a balanced budget.

3.1.4 Brent Housing Partnership – Proposed Management Fee for 2017/18

The Management Agreement between the Council and BHP, which expires on 31st March 2023, requires each year that a Management Fee is negotiated and agreed. The fee has to be consistent with delivery plan requirements and the general requirement to reduce operating costs year by year.

In previous years the management fee has been based upon 2-3% efficiency savings in addition to pro rata reductions based upon loss of stock under management which has enabled continuous reductions in the management fee.

For 2017/18 an initial efficiency savings of 3% is proposed plus a reduction of 0.6% relating to stock loss through RTB and the regeneration programme at South Kilburn. A combined reduction of 3.6% is proposed which equates to a reduction of £0.236m. The breakdown of the savings is £0.039m for stock loss and £0.197m efficiency savings. This is offset by the costs of pension increase, pay award and incremental drift of £0.266m, giving a net increase of £0.030m. The proposed Management Fee for 2017/18 is therefore £7.488m.

3.2 Proposed Rent Setting for HRA Dwellings

3.2.1 The Welfare Reform and Work Act 2015 requires the council to reduce rents by 1% per year, for four years with effect from April 2016.

In November 2013, the Council agreed a HRA Asset Management Strategy. This included a five-year Rent Policy for 2014-19 to provide sufficient resources to fund the proposed stock investment and development programmes set out in the strategy.

As a result of the government's rent reduction policy 2017/18 rental income will be £0.470m less than in 2016/17 and £5.727m less than it would have been had the Council's rent policy been allowed to continue. Over the next three years rental income will reduce in cash terms by £1.398m largely as a consequence of the rent reductions required, but also as a result of a reduction in the number of units over this period. In 2019/20 rental income is projected to be £7.465m less than it would have been under the Council's pre-existing rent policy.

The table overleaf sets out the current average 2016/17 rents and the proposed rents for 2017/18, taking account of the 1% reduction required.

Table 1 – Current average rents and proposed rents for 2017/18

Bed Size	Number of Properties 2016/17	Average of net rent 2016/17	1% reduction 2017/18	Number of properties 2017/18	Average of net rent 2017/18
		£			£
Bedsit	425	87.24	19,048	420	86.35
1	2530	101.04	130,612	2483	100.15
2	2627	114.51	152,615	2560	113.50
3	2062	126.45	132,650	2014	125.39
4	413	137.56	29,754	415	136.50
5	62	147.34	4,706	61	146.89
6	9	151.04	707	9	149.53
Grand Total	**8128**	**113.38**	**470,093**	**7962**	**112.41**

The amount of the rent reduction depends on the property size and current rent and averages £0.97 per week.

3.2.2 Hillside Rent Setting 2017/18 – General Fund

In addition to the Council's dwellings contained within the HRA, the Council also continues to hold dwellings in the General Fund (GF). These dwellings were formerly held by the Stonebridge Housing Action Trust (HAT) and were transferred to Brent Council in August 2007 when the HAT was dissolved. The Council currently owns 328 properties under this scheme and Hillside Housing Trust (part of Hyde Housing Group) manages these properties on the Council's behalf.

The table below sets out the proposed rent levels for 2017/18. The reduction of 1% will decrease weekly rents (excluding service charges) by an average of £1.29 per week.

Table 2 – Range of Weekly Rents for 2017/18

	Weekly Rent 2016/17 (£)	Weekly Rent 2017/18 (£)	Decrease (£)	Decrease %
1 Bed Flat	102.38	101.36	-1.02	-1.0
2 Bed Flat	121.21	120.00	-1.21	-1.0
1 S/croft Elders	102.38	101.36	-1.02	-1.0
2 S/croft Elders	121.21	120.00	-1.21	-1.0
2 Bed House	131.65	130.33	-1.32	-1.0
3 Bed House	144.28	142.84	-1.44	-1.0
4+ Bed House	151.89	150.37	-1.52	-1.0

3.2.3 Travellers' Site Pitch - Licence Fee Setting 2017/18 – General Fund

For Residential Pitch licence fees it is proposed that current licence are reduced by 1%, in line with rent reductions for social housing, as set out in the table below.

Table 3 – Proposed Licence Charge for 2017/18

Descriptions	2016/17 Charges £	2017/18 Charges £	2017/18 Decrease £
Weekly Rent	242	240	2.00
Total Weekly Rental Income £ (31 lots)	7,502	£7,440	62.00
% Change	-1%	-1%	-1%
Annual Rental Income	390,091	386,880	3,211

3.3 Proposed Service Charges for 2017/18:

3.3.1 For HRA dwellings it is proposed that each service charge is increased by CPI (1%) as at September 2016. The individual service charge increases are detailed in Appendix 3.

3.32 For the Brent tenancies at Hillside the council's management agent has advised that they propose to increase average service charges in 2017/18 by 1.8%. The proposed Service charges in 2017/18 are set out in Appendix 3.

3.3.3 HRA Garage Charges and Asset Portfolio Management.

A review and consultation on the Terms for garage rentals was undertaken in 2015/16 by BHP on the Council's behalf. The current garage charges which average £4.41 per week are in the main significantly below those being charged by other London Authorities. These bring the charges for non residents in line with those charged by other councils. The following increased charges are proposed as set out in Table 4.

Table 4 - Proposed Charges for Garages for 2017/18 - based on average benchmarked figures excluding Camden, RBKC and Hammersmith & Fulham

	Existing charges	**Proposed charges for residents**	**% increase**	**Proposed charges for non residents**	**% increase**	**Proposed charges for non residents**
				VAT exclusive		**VAT inclusive**
	2016/17	**2017/18**		**2017/18**		**2017/18**
	£	**£**		**£**		**£**
Cage Garages	2.63	2.98	13%	3.12	19%	3.74
Half Garages	5.25	5.95	13%	6.23	19%	7.48
Single Garages	10.50	11.90	13%	12.47	19%	14.96
Double Garages	21.00	23.80	13%	24.93	19%	29.92

These proposed charges will generate approximately additional income of £0.035m per annum

3.4 HRA Stock Investment and Improvements

The HRA Asset Management Strategy was approved by the Cabinet in November 2013. This strategy set out a long-term approach to stock maintenance and investment in order to best meet asset management objectives. The HRA Asset Management Strategy requires that all council homes are brought up to a set Investment Standard by 2021.

At the end of quarter 3 expenditure on stock investment and improvement works for 2016/17 was forecast to be £32.6m against a budget of £33.8m, and we expect expenditure to be very close to that forecast given current invoice activity in December.

The planned overall Stock Investment Programme for 2017/18 is budgeted at £32.765m. This includes provision for a programme of cyclical and planned works, health and safety works, energy efficiency and environmental works.

The main areas of expenditure are set out in Table 5 below.

Table 5: Proposed Stock Investment Expenditure for 2017/18

Programme	Proposed Budget	Estimated Tenanted Costs	Estimated Leasehold Costs
	£'000	£'000	£'000
Total M&E / Health and Safety	£4,765	£3,781	£985
Total Planned Cyclical Maintenance	£20,200	£17,145	£3,055
Total Energy Efficiency & Environment Works	£2,900	£2,050	£850
Total Other Works Expenditure	£3,350	£2,950	£400
Total Overheads Costs	£1,550	£1,550	0
TOTAL STOCK INVESTMENT BUDGET	£32,765	£27,476	£5,290

The budget of £32.765m includes an estimated £5.29m of expenditure on leaseholder properties that is rechargeable. In advance of any works proceeding detailed costings and statutory consultation will be undertaken with leaseholders on the prospective works and rechargeable costs.

To ensure the efficient delivery of this mult-year capital programme, it would be prudent to allocate an indicative 2018/19 budget. The total budget has been estimated at £30m, so an allocation of at least £20m for works commencing in April 2018 would be appropriate.

3.5 Development Services 2016-18

The development of new council homes is a key priority of the council's Housing Strategy and of the HRA Asset Management Strategy. Two phases of development are currently underway.

Phase 1 - this is supported by GLA grant, will provide 62 Affordable Rent homes and 40 NAIL units. The first units have been completed, a number of further schemes are on site with the great majority of these due for completion by March 2018 with the remainder completing in the first half of 2018-19.

Phase 2 - this is also supported by GLA grant will provide 95 Affordable Rent homes units with the great majority of these due for completion by March 2018 with the remainder completing in 2018-19.

The GLA has recently published a new Affordable housing funding prospectus for the period 2016-21 with bids invited by April 2017. It is proposed to submit a bid to this programme which will include for a third phase of new-build HRA development for approximately 67 new homes.

The recommendations in this report set out the required capital budgets to progress the above new-build development phases and further detail is provided in Appendix 4.

3.6.1 Development and Agency Services Management Fee 2017/18

The Cabinet have previously agreed for BHP to be responsible for the delivery of the council's first phase development programmes under a Development Management Services Agreement entered into in 2015/16. It is proposed to commission the further phases of development of both general needs and NAIL homes provision under this existing Agreement.

The fee for managing the development programme which is included in the total capital programme is £0.416m.

4.0 Financial Implications

4.1 This report is concerned with financial issues associated with setting the HRA budget for 2017/18 under the self-financing system for council housing, and for setting the level of rents for Council dwellings in 2017/18. Cabinet are required to approve a budget that meets the statutory requirements as contained in Part VI of the Local Government and Housing Act 1989. Sections 76 (2) and (3) of that Act requires Members to ensure that their proposals are realistic and that the Council's Housing Revenue Account does not show a debit balance.

Estimates have been compiled on the basis of the Council's corporate guidance for budget preparation and on the basis that the spending budgets should be adjusted in relation to the stock numbers. The advantage of this approach (which ignores fixed costs) is that managers are able to reduce their expenditure on a planned basis.

4.2 HRA Borrowing Limit:

In order to ensure that borrowing is affordable nationally, each local authority was set an HRA borrowing limit under self-financing, and it will not be possible for that limit to be exceeded. Where a local authority's Housing Capital Financing Requirement (HCFR) is less than the limit set for self-financing valuation, a "headroom" to increase borrowing under self-financing will be created. The government determinations for self-financing set out that Brent's borrowing limit is £199.291m. The HCFR is estimated to be £127.989m on 1 April 2017, giving estimated "headroom" to increase borrowing of approximately £71.302m.

4.3 Allowance for Inflation:

Budgets have been prepared on an outturn basis and include an allowance of 1% for pay. The budget for the Employer's Superannuation Contributions for BHP staff has been increased from 26.3% to 29.3% to reflect an estimated increase from the actuarial review although the level of increase remains subject to confirmation.

4.4 Stock Loss/Efficiency Savings:

The rent budget has been updated to reflect anticipated stock loss through Right to Buy. Applicable expenditure budgets have been reduced by 0.6% to reflect the estimated stock loss in 2017/18 in addition to efficiency savings.

5.0 Risks

The main associated risks are set out below:-

- Risks associated with the introduction of direct payment to tenants and from the provisions of the Welfare Reform and Work Act 2016, and the reduction in the Overall Benefit Cap during 2016-17. The phased introduction of Universal Credit which will bring direct payment of housing benefit to tenants will have an impact on rent collection figures and costs, meaning both expenditure and income will be put under pressure.
- The recovery of Leaseholder Service Charges (Major Works) also remains a challenge for officers and compliance with legislation is often difficult. In addition there are often differences between tenants and leaseholders in respect of works undertaken.
- Recent Government Policies being introduced will put pressure on HRA Business plan and will need to make £3.6m Savings over next 3 years
- The Government's rent reductions of 1% per annum in each of the four years from April 2016 will significantly reduce income to the HRA

6.0 Legal Implications

6.1. Legal Implications for the Housing Revenue Account and Rent Setting:

Under section 74 of the Local Government and Housing Act 1989 ("the 1989 Act"), the Council is required to keep a separate Housing Revenue Account of sums falling to be credited or debited in respect of its housing stock. Sections 75 and 76 of the 1989 Act set out the rules for establishing and maintaining that

account. Under section 76 of the 1989 Act, the Council is required to formulate in January and February of each year proposals for the HRA for the following year which satisfy the requirements of that section and which relate to income, expenditure and any other matters which the Secretary of state has directed shall be included.

In formulating these proposals the Council must secure that upon their implementation the HRA will not show a debit balance assuming that the best assumptions and best estimates it can make at the time prove to be correct. Put simply, the legislation requires the Council to prevent a debit balance, to act reasonable in making assumptions and estimates and to act prudently.

The 1989 Act also requires the authority to review the proposals from time to time and make such adjustments as are necessary to ensure that the requirements, as set out above, continue to be met. This report sets out the forecast outturn for the current financial year and also the proposals for the coming year.

The Council may make such *reasonable* charges as it so determines for the tenancy or occupation of their dwellings and shall review those rents and charges from time to time. In so doing the Council shall have regard to the principle that the rents for different types of houses should bear broadly the same proportion to private sector rents for those different types of houses. This means that the difference between the Local Authority rent for, say, a bedsit and a two bed house with a garden should be broadly comparable to the difference between the rents for those types of dwellings in the private sector. In making such reasonable charges officers have given consideration to the Government's policy aims of introducing social housing rents that will ultimately produce rents being set (both in the council and Registered Provider/RSL sectors) on a nationally determined basis (whilst taking into account local factors such as the value of dwellings). This aim is not prescriptive in so much it remains the responsibility of the local housing authority to set rents.

The Council's discretion as to setting rents is now subject to the mandatory provisions of the Welfare Reform Act 2016, which become law on 16 March 2016. Section 23 of the 2016 Act requires that as from 1 April 2016 for a period of four years, an annual reduction of the rent payable by social tenants. Schedule 2 to the 2016 Act introduces, for a period of 4 years, requirements about the maximum levels of rent for social tenancies beginning after the beginning of 8 July 2015. These requirements apply to tenancies of new homes and re-lets to a new tenant, but not the grant of a new tenancy to an existing tenant.

The Welfare Reform and Work Act 2016 (Commencement No. 1) Regulations 2016 set out exceptions to and circumstances in which exemptions may be given from the rent reduction regime otherwise applicable, and make alternative provision for certain excepted categories.

In respect of social rent properties, the mandatory reduction applies to the rent element and not to service charges.
The rent income estimates included for 2017/18 are based upon the rent reductions required under the Welfare Reform and Work Act 2016 and adjusted for Right to Buy.

The decisions recommended in this report are an exercise of the Cabinet's rent-setting function and must take into account the implications of the Council's overall budget.

Under section 76(8) of the Local Government and Housing Act 1989, the Council is required to prepare a statement of the revised estimates and new proposals within one month of the proposals and this requirement will be satisfied by Council approval of the overall budgets for 2017/18 on 7th March 2016.

6.1.1. The Secretary of State issued a Direction (under section 74(3)(d) of the Local Government and Housing Act 1989) in March 2008 which allows the Council to hold outside the Housing Revenue Account the rent accounts of the Council owned properties on the Stonebridge estate that were transferred from the Stonebridge HAT to the Council in 2007.

. Section 313 of the Housing and Regeneration Act 2008, which adds section 80B to the Local Government and Housing Act 1989, makes it possible for councils and specified properties belonging to Councils to be excluded from the subsidy system subject to agreement with the Secretary of State and it allows the Secretary of State to make directions in relation to such agreements.

. Once Cabinet decides on the setting of the rents in respect of the Council's housing stock that is managed by Brent Housing Partnership and the Brent Stonebridge Dwellings that are managed by Hillside Housing Trust, notices of variation will be served on the tenants pursuant to section 103 of the Housing Act 1985 to give them notification of the changes in rent which will come into effect from 3rd April 2017.

7.0 Diversity Implications:

This report deals with the rent setting and budget proposals for the Council's HRA. This report does not propose any significant changes to the operation of this account. The proposals in respect of stock investment and new development are in accordance with the HRA Asset Management Strategy agreed by Cabinet in November 2013.

This report is not concerned with operational service issues.

8.0 Staffing/Accommodation Implications

There are no anticipated direct implications for council staff arising from this report.

Council and BHP staff would be affected by the Council's Housing Management review. Any impact on staff will be reported separately following the completion of the reviews.

9.0 Background Information

- Cabinet Report – HRA Annual Budget and Rent Setting 2016/17 (February 2016)
- HRA Asset Management Strategy (including Rent Policy) (November 2013)

Contact Officers

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Appendix 1 – 2016/17 Budget and Forecast Out-turn

HRA Summary – Forecast Budget 2016/17 Vs Original Budget and Variance				
Description	**(1) Original Budget 2016/17 £000's**	**(2) Forecast Out turn 2016/17£ 000's**	**(3) Variance £000's**	**Variance Explanation**
Rent Income	-50,202	-49,763	439	Reduced income due to increased RTB sales and increase in the no. of void properties
Leaseholder Service Charges	-2,278	-2,325	-47	
Non Dwelling Rent	-396	-455	-59	Additional garage rents -income due to increase in rent.
Other Income	-11	-2	9	
GROSS INCOME	**-52,887**	**-52,545**	**342**	
Provision for Bad Debts	928	558	-370	Forecast reduction in tenant arrears and improvement in rent collection
Rent and Rates	1,191	1,122	-69	
Services	590	590	0	
Capital Financing	8,340	6,838	-1,502	Reduced interest payment
Depreciation	21,178	21,178	0	
General Management	11,503	10,641	-862	Underspend due to reclassification of BHP expenditure. Reduced by overspend on additional legal, compensation, consultancy and disrepair costs.
Special Management	4,988	4,081	-907	Reduced spend on Concierge and Warden services due to the retendering of both services
Housing Repairs	8,186	8,447	261	Overspend due reclassification of BHP expenditure. Reduced expenditure on responsive repairs, cyclical and planned M&E and additional income on

				leaseholders major works income.
GROSS EXPENDITURE	**56,904**	**53,455**	**-3,449**	
NET BUDGET	**4,016**	**910**	**-3,107**	
Surplus B/Fwd	-4,416	-6,193	-1,777	Increase due to higher than anticipated underspend in 2015/16.
Transfer from Earmarked Res	0	0	0	
Surplus C/Fwd	-400	-5,283	-4,884	Increased surplus due to forecast out turn in 2016/17.
TOTAL	**0**	**0**	**0**	

Appendix 2 - Proposed HRA Budget 2017/18

HRA Budget Summary – Forecast Budget 2016-17 Vs Original Budget 2017-18 Variance				
Description	**(1) Draft Forecast Out Turn 2016/17 £000's**	**(2) Draft Budget 2017/18 £000's**	**(3) Variance £000's**	**Variance Explanation**
Rent Income	-49,763	-49,321	442	Reduction of rent by 1% (£473k) offset by increase in service charges income.
Leaseholder Service Charges	-2,325	-2,325	0	
Non Dwelling Rent	-455	-477	-22	
Other Income	-2	-11	-9	
Gross Income	**-52,545**	**-52,135**	**410**	
Provision for Bad Debts	558	670	112	
Rent & Rates	1,122	1,038	-84	
Services	590	559	-31	
Capital Financing	6,838	7,507	669	Increase due to additional borrowing in 2017/18.
Depreciation	21,178	21,653	475	Expenditure funded by one off balances from 2016/17.
General Management	10,641	12,700	2,059	Management fee savings (£236k), offset by growth for 1% pay ward/NC and Pensions £266k and the use of reserves to fund TOM and reclassification of expenditure.
Special Management	4,081	3,992	-89	Reduction in forecast due to reduction in the cost of providing out of hours service.
Housing Repairs	8,447	8,016	-431	Reduction Repairs (planned cyclical, responsive, estate services etc.) works, reclassification of expenditure as part of BHP overall based exercise and additional major works income anticipated
Gross Expenditure	**53,455**	**56,135**	**2,680**	
Net Budget	**910**	**4,000**	**3,090**	
Surplus B/fwd	-6,193	-5,283	910	Additional expenditure to be funded from one off balances from 2016/17.
Transfer from Earmarked Res	0	0	0	
Surplus C/Fwd	-5,283	-1,283	-4,000	
TOTAL	**0**	**0**	**0**	After balances transferred to fund expenditure on Major Repairs

Appendix 3 - HRA Dwellings Service Charges – 2017/18

Service	Average Charge 2016/17 (£/Week)	Recommended Average Charge 2017/18 (£/Week)	% Increase 2017/18
Concierge	8.92	9.01	1%
Communal Lighting	1.37	1.38	1%
Grounds Maintenance	1.20	1.22	1%
Cleaning (External & Internal)	6.30	6.36	1%
Laundry	2.29	2.31	1%
TV Aerial	0.70	0.71	1%
Communal Heating (District)	8.35	8.44	1%
Hot Water	2.18	2.20	1%
Helpline Monitoring Service	1.42	1.43	1%
Total charge	**9.45**	**9.54**	**1%**

Hillside Service Charges – 2017/18

Property Size	Average Service Charges (£) 2016-17	Average Service Charges (£) 2017-18	Increase in £'s	Increase as a %
1 Bed Flat	19.09	19.43	0.34	1.8%
2 Bed Flat	13.64	13.89	0.25	1.8%
1 S/croft Elders	42.92	43.69	0.77	1.8%
2 S/croft Elders	42.92	43.69	0.77	1.8%
2 Bed House	0.75	0.76	0.01	1.8%
3 Bed House	0.74	0.75	0.01	1.8%
4+ Bed House	0.74	0.75	0.01	1.8%

Appendix 4 – Capital Budget for Development Programme 2017/18 and 2018/19

Programme	Units	2016/17 Forecast	2017/18 Forecast	2018/19 Forecast	2019/20 Forecast	TOTAL COSTS (Excl DA & Interest)	2016/17 GLA Grant	2017/18 GLA Grant	2018/19 GLA Grant
General Fund	**No.**								
Ph1 - GLA NAIL (Approved - 39 units, 8.6m Budget)	40	1,219,405	9,020,199	1,224,016	120,674	11,584,294	598,000	1,040,000	442,000
HRA									
Ph1 - GLA (Approved- 61 units, 17.3m budget)	62	3,365,577	9,989,865	905,538	96,600	14,357,580	843,500	1,300,681	505,181
Ph2 - GLA CME (Approved - 94 units, 20.1m Budget)	95	816,662	18,799,156	5,454,039	973,257	26,043,114	TBA	TBA	TBA
HRA - RTB Receipts									
P&R Programme	11	601,594	9,839	0	0	611,433			
Grand Total	**208**	**6,003,238**	**37,819,059**	**7,583,592**	**1,190,531**	**54,596,421**	**1,441,500**	**2,340,681**	**947,181**

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Brent	**Cabinet** 13 February 2017 **Report from the Director Adult Social Care**
For Action	Wards affected:ALL

NAIL Programme Accommodation and Financial Mitigation Plan

1.0 Summary

1.1 The NAIL (New Accommodation for Independent Living) Programme is a major cross-Council strategic initiative to provide high quality accommodation for a range of vulnerable people which promotes their wellbeing and ability to live independently through good design.

1.2 By separating accommodation from care & support costs, the NAIL Programme will deliver significant efficiency savings for Adult Social Care (ASC) budgets, making it the largest savings programme within the Council.

1.3 Projected savings to be delivered by the NAIL Programme were mainly based on new-build schemes to provide long-term accommodation. Experience has shown that NAIL has limited control over these projects, particularly those developed by external Registered Provider (RP) partners. Self-development is also an area where the Council is still growing its' expertise.

1.4 In light of challenges in the market, the Council has taken the decision to reshape and broaden the NAIL programme to include elements of investment and self development. This has the added benefit of allowing the NAIL programme to work more closely with housing to support delivery of identified strategic housing requirements for the Council as a whole, as well as to bring forward the delivery of NAIL units to meet specific gaps in the current programme. To fully meet ASC's current accommodation requirements for all groups, and provide a more balanced and sustainable savings profile an increased number of short- medium term units will be required.

1.5 To meet needs and deliver significant savings for ASC for 2017/18 the Council will require access to additional properties suitable for occupation by learning disabled (LD) and mental health (MH) customers. Given the availability of housing stock within Brent this will prove challenging, and significant capital investment will be required.

2.0 Recommendations

Cabinet is asked to:

2.1 Approve the use of 3 year leases to secure 3 properties for the use of 24 NAIL customers – a total cost of £327,500 per annum.

2.2 Approve a budget of £19.7M for the purchase and modification of private residential properties to provide an additional 90 units of accommodation for NAIL customers.

2.3 Approve the long-term use of the supported housing properties at 73 & 80 Wembley Park Drive, with a budget of £0.88M to refurbish the buildings to a standard suitable for long-term occupation by NAIL customers.

2.5 Asked to note that the above investment will generate savings of £2.6m p.a., bring the achievement of anticipated NAIL savings forward, and support Brent Council's strategic vision for residents to remain independent in a home of their own and in the community for as long as possible, as evidence shows us that those who do, live longer, happier and healthier lives.

3.0 Detail

Background

3.1 The NAIL Programme is a major cross-Council initiative which was introduced to develop a range of alternatives to residential care for those Brent customers with high care and support needs.

The programme aspires to provide high quality accommodation which incorporates best design practice, and promotes the wellbeing of our customers. This style of accommodation and support gives a more personal service and enables adults to have greater control over their home and care which is in line with central government policy and best practice.

The NAIL Programme commenced in 2014, and the first scheme included in the programme was Willow House Extra Care Scheme which consisted of 40 flats and several communal areas for tenants to socialise in. It was developed by developed by Network Homes, and opened in June 2015. To date Willow House has delivered approximately £1.4M in efficiency savings for Adult Social Care (ASC). The first NAIL property to be developed by Brent Housing Partnership (BHP) at Salmon Street (6 units) was handed over at the end of November 2016.

NAIL programme accommodation is generally self-contained, or more homely house-share type accommodation which as a minimum provides en-suite bathroom facilities. Accommodation is generally of a more domestic nature than that offered by care homes, and meets the conditions for the granting of a tenancy. This provides customers with improved security of tenure in line with the majority of other social landlord tenants.

3.2 Care home costs include both accommodation and 'care and support'. When customers are placed in care home settings ASC pay a single fee for the placement which includes the food and accommodation or 'hotel' costs. The accommodation/'hotel' costs are an integral part of placement fees, and not eligible for housing benefit due to the legal basis by which the accommodation is occupied.

3.3 NAIL programme accommodation generates efficiency savings as ASC only pays for the 'care and support' element of the service which is our statutory obligation, leaving the individual to claim housing benefit for the accommodation costs.This also entitles them to claim benefits (which they are not eligible for in residential care) to enable them to pay for social activities, utilities, food etc.

This represents an average weekly saving of £332 per person, compared to accommodation provided in a care setting.

3.5 Of the 529 units in the original NAIL Programme, 387 are planned to be delivered by external partner agencies – almost exclusively RPs, the remainder being developed by BHP or Brent Council's Property Services.

3.6 In 2016/17 the programme was projected to deliver cumulative savings of approximately £4.7M, with £1.7M of this coming from the new 99 unit Extra Care scheme being developed by Asra (Visram House).

3.7 Due to a range of factors summarised below at 3.9 & 3.10, there has been a considerable shortfall in the planned savings to be delivered by the NAIL Programme for 2016/17 – 2018/19.

Current Position

3.8 Current adjusted NAIL Programme savings against targets

	15/16	**16/17**	**17/18**	**18/19**	**19/20**
Cumulative Savings Target (£M)	0.6	4.7	6.1	7.5	7.5
Cumulative planned (£M)	0.6	1.7	3.6	6.5	8.7
Variance (-ve shortfall) (£M)	**-0.0**	**-3.0**	**-2.5**	**-1.0**	**1.2**

The table above assumes that all units in the current programme will delivered as per the adjusted schedule.

Analysis of NAIL Programme delivery issues

3.9 A delay of approximately one year in the handover by Asra of Visram House has been the main cause of variance from the planned savings target – a total shortfall to date of £1.7M in cumulative savings. The reason for the delay, which remains unresolved, is the failure to provide suitable electrical connections for the site, and ongoing legal issues about the siting of the sub-station and routing of cables across neighbouring land.

The council has yet to receive an adequate explanation of why these issues were not foreseen. The impression is that the issue has not been well-handled, and despite weekly requests we are yet to receive a firm handover date – the current estimated date is March 2017.

The delays with Visram House are in many ways particular to this development. This is by far the largest and most complex scheme developed to date, so the effect of delays on the NAIL Programme is magnified. The delay is largely outside the control of the programme given that there is no enforceable contractual link with the developer Asra.

3.10 Following from the development of Visram House, there are a number of smaller schemes currently being developed for the NAIL Programme by BHP. Most of these have slipped by between 6 – 9 months, which has further affected the NAIL savings profile. The main reasons identified for the delays are as follows:

- **Contractor Procurement:** there have been a number of delays in the procurement due to insufficient bidders for relatively small contracts, a need to carry out further due diligence checks, and delays in posting tendering documentation.
- **Public consultation**: several of the schemes were subject to negative responses from neighbours and stakeholders that have in some cases required re-design and further meetings to address concerns – consequently consultation periods have needed to be extended. NAIL schemes may cause particular anxiety to local residents due to misconceptions about services and service-users.
- **Planning:** schemes have attracted high levels of detailed scrutiny and requests for clarification from Planning, and sometimes long delays in going through the planning process.
- **Reconfiguration of planned schemes:** this is mainly to allow for sufficient communal space and on-site offices for 24hr staffing, but in some cases is due to RPs changing the scheme configurations to add or detract planned units to support the financial business case. Scheme financial viability is particularly difficult to confirm at present due to shifts and changes in legislation around benefits and the Local Housing Allowance and its application to supported living schemes.

Summarised analysis of NAIL Programme issues

3.11 Summarised learning to date, and the consequences for planned savings targets are as follows:

- The Programme is over-reliant on new-build developments, which tend to be based on contractors' overly-optimistic target dates and subject to a high number of variables and risks which can cause delays. Whilst overall planned savings are likely to be achieved, these will mainly be realised from 2018/19 onwards.
- Planning used to inform savings projections has sometimes been overly optimistic and included schemes that did not progress beyond the planning stage.
- The majority of units are being delivered by RP partners, which the Council has little or no control over, and are subject to the development issues above.
- The current programme provides insufficient accommodation for customers with learning disabilities until larger schemes are completed from 2018/19 onwards, and no accommodation for customers with mental health support needs.
- The NAIL Programme is complex and dependent on a number of mechanisms and processes, including changes in housing and benefits legislation, the implications of which are not yet entirely clear.

To reshape the savings profile options have been explored to achieve short-medium term savings detailed below, including leasing private rented properties, repurposing of existing RP and Council-owned properties, acquisition of private properties, repurposing of PFI properties originally intended for Temporary Accommodation.

Forward Strategy

3.12 Based on the above factors and in conjunction with other cross council departments, the Council has detrmined that re-focusing and reshaping the NAIL programme would both allow for earlier delivery of NAIL accommodation, thus the earlier delivery of savings, and would allow the Council to maximise opportunities for delivery of a numbr of strategic housing priorities. For example, direct delivery of a proposed scheme at Central Middlesex Hospital provides the opportunity to a develop scheme which both provides for people with care and support needs, but may also offer the opportunity to develop key worker housing. The viability of this is being explored and a further paper relating directly to this scheme will be brought to cabinet for approval when all options have been explored.

In the short-medium term, the NAIL Team has evaluated a range of accommodation options to deliver savings and to mitigate the shortfall in projected savings nad approval for these options is sought in this report.

3.13 Options for providing additional capacity are outlined below, listed in order of availability.

- **Private Rented Leasing** is the most expensive option. However, they offer a quick solution while more permanent purpose-built properties are in development. Three suitable properties have been identified.
- **Repurposed Supporting People Schemes** offer the opportunity of using poorly used or vacant properties owned by the Council and RPs. Four suitable properties being used by CNWL for SP services, and being decommissioned have been identified. Two of these properties would only require cosmetic works and could go live quickly. Agreement with the owning RPs expected to be finalised soon.

  Two Council-owned properties in Wembley Park Drive present an excellent opportunity for a linked service. These properties are currently in poor condition, and with investment in significant internal remodelling their long-term usability could be greatly enhanced.
- **Private Sector Acquisitions** offer an effective option for LD/MH customers in particular. Properties could potentially be brought into use relatively quickly as compared to building new schemes. The properties would be an asset that the Council can re-use should they become surplus to NAIL requirements. Ownership also allows for remodelling of the properties to improve accessibility. Two suitable private sector properties available for purchase have been identified so far.

The options listed are evaluated in detail below.

3.14 Private Rented Leasing

Private rented schemes were identified and included in the savings profile for 2016-17, but no arrangements were in place to deliver these units. Leases are currently being negotiated by Property Services, and delegated authority is being sought to secure these properties which require a quick turn around in a fast moving property market.

It is proposed these properties are leased for 3 years. Property has completed appraisals, and Housing Benefit has confirmed that Non HRA Rent Rebate will cover the level of rent required to service leasing costs.

These properties are cost-neutral and offer a quick short-medium term solution whilst more permanent purpose-built properties are in development.

Risk/issue description (incl. impact)	Planned mitigation or resolution	Owner
Suitable properties identified are mid-high level private market rent, restrictions/changes to rents and Housing Benefit could reduce planned savings	• Housing management and support to be provided by Registered Provider so accommodation qualifies as 'Exempt Accommodation' and not subject to benefit caps. • Draft rent/charges agreed by Housing Benefit. • Specialist Supported Housing HB consultant advising on best arrangements to maximise income and anticipate changes to benefit regulations	Jon Burgoyne – NAIL Programme Manager
Difficulties decanting NAIL customers at end of lease, with accompanying court costs and lease penalties	• Quality alternative accommodation will be provided for all occupants with planned resettlement support. • All tenants will be served with S.21 Notice Requiring Possession during the final year of the lease.	Ian Buchan - Lead Commissioning Manager ASC

3.15 Repurposed Supporting People Schemes

Four suitable properties currently being used by CNWL for Supporting People services have been identified as potentially available. Once vacant, two of these properties (Hanover Road and Pound Lane) would only require internal (mainly cosmetic) works and could go live relatively quickly. Agreement with the owning RPs about use is expected to be finalised before Christmas.

Two properties opposite each other in Wembley Park Drive are Council-owned and present an excellent opportunity for a linked service. These properties are currently in poor condition, and with investment in significant internal remodelling their long-term usability could be greatly enhanced. A report has been sent to Property requesting use of these properties. Remodelling the properties will be significantly more straightforward and quicker than building new properties and reduce pressure on limited land available. This makes this a more immediate solution to meeting the shortfalls in savings generated by the NAIL Programme.

Identifying appropriate move-on accommodation for current occupants of these properties is a pre-requisite for their use, and those occupants no longer requiring support will be assisted to access private rented accommodation, those assessed as needing support will be transferred to appropriate supported housing.

Risk/issue description (incl. impact)	Planned mitigation or resolution	Owner
Difficulties/delays in moving-on current occupants	• Access to move-on accommodation via Housing Needs • Some occupants suitable for leased properties being acquired	Jon Burgoyne – NAIL Programme Manager
Pound Lane occupants vulnerable due to interaction with residents in neighbouring hostel	• Joined-up housing management will be provided by St Mungos who also provide housing management at the hostel • Joined-up support contract with same support provider for hostel and flats • Hostel equipped with CCTV to monitor entrances/exits	Jon Burgoyne – NAIL Programme Manager
Liability for void costs due under nominations agreements	• High level of need and undersupply of accommodation accessible to ASC – extensive waiting lists • Needs of client groups to be carefully mapped, with mobilisation team including Social Workers attached to NAIL	Ian Buchan - Lead Commissioning Manager ASC

3.13 Private Sector Acquisitions

Two suitable private sector properties available for purchase have been identified. They offer good quality self-contained studio-type accommodation with additional communal areas. Both are recent good quality conversions in suitable residential areas, and require minimal further investment. They are currently being appraised by Property.

Properties of this type offer an effective option for LD/MH customers in particular. Properties could potentially be brought into use relatively quickly as compared to building new schemes. The properties would be an asset that the Council can re-use should they become surplus to NAIL requirements. Ownership also allows for remodelling of the properties to improve accessibility.

To meet the identified shortfall in units from 2017/18 onwards we propose that approval is sought to acquire a further 80 units (C.16 properties). Securing this number of suitable properties within a short period will be a considerable challenge but we believe will be achievable. The PRS Portfolio Acquisitions Programme have been asked to assist in identifying suitable properties as they have an established process in place, and also private agents can be approached on a reasonable commission basis.

Risk/issue description (incl. impact)	**Planned mitigation or resolution**	**Owner**
Delays in identifying suitable properties at an acceptable price	• Funding included in Cabinet paper to provide additional staffing within Property dedicated to NAIL to identify properties • SLA to be agreed with Property with clear targets/timescales • Experience and knowledge from established PRS Acquisitions Programme to inform planning	Jon Burgoyne – NAIL Programme Manager
Building layout/accessibility may limit customer suitability	• Budget request from Cabinet will include adequate provision for remodelling/adaptation works	Jon Burgoyne – NAIL Programme

	• Established project team within BHP has gained experience from Salmon Street conversion • Building layout less critical for some customer groups eg MH • Acquired properties may be an interim option for some customers pending completion of purpose-built schemes but still provide savings and improved accommodation	Manager
Delays in purchasing/ conveyancing/ Planning (change of use)	• Funding included in Cabinet paper to provide additional staffing within Property dedicated to NAIL • Experienced Salmon Street project team within BHP to advise and assist • Services to be outsourced where Council's in-house resources are insufficient	Jon Burgoyne – NAIL Programme Manager

4.0 Financial Implications

4.1 There are major shortfalls against targets in the planned savings from the NAIL Programme for 2016/17 (-£3.0M) and 2017/18 (-£-2.5M).

Any mitigation measures taken to reduce shortfalls will be too late to have any significant impact in 2016/17, so a £3m overspend will need to be managed by ASC as in year pressure.

4.2 Long-term development plans are forecast to meet the NAIL Programme's long-term targets, however an increased number of short term units are required to provide a more balanced and sustainable savings profile and meet ASC's current accommodation requirements.

To mitigate financial pressures on ASC in 2017/18 and 2018/19 a further 149 units will need to be brought on stream from April 2017.

4.3 As detailed at 3.14 repurposed Supporting People schemes can potentially deliver an additional 38 units of accommodation.

14 of these units are located at 2 Council-owned schemes, currently in need of major refurbishment. The two properties are opposite to each other, and present an excellent opportunity for a linked NAIL service with economies of scale for staffing and a reduction in office space required.

Additional adaptations could enable ASC to run a specialist service at the two sites to provide for people with Korsakoff syndrome and physical disabilities, a high needs group the council is currently unable to provide for.

It is proposed that an investment of £880,000 be provided to remodel the properties to the required standard. The remodelled buildings would provide accommodation which would generate £242,000 p.a. in savings for ASC.

4.4 The main source of additional units of accommodation would be properties acquired from the private rented sector, and it is proposed that 90 units of accommodation be purchased. This would consist of large houses in residential areas with low levels of ASB and drug-related issues which NAIL customers would be particularly vulnerable to.

Two suitable properties have already been identified which would require minimal adaptation and provide 10 units of accommodation suitable for people with mental health support needs. The two properties would cost a total of £165,000 and generate £172,000 p.a. in savings for ASC.

A further 80 units could be provided through the acquisition of approximately 16 similar properties to the two above, and it is envisaged that 8 of these would require substantial refurbishment to make them suitable to meet the needs of people with learning disabilities in particular. The cost of acquisition is estimated at £15M, with a budget of £3M for conversion/adaptation works (8 @ £350K + £200K contingency). These 80 units would generate £1.38M p.a. in savings for ASC

Financial modelling for private rented acquisitions

4.5 **Breakdown of Capital Cost**

	Units	£'000s
Braemar Avenue	5	850
Stag Lane	5	800
Refurbishment		880
C 16 additional HMOs @ £900k each	80	14,400
Stamp Duty Land Tax		992
Standard Extra Care Kit Out @£10k/unit		800
Remodelling Works (£200k every other property)		1,600
5% Contingency		120
2 Project managers for 18 months to manage the works		150
TOTAL		**20,592**

4.6 It is assumed that for the property purchases that rents are set at £243.18/week, which is the LHA rents for the borough and that this includes £50/week service and maintenance charge. It is further assumed that there is a 2.5% void and bad debt provision charge. Rents would reduce for three years at 1%/year in line with the HB cap and then grow at 1% per year. The rental income and charges may be pessimistic but it was felt best to prudent, given the lack of clarity, as explained in the risks section.

4.7 The model makes assumptions of kit out cost for NAIL units of £10k per unit and that every other unit would require £200k of more significant adaptations. It has already been noted that there are existing negotiators to manage the purchasing process but there is still a limited need for on-site project management support.

4.8 The scheme would produce an estimated net revenue stream of £1.01m/year on a build cost of £20.592m. This is a net yield of 4.86%.

4.9 Summarised capital requirements and projected savings

Scheme Name	No of units	Projected start date	Projected savings (£M p.a.)
Leased Private Rented Properties *(in existing savings profile, not included in totals*			
Park Avenue North	8	Feb 17	0.138
Prout Grove	6	Mar 17	0.103
Forty Lane	11	Feb 17	0.189
Repurposed Supporting People Schemes			
Hanover Road	10	June 17	0.172
Pound Lane	14	April 17	0.242
73 Wembley Park Drive*	7	September 17	0.121
80 Wembley Park Drive*	7	September 17	0.121
Acquired Private Sector Properties			
Braemar Avenue	5	April 17	0.086
Stag Lane	5	April 17	0.086
C 16 additional HMOs to be identified	80	April – June 17	1.380
Total Additional Units	**128**	**Total projected savings p.a.**	**£2.638M**

* Existing Council owned properties (non-HRA)

4.10 Notes and assumptions in table at 4.9

- Works costs based on Salmon Street conversion – assumed that 50% of acquired properties will require conversion/adaptation: 8 @ £350K + £200K contingency
- Projected start dates are conservative estimates based on experience to date
- Projected savings are based on an average saving agreed with Finance of £332 per customer per week
- Of the repurposed schemes Hanover Road and Pound Lane are owned by Registered Providers and currently used for Supporting People services which are in process of being decommissioned.
- Wembley Park Drive properties are Council-owned and are also being decommissioned. The cost of works is based on extensive remodelling to meet the needs of high needs groups with physical disabilities. The cost of works compared to new build properties is justified by the relatively quick turn around compared to new build which would require land and planning consent/consultation.
- The private sector properties to be acquired are also likely to require remodelling, and again the relatively quick turnaround make this a more attractive and suitable solution compared to new build properties.

- The Braemar Avenue and Stag Lane properties are existing HMOs and would require relatively little work to make them suitable and would quickly provide additional accommodation.

Risks to Anticipated Rental Income

4.11 Risks where rents above LHA rent levels are required to achieve viability relate to changes in benefits legislation, and the future arrangements for supported housing rents as outlined in the Government announcement of 15/9/2016.

4.12 The two options for charging rents above LHA rates, and associated risks are as follows:

a) **Non-HRA Rent Rebates** – subject to the overall benefit cap which the majority of NAIL customers in receipt of DLA would be exempt from, but from August 2018 new claimants will be subject to Universal Credit, and existing claims will start to be migrated to UC from 2019.

These risks will have little or no effect on leased private properties, but would affect private sector acquisitions. For the private sector acquisitions this may make b) the safer option – which could be implemented from 2018.

b) **Exempt Accommodation** - leasing properties to a Registered Provider, preferably BHP, to enable them to meet the definition of 'Exempt Accommodation'. In September 2016 the Government announced that: 'costs above the LHA rate will be met by a ring-fenced fund which the Government will devolve to local authorities in England'.

There are currently no details to accompany this announcement, but a Green Paper will be published in Spring 2017. However it is reasonable to assume that this fund will enable the Council to cover a significant amount of any shortfall in rental income.

Summarised Financial Implications

4.13 Leasing 3 properties to support 24 clients for 3 years would cost £0.982m. That would be £262/week/client. As has been confirmed for existing clients in leased properties till 2020, Housing Benefit should cover the full weekly cost including the service charge. As it covers the cost and supports the £332/week/client savings in Adult Social Care, it is financially beneficial to the Council.

4.14 There is a total required budget of £20.6m for the capital works. Other costs would met within existing budgets. The net yield of 4.86% is investment grade, would be significantly more than the interest charge (PWLB est. 2.92%) and would pay back in 36 years. This is lower than the Council's standard payback period but would enable the generation of the other £1.8m Adult Social Care savings, based on 104 units. If the accommodation was considered to meet the Exempt status or elements of the charge were

considered to be recoverable through Housing Benefit, then the payback period might be less than 30 years.

4.15 The bottom line is that this scheme would produce income generating assets, which would eventually repay the underlying principal, while supporting the delivery of Adult Social Care savings that are already accounted for within the Council's budget. The main risks attach to the ability of the Council to acquire appropriate properties at the right price and not overspend on remodelling works.

4.16 It is important to note that there are three LHA zones in the borough and that one of them has a very low LHA rent relative to the others. At that rental level, it is unclear that any appraisal would be financially viable without exempt status.

5.0 Legal Implications

5.1 Advice has been obtained from counsel regarding this matter. A summary of the advice follows:

5.2 NAIL tenants would be able to secure Non - HRA Rent Rebates above LHA rates for accommodation provided by Brent outside of the HRA as it would be non-HRA rent rebate accommodation. As such, there are no restrictions on the amount of rent payable by way of housing benefit, save for the potential application of the benefit cap. The Benefit cap may not be a realistic concern given that most of the residents will be claiming either DLA or PIP.

5.3 It is almost impossible to know how rent rebates would be affected by Universal Credit from 2019 onwards for new claimants. The application of the LHA to social rents has been postponed until 2019 at the earliest. The written statement of the Secretary of State on the subject, dated 15 September 2016, is ambiguous which makes it impossible to advise clearly as to what the position will be. It seems unlikely in the current environment that the system will remain as it currently is and that the LHA limit will apply.

5.4 BHP manages council owned Non-HRA funded properties with support delivered by a support provider appointed through the Council via a tendering process. However, BHP does not seem to satisfy the conditions for Exempt Accommodation for the following reasons:

5.5 The definition of exempt accommodation is found in paragraph 4(10) of Schedule 3 to the Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations 2006/217:
" "exempt accommodation" means accommodation which is—
(b) provided by a non-metropolitan county council in England within the meaning of section 1 of the Local Government Act 1972, a housing association, a registered charity or voluntary organisation where that body or a person acting on its behalf also provides the claimant with care, support or supervision"

5.6 Assuming BHP to be a housing association for these purposes, the first question is whether it is providing the accommodation. However, BHP is only a managing agent and is arguably therefore not considered to be the provider

as this term refers to the landlord to whom rent is ultimately payable and not to a managing agent.

5.7 Assuming that hurdle could be overcome - which is doubtful - the question becomes whether BHP "or a person acting on its behalf" provides the tenant with support. The acid test here must be that it is is the landlord that has ultimate responsibility for providing the support. If BHP is the landlord, it does not provide the support it is merely involved in the provision of support on behalf of others. There is no "form of interposition" for the landlord in providing these services (paragraphs 51 and 52 of CH/423/2006, per Commissioner Turnbull). More specifically, in Circular A22/2008 it was expressly said "If the care, support or supervision is not directly provided by the landlord or by someone acting on their behalf, for example if all the care, support and supervision are independently commissioned by Social Services, then 'exempt accommodation' status will not apply."

5.8 It therefore seems that BHP does not satisfy the conditions for exempt accommodation.

5.9 It may be that one of the definitions of "specified accommodation" in reg 75H of the Housing Benefit Regulations 2006 apply. Regulation 75H(3) provides -
"(3) This paragraph applies to accommodation—
(a) which is provided by a relevant body;
(b) into which the claimant has been admitted in order to meet a need for care, support or
supervision; and
(c) where the claimant receives care, support or supervision."

5.10 "Relevant body" has the same definition as in the definition of exempt accommodation; BHP would qualify as a housing association. Query again whether the accommodation could be said to have been provided by BHP when they are only the managing agent, and the comments raised above are relevant here.

5.11 Assuming that can be overcome, the test is whether the claimant has been "admitted in order to meet a need", i.e. it cannot be care that is provided in the claimant's home. That would be satisfied in the instant case because the NAIL project is to create accommodation into which people would move as their needs arose as an alternative to residential care.

5.12 The requirement under this provision is only that the claimant receives the care, not that it is provided by any particular individual. Accordingly, the difficulties identified above do not arise.

5.13 It follows that, if BHP could be said to be providing the accommodation, the accommodation would be specified accommodation.

5.14 If BHP were reintegrated into the Council the accommodation would not be provided by any qualifying provider. The exempt status would then clearly not apply.

5.15 Post 2019-20, if the Council were to lease the schemes it develops to Housing Association Registered Providers so these organisations are undertaking the housing management, whilst it is difficult to predict the future, if LHA applies to

social rents (including supported accommodation) then it will make little difference whether the landlord is an RPR or the council. Where the difference may occur is in respect of whether the accommodation is exempt. Again, there would be some difficulties if the RPR is simply managing the properties rather than operating them as the landlord. That may be different if the schemes are fully leased: the RPR may well then be the landlord and the accommodation may come closer to being exempt or specified accommodation.

6.0 Diversity Implications

6.1 The capital investment requested would make accommodation available to customers with learning disabilities and mental health support needs who could not be supported within the NAIL Programme in significant numbers until new-build schemes begin to become available towards the end of 2017.

7.0 Staffing/Accommodation Implications

7.1 Staffing Capacity Requirements

To support the implementation of the mitigation plan, prevent any bottlenecks likely to cause delays with attendant loss of savings, and provide an appropriate degree of control over the process some additional staffing capacity will be required.

Capacity will be required over a two year period to identify and appraise properties to be acquired, and negotiate with landlords. Project Manager capacity will be required to manage conversion and adaptation works to the acquired properties, supported by a Project Officer to assist with procurement/ planning/ purchasing/ invoicing.

Further discussion will be required about how this additional capacity can be provided.

Background Papers

None

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Brent	**Cabinet** 13 February 2017 **Report from the Strategic Director, Regeneration and Environment**
For Action	Wards Affected: All

Brent Neighbourhood Community Infrastructure Levy (NCIL) Allocation Process

1. Summary

1.1 The Community Infrastructure Levy (CIL) is a charge applied to development to help fund strategic (borough-wide) and neighbourhood infrastructure to address deficits that might otherwise be caused by development. Brent's CIL was formally introduced on 1 July 2013.

1.2 As there is greater predictability about income received, the availability of CIL encourages more effective planning to deliver projects that, as well as dealing with deficits in infrastructure caused by new development, can also deliver wider benefits to the local community.

1.3 The purpose of this report is to propose a NCIL allocation process for approval by Cabinet. The proposed process can be reviewed in **Appendix 1.**

2. Recommendations

2.1 Cabinet are asked to review and approve the proposed NCIL allocation process in **Appendix 1**. Principally:

2.2 Neighbourhood CIL priorities will be set for three years following consultation with residents and stakeholders.

2.3 The Head of Planning and Lead Member for Regeneration, Growth, Employment and Skills, will be responsible for shortlisting Neighbourhood CIL Projects following submission deadline.

2.4 Delegated authority should be given to the Strategic Director, Regeneration & Environment, in consultation with the Lead Member for Regeneration, Growth, Employment and Skills, to approve spend for individual Neighbourhood CIL projects up to the value of £100k

2.5 Projects above £100K in value will be agreed by Cabinet

3. Detail

3.1 The proposed allocation mechanism seeks to ensure:

- The management of NCIL funds in Brent is transparent, fair, and aligned to the strategic priorities and needs of the borough
- Prompt decision making for Neighbourhood CIL projects
- Encourage member involvement in the allocation process (a key recommendation of the July 2016 Scrutiny task group)

3.2 The Neighbourhood CIL fund can be spent on a broader range of items than Strategic CIL. The proposal is that Brent is divided into five 'CIL Neighbourhoods' – which align to the 'Brent Connects' boundaries; Kilburn, Kingsbury & Kenton, Wembley, Willesden and Harlesden. 15 per cent of CIL receipts generated in each CIL Neighbourhood will be spent on Neighbourhood projects[1].

3.3 A CIL Neighbourhood may also contain a Neighbourhood Forum with an adopted Neighbourhood Plan. In this case, up to 25 per cent of CIL funds collected from liable developments in the Neighbourhood Forum boundary, may be spent on priorities identified by the Neighbourhood Forum. There are currently four Neighbourhood Forums in Brent; Church End & Roundwood (The Unity Neighbourhood Forum), Harlesden, Kilburn and Sudbury Town Residents Association (STRA). The Kilburn Neighbourhood Forum falls within both the boroughs of Brent and Camden. STRA is currently the only Neighbourhood Forum with an adopted Neighbourhood Plan (July 2015). A diagram showing the CIL Neighbourhood and forum boundaries is in **Appendix 2**.

3.4 A Neighbourhood CIL scheme will not be funded unless it meets the following criteria:

- Meets the terms of the CIL Regulations
- Has community backing, including infrastructure specified in any adopted Neighbourhood Plan;
- Supports, and where possible mitigates the impact of, the development of the area;
- Reflects the priorities of the Council including the Borough Plan and the Strategic Infrastructure Plan (subject to Cabinet approval);
- Where appropriate, longer term revenue implications have been identified and agreed.
- Benefits the broadest section of the community; and
- Offers value for money

3.5 It is recommended that priorities are set for each CIL Neighbourhood for three years. These priorities will be set following consultation with ward members, residents and businesses. It is anticipated that this will encourage neighbourhoods and ward councillors to think more strategically about how they allocate funds over a longer time period. Neighbourhood Forum priorities with be outlined in their Neighbourhood Plan and set for the duration of the Plan, once adopted.

[1] On 1 April 2015, the Old Oak and Park Royal Development Corporation (OPDC) became the Local Planning Authority for a site which includes parts of Harlesden, Kensal Green, Stonebridge and Tokyngton wards. The areas within the OPDC boundary will be subject to separate CIL Charge and CIL spend arrangements to be determined by the OPDC

3.6 It is recommended that Neighbourhood CIL project proposals should be submitted two times a year. This allows more flexibility for community organisations to plan how they will utilise CIL funds in their areas (particularly if there is initially a low value allocation in their area). It may also allow community organisations to identify any match funding opportunities that may arise during the year that could benefit their projects and strengthen their project proposals.

3.7 It is recommended that the Project proposals for each CIL Neighbourhood will then be ranked according to how well they meet the shortlisting criteria by the Head of Planning and Lead Member for Regeneration, Growth, Employment and Skills, and a shortlist of projects to fund will be agreed. Projects that are not shortlisted will also receive notification and feedback on their proposals.

3.8 It is recommended that, following shortlisting, the Strategic Director of Regeneration & Environment, in consultation with the Lead Member for Regeneration, Growth, Employment and Skills is given delegated authority given to approve spend for Neighbourhood CIL projects up to the value of £100k. This will help shorten the decision making process and allow a speedier release of funds- particularly if projects are of relatively low monetary value. Projects over £100k will require approval by Cabinet. The monitoring of spend will remain the responsibility of the Planning Policy & Projects Team.

Proposed Timeline

3.9 If the proposed allocation mechanism is approved by Cabinet, it will mean that Neighbourhood CIL projects will potentially be identified for delivery from 2017/18 onwards.

3.10 A summary of the key milestones for implementing these proposals is in **Table 1**. It is anticipated that a similar timeline will be followed in future years, however it is proposed that a review of the efficacy of this process is completed around April 2018.

Table 1: CIL Allocation – Summary Timeline

Date	Neighbourhood CIL	Notes
Feb 2017	Cabinet Approval	• Meeting 13 February 2017
Jan- Mar 2017	Community Engagement – Neighbourhood Priorities	• Online consultation • Brent Connects Consultation • Other stakeholders e.g. - Neighbourhood Forums, Businesses, Schools, Brent Youth Parliament, Brent CVS, Councillors
Mar-Apr 2017	Consultation outcome and approval of Neighbourhood priorities	• Set for 3 years • Publish available funds and spend
Jun 2017	1st Round Neighbourhood project Proposals	
Dec 2017	2nd Round Neighbourhood project Proposals	
Apr 2018	• Publish available funds and spend • Process Review	

4. Financial Implications

4.1 This report proposes a process to ensure a robust and transparent mechanism to allocate CIL funds to support the delivery of Neighbourhood infrastructure in Brent.

4.2 At least 15 per cent of CIL receipts must be spent on local projects that mitigate the impact of development and are identified in consultation with local communities (capped at £100/dwelling each financial year). Where a Neighbourhood Forum has an adopted Neighbourhood Plan, 25 percent of CIL receipts may be spent on local projects.

4.3 The value of CIL funds in each CIL Neighbourhood is dependent on the number and value of CIL liable developments in each area. As of 16 January 2017, approximately £3.0m is available to fund Neighbourhood CIL projects in Brent. Table 2 shows the current distribution of funds received across all CIL Neighbourhoods:

Table 2: Neighbourhood CIL Distribution

CIL Neighbourhood	Fund received 01/17 (nearest £k)
Harlesden	78
Kilburn and Kensal	574
Kingsbury and Kenton	402
Wembley	1,796
Willesden	190
Sudbury Town (Neighbourhood Forum with adopted Plan)	15
Total	**3.0m (Rounding)**

4.4 The Planning Policy & Projects Team also maintains a profile of all CIL liable developments. The due date of CIL payments is dependent on when development commences. The biggest risks to financial planning are the potential for development to be delayed, and for late or non-payment of CIL instalments by developers. However to mitigate this, the ongoing monitoring of income and spend will remain the responsibility of the Planning Policy & Projects Team, and a summary CIL monitoring report will be produced annually.

5. Legal Implications

5.1 The Planning Act 2008, and CIL Regulations (2010) as amended, provided for local authorities to apply the CIL to support development. The Neighbourhood element may be used to fund the provision, improvement, replacement, operation or maintenance of infrastructure, or anything else that is concerned with addressing the demands that development places on an area (Reg 59c).

5.2 CIL spend is governed by Part 7 of the CIL Regulations and for any financial year in which CIL receipts are received, a report outlining CIL receipts and expenditure must be prepared and published on the council's website. (Reg 62a). However the CIL Regulations do not prescribe a process for agreeing how the neighbourhood portion should be spent. Whilst there is an expectation that communities are involved in this process (see DCLG Planning Practice Guidance), the use of existing community consultation and engagement processes, proportionate to the level of CIL receipts and the scale of any proposed development, is anticipated.

6. Diversity Implications

6.1 In compliance with the Equality Act 2010 and the Public Sector Equality Duty (PSED), the Council must, in the exercise of its functions, have "due regard" to the need to:

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

6.2 The duty covers the following nine protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation.

6.3 When considering, shortlisting and approving the use of CIL funds for projects, decision-makers must ensure that due regard is given to PSED and each project that receives CIL funding will need to be assessed separately for any potential / likely diversity implications.

7. Appendices

Appendix 1 – Cabinet Feb 2017 Brent Neighbourhood CIL Allocation Process Note

Appendix 2 – Cabinet Feb 2017 Brent CIL Neighbourhood Boundaries

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Strategic Director Regeneration and Environment

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BRENT COMMUNITY INFRASTRUCTURE LEVY- FUND ALLOCATION
Procedure Note

1.1 The Community Infrastructure Levy (CIL) is a charge applied to development to help fund strategic (borough-wide) and neighbourhood infrastructure to address deficits that might otherwise be caused by development. Brent's CIL was formally introduced on 1 July 2013.

Funds for Local projects

1.2 Brent is divided into five 'CIL Neighbourhoods' mirroring the five Brent Connects boundaries; Kilburn, Kingsbury & Kenton, Wembley, Willesden and Harlesden. Every CIL Neighbourhood can use funds to deliver projects that tackle priorities set in consultation with residents. 15 per cent of CIL receipts generated in each CIL Neighbourhood may be spent on Neighbourhood projects[1].

1.3 A CIL Neighbourhood may also contain a Neighbourhood Forum. Where a Neighbourhood Forum has adopted a Neighbourhood Plan, up to 25 per cent of CIL funds collected from liable developments in the Neighbourhood Forum boundary, may be spent on priorities identified by the Neighbourhood Forum. There are currently four Neighbourhood Forums in Brent; Church End & Roundwood (The Unity Neighbourhood Forum), Harlesden, Kilburn and Sudbury Town Residents Association (STRA). The Kilburn Neighbourhood Forum falls within both the boroughs of Brent and Camden. To date, STRA is the only Neighbourhood Forum with an adopted Neighbourhood Plan (July 2015).

1.4 A map of the CIL Neighbourhoods and current Neighbourhood Forum boundaries is in **Appendix 1**

1.5 The Neighbourhood CIL fund available for each area is dependent on the amount of development completed. Neighbourhood CIL projects will be identified, developed and delivered as follows:

Stage 1: Review of Neighbourhood Infrastructure Priorities and Spend (January to March)

1.6 Neighbourhood priorities will be set for three years. The expectation is that any projects proposed over this three year period will align to Neighbourhood priorities. Brent's online consultation portal will be the primary means though which feedback from the wider community on these priorities will be received. This engagement will be coordinated by the Planning Policy and Projects Team. Additional engagement activities will also take place with Neighbourhood Forums, Ward Members., community groups and stakeholders to encourage residents, business and stakeholders to contribute to the priority setting process.

[1] On 1 April 2015, the Old Oak and Park Royal Development Corporation (OPDC) became the Local Planning Authority for a site which includes parts of Harlesden, Kensal Green, Stonebridge and Tokyngton wards. The areas within the OPDC boundary will be subject to separate CIL Charge and CIL spend arrangements to be determined by the OPDC.

1.7 This engagement may also include (although is not limited to):

- Visits to residents groups, community and youth centres
- Brent Connects Forums
- Public events, festivals and school fairs
- Social media

1.8 Where a Neighbourhood Forum has a Plan that has been approved at a referendum, the priorities contained in the plan should guide the projects identified; unless there is a clear reason for doing otherwise.

1.9 Following public consultation, Neighbourhood CIL priorities will be approved by Cabinet and then shared with Members, published on the Brent website and communicated to stakeholders and community groups. This publication will also confirm the value of CIL funding available in each CIL Neighbourhood and Neighbourhood Forum.

Stage 2: Neighbourhood Infrastructure - Project Identification & Development (April to September)

1.10 Community Organisations will be invited to submit project proposals that align to the Neighbourhood priorities (or Neighbourhood Plan in the case of Neighbourhood Forums). Brent Officers may also be approached to develop and cost appropriate projects that are aligned to Neighbourhood priorities.

1.11 There will be two opportunities during each financial year to submit project proposals (June and December) via **a Neighbourhood CIL project proposal form.**

1.12 Officers may also undertake background checks on financial and other aspects of an organisation. However, such checks will be proportionate to the risk e.g. the size of the project.

Stage 3: Neighbourhood Infrastructure - Project Approval & Delivery (October onwards)

1.13 A scheme will not be funded unless it meets all essential criteria. The selection criteria for projects are as follows:

- Meets the terms of the CIL Regulations
- Has community backing, including infrastructure specified in any adopted Neighbourhood Plan;
- Supports, and where possible mitigates the impact of, the development of the area;
- Reflects the priorities of the Council including the Borough Plan and the Strategic Infrastructure Plan;
- Where appropriate, longer term revenue implications have been identified and agreed.
- Benefits the broadest section of the community; and
- Offers value for money

1.14 Projects that impact multiple Neighbourhoods must demonstrate how individual CIL Neighbourhood priorities and local need will be met.

1.15 Project proposals for each CIL Neighbourhood will then be ranked according to how well they meet the shortlisting criteria by the **Head of Planning** and **Lead Member for Regeneration, Growth, Employment and Skills**, and a shortlist of projects to fund will be agreed. Projects that are not shortlisted will also receive notification and feedback on their proposals

1.16 Approved spend must be for a project

- Which is within the council or its partners' powers to deliver
- Commencing in the same year as funding is committed
- May be phased over a number of years if appropriate

1.17 Budgets can't be spent on:

- Projects that raise expectations of an ongoing service that cannot be met
- Anything that the council or its partners should be doing anyway
- Lobbying, political activity or promotion
- Projects which undermine the council or partners' policies or objectives
- Projects outside the CIL Neighbourhood area unless it can be shown that beneficiaries live in the area (though collaboration on cross-boundary initiatives is allowed)
- Projects in which Members for the ward have a declared pecuniary interest

1.18 There is no limit to the number of projects that may be agreed in each CIL Neighbourhood and there is no minimum or maximum amount that can be allocated to a project, providing it does not exceed the total available budget for the CIL Neighbourhood.

1.19 In the event that the total value of Neighbourhood CIL project proposals exceeds the value of funds available, a pipeline of projects will be maintained by the Planning Policy & Projects Team so that these projects may be considered is future years should the Neighbourhood CIL receipts allow.

1.20 Once project selection has been agreed, the **Strategic Director Regeneration & Environment,** in consultation with the **Lead Member for Regeneration, Growth, Employment and Skills**, will approve expenditure for projects under £100k in value. Projects over 100k in value will require approval by Cabinet.

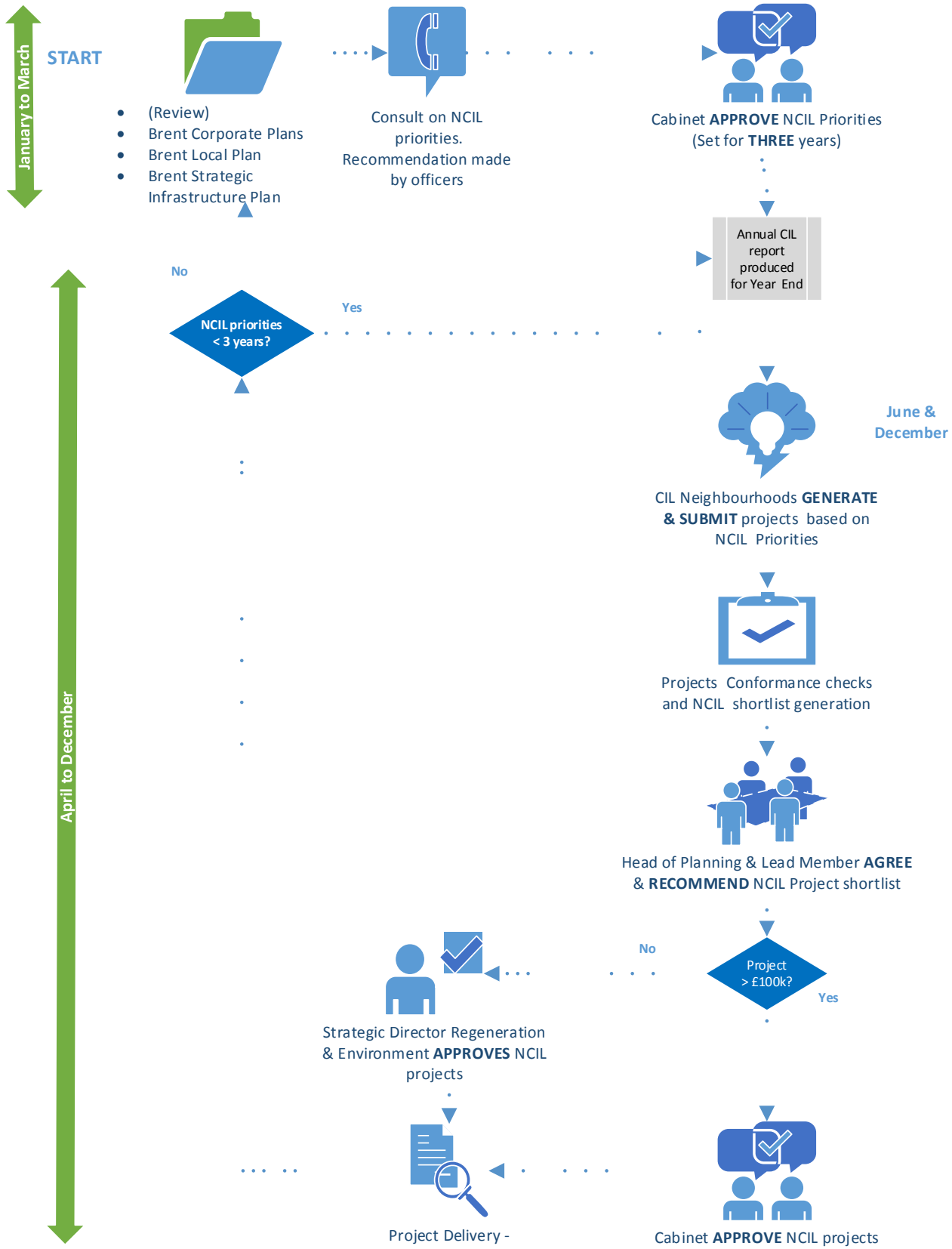
1.21 Once in delivery, projects will be monitored by the Planning Policy & Projects Team and Finance to track progress and monitor expenditure.

1.22 Upon completion, the lead delivery organisation must complete a project evaluation and The Planning Policy & Projects Team will be also be responsible for reviewing the extent to which Neighbourhood CIL Projects have contributed to the Neighbourhood priorities and use this to inform future projects.

1.23 A summary of this process can be found in Figure 1

Figure 1

Neighbourhood CIL (NCIL) Allocation Process



Publication of CIL Expenditure and Funds available

1.24 All CIL charging authorities must publish a report on their website by 31 December each year, for the previous financial year. The Planning Policy & Projects Team will be responsible for providing this annual update and monitoring the outputs and outcomes delivered by Neighbourhood projects.

1.25 Dedicated web pages relating to CIL and Neighbourhood Planning are available on the Brent website.

Press

1.26 Neighbourhood projects funded through CIL may be publicised via the council's communications team. This includes press releases and occasional articles in The Brent Magazine, social media, local papers or items on local radio.

1.27 Publicity cannot be used to promote political purposes or used in a way that is designed to affect support for a political party or individual.

Additional Notes

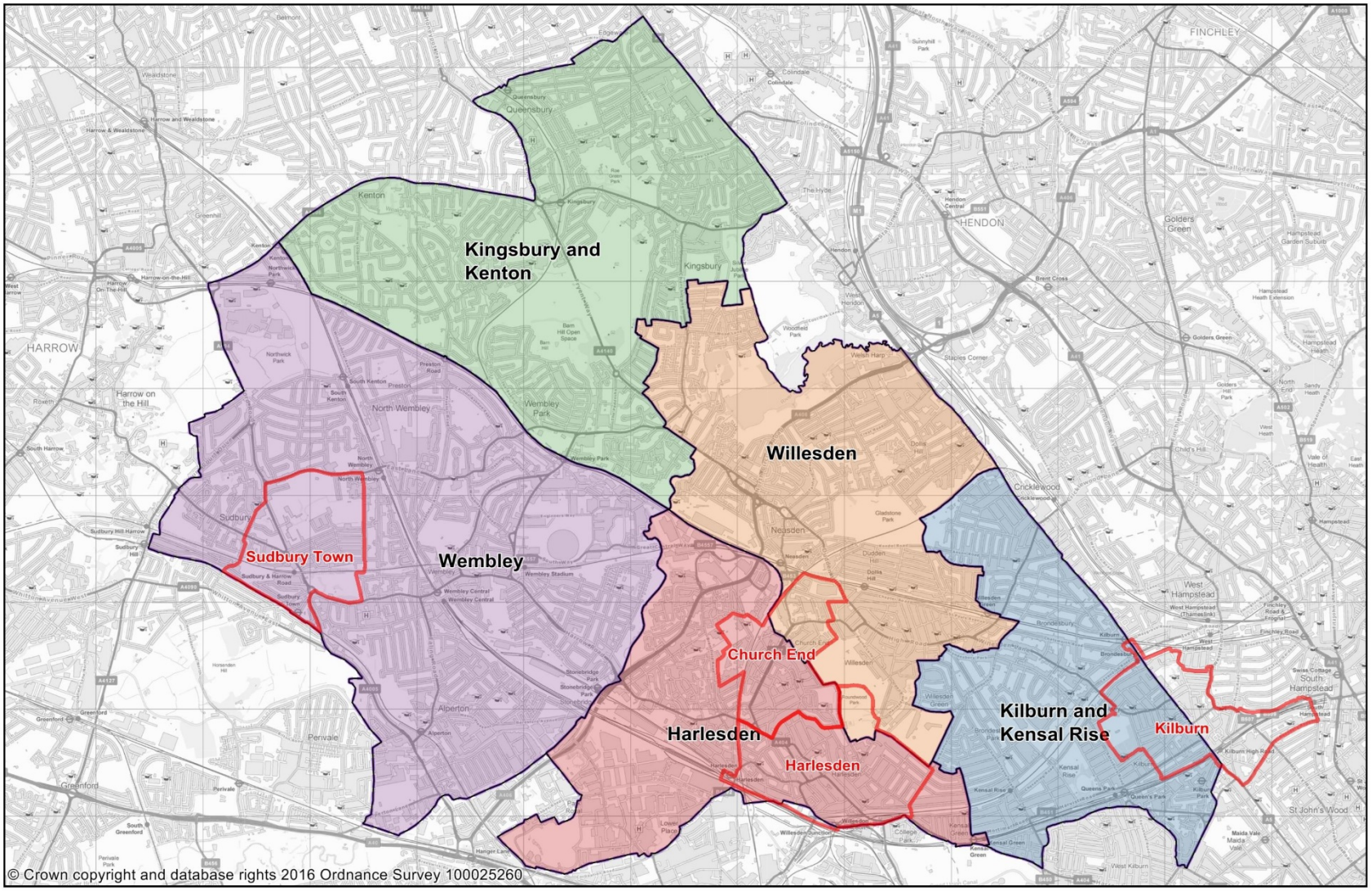
1.28 Members must abide by the Council's Code of Conduct, the Code of Practice on Publicity and the Protocol of Members and Officers Relations at all time.

1.29 Ward members must declare any interest they have in any project and this will be recorded.

1.30 Brent's Planning Policy & Projects Team may be contacted if there are any queries related to this document. The Planning Policy & Projects Team can be contacted by emailing: CILadmin@brent.gov.uk

Appendix 1 – CIL Neighbourhood & Neighbourhood Forum Boundaries*

* - The Kilburn Neighbourhood Forum falls within both the boroughs of Brent and Camden.
- Sudbury (STRA) is currently the only Neighbourhood Forum with an adopted plan (July 2015)



0 1 2 kilometres

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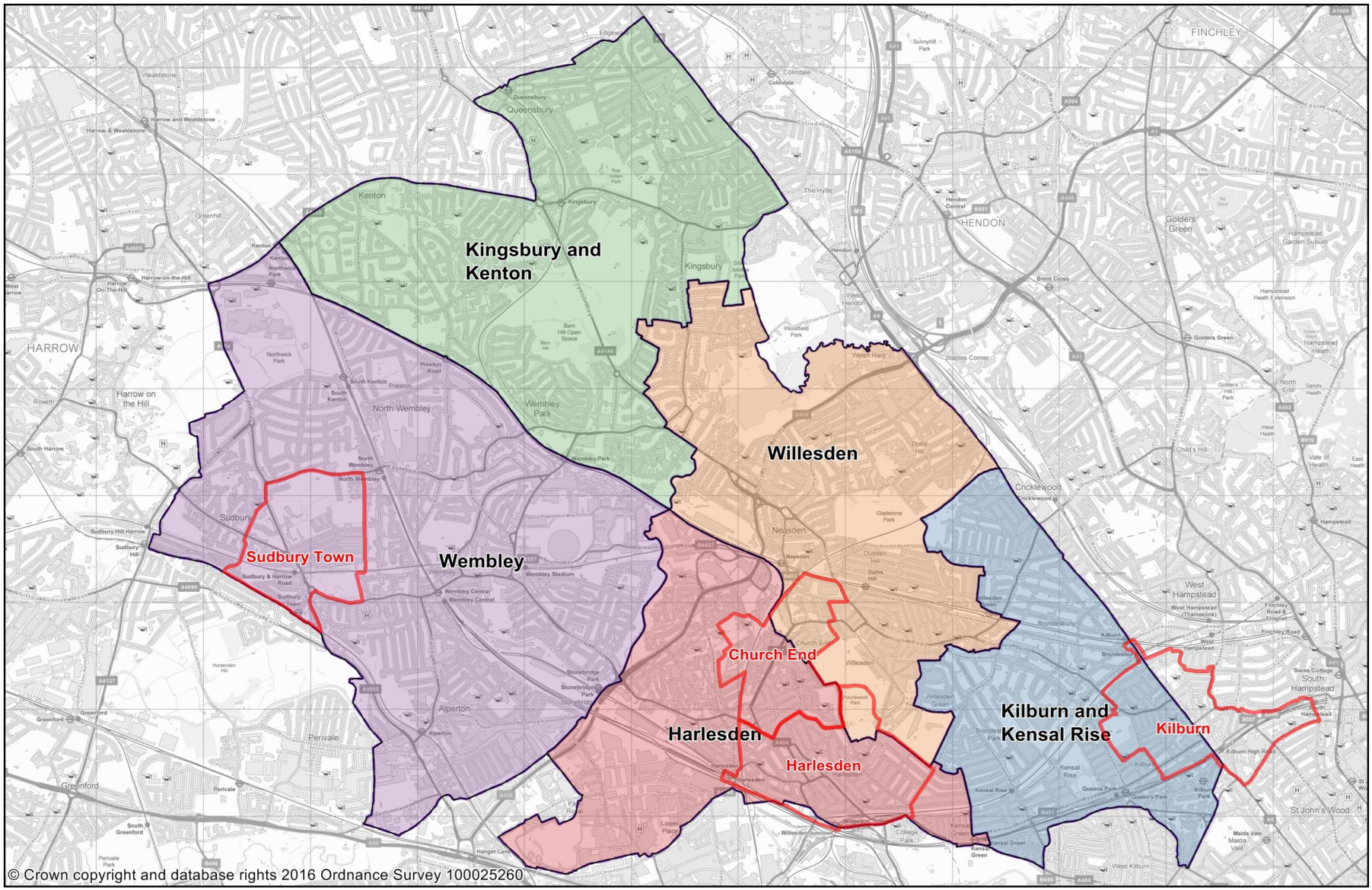
09 December 2016

Brent


Kingsbury and Kenton
Willesden
Wembley
Sudbury Town
Church End
Harlesden
Harlesden
Kilburn and Kensal Rise
Kilburn
HARROW
HENDON
FINCHLEY
Kenton
Kingsbury
Queensbury
Wembley Park
North Wembley
Sudbury
Neasden
Cricklewood
Willesden
Harlesden
Alperton
Perivale
Greenford
Brondesbury
Kilburn
West Hampstead
Swiss Cottage
South Hampstead
St John's Wood
Golders Green
Hampstead
Hampstead Heath
Staples Corner
Brent Cross
Harrow on the Hill
Greenhill
Wealdstone
Roxeth
South Harrow
Sudbury Hill
Sudbury Hill Harrow
Wembley Central
Wembley Stadium
Stonebridge Park
Willesden Junction
Kensal Rise
Kensal Green
Queens Park
Maida Vale
West Kilburn
Child's Hill
Dollis Hill
Gladstone Park
Woodfield Park
Barn Hill Open Space
Roe Green Park
Jubilee Park
Northwick Park
Preston Road
South Kenton
Preston
Horsenden Hill
Hanger Lane
College Park
Lower Place
Dudden Hill
Church End
Willesden Green
Sandy Heath
North End
West Heath
Vale of Health
East Heath
Golders Hill Park
Hampstead Heath Extension
Hampstead Garden Suburb
Sunnyhill Park
Colindale
The Hyde
Hendon Central
Hendon
West Hendon
Welsh Harp
Woodfield Park
Barn Hill
Kingsbury
Queensbury
Edgware
Belmont
Harrow & Wealdstone
Harrow-on-the-Hill
Pinner Road
Whitchurch Lane
Bridgewater Road
Stonebridge
Alperton
Greenford
Perivale
Perivale Park
South Greenford
Sudbury & Harrow Road
Sudbury Town
Wembley Central
North Wembley
Fryent Way
Neasden
Dudden Hill
Willesden Green
Brondesbury
Kilburn
Kilburn High Road
Kilburn Park
Finchley Road & Frognal
Finchley Road
West Hampstead (Thameslink)
Golders Green
Hendon Central
Brent Cross
Staples Corner
Welsh Harp

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Brent	**Cabinet** 13 February 2017 **Report from the Strategic Director Regeneration and Environment**
For Information	Wards affected: All except parts of those wards in Tokyngton, Stonebridge, Harlesden, Kensal Green that fall within the Old Oak and Park Royal Development Corporation boundary

Draft Basement Supplementary Planning Document

1.0 Summary

1.1 This report sets out the rationale for consultation on a draft Brent Basement Supplementary Planning Document (SPD). It provides a high level summary of the content of the document. It provides clarity on what are planning matters and which matters are the remit of other legislation/statutory functions. It identifies how the Council will address the non-planning matters such as environmental monitoring in a more robust manner in the future. It seeks approval by Cabinet of the draft Basement SPD for consultation.

2.0 Recommendations

2.1 Cabinet consider the draft Basement Supplementary Planning Document as set out in Appendix 1 of this report and approve its issue for public consultation.

3.0 Detail

Background

3.1 Basement development, particularly of existing residential properties has been an increasing phenomenon across London in the last decade, especially in central boroughs. At its extremes it has resulted in some streets having had the majority of homes subject to such development, or individual homes being subject to applications for 'mega-basements'; structures of multiple levels with new floorspace well in excess of the existing dwelling.

3.2 Basement development activity in Brent has been more limited both in the number of applications received (15 residential basements in existing properties in 14/15 and 18 in 15/16) and the volume of the spaces proposed. The majority of activity has been in the south of the Borough; here generally house prices are higher, plus the contraints on extending outwards and upwards reduce the opportunity to otherwise increase dwelling size.

3.3 Residential basement developments can be permitted development. These rights allow relatively sizeable basements if no new dwellings are being created. This could be for example by developing a single storey underneath the whole of a house incorporating an extension to the side or rear within the limits set by householder extension permitted development rights.

3.4 This is important in the context it creates for policy and practice. It indicates that Government nationally through current legislation and regulations regards what could potentially be quite large basement extensions as an acceptable form of development. Such permitted developments are not required to be subject to extensive planning controls or conditions. Clearly the assumption can be made that what otherwise might be identified as potential adverse impacts on the locality as a result of implementation: noise; dust; general disturbance, structural integrity and use of the highway will be dealt with by non-planning related legislation.

3.5 Although basement proposals in Brent have generally been small in number and scale, those in conservation areas do need planning permission from the council due to the Article 4 directions that remove permitted development rights within conservation areas. In recognition of the increased basement development activity and to clarify the Council's position on the matter when determining planning applications, Brent introduced interim guidance on basement development in 2013.

3.6 In response to residents' concerns about adverse impacts of basement developments councillors have requested more up to date guidance on how the Council will deal with these applications. Once the SPD is adopted it will replace the interim guidance.

3.7 Officers across a wide range of disciplines have on numerous occasions in the last year met with Councillors of the wards most affected by residential basement activity. The most recent was on 15th November chaired by the Lead Member Regeneration, Growth, Employment and Skills at that time. This included a positive and wide ranging discussion and presentation of a draft version of the SPD. There was recognition of the complexity of the differing regimes and that many aspects are covered by mechanisms outside the remit of planning legislation. As such in terms of the draft SPD it was identified that the document would benefit from better sign-posting of related matters and the times at which they might become relevant, e.g. the Party Wall Act which gives significant protection to the interests of adjacent property owners. The Operational Director Environment Services also provided greater clarity on how environmental monitoring will be taken forward in the future. These aspects and other comments received have been incorporated into the draft SPD. In addition the draft SPD has been presented to the Planning Committee on the 14th December 2016 how made no comment in terms of suggested amendment.

The draft Supplementary Planning Document contents

3.8 The basic structure of the document is:

a) Introduction and purpose of the document.
b) The planning matters
c) Checklist and list of validation requirements
d) Other regimes and controls.

3.9 The SPD provides guidance on planning matters. It supplements London Plan and Local Plan policy and, on adoption, where planning permission is needed will be a material consideration in determining planning applications. The guidance focusses on these key planning policy requirements:

a) Sustainability – Sustainable design standards are to be integral to the proposal, including its construction and operation. Basement development should optimisie natural ventilation, cooling and lighting, and utilise energy efficient products and sustainable materials.

b) Amenity – Housing developments should be of the highest quality internally and externally. Basements are only acceptable as living accommodation as part of a single dwelling.

c) Design & Heritage – Basement development should be sub-ordinate in scale to the above ground portion of building (generally they should not be more than 1 storey, or extend further than 3 metres from the rear of the property), not unduly intensify the use of a site, or cause significant environmental harm. Structures forming part of a basement are to respond positively to the building and landscape character and not create visual clutter. Basement development impacting on heritage assets should conserve and enhance their significance.

d) Trees & Gardens – Development is to contribute to local character and urban greening by preserving existing gardens, reinforcing soft landscaping and protecting trees, including those on site, on adjoining sites and within the street or other areas of public space.

e) Flood Risk & Drainage – Basement developments are to be located to avoid areas of floodrisk, minimise the risk of flooding and not contribute to flooding elsewhere.

f) Contamination – Basements which are extensions to existing housing are unlikely to be at risk from contamination, but where the potential for pollution is identified further investigation will be required which might include removal of the contamination to remove or reduce the identified risk.

3.10 The full version of the draft document is attached in Appendix 1 to this report.

3.11 Basement development is often an emotive issue for those who perceive they are likely to be adversely affected by it. The Council however, also has to be clear that the planning process can only deal with planning matters and associated conditions have to meet the 6 tests set out in regulations. The courts have also been clear that planning must not stray into matters that are the remit of other legislation. To do so would put the Council at risk of legal challenge. As such the draft SPD sets out the relevant planning matters that will be considered and need to be satisfied to enable permission to be granted. The appendix of the SPD sets out other matters which might need separate permissions or agreements under other legislation.

3.12 In recognition that much of the impacts of development are addressed through legislation outside of the planning system, Westminster has introduced a co-ordinated approach from its regulatory services to monitoring the construction phase. Applicants who receive planning permission for basement extensions and major developments in Westminster are required to adhere to the Code of Construction Practice by a pre-commencement condition attached to planning permission. Westminster's Environmental Inspectorate team undertake the following role under the code:

a) Advise applicants on the suitability of their construction management plan, including noise and dust mitigation measures
b) Advise on site planning in relation to highways and traffic issues
c) Review and agree the final construction management plan
d) Act as a community liaison, following up nuisance complaints

3.13 An hourly rate of £68 is charged. Westminster estimates that most charges will range from £7,208 to £9,248, averaging out at £8,228. Whilst Westminster obviously regards this approach to be robust, officers consider that legal advice is required if Brent is to do similar. Government proposes to remove use of precommencement conditions in all but exceptional circumstances and where they are used the applicant has to specifically agree them. The condition also covers matters addressed by other legislation and the fact that indirectly it requires the applicant to pay fees to the Council to address matters which in any case might not arise raises a number of issues about reasonableness, necessity and planning conditions addressing financial payments which is something that is prohibited.

3.14 Brent's Operational Director of Environment Services has indicated that a more pro-active approach to dealing with monitoring of construction is something that will be pursued. This will not solely be related to basements but other significant developments where environmental impacts such as damage to highways infrastructure are recognised as significant problems not currently being satisfactorily addressed. It is likely that this work will proceed in parallel with the consultation/adoption process associated with the Basement SPD. Notwithstanding this the scope of Westminster's Code is extensive (144 pages); to produce similar guidance and to plan for and allocate resource to roll out a co-ordinated approach will be challenging. As such, its timing in relation to the adoption of the SPD is currently uncertain. The wording within the adopted SPD will reflect its status at that time and advice from legal on the wording of conditions associated with planning permissions that make reference reference to adhering to the contents of any Brent Code of Construction Practice.

Consultation

3.15 The Town and Country Planning (Local Planning) (England) Regulations 2012 set out what the Council needs to do when seeking to adopt a Supplementary Planning Documents. It has to publicise the consultation, notify those that might be interested and make the document and a consultation statement available on the website, in its principal office and in other appropriate locations. It is proposed that the consultation period for the document is 6 weeks which is consistent with the regulations..

3.16 Following the consultation period representations received will be reported to a future Cabinet, along with officer comments and any associated proposed modifications prior to its recommendation for Cabinet adoption.

4.0 Financial Implications

4.1 The cost of drafting, consulting on and adopting the SPD are small and will be met from existing planning policy budgets. The main cost incurred is from staff time; consultation costs will be negligible, with a small amount of printing costs covered from existing budgets.

4.2 The environmental monitoring work proposed by the Operational Director Environment Services will be subject to separate processes with an associated business case and consultation processes for any Code of Construction Practice.

5.0 Legal Implications

5.1 Regulations provide for Local Planning Authorities to adopt Supplementary Planning Documents. These documents are to provide more detailed guidance on how a development plan policy will be interpretedin the determination of planning applications. Supplementary Planning Documents cannot introduce new policy or allocate sites for development.

6.0 Diversity Implications

6.1 The Equality Act 2010 introduced a new public sector equality duty under section 149. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Council must, in exercising its functions, have “due regard” to the need to:

1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

2. Advance equality of opportunity between people who share a protected characteristic and those who do not.

3. Foster good relations between people who share a protected characteristic and those who do not.

6.2 Statutory public consultation will be carried out in the process of preparing and adopting the Supplementary Planning Document. An Equalities Impact Assessment screening opinion has been undertaken which identified no

positive of negative impacts in relation to those with protected characteristics as a result of the document.

7.0 Staffing/Accommodation Implications (if appropriate)

7.1 None arising specifically from the draft Supplementary Planning Document.

Background Papers

Brent Basements Interim Guidance 2013

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AMAR DAVE
Strategic Director Regeneration & Environment

BASEMENT

SUPPLEMENTARY PLANNING DOCUMENT

Brent

Consultation Draft February 2017

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1.0

Introduction

1.0 Introduction

1.1 Purpose of the Document

This Supplementary Planning Document (SPD) provides guidance on planning matters related to basement development. It supplements London Plan and Local Plan policy and, where planning permission is needed, will be a material consideration in determining planning applications. Although elements of this SPD will be relevant to new build developments including basements, the guidance primarily focuses on basements as householder extensions.

1.2 Planning Permission

Some basement developments fall within permitted development rights and therefore do not require planning permission. Basement developments are more likely to require planning permission where excavation involves major works, a new separate unit of accommodation will be created, or the work involves alterations to the external appearance of your house, for example by adding light wells. If you live in a conservation area or your property is a flat you will require planning permission. If you are unsure if your basement development requires planning permission you can apply for a Certificate of Lawful Development from Brent's Development Management Team. Even where planning permission is not required other consents (as outlined in paragraph 1.3) are still required

Due to the complexity of basement developments, when permission is needed, **you are strongly encouraged to enter into pre-application advice with the Development Management Team.** You can find out more about our paid pre-application advice service on our website. **We also strongly encourage you to engage with your neighbours at the earliest stage to ensure issues are dealt with and reduce objections.**

If you live in a listed building you will require listed building consent in addition to planning permission.

1.3 Other Consents

Certain aspects of basement development are not controlled by the planning system. **As with many other types of developments there are a number of other permissions and consents that will need to be applied for in the development process, and these are summarised below and in more detail in Appendix 1.** Planning policies cannot replicate or cut across matters within the scope of other legislative requirements. As such it would be unreasonable to assume that these matters can be assessed and dealt with as part of the planning application process and indeed applications refused because they do not address these matters.

- **Building Control** - Building Regulations are required when converting an existing basement to habitable use, excavating a new basement or extending an existing basement. Building Regulations control matters such as structure, fire safety, ventilation, drainage, waterproofing, insulation, sound proofing, heating systems and access.

- **Party Wall Act** - The Act controls matters such as structural stability, method of construction and impacts on neighbouring properties.

- **Highways Act** - If you need to put a skip or building materials on the public highway, or if you wish to erect a scaffold, hoarding or gantry you will need to apply for a license under the Highways Act. You will also need to obtain the consent of the appropriate highway authority if your proposal involves any work under any part of the highway or footway.

- **Environmental Protection & Control of Pollution Act** - These Acts control matters such as nuisance from noise, dust and odour.

- **Housing Act** - If you intend to rent out accommodation there will be additional requirements under the Housing Act.

The flow diagram adjacent gives an indication of the process to be followed in applying for consents relevant to a typical basement development.

1.4 Public Consultation

You are invited to comment on this draft SPD for a 6 week period between 16 February and 30 March 2017. Further copies of this document can be downloaded from www.brent.gov.uk/spd and hard copies are available to view on request in Brent libraries. Make your comments by emailing planningstrategy@brent.gov.uk; or in writing to: Planning Policy, London Borough of Brent, Brent Civic Centre, Engineer's Way, Wembley Middlesex, HA9 0FJ. All comments must be received by 30 March 2017. Following the close of consultation all comments will be considered and the SPD amended as necessary, before being taken to the Council's Cabinet for adoption.

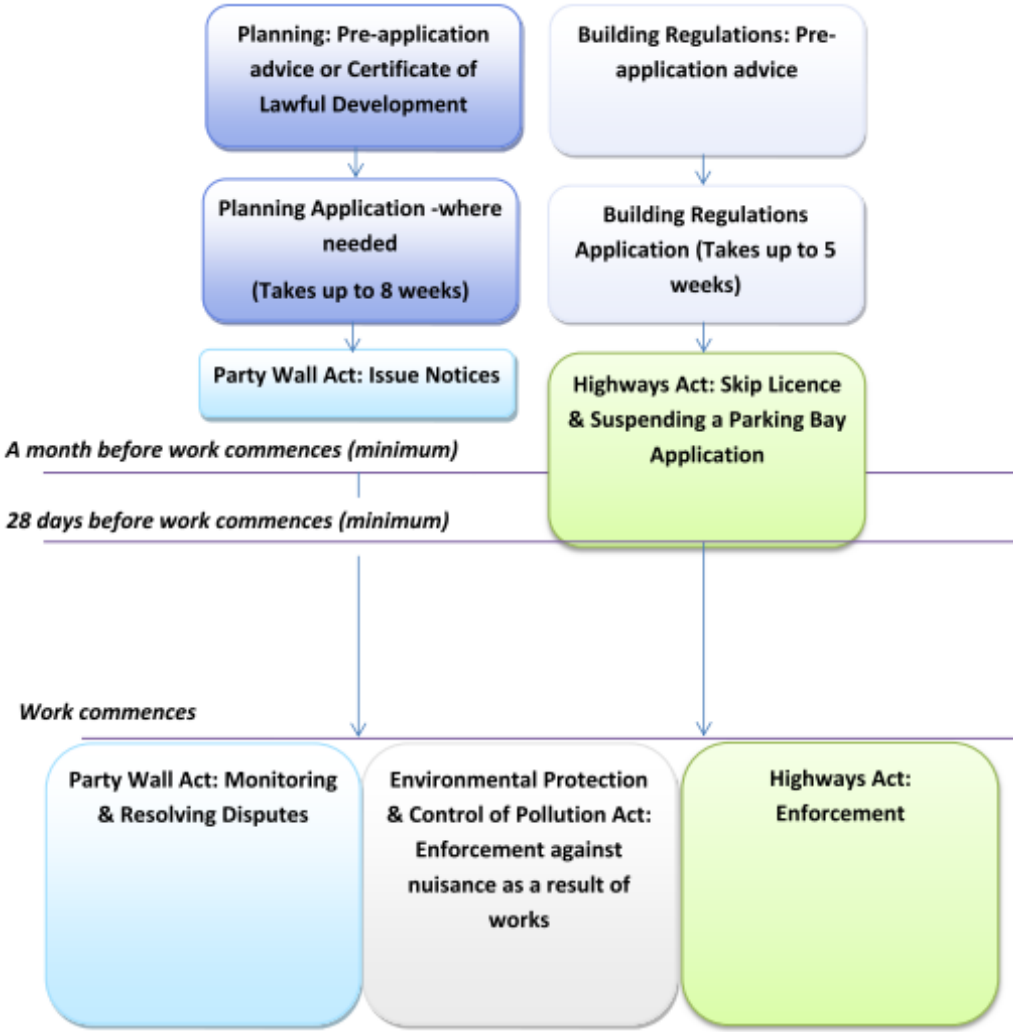
Useful links

- Certificate of Lawful Development and Pre-application Advice - www.brent.gov.uk/planning

- Conservation Areas and Listed Buildings - www.brent.gov.uk/heritage

- Building Control - www.brent.gov.uk/buildingcontrol

Basement Consents Flow Diagram



2.0

Key Planning Matters

2.0 Key Planning Matters

2.1 Planning Matters

This chapter provides detailed advice on how we will apply planning polices when making decisions on those basement developments requiring planning permissions. It brings together policy requirements in the National Planning Policy Framework, Planning Practice Guidance, London Plan and Brent Local Plan and will be a material consideration in determining planning applications.

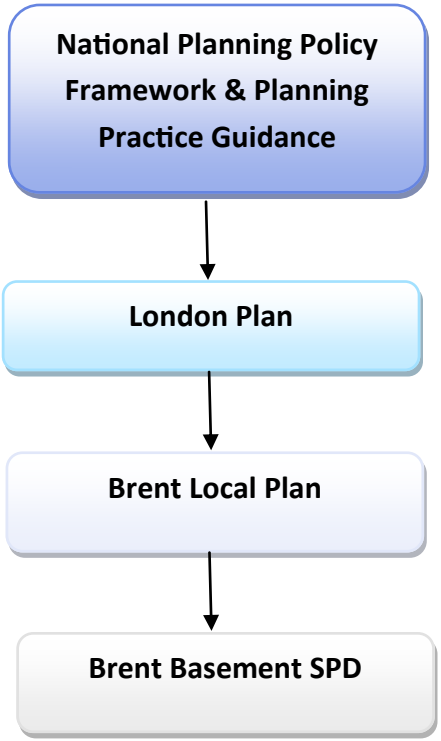


Figure 1: The Planning Policy Framework

2.2 Sustainability

Basement developments often have high energy demands due to reduced opportunities for natural light and ventilation. In addition, their construction is energy intensive.

Relevant Policies
London Plan policy 5.3 Sustainable Design & Construction
Sustainable Design & Construction SPG, GLA

Planning policy requirement: Demonstrate that sustainable design standards are integral to the proposal, including its construction and operation.

Brent Council encourages best practice in sustainable development. In designing basements consideration should be given to optimising natural ventilation, cooling and lighting. The Council encourages the use of energy efficient products, and sustainably, responsibly sourced materials. In addition biodiversity and green infrastructure should be protected and reinforced as outlined in section 2.5.

2.3 Amenity

Due to issues around daylight, ventilation and flood risk basements do not provide quality residential accommodation in isolation. A basement forming a separate dwelling is unlikely to accord with the requirements of Building Regulations, the Housing Act, Environmental Health standards or amenity standards set out in planning policy.

Relevant policies
Brent Local Plan DMP 1 Development Management Policy General
London Plan policy 3.5 Quality & Design of Housing Developments
Housing SPG, GLA

Planning policy requirement: Housing developments should be of the highest quality both internally and externally. Basements are only acceptable as living accommodation as part of a single dwelling.

Development must optimise amenity, including natural daylight and ventilation. Consideration should be given to using products which facilitate improved light penetration, such as reflective devices in to habitable rooms.

2.4 Design & Heritage

Basement developments can result in a loss of gardens which cumulatively impact on the character of an area. They can also include external features, such as roof lights, lightwells and railings. If poorly designed and located these features can create visual clutter and detract from the character of an area. This can have a particularly detrimental impact on heritage assets including conservation areas, listed and locally listed buildings. Furthermore, given that basements involve excavation work, particular regard must be given to the potential to affect archaeological remains.

Relevant policies
Brent Local Plan DMP 1 Development Management Policy General
Brent Local Plan DMP 7 Brent's Heritage assets
London Plan policy 7.4 Local Character

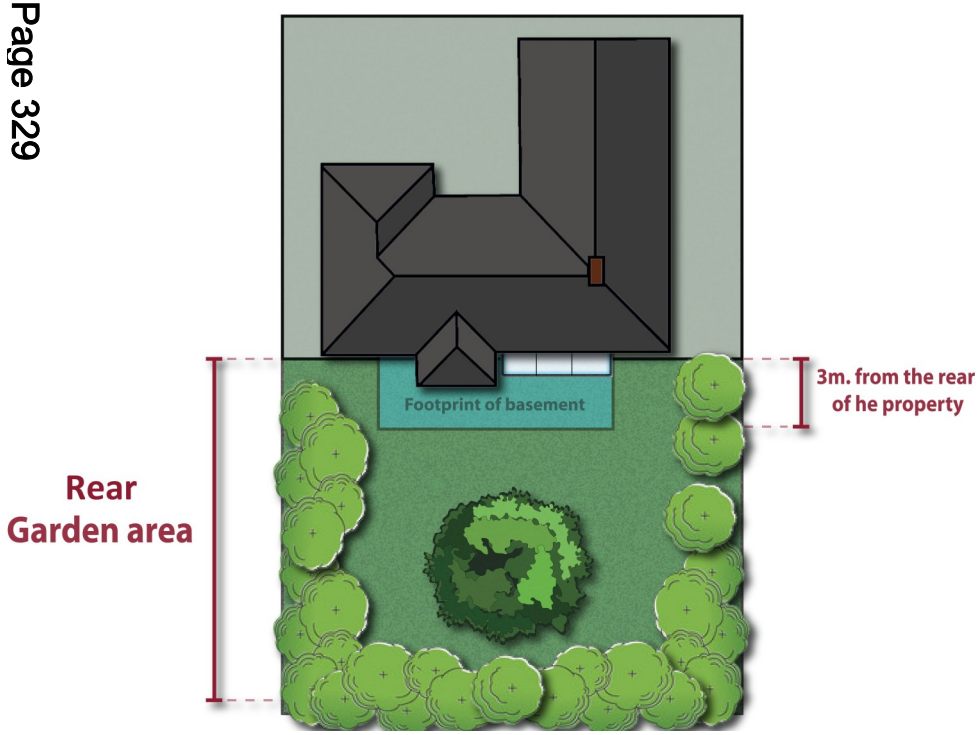
Planning policy requirement: Basement development should be sub-ordinate in scale to the above ground portion of building, not unduly intensify the use of a site, or cause significant environmental harm. Structures forming part of a basement are to respond positively to the building and landscape character and not create visual clutter. Basement development impacting on heritage assets should conserve and enhance their significance.

Scale

Basement development should not:

- be wider than the original house;
- extend further than 3m from the rear of the property; or
- involve excavation of more than 1 storey (4m floor to ceiling height for a detached house or 3m in other cases).

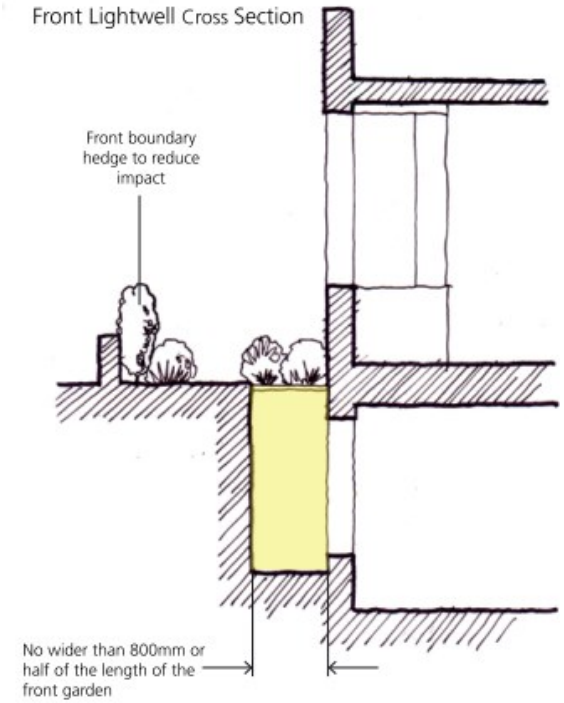
In exceptional circumstances, such as major commercial or residential developments, a larger basement may be acceptable subject to consideration of all other factors.



External Elements

Basements must be designed so that above ground structures do not create visual clutter or negatively impact on the character of an area. Roof lights will only be acceptable if flush and close to the rear of the building.

Light wells are to be modest in scale and located to the rear of the property wherever possible. If new front light wells are proposed they should project from the front wall of the house by no more than 800mm or half the length of the front garden, which ever is less. On bay fronted houses the light wells must follow the profile of the bay and be no wider than the bay or windows above. Light wells should be finished with a horizontal metal grill or flush glazing and not a vertical balustrade.



Consideration should also be given to how light wells and roof lights can be screened for privacy. Metal railings or reinforced glass alongside soft landscaping are the most appropriate solution as they do not reduce permeation of light. In all cases robust, high quality materials should be used which reflect the character of the property and area. In the case of light wells to the front of the property, if front boundary hedges don't currently exist they will need to be planted behind the front wall to reduce visual impact.

Alterations to infill existing front light wells will not be supported.

Heritage

A Heritage Statement will be required for any basement development for or affecting a heritage asset, including a conservation area, listed or locally listed building, registered park or garden. Within conservation areas, there are additional safeguards to ensure development does not harm the special character of the areas. As such permitted development rights do not apply in Conservation Ares. It must also be demonstrated how the proposal accords with the Conservation Area Design Guide.

Listed Building

Applications for listed buildings will be assessed on a case by case basis. You can find out if your property is listed online at: www.brent.gov.uk/heritage. It must be demonstrated the development will preserve the hierarchy and interrelationship of spaces, existing fabric, structural integrity of the building, and any features that are architecturally important.

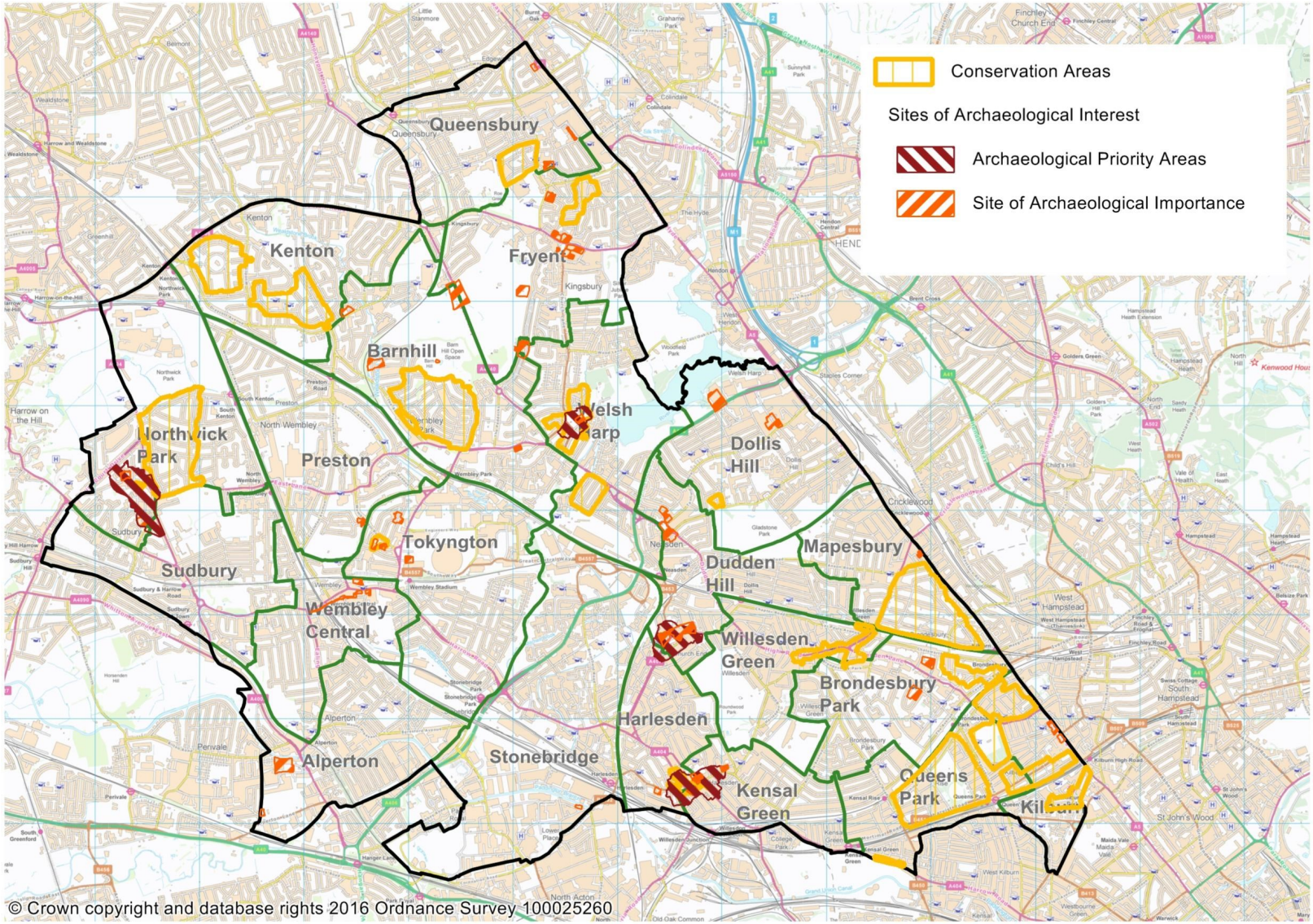
A number of listed buildings in the borough already have basements and this is part of their character. However, simpler more modest properties were not constructed with such a feature. Introducing such a feature to these properties will affect the original building's historic integrity. The historic floor levels, location and hierarchy of rooms, foundations, scale, plan form and historic features can all be harmed by the introduction of a basement or an extension of an original basement, cellar or vault. Therefore, in most cases, the special architectural or historic interest will be harmed and the application will be resisted.

Furthermore, we will need to be satisfied that effective measures will be taken during demolition and construction works to ensure that damage is not caused to the listed building.

Archaeology

An Archaeological Assessment will be required for applications within Archaeological Priority Areas and Sites of Archaeological Importance. These areas and sites are shown on Map 1 and also the Brent online policies map

at www.brent.gov.uk/policies-map. Within these areas a desk based assessment will be required, and where necessary a field evaluation. Even outside of these areas vigilance for archaeological remains will be required during construction.



Map 1. Heritage Assets

2.5 Trees & Gardens

Construction of basements can have a direct or indirect impact on survival of trees. They can also result in a loss of gardens which, in isolation and cumulatively, can negatively impact on the character of an area, biodiversity and surface water run off.

Relevant Policies
London Plan policy 5.10 Urban Greening
London Plan policy 7.4 Local Character
London Plan policy 7.21 Trees and Woodland

Planning policy requirement: Development is to contribute to local character and urban greening by preserving existing gardens, reinforcing soft landscaping and protecting trees, including those on site, on adjoining sites and within the street or other areas of public space.

An initial site survey should be undertaken to ascertain the likely impact on trees and gardens. Where a basement development is likely to impact on trees on site, on adjoining sites and street trees, an Arboriculture Report will be required. It should be demonstrated that:

- trees of value will be retained;
- the impact on retained trees, both during and post construction, will be minimised;
- sufficient rooting volumes and access to deep soil areas will be provided to ensure long term survival of trees; and
- any tree or root loss will be mitigated following the 'right place right tree' principle.

Basement development is to extend no further than 3m from the rear of the property into the garden. Roof lights should be located close to the building to minimise disruption to garden.

Where a basement development will impact on the garden, soft landscaping will be required to be reinstated and reinforced following completion. Where light wells are proposed the remaining front garden should be re-landscaped to provide at least 50% soft landscaping. Consideration should be given to how planting can be used to create privacy, soften the built form and contribute positively to local character.

2.6 Flood Risk & Drainage

Basements are low lying and therefore highly vulnerable to all forms of flooding, including fluvial (rivers), pluvial (surface water and sewers) and groundwater. They can also affect off-site surface water flood risk. Parts of the borough are affected by flooding from the River Brent and its tributaries. Map 2 provides an indication of flood zones in the borough. The Environment Agency's online flood map, which provides greater detail and is updated annually, can be viewed online at: http://maps.environmentagency.gov.uk.

The geology of Brent consists predominantly of London Clay underlain by a chalk aquifer. The London Clay acts as a protective barrier both to infiltration as well as rising groundwater from within the chalk aquifer. Localised flooding in the borough is therefore usually related to local surface drainage issues rather than groundwater. Local drainage issues could include surcharge of the underground sewer system, overland flow from blockage of culverts and gullies, and surface water flooding. The Brent Strategic Flood Risk Assessment (SFRA) includes recorded data on localised flood events.

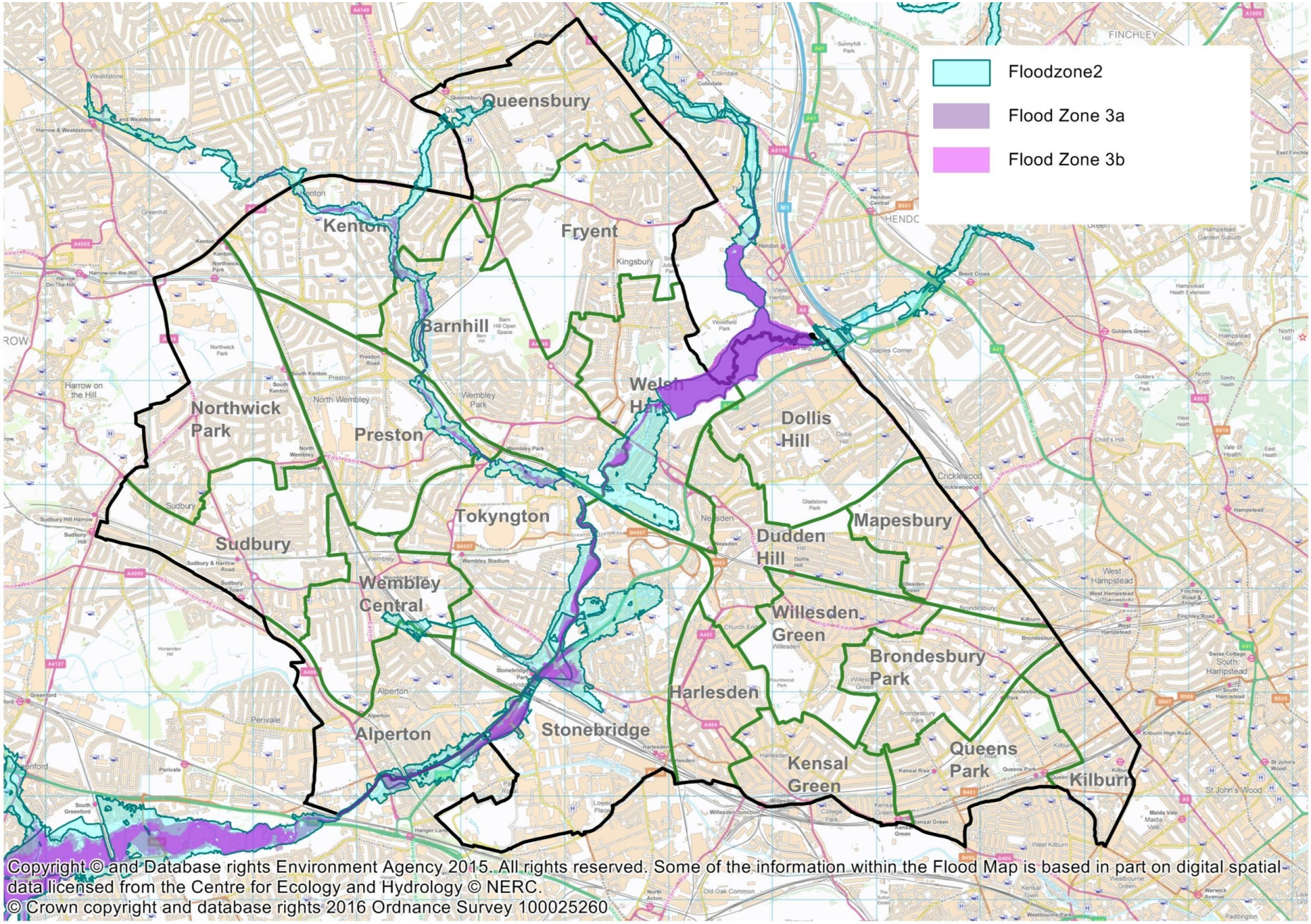
Relevant Policies
Planning Practice Guidance on Flood Risk
London Plan policy 5.12 Flood Risk Management
London Plan policy 5.13 Sustainable Drainage
Brent Local Plan DMP9a Managing Flood Risk
Brent Local Plan DMP9b Water Management and Surface Water Attenuation

Planning policy requirement: Basement developments are to be located to avoid areas of flood risk, be designed to minimise risk from flooding and not contribute to flooding elsewhere.

The Environment Agency classes self-contained basement dwelling (i.e. with no internal access to the upper floors) as 'highly vulnerable' to flooding. Such uses are not permitted in flood zone 3a or 3b. A basement dwelling with access to upper floors above the flood level (plus climate change allowance) or an extension to an existing dwelling would be classed as 'more vulnerable,' and may be acceptable in flood zone 3a subject to the exceptions test. To pass the exceptions test it must be demonstrated development will provide wider sustainability benefits to the community that outweigh flood risk, and that it will be safe for its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall. A summary of the requirements for each flood risk zone is included in Table 1.

Table 1: Flood Risk Requirements

Flood risk zone	Self-contained basement dwelling (Highly vulnerable)	Basement dwelling as an extension/access to upper floors above flood level (More vulnerable)	Flood Risk Assessment Required
1	May be acceptable but consider flood resilience		No
2			Yes
3a	Not acceptable	Subject to exceptions test	Yes
3b	Not acceptable	Not acceptable	Yes



Map 2. Flood Zones

London Plan policy 5.13 requires development to include Sustainable Urban Drainage Systems (SUDS) and aim to achieve Greenfield run-off rates. Details of how the development will meet this requirement and not increase flooding elsewhere are to be set out as part of the planning application. In areas with a history of localised flooding, applications should be informed by a site specific assessment of geological and hydrological conditions.

Brent's SFRA and Surface Water Management Plan states all basement developments should be fitted with resilience measures. Building regulations require resilience measures, including waterproofing of walls and floors, and inclusion of a positive pumped device to protect from risk of sewer flooding in line with Thames Water recommendations.

2.7 Contamination

Basements which are extensions to existing housing are unlikely to be at risk from contamination, but where the potential for pollution is identified further investigation will be required.

For development on land that may have been associated with a potentially contaminative use an initial assessment of this risk will need to be carried out by a suitably qualified person. Sites with a history of industrial use are shown in Map 3. Remediation will be required where unacceptable risks are identified.

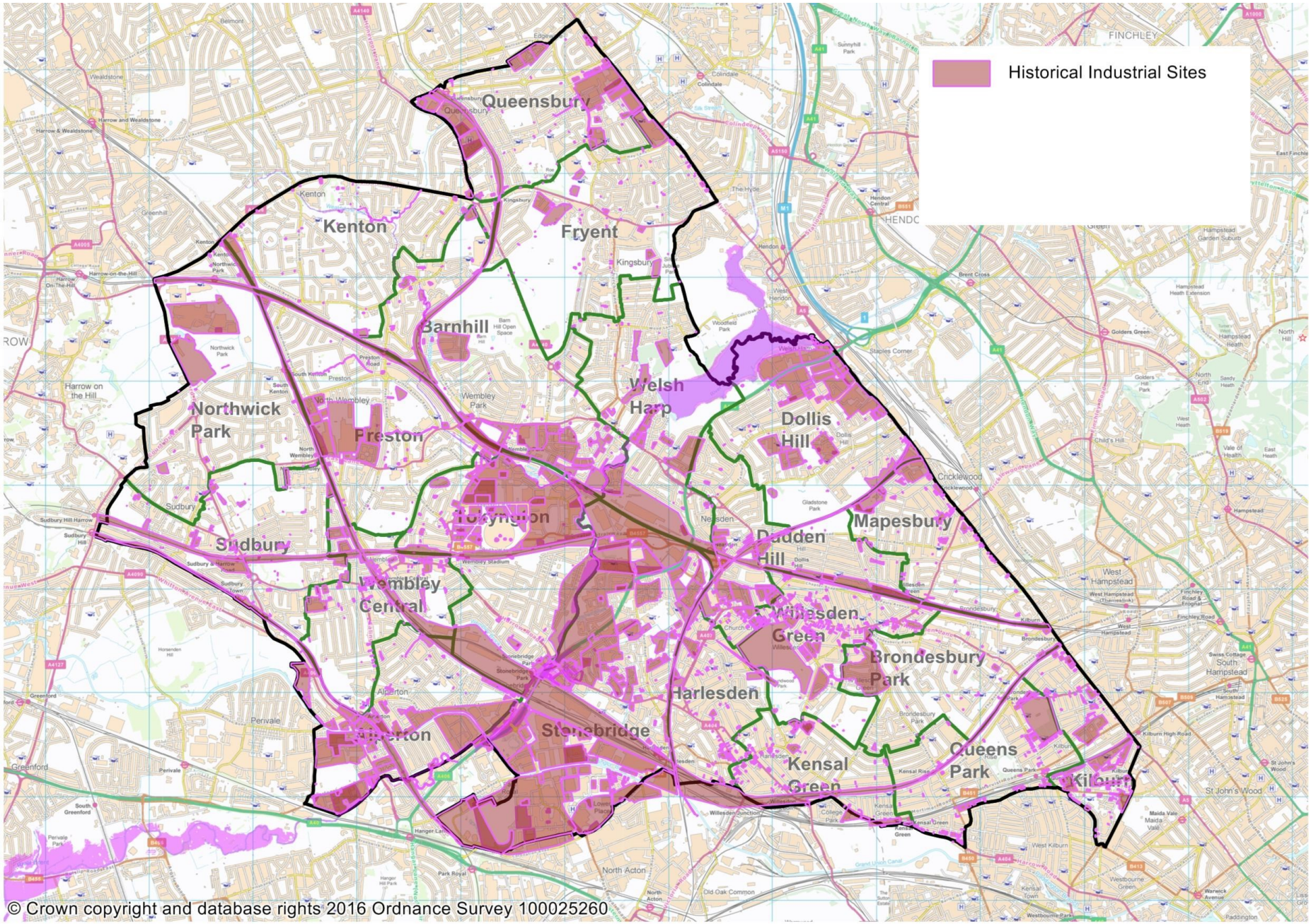
Relevant Policies
Planning Practice Guidance Land Affected by Contamination
London Plan policy 5.21:Contaminated Land

Planning policy requirement: Appropriate measures are to be taken to ensure that development on previously contaminated land does not activate or spread contamination, and that after remediation land must be suitable for use.

2.8 Construction

It is not the purpose of the planning system to assess the structural stability of works, this is assessed through other controls including Building Regulations and the Party Wall Act. If you do not take appropriate action to ensure the structural stability of works you risk damage to your own property and potentially neighbouring properties, which could result in legal action. As outlined in appendix 1 adjoining owners should be given notice of works and offered a party wall award. This will agree the technical requirements to ensure structural stability of existing properties and it is therefore highly advisable that you use people with the necessary experience and technical expertise in the construction phase to deliver these requirements.

Informatives and conditions will be applied relating to construction as appropriate.



Map 3. Historic Industrial Sites

3.0

Checklist of Requirements

3.0 Checklist of Requirements

This checklist should be used to help ensure the principles in this SPD have been met.

General

- Have you undertaken consultation with neighbours prior to submission of the planning application, to ensure issues are sufficiently dealt with and reduce objections?
- Have you entered into a party wall agreement with your neighbours?
- Have you provided your neighbours with an indicative timetable of works and the contact details of the site manager?

Sustainability

- Has natural ventilation, cooling and lighting been optimised?
- Have you sought to use energy efficient products and sustainably, responsibly sourced materials?

Amenity

- Is the basement development to be part of a single dwelling?
- Will suitable amenity be provided, including natural light and ventilation?

Design & Heritage

- Is the basement subordinate in scale to the original building (see section 2.4)?
- Has it been ensured works respect the character of the area (i.e. will not result in the loss of trees, gardens or infilling) and, where relevant, be consistent with the Conservation Area Design Guide?
- Are any external features modest in scale, located to the rear of the building and close to the building?
- Have robust and high quality materials been used?
- If the site is within an Archaeological Priority Area or Sites of Archaeological Importance is the application supported by an Archaeological Assessment?

Trees & Gardens

- Does the development have the potential to impact on trees on site, on adjoining sites and street trees? If so is the application supported by an Arboriculture Report?
- Will soft landscaping be reinforced?

Flood Risk & Drainage

- In the case of self contained basement dwellings, is the development outside of flood zone 3?
- If the basement is an extension to an existing dwelling and in zone 3b has the exceptions test been met?
- If the development is in flood zone 2 and 3 is the application supported by a Flood Risk Assessment?
- Is the basement resilient to the risk of flooding, and will not increase flooding elsewhere?

Contamination

- If the site is potentially contaminated has a Preliminary Risk Assessment, and if necessary, site investigation been undertaken by a suitably qualified person?

Validation Requirements

Alongside standard validation requirements, the following information must be submitted alongside basement planning applications, where relevant.

Validation Requirement	When required
Site Survey	All basement applications
Tree/Arboriculture Report	Where the proposal is in proximity to trees within site, on adjoining sites or street trees. To be agreed with Landscaping Team.
Landscaping Assessment	Where a basement development will impact on a garden. To be agreed with Landscaping Team.
Heritage Statement	Where the application is for or impacting on a heritage asset, including a conservation area, listed or locally listed building, registered park or garden.
Archaeological Survey	Within Archaeological Priority Areas and Sites of Archaeological Importance. (see policies map)
Flood Risk Assessment/ Drainage Strategy	Where proposal is in flood risk zone 1 or 2 (see Environment Agency flood zone map), or where there are localised flooding issues.
Land Contamination Assessment	Where there is a risk of contamination.

The site survey is to record existing ground levels and landscaping on the site and on adjoining boundaries. It should include:

- levels - across the site (front to back and side to side) as well as that of adjoining property;
- established landscaping and any significant other planting including tree canopies and root areas;
- details of areas of existing hard and soft landscaping.

Appendix 1:

Other Regimes & Controls

Other Regimes & Controls

Building Control

Building regulations are required when converting an existing basement to habitable use, excavating a new basement or extending an existing basement. Building Regulations control matters such as structure, fire safety, ventilation, drainage, waterproofing, insulation, sound proofing, heating systems and access.

Brent Building Control Contacts & Useful Links

- 020 8937 5210 or planandbuild@brent.gov.uk
- www.brent.gov.uk/buildingcontrol

Party Wall Act

The Party Wall Act provides a framework for preventing or resolving disputes in relation to party walls, party structures, boundary walls and excavation near neighbouring buildings. In relation to basement developments, the Act applies when excavation is:

- within 3 metres of a neighbouring structure;
- would extend deeper than that structure's foundations; or
- within 6 metres of the neighbouring structure and which also lies within a zone defined by a 45 degree line from that structure.

Adjoining owners must be informed of work by serving a notice at least one month before the planned start date for excavation. **If work commences without notice being given in the proper way, adjoining owners may seek to stop work through a court injunction or seek other legal redress.**

If the adjoining owner/s gives written notice within 14 days consenting to the proposed works, the work (as agreed) may go ahead.

If the adjoining owner does not respond, or objects to the proposed work, a dispute is regarded as having arisen. Under the Party Wall Act in the event of a dispute a surveyor or surveyors are appointed. The surveyors are then responsible for:

- agreeing the structural method statement and any necessary additional investigation into issues such as groundwater;
- drawing up the party wall award;
- monitoring works to ensure compliance with the terms of the award;
- resolving disputes between owners during construction; and
- deciding whether there is damage which needs to be put right.

The Party Wall Act allows adjoining owners to request the building owner to provide a bond or insurances to provide security in the event of a dispute. The money remains the building owner's throughout but can be drawn upon to pay for rebuilding or repair, in the event the surveyors identify there is damage as a result of the works which needs to be put right.

Party Wall Act Useful Links

- www.gov.uk/guidance/party-wall-etc-act-1996-guidance

Highways

Under the Highways Act a licence is required to put a skip or building materials on the public highway, reserve space for deliveries/trades within a controlled parking zones, erect a scaffold, hoarding or gantry. Consent is also required from the appropriate highway authority for proposals involving any work under any part of the highway or footway.

It is the responsibility of the householder to ensure they have a licence, and the builder has responsibility for following the licence conditions. Materials are not allowed to block the public highway, or to damage or stain public ground. Permission is also required to store materials in a controlled parking bay.

If materials are being stored on the public highway without a licence this can be reported to coo@brent.gov.uk; or in a parking bay without permission to parking.suspensions@brent.gov.uk. Damage to the public realm can be reported to the Council at coo@brent.gov.uk. Please note that the Council can only take action against contractors who have damaged the public realm where there is sufficient evidence. Therefore to assist investigations in your email please include photographs, the company name and vehicle registration number.

Highways Useful Links

- Skip Licence Application Service - www.mylicence.brent.gov.uk
- Parking Bay Suspension Application Service - www.brent.gov.uk/services-for-residents/parking/suspending-a-parking-bay-and-dispensations

Noise, Vibration & Dust Complaints

The Council's Community Protection Team (Environmental Health) enforces issues related to the Environmental Protection Act and Control of Pollution Act. In the first instance disturbance experienced during works should be reported to the site manager and, where a party wall award is in place, the appointed surveyor. If nuisance from noise, dust, vibration or any other environmental impacts from the ongoing development continues, this should be reported to the Council's Community Protection Team for investigation. The Council limits noisy works to Monday to Friday - 08:00 to 18:00; and Saturday - 08:00 to 13:00. Where noisy works occur outside these hours or on Sunday or Bank holidays the Council will investigate.

Community Protection Contact Details

- during office hours (Mon-Fri 9am to 5pm) – 020 8937 5252 or customer.service@brent.gov.uk; or
- outside of these hours (Mon- Fri 5pm to 2am, Sat and Sun 6pm to 2am) 020 8937 1234 ens.noiseteam@brent.gov.uk; or business.licence@brent.gov.uk

Housing Act

If you intend to rent out accommodation there will be additional requirements under the Housing Act.

Planning Policy & Projects Team

Brent Civic Centre

Engineer's Way

Wembley HA9 0FJ

www.brent.gov.uk/localplan

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Brent	**Cabinet** 13 February 2017 **Report from the Strategic Director Regeneration and Environment**
For Information	Wards affected: All except parts of those wards in Tokyngton, Stonebridge, Harlesden, Kensal Green that fall within the Old Oak and Park Royal Development Corporation boundary

Updating Brent Council's Planning Strategy (The Local Plan)

1.0 Summary

1.1 Over the last decade Brent has seen some incredibly positive transformational change in its built environment and the associated opportunities this has provided for its residents and businesses. An example of this has been the completion of the National Stadium and the catalytic effect this has had on the comprehensive planning and delivery of a major new neighbourhood in Wembley Park. Other examples include significant progress on the regeneration of estates such as South Kilburn and Stonebridge providing award winning dwellings that have improved resident's quality of life and life chances. This investment and action has been facilitated by a strong planning policy framework providing clarity and confidence to the local community, developers, businesses and other investors.

1.2 Brent's Local Plan, although comprehensive is in need of review. In particular this is necessary to allow the Council and the community to continue to be on the front foot in shaping and driving future spatial and related change and to consider the spatial implications of global, national, regional and local changes. It provides an opportunity to think about how Brent can address having enough homes for people to live in, where people will work, how people will use public and private transport, what High Streets will need to be like, how we can build in resilience to air pollution and climate change impacts, and so on .

1.3 A significant issue is that whilst meeting short term housing needs, the current Plan does not adequately address longer term spatial planning needs set out in the current and soon to be revised London Plan. There also needs to be clarity on where the expected increased population will be able to work and access the necessary social infrastructure required in a successful place.

1.4 As it has a fundamental impact on Brent's future, the review of the Spatial Plan will be subject to extensive and wherever possible innovative and interactive engagement to encourage greater participation with the community as well as many others. The greater the level of participation, the stronger the Plan will be. As such it provides an opportunity to bring together, invigorate and enthuse Brent's residents and businesses in participating in delivering a vision for continuing to improve Brent to 2035 and beyond. It is also a critical element in drawing together and seeking to meet many of the Council's objectives in improving the quality of life and life chances of the population.

1.5 The report considers:

- the need to, and indicative timescales for, updating the Council's planning strategy (the local plan);
- a proposed mechanism to ensure corporate and councillor input to considering and developing policies
- approach to reviewing and updating supplementary planning documents

2.0 Recommendations

2.1 Cabinet approves the commencement of a review and update of the existing development plan documents and supplementary planning documents in accordance with a revised Local Development Scheme set out in Appendix 1.

2.2 Cabinet approves the establishment of a Local Plan Member Liaison Group to enable discussion and input to developing planning policy and consultation material prior to the Publication Stage of the Local Plan

2.3 Cabinet delegate authority to the Strategic Director Regeneration and Environment in association with the Portfolio Holder Regeneration, Growth, Employment and Skills to approve draft Supplementary Planning Documents, other planning guidance and Development Plan consultation material to be issued prior to pre-Publication (Regulation 19 of the The Town and Country Planning (Local Planning) (England) Regulations 2012) stage.

2.4 Cabinet approves the revocation of the existing Supplementary Planning Guidance and Supplementary Planning Documents as set out in Appendix 2.

3.0 Background

3.1 Much of the regeneration and growth ambitions for Brent will be achieved through urban renewal and creation of new places, homes and jobs. A clear and robust planning strategy setting out a spatial vision for the Borough as a whole and in particular areas of change will provide clarity, certainty and an investment framework for residents, partners, businesses and inward investors. It will also provide a decision making framework for planning applications and aid alignment of many council strategies. Additionally, it will provide a framework for potential infrastructure funding.

3.2 The drive to enhance the environment of Brent, bring in additional jobs and homes for an expanding population, and to support London as a world class city, brings both challenges and opportunities. The overarching planning strategy, supported by more detailed guidance and policies, gives Brent the chance to understand these circumstances, review the evidence, think ahead

about the future of the Borough, make site allocations and set the framework for investment and infrastructure.

Brent's Current Planning Strategy

3.3 Brent's current planning strategy comprises:

- Core Strategy (2010)
- Site Allocations Plan (2011)
- Area Action Plan for Wembley Growth Area (2015)
- Development Management Policies 2016
- Joint West London Waste Plan (2015)
- Sudbury Neighbourhood Plan (2015)

3.4 Brent has a suite of non statutory supplementary planning documents (SPDs), other guidelines and conservation area statements which provide finer detail on the implementation of policies and should be regularly reviewed.

The need for updating

3.5 Since the adoption of the core strategy and the site allocations plan there have been some significant changes in national policy which Brent's local plan needs to reflect. National policy also requires plans to be reviewed and updated every five years.

3.6 The Housing and Planning Act 2016 and the Neighbourhood Planning Bill will introduce further changes, for example supporting self/custom build, brownfield registers and permissions in principle on allocated housing sites. An increased emphasis on higher densities and delivery of consents is likely.

3.7 Brent's housing policies are now out of date as they were based on London Plan target applicable in 2010 of 1065 dwellings per annum. Alterations to the London Plan have increased Brent's target to 1525 per annum. Brent's Strategic Housing Market Assessment 2016 (SHMA) identified a housing need of 1826 dwellings per year. Anticipated changes to government policy could result in an even higher figure needing to be provided in the Borough.

3.8 The updated Local Plan will also reflect the priorities set out in the Brent 2020 plan.

3.9 To achieve these targets (which national policy requires), there will need to be some radical solutions and even greater drive to support housing delivery, whilst balancing against other needs of the population and protecting/ensuring a high quality built and green environment. This needs to be played out and tested through the Local Plan.

3.10 The educational pressure within the Borough also necessitates a clear strategy to accommodate school expansion to meet the growing numbers of children, especially at secondary school level.

3.11 The Borough also needs an infrastructure delivery plan to ensure strategic oversight of infrastructure, linked to spending CIL and S106 monies.

3.12 The Secretary of State can intervene where a Council's plan is deemed to be out of date (especially if there is no five year land supply), where delivery targets are not being met, and where insufficient progress towards getting an up to date plan in place is being made. Brent is not thought to be at risk at the moment of intervention, but it is a risk if progress on updating the strategy is not made.

3.13 In addition to the formal, statutory parts of the plan, it is appropriate to review existing supplementary planning documents/guidance and update (with consultation), or remove, as appropriate. The work done to support these, including on conservation areas and heritage assets, form a helpful part of the evidence base which will inform the substantive policies relating to sustainable development in the Borough.

3.14 An indicative timetable for the work on updating the plan is set out in an amended Local Development Scheme in Appendix 1. The Council has sought critical friend advice from the Planning Advisory Service during December. The advice received was that the timetable was challenging given the whole plan review, but achievable if the resources identified were available.

Priorities for plan updating

3.15 Much of the work on updating the local plan can run concurrently, but the most pressing areas to progress with are:

- Long term vision and objectives
- Call for sites/site allocations (including education)
- Establishing the housing target
- Infrastructure delivery plan (including education)
- Responding to national and regional policy changes and requirements

Local Plan Member Liaison Group

3.16 The Local Plan will require approval/sign off from Cabinet and Full Council, with consideration by Scrutiny, at various stages. It is imperative however, that Cabinet Members, senior management, other Members and officers are involved in the early stages of the scoping of the Plan, understanding evidence and setting the policy direction.

3.17 To facilitate this in relation to member involvement it is proposed that a politically and spatially representative Local Plan member liaison group is established. The group would consider policy based topic papers (e.g. housing or employment) which set out evidence, the national and strategic policy framework and initial thoughts on the direction of travel for policy. The purpose is to discuss and explore policy rather than decide policy which will remain the domain of Cabinet and Council.

3.18 As far as possible the topics will align with the themes in the new London Plan, which is being developed.

3.19 The meetings would be chaired by the Portfolio Holder. The Chair of Planning Committee and up to 10 other members would form the group. Relevant senior officers from across the council would be invited to contribute to

discussions on specific policy areas where relevant. An overview of the engagement stages is set out in Figure 1.

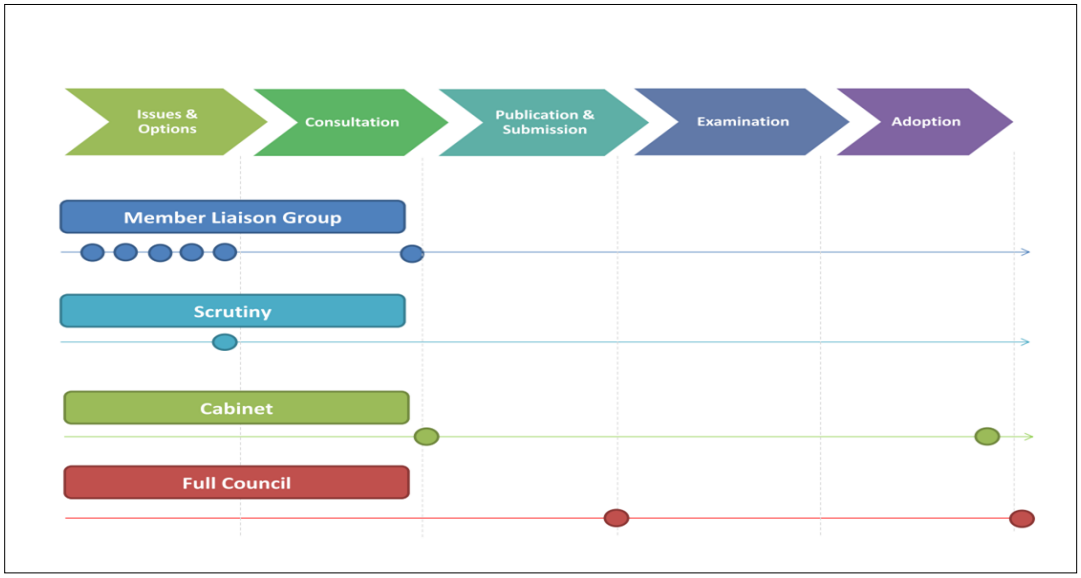

Figure 1 Overview of Stages of Engagement in the Local Plan

3.20 The process of updating the plan and gathering evidence will involve extensive engagement with the public, organisations and groups, internal and external partners, businesses, schools etc.

3.21 The stages of plan production as set out in regulations and associated guidance are numerous. Cabinet approval of all material associated with the Plan's various stages will significantly lengthen the process, due to its associated internal lead in times. The involvement of the Local Plan member liaison group provides an opportunity for extensive engagement with members in the earlier stages of the Plan's development.

3.22 To expedite a timely production of the Local Plan consistent with the timescale set out in the Local Development Scheme and the engagement stages set out Figure 1, it is recommended that approval of consultation material in the earlier stages of the Plan's development is delegated by Cabinet to the Strategic Director for Regeneration and Environment, in consultation with the Portfolio Holder Regeneration, Growth, Employment and Skills.

3.23 From the Publication Stage of the Local Plan (Regulation 19 of the The Town and Country Planning (Local Planning) (England) Regulations 2012) which is when the Council formally identifies the policies it wants to take forward for adoption, approval would revert to Cabinet and subsequently Full Council.

Supplementary Planning Documents and other Planning Guidance

3.24 The current constitutional position is that in the absence of any delegation, consultation drafts of Supplementary Planning Documents (SPDs) and other planning guidance need to be approved by Cabinet prior to consultation. This can slow down the production of SPDs significantly and is considered to potentially bring unnecessary items to Cabinet. As these documents do not set new policy, but amplify existing, it is recommended that Cabinet delegate approval to proceed with consulting on these documents to the Strategic

Director for Regeneration and Environment, in consultation with the Portfolio Holder Regeneration, Growth, Employment and Skills.

3.25 On rare occasions it might be appropriate for Cabinet to consider and endorse consultation drafts, perhaps because of the importance of the issue, for example where new conservation areas are being proposed, or boundaries extensively changed. The Portfolio Holder will be consulted in the drafting of any document to enable early input and clarify whether drafts should go to Cabinet for approval to consult. All final versions of the documents taking account of representations made and officer recommendations of amendment where necessary will be subject to approval from Cabinet. Approval by Cabinet will ensure they are given weight as a material consideration in the determination of planning applications.

Revoking outdated/superseded supplementary planning documents

3.26 The Council currently has a substantial amount of Supplementary Planning Guidance and Supplementary Planning Documents, much of it dating from the early noughties on its website. Given changes in national and local policy since then, much of it is now considered by officers to have no or very limited weight as a material planning consideration in the determination of planning applications. Some clarity is required from the Council on its status; that which should be removed, remain for now but be updated, or it is sufficient to not require updating at this stage.

3.27 The Planning regulations allow for and set out what a local planning authority must do when revoking a SPD. A Cabinet resolution to revoke guidance would be sufficient to comply with the regulations. Officers would subsequently contact those likely to be interested to confirm the SPDs had been revoked.

3.28 A list of these documents along with recommendations to Cabinet for which ones should be revoked, retained, or replaced, and the likely timescale is set out in Appendix 2.

Conclusions

3.29 An updated local plan is important for the council, to enable it pro-actively plan for the regeneration of the Borough, secure investment and provide a delivery plan, be consistent with a reviewed London Plan and the Brent 20/20 vision, and reduce the risk of intervention by the Secretary of State. It provides an opportunity to draw together other Council and partner strategies to achieve a co-ordinated approach to improving the quality of social, economic and environmental outcomes.

3.30 The update of the Council's local plan will be done with engagement and buy-in corporately from officers, councillors, delivery partners and developers, residents and business communities.

3.31 Approval is sought for the proposals to enhance Member involvement and streamline the process for taking forward the Local Plan and replacing and where necessary revoking out of date supplementary planning documents and other planning guidance.

3.32 An updated Local Plan - will also improve the efficiency of the planning service and support the growth and regeneration of the borough. It will give more certainty to residents and investors. Delivery of the development ambitions should increase the residential and business tax base of Brent, will increase job opportunities and improve the quality of life for Brent residents, thus reducing dependency on some Council services. However growth will also create additional pressures on physical and social infrastructure. Whilst a proportion of this will be paid for or provided by developers through S.106 obligations and Community Infrastructure Levy, additional funds will potentially be required from the Council and other third parties.

4.0 Financial Implications

4.1 The production of an updated planning strategy will require additional staff resource (plus 3 and 1/3rd FTEs over and above existing staffing levels) as currently being proposed in the planning restructure.

4.2 There will be a one off requirement for the additional budget provision to meet the costs of developing the evidence base that will support the strategy and to meet the examination costs. This is currently estimated at £350k to £500k spread over the 2017/18 and 2018/19 financial year.

4.3 There is potential for additional costs associated with engagement particularly in the formative period of the vision, strategic objectives and working towards preferred options. It is intended that where possible this will be completed in house, using existing data and evidence, to minimise the use of consultants.

4.4 For other supporting documents and heritage matters work will be done in house. There will be minor consultation costs that will be funded from existing planning service budgets.

5.0 Legal Implications

5.1 Planning and other applications must be determined in accordance with the Development Plan and Listed Building legislation unless significant material considerations indicate otherwise. Policies, guidance and the Local List will hold the most weight where they are up to date and consistent with national and London Plan policy.

5.2 Planning documents (both statutory and non statutory) have a clearly defined process for their adoption which will be followed.

5.3 Advice has been received from the legal department on how to best address efficiency of working when considering the provisions of the Council's constitution.

6.0 Diversity Implications

6.1 The Equality Act 2010 introduced a new public sector equality duty under section 149. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Council must, in exercising its functions, have "due regard" to the need to:

1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
2. Advance equality of opportunity between people who share a protected characteristic and those who do not.
3. Foster good relations between people who share a protected characteristic and those who do not.

6.2 Full statutory public consultation will be carried out in the process of preparing in undertaking the work as identified in the report. Equalities Impact Assessments will be undertaken in association with each of the work streams.

7.0 Staffing/Accommodation Implications (if appropriate)

7.1 Additional staff will be recruited as part of a Planning service restructure (+3 1/3rd FTEs). The staff will need desk space and IT equipment.

Background Papers

Brent 2020 information
Brent Core Strategy 2010
Brent Site Specific Allocations DPD 2011
Wembley Area Action Plan 2015
Brent Development Management Policies 2016
London Plan (incorporating Further and Minor Alterations) 2016
Brent The SPGs, SPDs and planning guides as set out in Appendix 2.

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APPENDIX 1

LOCAL DEVELOPMENT SCHEME

This Local Development Scheme is a public statement of the Council's programme for the production of its Local Plan and associated documents over the next three years. It is to be the first point of reference for local communities and other stakeholders to find out about Brent's Local Plan

FINAL JANUARY 2017

London Borough of Brent Local Development Scheme

Explanatory Note

Under the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011, Brent Council is required to produce a Local Development Scheme (LDS) that sets out our timetable and programme for the production of planning policy documentation. The Local Development Scheme (LDS) is to be revised at such times as the Local Authority considers appropriate.

The LDS covers the period from 2017 to 2020. Although there is no longer a statutory requirement to include Supplementary Planning Documents (SPDs) in the LDS, these continue to be listed in order to give a full account of Brent's planning polices. In addition, since the last full update of the LDS the Localism Act 2011 introduced Neighbourhood Planning. A summary of progress on Neighbourhood Plans is also included in the appendix.

This and other Local Plan documents are available online at www.brent.gov.uk/localplan.

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1.0 INTRODUCTION

1.1 This Local Development Scheme (LDS) is Brent's project plan for the production of the Local Plan for the next three years, and has been prepared in accordance with the requirements of the Planning and Compulsory Purchase Act 2004. The purpose of the LDS is to explain the current planning policy documents for the borough and to outline which local development documents will be included in the Local Plan, and when they are to be produced.

1.2 This scheme does not include planning policies but is to be used to find out which policy documents apply in the borough and their status. If there are any ad hoc changes to the production of any documents, these will be published online at www.brent.gov.uk/ldf.

2.0 OVERVIEW OF THE LOCAL PLAN PROCESS

2.1 The following are the key aspects of the development plan system as they relate to LB Brent. The statutory development plan for the borough consists of:

(i) London Plan (as amended) 2016;
(ii) Brent Local Plan incorporating the Core Strategy July 2010, the adopted Site Specific Allocation July 2011, Wembley Area Action Plan January 2015; and
(iii) West London Waste Plan July 2015
(iv) Sudbury Neighbourhood Plan September 2015

2.2 In addition to this Brent Development Management Policies Plan November 2015 forms part of the development plan for areas of the Borough not within the boundary of the Old Oak and Park Royal Development Corporation (OPDC). The OPDC from 1st April 2015 became a Local Planning Authority in its own right and is taking forward its own Local Plan for adoption. Currently all of Brent's development plan adopted prior to 1st April 2015 applies to the OPDC area. Once the OPDC adopts its Local Plan Brent's development plan will no longer apply in that area. See Appendix 1 for the Brent borough boundary and that also of the OPDC.

Structure

2.3 The terminology around planning can be confusing with different terms used for the same documents used in legislation and guidance. The Development Plan or Local Plan as it is also known is a portfolio of planning documents. Government regulations and guidance set out the process for preparing the documents. The preparation of the Local Plan has for the last decade taken place at different times for different documents that comprise the portfolio. This reflects guidance and national practice associated with the 2004 Planning and Compulsory Purchase Act. It should also be noted that the process for preparing documents has changed with the publication of the National Planning Policy Framework in 2012, Localism Act 2011 and Town and Country Planning (Local Planning) (England) Regulations 2012. Government

has moved its preference away from the portfolio approach with Local Planning Authorities encouraged to put their planning policies in a single Local Plan document. Nevertheless, where justified the opportunity still exists to bring forward a portfolio of documents to comprise a Local Plan, or for a Plan to be reviewed in part, rather than totally. The following text gives a description of the types of documents in the Local Plan and a short description of each.

Local Development Documents

2.4 The 2004 Act identified two different types of Local Development Documents (LDDs) that can be used by Local Planning Authorities to set out policy and associated guidance that can be used to determine planning applications. These are Development Plan Documents and Supplementary Planning Documents. All local development documents are, where necessary, subject to sustainability appraisal and a strategic environmental assessment:

- **Development Plan Documents (DPD)** – Planning applications must be determined in accordance with the Development Plan, or Local Plan; this is also known as a Development Plan Document. As they form part of the Development Plan these documents have statutory status. They are subject to independent examination before an inspector, who can recommend changes which the Council must accept if they are to adopt the Plan. The key DPD in Brent's Local Plan is the Core Strategy, which sets out an overall vision of how the borough and places within it should develop. Other DPDs can include Area Action Plans, generic Development Management Policies documents, Site Specific Allocations and a Policies Map. DPDs must be in general conformity with the London Plan.

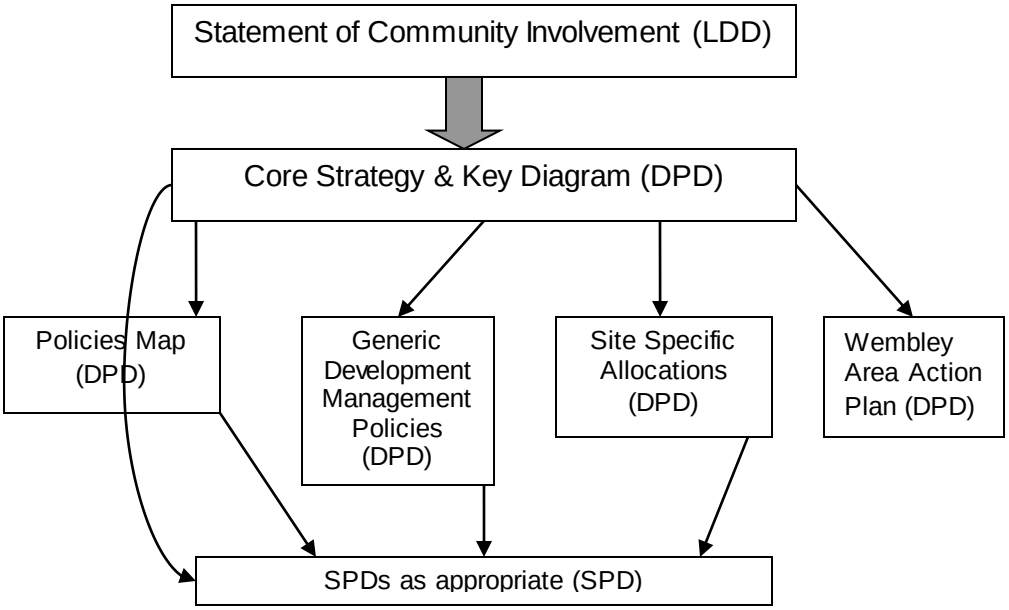
- **Supplementary Planning Documents (SPD)** – these documents do not have development plan status but provide guidance on the application of DPD policies. Whilst there are regulations and guidance about what they can contain and the processes for their adoption they do not form part of the Local Plan and so are non-statutory. Supplementary Planning Documents amplify policies in Local Plans; they cannot create policy and neither can they allocate sites for development.

Other planning documents the Council has to produce

- **Annual Monitoring Report (AMR)** – sets out progress in terms of producing LDDs and in implementing/monitoring the effectiveness of policies.

- **Statement of Community Involvement (SCI)** – sets out how Brent Council intends to involve stakeholders and the community as a whole in the Local Plan process, as well as their involvement with planning applications. The SCI was adopted in June 2006.

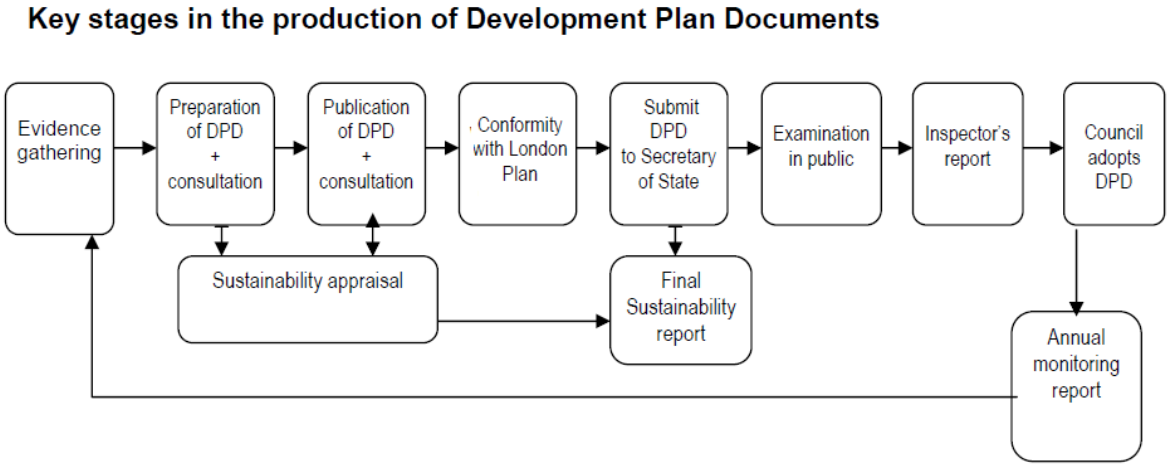
Figure 1 Brent's Local Plan and associated documents.



Process

2.5 The diagram below sets on the key stages in the production of the local Plan/DPDs.

Figure 2 - Key stages in the production of Development Plan Documents

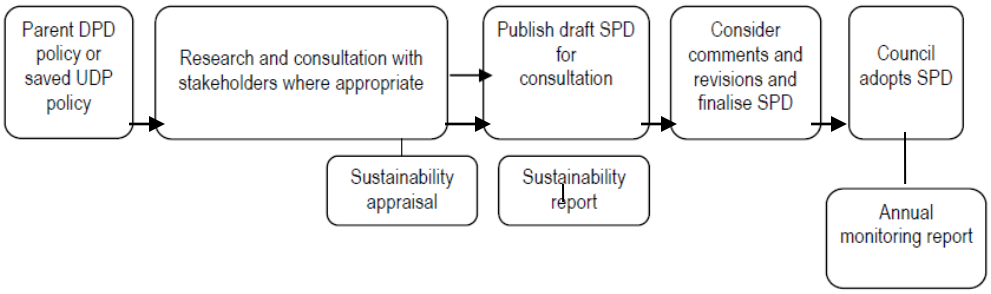


2.6 The key stages of **DPD preparation** are highlighted below, which accord with the Town and Country Planning (Local Planning) (England) Regulations 2012:

- **The research stage** - evidence is gathered to help identify issues that need to be considered to shape the DPD strategy. Brent will need to collect the necessary data to develop a robust evidence base for the plan and provide the baseline for a Sustainability Appraisal (SA) scoping report.

- **Preparation of a local plan (Regulation 18)** - When preparing a DPD, the Council must notify each of the specific bodies as relevant, alongside members of the public, stakeholders and interest groups. At this stage, the possible need to include proposals for particular sites will be considered and an initial sustainability report will also be available.
- **Publication of a local plan (Regulation 19)** - Before the Council submits a DPD to the Secretary of State, it must publish and make available the documents it proposes to submit. At this stage, a six week period is allowed for any member of the public, group or stakeholder to make representations on the soundness of the document. The Local Development Document will be backed up by the Sustainability Appraisal.
- **Submission of the documents and information to the Secretary of State (Regulation 22**) – The council will set out the detailed policies and proposals and will submit the DPD to the Secretary of State, together with any representations received in accordance with Regulation 20. The final sustainability appraisal will accompany the DPD.
- **Independent Examination (Regulation 24) –** an examination will take place by an independent Inspector appointed by the Secretary of State. The Inspector must consider whether the document is sound in terms of its content, and whether the correct processes and procedures have been followed taking into account representations received through an Examination in Public. The Inspector will also consider the sustainability appraisal processes in terms of its evidence base underpinning the strategy
- **Inspector's Report and Adoption of local plan (Regulations 25 and 26)** - Following examination, the Inspector will produce a report to identify whether the Plan is sound and can be adopted. If asked by the Council to do so, the Inspector will make recommendations on main modifications necessary to make the DPD sound. If the Council wishes to adopt the final DPD the Inspector's modifications must be incorporated.
- **Annual Monitoring Report (Regulation 34) –** The council must make any up-to-date information, which they have collected for monitoring purposes, available as soon as possible after the information becomes available.

Figure 3 - Key stages in the production of Supplementary Planning Documents



2.7 The preparation of Supplementary Planning Documents is different to that of DPDs. Their preparation is a simpler process than that of DPDs and does not

involve an Examination in Public by an Inspector. The Council is responsible for the process throughout, but there is still community involvement.

3. 0 BRENT'S LOCAL PLAN

Introduction to the current situation in Brent

3.1 The Planning and Compulsory Purchase Act requires the Local Development Scheme (LDS) to be revised as such times as the Local Authority considers appropriate. As the Council has not updated its LDS for over a year and is now about to embark on reviewing the Local Plan it considers it is appropriate for an update. The key project plan changes and document profiles are highlighted in Appendix 2.

Brent Local Plan – conformity and integration with other plans and strategies

3.2 One of the main changes under the new planning system is a shift in focus from the regulation and control of the use of land to a more spatial approach. This requires a move away from dealing with strictly land use matters, taking account of other strategies and plans for the borough which have an impact upon spatial development. There are a number of strategies, plan and policy guidance that need to be considered and where necessary, integrated into the Local Plan.

National/ Government Planning Policy

3.3 The Government sets out national planning policy in the National Planning Policy Framework (NPPF) (2012). There is also associated National Planning Practice Guidance (2014 as amended) The Local Plan must be in conformity with the NPPF, taking account of local circumstances.

The London Plan and related guidance and strategies

3.4 The London Plan is the spatial expression of the strategies of the Mayor and the organisations he is responsible for, including Transport for London. It is part of the statutory Development Plan for the borough, and Brent's Local Plan must be in conformity with it. The London Plan has a number of related strategies and guidance, including Supplementary Planning Guidance on a variety of topics (e.g. affordable housing). The London Plan 2011 has been subject to further and minor alterations the last of which were in 2016. It is due for review which will commence in earnest in Spring 2017, with a view to the document being adopted towards the end of 2019.

Other local partnerships and strategies

3.5 The Council also has a number of other strategies and plans in the borough which the Local Plan must take account of.

3.6 The Council also has to take account of the outputs of Neighbourhood Planning and reflect these in its Local Plan. Neighbourhood Plans must be in conformity with Local Plan strategic policies and as they are part of the Development Plan Brent's Local Plan must take account of the Neighbourhood Plan. The relationship between adopted Neighbourhood Plans and a Council's Local Plan which might be creating new strategic policy which is more up to date than a Neighbourhood Plan is not entirely clear in legislation/guidance currently.

4.0 EXPLANATION OF PROPOSED PROGRAMME FOR BRENT'S LOCAL PLAN

4.1 Appendix 2 sets out the overall programme of the proposed Local Plan for the London Borough of Brent up to 2020 and a Gantt Chart is also available for viewing at Appendix 3. The programme for the Local Plan seeks to tie into the timetable for the London Plan review as Brent's Plan has to be in general conformity with the London Plan.

4.2 The focus will be on taking forward the replacement of Brent's Local Plan in the parts of the Borough where the OPDC is not the local planning authority. In addition, the Council is currently preparing SPDs to replace existing ones where it considers it necessary and also on new matters. These together with their timetable are shown in Appendix 2 and 3. Others will be updated as and when resources allow.

5.0 LOCAL PLAN STRUCTURE

5.1 The existing Local Plan structure has been set out above. As identified it is anticipated currently that this will in the first instance be replaced by a single Local Plan document which incorporates a Vision/Strategic Objectives for the development of Brent, sites allocated to deliver that vision and development management policies to provide a finer grain of detail for the determination of planning applications. See Appendix 2.

6.0 MONITORING AND REVIEW

6.1 This section identifies how monitoring and review is occurring, including the AMR and resultant annual review of the LDS; the resources (in broad terms) to be allocated to producing the Local Plan; arrangements and responsibilities for programme management and a risk assessment including any proposed contingencies.

6.2 Review, monitoring and survey are crucial to the successful delivery of the Local Plan's visions and objectives, and should be undertaken on a continuous proactive basis. By surveying external trends and outcomes, the Council can build strong evidence bases to inform the preparation of LDDs. Effective monitoring is crucial to the development of Local Plans. Its role is already recognised in terms of the 'plan, monitor, and manage' approach:

- **Plan** – making decisions in the Local Plan about the scale, location, and nature of future development;
- **Monitor** – putting in place a system to measure whether actual events are contributing towards the objectives in the Local Plan; and
- **Manage** – adjusting the plan to reflect findings of monitoring.

6.3 The Council are required to review actual LDD progress compared with the targets and milestones in the LDS, and produce an AMR. In addition, we need to monitor Local Plans in terms of:

- Assessing the extent to which external trends and progress with delivery reflects Local Plan policies. This is an important means of assessing the effectiveness of policies to deliver housing. LPAs are required to provide information on dwelling completions;
- Policies, targets and milestones being sufficiently clear and focused so as to be capable of quantitative assessment through indicators;
- Informing development management decision-making. Monitoring has an important role to play in terms of implementing criteria-based policies that are responsive to changing circumstances; and
- Recognising national and regional policy objectives and targets. Local monitoring systems need to be sufficiently comprehensive to respond to wider requirements.

The Annual Monitoring Report (AMR) and implementation of the LDS

6.4 The Council is required to prepare AMRs to assess the implementation of the LDS, and the extent to which policies in LDDs were achieved. In terms of implementation, AMRs review the actual plan progress over the year, compared to the targets and milestones for LDD preparation set out in the LDS. This assesses:

- Whether the Council has met the LDD targets and milestones, is on target to meet them, was falling behind schedule or did not meet them;
- If the Council is falling behind schedule or had failed to meet a target or milestone, the reasons for this; and
- Updates the LDS in light of the above, and the necessary steps and timetable.

Monitoring

6.5 In terms of policy achievement, the Council will need to develop robust monitoring systems to judge the effectiveness of LDDs. For the purposes of the AMR, this will include assessing:

- Whether policies and related targets or milestones in LDDs have been met or progress is being made towards meeting them. Or, where they are not being met or on track to be achieved, the reasons why;

- What impact the policies are having on national, regional and local targets and any other targets identified in the LDDs. These will also have regard to the National Indicators and Brent's key priority indicators;
- Whether the policies in the LDD need adjusting or replacing because they are not working as intended or are not achieving sustainable development objectives; and
- If policies or proposals need changing, suggested actions to achieve this.

Indicators

6.6 Crucial to monitoring is the need to set appropriate indicators to monitor actual progress against targets. In line with regional monitoring, there should be an objectives-led approach to Local Plan monitoring which:

- Ensures clear links from objectives through to policies, implementation programmes and to output targets and related indicators;
- Focuses on key objectives rather than monitoring a wide range of indicators not directly relevant to policy performance;
- Provides sufficient consistency in terms of local authority monitoring approaches as to enable comparisons to be made;
- Allows transparency and accountability in terms of delivery; and
- Facilitates more informed policy and decision-making. These will reflect the national indicators where appropriate.

Risk Assessment

6.7 In preparing the local development scheme, it was found that the main areas of risk relate to:

Other priorities The Planning Policy Team have a lot of competing pressures for other area of work. With the limited staff resources there is little scope to take on any additional work if the timetable in the LDS is to be achieved.

The capacity of the Planning Inspectorate (PINS) and other external agencies to cope with the nation-wide demand. This is outside of the Council's control but currently there are no significant backlogs. The Council will sign a Service Level Agreement with them which ought to ensure timely delivery on both sides.

The "soundness" of DPDs This risk will be minimised by working closely with critical friends and if necessary PINS both at and between all milestone stages and in the run up to submission of DPDs.

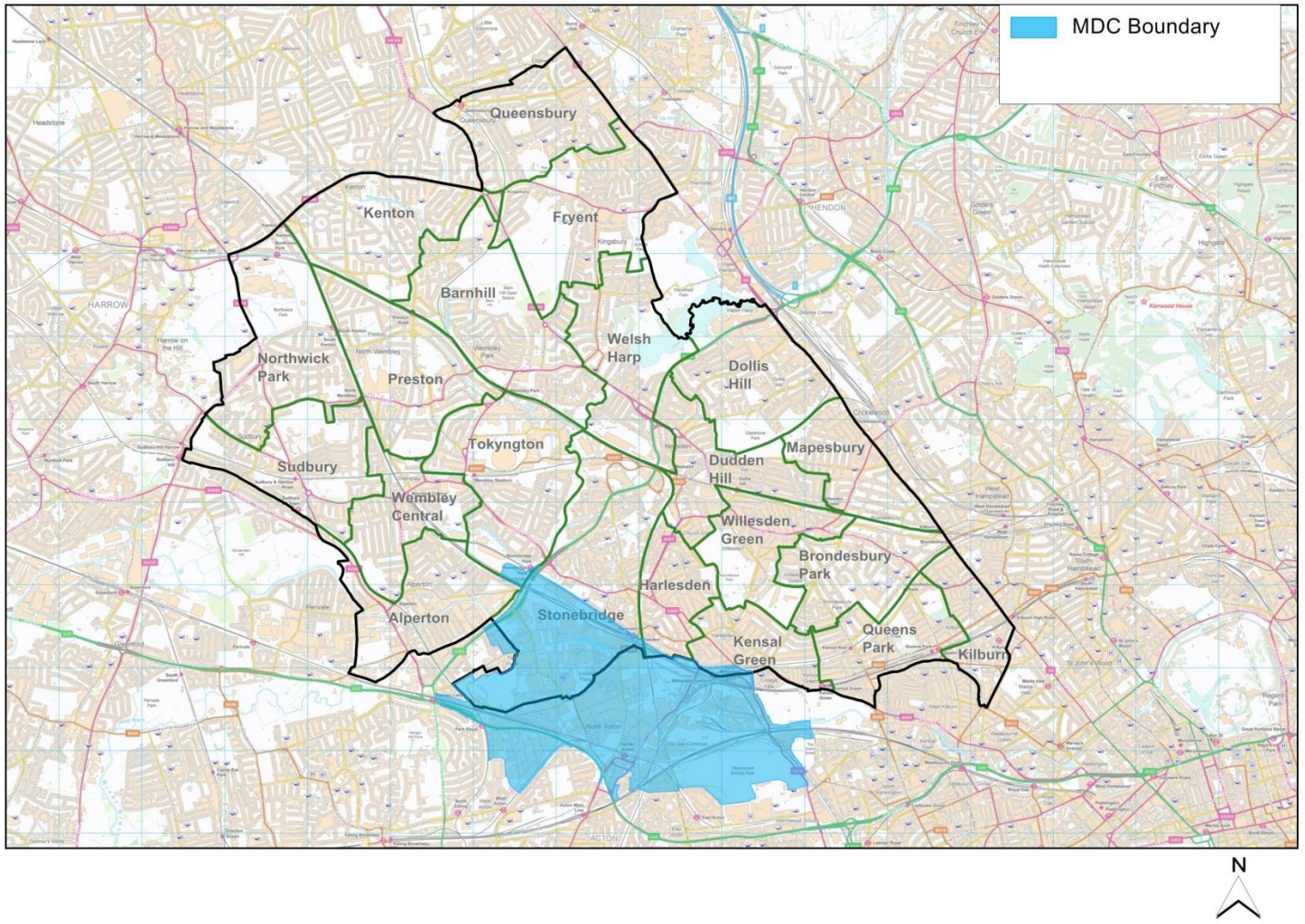
Legal challenge This will be minimised by ensuring that DPDs are "sound" and founded on a robust evidence base and well-audited stakeholder & community engagement systems.

Programme slippage This will be minimised with some contingency time built into the later part of the programme.

Rolling Programme

6.8 Documents will be replaced/ updated as necessary as identified by the AMR or more informal review mechanism if appropriate before that time. Any changes deemed necessary as a result of the AMR, or other assessment, will be reflected in the production and submission of a revised LDS.

Appendix 1 – Mayoral Development Corporation Area of Coverage



Appendix 2 – Local Development Documents to be prepared							
a) Local Development Plan Documents 2017 - 2020							
DPD Title	*Purpose/ content*	*Authors*	*Conformity*	*Geographical coverage*	*Community/ Stakeholder involvement*	*Review*	*Key Milestones*
Policies Map	An OS based map providing a geographical representation of Core Strategy policies and other DPD policy.	LB Brent	Conformity with all DPDs.	Whole borough, except OPDC area	Consultation will be carried out in line with the Council's Statement of Community Involvement.	Policies in DPDs to be monitored through LB Brent Annual Monitoring Report	Updated with each DPD produced
Brent Local Plan	This DPD will set out a vision and strategic objectives for the development of the borough. It will include site allocations and policies that manage the development of the Borough where planning permission is required.	LB Brent	To conform with the London Plan and national policy.	Whole borough except OPDC area.	Consultation will be carried out in line with the Council's Statement of Community Involvement.	LB Brent Annual Monitoring Report	Evidence gathering – Now until April 2018 Consultation – Jan 2017 Publication – Apr 2018 Submission – Oct 2018 Examination in Public – Jan-June 2019 Adopted – Oct 2019
b) Supplementary Planning Documents - to 2020							
Basements	This document deals with requirements for basement development	LB Brent	Conformity with the London Plan and Brent Local Plan.	Whole borough (excluding OPDC area)	Consultation will be carried out in line with the Council's Statement of Community Involvement.	LB Brent Annual Monitoring Report	Consultation –Spring 2017 Adoption – Summer 2017
South Kilburn	This document provides detail on the South Kilburn Growth Area. It will include	LB Brent	Conformity with the London Plan and Brent Local	South Kilburn Growth Area	Consultation will be carried out in line with the Council's Statement of Community	LB Brent Annual Monitoring	Consultation –Spring 2017 Adoption – Summer 2017

	information on the regeneration strategy for the area, proposed community facilities, design and scale of buildings etc.		Plan.		Involvement.	Report	
Design in Development	This document will act as a design guide for new development	LB Brent	Conformity with the London Plan and Brent Local Plan.	Whole borough (excluding OPDC area)	Consultation will be carried out in line with the Council's Statement of Community Involvement.	LB Brent Annual Monitoring Report	Consultation – Spring/Summer 2017 Adoption – Autumn 2017
Residential Alterations & Extensions	This document will act as a guide to household extensions	LB Brent	Conformity with the Brent Local Plan.	Whole borough (excluding OPDC area)	Consultation will be carried out in line with the Council's Statement of Community Involvement.	LB Brent Annual Monitoring Report	Consultation – Spring/Summer 2017 Adoption – Autumn 2017
Shopfront & Shop Signs	This document will act as a guide to the design of shopfronts and signage, and.	LB Brent	Conformity with the Brent Local Plan.	Whole borough (excluding OPDC area)	Consultation will be carried out in line with the Council's Statement of Community Involvement.	LB Brent Annual Monitoring Report	Consultation – Spring/Summer 2017 Adoption – Autumn 2017
Retail to residential	This will deal with the conversion of shops to residential units	LB Brent	Conformity with the Brent Local Plan.	Whole borough (excluding OPDC area)	Consultation will be carried out in line with the Council's Statement of Community Involvement.	LB Brent Annual Monitoring Report	Consultation – Spring/Summer 2017 Adoption – Autumn 2017
Roe Green Conservation Area Design Guide	This will provide design guidance for the Roe Green Conservation Area	LB Brent	Conformity with the Brent Local Plan.	Roe Green Conservation Area	Consultation will be carried out in line with the Council's Statement of Community Involvement.	LB Brent Annual Monitoring Report	Consultation – Spring/Summer 2017 Adoption – Autumn 2017
Mapesbury Conservation Area Design Guide	This will provide design guidance for the Mapesbury Conservation Area	LB Brent	Conformity with the Brent Local Plan.	Mapesbury Conservation Area	Consultation will be carried out in line with the Council's Statement of Community	LB Brent Annual Monitoring Report	Consultation – Spring/Summer 2017 Adoption – Autumn 2017

					Involvement.		
c) *Neighbourhood Plans 2017 - 2020* **N.B. As Neighbourhood Plans are led by the community the timescales below are a best estimate, based on the latest information provided by Neighbourhood Forums.**							
Church End	This document will guide development within the Neighbourhood Area.	The Unity (Church End and Roundwood) Neighbourhood Forum	Conformity with NPPF, London Plan and Core Strategy.	Church End	Consultation must be in line with the Neighbourhood Planning (General) Regulations 2012 Part 5, Regulation 15	-	Designation of forum and area approved – September 2013. No update available on likely timetable for adoption
Harlesden	This document will guide development within the Neighbourhood Area.	Harlesden Forum	Conformity with NPPF, London Plan and Brent Local Plan.	Harlesden, Kensal Green, Stonebridge, Willesden Green Wards	Consultation must be in line with the Neighbourhood Planning (General) Regulations 2012 Part 5, Regulation 15	-	Designation of forum and area approved – September 2015 Consultation Jan 2017 Publication July 2017 Examination October 2017 Adoption April 2018
Kilburn	This document will guide development within the Neighbourhood Area.	Kilburn Forum	Conformity with NPPF, London Plan and Brent Local Plan.	Kilburn, Brondesbury Park Wards	Consultation must be in line with the Neighbourhood Planning (General) Regulations 2012 Part 5, Regulation 15	-	Designation of forum and area approved – Spring 2016 Consultation July 2017 Publication January 2018 Examination April 2018 Adoption October 2018

Appendix 3

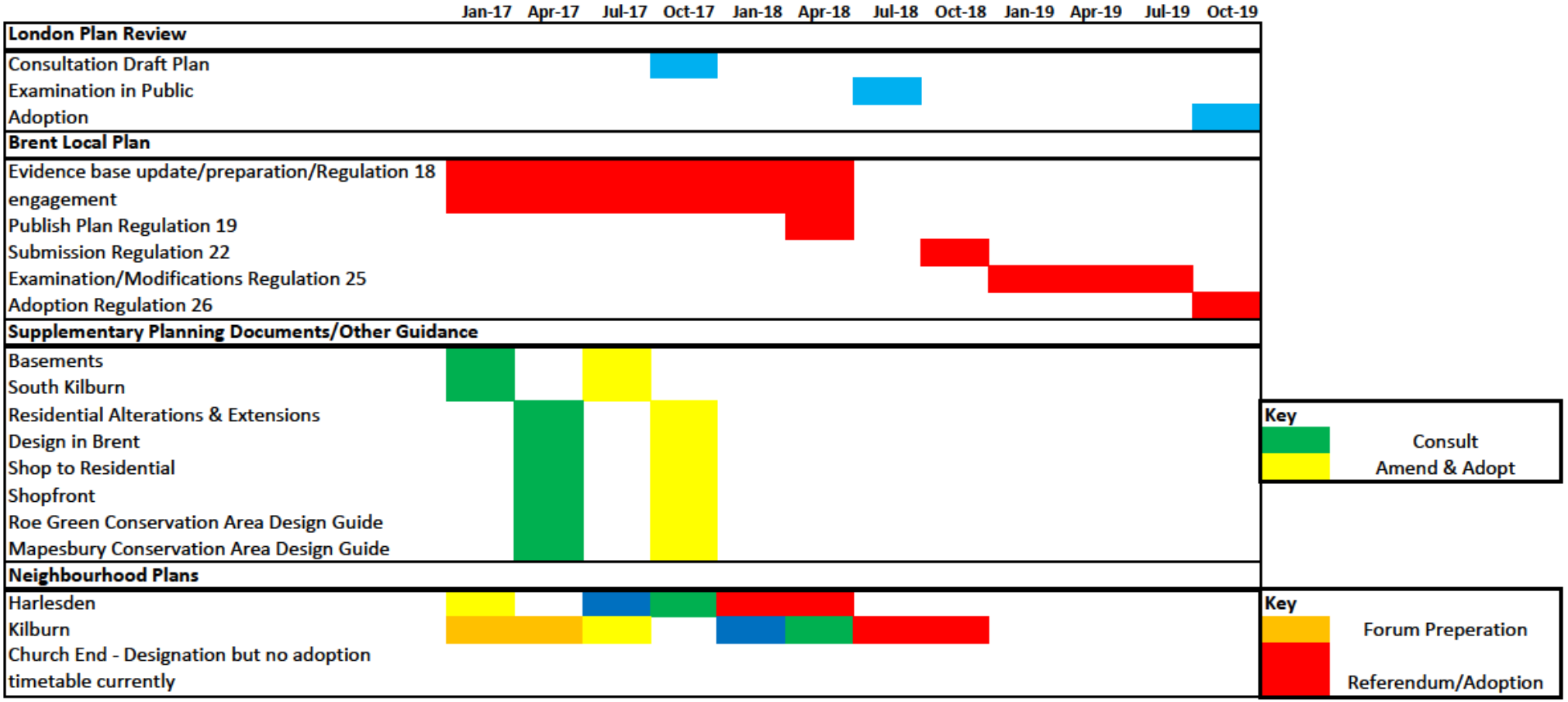
Local Development Plan Documents Adoption Timescales Milestones January 2017

Does not take into account Local Plan Expert Review potential changes to processes

- which may reduce process time or Permission In Principle which may increase time

Assumes sufficient staff are in place by 1st April 2017 as identified in the Planning Restructure October 2016 to deliver the work programme in addition to the existing workstreams within the service plan

Assumes sufficient funds for the evidence base are made available from Apr 17



Appendix 2

Proposed update to existing Supplementary Planning Guidance and Planning Documents, and Conservation Area Design Guides

Existing Guidance	Recommendation: Revoke/ Update/ Keep	Reason for recommendation	Timescale for Replacement
Waste planning guide (2013)	Keep	Not sufficiently dated to be considered necessary for a refresh.	NA
Alperton Masterplan SPD (2011)	Keep	Not sufficiently dated to be considered necessary for a refresh; may require future updating in association with the Housing Zone.	NA
Barn Hill Design Guide (2013)	Keep	Relatively up to date	NA
Childcare facilities (SPG 14) Date Adopted 2003	Revoke	Out of date and no longer necessary. The new Development Management policies do not contain any policies on this due to the limited number of applications received. Normal DM policies will apply.	NA
Commenting on a planning application (SPG 2) Date Adopted Unclear probably 2003	Revoke	Not appropriate as an SPG as it is not interpreting policy. Contents dealt with through Statement of Community Involvement and general guidance on commenting on applications updated on the web in early 2016.	NA
Community safety - Building or refurbishing domestic or commercial properties (SPG 10)	Revoke	Dated document that contains basic urban design principles that are generic. Not supplementary to any policies within Brent's Plan. Not considered appropriate to update given other guidance available and other work priorities.	NA

Existing Guidance	Recommendation: Revoke/ Update/ Keep	Reason for recommendation	Timescale for Replacement
Design statements (SPG 4) Adopted 2004	Revoke	Comprehensive guidance has subsequently been provided by CABE which provides a national benchmark for design statements. There is no need for a Brent specific approach.	NA
Disabled people - Designing for accessibility (SPG 12) Adopted 2003	Revoke	Much of this guidance is now addressed through Part M of the Building Regulations. The Government has reaffirmed through revised planning practice guidance that planning should not get involved in dealing with building control matters.	NA
Employment development (SPG 18) Adopted 2003	Revoke	Dated document and on adoption of the Development Management Policies will not be supplementary to any policies referenced in it as they have all been deleted. It is not proposed to update this document due to the high level generic content which is not used by officers and that officer time would be better spent on other priorities.	NA
Hassop Road - special standards (SPG 16) Adopted 2003	Revoke	Dated document and on adoption of the Development Management Policies will not be supplementary to any policies referenced in it as they have all been deleted. It appears to have been written in relation to issue pertinent at that time rather than now.	NA
Sustainable design, construction and pollution control (SPG 19) Adopted 2003	Revoke	Policies referenced not relevant; the London Plan related SPG provides more comprehensive and up to date guidance. Advice from environmental health is that industry related advice notes/best practice standards sufficiently deal	NA

Existing Guidance	Recommendation: Revoke/ Update/ Keep	Reason for recommendation	Timescale for Replacement
		with these matters.	
Guinness Brewery Supplementary Planning Document and Planning Position Statement (2005)	Revoke	Superseded by Site Allocations DPD.	NA
Wembley Masterplan (2009)	Revoke	Superseded by Site Allocations DPD.	NA
Wembley West End South Supplementary Planning Document (2006)	Revoke	Superseded by Site Allocations DPD.	NA
Wembley Link Supplementary Planning Document part 1 (2011)	Revoke	Superseded by Site Allocations DPD.	NA
Wembley Link Supplementary Planning Document part 2 (2011)	Revoke	Superseded by Site Allocations DPD.	NA
103 - 123 Kilburn High Road and Kilburn Square Supplementary Planning Document (2005)	Revoke	Superseded by Site Allocations DPD.	NA
Queens Park Station Area Supplementary Planning Document (2007)	Revoke	Superseded by Site Allocations DPD.	NA
Brent Town Hall planning brief (2012)	Revoke	Site developed, brief now redundant.	NA
Gavin House planning brief (2004)	Revoke	Very dated and not identified as an allocation in the Site Allocations DPD.	NA
Queen's Park planning brief (2007)	Revoke	Was withdrawn in 2006 and replaced by Queens Park Area Supplementary Planning Document	NA

Existing Guidance	Recommendation: Revoke/ Update/ Keep	Reason for recommendation	Timescale for Replacement
Advertisements (other than shops) (SPG 8) Date adopted 2004	Update	The number of applications for advertisement consent is significant and as such it is considered that up to date guidance is required to encourage satisfactory applications to be submitted. The dated nature of the existing guidance means it is likely to hold limited weight should an appeal be submitted against a refusal.	TBC
Buildings in gardens within conservation areas (SPG 20) Date Adopted Unclear but pre 2004	Update	Article 4 directions remove permitted development rights for outbuildings within Conservation Areas. This means numerous applications are submitted to the Council for no fee. There have been substantial changes to permitted development rights since this document was adopted. It needs to at least acknowledge these changes for it to be regarded as up to date and given greater weight by Inspectors at appeal.	TBC
Design guide for new developments (SPG 17)	Update	Dated document which is still referred to on a regular basis by officers where it is considered to be of relevance for example in spacing standards. Considered necessary to update to re-emphasis a contemporary interpretation of what good design in Brent should be, reflecting the need for transformational change in some areas and dealing with the tensions on boundaries between such areas and the remaining adjacent buildings.	Consult Spring 2017

Existing Guidance	Recommendation: Revoke/ Update/ Keep	Reason for recommendation	Timescale for Replacement
Roads - layout standards for access roads (SPG 13) Adopted 2003	Update	Still used. Although the standards have not varied significantly it will need a refresh to show that it has considered the impacts of more contemporary approaches to street design which places greater priority for the pedestrian and cyclist than would have previously been the case.	TBC
Roads - making an access to a road (SPG 3) Adopted 2003	Update	Still used. Although the standards have not varied significantly it will need a refresh to show that it has considered the impacts of more contemporary approaches to street design which places greater priority for the pedestrian and cyclist than would have previously been the case.	TBC
S106 Planning Obligations SPD (2013)	Update	Would benefit from an update related to the experience of the relationship between CIL and S106, plus providing advice on matters such as employment and training.	TBC
North Kilburn Design Guide (1988)	Update	Needs review due to age, but not a high priority compared to other historic environment matters	TBC
Mapesbury Design Guide (1985)	Update	Needs review due to age and also potential development pressures that might otherwise dilute its character.	Consult Spring 2017
Mount Stewart Design Guide (1994)	Update	Needs review due to age, but not a high priority compared to other historic environment matters	TBC
Roe Green Village Design Guide (2000)	Update	Needs review due to age, but not a high priority compared to other historic environment matters	TBC
Altering and extending your home (SPG 5) Date Adopted 2003	Update	The number of applications for residential extensions is significant. There have been extensive changes to	Consult Spring 2017

Existing Guidance	Recommendation: Revoke/ Update/ Keep	Reason for recommendation	Timescale for Replacement
		permitted development rights which date the document. As such it is considered that up to date guidance is required to encourage policy compliant applications to be submitted. The dated nature of the existing guidance has been shown to hold limited weight on some aspects by Inspectors determining appeals.	
South Kilburn Supplementary Planning Document (2005)	Update	Very dated, needs to be updated to reflect 2016 masterplan and more contemporary development plan policies.	Consult February 2017
Shop fronts and shop signs (SPG 7) Adopted 2003	Update	Dated document which is still referred to on a regular basis by officers. Considered important in maintaining and improving quality in Brent's shopping centres but needs to refer to new policies as it is no longer supplementary to UDP policies. The conversion of shops to residential will increase activity in future; guidance on the new frontage would reduce the time spent on discharging conditions attached to prior approvals. .	Consult Spring 2017
New Guidance			
Priority Town Centres	Create	In association with desire to improve town centres/high streets. Set out guidance/detail on approaches to their improvement/priority projects and delivery	TBC
Basement SPD	Create	To give clearer guidance on the requirements of planning applications associated with basement development.	Consult February 2017

Brent	**Cabinet** 13 February 2017 **Report from the Strategic Director Regeneration and Environment**
For Information	Wards affected: Kilburn and Queens Park

South Kilburn Draft Supplementary Planning Document

1.0 Summary

1.1 The regeneration of South Kilburn Growth Area and more particularly the South Kilburn Estate led by the Council over the last decade has been one of the most transformational changes to have occurred in the Borough. The regeneration which is approaching its half way stage on the estate has resulted in approximately 1000 dwellings either being completed or about to start on site, of which over 500 will be replacements for social rented properties of existing tenants on the estate.

1.2 The quality achieved to date has been impressive. Numerous residential sites and other new facilities such as open space provision have been recognised as exemplar schemes in national and international built environment and landscape awards. Extensive engagement has been undertaken with the community and existing residents have, on the whole, bought into the change proposed and delivered to date. It has been one of the more successful estate renewal projects in London. Officers have been recognised nationally for their contribution to regeneration and visits by senior Ministers and the Mayor have resulted for praise in what has been achieved so far.

1.3 Although much good work has been done, the transformation is only part way through. There has been much change nationally and locally since 2005 when the initial South Kilburn Supplementary Planning Document was adopted. At least 2400 new homes and 1200 replacement affordable homes were identified in the Local Plan for the area. To assist in providing increased clarity about what will be delivered in the future, including the associated community infrastructure, planning guidance needs to be updated. This takes account of new opportunities that have been identified and will provide more

certainty for the community, the Council as landowner and planning authority and other investors.

1.4 This report sets out the rationale on the need for consultation on a draft South Kilburn Supplementary Planning Document. It provides an overview of the delivery of the 2005 South Kilburn Supplementary Planning Document. It provides some background on the South Kilburn estate masterplan review (completed in December 2016) which will set out a framework for the continued regeneration of the estate in the years ahead.

1.5 This report identifies the need to formalise this review through pertinent elements being incorporated into a new Supplementary Planning Document (SPD), which will then have weight as a material consideration in the determination of planning applications. Adoption of a Supplementary Planning Document will require processes to be undertaken in accordance with regulations, including a formal consultation stage.

1.6 The report seeks to update Cabinet on high level outputs of the masterplan and seek approval of a draft Supplementary Planning Document for consultation.

2.0 Recommendations

2.1 Cabinet approve the draft South Kilburn Supplementary Planning Document for consultation.

2.2 Cabinet delegate approval of editorial changes of the draft Supplementary Planning Document to the Strategic Director of Regeneration and Environment.

3.0 Detail

Background

3.1 In the early noughties the Council recognised the need for wholesale regeneration of the South Kilburn Estate to replace poor quality council housing stock and upgrade that which was of better quality to improve the life chances of residents. It worked closely with the local community as part of a government programme (New Deal for Communities). This resulted in a masterplan for the estate which identified properties to be retained and those which could be redeveloped.

South Kilburn Supplementary Planning Document 2005

3.2 To support this regeneration and provide confidence to the community and investors that elements of the Masterplan would be supported through the planning process, the South Kilburn Supplementary Planning Document (SPD) 2005 was adopted. This identified the opportunities within the estate and over a wider area to support the regeneration of the area. It covered land and buildings not within the Council's ownership, principally along Kilburn

Lane and the bottom end of Chamberlayne Road. The principles of the masterplan SPD were formally adopted in development plan policy. The South Kilburn growth area was identified in the Brent Core Strategy 2010 (Policy CP South Kilburn Growth Area) and subsequently a number of its sites within the Brent Site Specific Allocations Plan 2011 (Policies SK1-SK5).

3.3 To date approximately 1400 dwellings have been delivered across the growth area with a further 600 (approximately) with full consent or going through the planning process currently to be delivered. There is potential capacity on identified sites for at least another 1500 dwellings in addition to those built or with consent/current applications.

3.4 Outside the estate in the rest of the growth area, the majority of the development opportunities initially identified have either been delivered or are in the construction stage. On the estate, the quality of the new dwellings being delivered has overall been very good; officially recognised through numerous architectural and housing design awards and high levels of satisfaction with new homes owners and existing relocated tenants.

3.5 As well as re-proving homes on the estate for existing social tenants, the new stock being provided is also seeking to address issues such as providing housing for tenants with mobility requirements and diversifying the stock from a preponderance of smaller (studio, 1 and 2 bed) to family sized/friendly 2, 3 and 4 bed homes. The move to larger dwellings assists with over-crowding. It also produces more sustainable neighbourhoods, reducing issues associated with high concentrations of the historically more difficult to manage tenancies in the area. The potential to provide affordable intermediate tenures in addition to meeting the commitment to replace social rent dwellings is also being considered where viability/funding makes this possible.

3.6 In addition to new homes there have also been improvements to the local environment for example through the upgrade of Cambridge Gardens open space and the provision of the new Woodhouse Urban Park.

Reviewing the Masterplan 2016

3.7 Since the initial masterplan for South Kilburn was produced there have been periodic, internal, reviews associated with small phases of development. In 2016 a wider wholesale masterplan refresh for the estate was initiated. The reasons for this included: the age of the original masterplan and the change in national and London Plan policy since then with a strong emphasis on maximising opportunities for additional housing; potential for new opportunity sites to be incorporated; the need for a wider mix of housing tenures in the area due to house price rises; the need to understand and plan to accommodate social infrastructure requirements properly; and a desire to test the appetite particularly of residents to have their homes incorporated into the demolition/reprovision programme (subject to it being shown to be viable).

3.8 Through a competitive process the Council appointed Feilden Clegg Bradley Studios (FCBS) to undertake the review. In addition to reviewing the

masterplan, FCBS also were commissioned to use the South Kilburn work to identify guidance that would be appropriate to incorporate into the Councils' review of its SPG17 Design to assist with developing high quality higher density developments.

3.9 Public engagement on the review to the masterplan was initiated in July 2016. All residents were made aware of the review through individual leafleting of properties. A series of pop-up consultation sessions (9 – 23 July) and public exhibitions (19 July and 13 September) occurred at the beginning and during the development of the masterplan. The draft final masterplan proposals were subject to a public exhibition on 5th December 2016. The sessions were interactive and well attended, giving members of the community the opportunity to meet the architects, the consultation team, learn more about the review of the Masterplan 2016 and have their say.

3.10 On the whole people welcomed the opportunity to engage. The proposals were overall welcomed and the feedback has been used in improving the masterplan. Feedback was positive about the potential extension of South Kilburn park, the continued renewal of the housing stock, making South Kilburn estate connect better to its surrounding areas and potential provision of new shops and community facilities. Concerns were raised about the apparent slow progress of the development process to date and in the future, perceived pressure on parking, loss of existing places of character, pressure on social infrastructure and operational issues related to the potential relocation of the schools.

3.11 The Greater London Authority (GLA) have also been engaged in the process as many of the proposals, due to the scale of development, will have to be referred to the Mayor. Feedback was positive; the GLA is impressed with the regeneration of the estate both in terms of the quality of place being achieved as well as the fact that commitments to tenants to reprovide housing and update physical and social infrastructure are being adhered to.

3.12 The 2016 masterplanning process has not led to a significant departure from what was previously set out in 2005. This is because the original masterplan was based on sound principles and many of the sites that were available for regeneration have either been developed or have or are near to having full planning permission. The masterplan has incorporated some additional opportunity sites not previously identified which now are likely to come forward. It also identifies sites where there is less certainty about delivery, but where it would be useful to set out a planning principles framework to allow the site to seamlessly integrate into the wider area should they become available. It provides more clarity about how the existing Carlton Vale Infants and South Kilburn Junior schools will be integrated into a single building on one site and what happens with the sites that are vacated.

3.13 It provides more clarity on an open space strategy for the area including greening of the area and how the South Kilburn Park could be laid out. It identifies changes in the highway network which look to integrate the area into its wider surroundings, limits rat-running and creates a positive public realm

for the benefit of pedestrians and cyclists rather than a transport dominated environment.

3.14 There has not been a significant increase in density or heights proposed as the existing context and the need to protect residents' amenity with regards to daylighting and sunlight and limit overlooking/over shadowing limit options. Carlton Vale is expected to be the focus of additional height, but this will be in the form of thin towers within buildings of varying heights consistent with what has been delivered so far rather than extensive walls of height.

3.15 The revised masterplan provides some clarity on the sites within the Council's ownership where the potential for incorporation into the regeneration plans can occur. On sites within third party ownership (e.g. the Iranian school on Carlton Vale) the document sets out potential development solutions should the owner decide to bring the site forward for regeneration in the future, or the Council be given the opportunity to purchase it. These solutions will identify preferred land use, indicative capacity for that use and principal urban design considerations to create a positive environment within the wider masterplan context.

3.16 On sites that are within Council ownership a considerable amount of work has been undertaken by the consultant team in relation to the massing, scale and orientation of buildings to create a high quality environment. This provides an understanding of how the development could progress. In theory these drawings could be used as the basis for very specific site briefs at this stage to ensure absolute clarity on what will be developed on site. Nevertheless, there is a danger that creating very prescriptive guidance will limit innovation and not be able to react to changes in circumstance, particularly in the longer term. It could also undermine the potential for a creative process for development sites that might produce the same or better outcomes to be taken forward. As such for all sites a balance has been struck to provide a fair degree of certainty about what is likely to be regarded as an acceptable development when determining a planning application through the inclusion of a range of essential and desirable outputs, without undermining potential for creative solutions.

3.17 The draft Supplementary Planning Document relates to the wider South Kilburn Growth Area, rather than wholly focussing on the South Kilburn estate. Whilst the majority of sites formerly identified for development outside the estate have been delivered, there is still the potential for ad-hoc sites to come forward. As such guidance related to the wider context is relevant and consistent with Core Strategy policy. Depending on the timing of their delivery some some sites identified in the SPD could be taken forward as site specific allocations in any future review of Brent's planning strategy. This will provide a higher degree of weight in terms of planning policy used in the determination of planning applications than that which can be attached to the guidance in the adopted SPD.

The draft Supplementary Planning Document contents

3.18 The basic structure of the document is:

a) Vision and development principles

b) Broad topic based policy approach

c) Site specific guidance

d) Phasing of delivery

3.19 The SPD provides guidance on planning matters. It supplements London Plan and Local Plan policy and as it gains weight through the process will be a material consideration in determining planning applications. The key planning policy requirements covered in the SPD are as follows:

a) Development Principles – Emphasises the need to make South Kilburn a desireable and sustainable place to live. It identifies key strands to achieving that including: an integrated neighbourhood; building design; public realm;eduational attainment; health and well-being; parks and open space; and tenure diversification. It highlights the high level outputs of the 2016 South Kilburn masterplan to give a context for what follows in the SPD.

b) Land Use – primarily the focus will be on residential, with appropriate levels of social infrastructure which respond to identified needs such as potential provision of further ground floor commercial premises from Queen's Park along Carlton Vale, replacement health facilities, replacements for displaced faith facilities, replacement of community facilities and reprovision of schools in updated buildings.

c) Design – emphasising the need for quality in design, contemporary architecture reflecting sound urban design principles and durable high quality materials.

d) Housing – identifies likely housing numbers, proportion of affordable, preferred tenures, size mix that seeks family housing and designs to integrate as best as possible the tenure types, building heights, density and urban form and amenity standards

e) Community and other facilities – focusing on the improvement in the schools, health centre provision and other religious/community needs either displaced or resulting from the development

f) Transportation and movement – focussing on re-connecting the south Kilburn estate to the wider area, creating new streets to replace those that were formerly lost, reducing car dependency and increasing use of alternatives to the car, but providing for car use where necessary, e.g. parking provision, car clubs and electric charging points and improving the public realm.

g) Green infrastructure – identifying improvements to existing green space and additions, e.g. extension to South Kilburn park, plus green infrastructure provision within development sites, e.g. amenity space, planting and green roofs.

h) Sustainability – identifying the opportunity provided by the South Kilburn energy centre and the need for all future development to connect to this feature to reduce energy and heating costs and the development's carbon foot print

i) Implementation – responsibilities and indicative phasing timetable for demolishing and redeveloping blocks

j) Site Specific principles – indicative number of dwellings/non-residential floorspace, heights, massing and key frontages to address

3.20 The draft South Kilburn SPD which it is recommended that Cabinet issue for consultation is attached in Appendix A. The document has been produced by graphic designers to a tight deadline to make the Cabinet date. There are no plans to alter the text and figures to materially impact on the document, however presentationally officers consider that there might well be opportunities to enhance the appearance of the document, e.g. using photographs to fill some of the space currently void. Consequently approval is sought from Cabinet to delegate to the Strategic Director of Regeneration and Environment approval of minor editorial changes prior to the document being issued for consultation.

3.21 An adopted up to date SPD should assist the South Kilburn regeneration team and planning team in clarifying the planning position in relation to sites being brought forward for development. This should allow both teams to reduce the risks to the Council associated with the planning application process and support the continued regeneration of the estate in a timely and more efficient manner.

Consultation

3.22 As identified there has already been on-going consultation in developing the revised South Kilburn masterplan. At the last of the public engagement events which showcased the updated masterplan those that attended were made aware that there would need to be a further round of formal consultation in association with taking its outputs forward in a Supplementary Planning Document. The Town and Country Planning (Local Planning) (England) Regulations 2012 set out what the Council needs to do when seeking to adopt a Supplementary Planning Document. It has to publicise the consultation, notifying those that might be interested and making the document together with a consultation statement available on the website, in its principal office and in other locations it regards as appropriate. Consistent with this it is proposed that the consultation period for the document is for a minimum of 6 weeks.

3.23 Following close of the consultation period it is proposed that representations received will be reported to a future Cabinet, along with officer comments and

any associated proposed modifications prior to its recommendation for Cabinet adoption.

4.0 Financial Implications

4.1 The cost of the production of the SPD and all associated processes associated with its consultation and adoption, will be met from existing South Kilburn development scheme's and planning policy budgets.

4.2 The costs of producing the Masterplan is being met within the wider South Kilburn development scheme's budgets.

5.0 Legal Implications

5.1 Regulations provide for Local Planning Authorities to adopt Supplementary Planning Documents. These documents are to provide more detailed guidance on how a development plan policy will be interpreted in the determination of planning applications. Supplementary Planning Documents cannot introduce new policy or allocate sites for development.

6.0 Diversity Implications

6.1 The Equality Act 2010 introduced a new public sector equality duty under section 149. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Council must, in exercising its functions, have "due regard" to the need to:

1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

2. Advance equality of opportunity between people who share a protected characteristic and those who do not.

3. Foster good relations between people who share a protected characteristic and those who do not.

6.2 Statutory public consultation will be carried out in the process of preparing and adopting the Supplementary Planning Document. An Equalities Analysis Assessment screening opinion has been undertaken which identified no negative impacts in relation to those with protected characteristics as a result of the document. There is the potential for positive impacts with regards to ethnic background and disability through the provision of new residential properties which are likely to improve the quality of life for people with these characteristics as they have a higher representation amongst social housing tenants than the wider Brent community.

7.0 Staffing/Accommodation Implications (if appropriate)

7.1 None arising specifically from the draft Supplementary Planning Document.

Background Papers
South Kilburn Supplementary Planning Document 2005
Brent Core Strategy 2010
Brent Site Specific Allocations Plan 2011
Brent Development Management Policies Plan 2016
South Kilburn Masterplan Review 2016

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Draft **South Kilburn**

Supplementary Planning Document

February 2017 **Brent Council** Regeneration and Growth

How To Give Your Views

The Draft South Kilburn Supplementary Planning Document 2017 is published for consultation. You are invited to respond to us with your comments.

Further copies of this document can be downloaded from the Brent Council website at :

www.brent.gov.uk/southkilburnspd

Make your comments by the following ways:

By email to: ldf@brent.gov.uk

By writing to: Planning Policy & Projects Team, Brent Civic Centre, Engineer's Way, Wembley, HA9 0FJ

Please reference your comments to the relevant policy or paragraph of the document.

All comments must be received by 17:00, 30 March 2017

Any representations made in relation to this document will be made available to the public.

South Kilburn
Matters

Draft South Kilburn
Supplementary Planning Document
2017, Brent Council
Draft published in February 2017

London Borough of Brent
Planning Policy & Projects Team,
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Design: Fluid Architecture Urbanism Participation
Cover image: LDA Landscape Architecture

Draft **South Kilburn**
Supplementary Planning Document

February 2017 **Brent Council** Regeneration and Growth

Vision for
South Kilburn

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Purpose of the Draft South Kilburn Supplementary Planning Document (SPD)

1.1 This draft SPD document has been produced by Brent Council as a basis for public consultation. The Council is committed to full community involvement in the important decisions that are made and particularly in bringing forward plans that are likely to affect the local community.

Consultation on this draft SPD is part of that process. It is intended that this SPD will replace the South Kilburn SPD adopted by the Council in 2005. It consists of this document and a consultation statement.

Both SPD documents are available from Brent Council's website at www.brent.gov.uk/southkilburnspd, the Civic Offices, Brent libraries and South Kilburn Estate Office, William Dunbar House, Albert Road NW6 5DE.

1.2 The SPD will be an important document in determining how South Kilburn transforms over the next 10-15 years.

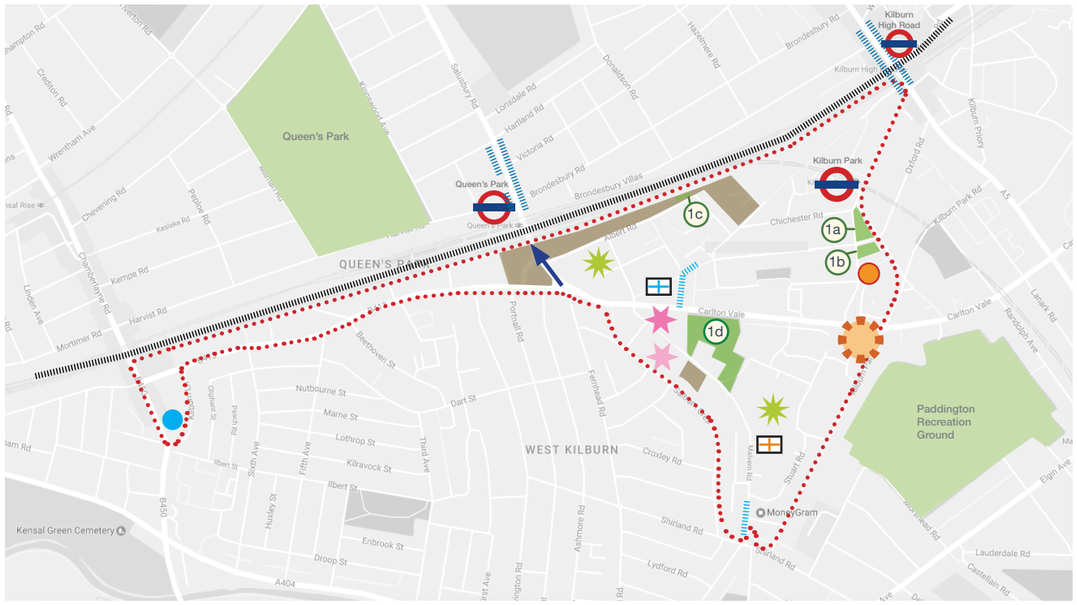
It includes key planning objectives and policies, providing guidance for the development of a number of sites within the South Kilburn area.

Its aim is to provide new homes, safer and friendlier neighbourhoods creating a real sense of place and belonging, training and employment opportunities and to improve educational attainment, health and wellbeing, whilst ensuring that important infrastructure and services, such as the public realm, new open space, the Enterprise Hub with community space and housing and a new school for primary age provision, are delivered.

1.3 The document seeks to build on the positive transformation of South Kilburn that has taken place so far. It seeks to provide greater detail on how Development Plan policies will be interpreted in the South Kilburn Growth Area boundary, and supplements Core Strategy policy CP9 South Kilburn Growth Area (see Appendix 1)

Figure 1 shows the boundary of the Growth Area that the SPD relates to.

The SPD will establish the principles and parameters to guide future development for the next 10-15 years. This will enable the realisation of the overall vision for South Kilburn.



South Kilburn Growth Area Boundary

Key

- Growth area boundary
- Development site
- Existing open space:
  - 1a Cambridge Sqare
  - 1b Vacant land
  - 1c Albert Road open space
  - 1d South Kilburn open space
- New public open space
- Railway
- Neighbourhood centre
- Town Centres
- Junction improvement
- Primary school
- Infant school
- Existing health centre
- New health centre
- Existing sports facility
- New sports hall
- Station access improvements

1.4 The document articulates the mix of uses and physical form of South Kilburn, the planning requirements for planning applications, the phasing of development, and measures that the Council will pursue to implement all aspects of the regeneration proposals.

In particular it fulfils the following roles, it:

- Elaborates the policies contained within the Council's Local Plan documents and the Mayor's London Plan;
- Articulates a development vision for the area; provides greater certainty on the uses, form and quality of acceptable development including the public realm and guidance for development partners on how this might be achieved;
- Assists the Council in the assessment of planning applications; and
- Provides a basis for future decisions on assembling land to provide certainty, including the potential use of Compulsory Purchase Orders.

1.5 In particular the document seeks to ensure a mix of housing types and tenures that are built to a high quality and that are environmentally sustainable.

It also seeks to clarify how improvements to community, leisure, health and education facilities, public open space and public realm will be delivered.

The strategic principles and policies within the document relate to the whole growth area.

In terms of site specific guidance and identified areas where change is likely to occur the guidance however focuses on the South Kilburn estate and its environs.

This is because the sites that were identified as likely to come forward for development outside the estate have been developed, or are in the process of completion (e.g. along Kilburn Lane/Chamberlayne Road).

1.6 The SPD meets the consultation requirements as set out in the Council's Statement of Community Involvement and also the Town and Country Planning (Local Planning) Regulations 2012.

The SPD should be read in conjunction with national policy, the London Plan and Brent Council's Local Plan.

On adoption it will be a significant material consideration in the determination of planning applications.

A Sustainability Appraisal (SA) is not required for the SPD as one was carried out for the Council's Core Strategy and Site Allocations Plan which identified the boundary of the growth area and its status as an area for comprehensive regeneration.

Regeneration of South Kilburn: Delivery to Date

1.7 The South Kilburn estate owned by the London Borough of Brent was identified as a potential regeneration area by the Council and central government in the late 1990s.

Plans for the regeneration of the area were taken forward with the community. These were initially set out through the New Deal for Communities Vision in 2001.

Subsequently, the Council in association with the community and other partners produced a Masterplan for the development of South Kilburn in 2005.

This, together with other regeneration opportunities identified in the wider South Kilburn area resulted in the production of formal planning documents in the form of the 2005 South Kilburn SPD.

1.8 Unfortunately in relation to the South Kilburn estate before significant regeneration could commence in terms of demolition and new build, the recession of the late 2000s occurred.

At this time few Registered Providers (predominantly Housing Associations) and/or private house builders had an appetite for large scale regeneration work.

The recession did not stop significant investment in the Council's stock that was not identified for demolition to bring it up to Decent Homes Standard.

For the redevelopment sites however, Brent Council became the master planner and developer for the South Kilburn estate area.

Then as now the Council:

- Planned and brought forward development sites;
- Ensured exemplary Design Quality Standards by commissioning its own design teams and seeing the delivery of schemes through to completion;
- Ensured existing residents needs are met in terms of housing; and
- Engaged Registered Providers or private sector partners to develop Council sites.

Illustration 1. Gloucester House and Durham Court

1.9 So far this has created exemplar, award winning housing design and open spaces. There is also a high level of satisfaction from existing secure Council tenants moving into the new developments.

The Council has produced a viable and deliverable development programme. It has used market housing to cross-subsidise the redevelopment of poor quality former Council housing to ensure that high quality of homes for existing secure tenants of South Kilburn could be delivered.

It has developed this housing at rents affordable to existing tenants, known as (social rent). In sites outside the Council's ownership there has also been significant progress on regeneration.

Nearly all the sites identified as having development potential have been delivered, predominantly for housing.

Illustration 2. Queens Park Place - Communal Courtyard

Need for review: 2016 Masterplan

1.10 Since the adoption of the 2005 SPD, local circumstances, national, regional and local planning policies have all substantially changed. These include:

- Publication of the National Planning Policy Framework and Planning Practice Guidance;
- London Plan review and updates to the Brent Local Plan.
- The delivery mechanisms for the changes to the area; the Council now taking a greater lead as commissioner for each site than was anticipated in 2005.
- Significant elements of the regeneration of the area have now been completed, are being currently developed or have planning permission.
- Additional areas have, will or may become available for development.

1.11 These changes have also warranted a more significant and strategic review of the South Kilburn Masterplan on the South Kilburn estate where the Council still owns the majority of the land.

This review was commissioned by the Council's South Kilburn Estate Regeneration team in the summer of 2016. It was led by Master planners and Urban Designers Feilden Clegg and Bradley Studios, together with a range of specialist consultants.

The Masterplan review concentrated primarily in relation to the Council's land interests within the estate.

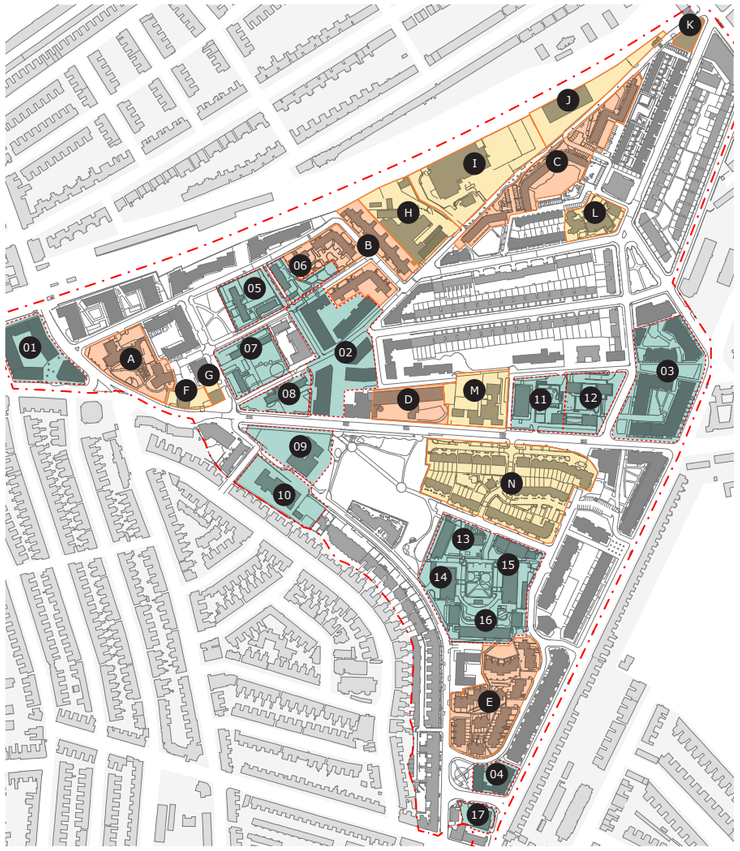
On these interests detailed work was undertaken in terms of design. This was to help to understand the potential capacity of the site for new development that would provide a high quality change and adhere to the vision set out for South Kilburn.

1.12 The review did however, also identify the potential for other sites in non-Council ownership to contribute towards the area's regeneration.

This was particularly for sites where there is considered to be a prospect of the site coming forward over the next 10-15 years. For these potential land uses and high level urban design principles have been set out. These help understand how sites could contribute its part of the wider regeneration picture.

Figure 2 Masterplan Opportunity Sites shows the sites that were initially considered as part of the Masterplan refresh and which were consulted on with the local community. Not all of these are now considered realistic development opportunities in the next 10-15 years. The majority which were however, and their associated design principles have been incorporated into this SPD.

1.13 The 2016 Masterplan review was subject to extensive community engagement and consultation throughout its development. The revised Masterplan sets out the phased regeneration of the remainder of the South Kilburn estate. It takes account of the potential development opportunities that the sites have. It identified the consolidation and replacement of affordable housing and community facilities on Council owned sites in a manner that is viable. It therefore has a high prospect of delivery.



Masterplan sites

01 Queen's Park & Cullen House
02 Peel
03 Gloucester and Durham
04 Land North of Chippenham Gardens
05 Neville / Winterleys
06 Carlton House
07 Crone / Zangwill
08 Craik Court
09 Kilburn Park Junior School
10 Carlton Infant School
11 Hereford House
12 Exeter Court
13 Wordsworth / Masefield
14 Dickens House
15 Austen House
16 Blake Court
17 John Ratcliffe House

Opportunity sites included in Enhanced and Progressive Masterplan

A William Dunbar Hse / William Saville Hse
B Carlton and Graville Centres

Opportunity sites included in Progressive Masterplan

C Carlton House
D Canterbury Crt / Gorefield Hse / Alpha Place
E Malvern Road / Radburn Layout Houses
F West Kilburn Baptist Church
G UK Albanian Muslim Comm. and Cult. Ctre
H Canterbury work (HS2 Shaft)
I St. Mary's RC Primary School
J Royal Mail sorting office / Mint coaches
K Employment services office
L St. Mungo's / Salvation Army
M The Educational and Cultural Centre IR Iran
N The Vale

Figure 2. Masterplan Opportunity Sites

Development and Opportunity Sites

- Proposed developments site according to existing 2005 Masterplan
- Opportunity sites mainly in London Borough Brent ownership
- Opportunity sites outside London Borough Brent ownership

2016 Masterplan Status

1.14 The status of the contents of the revised South Kilburn Masterplan in relation to planning decisions needs to be clarified by the Council in its role as local planning authority. This will provide greater certainty and confidence to all about how the area will continue to be regenerated in the future.

Consequently, taking account of the factors highlighted above and the revised Masterplan the Council is taking forward a new South Kilburn SPD. This will look to incorporate those elements of the revised Masterplan which are planning related and which, as a local planning authority, the Council considers are appropriate.

The SPD is supplementary principally to Core Strategy Policy CP9 South Kilburn Growth Area. This is not the only policy pertinent in relation to the development of the area.

The SPD also has taken account of and makes reference where appropriate to national policy set out in the National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG), the London Plan, Brent's Local Plan and existing and emerging SPDs.

The 2016 Masterplan document will still form important reference material for understanding further detail on some of the SPD's principles, e.g. design of street typologies and open spaces.

South Kilburn: Location and Physical Context

1.15 South Kilburn is located in north-west London, within the London Borough of Brent.

It forms the south-eastern boundary of the borough. It is broadly bounded by the West Coast Mainline/Bakerloo line to the north, Kilburn Park Road to the east, Kilburn Lane and Malvern Road to the south, and Chamberlayne Road to the west.

South Kilburn shares boundaries with the London Boroughs of Camden to the east and Westminster to the south.

It borders the affluent residential neighbourhoods of Maida Vale, Queen's Park and West Hampstead.

1.16 South Kilburn is located in close proximity to employment, leisure and other town centre opportunities. Kilburn (major town centre), Queen's Park and Kensal Rise (main district centres) are immediately adjacent to the area and London's West End is just over a mile to the south. Large areas of open space are located to the north (Queen's Park) and south (Paddington Recreation Ground).

The area is primarily residential, although it contains pockets of other uses show in Figure 3, such as employment, open space, social infrastructure and shopping parades.

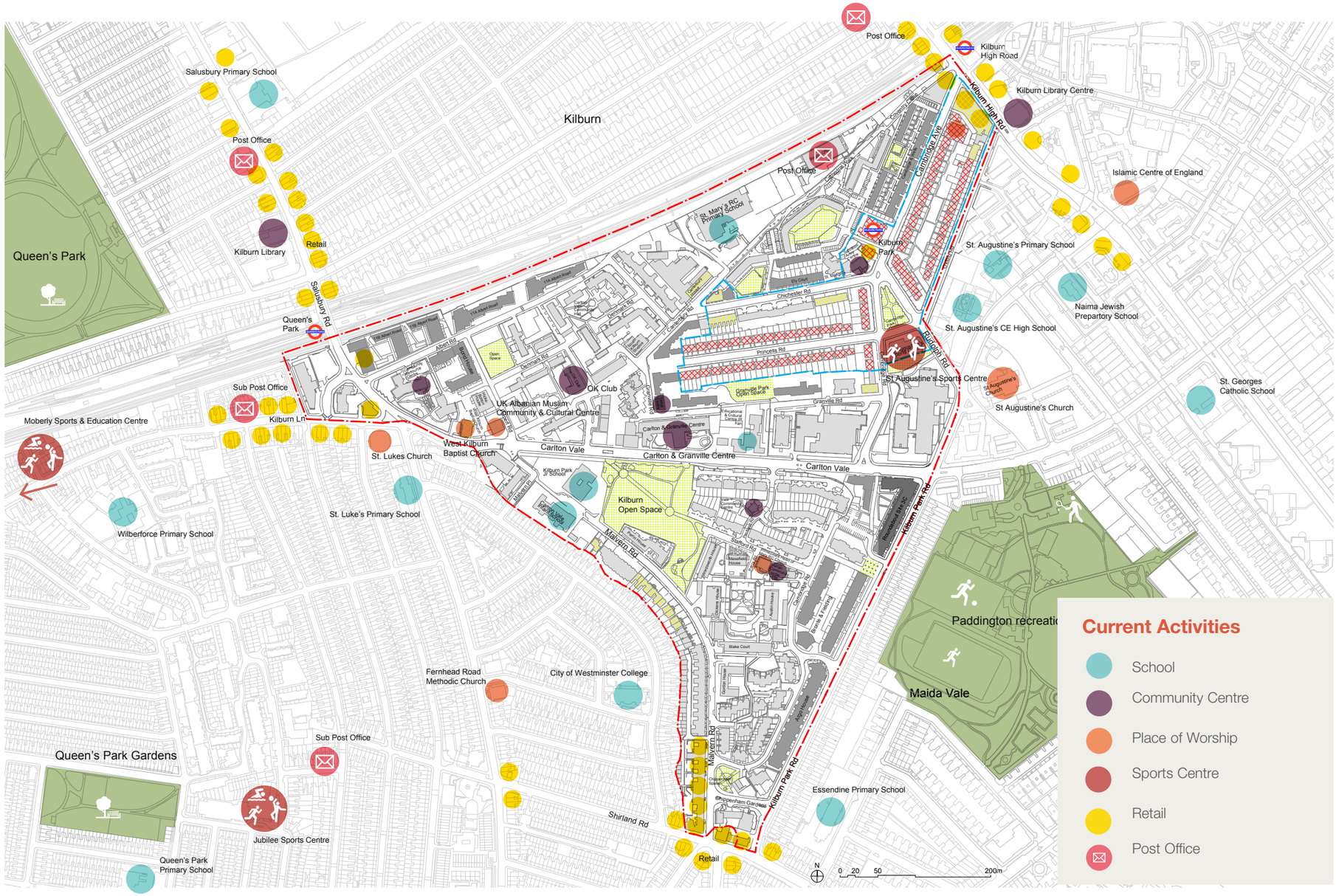


Figure 3. 2016 Activities Analysis

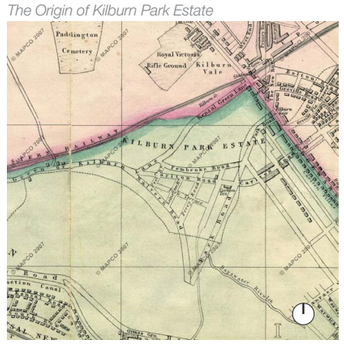
1.17 It is a mixture of traditional streets, essentially townhouses and terraces built in Victorian times, interspersed with radical interventions; typically found on the Council's South Kilburn estate. This estate forms the majority of the SPD's area. It is primarily formed of angular housing blocks (many high rise) set in ill-defined streets and green spaces.

1981
Cambridge Gardens

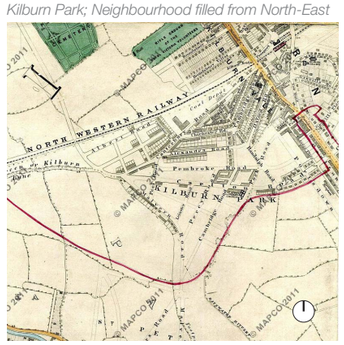
St. Augustine's Church - completed in 1989

1967
Buildings along Canterbury Road in decline

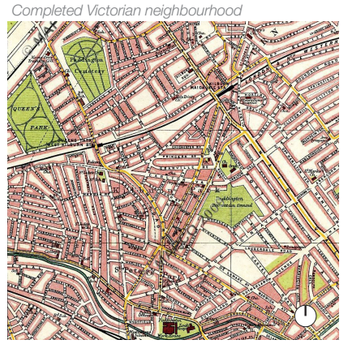
1861
The Origin of Kilburn Park Estate



1872
Kilburn Park; Neighbourhood filled from North-East



1920
Completed Victorian neighbourhood



1935
Interbellum OS map

Illustration 3. Historical photos and maps

Since 2005 however, there has been significant development of housing and non-housing sites, within the whole South Kilburn SPD area. This has primarily been for homes contemporary in form but traditional in its urban design response with a more clearly defined traditional street patterns reappearing.

Ely Court

Cambridge and Wells

Queen's Park Place

Queen's Park Place

Ely Court

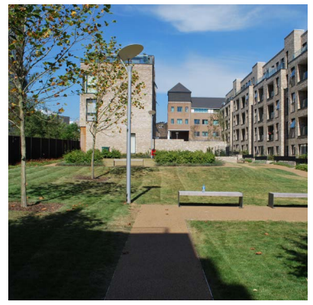


Illustration 4. Images of the 2000s buildings

1.18 South Kilburn is historically and culturally rich. It has a community shaped by residents from a variety of cultures, ethnic and faith groups. It has a diverse and highly motivated community. This contributes to an overall sense of vibrancy and activity in the area.

The recent regeneration of the area and its desirability and that of the surrounding areas have created a change in dynamic over the last decade.

The surrounding area continues to become increasingly desirable, resulting in significant increases in house prices.

Nevertheless, South Kilburn does have spatial (as identified in Figure 4) constraints and as a whole, or on some aspects in some parts still does suffer from the following:

- Poor housing conditions particularly in relation to the Council's own stock identified for redevelopment;
- Limited range of housing tenure (over-concentration of social rent in parts and under-representation of intermediate tenures);
- Poor physical environment and public realm. Main streets such as Carlton Vale and the internal street layout of much of the unmodified Council estate are particularly poor;
- Multiple deprivation, including low income, high unemployment, low educational attainment and poor health indicators;
- Relatively high incidence of crime and fear of crime;
- Physical, social and economic disparity within and between South Kilburn and surrounding areas; and
- Poor job prospects for tenants of affordable housing from a range of age brackets.

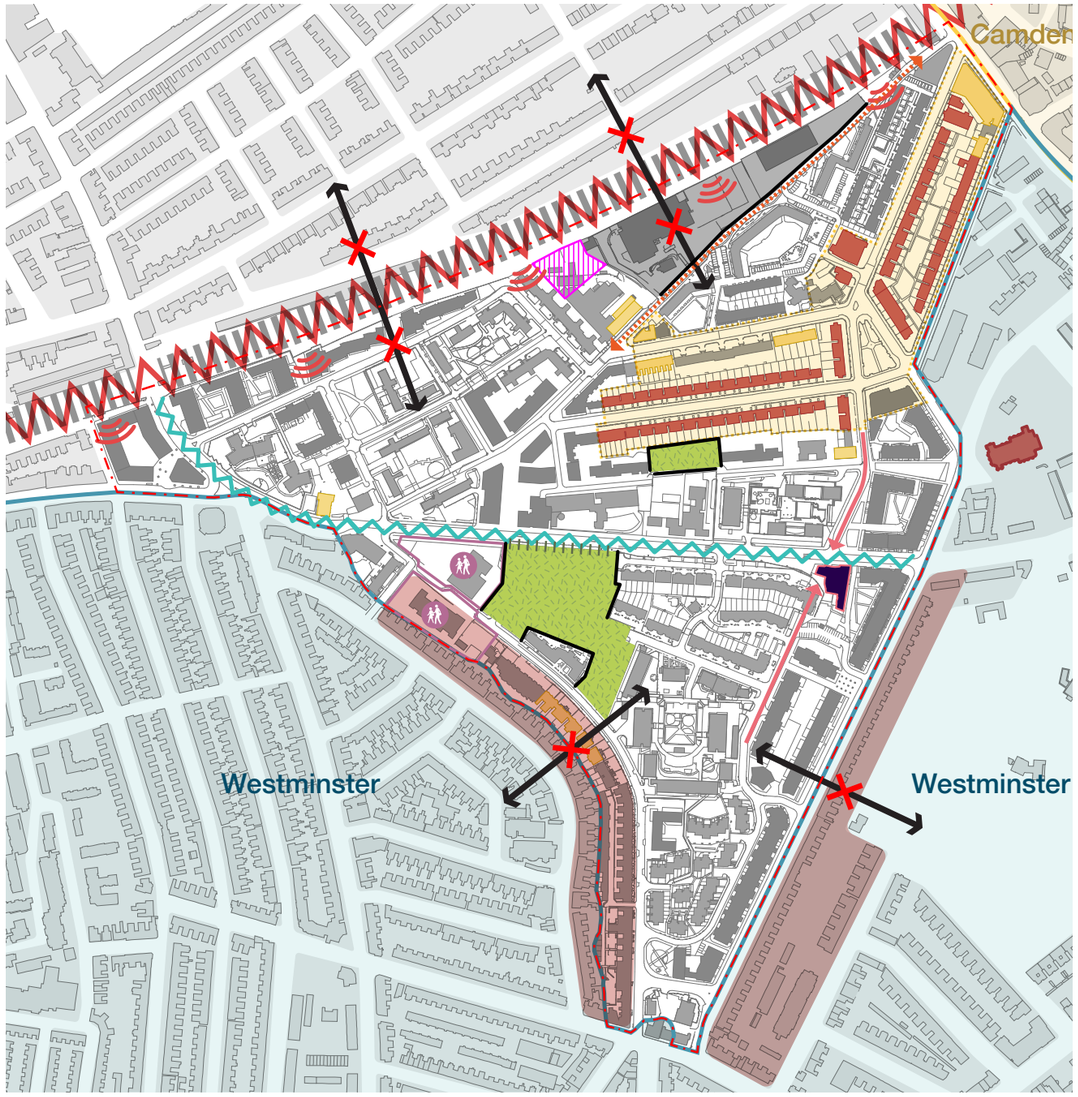


Figure 4. Summary of constraints in 2016

Constraints

- London Borough of Westminster
- London Borough of Camden & Kilburn Open Space
- Granville Park Open space
- Site identified for HS2 shaft
- Conservation Area
- Locally listed buildings
- Grade II listed buildings
- Missing permeability to connect to neighbourhood
- Railway line
- Noise issues
- Busy Carlton Vale
- Inactive boundaries
- Potential of upgrading route
- Existing school locations
- Building from Roundabout site development

1.19 The 2015 Indices of Multiple Deprivation shows that despite significant changes to the environment, essentially across a wide range of indicators the South Kilburn estate is in the top 10% - 20% of deprived areas in the country. Whilst the other areas along Kilburn Lane are in the top 40-50%.

There has however been an improvement in the area's score since 2010 which shows that the regeneration process is starting to improve people's prospects and introduce a greater mix of people.

1.20 The area has many strengths which point to its likely successful future regeneration. These include, excellent connections to Central London.

Kilburn Park Station is within the regeneration area and both Queens Park and Kilburn High Road stations are on the boundary. There is also a good bus network within and around the area which provides high public transport accessibility.

It has close proximity to a range of shops on Kilburn High Road, Chamberlayne Road and Salusbury Road, a vibrant local community and existing social infrastructure that is well used but also with the ability to be improved.

These strengths are increasingly becoming recognised and will play a significant part in the planned regeneration of the area.

South Kilburn is now considered a desirable area in which to live which is reflected in increased property values. These make it attractive to inward investment and therefore viable to redevelop to a high standard.

1.21 Figure 5 gives a spatial representation of some of the principal opportunities within the area that can be maximised through development meeting the advice set out in this SPD.

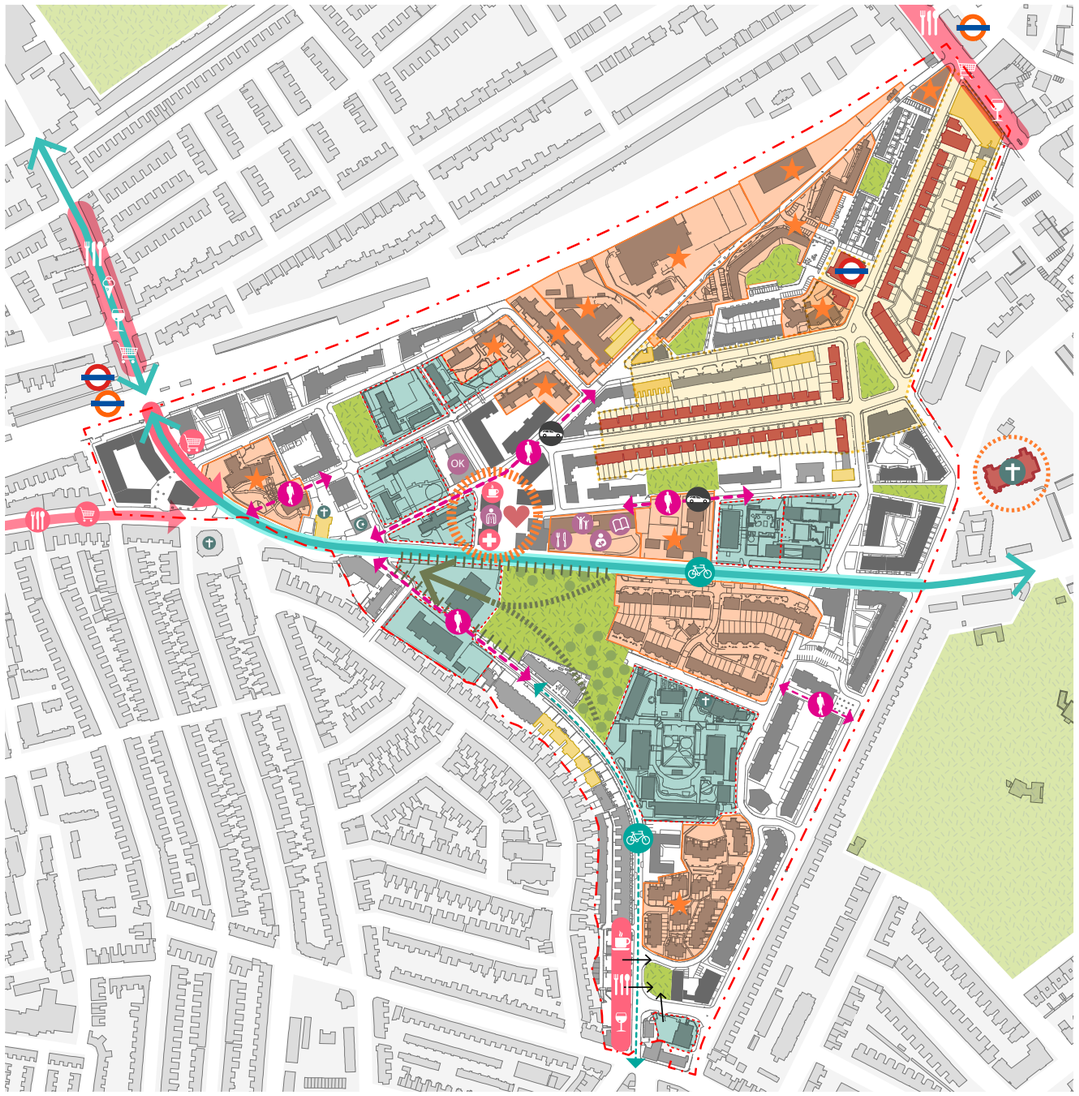


Figure 5. Summary of opportunities in 2016

Opportunities

- Planned developments with planning / up for planning
- Realised developments during regeneration Masterplan period '05-'16
- Existing / Planned Open space
- Redevelopments sites defined in Masterplan 2005
- Opportunity sites
- Conservation Area
- Locally listed buildings
- Grade II listed buildings
- Potential extension of Kilb. Open Space
- Carlton Vale
- Potential connection for pedestrians and cyclists only
- Potential connection (including vehicles)
- Potential Key cycling routes
- Heart of South Kilburn - the Peel
- Active frontage upgrading the public realm
- Existing Retail / Potential retail extensions
- Public facilities:
  Communal kitchen, the OK Club,
  Nursery School, Community Centre,
  GP practice,SK Trust
- Places of worship

Continuing the Transformation

1.22 The fundamentals set out in the 2005 Masterplan which informed the 2005 SPD created core principles which the Council considers are sound.

They have and will continue to serve the area well in terms of its regeneration. The Council has not sought to significantly deviate from these in undertaking a refresh of the Masterplan.

The refresh seeks to identify the opportunities now known, or that potentially realistically exist and respond to the precedent and experience of what has been achieved to date and context.

To continue the transformation of South Kilburn the Council will work with partners to:

- Deliver new high quality designed and desirable homes;
- Show commitment to bringing forward viable development solutions;
- Retain and enhance buildings of heritage value;
- Deliver sustainable development;
- Enhance public realm and deliver high quality open space;
- Provide high quality community facilities and amenities.

1.23 As indicated in relation to the extent of the 1960/70s South Kilburn estate, the Council owns much of the land within the SPD area.

This assists in its effective long term master planning.

The continuing support from the local community for the regeneration and development proposals for South Kilburn will ensure that the area further develops into a long term sustainable place.

Illustration 5. Watling Place - Albert Road

Illustration 6. Cambridge and Wells Court

2

Planning Policy Context

23
National Planning Policy Framework (2012 onwards) and Planning Practice Guidance (2014 onwards)

23
London Plan

25
Brent Local Plan

25
Brent Core Strategy (2010)

26
Site Specific Allocations Plan (2011)

27
Development Management Policies Plan 2016

27
High Speed 2

2.1 Planning Policy relevant to the regeneration of South Kilburn is contained within a hierarchy of policy and guidance. This ranges from the national to local level as indicated in Figure 6.

2.2 The South Kilburn SPD and the developed proposed for the area must take account of the National Planning Policy Framework (NPPF) and the London Plan.

The way that the policies in these documents shape the SPD is set out below. The SPD will also have to be in accordance with the Council's Local Plan. This includes the Core Strategy, Site Specific Allocations and Development Management Policies Plans.

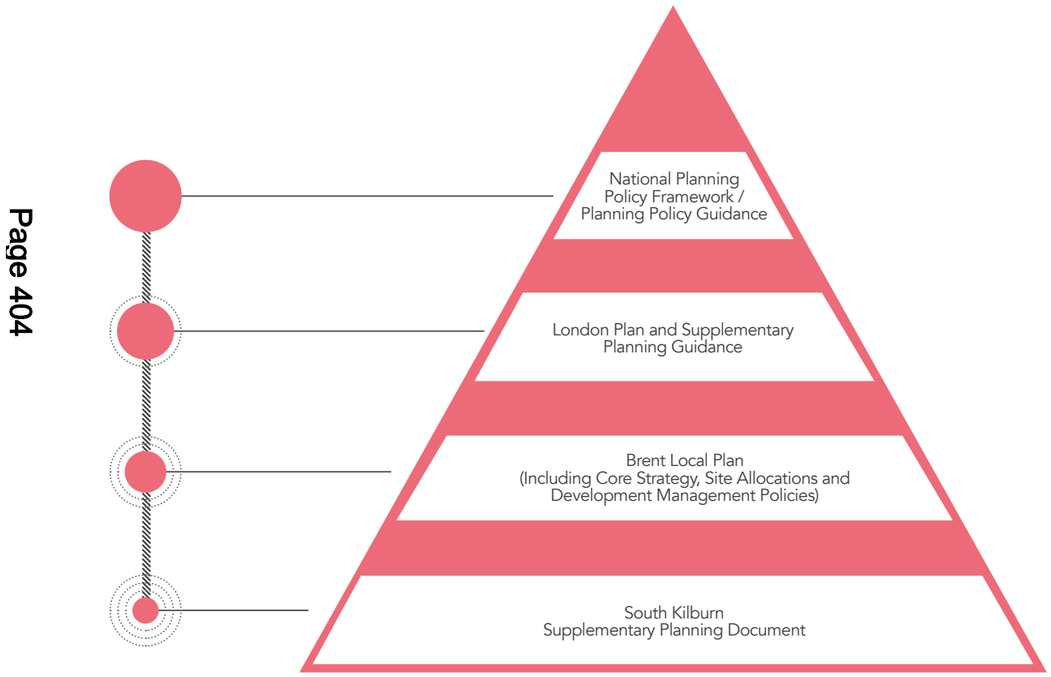


Figure 6. Planning Policy Framework Diagram

National Planning Policy Framework (2012 onwards) and Planning Practice Guidance (2014 onwards)

2.3 The Framework sets out national planning policy, providing strategic direction on a wide range of planning matters.

It is supplemented by Planning Practice Guidance which gives further guidance on how policy should be interpreted.

At the heart of the Framework is a presumption in favour of sustainable development. This presumption should be reflected in the plan-making process and any associated guidance.

The Framework states that development should be approved unless any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits of that development.

The SPD has been positively prepared. It seeks to regenerate and invest in the area in a viable manner taking forward the opportunities that exist to meet the development needs of South Kilburn's population both now and in the future.

London Plan

2.4 The South Kilburn SPD has to be consistent with the contents of the London Plan.

South Kilburn is important in helping to ensure that London "retains and extends its global role as a sustainable centre for business, innovation, creativity, health, education and research, culture and art and a place to live visit and enjoy..." (policy 2.1 of the London Plan).

There are a number of strategic policies and designations that are particularly pertinent to South Kilburn.

2.5 The London Plan Policy 2.14 identifies areas for regeneration; this includes South Kilburn.

The policy identifies that the Mayor will work with strategic and local partners to co-ordinate their sustained renewal by prioritising them for neighbourhood-based action and investment.

The Mayor requires boroughs to set out integrated social policies that bring together regeneration, redevelopment and transport proposals.

The policy states that Boroughs should resist the loss of housing including affordable housing unless it is replaced with better accommodation and equal floor space.

2.6 The London Plan through a variety of policies such as Policy 3.3 Increasing Housing Supply, Policy 3.5 Quality and Design of Housing Development and Policy 3.9 Mixed and Balanced Communities places emphasis on maximising housing supply, including affordable housing and also maintaining the quality of new development.

Additional provision of homes will promote opportunity to provide a real choice for Londoners in ways that meet a price that they can afford.

The Plan sets minimum housing targets across London of an annual average of 42,000 net additional homes in 2015-2025.

It states that this will enhance the environment, improve housing choice and affordability, and provide better quality accommodation for Londoners.

2.7 Table 3.1 of the London Plan sets out Brent's Annual Average Housing Supply Monitoring Target.

This is a minimum ten year target of 15,253, translated into 1,525 per year from 2015/16 as an annual monitoring target. London Plan Policy 3.4 Optimising Housing Potential sets a dwelling density range for different types of location.

2.8 These are all matters pertinent to this SPD. The SPD is supporting regeneration of large areas of poor housing stock and with its associated adverse environmental, social and economic impacts.

It seeks to replace these with high quality dwellings that meet the needs of the existing community and market housing for London's needs.

It aims to increase housing supply through providing clarity on existing identified sites as well as identifying further sites for housing and other uses.

It aims to provide a sustainable community with a variety of social infrastructure and opportunity which will endure. It is considered that the contents of the revised SPD are consistent with the contents of the London Plan.

Brent Local Plan

2.9 Brent's Local Plan is a collection of planning documents that, in conjunction with National Planning Policy and the Mayor's London Plan, sets out the strategy for Brent's future. It comprises the following documents.

Brent Core Strategy (2010)

2.10 The Core Strategy sets out the vision, objectives, key policies and monitoring framework for future development in Brent.

It also reflects community aspirations and provides an integrated approach to other important local strategies.

Adopted in 2010, it proposed five main growth areas of which South Kilburn was one.

2.11 Policy (CP9) specifically relates to the South Kilburn regeneration area consistent with the area covered by this SPD.

It proposed the delivery of a minimum of 2,400 homes in South Kilburn from 2007 to 2026. These would be supported by associated physical and social infrastructure.

The SPD seeks to deliver this policy requirement. It updates the position on housing and infrastructure delivery.

It takes account of what has been achieved to date and what is required to meet future needs in the context of a growing population.

2.12 The SPD sets out further housing proposals in addition to those which were identified in 2005.

This will increase total housing supply in the South Kilburn Area above the minimum policy target consistent with the London Plans' aim of maximising housing supply.

Site Specific Allocations Plan (2011)

2.13 This Plan allocates sites for specific land uses and sets out policies to guide their development. It included only four sites in the South Kilburn Regeneration Area.

These were SK1 Queen's Park Station Area, SK2 British Legion, Marshall House and Albert Day Centre, SK4 Canterbury Works and SK5 Moberley Sports Centre.

2.14 SK1 has a full permission which has been implemented in part, but will be start to be delivered in 2017/18. SK2 has been completed.

SK4 has had some housing development completed, but is subject to a HS2 proposed vent shaft which will compromise its delivery in accordance with the Local Plan in the medium term.

SK5 Moberley Sports Centre is under construction.

For SK2 and SK4 the SPD reflects these allocations providing additional information on their planning status or guidance to support their development in addition to the criteria set out in the Plan.

This SPD identifies further opportunity sites for development. Again some of these already have a planning permission but have not started on site. It is almost certain that these sites will be delivered as per the current permission in order to meet delivery targets.

For those where no application has been submitted it provides site specific guidance to support their development.

All sites remaining to be developed are addressed in an opportunity sites section towards the end of the SPD.

2.15 The SPD is not allocating the development opportunity sites, but advising how they could be delivered in a manner that is consistent with the development plan and in particular CP9 South Kilburn.

Alternative development proposals that do not accord with the SPD might be acceptable if they accord with policies in the development plan. If these opportunity sites still remain undeveloped at the time of a review of Brent's Local Plan, they will be identified as allocations with the associated policy weight. This will provide more certainty to all about the anticipated outcomes of redevelopment.

Development Management Policies Plan 2016

2.16 The Development Management Polices Plan, which provides detailed decision making policies was adopted in 2016.

This SPD reflects policies in that Plan.

The SPD will also elaborate where the local circumstances in South Kilburn necessitate a more locally distinctive approach to borough wide policies.

High Speed 2

2.17 In addition to these policies this SPD needs to take account of the impacts of the Government's proposed High Speed 2 Rail Link Phase 1 Euston to Birmingham.

This nationally significant infrastructure project includes a tunnel which will go under part of the South Kilburn SPD area. A vent shaft is required to serve the tunnel.

This is on the site of the Canterbury Works (SK4 Site Allocation).

It is not yet clear to what extent this will impact on the development capacity of the remainder of the works site or its timing of delivery.

3

Development Principles for South Kilburn

30
Sustainable Development and Sustainable Communities

31
1 An Integrated Neighbourhood
2 Building Design

32
3 Public Realm
4 Educational Attainment
5 Health and Wellbeing

33
6 Parks and Open Space
7 Tenure Diversification

34
The South Kilburn Masterplan 2016

Sustainable Development and Sustainable Communities

3.1 The continued regeneration of South Kilburn provides the opportunity to build on the foundations of what has already been achieved.

It will create an area that is an exemplar of sustainable and high quality design, providing a place that people are proud to live in.

The SPD establishes the design and development principles that will be applied to all development within South Kilburn to ensure the quality, character and sustainability of the area.

3.2 The overarching principle of this SPD is the creation of a thriving, vibrant, sustainable community in South Kilburn. Sustainability is a function of efficient land use, mixed-use, variety of housing type and mix, good and environmentally sensitive design, and access to employment and job opportunities, community facilities and local services. Sustainable communities are balanced, inclusive, healthy and safe from crime or the fear of crime.

3.3 The regeneration of the built environment alone cannot deal with poverty, inequality and social exclusion, however it is a crucial component.

Sustainable communities need sufficient, quality housing to meet the needs of the community, a flourishing local economy supported by adequate infrastructure, a high quality, safe and healthy local environment, and the amenities and sense of space and place to support a diverse and vibrant local culture.

The condition of the built environment has a direct impact on the quality of life and the appropriate conservation and improvement of the natural and built environment brings social and economic benefit for local communities.

The Council through all its activities and service areas will seek to complement changes in the built environment through other initiatives that improve people's quality of life and prospects.

Illustration 6. Leader and Deputy Leader opening Woodhouse Urban Park

3.4 In order to make South Kilburn a desirable and sustainable place to live, the SPD places strong emphasis on the following:

1 An Integrated Neighbourhood

South Kilburn estate became a distinct neighbourhood that was socially and physically cut off from its neighbours. The scale and design of buildings, together with the lack of tenure mix, limited non-residential uses together with the removal of traditional street pattern created an environment that did not encourage through movement, or wider interaction from the wider community.

A continuation of a fundamental reconsideration of the built environment already started will continue and reverse the damage previously done. It will be reversed by weaving South Kilburn seamlessly back into the wider area. Most of the streets formerly lost or closed will be reinstated or opened up to provide increased movement consistent with a pleasant residential environment. Priority will be given to walking, cycling and public transport.

The majority of the 1960/70s tall housing blocks will be removed and reconfigured along more traditional urban design principles; facing and providing clearly defined overlooked streets with buildings of human scale. These together with an increase in housing tenure mix will encourage a wider range of socio-economic groups and the wider community into and through the area.

2 Building Design

High quality award winning urban housing from high quality architects has to date been delivered on the South Kilburn estate. This has created new and distinct townscape that takes account of its existing context, providing a contemporary response using high quality materials that are robust and sustainable. The properties are generous in terms of their space standards and laid out to meet existing and future needs of residents, seeking to reduce living costs for their occupiers.

High quality standards internally and externally will need to be maintained in order to continue the sustainable changes within the South Kilburn Area. New Development will provide long lasting, rather than temporary solutions, allowing any future changes following the conclusion of this regeneration programme without the need for wholesale redevelopment.

Illustration 7. Chippenham Gardens

3 Public Realm

Investment in the public realm to date has primarily been focused within development sites and small public spaces; this has undoubtedly improved the appearance of the area. The commitment and investment to deliver high quality public realm will continue. Buildings, spaces and open spaces will be high quality in terms of quality of design, materials and sustainability principles. They will have the flexibility to respond to change.

This will include modern and better integrated public realm around the buildings that it serves. Public and private space will be clearly defined. Public realm will also support the health and leisure needs of the existing and future population and contribute to a vibrant, attractive and safe area.

4 Educational Attainment

A high quality new 3 form of entry school for primary age provision is proposed to be delivered. It will provide new and improved school facilities to meet the needs of both the existing and new population of South Kilburn. It will improve educational attainment, providing high levels of education and a learning environment which enhances users learning experience. It will also fulfil a community function; being used in the evenings and out of school times.

Training and employment opportunities will continue to be provided through apprenticeships through contractors and buildings' occupiers to give local people the access to work and in association with the enterprise hub to be developed on site.

5 Health and Wellbeing

A new health centre will be delivered as part of the Peel redevelopment. This will be welcoming and inspiring; a community hub that will accommodate and expand existing GP practices and improve health care facilities within the local area.

Existing community uses/spaces needed will be retained, or the premises relocated and improved to encourage greater community participation.

Additional retail and other commercial services that replace existing facilities serving the local population will be provided where needed. Potential for South Kilburn occupants to gain additional skills and access to local work opportunities will be supported through appropriate construction training and apprenticeships and also the provision of workspace.

Illustration 8. Peel and Health Centre

6 Parks and Open Space

Municipal open space will continue to be improved. Cambridge Gardens has been improved, whilst the award winning Woodhouse Urban Park opened in spring 2016, providing a high quality public park and play space for ages. Public open space will continue to be improved to provide accessible high quality play and outdoor recreation opportunities for all ages, both young and old. Play or outdoor sports facilities will be well-integrated within parks or surrounding streets and will be easily accessible with sufficient natural surveillance.

There will be a number of pocket parks such as the Granville Urban Park and an enhancement, extension and redesign to South Kilburn Open Space is planned. This will create a central high quality urban park fitting of the emerging identity of South Kilburn as a green and liveable neighbourhood.

The Open Space will be upgraded to improve connections, with improved choices of activity, implementing both organised and incidental recreation opportunities, with species selected which will be robust, low maintenance and change through the seasons and the introduction of biodiversity through the specie selection. It will be transformed into a Park that becomes a core feature of everyday use for the community, as well as a place for gathering, socialising or events.

Illustration 9. Woodhouse Urban Park

7 Tenure Diversification

The Council is committed to re-providing social rented housing within South Kilburn for existing secure tenants of South Kilburn. The target was to deliver a minimum 2,400 new high quality homes of which up to 1,200 would be available for existing secure tenants.

The programme of the estate's regeneration is almost half through with approximately 500 secure tenants living in their new homes. It has therefore, to date, succeeded in doing this and will continue to do so. Subject to viability, a wider range of tenures will also be sought within the South Kilburn estate, including intermediate options and shared equity offers to existing leaseholders.

Elsewhere the Council will seek a mix of tenures to meet the needs of the wider Brent population.

The South Kilburn Masterplan 2016

3.5 The 2016 Masterplan process provided an opportunity to review the 2005 Masterplan and update it to take account of current and future circumstances, whilst seeking to continue to deliver the guiding principles set out in the Vision for South Kilburn.

As indicated a considerable element of the South Kilburn estate has either been delivered since 2005, has full planning permission or is in the process applying for planning permission, broadly in accordance with the 2005 SPD.

Taking this into account, plus the fact that the 2005 SPD was based on a thorough analysis of the area and the opportunities it provided, unsurprisingly the outputs of the 2016 Masterplan have provided more a refinement of the original rather than a radical variation.

Figure 7. Enhanced Masterplan

Masterplan
Enhanced option

- Future Buildings part of the Masterplan
- Realised Buildings part of the Masterplan
- New Infant and Junior School
- Carlton and Granville Centres
- Primary Street - Tree Lined Avenue
- Primary Street
- Primary Street
- Secondary Street
- Tertiary Street
- Pedestrian and cycles only
- Public Parks / Green Spaces
- Gated Green associated with the Development
- Public Realm
- Trees
- Community spots Community spots
- Public transport stations
- Public accessible green space

3.6 In moving forward with the regeneration of South Kilburn, in terms of its physical attributes the proposed site plan as shown in Figure 7 provides an indication of the anticipated structure of the development. It also shows the land uses proposed that have resulted from the Masterplan process.

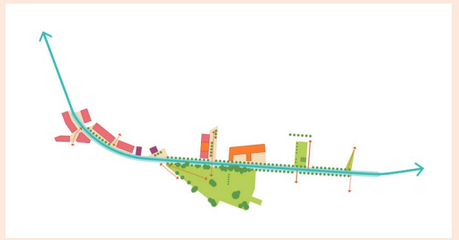
It is this which the SPD will seek to deliver. From a three dimensional perspective this is embodied in the bird's eye view shown in Figure 8.

Masterplan Enhanced Option Sites

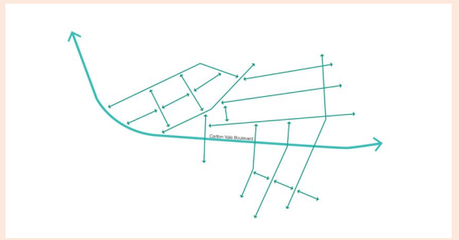
01 Queen's Park & Cullen House
02 Peel
03 Gloucester and Durham
04 Land North of Chippenham G.
05 Neville / Winterleys
06 Carlton House
07 Crone / Zangwill
08 Craik Court
09 Kilburn Park Junior School
10 Carlton Infant School
11 Hereford House
12 Exeter Court
13 Wordsworth / Masefield: Proposed location for New School Primary Age Provision
14 Dickens House
15 Austen House
16 Blake Court
17 John Ratcliffe House
18 William Dunbar Hse / William Saville Hse
19 Carlton and Granville Centres
20 Granville Open Space

Figure 8. Enhanced Masterplan Bird Eye's View

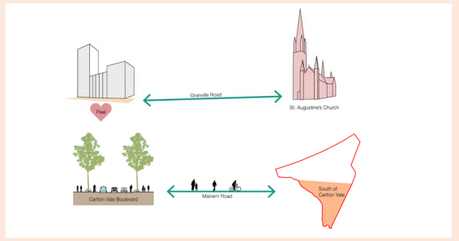
3.7 This built on the principal defining spatial principles as set out in paragraph 3.4 related to making South Kilburn a desirable and sustainable place to live, which have been translated into the place as shown in Figure 9.



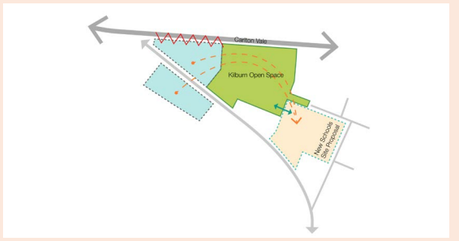
1 Carlton Vale as a tree lined Boulevard



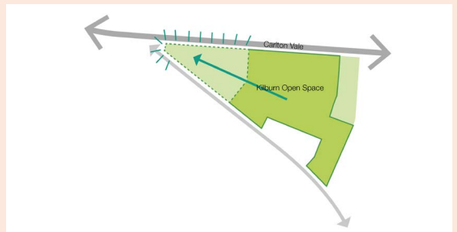
2 Reconnecting the streets, reconnecting North & South



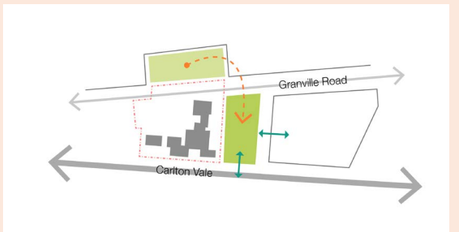
3 Opening Granville Road and Malvern Road



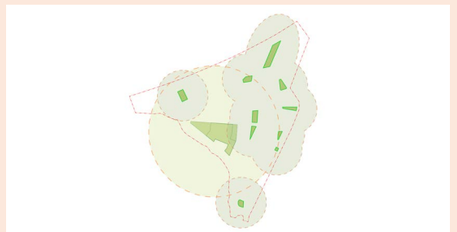
4 Integration of New School for Primary Age Provision



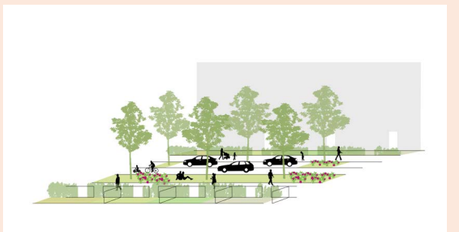
5 Extending Kilburn Open space to the West



6 Move Granville open space



7 A series of pocket parks



8 The streets as landscape

Figure 9. Spatial Design Principles

3.8 Based on the analysis of opportunities and the existing urban fabric of the area, the Masterplan sought to break from the relatively homogeneous and in parts alien structure, form and function of the of the estate and to identify more distinctive character areas.

This would create differing places of a human scale sitting comfortably within their surrounding context which might be more identifiable as distinctive neighbourhoods, enabling a better sense of place.

These informed the final Masterplan's uses locations, layouts and heights. The character areas shown in Figure 10 were defined as:

- **Gateway** – the area that connects South Kilburn with the vibrancy of Salusbury Road
- **Civic Centre** – based around the significant health and community facilities created in the Peel redevelopment
- **The Boulevard** – Carlton Vale transformed into a boulevard and become a neighbourhood that will stitch together the north and south of the south Kilburn together
- **The Park** – South Kilburn open space regenerated – becoming a strong park area visually and physically for the neighbourhood
- **Heritage Quarter** – the area respects the remaining Victorian by ensuring harmony between new developments and the conservation area
- **Railway Strip** – area that is adjacent to the Bakerloo/West Coast Mainline railway lines
- **The Stitch** – neighbourhood that ties the south of South Kilburn into the surrounding neighbourhood.

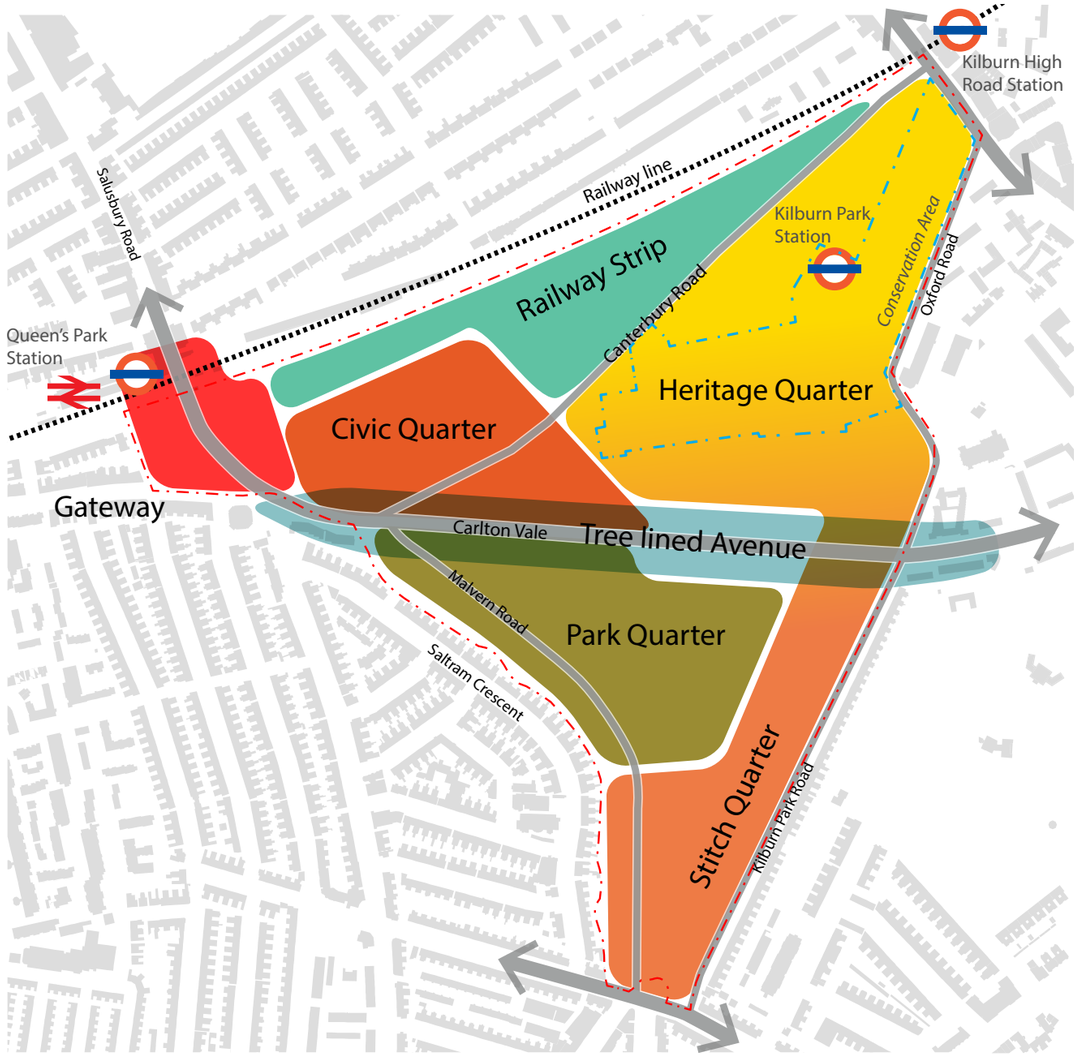


Figure 10. Character Areas

Character Areas

Gateway – the area that connects South Kilburn with the vibrancy of Salusbury Road

Civic Centre – based around the significant health and community facilities created in the Peel redevelopment

The Boulevard – Carlton Vale transformed into a boulevard and become a neighbourhood that will stitch together the north and south of the south Kilburn together

The Park – South Kilburn open space regenerated – becoming a strong park area visually and physically for the neighbourhood

Heritage Quarter – the area respects the remaining Victorian by ensuring harmony between new developments and the conservation area

Railway Strip – area that is adjacent to the Bakerloo/West Coast Mainline railway lines

The Stitch – neighbourhood that ties the south of South Kilburn into the surrounding neighbourhood.

4

Land Use

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Land Uses Across South Kilburn

Land Uses Across South Kilburn

4.1 As shown in Figure 3 the predominant use of the area is residential. This has essentially been reinforced since the growth area was identified by the continued change of use or redevelopment of what were non-residential uses to residential.

There still remain areas that are not wholly residential such as the commercial/shopping parades focused around Chamberlayne Road in the west and Malvern Road in the south, Peel Precinct in the centre and Cambridge Avenue to the north. There are concentrations of employment uses along Kilburn Lane and Canterbury Close, whilst other non-residential uses such as schools, community facilities including places of worship, leisure centres, GP practice, halls, youth clubs and a public house are located throughout.

4.2 It is recognised that whilst South Kilburn will be predominantly a residential area and that it is part of a wider area with a range of facilities, any proposals for the area must provide a mix of residential accommodation supported by local retail and services, educational, health, spiritual, leisure and civic uses and an introduction of the streets as landscape. The SPD will give an indication of appropriate uses for inclusion on particular sites. This reflects information available at the time of updating the Masterplan.

4.3 It takes account of the need to accommodate uses that may currently exist but be displaced by the regeneration. It also acknowledges that some extra facilities may be required to support the new increased population brought about through the increase in dwellings. Nevertheless, as indicated there is the potential for additional sites to come forward over the lifetime of the SPD.

There is also the potential for additional dwellings to be provided through the more detailed design/assessment process associated with planning applications on the sites identified for development in the SPD. Therefore the mix, nature and scale of uses must be supported by relevant assessments, including retail and leisure, education, health and community facilities assessments at appropriate stages through the planning application process, e.g. where loss of existing facilities is proposed, or sites identified in this SPD for these types of uses are being developed.

4.4 The SPD in identifying uses for sites has assessed their appropriateness taking into account the following:

- Nature of street network
- Key movement route
- Need for safe and convenient connections between use
- Creation of ‘walkable’ neighbourhoods - a widely used benchmark is a 400m radius, equating to about a five minutes’ walk
- Location of existing uses
- Co-location of facilities to allow for synergy of use
- Location and densities of residential areas/catchments and
- Location of public open spaces

Illustration 10. Ely Court

4.5 Where proposals vary from the uses identified on each site in Section 12 of this SPD, they should show in supporting evidence how the above factors have been considered when submitting a planning application.

4.6 Further guidance on the mix and location of uses considered acceptable by the Council is set out in the remainder of the SPG and is illustrated in Figure 7.

5 Design

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Architectural Quality

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Architectural Quality

5.1 The Council will require that all buildings demonstrate an exceptional quality in overall composition, detail and the accommodation that they provide. Consistent with the ethos of what has predominantly been delivered so far, high quality design is expected to be an integral part of a scheme development. The Council considers that this is most likely to be achieved through the appointment of qualified architects to design the development.

5.2 In terms of detailing of the scheme to support a full application, at least RIBA Stage 3+ plans will be sought and should comprise the approved drawings. The Council will seek to ensure that only building procurement routes that guarantee delivery of high quality building designs given planning permission will be pursued.

As a backstop the Council will seek safeguards through the use of S.106 obligations to ensure that the architectural practice that designed the scheme reviews the quality of the development throughout its procurement and delivery stage. Alternatively a contribution will be sought to ensure that the Council can monitor/verify that the required standard will be achieved.

5.3 The following implications of building design should be considered thoroughly before any proposals are submitted to the Council.

Illustration 11. Queens Park / Cullen House

Context

5.4 The design philosophy should incorporate a rigorous consideration of the existing or proposed local context (including the adjoining boroughs, where appropriate) and take the best from that context but interpret it in a contemporary manner that will add to residents' and visitors' quality of life.

Composition

5.5 Although the Council has no expectation or preference for a particular style, it will expect the composition and arrangement of buildings to consider:

- Variation in the scale and massing must be provided to create townscape interest, high quality outlook and maximise light penetration;
- An appropriate scale for the size and location of the site (including any published planning guidance);
- An appropriate arrangement through regular vertical rhythms that break up the elevation and horizontal rhythms e.g. through regular fenestration and string courses which can visually reduce the perceived height of a building;
- Plan forms that, whilst making the most of the site potential, help to enable the development of interesting elevations;
- Efficient accessibility to building through legible appropriately scaled and identifiable entrances from the street;
- Fenestration to ensure appropriate levels of light for the uses proposed and their inhabitants.
- Avoiding proximities that cause problems of privacy and overlooking;
- A recognisable typology of construction detail that reaffirms and underpins the composition;
- Clearly defined ownership boundaries;
- The provision of landmark buildings to define the character.

Density, High Buildings and Urban Form

5.6 London Plan provides policy on seeking to maximise housing development on sites and sets out policy for anticipated density in relation to public transport accessibility.

For the South Kilburn estate in particular, to date the residential development delivered for the most part has been based upon a contemporary interpretation of the mansion block. Historically these types of blocks have typically successfully endured, in some cases for well over a century and are associated with some of London's most desirable neighbourhoods.

5.7 The perimeter blocks of the mansion block typology is a form of building seen to best knit together the South Kilburn urban fabric. It provides buildings facing onto streets and creates clear demarcation of public and private spaces. It provides the opportunity for good quality shared internal amenity space.

A connected public realm can be recreated around each block. This overcomes the urban form mistakes of much of the 60's and 70's layouts of the estate that provided no legibility and gave a lack of surveillance and ownership of amenity space. Principle D2 also sets out some other general considerations in the design of perimeter blocks in South Kilburn.

5.8 In South Kilburn the new mansion block typology has generally been around four to six storeys in height with elements such as corners, ends of vistas and frontages on principal streets going slightly higher.

Notwithstanding this recent history, there is a duty on the Council to make greater use of the opportunities available in the area than was considered appropriate and indeed deliverable in 2005 given the:

1. London Plan seeking to maximise housing development on available sites;
2. Accessibility of the area to the public transport;
3. Height of many of the existing blocks to be demolished;
4. Proven quality of the high density development to date;
5. Strength of the housing market in South Kilburn; and
6. Overall need for additional housing to meet Brent's and London's needs.

5.9 The Council will balance this consideration with the need to provide for family housing, protect amenity and the continued approach to promote the modern mansion block as a key building type and urban form for this area.

This SPD is not proposing a radical divergence from the mansion block typology, but its evolution in some areas to greater heights than developed to date. Such opportunities are most likely along sites adjoining the Bakerloo/West Coast Mainline within the South Kilburn estate and Carlton Vale where the road width and prevalence of existing tall buildings, which in some cases will be retained, is more likely to provide a more appropriate context for rises in height.

At this stage, it is proposed that the taller elements will typically be 10 to 12 storeys with opportunities to, as has been the case so far, go higher at certain points.

5.10 In addition, the Council considers it appropriate to seek to maximise the amount of dwellings on opportunity sites identified in Section 12. This is in cases of both where an indicative dwelling capacity has been identified or not.

It will however, expect proposals submitted to rigorously evidence a considered design process being undertaken. In particular evidence of an outcome of a long term sustainable development consistent with the aims and objectives of the South Kilburn regeneration must be shown.

In particular this scale of development should respect the urban structure and form; protect the amenity of existing and future occupiers; create sufficient sunlight and daylight for buildings and spaces; respect retained development and spaces; protect and create of views and vistas; protect the historic environment and create interest through the provision of appropriate design features.

Illustration 12. Bronte House and Fielding House - Mansion Block Typology

Principle D1 - Building Heights, Density, Massing and Urban Form

Building Heights

The predominant building storey height in South Kilburn will be mid-rise between four to eight storeys. Opportunities to go higher are considered however appropriate where justified at landmark points or where greater height has been delivered from the regeneration to date.

Examples of where greater height might be appropriate are along Carlton Vale, adjacent to the Woodhouse Park and the Bakerloo/West Coast Mainline in the South Kilburn Estate subject to sufficient justification of a high quality living environment being achieved within and adjacent to the proposal (see figure 11). Specifically the proposed Peel Development along Carlton Vale lends itself to greater height along the Carlton Vale frontage.

Density

Most new buildings in South Kilburn should be in the density range consistent with the Urban and Central typologies as set out in the London Plan Sustainable Residential Quality Density Matrix Table 3.2 However, density will be treated flexibly having regard to the London Plan requirement to optimise housing potential in the context of existing character and on the South Kilburn Estate the heights considered appropriate in the Proposed Heights Plan.

Massing and Urban Form

It is envisaged that a number of sites coming forward for redevelopment will be delivered in the form of perimeter blocks. The following will be taken into account, the need for:

- Variation in scale and massing to create townscape interest, high quality outlook and maximise light penetration
- For perimeter block development large internal courtyards must be provided at ground or podium level with typically a minimum of 18 metres between facing windows. The courtyard's extent and shape must be informed by an assessment of daylight and sunlight availability.
- Height variation with a minimum of two storeys should be incorporated into all frontages over five storeys in height.
- Buildings must have an uncluttered simple roof profile with all elements such as plant, solar photovoltaics, maintenance gantries, lift overruns, safety balustrades forming an integral part of the building form

Frontages

Active frontage must be maximised with no more than 20% (up to 15 metres maximum run) of any frontage of each side of a perimeter block or frontage being inactive

Where inactive frontage is unavoidable it must be located where it will have the lowest adverse impact on environmental quality taking account of the priority of maximising frontage along:

- Primary routes
- Secondary routes; and
- Public spaces; and
- Avoiding opposite inactive frontages

Any inactive frontage (including ventilation/extraction grilles) must be treated with high quality detailing and materials.

Duplexes should be the preferred typology at ground floor/podium level where possible.

All dwellings at ground floor must have entrances directly from streets or public spaces.

Entrance lobbies will be designed as active frontages with direct access from streets or public spaces.

Entrances must be clearly articulated and visible within the elevation consistent with their status/the number of pedestrian movements they generate.

Retail/commercial frontages (including awnings/shutters where required) will be fully integrated at the outset to not detract from the architecture of the building.

Retail signage and lighting will be consistent throughout all the building's units.

Figure 11. Height and densities

Heights and densities

- Regeneration sites
- Podium
- 1-3 Storeys
- 4-5 Storeys
- 6-7 Storeys
- 8-10 Storeys
- 10+ Storeys
- Density 450 - 700 HRH
- Density 750 - 900 HRH
- Density 900 - 1200 HRH
- Density 1200+ HRH

5.11 Design quality can be difficult to communicate. Therefore in any planning application the Council will require a combination of information to enable a thorough and fair assessment of a design. An application package should incorporate all or a combination of the following information:

- The usual combination of two-dimensional plans elevations and sections.
- Three dimensional computer generated images with an appropriate expression of context
- If appropriate CGI animated presentations.
- Material presentation boards arranged to show the proposed proximity and relationship of the various materials
- The applicant should work with local residents and stakeholders, through the consultation process to ensure that schemes are presented in an understandable way.

Principle D2 Design Quality

The Council intends that all development within South Kilburn meets a quality threshold for all aspects of design.

The Council will require developers to demonstrate that its proposals are of an equivalent quality or better than the examples of quality design set out by South Kilburn or in future local guidance.

The Council will treat numerical design standards (e.g. separation distances) more flexibly where buildings are of a demonstrably high design quality.

Where design quality is a matter of dispute the Council will refer any scheme to its Design Review Panel or other independent design assessor.

Materials and Detailing

5.12 The initial and long term quality of a constructed building's design is often a function of the materials specified for the construction and its detailing.

The choice of materials should be a fundamental consideration of the development of a design scheme. Durability and the quality of materials should be considered by developers in order to reduce waste, maintenance and running costs.

5.13 Consistent with its desire to approving RIBA Stage 3+ drawings in association with planning permission, the Council will require the applicants to provide materials boards at the time of application. It will not expect that the choice of materials to be commuted to a later date.

To date brick has formed the principal material for the residential blocks in the redeveloped part of the South Kilburn estate. This is consistent with the surrounding area's context and has helped with the principle of stitching the South Kilburn estate back into its wider surroundings.

It is a durable material that performs well over long periods and usually gains a patina over time that adds to a building's character. Its predominant use in residential buildings should be continued. Its supplementation
with other materials will be considered appropriate where it can be shown to complement the aesthetic.

The detailing of the building including connections and junctions between materials and incorporation of appropriate architectural elements such as generous window reveals to subtly add interest are important considerations.

Heritage Assets

5.14 South Kilburn has seen some radical change since its original development in the 1860's. Nevertheless, there is a surprising level of preservation of its historic environment.

The elements that have survived the regenerative initiatives of the twentieth century are recognised as having special architectural or historic interest at a national and local level. There are statutory listed buildings, Conservation Areas and locally listed buildings. These elements of the historic environment are valued not only by the Council but by the people of South Kilburn.

5.15 Figure 12 illustrates the extent of the South Kilburn Conservation Area and the location of the majority of both statutory and locally listed buildings within South Kilburn. Some additional locally listed buildings are 95-113 Malvern Road, plus 235a and the Linen House on South Kilburn Lane.

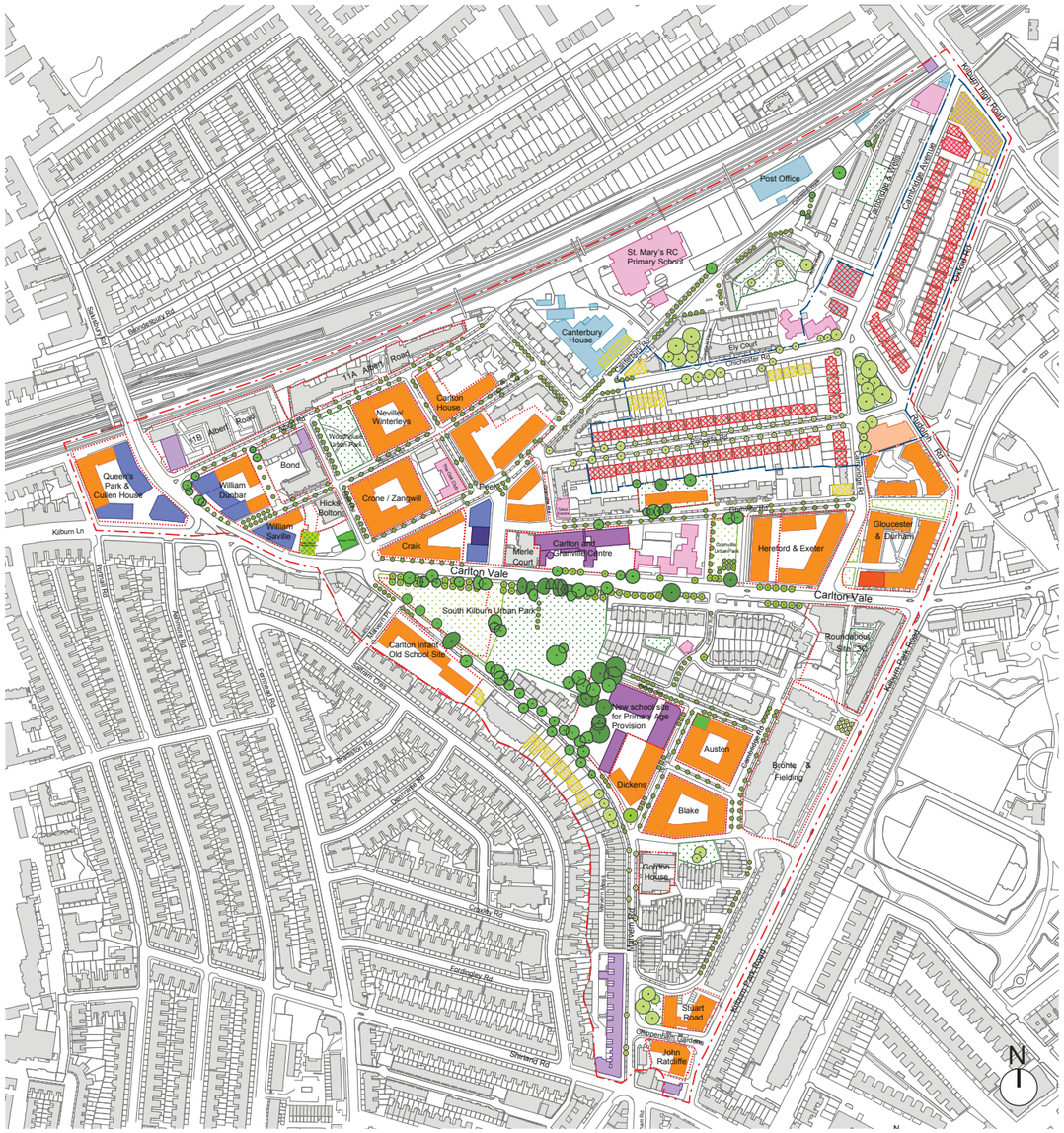

Figure 12. Heritage Assets in South Kilburn

Heritage Assets

- Regeneration Sites
- South Kilburn Regeneration Area
- Conservation Area
- Grade 2 Listed Buildings
- Locally Listed Buildings
- Existing Public Open Spaces
- Proposed Public Open Spaces
- Existing Retail (Residential Above)
- Existing Retail
- Existing Community Facility / School
- Existing Indoor Leisure
- Existing Places of Worship
- Proposed Residential
- Proposed Commercial (Residential Above)
- Proposed Community Facility / Nursery School / School / Enterprise Hub
- Proposed Health Centre
- Proposed Neighbourhood Heating System (Residential Above)
- Proposed Trees
- Existing Trees (No Category)
- Existing Trees (Category A)
- Existing Trees (Category B)
- Existing Trees (Category C)

Conservation Areas

5.15 The South Kilburn Conservation Area (designated in February 1979) recognises the collective importance of the buildings and spaces within it and their overall contribution to the character of this part of the Borough. It is situated in the centre of South Kilburn on land which once formed part of the Willesden Estate of the Ecclesiastical Commissioners.

In the 1850s parts of the estate were released for development and nearly 550 houses erected, of which only a portion remain. The buildings comprise predominantly stucco and stock brick villas dating from 1861-1873. Many of the buildings display ornate architectural designs of Italianate origin, in addition to slash windows, slate roofs and chimneys. The rhythmic layout of low walls and tall entrance pillars contribute to a coherent street scene. See Figure 12.

5.16 There is a character appraisal but no specific separate design guidance for the South Kilburn Conservation Area. Therefore development should be consistent with the approach of preserving and enhancing the special character and appearance of the area as outlined in Development Management Policy 7 Brent's Heritage Assets.

The Conservation Area should be seen as an opportunity to understand, protect and enhance the area's heritage. Doing this will deliver a sensitive and high quality design solution for the rehabilitation of South Kilburn.

Statutory and Locally Listed Buildings

5.17 The majority of the buildings in the Conservation Area are listed. There are also a number of historically important and architecturally significant Locally Listed Buildings in South Kilburn. These buildings can provide significant clues to the formulation of successful solutions to high quality development within a dense urban residential environment. The high quality design of these buildings should be reflected in all redevelopment within South Kilburn.

5.18 Listed Buildings are generally robust if maintained in continuous use but their setting and role within the urban environment can be significantly diminished if development is not sensitive to the needs of these buildings.

There are a number of particularly distinctive Grade II listed buildings in the Masterplan area, including 10 Cambridge Avenue a 19th century detached villa which is associated with the RSPCA and has a large relief of animals above the entrance; Cambridge Hall a prefabricated structure built of corrugated iron, used by the Sea Cadets, the interior has been made to resemble a boat; and Kilburn Park Underground Station built in the distinctive house style of the London Electric Railway Company.

Archaeology

5.19 The Council considers that any surviving archaeological remains in the area have the potential to become a community asset. Therefore, the Council will require careful expert archaeological analysis and if recommended, subsequent preservation and or interpretation.

There is a potential for archaeological remains within South Kilburn due to the close proximity to Kilburn High Road, which follows the route of the Roman Watling Street. The High Road remained a major thoroughfare in the medieval period, with manors, religious houses and other settlement activity in the vicinity of the Kilburn High Road railway station.

Applicants will be required to demonstrate they have fully assessed their site and identified any surviving archaeological remains, and have reacted accordingly with regard to the Code of Practice of the Institute of Field Archaeologists (IFA).

6

Housing

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Total Numbers

6.1 In line with development plan policy, consistent with the aim of creating a more mixed and balanced community, significantly more market housing will be introduced into the South Kilburn area; in particular on the South Kilburn estate. A wider range of tenures will also provide the opportunity for residents to remain in South Kilburn as their situation changes. This however, will not be at the expense of an overall loss of affordable housing.

6.2 Brent's Core Strategy set a minimum housing target of 2400 homes for South Kilburn growth area in the period 2007-2026. This includes replacing social rented homes for existing secure tenants. Subsequently the London Plan has set higher housing targets for Brent.
It has also updated policy on seeking to ensure maximum housing capacity on development sites is delivered to meet these targets.

The Plan sets out indicative housing densities related to Public Transport Accessibility Levels (PTAL). The South Kilburn area for the most part has high PTAL scores. Consequently it is regarded as one in which higher housing density provision is considered acceptable in principle, subject to site specific characteristics.

6.3 Through consideration of sites that have been delivered so far, those in the process of being built and those identified as likely to come forward in the future it is anticipated that the Core Strategy minimum target will be exceeded.

This SPD identifies that the area will potentially produce approximately 3,492 new homes. In terms of net additions once account has been taken of homes lost through demolition of existing stock, this equates to approximately 1974 homes.

This will assist in meeting the increased targets for the Borough set out in the London Plan. This position may alter throughout the lifetime of the SPD; further sites do exist which potentially provide the capacity for additional dwellings as set out in Section 12.

6.4 The opportunity for smaller scale windfalls through redevelopment, change of use or conversion not identified in this SPD also exists. At this stage however, there is no certainty that these sites will come forward. Similarly on sites identified housing capacity may diminish, or even potentially increase.

These will become apparent through the more detailed design associated with the planning application process showing that a high quality development consistent with the aims of this SPD and relevant planning policy can still be achieved.

A summary position on how the target will be achieved is set out in Appendix 1 Housing Sites and Delivery Rates.

Illustration 13. Cambridge and Wells Court

Affordable Housing targets

6.5 The Core Strategy (Policy CP2) sets a target for additional housing within the Borough to be 50% affordable. The Council will seek this target on all qualifying sites (10 or more proposed dwellings), subject
to viability.

Typically across the Borough the tenure split sought for the affordable dwellings will be 70% social/affordable rent 30% intermediate on the site being developed. For non-Council owned sites within the South Kilburn growth area the starting position is that this mix is also likely to be sought.

On non-Council owned sites adjacent to the South Kilburn estate however, the Council may seek to prioritise social rent over other affordable tenures.

This will be to assist with the decant process on the South Kilburn estate to allow the regeneration opportunities identified on the estate to be pursued. This approach as an example has been sought on the former Argo House.

6.6 On the Council owned sites the typical Borough wide approach in relation to affordable housing numbers, tenure mix and on-site provision will not be expected to be delivered on each development site. Although it will seek to maximise affordable housing on each development site, the Council as a local planning authority recognises additional flexibility is required.

This is due a number of factors, but primarily in recognition of the commitment that the Council made at the start of the regeneration process. The Council stated it would re-provide all existing social rented housing demolished at rents affordable to existing secure South Kilburn tenants. In addition the Council will, where it is viable, look to incorporate properties for leaseholders who wish to remain.

This key commitment is to maintain community cohesion and encourage support for the estate's regeneration. Prior to the commencement of the regeneration, the estate had very high levels of social rented properties (almost 87%) and no intermediate tenures.

Additionally, the Council was also keen to ensure that existing tenants wherever possible were only subject to one move.

The large blocks to be redeveloped mean that this is limited opportunity to drip-feed decant of tenants; it happens in waves. This impacts on funding and mix of the development as generally large blocks of development have to be completed.

6.7 Social rent dwellings in particular impact on development viability as rents do not cover the capital costs of construction; this requires significant subsidy from market dwellings.

In addition to this costs associated with buying out leaseholders, high rise demolition and provision of new/improved social infrastructure are high. Hence the need for flexibility in relation to proportions of affordable housing within individual development sites and phases.

This approach will need to continue in order to reduce tenant disruption and borrowing costs; to not do so would ultimately impact on the amount of regeneration that can take place and affordable housing that will be provided. Consequently some phases and blocks will have higher proportions of affordable housing than would normally be sought, whilst others will have less.

6.8 Receipts from the regeneration of the Council's land at South Kilburn are ring-fenced to the area with the regeneration project overall expected to be cost neutral to the Council. Consistent with Policy CP2, the Council is committed to maximise affordable housing throughout the development, providing at least 50% overall (subject to viability) and ideally more (see Appendix 1).

However, where it is viable to provide affordable housing over and above the social rent housing that is being replaced, the preference will be for intermediate tenures. This will provide a greater social mix and increase and diversify the housing offer.

The estate would otherwise comprise social tenants (relatively poor) or owner-occupier/ market rent tenants (relatively wealthy). As part of this desire to increase tenures, the Council will also investigate whether some of the market homes could be delivered through a private rented sector vehicle and be made available for working Londoners with moderate incomes.

Principle H1 Housing Targets

A minimum 3,492 homes will be provided in South Kilburn in the period 2007-2029, exceeding the Core Strategy target of 2400 homes including 1200 affordable replacement homes (albeit this was for the period 2007-2026).

Consistent with London Plan and Local Plan policy, subject to environmental considerations and maintaining a long term sustainable community, the amount of housing will be maximised on development sites.

Any social rented housing lost as a result of demolition of existing dwellings will be re-provided and made available to existing secure tenants.

Subject to this commitment and viability of the South Kilburn estate regeneration as a whole, the Council as landowner/developer will seek to maximise the amount of affordable housing with a view to increasing intermediate tenures.

Dwelling Size and standards

6.9 All dwellings should be constructed in accordance with the London Housing SPG. Minimum sizes will need to be consistent with those set out in the London Plan., which reflect the Nationally Described Space Standards.

The Council in relation to the 2016 Masterplan set out some additional requirements in relation to the affordable housing which have in some cases increased their size above the London Plan standards. Nevertheless, control of this will have to be through the Council as landowner, rather than through the requirements of the Council as local planning authority. Key elements of the London Housing SPG to incorporate are:

- The number of dwellings per storey served by each core may not exceed eight to encourage neighbourly interaction and occupier ownership;
- Internal corridor widths must be a minimum of 1.5 metres;
- The design must maximise dual aspect dwellings (with a target of achieving more than 50% across a site);
- North facing single aspect dwellings should be avoided, in otherwise unavoidable circumstances only non-family dwellings will be allowed.

Dwelling Mix

6.10 Consistent with existing Local Plan policy, there should be a mix of dwelling types and sizes. In particular the Core Strategy seeks 25% of dwellings to be 3 bed dwellings or more. As indicated, the Council as landowner/developer stated that it would replace the number of existing social rented.

The taller towers in South Kilburn estate were unusual in accommodating mostly one and two bed flats. Consequently there is a need in many cases due to existing tenants' requirements to replace like with like.

This is consistent with making good the promise to replace all the existing social rented homes with similar properties (predominantly 1 and 2 beds). However, there is also a pressing requirement for 3 bed social/affordable rented properties to address needs exhibited on the Council's housing waiting list.

6.11 On the South Kilburn estate and programme the Council will seek to maximise the provision of 3 bed affordable and market dwellings, ideally with each tenure subject to the need to meet decant requirements, providing at least 25% 3 bedroom or more dwellings.

A degree of flexibility will therefore be shown both with the affordable and market dwellings on individual sites where it can be shown that the inclusion of these size of dwellings will adversely affect viability to the extent that:

a. the Council's promise to at least replace all of the social rented dwellings to be demolished will not be achieved, or

b. in the case of market homes the impact on the cross-subsidisation of affordable homes is so extreme that on balance its inclusion is not considered warranted.

6.12 In terms of meeting affordable needs bedsits and studio flats are unlikely to be acceptable. In addition they do not offer flexibility in terms of life changes and often compromise the amenity of occupants, e.g. they are likely to be single aspect. As such they are also not supported within the general mix for development sites.

The Council will therefore want to limit the proportion of these dwellings in any scheme. Consistent with London Plan policy they will only be acceptable where their inclusion makes sensible use of floor area where other dwelling sizes cannot be accommodated and the dwelling can achieve a particularly good outlook and daylight and sunlight levels.

Illustration 13. Gloucester House and Durham Court

Inclusive Homes

6.13 Consistent with the London Plan 90% of homes should meet building regulations national technical standard M 4 (2) 'accessible and adaptable dwellings'. It seeks to enable 'general needs' housing to provide, either from the outset or through simple and cost-effective adaptation, design solutions that meet the existing and changing needs of diverse households.

This offers the occupants more choice over where they live and which visitors they can accommodate for any given time scale. It also requires step free access to be provided. Generally this will require a lift where a dwelling is accessed above or below the entry storey.

6.14 The application of requirement M4 (2) has particular implications for blocks of four storeys or less, where Lifetime Homes Standard did not required lifts.

The Council will seek to ensure that dwellings accessed above or below the entry storey in buildings of four storeys or less have step-free access, subject to development-specific viability assessments and consideration to ongoing maintenance costs.

6.15 Housing that is designed to the M4 (2) standard will be convenient for most occupants, including some (but not all) wheelchair users and disabled visitors, without the necessity for substantial alterations.

It meets the requirements of a wide range of households, including families with push chairs. The additional functionality and accessibility it provides is also helpful to everyone in ordinary daily life, for example when carrying large and bulky items.

It is not, however, a substitute for purpose-designed wheelchair standard housing. Many wheelchair users will require purpose-designed wheelchair housing. The Council will require 10% of new homes to be designed to be easily adaptable for wheelchair users achieving building regulation M4(3) pursuant to the London Plan Policy 3.8.

Larger wheelchair units (3 and 4 bed units) will be sought to meet the current need in the Borough. Blocks design for wheelchair units above the ground floor should have two lifts.

The Council will look to prioritise housing for families (three bed or more), housing for the elderly and those with mobility needs on the ground floor of developments wherever possible.

Principle H2 Dwelling Size and Mix

In order to address current and future housing need there will be a need to replace the existing 1 and 2 bed social rent dwellings, whilst seeking to achieve at least 25% of dwellings as 3 or more bed. Dwellings should meet or exceed London Plan housing space standards and 10% of homes should be to mobility standard M4(3). Studio flats will only be acceptable as market housing and where their inclusion is to make sensible use of floor area where a preferred unit size cannot be accommodated. They must achieve a particularly good outlook, daylight and sunlight levels.

Affordable Housing Standards

6.16 As with market housing, the Council will require affordable housing schemes to meet London Housing Design Guides standards and where possible exceed them.

Consistent with the approach taken so far in South Kilburn the Council considers that it is important that affordable homes are indistinguishable from private homes for sale in terms of building form and external appearance.

The Council will take into account the design quality and siting of the affordable housing in determining planning applications. The affordable housing should not be located in a less attractive or less accessible area nor be visually distinguishable in such terms as architectural details, build quality and materials.

Principle H3 Affordable Housing Standards

The Council will require a mix of private and affordable housing in each site and street although such tenures may have separate entrances, particularly where otherwise the shared service charges would fundamentally undermine the affordability or viability of affordable dwellings.

- Not allow the tenure of homes to be apparent from their siting, design or layout.
- Require service charges to be taken into account when assessing the affordability of units.
- Require development to be consistent with the wider phasing of affordable housing, infrastructure and community facilities throughout South Kilburn.
- Require a long-term management and maintenance strategy encompassing all residential buildings and amenity space to be provided as part of any future application.

Residential amenity space

6.17 All new dwellings will be required to have private external amenity space of a sufficient size and type to satisfy proposed residents' needs. This normally will be expected to be 20 m2 for flats and 50 m2 for family (3+ bed) dwellings (including ground floor flats).

The amenity space should be accessible from the main living room without level changes and planned to take maximum advantage of sun and daylight. The Council accepts that due to the higher densities seeking to be achieved in South Kilburn plus site characteristics this might not be achievable on all sites.

In addition in some developments that there may be merit in focussing on higher quality communal spaces as providing the main amenity space for residents rather than balconies which might well be limited in scale.

6.18 Ground floor residential properties will be provided with a 1.5 metre depth garden excluding a 500 mm strip for planting against the public realm. Balconies may be designed as projecting, recessed or semi-recessed and will be fully integrated into the architectural composition of the façade.

The minimum width and depth of balconies and private external amenity space is 1.5 metres. Balconies must be designed with privacy screens where the level of privacy of the neighbouring property's habitable rooms and private amenity space would otherwise be compromised due to overlooking.

Communal gardens must allow for high quality species of trees/herbaceous shrub planting. Roofs are acceptable as amenity space and should incorporate and encourage as much bio-diversity as possible.

Communal gardens must be high quality including incidental playable sculptures, playable hard landscape features, grassed areas and planting.

Illustration 14. Peel Project

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Community and Other Facilities

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Community Facilities and Improving Life Chances

7.1 There is a range of existing community facilities in South Kilburn or close to it in surrounding areas of Brent and also Westminster/Camden. See Figure 3. Although in South Kilburn these might be numerous, many are currently not high quality.

The regeneration of the area provides an opportunity to in some cases consolidate or replace these facilities with new ones, or provide additional new facilities to help meet the needs of the planned growth in the population that will occur through the provision of addition housing.

Consultation on the 2016 Masterplan indicates a low level of awareness in the local community about the range of facilities available and their accessibility.

7.2 In recent years new community facilities have been completed:

- St Augustine's Sports Hall (this has community access);
- The Tabot Centre After School Club under the Granville New Homes development;
- The Xhamia e Shqiptareve Community and Cultural Centre formerly the Old Shamrock Public House;
- The Vale Community Centre.

7.3 The redevelopment of Westminster City Council's Moberly Sports Centre will provide:

- 25m swimming pool plus an additional studio pool with a movable floor to provide flexible use;
- 8-court sports hall with seating for 500 spectators for wider community and competition uses
- large health and fitness facility including:
- three exercise/dance studios;
- multi-use hall including martial arts;
- community activity room for meetings;
- multi-sensory and soft play provision for children's parties;
- boxing hall facility;
- spa and health suite; and
- café.

7.4 This work is being funded as part of a package with the redevelopment of the Jubilee Sports Centre, Caird Street in Westminster. A total of 71 homes will be provided on the Moberly site. This will provide an additional excellent facility for residents/visitors to South Kilburn.

7.5 The Core Strategy's policy CP23 protects existing community and cultural facilities except where their loss is mitigated. Consistent with this policy, the Council accepts that in South Kilburn existing facilities could be improved, consolidated or replaced.

This is seen as part of the process of investing in improving the quality of the facilities to make them fit for current and future purposes and needs. The Council is proposing three new community hubs:

1. New School buildings combining Kilburn Park Junior/Carlton Vale Infants/Nursery on to one site;
2. New Integrated Health Centre Hub on the Peel Site;
3. An Enterprise Hub, Community Space and housing within the remodelled/redeveloped Carlton and Granville Centres.

7.6 For some existing facilities not in the Council's ownership such as the Marian Church and Marian Centre, although the Council has been in discussion with the organisations about their plans for these buildings it is not clear what their long term future is and whether these sites will become available for redevelopment or other users.

As such, consistent with CP23 the Council takes the starting that the facilities should remain unless it can be shown that there is no need for them not just from their existing users but also potential other occupants.

So for example when addressing site development prospects later on in this document in Section 12 it provides the flexibility for their incorporation as existing, or provision in a different configuration, or if not needed their replacement with other uses, e.g. see Austen development principles.

New School - Combining Kilburn Park Junior School and Carlton Vale Infant School and Nursery

7.7 Kilburn Park Junior is a foundation school. It is a 2 form entry junior school with a capacity of 240 school places for pupils between the ages of 7 and 11. Carlton Vale Infant School is a community school. It is a 2 form entry infant school with a capacity of up to 180 school places between the ages of 3 and 7 years. It also accommodates 50 full time nursery places for 3 and 4 year olds.

7.8 The existing school buildings have been adapted in a piecemeal fashion several times. This has resulted in the sites (which are adjacent to each other) being inefficient in their function and land take compared with contemporary needs and solutions provided through modern purpose built buildings.

7.9 Taking account of the current circumstances of the two schools, the Council considers that an opportunity within the context of the wider regeneration objectives exists for a more radical solution to their futures. An amalgamation of facilities provided in new buildings would bring wider benefits to the community.

The rationalisation of sites would also provide the opportunity for subsidy towards the change to be allowed through residential development on land surplus to requirements. The intention with regards to educational provision is to provide high quality and up-to-date teaching facilities to increase and achieve “outstanding” local educational attainment. This will improve the life chances of future generations of residents to create sustained regeneration of the area. This in turn will be a large element in reducing factors that contribute to the area’s poorer scoring in the Indices of Multiple Deprivation.

7.10 The Council will have to work through this process with the schools. Currently, the Council proposes to co-locate the schools into one building. The schools would remain separate initially but have the opportunity to share common facilities.

This would also provide the opportunity for the schools to amalgamate in the future should the Heads/Governors decide that this is a course of action they wish to pursue. The new school will be expanded by one form of entry (that is one class of up to thirty children for each of the 7 years).

This will accommodate additional children generated by the provision of the additional homes through the South Kilburn regeneration process as well as meeting additional general needs. It is proposed that the schools will be relocated to a site to the south east of the existing South Kilburn Open Space.

7.11 The new school would also provide the opportunity for incorporation of a range of community uses outside of school hours. The Wordsworth and Masefield site development principles in Section 12 this SPD sets out more detail on the school proposal.

New School For Primary Age Provision

Location of the new school in the Masterplan, highlighting the entrances

1. Infant School
2. Junior School
3. Nursery
4. Terrace+Courtyard
5. Social Play

Massing diagram

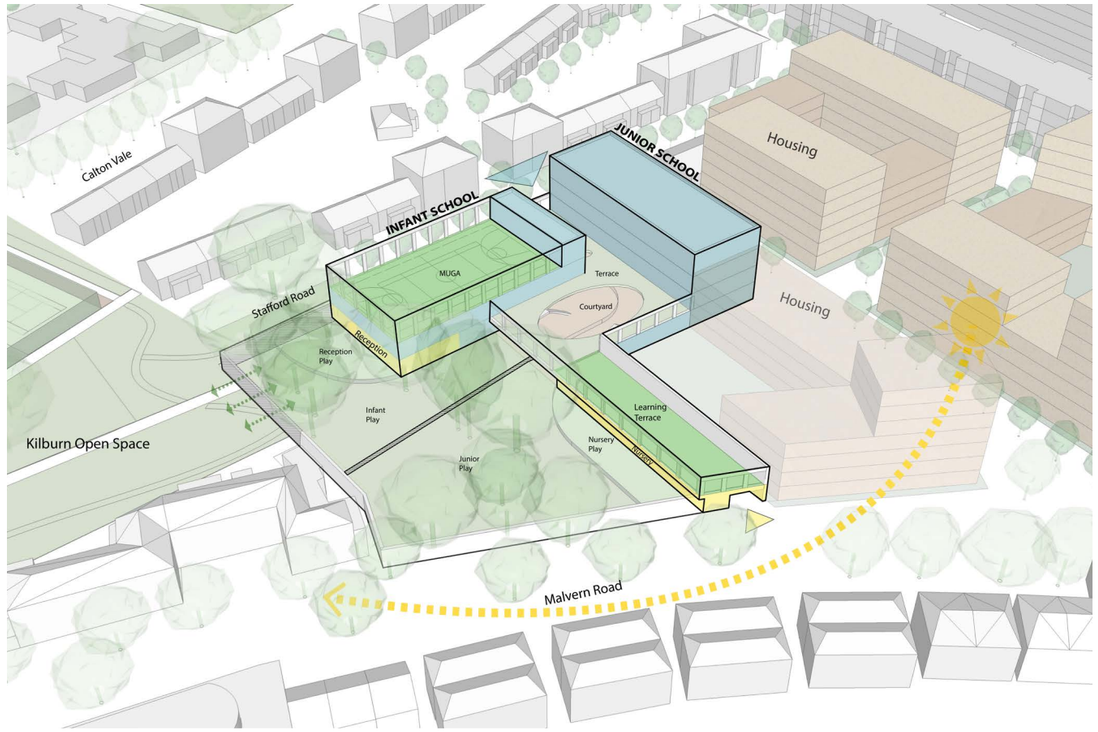

Illustration 15. Proposed 3FE School

Health Centre

7.12 South Kilburn has a combination of the worst health outcomes in Brent along with some of its poorest health facilities. Doctors' surgeries in the locality are in very inadequate premises such as the Peel Precinct Surgery or have poor disabled access (Kilburn Park Medical Centre).

The Council proposes that a new health centre for three local GP practices is developed. This will be incorporated in the redevelopment of the Peel Site. Proposed complementary uses include a café, pharmacy and retail space, along with flexible first floor space. The proposals are supported and welcomed by the local GP practices as well as the NHS's Brent Clinical Commissioning Group.

Improving opportunity for Skills / Employment / Social Enterprise

7.13 South Kilburn is a comparatively high spot for unemployment. It also scores poorly in relation to workforce skill levels in the Indices of Multiple Deprivation.

To improve this situation the Council is seeking to use a number of methods through its own activities and working with others. Included within this are S.106 obligations associated with development that require developers to provide apprenticeships/skills training places in construction and associated processes. For those uses that have end users that employ people this can also involve apprenticeships/training once the premises are completed.

The Council will also seek to work with site owners/developers to develop 'meanwhile' projects to try and stimulate the local economy and its activity.

At the South Kilburn Studios (a meanwhile use) on Canterbury Road traineeships and weekly workshops are offered to local residents. Other support is provided by the Council through 'Brent Works' and local groups active in the area such as the South Kilburn Trust.

Consistent with other regeneration areas within Brent, the Council is also keen to ensure that affordable workspaces are created, if necessary through S.106 obligations.

Consolidation of South Kilburn Studios, Enterprise Hub and Community Space within a remodelled/redeveloped Carlton and Granville Centres

7.14 The Carlton and Granville Plus Centres house a number of different community uses. These include:

- Barnardo's Granville Plus Children Centre
- Brent START
- Concord Café
- Granville Community Kitchen
- Granville Plus Nursery School
- The Otherwise Club

7.15 Much of the premises are however vacant after Council services have contracted or relocated.

7.16 Within South Kilburn the intention is to create a workspace hub where rents are 'affordable' to assist new business start-up or existing businesses in their early development. This would allow for local residents setting up businesses themselves, or such businesses employing local people. Greater London Authority funding has been agreed, subject to various approvals, for Phase 1 of this enterprise hub. The Council will work with the South Kilburn Trust who we envisage will manage the enterprise facility. This will be to ensure delivery of the workspace and satisfactorily accommodating existing community uses that it is anticipated are viable in the longer term. More detail is provided in the Carlton and Granville Centres development principles set out in Section 12 of this SPD.

Principle CF1 - Community Provision and Improving Life Chances

Within South Kilburn significant improvement in the quality of local community facilities will be delivered through:

1. An expansion by 1FE of the South Kilburn Junior School, Carlton Vale Infant School plus provision of community space to be used out of school hours;
2. Provision of a new South Kilburn Health Centre within the Peel Site redevelopment for 3 local GP practices plus Proposed complementary uses of a café, pharmacy and retail space, along with flexible first floor space;
3. Regeneration of the Carlton and Granville Centres into an Enterprise Hub, Education/ Community Space and Housing;
4. Westminster City Council's delivery of a new community leisure facility at the Moberly Sports Centre, including a new swimming pool;
5. Encouraging regeneration of non-Council owned sites to provide for more intensive uses of sites consistent with the vision of South Kilburn where this would support the re-provision of better quality community facilities to meet modern day requirements; and
6. Developers and building occupiers on site being required to provide apprenticeships and training opportunities.

Retailing/local facilities

7.17 To date only very limited additional retail floorspace has been delivered in the regeneration of South Kilburn. This has been along Chamberlayne Road and more recently through the provision of M&S Simply Food on Salusbury Road as part of the Albert Road scheme and Best One Convenience store on Albert Road.

Consistent with the sequential approach to main town centres uses, it is not anticipated that South Kilburn will be the location for large amounts of new retailing floorspace or other town centre uses. Provision of new floorspace will be focused on not undermining viability and vitality of adjacent centres.

Where possible new provision will assist neighbourhood centres like Salusbury Road and Kilburn Lane. This will be through providing a complementary offer and 'in-filling' gaps between the frontages to potentially effectively join these two centres together. It is anticipated that this would improve the vitality and viability of the Kilburn Lane retail frontages.

The opportunity also exists to extend frontage down from Albert Road towards the Peel redevelopment as part of the plans for William Saville House and William Dunbar House. This will assist in creating greater animation along the street between Queen's Park and the South Kilburn open space and a prominent gateway into South Kilburn.

7.18 In the context of changing retail needs and the continued decline of smaller retailers, the Council will offer some flexibility with regard to proposed loss of retail/similar uses where this is consistent with development plan policy, e.g. Malvern Road if its prospects do not appear to improve despite the growth in population in the area.

Principle RS1 - Retail/local facilities

South Kilburn will provide limited opportunities for additional retail provision. Provision will be supported to enhance the vitality and viability of the existing centres in Chamberlayne Road, Salusbury Road, Kilburn Lane and Malvern Road and to provide greater ground floor animation from Albert Road through to the Peel health centre/retail.

Illustration 16.Queen's Park Place, Salusbury Road

8

Transportation and Movement

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Movement Network / Street Hierarchy

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Public Realm

Movement Network / Street Hierarchy

8.1 As set out in the Development Principles section, a fundamental emphasis is on South Kilburn, and in particular the South Kilburn Estate becoming an integrated neighbourhood. Figure 13 provides an overview of the proposed movement network.

This will involve changing the character of Carlton Vale which currently acts as a divider of the South Kilburn estate, so that it becomes a positive feature that encourages crossing. The Council plans to improve its townscape attributes and give greater priority to pedestrians and cyclists.

This will narrow the carriageway, provide segregated cycle lanes and enhanced pedestrian crossing facilities. Further tree planting will be undertaken to soften the street to give a boulevard type feel.

8.2 In addition, it will also continue to entail many streets that were lost, or previously closed to through traffic being reconnected and reopened. However, this must continue to be progressed in a manner which although it supports movement by car, does not do so at the expense of undermining the new high quality residential environment being created. Within the South Kilburn estate this will be through designing streets to limit vehicle speeds to 20mph.

Given its high public transport accessibility, high priority will be given to walking, cycling and public transport as well as suitable accommodation of other vehicles.

The quality of the streets and their role as public realm (also further addressed in the Green Infrastructure section of this SPD) should also be improved to create a better experience for their users, particularly those walking and cycling. This can be through their design, use of materials and incorporation of appropriate street furniture and trees.

Figure 13. Transport and Movement Plan

Transport and Movement

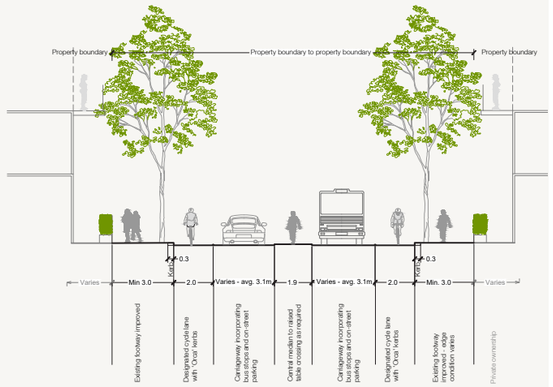
- Primary Street - Two Way
- Secondary Street - Two Way
- Tertiary Street - Two Way
- Tertiary Street - One Way (arrows indicate direction)
- Pedestrian and cycles only
- Pedestrian only
- Parking or turn-around
- Bus Routes
- Main Cyle Routes - Designated Lane
- Main Cycle Routes - No Lane
- Bus Stands
- Bus Stops
- Improved Pedestrian Crossings
- Proposed TFL Cycle Hire Locations
- Proposed Source London Electric Vehicle Charging Point

8.3 The street design, use of materials and incorporation of appropriate street furniture should be considered in the context of the street hierarchy and street typologies. See Figure 15 for an overview of the area. Primary and secondary streets play an important part in the movement of vehicular traffic within South Kilburn and the segregation of motorised vehicles, cycles and pedestrians should be considered.

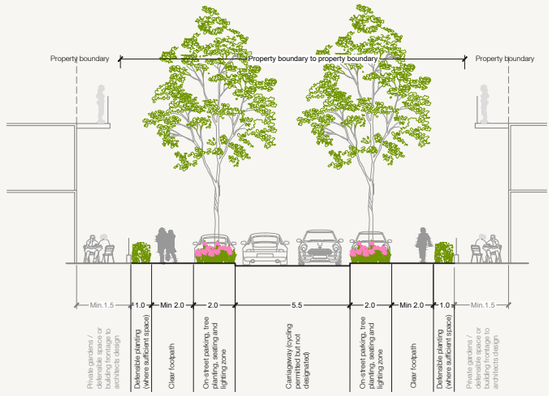
Tertiary streets should have a strong focus on cycle, and particularly pedestrian, movement and these streets should emphasis priority for pedestrians and cyclists whilst recognising their role in providing vehicular access for residents.

The emphasis on pedestrian and cycle priority supports the wider health streets agenda by providing an environment that encourages active and sustainable travel. (See Figures 14a, 14b, 14c for Examples of Street Typologies)

14a. Street Typology 1B



14b. Street Typology 2C



14c. Street Typology 3C

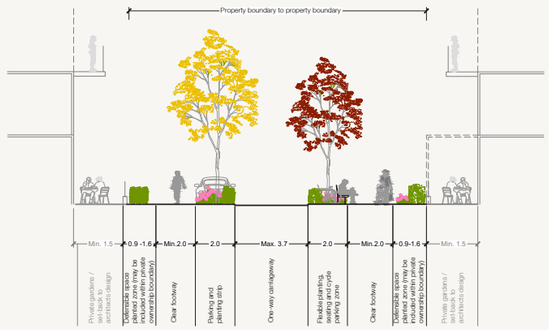


Figure 14. Street Typology Examples

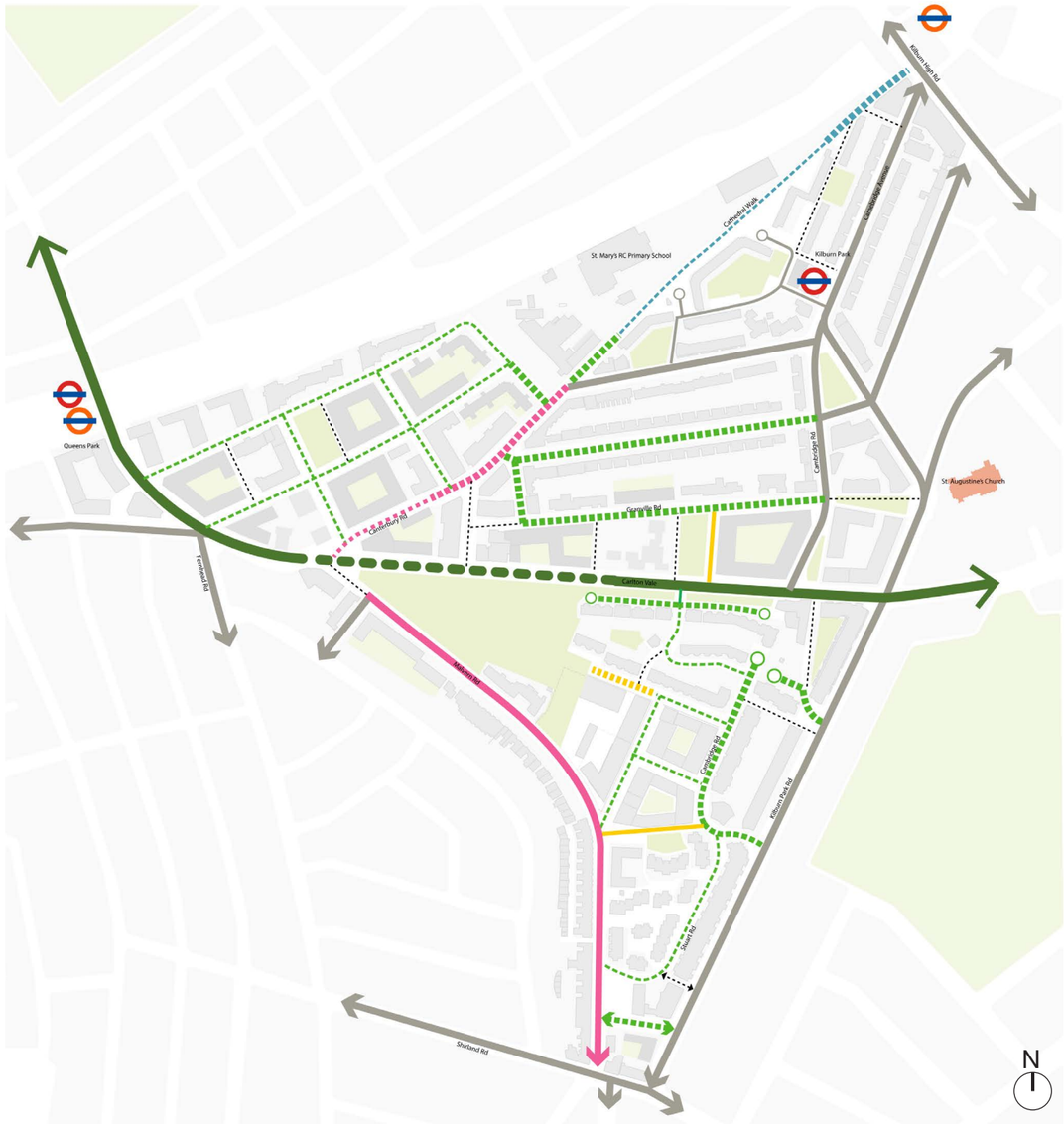


Figure 15. Street Hierarchy

Street Hierarchy

Street Type 1-A
Carlton Vale Boulevard with park edge
Primary street - two-way vehicular
Designated cycle lanes
Bus route (no designated lane)
Trees and planting

Street Type 1-B
Carlton Vale Boulevard with buildings edges
Primary street - two-way vehicular
Designated cycle lanes
Bus route (no designated lane)
Trees and planting

Street Type 2-A
NOTE: To be in accordance with Peel proposals
Secondary street
No designated cycle lanes
Two-way vehicular
On-street parking
Trees and planting

Street Type 2-B
Secondary street
Two-way vehicular
No designated cycle lanes
Trees and planting
On-street parking (north side only)

Street Type 2-C
Secondary street
Two-way vehicular
On-street parking
No designated cycle lanes
Trees and planting

Street Type 3-A
Tertiary street
One-way vehicular (pedestrian-priority)
No designated cycle lanes
Trees and planting
No on-street parking

Street Type 3-B
Tertiary street adjacent to park
One-way vehicular (pedestrian-priority)
No designated cycle lanes
Trees and planting
No on-street parking

Street Type 3-C / 3-D
Tertiary street (pedestrian-priority)
One-way vehicular (pedestrian-priority)
No designated cycle lanes
Trees and planting
On-street parking (varies - see sections)

Street Type 3-E
Tertiary street
Two-way vehicular (pedestrian-priority)
No designated cycle lanes
Trees and planting
On-street parking (varies)

Street Type 4-A
Pedestrian route with designated cycle lanes
Trees and planting
No vehicular access
No on-street on-street parking

Street Type 4-B
Two-way vehicular access (pedestrian priority)
Pedestrian-priority route
Designated cycle lanes
Trees and planting
No on-street on-street parking

Pedestrian / cycle route only
Cycle permissions vary - refer to transport and movement plan

Existing street unchanged

8.4 In order to create a high quality environment, within the South Kilburn estate the Council will expect applicants to work with it to improve the street network immediately adjacent to the development site in a manner consistent with its role and function as set out in the street hierarchy plan for the area (see Figure 15). These works will be agreed with the Council and implemented by the developer/Council as part of the planning obligations associated with the permission.

8.5 The Council will expect applicants to work with it to extend TfL's cycle hire scheme and the Source London network of electric vehicle charging points into South Kilburn. Contributions to the extension of these schemes into South Kilburn will be secured from Section 106 Planning Obligations. Indicative locations for cycle hire stations and electric vehicle charging points, which allow for a dispersed provision across the Masterplan are shown on the Movement Plan Figure 13.

Principle T1 Transportation and Movement

The Council will use funds derived from S106 planning obligations and CIL associated with development to bring forward well designed streets and movement routes. This will be consistent with delivering the movement network and street hierarchy and associated typologies as identified in the SPD.

Applicants for major blocks will be expected to propose and agree the design of works to the highway to improve the pedestrian and cyclist experience and safety incorporating quality materials and trees.

The Council will bring forward the following transport improvements;

1. Reopen the road closures on Malvern Road (south of Malvern Place), Denmark Road/Cambridge Road and Canterbury Road/Carlton Vale for local traffic access as a grid of one way streets with provision of wider walking and cycling, and during development create new road connections between Malvern and Stafford Roads.
2. Reallocate Carlton Vale to enable a dedicated light segregated cycle lane, enhanced pedestrian crossing facilities, floating bus stops and tree planting
3. Create a new square between the new blocks of the Gloucester and Durham sites and in front of St Augustine's church
4. Remove the Premier Corner gyratory following the development of site 18 and replace with a traffic signal controlled junction.
5. Adoption of Stuart Road as public highway.
6. Reconnection of Granville Road.
7. Extension of Canterbury Road to the west and its reconnection with Rupert Road and Denmark Road where the latter is north-south aligned.
8. Closure of the junction of Malvern Road and Carlton Vale to motor vehicles with the retention of a walking and cycling link between the Malvern Place and Carlton Vale
9. Enhcancement of Neville Close as a walking and cycling link between the extended Canterbury Road and Carlton Vale to provide a continuous walking and cycling link to Albert Road via Denmark Road.
10. Conversion of Albert Road, Denmark Road and Rupert Road to a series of one-way streets and provision of wider walking and cycling links on these streets to improve permeability for pedestrians and cyclists

Parking Standards

8.6 The Council's Local Plan incorporates maximum residential car parking standards for the whole borough. South Kilburn is well located and has uniformly high PTAL values. The area is covered by Controlled Parking Zones.

These factors allow a high degree of control and support the Council's approach of being positive about the provision of car free development or lower levels of parking provision supported by controls over occupants' ability to attain on-street parking permits in areas close to public transport facilities.

There is also a high concentration of social housing which has a much lower rate of car ownership. For these reasons it is considered acceptable where car parking is identified as being necessary by the Council or by a developer to adopt a lower car parking maximum in the South Kilburn estate area than for the borough overall.

8.7 The Council will expect applicants to undertake parking beat surveys using the Lambeth Methodology to demonstrate that there is sufficient capacity to accommodate any additional demand for on-street spaces. Any such assessment should also include the demand arising from permitted developments (as agreed with the Council) within South Kilburn.

8.8 The Council will require (through a S106 planning obligation) the establishment (including maintenance in the short term until viable) of car clubs providing a shared pool of vehicles in residential developments.

This will reduce car ownership, the need for parking space and heavy reliance on the use of the private car. The Council will expect car clubs to be available to all South Kilburn residents particularly those in car free housing. As such car club vehicle stations should be placed where they will be publically accessible, preferably within the highway.

Car clubs should also be made available to local businesses as an alternative to company cars and pool cars.

8.9 As part of the car club delivery mechanism, the Council will encourage the provision of electric cars and recharge points at car stations. The applicant will be required (through a legal agreement) to fund start-up costs including marketing and initial membership of the scheme for a 2 year period. It is expected that an established car club will be self-financing in the long term.

Disabled car parking spaces will be required on the basis of 5% of the spaces delivered for non-residential uses. For dwellings 10% of the parking should be for blue badge holders.

8.10 The Council will continue to apply the London Plan cycle parking standards, both in terms of number of stands and location/quality of provision. The Council will expect a proportion of the cycle parking to be suitable for reclined and family cycles.

Principle T2 Parking

The Council will subject to suitable restrictions on occupants' accessibility to on-street parking support car free developments and where off street parking is to be provided.

At least 20% of spaces should be equipped with electric car charging points. Disabled car parking and cycle parking should be provided in line with London Plan standards.

Developers will be required to support car clubs by offering discounted membership and/or contributions towards set-up costs and marketing.

Public Realm

8.11 Within some areas of South Kilburn, in particular where the traditional street pattern has remained unchanged the fundamental indicators of quality still remain.

Granite kerbs and quality street furniture such as the lamp columns along Canterbury Road and within the South Kilburn Conservation Area are a reminder of the attention to detail in the early urban built environment. Ideally in these areas, these features will be kept and supplemented by the use of additional quality materials consistent with the conservation area designation, such as York stone pavements. Nevertheless, little development is likely to occur within the Conservation Area, so realistically the opportunity for upgrading this street scene apart from routine maintenance is likely to be limited to sensitive enhancements.

8.12 Within the areas that have been developed, a simple palette of a limited number of robust materials has been used, for roads, pavements and kerbs within the streets/public spaces. There has been an emphasis on limiting clutter. This has consequently simplified spaces and improved their quality.

The provision of lighting which is subtle and appropriate to the needs of safety and navigation has occurred. The same approach is sought within the areas to be developed, taking account of identified required street furniture where the reintroduction of the traditional street network, new public spaces and refurbishment of existing streets will occur.

The large areas of open space around the South Kilburn Estate blocks which have and will be redeveloped contained some large canopy trees.

8.13 A commitment has been made to maintain and ideally increase the tree canopy cover within the area, so far secured through S.106 contributions for replacement and some additional planting.

Where possible, as well as within development sites, additional trees will be accommodated in the public realm. Whilst high quality trees with amenity value will be retained, where they are dying or are of low quality as approved by a qualified arboriculturalist they could potentially be removed.

The removal of trees may also be considered where it is deemed to improve the overall quality or design of the area, such as to open up sight lines or where their species is deemed inappropriate. However, where trees are removed it is expected that they will be offset by new tree planting with a similar canopy volume in the locale.

Principle T3 Public Realm

All developments should contribute positively to the public realm around each new development site and should be coordinated with the wider landscape and public realm strategy. Street design should accord with the street hierarchy and typologies identified in this SPD. High quality existing street materials/furniture will be retained where possible.

In the South Kilburn Conservation Area wherever possible the streets will be enhanced through the use of quality materials consistent with those that would have historically existed to replace existing lower quality materials.

Throughout the rest of South Kilburn a palette of durable high quality materials, consistent with those provided to date plus an approach that seeks to limit street clutter but include tree planting/appropriate soft landscaping will be delivered.

Where public realm will not be enhanced in association with development the Council will use s106 planning obligations and CIL contributions to integrate enhanced public realm and open space proposals throughout South Kilburn.

Illustration 17. Children planting trees with Councillor Mclennan at Woodhouse Urban Park construction site

9

Green Infrastructure

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Defining Green Infrastructure

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Public Open Space

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Green Infrastructure on Development Sites

Defining Green Infrastructure

9.1 Green infrastructure is a phrase used to describe all the green spaces in and around cities. It can include parks, private gardens, trees, green roofs, green walls, rivers and ponds regardless of its ownership, condition or size.

Green infrastructure can be beneficial to people, wildlife and ecological systems, and is most effective when the green spaces are well-connected. Local Plan policies seek to encourage its provision, for the psychological, physical, environmental and long term benefits that it brings.

Public Open Space

9.2 Although in close proximity of two high quality locally sized parks at Paddington Recreation Ground and Queen's Park, South Kilburn has limited local open space of any quality. See Figure 16 for its locations.

The South Kilburn Open Space is functional and has had limited investment in it for a number of years which impacts on its quality. It contains some children's play equipment, a small area for kick about and areas of semi-mature trees. A lack of suitable pathways and lighting further reduces its quality, use and function, particularly at evening or night.

It is also poorly defined in terms of its edges and does not benefit from high levels of overlooking from surrounding areas. The South Kilburn Estate did and still contains a number of open spaces around buildings poorly designed and of low visual, recreational and ecological value.

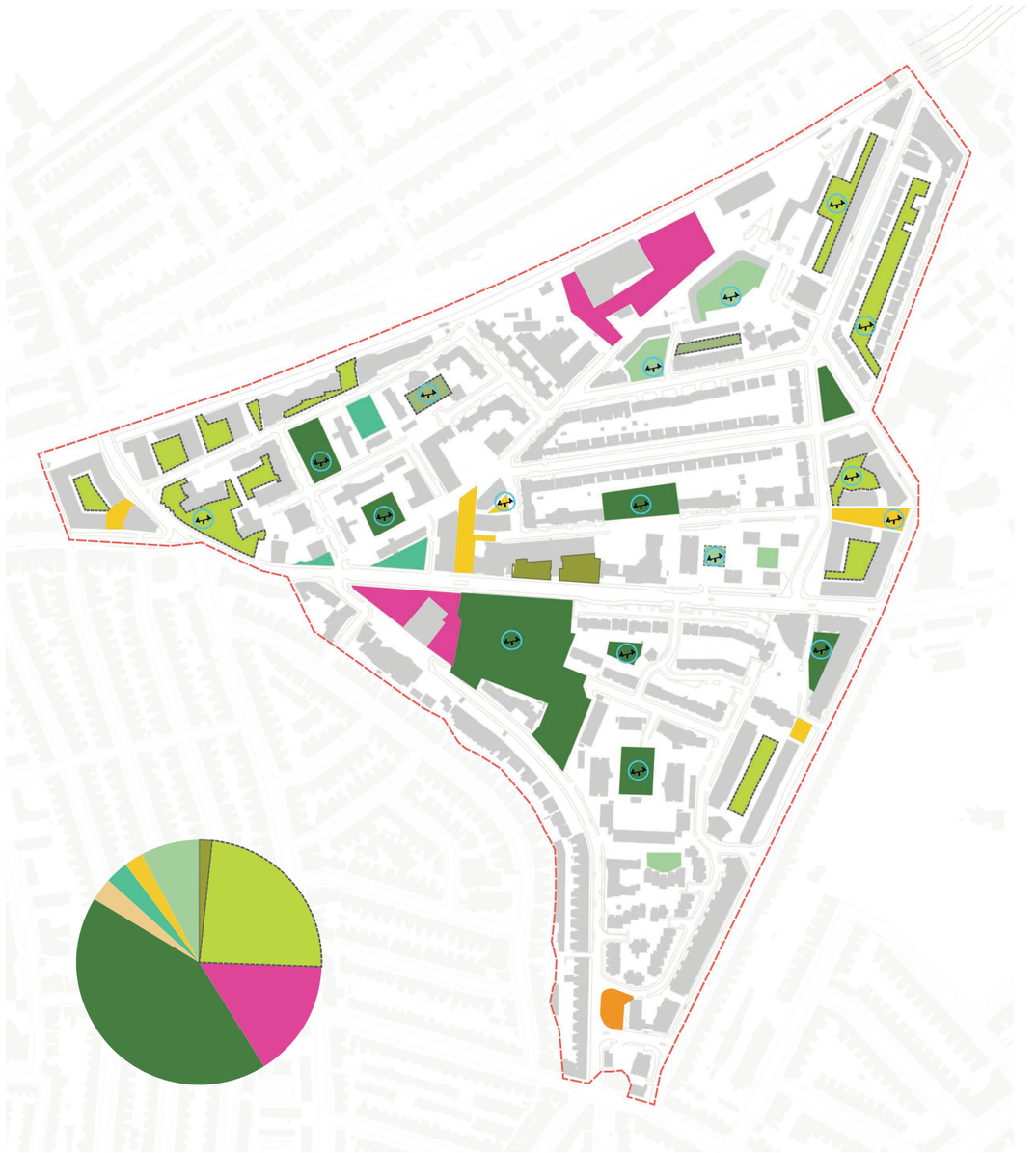

Figure 16. Existing Context Analysis - Public Green Space & Outdoor Recreation

9.3 To date improvements to public open space have occurred in Cambridge Gardens and at Granville Road. The award-winning Woodhouse Urban Park has been delivered, and the Gloucester and Durham development will implement a new public open space that opens up views to St. Augustine's Church from Granville Road.

The Cambridge Garden space could be further enhanced through additional funds. In addition the Peel development is expected to incorporate a high quality public open space with associated landscaping that can be used for a variety of purposes to support the community/commercial elements of that redevelopment.

9.4 The aim within South Kilburn is to increase the quantity and overall quality of public open and green space provision. The plan will seek to diversify the type of open space provision within the area by providing spaces that offer a variety of uses and vary in both scale and character.

Organised recreation will be provided through the provision of high quality play areas or sports courts. Open spaces that are more intimate in character, and offer opportunity for quiet reflection or opportunities to interact with nature will also be provided.

A landscape Masterplan has been developed for South Kilburn to guide future works, based on the principles of creating streets for people that are safe and comfortable; increasing green and open space where possible; linking streets and green spaces and animating spaces. The Masterplan proposed the following landscape and public realm works.

1. South Kilburn Urban Park – The status of this open space will be elevated and enhanced so that it is recognised and established as a park that sits at the heart of the community and that caters for a wide range of community recreational needs, rather than being an open space, used primarily just to pass through and with poor recreational usage. The planned improvements will occur including a proposed extension over an area currently occupied by the Kilburn Park Junior School. The extension provides an opportunity for a complete redesign and improvement to its current status, introducing natural surveillance and a high user ability. The spatial organisation of the park should be improved to create a much more efficient use of the space. There will be improved views into and through the park, creating interest and a feeling of security. Well lit paths will link the park internally as well as creating better connectivity to surrounding streets, to encourage everyday use as part of the wider pedestrian movement network. High quality play or sports provision will be encouraged, as well as the provision of flexible lawn spaces and opportunities for education and learning. Biodiversity (increased range of plant species and wildlife) would be improved through selection of planting species and habitat establishment.
2. Carlton Vale Boulevard – Creation of a tree-lined boulevard with improved landscape and public realm to create a boulevard link through South Kilburn connecting Queen's Park to Maida Vale.
3. Granville Urban Park – Reprovision on a new site to provide a small high quality local park with lawns, flexible hard landscaping and soft landscaping and a diverse range of planting to connect Granville Road and Carlton Vale.
4. Cathedral Walk – A high quality urban link to combine Canterbury Road, Cathedral Walk and Coventry Place. Pedestrian route with cycle lanes and pocket parks to connect South Kilburn with Kilburn High Road.
5. Denmark Road Pocket Park – A high quality pocket garden space within a newly opened section of Denmark Road.
6. Blake Urban Park – An enhancement and upgrade to the existing green space to act as a local pocket park and activate the new street connecting Malvern Road and Stuart Road/Kilburn Park Road.
7. Chippenham Gardens - An enhancement of existing space to create a high quality green gateway space from Shirland Road. To be developed as adopted highway and co-ordinated with adjacent Chippenham Gardens residential development (approved in planning).
8. Improved public realm to existing space at junction of Canterbury Road/Carlton Vale. To act as hard public realm space with trees, seating, cycle stands and improved connection to South Kilburn Park. To complement proposed corner building to the east of the space.
9. Granville Road. Existing road re-connected with high-quality pedestrian-priority street incorporating more planting linking Peel with approved Gloucester House & Durham Court development.
10. Malvern Road (south of Malvern Place). Existing road reconnected at the north, with high-quality public realm and edge to South Kilburn Park. Traffic calming measures.
11. Improved public realm and landscape works at junction of Granville Road/Canterbury Road/ Princess Road.
12. Improved public realm and landscape works at junction of Canterbury Road/Chichester Road.
13. Existing strip of South Kilburn Open Space incorporated within proposed school grounds as natural play space. Mature trees to be retained.

9.5 These improvements shown in Figure 17a will be funded partly from Community Infrastructure Levy, S.106 obligations, development receipts/other funding sources.

Figure 17a. Landscape Map

Landscape

- Public parks / green space
- Gated green space associated with housing
- Public realm
- Enhanced streets

9.6 As well as these public open spaces, additional green infrastructure will be sought within development sites and in the spaces between them. The additional provision of street trees within the public realm has been highlighted in the transport section.

This will assist in improving continuity between green infrastructure of larger public predominantly green open spaces and that which will be private within development sites.

Principle GI1 Public Open Space

The quality of open space within South Kilburn will continue to be improved.

South Kilburn Open Space will be extended and enhanced so that it functions as South Kilburn Urban Park.

Additional public open space will be provided at: on the Gloucester House and Durham Court site, as an extension to Granville Road, Denmark Road Pocket Park and along Cathedral Walk.

New developments will have a positive impact on the overall public realm of the area and contribute to the delivery of the landscape Masterplan.

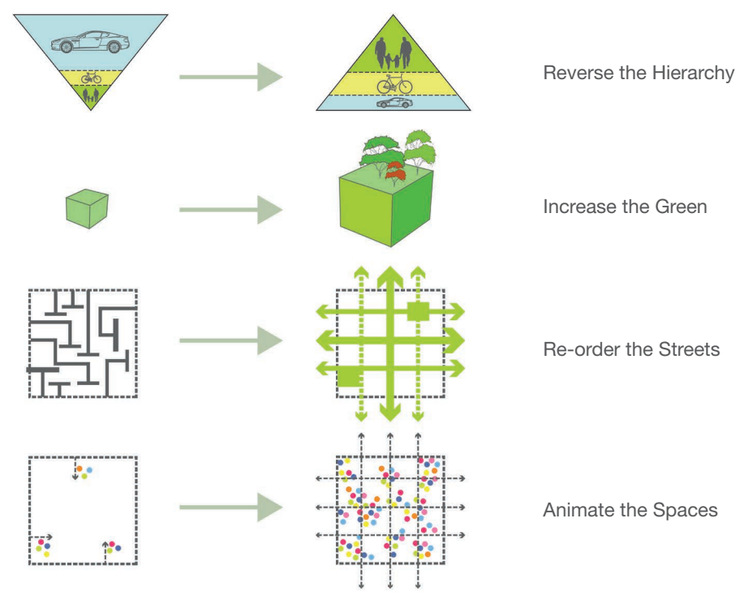

Figure 17b. Landscape Principles

Green Infrastructure on Development Sites

9.7 London Plan policies seek to deliver urban greening through developments. Green infrastructure provides multiple benefits including supporting ecology, recreation, micro-climate control, adaption to climate change and flood protection.

Elements that can contribute to this include tree planting, green roofs and walls, and soft landscaping. This can relate to both incidental planting, and that provided in association with required on site amenity space for residents.

9.8 To date there has been variability in quality of the green infrastructure provided on development sites particularly that of incidental space to improve the setting of the buildings/ street scape. More recently it has been good and is establishing well.

On some earlier schemes it has been weaker and not proven to be robust in terms of enhancing the environment. It has generally been better in the smaller scale development with at least a 2 metre set back from the edge of pavements, than taller blocks nearer to the pavement.

Particular issues appear to have been width/depth of planting areas/soil quality, overhanging of buildings above creating an adverse environment (generally water deficient), and longer term maintenance particularly when included within the amenity space of individual dwellings.

9.9 As set out in the London Plan and best practice, the Council encourages consideration of landscape and green infrastructure provision as an integral part of the design process and whole life functioning of development proposals, rather than an afterthought. Therefore all landscape and planting schemes should be considered at the outset and coordinated with utilities, highways or building works, which should ensure that sufficient soil volume for planting is provided for any landscape schemes.

All landscape design proposals should maximise chances of plant establishment and survival through implementing suitable design criteria. This is expected to include suitable plant species, provision of sufficient soil volumes, tree pits with aeration and root barriers, suitable edge treatment and suitable irrigation.

9.10 Proposals for landscape schemes should demonstrate a management and maintenance plan for all planting from construction through to the end of the establishment period of minimum 3 years. Landscape schemes should also demonstrate how typical management and maintenance will be conducted for a minimum of 5 years.

In townscape terms some parts of some development sites will have to be at back of pavement, e.g. shopfronts, or commercial/community buildings so opportunities for ground floor planting will not be practical unless in pots/moveable planters.

However, elsewhere where a setback is anticipated and planting to be provided, there will have to be sufficient consideration given to its long term robustness taking account of the deficiencies that have been identified to date in the area. To ensure green infrastructure contributes to successful place making maintenance must also be considered from the outset.

Principle GI2 Development Site Green Infrastructure

Developments will be expected to incorporate green infrastructure. Consideration of green infrastructure should be at the start of the design process.

Its subsequent delivery should be of sufficient size, quality and robustness for its long term enhancement of the South Kilburn area. It should be designed to enhance biodiversity and integrate into the existing green infrastructure network.

Figure 17c. South Kilburn Urban Park Proposal

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Sustainability

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Reducing the Use of Natural Resources

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Lean

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Clean

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Green

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Surface Water Run Off

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Water Consumption

Reducing the Use of Natural Resources

10.1 Sustainable development is at the heart of national planning policy. The overarching principle of this Masterplan is the creation of a thriving, vibrant, sustainable development by promoting a mixed community served by retail, community facilities and open spaces. As such, in line with the London Plan, development will ensure a high quality of life and reduce the need to travel by car.

The design of buildings will also be required to contribute to creating a sustainable development through the efficient use of energy and water, and are to be:
Lean – minimises resource use
Clean – minimises creation of pollution
Green – wherever possible uses renewable resources

Lean

10.2 Developments are to minimise carbon dioxide emissions in accordance with the energy hierarchy – use less energy, supply energy efficiently and use renewable energy. In applying the energy hierarchy developers should demonstrate that designs include passive measures to minimise the risk of overheating and use of mechanical cooling in line with London Plan Policy 5.9. All applications containing residential accommodation should meet the criteria for residential overheating outlined in the GLA guidance energy planning and CIBSE guidance on residential overheating analysis.

Dynamic thermal modelling should be carried out in line with the above guidance to demonstrate that the proposed design measures sufficiently mitigate overheating risk. A selection of the units to be modelled should be made with reference to the GLA's Domestic Overheating Checklist. The analysis should include assessment against future weather files and where future overheating risk is identified, design measures to facilitate future adaption should be included.

10.3 Government clarified in 2015 that notwithstanding any planning policies, building energy performance must now be consistent with the relevant building regulations.

This does not however impact on the London Plan Policy on carbon savings and decentralised energy in development proposals. In line with London Plan policy 5.2 major developments will be required to reduce carbon dioxide emissions with an improvement on Building Regulations Part- L 2013 of at least 35% on-site.

In October 2016 the energy hierarchy standard for residential developments increased to zero carbon. Where this cannot be achieved on-site a payment to the local carbon off-setting fund will be required of £1,800 per tonne of carbon to be off-set.

10.4 Brent's Core Strategy Policy CP19 requires major non-residential development to achieve a rating of BREEAM excellent.

Clean

10.5 Consistent with London Plan policy 5.6 an area has been set aside in the Gloucester and Durham development site for a combined heat and power facility with a District Heating Network. This has the potential to expand to create larger capacity to address combined energy/heating needs of the wider South Kilburn Estate and the Council will encourage this. Energy efficiency and power generation is a dynamic field in which technology changes can result in large shifts in what is the most effective solutions for individual sites and wider areas.

Given the desire to maximise development quality and affordable housing provision, the Council will take a pragmatic view on this issue. On this basis where development sites can be shown to meet the requirements of London Plan policy 5.2 through their own energy plant, some form of future proofing for the development will be sought in terms of its potential for connection. A connection charge may be levied on the developer to pay for connection to the district heating system where appropriate. This will ensure that a wider network can still be achieved without significant upheaval to residents and businesses operating in the area should changes in technology/viability make the district scheme feasible.

Principle E1 Carbon Savings and Decentralised Energy

Developments will be expected to be consistent with London Plan Policy on Decentralised Energy. Developments completed prior to the implementation of the heat network should be designed so that they can switch to the heat network once it is available.

Green

10.6 The incorporation of on-site renewable energy generation makes a valuable contribution to the reduction of a site's carbon emissions and the London Plan has a presumption that developments should achieve a 20% reduction through the use of on-site renewables.

London Plan policy 5.7 requires major developments to provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation, where feasible. Minor developments will also be encouraged to maximise opportunities for on- site renewable energy generation, where feasible.

Surface water run off

10.7 Sustainable urban drainage systems (SUDS) can provide multiple benefits in addition to water use efficiency. They can improve water quality, enhance biodiversity, create opportunities for amenity and recreation, and contribute to the creation of an attractive environment.

In line with London Plan policy 5.13 development should utilise SUDS unless there are practical reasons for not doing so, and aim to achieve greenfield run-off rates. Surface water should be managed as close to its source as possible, in line with the London Plan drainage hierarchy.

Water consumption

10.8 Developments should also minimise the use of mains water. London Plan policy 5.15 requires residential developments to be designed to meet the target of 105 litres or less per head per day, excluding an allowance of 5 litres or less per head per day for external water use.

This should be demonstrated through a Water Efficiency Assessment. Rainwater and greywater harvesting will also be encouraged where there is sufficient space within the development and where there is a suitable use for the harvested water.

11

Implementation

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Council's Role

111
South Kilburn Phasing Plan

Council's Role

11.1 The Council will continue to act as master planner and master developer in South Kilburn. Development will continue to be financed through the Council on its own sites.

For the foreseeable future, the Council will continue to buy out leaseholders, appoint design teams and bring sites to the market, securing permission for mixed tenure development, private market housing subsidising the construction of houses for replacement of the number of social rent properties redeveloped.

Where viable it will also seek to increase other affordable tenures/increased range of tenure types. It will also take a lead on providing the supporting infrastructure identified in this SPD.

The Council will continue to offer existing tenants an opportunity to remain in south Kilburn and tenants of existing blocks will be able to transfer into new property on social rents.

11.2 The Council has used its compulsory purchase powers on each of the blocks it has brought forward for development. The Council will continue to use its compulsory purchase powers to effectively create deliverable regenerative development both on sites it owns and those it does not where necessary.

It will where appropriate seek additional sources of funding to support the provision of social infrastructure or other initiatives which are consistent with the regeneration objectives set out in this SPD.

11.3 The Council will prioritise the use of Planning Obligations (S106 agreements) and Community Infrastructure Levy (CIL) funds generated within the growth area to be spent locally in order to contribute to the whole place making approach.

11.4 The Council will as regeneration agent and local planning authority look to work with other landowners as identified in the Opportunity Sites identified in this SPD and in other sites not yet identified that might become available for development to encourage development consistent with the objectives of this SPD.

11.5 As a Local Planning Authority the Council will determine planning applications in an expeditious manner and ensure those that are approved are consistent with the contents of this SPD.

South Kilburn Phasing Plan

11.6 Figure 18 sets out the indicative phasing plan for the mostly Council owned blocks to complete the main regeneration of South Kilburn. As it is indicative the phasing plan could be liable to change, particularly as time moves on from adoption of the SPD.

11.7 The phasing of associated street improvements, public realm and open space works is also included in Figure 18.

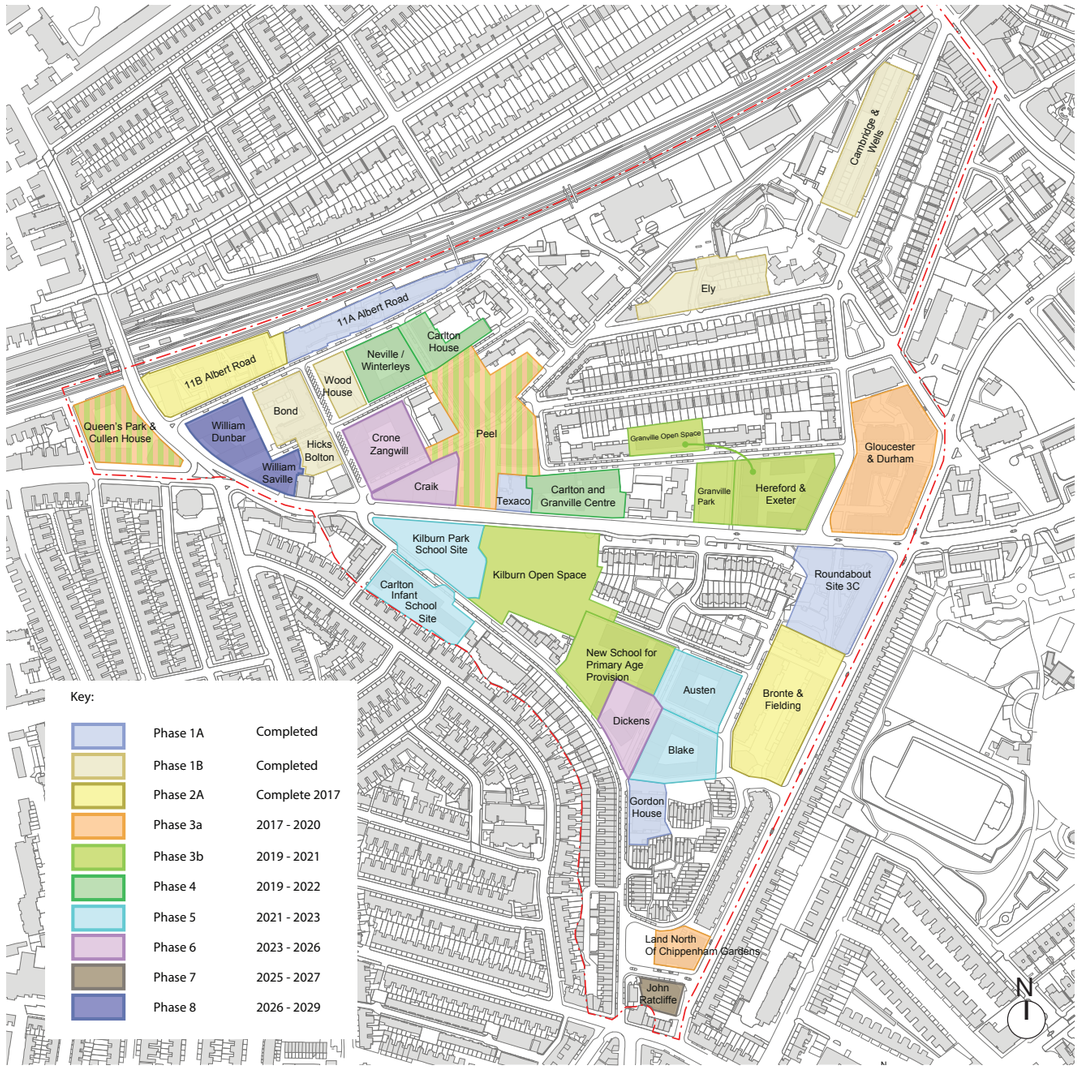

Figure 18. The phasing of associated street improvements, public realm and open space works

Principle IMP1 Council's Role in Implementation

The Council as landowner/developer will secure, as a minimum, dwellings at a social rent for all existing eligible tenants.

It will also, subject to viability, seek to provide suitable alternative intermediate tenures for existing leaseholder households who occupy those dwellings as their sole place of residence.

Whilst seeking to meet this minimum requirement it will nevertheless also seek to maximise affordable housing and introduce a wider variety of residential tenures subject to tests of viability. It will also seek to provide the social infrastructure set out in this SPD. Wherever possible this will be done through the value generated through housing and non-housing uses.

The Council will continue to use its compulsory purchase powers in order to bring forward sites that add to the regeneration of South Kilburn.

S106 Planning Obligations and CIL generated by development within the South Kilburn Growth Area will be retained and prioritised on infrastructure within/that improves outcomes for South Kilburn.

Development will be brought forward in the phases identified in this SPD.

The Council will as regeneration agent and local planning authority look to work with other landowners as identified in the Opportunity Sites identified in this SPD and in other sites not yet identified that might become available for development to encourage development consistent with the objectives of this SPD.

12

Site Specific Principles

Allocations, Opportunity Sites and Phasing

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Future development sites in South Kilburn

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Phasing - Delivery Phase 3a 2017-2020

126
Phase 3b 2019-2021

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Phase 4 2019-2022

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Phase 5 2021-2023

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Phase 6 2023-2026

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Phase 7 2025-2027

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Phase 8 2026-2029

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Other Local Plan Allocation Sites

157
Longer term opportunity sites which have not to date been identified by the site owners as being available for development.

Future development sites in South Kilburn

12.1 This section sets out the future opportunity sites for development within South Kilburn. These are comprised from a number of sources, including sites which are:

- Local Plan site specific allocations;
- in Council ownership; and
- not in Council ownership.

12.2 The site specific allocation Queen's Park and Cullen House (Local Plan Policy SK1 Queen's Park Station Area) and sites that are mostly in full Council ownership are set out below in order of their likely phases for development. In addition to this other opportunity sites are identified in a separate section and not shown within any particular phase.

This is because currently there is no certainty about their timescale for delivery. For the most part these are privately owned; they include the site specific allocation Canterbury Works (Local Plan Policy SK4. Canterbury Works).

12.3 For all the opportunity sites the SPD is not allocating them for development or creating new policy. The SPD is advising how they could be delivered in a manner that is consistent with the development plan and in particular CP9 South Kilburn.

Alternative development proposals that do not accord with the SPD could well be acceptable if they accord with policies in the development plan and are consistent with national policy.

If opportunity sites still remain undeveloped at the time of a review of Brent's Local Plan, they will be considered as potential allocations to provide greater certainty on their likelihood for development.

When allocated, development will have to be in accordance with their associated policy in the development plan unless significant material considerations indicate otherwise.

Phasing - Delivery Phase 3a 2017-2020

Queen's Park & Cullen House (Local Plan Policy SK1 Queen's Park Station Area)

Address: Junction of Carlton Avenue, Salusbury Road and Kilburn Lane

Area: 1.03ha

Policy Context: Core Strategy policy CP9, SK1

Planning History: Planning permission granted and implemented in part. Ref 12/0788.

Proposed: Mixed tenure housing development with new ground floor shop units and replacement offices to the rear of the site.

Indicative development capacity: Offices (959 sq.m.), retail (A1,A3, A4 – 1270 sq.m.) and 137 dwellings

Delivery: 2017-2021 (Multi-phased).

Description: Council car park adjacent to station, with former printing press and offices (now used by TfL), includes Falcon Pub and Council block, Cullen House.

Justification: Intensification of a mostly low density use and poor townscape in close proximity to Queen's Park station to be replaced with development that takes advantage of the high public transport accessibility whilst providing additional housing and commercial/ retail floorspace.

Design Principles: This site will deliver 137 dwellings, retail and replacement offices for TfL. This will be in two separate blocks either side of a high quality piece of public realm that will replace the existing gyratory road space connecting Kilburn Lane and Carlton Vale.

A new signalised junction will replace the gyratory for vehicle use. Along the ground floor of the Carlton Vale and Kilburn Lane frontages and parts of the new public realm space a mixture of retailing will be provided (see Figure 19). The building heights will range from 5 to 8 storeys (see Figure 19).

The Council will seek a development partner to continue to implement the planning permission that has been commenced.

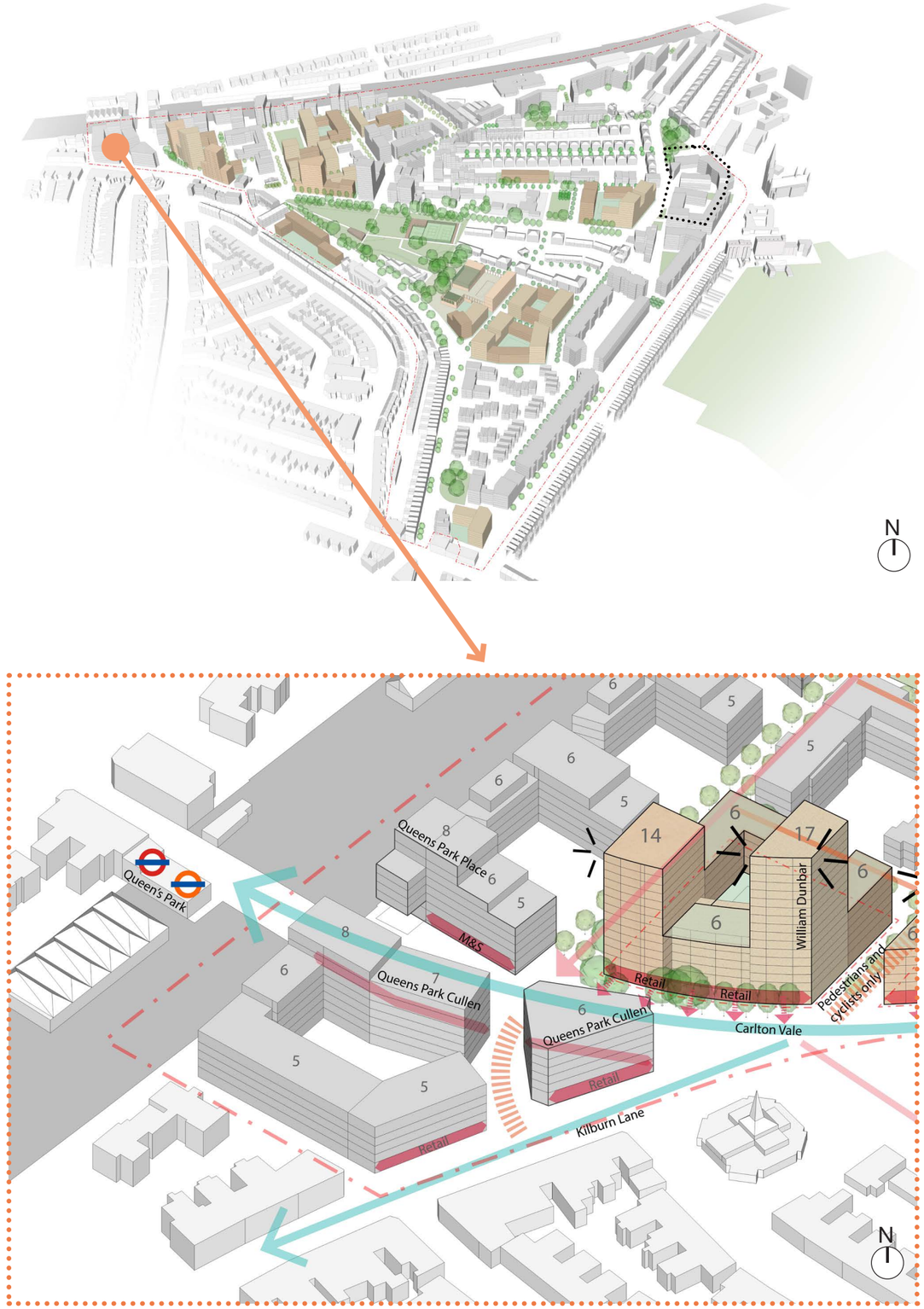

Figure 19. Massing drawing with outlined Queen's Park & Cullen House

Gloucester House and Durham Court

Address: Cambridge Road and Kilburn Park Road, NW6

Area: 1.3ha

Planning history: Planning permission granted. Ref 14/1896.

Proposed: Mixed tenure housing development with new amenity space incorporating playspace

Indicative development capacity – 236 dwellings

Delivery: 2017-2020.

Description: The Gloucester House and Durham Court redevelopment sites suffer from inherent internal design problems and the relationships between buildings, streets and spaces are also poor and indeterminate. Gloucester House, an eighteen storey tower block built using the 'Bison' method of construction, comprises 169 residential dwellings. Durham Court comprises 40 properties split equally over five low rise blocks. There is a children's play area within the north of the site.

Justification: Both blocks are of poor construction that it is not viable nor desirable to refurbish. The blocks sit within a poor quality landscape of disparate open space and garages which can be replaced by more dwellings that create a better environment.

Design Principles: The development shall essentially comprise two development parcels either side of a high quality piece of pedestrian public realm. This public realm will include relocation of existing playspace and reinstate the alignment of Granville Road that was lost during the 1960s redevelopment. It will reopen and frame the vista between Granville Road and St Augustine's Church.

The northern block will form frontages to Cambridge Road, Rudolph Road and the new open space along the former Granville Road alignment. The southern block will provide a frontage to Cambridge Road, Carlton Vale, Kilburn Park Road and the new Granville Road open space.

These will overlook the highway but provide a suitable separation distance from it consistent with set-backs historically provided on this street to allow sufficient residential privacy (see Figure 20). The building heights will range from 4 to 8 storeys (see Figure 20). The Council will seek a delivery partner to implement the planning permission that has been granted.

Figure 20. Massing drawing and illustration of Gloucester House and Durham Court

Stuart Road and Chippenham Gardens

Address: 5-9 Chippenham Gardens, the Post Office and 4-26 Stuart Road, NW6

Area: 0.24ha

Policy Context: Core Strategy policy CP9

Planning History: Planning permission granted. Ref:16/1191

Proposed: Mixed tenure housing development, land swap on small part of adjoining open space.

Indicative development capacity: 52 dwellings

Delivery: 2017-2020

Description: Former Post Office and Sorting Office now used as post office and cafe and separate Council housing block.

Justification: Both existing blocks need care and are in poor condition. This Council block provides areas that lack natural surveillance and has allowed anti-social behaviour to flourish. Redevelopment will a more efficient use of the site related to its PTAL and overcome the inherent issues related to quality, design and maintenance of the buildings. Re-provision of the post office/retail is unviable and likely to remain so given the vitality and viability of the Malvern Road centre.

Design Principles: This site has planning permission (Reference 16/1191). This will deliver 52 dwellings in a perimeter block development overlooking the surrounding streets, Chippenham Gardens open space and the public right of way to the north of the site between it and the Argo House development (see Figure 21). The Chippenham Gardens open space will be enhanced in association with the scheme. The building heights range from 4 to 6 storeys.

The Council will seek a development partner to implement the planning permission that has been granted (see Figure 21).

Figure 21. Massing drawing and illustration of North Land of Chippenham Gardens

Peel

Centre Address: Peel Precinct, 97-112 Carlton House, 8-14 Neville Close, 2 A Canterbury Road & Peel site garages

Area: 1.4ha

Core Strategy Policy context: CP9

Planning history: Planning application submitted. Ref 16/4174.

Proposed: Mixed tenure housing development with new South Kilburn Health Centre for 3 local GP practices plus complementary uses of a café, pharmacy and retail space.

Indicative development capacity: 2131 sq.m. D1 health/community, 397 sq.m. retail uses and 226 dwellings

Delivery 2018-2021 (Multi-phased)

Description: Peel Precinct is a local shopping parade containing a range of commercial uses and one doctors' surgery with residential above and former housing office in porta-cabins and two other housing blocks (now South Kilburn Studios meanwhile use).

There is low quality and poorly defined public realm created by a loose scattering of buildings all in a poor state of repair and with a lack of street greenery. It has confusing road layouts which makes way finding difficult. The Peel Precinct is isolated with low footfall due to its position within the estate and lack of potential passing trade. Due to its planned redevelopment, many of the commercial premises are vacant.

Justification: A redesign of the area along sound urban design principles, increasing housing density will contribute to the continued step change in the quality of mixed use mixed tenure residential accommodation and improvement of health and community facilities in South Kilburn.

An increase in residential density with a greater emphasis on market homes in this development parcel will generate funds to cross-subsidise a significant Health Centre to act a hub for the provision of health services in the South of Brent. Provision of a substantial health centre will address some of the adverse health characteristics of the population which are poor as identified in the Indices of Multiple Deprivation.

Design Principles: This site is subject to a planning application (Reference 16/4174). This will deliver 226 dwellings in five separate blocks to the north and south of a reinstated Canterbury Road.

It will provide an enhanced public space and public realm between the entrance to South Kilburn open space and Canterbury Road (see Figure 22). The southern block along Carlton Vale will range from 16 to 5 storeys and also contain 2131 sq.m. of health centre and 397 sq.m. of retail space. The other blocks will range from four to eight storeys (see Figure 22).

All the blocks will have clearly defined frontages that overlook the public realm and provide clarity between public and private space. The health centre and associated commercial space in attracting visitors from outside the area will increase footfall along Carlton Vale which in turn will enhance the prospects of creating an additional commercial frontage from Queen's Park in adjacent development sites such as Craik and William Saville House.

Subject to planning permission being granted, it is not envisaged that any there will be any significant amendments to this scheme.

Figure 22. Massing drawing with Peel area

Phase 3b 2019-2021

Wordsworth, Masefield and part of South Kilburn Open Space

Centre Address: 1-29 Wordsworth House and 1-11 Masefield House, Stafford Road

Area: 0.3ha

Policy Context: Core Strategy policy: CP9

Planning History: None

Proposed: Redevelopment to provide a new school building to incorporate the existing South Kilburn Junior and Carlton Vale Infants Schools, plus nursery and community space.

Indicative development capacity: Unquantified currently

Delivery: 2019-2021

Description: Wordsworth House is a six storey residential concrete block comprising 32 dwellings, a mixture of maisonettes and flats. Masefield House is a four storey of similar construction.

It has commercial units at ground floor level, comprising launderette and retail uses. Both blocks have a poorly defined public/private space.

The open space is poorly defined. It has a dense tree canopy formed of many maturing trees which together with its undulating topography and the pinch point created by Perrin House and the Stafford Road dwellings to the north makes it feel detached from the remainder of the open space.

This dramatically undermines the open space user experience, making it feel an intimidating space.

Justification: The buildings are of poor construction and design creating problems of anti-social behaviour. The site provides an opportunity to decant the existing schools in a single move into a high quality contemporary purpose built building with shared facilities and access by the community to its facilities out of school hours.

It will free up the existing South Kilburn Junior School site to be incorporated into the South Kilburn open space, whilst the existing open space will become part of the school's amenity and learning space. This will allow a more clearly defined and regular shape open space to be created which will increase its benefit to the population.

Design Principles: The three storey school building with clearly defined and animated frontages will provide a perimeter block on Stafford Road and Percy Road, plus public realm to the south between it. To the west the schools grounds will extend to include some of the current South Kilburn open space.

This amenity and learning space will retain the maturing trees and provide a more clearly defined boundary to the remaining open space (see Figure 23).

Figure 23. Massing drawing with outlined Wordsworth, Masefield site and part of South Kilburn Open Space

Hereford House and Exeter Court

Centre Address: 1-124 Hereford House and 1-32 Exeter Court Carlton Vale

Area: 0.8ha

Policy Context: Core Strategy policy CP9

Planning History: None recent

Proposed: Mixed tenure housing development and new open space

Indicative development capacity: 202 dwellings

Delivery: 2019-2021

Description: Hereford House is an 18 storey residential block comprising 124 dwellings. Exeter Court is 32 dwellings formed of four storey residential blocks connected by a public open space at a podium level incorporating a playground under which is garaging and a commercial storage facility.

The buildings are fragmented and present a blank frontage on to Carlton Vale and Granville Road, with public realm essentially comprising car parking/hardstanding for garage access interspersed with sporadic semi mature trees along the street edge.

Justification: The existing buildings are of poor design and construction creating poor housing conditions and potential for anti-social behaviour in communal spaces which cannot be remedied cost efficiently through refurbishment.

The opportunity exists to provide better housing along sound urban design principles creating a human scale environment that integrates with the surrounding area and is more sympathetic in scale to the conservation area. It will be at a density that reflects the PTAL rating and reinforces the street hierarchy and setting of Carlton Vale in particular., Subject to the Council being able to ensure Granville Road is reopened between this site and the Carlton and Granville Centres which subsequently will result in the existing Granville Open Space being developed for housing, this site will incorporate its replacement open space.

This will provide a better quality open space with greater opportunity for sunlight penetration, overlooking/sense of security and due to its prominence more likely to be used by the surrounding population.

Design Principles: The creation of the new Granville Park, on the west of the site, will improve access to open space in the area and also create an overlooked public route from Carlton Vale to Granville Road.

It will complement South Kilburn open space by providing a more intimate space, with a high-quality hard paved area to encourage use in all seasons (see Figure 24). To the east residential perimeter blocks arranged around a courtyard should range in height from 4 to 12 storeys and positively address all external frontages providing overlooking and appropriate set-backs for residents' privacy and sufficient planting space.

Lower storey elements are to be located to the north towards the conservation area, with taller elements fronting Carlton Vale. A variety of heights along the southern, eastern and western frontages will both add interest and provide the opportunity for sunlight/day light to penetrate into the internal space and dwellings (see Figure 24).

Figure 24. Massing drawing of Hereford House and Exeter Court

Old Granville Open Space

Address: Land west of 21-51 Granville Road

Area: 0.4ha

Policy Context: Core Strategy policy CP9

Planning History: Residential and Open Space

Proposed: Residential development to continue the existing residential frontages on either side.

Indicative development capacity: 10 dwellings (if town houses)

Delivery: 2019 - 2021

Description: The site is currently a public connection between the two parts of Granville Road which was severed by extension of the grounds of the Iranian school over public highway.

It also incorporates a small public open space essentially of seating areas within a typically functional municipal landscape created in the early phases of the South Kilburn estate's regeneration. The space is poorly overlooked with no adjacent frontage development and backs on to rear boundary fences of villas Princess Street increasing their risk of being subject to crime.

Justification: Public consultation identified that this space due to its limited visibility and lack of attractions is essentially unknown to the majority of the surrounding population.

Whilst the reopening of Granville Road currently incorporated into the Iranian school might improve its accessibility and raise public awareness there is no certainty that its inherent potential weakness; a lack of natural surveillance will be satisfactorily addressed.

As such it is considered that there is merit in transferring the open space to the Hereford House and Exeter House development. This site would then be redeveloped for residential purposes. It is recognised that this is likely to reduce the amount of dwellings delivered in South Kilburn; the Hereford/Exeter site which would incorporate the new open space can be developed at a higher density.

Nevertheless, the reintroduction of the historic building line, likely reduction in the potential for crime and anti-social behaviour within the public realm and greater likely use of the alternative open space merit this approach.

Design Principles: To essentially replicate the character of the adjacent buildings by creating buildings of a modest height (typically 4 storeys with opportunities to vary by one storey as has occurred on the adjacent sites) (see Figure 25). The buildings will front the street and be setback from the pavement edge in a similar manner to that of 21-53 Granville Road.

This will provide sufficient room for a defensible space to ensure residents' privacy whilst allowing for incorporation of sufficient landscaping to enhance the street setting (see Figure 25).

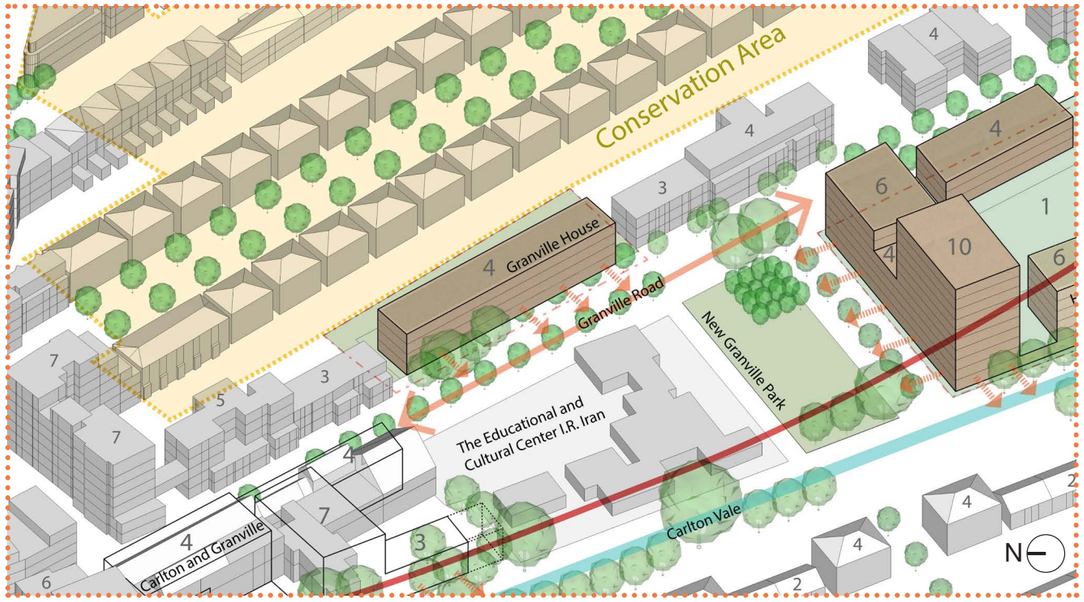

Figure 25. Massing drawing of Old Granville Open Space

Phase 4 2019-2022

Carlton and Granville

Address: Carlton Centre and Granville Centre, Granville Road

Area: 0.4ha

Description: A currently under-utilised site which comprises former school buildings at the Carlton and Granville Centres with modern extensions used as community facilities incorporating a number of occupiers including a children's centre and nursery school.

Policy Context: Core Strategy policy CP9

Planning history: None relevant

Proposed: Enterprise Hub, education, community space and residential development,

Indicative development capacity: None-residential floorspace unquantified as yet and 40 dwellings

Delivery: 2019-2022

Justification: The buildings are currently under-utilised but provide an opportunity for reinvigoration an Enterprise Hub, Education/Community Space and Residential with the priorities being: to secure a permanent enterprise hub, to secure the future of the Nursery School, to secure the future of the Barnardo's operated Children's Centre (within the South Kilburn area although not necessarily on this site) and to secure the future of the Granville Kitchen and Otherwise Club as being incorporated into the Enterprise Hub space.

This would include space for the South Kilburn Studios which will be displaced by the Peel development. The buildings are one of the few original ones in the area and incorporate good quality architecture from that time, so currently provide some value to the streetscene.

Design Principles: Ideally to incorporate the existing prominent parts of the Carlton and Granville Centres into the final development, unless unfeasible and their replacements are of significantly high quality. Buildings to range in height from 3 to 8 storeys, with the taller buildings to follow a North-South orientation.

Lower buildings should front on to Kilburn Open Space to optimise sunlight penetration into the development site. The Carlton Vale and Granville Road frontages should be active. Landscape treatment and building set-backs should contribute to Carlton Vale's proposed boulevard character (see Figure 26).

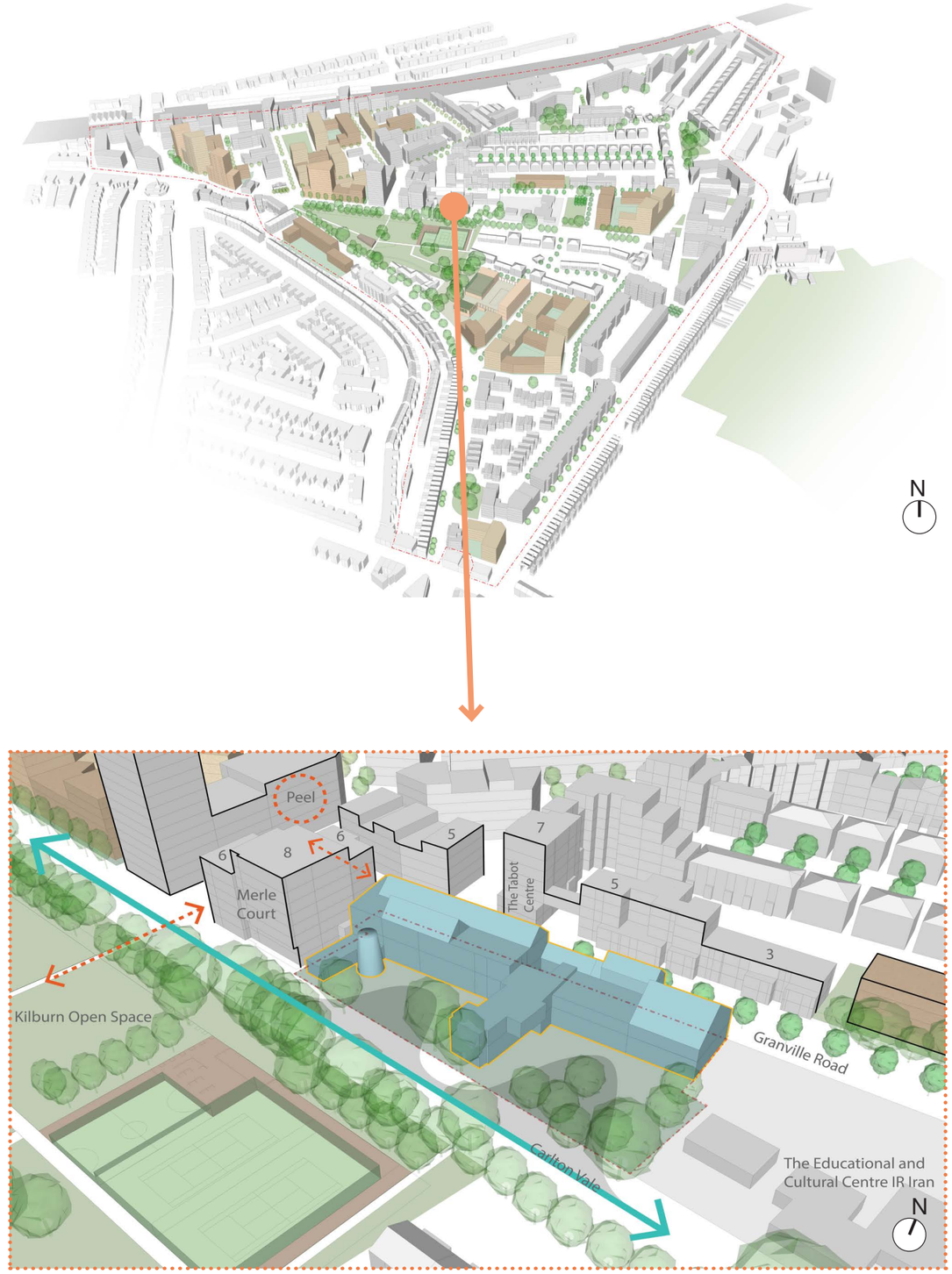

Figure 26. Massing drawing of Carlton and Granville

Carlton House

Address: 113-128 Carlton House and Carlton Hall, Denmark Road

Area: 0.2ha

Policy Context: Core Strategy policy CP9

Planning History: Non relevant.

Proposed: Mixed tenure housing development.

Indicative development capacity: 66 dwellings

Delivery: 2019-2022

Description: The site comprises a 1950's four storey residential block, playground and Carlton Hall a one storey community space. Much of the development has poor definition of public and shared space and presents an inactive frontage to Denmark Road.

Justification: The removal of another Carlton House block in association with the Peel development creates an opportunity to reinstate the traditional street pattern and clearly define street frontages, give greater clarity about private and public spaces and improved tenants shared private space and make better use of land which is developed to low densities.

Design principles: The development should blend into the new urban grid, and present a strong frontage onto Denmark Road and Neville Road (see Figure 27). Heights should range between 4 and 6 storeys to reflect proposals for surrounding buildings (see Figure 27).

Figure 27. Massing drawing of Carlton House

Neville & Winterleys

Address: Neville House and 1-64 Winterleys, Denmark Road

Area: 0.34ha

Policy Context: Core Strategy policy CP9

Planning History: None relevant

Proposed: Mixed tenure housing development.

Indicative development capacity: 137 dwellings

Delivery: 2019-2022

Description: More traditional 1950's Council blocks. Winterleys is a 12 storey block of 64 dwellings which faces on to Woodhouse Park but is currently separated from the park by car parking. Neville House is a four storey block with 8 dwellings. An open space which has no clear function as either public, or private/tenant space is to the east and north of the two blocks.

Justification: The blocks are in a poor state of repair and represent a poor overall use of the space. There is an opportunity to provide more dwellings in a better environment which better addresses streets and integrates with the new development to the north and east. It will also create a stronger relationship with Woodhouse Park.

In addition the creation of a court yard will give residents access to more useable private space. This will contribute to the continued step change in the quality of mixed use mixed tenure residential accommodation and public space.

Design principles: Development should take influence from the Albert Road and Bond developments and integrate into the new layout. An active building frontage should be provided along Woodhouse Park and Denmark Road (see Figure 28).

Heights should range from 2 to 9 storeys, with taller elements fronting Woodhouse Park. Building are to be arranged around a courtyard with breaks in height to allow daylight and sunlight into the heart of the buildings (see Figure 28).

Figure 28. Massing drawing of Neville & Winterleys

Phase 5 2021-2023

Carlton Infants' School

Address: Carlton Vale Infant School, Malvern Place

Area: 0.4ha

Policy Context: Core Strategy policy CP9

Planning History: Infant School

Proposed: Mixed tenure residential

Indicative development capacity: 62 dwellings

Delivery: 2021-2023

Description: The site currently comprises a single storey infants' school in relatively poor quality buildings, bounded by conifer planting on its northern edge along the existing Malvern Road. A separate play area now covers what was formerly part of Malvern Road.

Justification: Following completion of the move of the school to its new site on Wordsworth and Masefield the site will predominantly be developed for residential purposes.

In addition what was formerly Malvern Road highway land will be reinstated as highway to form a continuation of the street that links up with Malvern Place.

Design Principles: A frontage will be reinstated along Malvern Road that provides a transition in set-back distance from 121 Malvern Road and 17-32 Kilburn House, Malvern Place.

This active frontage which will play a strong role in providing overlooking of South Kilburn Park will also turn the corner with and along Malvern Place (see Figure 29). Building heights will range between 4 and 6 storeys (see Figure 29). Malvern Road will be reinstated with sufficient space provided to ensure vehicles can turn into it from Malvern Place.

This will form the principal vehicular route as it is proposed to close vehicular access between Malvern Road and Carlton Vale. Ideally no or very limited car parking shall be provided between the new building frontages and the highway.

If it is greater attention should be paid to both softening its impact on the street scene and incorporating better quality planting than exhibited at Nexus Court.

Figure 29. Massing drawing of Carlton Infants' School

Austen

Address: 1 -167 Austen House, Cambridge Road

Area: 0.35ha

Policy Context: Core Strategy policy CP9

Planning History: None relevant

Proposed: Mixed tenure housing development incorporating the Marian Community Centre and Immaculate Heart of Mary Catholic Church.

Indicative development capacity: 99 dwellings

Delivery: 2021-2023

Description: Austen House and Dickens House redevelopment sites suffer from inherent internal design problems and the relationships between buildings, streets and spaces are also poor and indeterminate. Built using the 'Bison' method of construction Austen and Dickens form two opposing 18 storey towers linked by podium deck incorporating a playground under which there is garaging. At present Austen presents an inactive ground floor frontage to a public realm dominated on Cambridge Road by the blank rear wall of a separate single storey garage and surface level car parking. Austen House contains 167 dwellings.

Justification: The block is of poor construction that it is not viable nor desirable to refurbish. The blocks sit within a poor quality landscape of disparate open space and garages which can be replaced by more dwellings along sound urban design principles that create a better environment and provide better connectivity through introduction of new streets.

Design Principles: Austen will be a perimeter block courtyard building ranging from 4-6 storeys (see Figure 30). It will provide frontage to Cambridge Road, the extension of Percy Road, Stafford Road and the public realm between it and the new Blake Court development to the south. The scale and form of the development should prevent north facing single aspect units. It should maximise sunlight and daylight to the courtyard and adjacent northern property through the lower storey heights being on the southern and northern sides of the perimeter blocks (see Figure 30). It is proposed that the existing uses of Catholic Church and Community Centre being incorporated into the redevelopment, in relation to the Church this can be by the building remaining in situ or provision of a new building that incorporates the church and community uses.

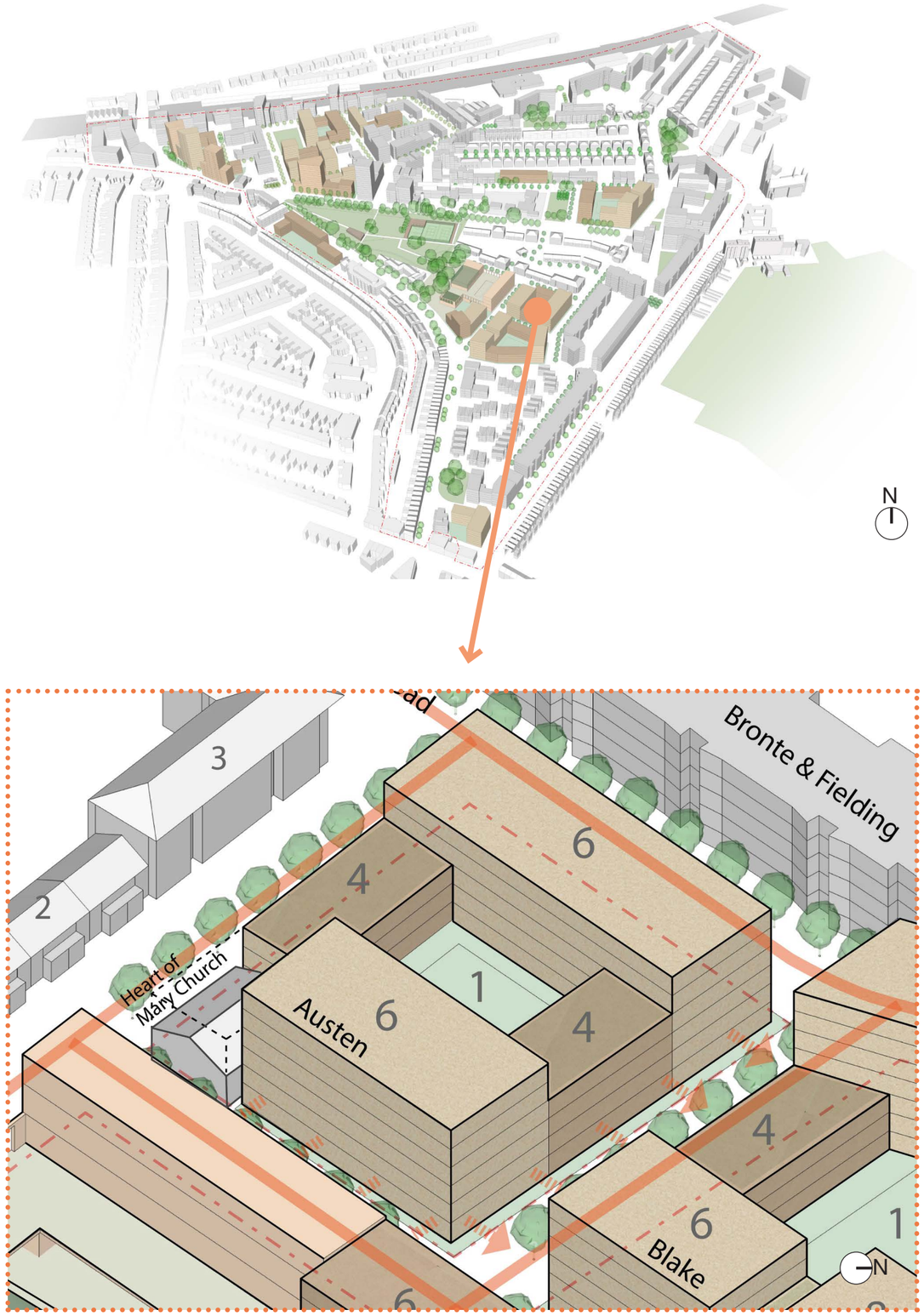

Figure 30. Massing drawing of Austen

Kilburn Park Junior School Site

Address: Kilburn Park Junior School, Carlton Vale

Area: 0.48ha

Policy Context: Core Strategy policy CP9

Planning History: N/A

Proposed: Extension of South Kilburn Park.

Indicative development capacity – NA

Delivery 2021-2023

Description: Currently the site is Kilburn Park Junior School

Justification: The existing school will be transferred to the Wordsworth House/Masefield House site which also incorporates some of the existing South Kilburn Open Space. Re-provision of open space on this site will be of significant benefit compared to the loss of the space transferred to the new school site.

It will create a more regular shaped open space that can be put to better use and feel more secure. It will raise the profile of the space in the public's consciousness and its impact on townscape by opening up views into the park when arriving from Queen's Park/Kilburn Lane. See Figure 31 for an indicative layout for the South Kilburn Park

Design principles: Incorporated into the South Kilburn Park

Figure 31. Kilburn Park Junior School incorporated into South Kilburn Park

Blake

Address: 1-72 Blake Court, Malvern Road

Area: 0.3ha

Policy Context: Core Strategy policy CP9

Planning History: None relevant

Proposed: Mixed tenure housing development

Indicative development capacity: 121 dwellings

Delivery: 2021-2023

Description: Blake House redevelopment sites suffer from inherent internal design problems and the relationships between buildings, streets and spaces are also poor and indeterminate. Built using the 'Bison' method of construction.

Blake is three six storey loosely connected blocks of 72 dwellings forming the southern part of a Dickens, Blake, Austen horseshoe shape around a semi-public space. Dickens is poorly defined in terms of public/private space and its relationship with Malvern Road and Cambridge Road where dead frontage, service areas and parking also prevail.

Justification: The block is of poor construction that it is not viable nor desirable to refurbish. The blocks sit within a poor quality landscape of disparate open space and garages which can be replaced by more dwellings along sound urban design principles that create a better environment and provide better connectivity through introduction of new streets.

Design Principles: Blake will be a perimeter block building ranging in height from 4-8 storeys. It will provide frontages to Cambridge Road, the extension to Percy Road and between the Dickens site to the north and McDonald House/Hampton Close site to the south. A new public pedestrian link will be provided on the southern frontage (see Figure 32).

Taller elements up to 8 storeys to be integrated at key prominent frontages/corners on Malvern Road and Cambridge Road to indicate the new neighbourhood entrances. The scale and form of the development should prevent north facing single aspect units and maximise sunlight and daylight to the courtyard (see Figure 32).

Figure 32. Massing drawing of Blake Court

Phase 6 2023-2026

Dickens

Address: 1-167 Dickens House, Malvern Road

Area: 0.3ha

Policy Context: Core Strategy policy CP9

Planning History: Housing blocks

Proposed: Mixed tenure housing development

Indicative development capacity: 62 dwellings

Delivery: 2023-2026

Description: Austen House and Dickens House redevelopment sites suffer from inherent internal design problems and the relationships between buildings, streets and spaces are also poor and indeterminate.

Built using the 'Bison' method of construction Austen and Dickens form two opposing 18 storey towers linked by podium deck incorporating a playground under which there is garaging.

At present Dickens presents an inactive ground floor frontage of garages with a small car park, green space and rear of separate garage block on Malvern Road. Dickens House contains 167 dwellings.

Justification: The block is of poor construction that it is not viable nor desirable to refurbish. The blocks sit within a poor quality landscape of disparate open space and garages which can be replaced by more dwellings along sound urban design principles that create a better environment and provide better connectivity through introduction of new streets

Design Principles: Dickens will be a perimeter block building ranging from 4-7 storeys. It will provide frontage to Malvern Road and the extension of Percy Road (see Figure 33). Taller elements up to 7 storeys to be integrated at key prominent corners to indicate the new neighbourhood entrances.

The Dickens development will be designed and orientated to avoid overlooking issues with the neighbouring school.

The scale and form of the development should prevent north facing single aspect units. It should maximise sunlight and daylight to the adjacent school through the lower storey heights being on the south western side of the perimeter block (see Figure 33).

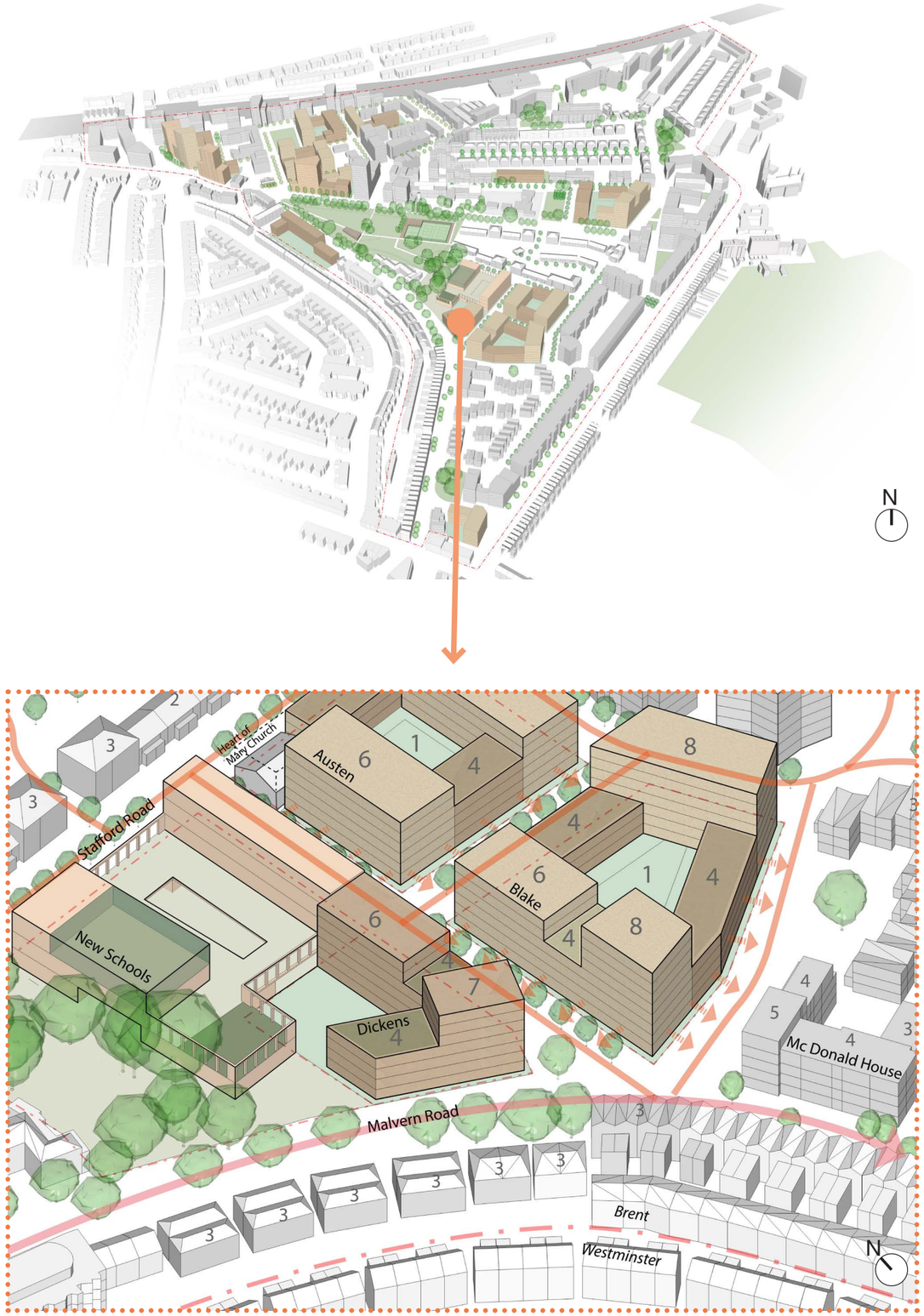

Figure 33. Massing drawing of Dickens

Craik

Address: Neville Close and Canterbury Road

Area: 0.29ha

Policy Context: Core Strategy policy CP9

Planning History: None relevant

Proposed: Mixed tenure housing development with potentially ground floor commercial uses.

Indicative development capacity: 120 dwellings

Delivery: 2023 - 2026

Description: Twelve storey residential tower of 72 dwellings with ground floor car parking set within landscaping with a small amount of car parking to the front on Carlton Vale and Neville Close and car parking to the rear with no clear boundary between public and private space along pedestrian route which follows the alignment of the Canterbury Road.

Justification: Poor quality residential block which it is neither viable nor desirable to refurbish. The opportunity to exists to create a stronger corner which will act as a gateway to South Kilburn, to continue a commercial ground floor use from Queen's Park to Peel (if viable) whilst continuing the step change in the quality of mixed use mixed tenure residential accommodation.

Design Principles: Create a strong frontage along Carlton Vale with active ground floor uses if viable, and frontage along Canterbury Road and Neville Close.

To respond to the gateway context and heights of William Dunbar House / Peel and the land mark Canterbury Road/Carlton Vale corner position by creating a tall building up to 14 storeys, whilst dropping in height towards Peel to 4 storeys to provide variety on townscape and facilitate daylight/sunlight to the buildings that will run along the Canterbury road frontage.

If commercial frontage is provided this will be expected to be on the pavement edge, but sufficient space must be provided to facilitate tree planting defining Carlton Vale's boulevard status/typology (see Figure 34).

Figure 34. Massing drawing of Craik

Crone and Zangwill

Address: 1-85 Crone Court, 1-10 Zangwill House Rupert Road, Canterbury Road

Area: 0.45ha

Policy Context: Core Strategy policy CP9

Planning History: None relevant.

Proposed: Mixed tenure housing development.

Indicative development capacity: 145 dwellings

Delivery: 2023-2026

Description: A more traditional 1950's residential block in poor quality. Crane is a 12 storey block of 85 dwellings and Zangwill is a four storey block of ten dwellings. Crone Court and Zangwill are separated from Woodhouse Park by Denmark Road.

Both blocks have historically had a lack of clarity about what is the front or back of the property and public and private space, although Zangwill more recently has made this more apparent by incorporating a 6 foot close boarded fence along Rupert Road.

The entrances to both are set in a public realm principally dominated by car parking with a limited amount of green space at one of its entrances. Both blocks face on to a communal private/semi-public space.

Justification: The accommodation is not viable to maintain or bring up to modern day standards. Redevelopment provides an opportunity to create a stronger frontage onto Woodhouse Park and the adjacent streets including Canterbury Road where there is currently no defined frontage and better integrate the site into the wider development. This will contribute to the continued step change in the quality of mixed use mixed tenure residential accommodation.

Design principles: A perimeter block development to create frontage along Denmark Road, Rupert Street and Canterbury Road (see Figure 35).

Development is to range in height from 4 to 10 storeys. A taller 10 storey element should be located adjacent Woodhouse Urban Park. The scale and form of the development should maximise sunlight and daylight to the courtyard and also Woodhouse Park (see Figure 35).

Figure 35. Massing drawing of Crone and Zangwill

Phase 7 2025-2027

John Ratcliffe

Address: 1-64 John Ratcliffe House, Chippenham Gardens

Area: 0.15ha

Policy Context: Core Strategy policy CP9

Planning History: None relevant.

Proposed: Mixed tenure housing development.

Indicative development capacity: 35 dwellings

Delivery: 2025-2027

Description: John Ratcliffe is a 1970's residential Council block which currently feels isolated from the wider neighbourhood. The block has no active frontage due to a ground floor garage and backs on to an undefined open space. Landscaping is poor and comprises car parking and left over pockets of grass

Justification: The building has a high proportion of smaller dwellings, this and its design and build quality means that it is subject to anti-social behaviour and is unviable to retain in the longer term.

There is an opportunity to make better use of the space to meet a wider range of housing needs and overcome existing problems. Reconfiguring the building to the plot boundaries will allow the creation of a useable shared courtyard for residents. In addition this will allow the height of the
building to be lowered to better reflect the scale of surrounding buildings. This will contribute to the continued step change in the quality of both residential accommodation and public space.

Design principles: The frontage is to activate the street and interact with the new Chippenham Gardens development. The new building should be 5 to 7 storeys, and complement the heights of new developments along Malvern and Kilburn Park Road.

The development should extend to the plot boundaries, to provide for the incorporation of a useable amenity to the rear for residents.

The layout will have to positively address the issues that have been identified in Figure 36 and overcome the potential for a blank wall and undefined space to be a product of the regenerated site (see Figure 36).

Figure 36. Massing drawing of John Ratcliffe

Phase 8 2026-2029

William Dunbar House & William Saville House

Address: 1-74 William Dunbar House
Albert Road and 1-74 William Saville House Denmark Road

Area: 0.6ha

Policy Context: Core Strategy policy CP9

Planning History: None relevant.

Proposed: Mixed tenure housing development, with commercial/town centre uses at ground /mezzanine floor.

Indicative development capacity: 213 dwellings

Delivery: 2026-2029

Description: Two 1960's residential towers of 13 storeys. William Dunbar House has 73 dwellings and a ground floor Council office complex and William Saville has 74 dwellings.

At present the towers are poorly connected to the surrounding area due to being set back from the streets onto which they bound. William Saville has been placed where Denmark Road would have continued to Carlton Vale reducing permeability of the South Kilburn estate.

The planting and landscape around these blocks is of a significantly better quality than the rest of the older blocks in the South Kilburn estate particularly along Carlton Vale and Albert Road. The provision of brick walls and fences along Carlton Vale provides clarity that the space is for tenants.

Justification: The site is in a prominent gateway location and the current development does not capitalise on this. There is an opportunity for development to create a sense of arrival and present a stronger active frontage along Carlton Vale brought to life with commercial units at ground floor to strengthen connections between Queen's Park station /Salusbury Road and the Peel development which will provide a key health facility destination. In addition, opening up the Denmark Road to pedestrian movement will allow improved connections from the South Kilburn estate into the wider area.

Design principles: Development is to create a strong active frontage along Carlton Vale, comprising ground floor commercial uses. Buildings should generally range in height from 5 to 9 storeys. As a gateway to South Kilburn there is also an opportunity for a taller element of up to 17 storeys to create sense of arrival.

The demolition of William Saville House offers the potential of a pedestrian link to Carlton Vale which should be provided and development provided along this frontage to create overlooking/safe environment (see Figure 37).

Figure 37. Massing drawing of William Dunbar House & William Saville House

Other Local Plan Allocation Sites

SK 4 Canterbury Works

Address: Canterbury Works, Canterbury Road

Area: 0.7.ha

Policy Context: Core Strategy policy CP9, Site Specific Allocations SK4

Planning History: Prior approvals and applications resulting in 20 dwellings in Canterbury House

Proposed: SK4 allocation states mixed use development including new office space, community facilities and residential including amenity space.
The rear of the site has been identified for a HS2 Vent Shaft. In the short to medium term this compromises redevelopment of the site until the shaft is completed and makes development capacity potential difficult to predict.

Figure 38. Location of SK4 Canterbury Works

Indicative development capacity: Unclear at this stage.

Delivery: Unknown

Description: Currently the site is a mixture of residential and industrial/workshop uses. The rear of the site has been identified for a HS2 Vent Shaft (see Figure 38).This is a significant infrastructure project that in the short to medium term sterilises the development of the site. Once completed it will be clearer as to how much potential if at all there is for other development.

Justification: The site is allocated for development and this identified a residential development capacity of 218 dwellings. Of this 20 has been developed. Once the HS2 vent shaft has been delivered the site is likely to have capacity for additional dwellings/other uses to complement the regeneration of the area.

This will be dependent on the space left not required for HS2 operational purposes and the environmental constraints that the shaft may create, e.g. noise.

Design principles: Unclear at this stage due to the extent of the final area not required for HS2 operational purposes and the environmental constraints that the shaft may create, e.g. noise and access requirements.

Longer term opportunity sites which have not to date been identified by the site owners as being available for development.

The SPD is providing guidance on what will be considered acceptable by the Council in principle should the site owners want to take the opportunity to bring forward development on these sites.

Illustration 18. Carlton houses along Albert Road

Carlton House (remainder)

Address: 1-96 and 129-136 Carlton House, Canterbury Terrace

Area: 0.8 ha

Policy Context: Core Strategy policy CP9

Planning History: N/A

Potential: Mixed tenure residential development

Indicative development capacity: 144 dwellings

Delivery 2024-28

Description: Currently the site is a series of four storey 1950s blocks of utilitarian design with limited quality landscape and a poor definition of private and public space. The buildings present a frontage to the street.

Justification: Given the age and condition of the existing dwellings and its comparatively low density the opportunity exists subject to viability to either extensively refurbish/remodel, including additional storeys, or to redevelop to provide a greater number of higher quality dwellings which better meet borough housing needs and enhance South Kilburn.

Design principles: The development should reinforce a perimeter block type layout providing positive frontage to the street. Typically the development should be six storeys with potential variation to create additional interest/take account of corners/being a bookend to vistas along Albert Road, Denmark Road and Chichester Road (see illustration 18).

West Kilburn Baptist Church

Address: West Kilburn Baptist Church, Carlton Vale

Area: 0.08 ha

Policy Context: Core Strategy policy CP9

Planning History: N/A

Potential: Mixed use community facility, retail/commercial and residential

Indicative development capacity: 15 dwellings plus non-residential

Delivery: Unknown

Illustration 19. Baptist Church

Description: Currently the building occupying the site is a nicely detailed 19th Century Baptist Church of some local heritage value. Constructed of London stock bricks with welsh slate roof, stucco detailing including window reveals and cornicing and sash windows with typical original understated internal features of wooden stall seating. Externally the remainder of the curtilage is predominantly laid out as car parking.

Justification: The premises provide the opportunity to infill either on its own or probably of more benefit with the adjacent Muslim cultural centre to create an animated ground floor use with residential uses above to provide a more intensive use of land and improve townscape.

Design principles: Ground floor use that animates the street with residential or other commercial/community uses above. Potential to rise to four storeys or higher if relationship with adjacent existing or proposed buildings produces a successful solution in terms of sympathetic relationship to the Church and overlooking/overshadowing of other buildings (see illustration 19).

UK Albanian Muslim Community and Cultural Centre

Address: 88-90 Canterbury Road

Area: 0.05 ha

Policy Context: Core Strategy policy CP9

Planning History: N/A

Potential: Mixed use comprising community use and commercial or residential

Indicative development capacity: 10 dwellings plus non residential

Delivery: Unknown

Illustration 20. UK Albanian Muslim Community and Cultural Centre

Description: Currently the site is a two storey utilitarian heavily altered 1950s building formerly a public house, with adjacent car park.

Justification: The premises are a poor piece of townscape at a very low density given the PTAL rate and potential heights of adjacent developments such as Craik House the building currently presents essentially blank facades to the adjoining public realm.

The opportunity exists to develop at a much higher density, particularly if incorporating the adjacent West Kilburn Baptist Church car park whilst maintaining and improving the existing community use.

Design principles: To create an active ground floor use that extends the proposed frontage linking Queen's Park and Peel.

The opportunity exists to create a corner landmark building rising to 6 storeys and possibly higher if incorporating the Baptist Church car park depending if relationship with adjacent existing or proposed buildings produces a successful solution in terms of sympathetic relationship/overlooking/overshadowing of other buildings (see illustration 20).

St Mary's Roman Catholic Primary School

Address: St Mary's Roman Catholic Primary School, Canterbury Road

Area: 1.11 ha

Policy Context: Core Strategy policy CP9

Planning History: N/A

Potential: Expansion of school or retention and upgrade/reconfiguration of school on a smaller footprint or on the lower floors of a multi-storey mixed use development incorporating housing

Indicative development capacity: Unknown

Delivery: Unknown

Figure 39. Location of the sites (St Mary's Roman Catholic Primary School)

Description: Currently the site is a Roman Catholic Primary School comprised of essentially light weight single storey buildings expanded over time with associated playground and multi-use sports facility.

Justification: The school presents a low intensity development in an area with significantly higher density/ plot ratios. The boundary with the Bakerloo/West Cost Mainline in particular provides the opportunity to significantly raise the heights of development.

New configurations of schools in London show what can be achieved in creating high quality learning environments on inner urban sites on smaller footprints.

Subject to agreement from the school and implementation of a successful phasing plan, there is the potential for the school to significantly improve its buildings with cross-subsidisation from housebuilding on the site.

Design principles: A multi-level school and associated facilities in a separate building to the associated residential development or as a ground / lower floor use in a mixed use building. (see Wordsworth and Masefield for example) The buildings should positively address and create active frontage along Cathedral Walk.

Taller elements rising to 11 storeys (as along Albert Road) will be acceptable to the rear of the site along the boundary with the Bakerloo/West Coast Mainline (see Figure 39).

Royal Mail Sorting Office/Mint Coaches

Address: Royal Mail Sorting Office Cathedral Walk and Mint Coaches Cathedral Close

Area: 0.44.ha

Policy Context: Core Strategy policy CP9

Planning History: N/A

Potential: Mixed use employment and residential

Indicative development capacity: 75 dwellings

Delivery: Unknown

Figure 40. Location of the sites (Royal Mail Sorting Office/Mint Coaches)

Description: Currently the site is a Royal mail sorting office and coach parking/ancillary for a private transport operator.

Justification: The Royal Mail facility has in the past been identified as potentially surplus to requirements given the extensive changes that are happening with the deregulation and increased competition in the postal/parcel delivery market.

Design principles: Whilst either side could potentially come forward for development in their own right, a consolidation of the sites is likely to provide greater opportunity for a more comprehensive scheme and added value, as the Mint site in particular has challenges in relation to shape, proximity of railway and adjacent highway heights.

Ideally an element of employment use (compatible with the close proximity of residential) will be incorporated into the development to compensate for loss of existing premises/ employment uses.

The Cathedral Close/Walk frontage should be positively addressed whilst the Bakerloo/ West Coast Mainline provides opportunity for height, although this would be expected to gradually reduce towards the Kilburn High Road to three/four storeys (see Figure 40).

St Mungo's/Salvation Army

Address: 53 and 55 Chichester Road

Area: 0.25ha

Policy Context: Core Strategy policy CP9

Planning History: N/A

Potential: mixed use development retaining existing supported housing and community uses or replacement facilities plus additional residential.

Indicative development capacity: 40 dwellings

Figure 41. Location of the sites (St Mungo's/ Salvation Army)

Delivery: Unknown

Description: Currently the site is split between two occupiers, the Salvation Army and St Mingo's. The Salvation Army has a single storey hall plus ancillary accommodation. St Mungo's is a mixture of single to three storey building that provides support to vulnerable adults and accommodation.

Justification: The site is adjacent to an underground station and public transport routes with a high PTAL rating. It is developed at a low density in a way that is inconsistent with good urban design principles.

The opportunity exists to overcome these issues whilst providing for higher quality accommodation to meet the needs of the existing users, plus other potential community users from the adjacent area. Ideally the site would come forward in a comprehensive scheme as this will maximise its capacity, although each site could come forward independently if this was shown not to compromise efficient use of each.

Design principles: The development should be consistent with the adjacent new development of 9-51 Chichester Gardens in terms of building lines, height, massing and scale, and respect the setting of the adjacent heritage assets including Listed Buildings (see Figure 41).

The Educational and Cultural Centre IR Iran

Address: The School of the Islamic Republic of Iran, Carlton Vale

Area: 0.46ha

Policy Context: Core Strategy policy CP9

Planning History: N/A

Potential: Mixed use development incorporating the existing school or replacement community building plus additional residential development.

Figure 42. Location of the Educational and Cultural Centre IR Iran

Indicative development capacity: 100 dwellings

Delivery: Unknown

Description: Currently the site is a single storey private school.

Justification: The premises are very low density buildings that appear to be being used at only a fraction of their potential capacity. The site premises present a blank façade and poor frontage to Carlton Vale and Granville Road. Part of the site is required to reopen Granville Road.

There is the potential to use the site to a much greater density and retain the existing use/ community buildings in much improved premises.

Design principles: A perimeter block development which should have principal frontages on Carlton Vale, the replacement Granville Open Space to the east (as part of the Hereford and Exeter redevelopment) and the reinstated Granville Road.

There is the opportunity for taller buildings along Carlton Vale taking into account the context provided in the Hereford and Exeter and Carlton and Granville sites, whilst along the Gladstone Road frontage a maximum of 5 storeys is likely to be acceptable (see Figure 42).

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Appendices

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Appendix 2 Housing Sites and Delivery Rates

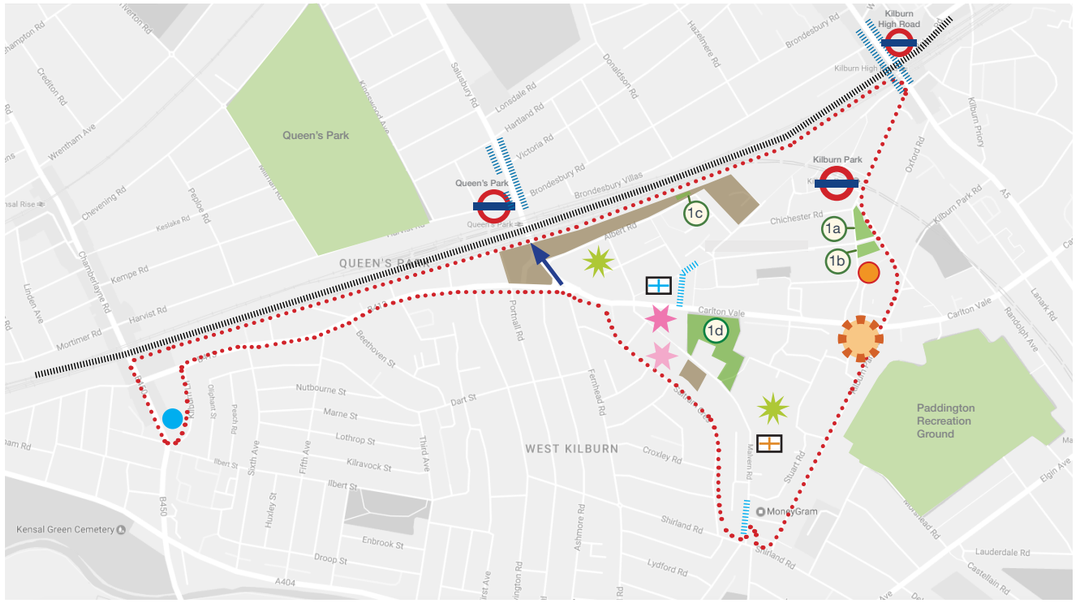
Appendix 1 Core Strategy Policy CP9
South Kilburn Growth Area

South Kilburn will experience substantial transformation. The area is promoted for regenerative development using the highest standards of urban design to physically improve the area and change the perception to a busy, thriving, safe and secure section of urban London.

The Council will facilitate a shift from the housing estates of the 1960s and 1970s to a compact district set around the traditional street pattern with a substantial increase in the proportion of owner occupied households. A series of commercial uses and community facilities will be delivered, including indoor and outdoor recreation uses and new and improved open and public spaces.

Around 48 hectares of land is promoted for the delivery of at least 2,400 new homes to 2026, supported by infrastructure identified within the Infrastructure Investment Framework. Anticipated infrastructure will include:

- A new 3 form of entry primary school
- Queen's Park secondary school to be extended by 2 forms of entry
- New nursery school places
- A healthy living centre with space for 9 GPs and other health services
- 4 new pocket parks of at least 0.2ha each
- Improvements to existing open spaces
- A series of play spaces
- Multi-use games area
- 3 multi-purpose community centres
- Replacement Albert Road Day centre
- 2 new youth centres
- A new sports hall on Brent land for St Augustine's School
- A minimum of 200 trees



South Kilburn Growth Area Boundary

Key

- Growth area boundary
- Development site
- Existing open space:
  - 1a Cambridge Sqare
  - 1b Vacant land
  - 1c Albert Road open space
  - 1d South Kilburn open space
- New public open space
- Railway
- Neighbourhood centre
- Town Centres
- Junction improvement
- Primary school
- Infant school
- Existing health centre
- New health centre
- Existing sports facility
- New sports hall
- Station access improvements

Appendix 2 Housing Sites and Delivery Rates

Site	Market	Affordable	Total
South Kilburn Estate			
Gordon House (completed)	0	26	**26**
Texaco Site (now Merle Court) Completed	8	42	**50**
Site 11a (now Swift House and George House) Completed	40	113	**153**
Roundabout Site 3c (now Hansel Road) Completed	58	75	**133**
Cambridge, Wells and Ely Court	86	58	**144**
Hicks Bolton and Bond	0	64	**64**
Thames Court	0	20	**20**
Granville New Homes	0	110	**110**
Total Phase 1	**192 (27%)**	**508 (73%)**	**700 (100%)**
2a Bronte House and Fielding House	126	103	**229**
Site 11b (completed)	116	28	**144**
Total Phase 2	**242 (65%)**	**131 (35%)**	**373 (100%)**
Total Completed South Kilburn Estate	**434 (40%)**	**639 (60%)**	**1073 (100%)**
Phase 3a 2017-2020			
Queens Park and Cullen House (Permission) (multi-phased 3a-3b)	98	39	**137**
Gloucester and Durham (Permission)	134	102	**236**
Stuart Road / Chippenham Gardens (Permission)	30	22	**52**
Total Phase 3a	**262 (32%)**	**163 (62%)**	425 (100%)
Peel (multi-phased 3a-3b)	184	42	**226**
Total Peel	**184 (81%)**	**42 (19%)**	226 (100%)
Phase 3b 2019-2021			
Wordsworth and Masefield (new school site)	Unknown	Unknown	**Unknown**
Hereford and Exeter	93	109	**202**
Old Granville Open Space Development	10	0	**10**
Total Phase 3b	**103 (46%)**	**109 (44%)**	212 (100%)
Phase 4 2019-2022			
Carlton and Granville Centres	20	20	**40**
Carlton House	29	37	**66**
Neville / Winterleys	61	76	**137**
Total Phase 4	**110 (45%)**	**133 (50%)**	243 (100%)
Phase 5 2021-2023			
Carlton Infant	46	16	**62**
Austen	48	51	**99**
Blake	66	55	**121**
Total Phase 5	**160 (57%)**	**122 (43%)**	282 (100%)
Phase 6 2023-2026			
Craik	54	66	**120**
Dickens	31	31	**62**
Crone/Zangwill	77	68	**145**
Total Phase 6	**162 (50%)**	**165 (50%)**	327 (100%)
Phase 7 2025-2027			
John Ratcliffe	25	10	**35**
Total Phase 7	**25 (75%)**	**10 (25%)**	35 (100%)
Phase 8 2026-2029			
William Dunbar House /William Saville House	176	37	**213**
Total Phase 8	**176 (83%)**	**37 (17%)**	213 (100%)
Total all South Kilburn Estate	**1616 (53%)**	**1420 (47%)***	**3036 (100%)**
Private Sites			
Kilburn Lane, Bannister Road, Malvern Road			**268**
Argo			**93**
Moberley Sports Centre			**71**
Canterbury Works			**24**
Total Private Sites			**456**
Total South Kilburn Estate and Private Sites			3492

* Please note that the total South Kilburn Estate affordable percentage is a mixture of what has been delivered to date, what has planning permission and the dwellings required to address decants of existing secure tenants identified at this stage. On individual phases that have not yet had planning applications submitted the totals may vary but wherever possible may be supplemented by additional affordable housing (subject to viability) as this is a Council priority.

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Brent	**Cabinet** 13 February 2017 **Report from the Strategic Director of Regeneration & Environment**
For Action	Wards affected: Kilburn

Appointment of Architect and Multidisciplinary Design Team for Queens Park/ Cullen House site South Kilburn

1 Summary

1.1 This report seeks Cabinet's approval to the extension and variation to the existing contract for an architect, Maccreanor Lavington Architects and for the appointment of a wider consultant team; for the completion of a s73/s96a application for minor material amendment or for non-material amendments and for the completion of design works to the consented scheme.

1.2 The appointments, if approved would take forward the comprehensive redevelopment of Cullen House, Keniston Press, TfL offices at Premier House and the Falcon Public House and associated carparks (together defined as '**Site 18'** and as shown edged red on plan at **Appendix 1**).

1.3 This development has been stalled since 2012 due to safeguarding of the site by HS2 for a proposed ventilation shaft and auto transformer. This HS2 safeguarding is now removed from this site enabling the project to recommence.

2 Recommendations

2.1 That the Cabinet approve: (i) the extension and variation to the contract with Maccreanor Lavington Architects (ii) the appointment of a wider consultant team (iii) the completion of a s73/s96a application for minor material amendment or non-material amendments to the consented scheme

2.2 That the Cabinet approve an exemption pursuant to Contract Standing Order 84 (a) from the requirement to seek quotes in respect of the consultants' appointments set out in paragraph 3.8 for the reasons detailed therein.

3 Detail

3.1 The proposed comprehensive redevelopment of **"Site 18"** is a consented scheme. It consists of the closure of Salusbury Road Car Park, demolition of the adjoining buildings comprising Keniston Press, Premier House, Cullen House and the Falcon public house and the closure of the spur road with subsequent

redevelopment of approximately 137 new homes of which approximately 39 are for affordable rent for secure tenants of South Kilburn, along with a new public space, 1270 sqm of commercial space, 959 sqm of office space and a new signalled junction at Kilburn Lane.

3.2 The redevelopment of Site 18 has been delayed as a result of the site being affected by High Speed Two Ltd **(HS2)** proposal to locate a vent shaft and Auto-Transformer and tunnel route relating to the construction of Phase One of HS2 on Site 18. Recently, following protracted discussions and a Brent Council petition to Government, HS2 has agreed to relocate the vent shaft to another site which does not form part of the South Kilburn Regeneration Programme. As a result, the Council now intends to bring forward Site 18 for redevelopment in accordance with the regeneration master-plan and the planning permission granted on 9 November 2012. Due to the passage of time since consent was obtained the opportunity will be taken to refresh the consented scheme.

3.3 Following cabinet approval in January 2016 the Council purchased the Keniston Press site in April 2016. Around the same time Londonewcastle, a private development company who were involved in developing Queens Park Place, acquired The Falcon Public House which forms part of the planning approved development site. The Council also had the opportunity to purchase the Falcon P.H. at this time but declined to do so.

3.4 Council officers are currently discussing the possibility of bringing forward this site in a Joint Venture (JV) vehicle in partnership with Londonewcastle, the Landowner of the Falcon P.H, to deliver the proposed development of “Site 18”. It is proposed that a further and separate paper will be presented to the Cabinet later this year, for a decision as to whether the Council would wish to enter into any JV with this company should these initial conversations prove fruitful. Regardless of this JV proposal the Council’s Estates Regeneration Team are now ready to bring forward the redevelopment of this site, in order to meet the decant and phasing set out within the South Kilburn Regeneration Programme.

3.5 The aim is to start on site in 2017 and as part of this work the Council is currently procuring a demolition contractor to bring forward the demolition of the recently acquired Keniston Press building. This site may then be used for a meanwhile purpose whilst the rest of the site is assembled, decanted and eventually demolished prior to construction of the consented scheme.

3.6 As the intention is now to progress Site 18, the Council needs to update and develop design proposals. The Council appointed architects, Maccreanor Lavington Architects (**MLA),** in 2012 at a cost of £454,950 + VAT. Whilst MLA developed proposals in relation to Site 18, this work ceased due to HS2's proposals. Officers now recommend that the Council continue and extend MLA’s involvement in this project so as to update their existing work. In addition, and given MLA’s detailed involvement in the scheme to date, it is proposed that the Council vary and extend the MLA appointment for the next design stages of work to enable the Council to submit a s73/s96a application; this will entail further design work up to RIBA Stage 3+ works and to draw in the Building Information Model (BIM) including TFI’s offices and an information officer role. This additional work will cost £225k+VAT.

3.7 Officers consider appointing another architectural practice to carry out this design work would not be economically advantageous to the Council and likely

to be technically challenging. At the least it would cause further significant inconvenience and delay to the project as well as possible duplication of costs as any new practice would need to review and understand the consented scheme before being able to consider any appropriate amendments.

3.8 In addition to architects, other consultants were appointed in the early stages of the project such as a Structural Engineer, a Mechanical Engineer/Sustainability Assessor, a Landscape Architect, a Fire Strategy consultant, an Acoustic Engineer and a Rights of Light Consultant. Given the further work required to develop design proposals, it is recommended that the Council reappoint the consultants originally working on the scheme given their historical knowledge of the scheme and the fact they will be able to quickly and cost effectively commence work on the scheme. The estimated values of these appointments is detailed in paragraph 4.1.

3.9 As detailed in paragraph 3.4, officers are currently discussing the possibility of bringing forward this site in a JV vehicle in partnership with Londonewcastle. Should this proposal, which is a separate matter to this report, be eventually approved by Members, it is probable that the consultants appointed and still working on the scheme would be novated to the JV vehicle going forward.

3.10 Total proposed costs to achieve RIBA Stage 3+ are listed below

Fees	**£'000s**
Architects	150
Information Officer	75
Structural Engineer	145
Mechanical Engineer	100
Landscape Architect	100
Acoustic Engineer	25
Right Lights Consultant	5
Total Spend	**600**

4 Financial Implications

4.1 This requested expenditure of £600k can be paid for from the existing scheme budget. These costs would have occurred regardless of a JV partner and these costs represent re-approval of existing decisions that were made 4 years ago. This is the reason for the report. There is no additional capital budget requested for this.

4.2 Furthermore it should be possible to recoup this outlay from the eventual capital receipt from the land sale of Site 18, or should the Council enter into a JV with Londonewcastle, from the realised development value profits. Londonewcastle are apprised and aware of these potential costs.

4.3 The financial model for the South Kilburn regeneration programme is intended to be self-financing within the funding envelope generated from on-going disposals, which are ring-fenced to the South Kilburn programme.

5 Legal Implications

5.1 The council's contract in respect of architectural services was let in 2012 and despite the delay caused by the High Speed Two (HS2) Limited's proposals to the Site 18, remains effective. As detailed in Recommendation 2.1, the proposal is to extend and vary the MLA contract to update and carry out further works. Regulation 72 of the Public Contracts Regulations 2015 (PCR 2015) details that a contract may only be modified without a new procurement procedure in the circumstances set out in Regulation 72 (1). The reasons for the proposed modification of the contract are set out in paragraph 3.7 above and these reasons and the value of the modification appear to satisfy the circumstances set out in Regulation 72 (1) (b) of the PCR 2015.

5.2 Paragraph 3.8 details that Officers wish to reappoint of the consultants originally working on the scheme. The value of the contracts as detailed in paragraph 4.1 is such that all such consultant appointments are classified as Low Value Contracts under the Council's Contract Standing Orders and Financial Regulations. CSO 86(c) provides that no formal tendering procedures apply to Low Value Contracts except that at least three written quotes must be sought and the quotes sought and/or obtained shall be recorded or alternatively the contract is procured through the Online Market Place. As detailed in paragraph 3.8, officers consider that there are good operational and financial reasons not to tender but instead wish to appoint the consultants originally working on the scheme . In the circumstances an exemption from the requirements to tender in accordance with Contracts Standing Orders and Financial Regulations is sought. Cabinet is able to grant such exemption pursuant to CSO 84(a) where there are good operational and/or financial reasons.

5.3 Officers are currently discussing the possibility of bringing forward Site 18 in a JV vehicle in partnership with Londonewcastle. No such arrangement may be entered into unless approved by the Chief Finance Officer and a formal agreement covering the arrangements is signed by the parties. Additionally, any such arrangement which includes delegation of powers shall be approved by the Cabinet (or where relevant, Full Council). Paragraph 3.4 indicates officer's intention to present to the Cabinet a further and separate paper later this year, for a decision should initial conversations with Londonewcastle prove fruitful.

6 Equality Implications

6.1 South Kilburn is identified as a priority for driving economic opportunity and regeneration within Brent – Creating Opportunities, Improving Lives (Brent Borough Plan 2013-14). The Regeneration Strategy for Brent 2010-2030 identifies the transformational change of South Kilburn within strategic priority one. The area was previously a New Deal for Communities area and as such, all interventions are specifically targeted at those people who suffer disadvantage in society. The Council, through its widening participation, seek to find ways of involving and engaging with all local residents and particularly those who the Council finds 'hard to reach'. There has been and will continue to be widespread consultation and community engagement as proposals for the physical regeneration of the area are developed and delivered.

6.2 While there are no direct equalities implications arising from this report, the work carried out by the design team will have an impact on residents with protected characteristics and therefore consideration must be given to affected groups

during the development of the planning applications. The work of the design team will continue to include proactive consultation and engagement with affected residents with protected characteristics such as disabled people, older residents and minority ethnic groups.

6.3 The new homes in South Kilburn are available to all secure tenants currently living in properties due for demolition as part of the South Kilburn regeneration programme within the neighbourhood. A proportion of new homes are designed to be wheelchair adaptable while the allocations process considers the housing needs of secure tenants in respect of issues that maybe derived from individuals' age, disability, gender reassignment, pregnancy and maternity status, marriage and civil partnership status, race, religion or belief, sex, sexual orientation, ethnicity, nationality or national origin. Following the upcoming Needs Assessments carried out by the Estate Regeneration Housing Team the equalities will be relooked at and analysed at that time.

6.4 As with all other schemes that are part of the South Kilburn regeneration programme, full consideration must be given to residents and leaseholders with protected characteristics, particularly people with disabilities and / or other types of vulnerabilities due to older age, childcare and/or caring responsibilities, socio-economic status (lone parents and large families). Due to the ethnicity profile of the area, full consideration must also be given to black, Asian and minority ethnic individuals/groups. The Council must also ensure that the options put forward to secure residents and leaseholders, so far as possible, provide reasonable and affordable alternatives that enable them to remain in the area and maintain their family and community ties, as per Article 1 of the First Protocol and Article 8 of the European Convention on Human Rights.

7 Staffing/Accommodation Implications

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

7.2 There are 31 residential units on this site and to date 24 social rented tenants have been relocated to new homes on the estate with 4 remaining to be rehoused by March 2017. There were 3 leaseholders and thus one leaseholder has completed, 1 has agreed terms with the council with one leaseholder remaining to negotiate terms with the Council.

8 Background Papers

Appendix 1 Queens Park/Cullen House - Site 18

9 Contact Officers

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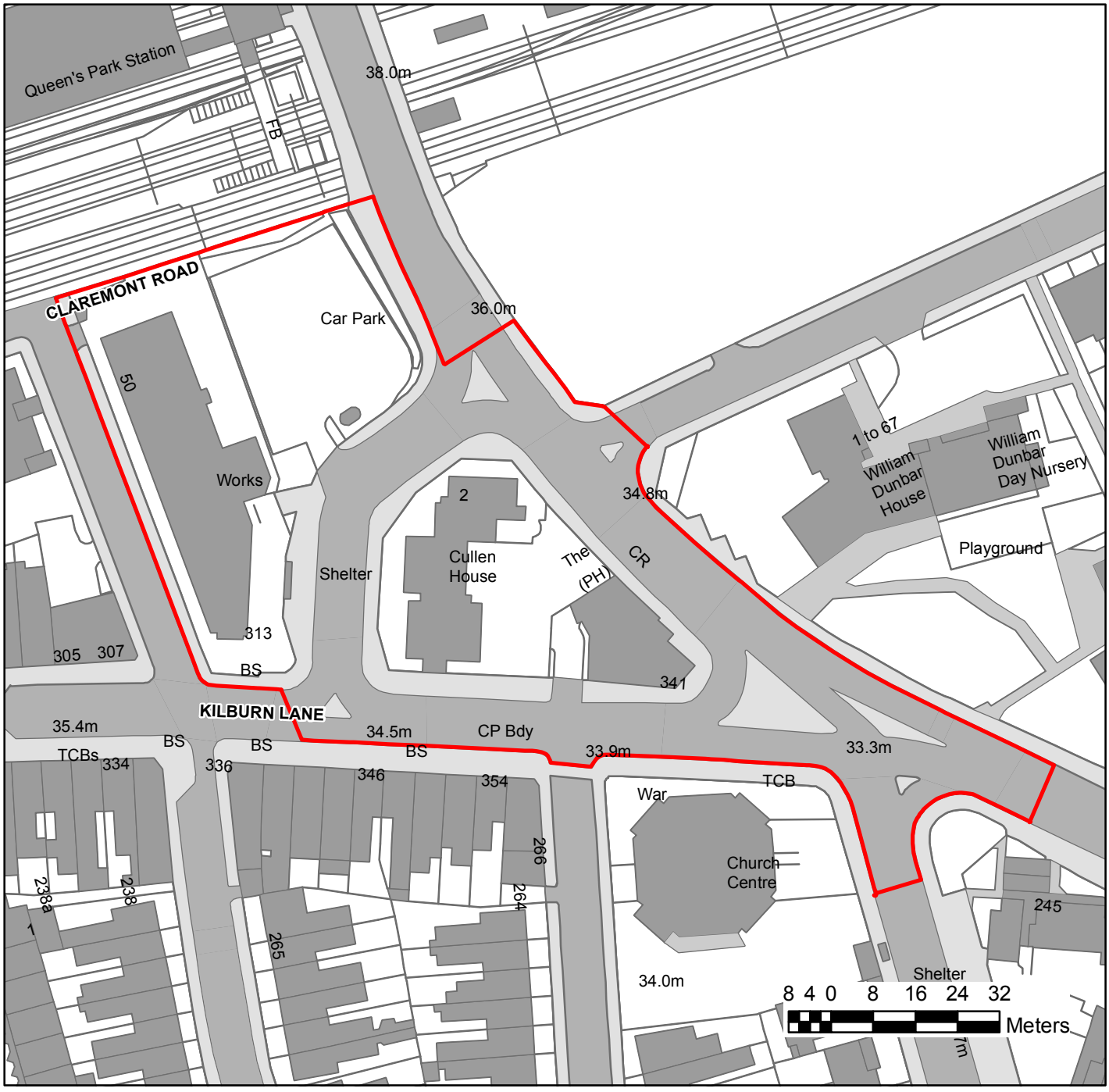
Site 18
Red Line Boundary



Premises shown outlined red.

1:1,120

Plan to stated scale if printed at A4.

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