



Cabinet

Monday 13 November 2017 at 6.00 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

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit: **democracy.brent.gov.uk**

The press and public are welcome to attend this meeting

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also a Prejudicial Interest (i.e. it affects a financial position or relates to determining of any approval, consent, licence, permission, or registration) then (unless an exception at 14(2) of the Members Code applies), after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences** - Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

- (a) Anybody of which you are a member or in a position of general control or management, and:

- To which you are appointed by the council;
- which exercises functions of a public nature;
- which is directed is to charitable purposes;
- whose principal purposes include the influence of public opinion or policy (including a political party of trade union).

- (b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral ward affected by the decision, the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who employs or has appointed any of these or in whom they have a beneficial interest in a class of securities exceeding the nominal value of £25,000, or any firm in which they are a partner, or any company of which they are a director
- any body of a type described in (a) above.

Agenda

Introductions, if appropriate.

Item	Page
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1	Apologies for Absence	
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2	Declarations of Interest	
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Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary, personal or prejudicial interests in the items on this agenda and to specify the item(s) to which they relate.

3	Minutes of the Previous Meeting	1 - 8
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To approve the minutes of the previous meeting held on 23 October 2017 as a correct record.

4	Matters Arising (if any)	
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To consider any matters arising from the minutes of the previous meeting.

5	Petitions (if any)	
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To discuss any petitions from members of the public, in accordance with Standing Order 66.

Community Well-being reports

6	Bid to become London Borough of Culture 2020	9 - 12
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The Greater London Authority (GLA) has launched a new competition to award two boroughs the title of London Borough of Culture for 2019 and 2020. This award brings with it a £1.1 million revenue grant for each winning borough. A further six boroughs may receive grants of between £50k and £200k for exemplar projects. The application period closes on 1st December 2017 with winning boroughs announced in February 2018. Brent Council is preparing a bid for 2020.

Ward Affected:
All Wards

Lead Member: Lead Member for Stronger Communities (Councillor Tom Miller)
Contact Officer: Sadie East, Change Manager
Tel: 020 8937 1507 sadie.east@brent.gov.uk

7 Fire Safety in the Council's Housing Stock

13 - 24

The report provides an update on the work undertaken since July both in terms of engaging with residents on fire prevention and their concerns, and the work done to cost and plan fire safety improvement works for high rise blocks to ensure that residents are provided with reassurance and the safety of the council's high rise buildings is enhanced.

Ward Affected:
All Wards

Lead Member: Lead Member for Housing and Welfare Reform (Councillor Harbi Farah)
Contact Officer: Hakeem Osinaike, Operational Director Housing
Tel: 020 8937 2023
Hakeem.Osinaike@brent.gov.uk

8 Improving the Housing Offer for Tenants and Leaseholders

25 - 54

This report sets out proposed policy in meeting the needs of residents required to move as a result of estate regeneration programmes and, more widely, how the recommended approach could contribute to addressing Brent's supply shortage by increasing mobility within the housing stock and tackling under-occupation.

Ward Affected:
All Wards

Lead Member: Lead Member for Housing and Welfare Reform (Councillor Harbi Farah)
Contact Officer: Hakeem Osinaike, Operational Director Housing
Tel: 020 8937 2023
Hakeem.Osinaike@brent.gov.uk

9 Compulsory Purchase of a Residential Property in the Kenton Area

55 - 72

This report seeks Members' approval to make a Compulsory Purchase Order of a residential property in the Kenton area.

Ward Affected:
Northwick Park

Lead Member: Lead Member for Housing and Welfare Reform (Councillor Harbi Farah)
Contact Officer: Spencer Randolph, Head of Private Housing Services
Tel: 020 8937 2546
spencer.randolph@brent.gov.uk

Regeneration and Environment reports

10 Air Quality Action Plan (2017 - 2022)

73 - 126

The Brent Air Quality Action Plan (2017 – 2022) outlines twenty broad measures the council will undertake to reduce levels of two key air pollutants, nitrogen dioxide and particulate matter, known to be harmful to

health. The target date for publication of the plan is 30th November 2017. The new plan will supersede the previous Air Quality Action Plan. Work is currently being undertaken to provide detailed implementation plans outlining how each measure will be delivered. The purpose of this report is to seek approval of the action plan measures.

Ward Affected:
All Wards

Lead Member: Lead Member for Environment
(Councillor Eleanor Southwood)

Contact Officer: Jennifer Barrett, Nuisance
Control Manager, Community Protection
Tel: 020 8937 5284
jennifer.barrett@brent.gov.uk

11 Authority to Award the Design Team for South Kilburn Regeneration Programme - Carlton & Granville Centres Site - Development Options 127 - 138

This report provides an update to the 15 November 2016 Cabinet report – South Kilburn Regeneration Programme – Carlton & Granville Centres Site – Development Options. This report seeks approval to progress with appointment of a Design Team for Phase 2 of Carlton and Granville Centres Development as required by Contract Standing Order 88.

Ward Affected:
Kilburn

Lead Member: Lead Member for Regeneration,
Growth, Employment and Skills (Councillor
Shama Tatler)

Contact Officer: Emma Sweeney, Senior
Project Manager, Estate Regeneration
Tel: 020 8937 1650
emma.sweeney@brent.gov.uk

12 Authority to Award Works Contract for South Kilburn Enterprise and Community Hub (Phase 1b) 139 - 150

This report provides an update to the 13 March 2017 Cabinet report – Phase 1 Building Project at The Granville Centre – Approval to Tender Works Contract. It seeks authority to award a works contract to progress Phase 1 of Carlton and Granville Centres Development as required by Contract Standing Order 88. It also asks Members to note a revision in weightings and adjustment in criteria used to evaluate tenders compared to those set out in the March 2017 Cabinet report for the reasons detailed in section 3.

Ward Affected:
Kilburn

Lead Member: Lead Member for Regeneration,
Growth, Employment and Skills (Councillor
Shama Tatler)

Contact Officer: Emma Sweeney, Senior

Resources reports

13 Financial Forecasts 2017/2018 - Quarter 2 151 - 168

This report sets out the forecasts as at 30 September of income and expenditure against the revenue budget for 2017/18, and other key financial data. The actual spend information in the report is to the 31 August 2017, and the forecasts were prepared and finalised as at 30 September.

Ward Affected:
All Wards

Lead Member: Deputy Leader (Councillor Margaret McLennan)
Contact Officer: Benjamin Ainsworth, Head of Finance
Tel: 020 8937 1731
benjamin.ainsworth@brent.gov.uk

14 Community Asset Transfer of the Former Butlers Green Public Convenience, Harrow Road, Sudbury HA0 2SL. The outcome of marketing and recommendation to proceed with a preferred applicant 169 - 190

On 24 April 2017 Brent's Cabinet approved the marketing of the Former Butlers Green Public Convenience (FBGPC), Harrow Road, Sudbury HA0 2SL as a Community Asset Transfer opportunity. This report details the outcome of marketing making a recommendation to grant a lease of the FBGPC to a preferred applicant.

Ward Affected:
Sudbury

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

15 Disposal of Vacant Residential Properties 191 - 200

The purpose of this report is to seek the authority of Cabinet to dispose of surplus vacant residential properties which are presently non-operational and non-income producing.

Ward Affected:
Fryent

Lead Member: Leader (Councillor Muhammed Butt)
Contact Officer: Sarah Chaudhry, Head of

16 Revenues and IT Support Service – Future Service Delivery Options 201 - 248

This report considers and evaluates options for delivery of the Revenues and IT Support Service when the existing contractual arrangements with Capita Business Services Ltd (“Capita”) end on 30th April 2019 and makes recommendations accordingly.

Ward Affected:
All Wards

Lead Member: Deputy Leader (Councillor Margaret McLennan)
Contact Officer: Margaret Read, Director of Brent Customer Services
Tel: 020 8937 1521
margaret.read@brent.gov.uk

17 Future Provision of the Pension Administration Service 249 - 260

This report seeks approval from Cabinet to enter into a shared service arrangement with a partner through the delegation of functions pursuant to The Local Government Acts 1972, and 2000, the Localism Act 2011 and the Local Authorities (Arrangement for the discharge of Functions) (England) Regulations 2012 for the provision of the future pensions administration service.

Ward Affected:
All Wards

Lead Member: Leader (Councillor Muhammed Butt)
Contact Officer: David Veale, Director of Human Resources and Organisational Development
Tel: 0208 937 4565 David.Veale@brent.gov.uk

18 Authority to Award a Contract for the Managed Services for Contingent Labour 261 - 278

In accordance with Contract Standing Order 88, this report seeks Cabinet authority to award a contract for the Managed Services for Contingent Labour. The service will provide temporary staff, to fill vacant posts in the short term and on an interim basis, to manage fluctuations in workload and to obtain specialist skills quickly when the need arises.

Ward Affected:
All Wards

Lead Member: Leader (Councillor Muhammed Butt)
Contact Officer: David Veale, Director of Human Resources and Organisational Development
Tel: 0208 937 4565 David.Veale@brent.gov.uk

This report sets out details of proposals to remodel access arrangements for services provided by Brent Customer Services, following a pilot of revised arrangements which commenced in June 2017. The changes directly support achievement of the new Digital Strategy launched in July 2017 and build on work that has taken place over the last two years to make it easier for residents to access services and information through digital channels.

Ward Affected:
All Wards

Lead Member: Deputy Leader (Councillor Margaret McLennan)
Contact Officer: Margaret Read, Director of Brent Customer Services
Tel: 020 8937 1521
margaret.read@brent.gov.uk

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

To consider any reference reports from any of the Council's three Scrutiny Committees.

21 Exclusion of Press and Public

The following items are not for publication as they relate to the following category of exempt information as specified under Part 1, Schedule 12A of the Local Government Act 1972, namely: Paragraph 3 – "Information relating to the financial or business affairs of any particular person (including the authority holding that information)"

- Compulsory Purchase of a Residential Property in the Kenton Area - **Appendices 1 – 4**
- Authority to Award the Design Team for South Kilburn Regeneration Programme - Carlton & Granville Centres Site - Development Options – **Appendix 1**
- Authority to Award Works Contract for South Kilburn Enterprise and Community Hub (Phase 1b) – **Appendix 2**
- Disposal of Vacant Residential Properties – **Appendix 1**
- Revenues and IT Support Service – Future Service Delivery Options – **Appendices A and D**
- Future Provision of the Pensions Administration Service – **Appendix 1**
- Authority to Award a Contract for the Managed Services for Contingent Labour – **Appendix 1**

The following items are not for publication as they also relate to the following category of exempt information as specified under Part 1, Schedule 12A of the Local Government Act 1972, namely: Paragraph 1 – "Information relating to any individual"

- Compulsory Purchase of a Residential Property in the Kenton Area

- Appendices 1 – 4

The following items are not for publication as they also relate to the following category of exempt information as specified under Part 5, Schedule 12A of the Local Government Act 1972, namely: Paragraph 5 – “Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings”

- Authority to Award a Contract for the Managed Services for Contingent Labour – **Appendix 3**

22 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. Any decisions taken urgently under this heading must comply with the provisions outlined in paragraphs 12 and 39 of the Council’s Access to Information Rules (part 2 of the Constitution).”

Date of the next meeting: Monday 11 December 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.

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LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET Monday 23 October 2017 at 6.00 pm

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

1. **Apologies for Absence**

None.

2. **Declarations of Interest**

There were no declarations of interest by Members.

3. **Minutes of the Previous Meeting**

It was **RESOLVED** that the minutes of the previous meeting, held on 11 September 2017, 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 to be discussed by Cabinet.

6. **Complaints Annual Report 2016 - 2017**

Councillor Margaret McLennan, Deputy Leader of the Council, introduced the report setting out complaints performance in Brent Council and Brent Housing Partnership (BHP) for the period April 2016 to March 2017. She informed members of Cabinet that high level data for the previous 2 years has been included where available for the purpose of comparison over a 3-year period.

Councillor McLennan stated that complaints concerning the Adult Social Care and Children and Young People departments come under separate statutory complaint procedures and separate analysis reports have been provided in Appendices A and B respectively. Appendix C summarises departmental performance across the Council in 2016/17. BHP service-level analysis in 2016/17 is summarised in Appendix D.

Members of Cabinet welcomed the report and commented on the improvement in overall performance. Councillors Tatler and Southwood expressed concern that staff attitude and failure to communicate are two significant causes of complaints that also need to be addressed more widely across the council.

Councillor Muhammed Butt, Leader of the Council, encouraged Cabinet Members to look at the statistics and data for complaints within their portfolio on a regular basis.

RESOLVED that:

6.1 The Council and BHP's performance in managing and resolving complaints be noted;

6.2 The following specific recommendations be noted and agreed:

Root cause of complaints

- a. Work with service area and departmental management teams to review key service delay/failure hotspots and develop improvement plans.
- b. Develop a tailored training plan on communication and staff behaviours to be implemented in priority service areas across the Council.
- c. Support the new Housing Management Service during the redesign of the repairs process by feeding in the lessons learned from complaints.

Decision making and outcomes

- d. Review Local Government Ombudsman (LGO) referrals and identify any future opportunities for early resolution and minimisation of premature LGO referrals.
- e. Review our internal approach to complaint decisions, corrective actions and compensation in light of LGO outcomes in 2016/17.

Complaint handling and monitoring

- f. Continue to improve internal processes and working arrangements with service managers to increase the timeliness of Stage 2 responses.
- g. Work closely with the Housing Management Service management team to establish a new and effective complaints process and implement improved working arrangements to manage Stage 2 complaints
- h. Implement a weekly Corrective Actions Tracker for all departments to monitor the timely completion of agreed remedial actions

6.3 The fact that BHP had been reported as a separate organisation for the purposes of this annual report for 2016/17 be noted.

7. Matters requiring shareholder consent and plans to develop 2018/19 business plan for the Council's wholly owned company I4B Holdings Ltd

At this point, Phil Porter, Strategic Director, Community Wellbeing, and Peter Gadsdon, Director, Policy, Performance and Partnerships, declared an interest as both are Directors of I4B Holdings Ltd.

Councillor Margaret McLennan, Deputy Leader of the Council, introduced the report which set out a series of matters requiring Cabinet consent as shareholder of I4B Holdings Ltd. Councillor McLennan stated that the paper also sets out the proposed process and timetable for the development of the I4B Holdings Ltd Business Plan for 2018/19.

RESOLVED that:

- 7.1 The Council and the I4B Holdings Ltd should enter into a new four-year Services Agreement to provide a range of support services;
- 7.2 £50m be made available for drawn-down (by I4B Holdings Ltd) as the final tranche of the £100m PRS funding, to complete the purchase of 300 properties in line with the Cabinet's agreement of the Temporary Reform Accommodation Plan in March 2016 and the 2017/18 to 2019/20 budget in February 2017;
- 7.3 The end of I4B Holding Ltd's first financial year be moved from the end of December 2017 to the end of March 2018 to bring it in line with the Council;
- 7.4 The appointment of an additional Company Director to the I4B Holdings Ltd Board be agreed;
- 7.5 I4B Holdings Ltd's intention to develop its second Business Plan and seek Shareholder agreement at the Cabinet meeting in February 2018 be noted; and
- 7.6 The establishment of an Equity Investment Framework, restricting the Council's investment in I4B Holdings Ltd to 25% of total capital invested be approved.

8. Authority to Award a Care and Support Services Contract for Visram House Extra Care Scheme

Councillor Krupesh Hirani, Cabinet Member for Community Wellbeing, introduced the report seeking Cabinet authority to award a contract for care and support services at Visram house Extra Care Scheme (ECH) in Brent. He stated that the contract will be for a period of 5+1+1 years. The care and support service will be provided to people aged 50+ with an assessed care and support need as defined by the Care Act 2014.

Councillor Hirani stated that the report summarises the process undertaken in tendering this contract, and recommends which organisation the contract should be awarded to as determined through the evaluation of tenders.

He confirmed to Cabinet Members that the tender process had been conducted through the Brent Council's Accommodation plus Dynamic Purchasing System (AP DPS).

RESOLVED that:

- 8.1 The contract for care and support services be awarded to Notting Hill Housing Trust (NHHT) for a period of 5 years with an option to extend by up to two further one year periods (5+1+1).

9. **Selective Licensing in the Private Rented Sector - Update**

Councillor Harbi Farah, Cabinet Member for Housing and Welfare Reform, introduced the report advising Members of the need to acknowledge and correct some drafting errors in the report considered by Cabinet on 19th June 2017: *Selective Licensing in the Private Rented Sector*.

Councillor Farah stated that this report does not affect the decisions taken on 19 June 2017 regarding the designation for selective licensing in relation to Designation Areas 1 (the wards of Dudden Hill, Kensal Green, Kilburn, Mapesbury and Queens Park), 3 (the wards of Dollis Hill and Welsh Harp) and 5 (the ward of Stonebridge).

Councillor Farah reiterated that this report also does not affect the decision regarding the setting of licensing fees for the six designation areas. By way of clarification, this report seeks to make corrections in respect of Designation Areas 2, 4 and 6 and the wards included in those areas which are set out in paragraphs 2.2 and 2.3 below.

RESOLVED that:

- 9.1 The identified inconsistencies in the original report of 19 June 2017 and the required amendments be noted. In particular, Preston ward was included in Designation Area 4 and Queensbury ward in Designation Area 6 and that no rectifications were required regarding Designation Areas 1, 3 and 5;
- 9.2 The legal requirements for introducing Selective Licensing be agreed by way of clarification on the grounds of anti-social behaviour (ASB) and/or migration and/or deprivation and/or poor housing conditions and/or high levels of crime have been met with regard to three of the six selective licensing designation areas as summarised in table 6 in paragraph 10.16 of the report to Cabinet dated 19 June 2017, which covered the following Council wards:
- i) Brondesbury Park (designation 2 on grounds of migration, anti-social behaviour and high level of crime);
 - ii) Alperton, Barnhill, Sudbury, Tokyngton, Preston (designation 4 on grounds of anti-social behaviour and poor housing conditions);
 - iii) Fryent, Kenton, Northwick Park, Queensbury (designation 6 on grounds of anti-social behaviour and migration).
- 9.3 Subject to paragraph 9.2 above and by way of clarification, the designation of three areas for selective licensing, namely Designation Areas 2, 4 and 6 be authorised to last for five years from the date of designation. These would cover the following Council wards as shaded in blue and marked D2, D4 and D6 on the map at paragraph 4.6 of the Cabinet report, namely:
- i) Brondesbury Park (designation area 2);
 - ii) Alperton, Barnhill, Sudbury, Tokyngton, Preston (designation area 4);
 - iii) Fryent, Kenton, Northwick Park, Queensbury (designation area 6).

- 9.4 Consent be sought from the Secretary of State for the designation for Selective Licensing of the three designation areas 2, 4 and 6 as referred to in paragraphs 9.2 and 9.3 above and that this consent application in relation to designation areas 2, 4 and 6 would be submitted in addition to the application for consent which had been submitted to the Secretary of State following the Cabinet's decision of 19 June 2017;
- 9.5 Authority to issue the required statutory notifications in respect if designation areas 2, 4 and 6 as referred to in paragraphs 9.2 and 9.3 above in relation to the Selective Licensing Scheme designations be delegated to the Strategic Director of Community Wellbeing, in consultation with the Lead Member for Housing and Welfare Reform; and
- 9.6 Subject to consent being obtained from the Secretary of State, and the issue of statutory notifications, the Strategic Director of Community Wellbeing, in consultation with the lead member for housing and welfare reform be authorised to decide the date from which the council will begin to accept applications for Selective Licensing for the Designation Areas 2, 4 and 6 and the date on which those three designations will come into effect.
10. **Queens Park/Cullen House, South Kilburn - Approval to bring forward the JV Co or other option to commence delivery of this project to include procurement of a construction partner**

Councillor Shama Tatler, Cabinet Member for Regeneration, Growth, Employment and Skills, introduced the report. She stated that the regeneration of South Kilburn is a fifteen year programme that is approximately half way through. It aims to transform the area into a sustainable and mixed neighbourhood and create a real sense of place and belonging. The programme will deliver around 2,400 new homes of which 1,200 will be made available for social rent for existing South Kilburn, secure council tenants. To date 1073 new homes have been delivered with 60% (639) new homes having been made available for existing secure tenants of South Kilburn. Woodhouse Urban Park was opened to the public in May 2016 and South Kilburn residents are able to utilise St Augustine's Sports Hall.

Councillor Tatler stated that the Council's objective is to provide high quality new homes with values driven from market sales in order to maintain the viability of the Regeneration Programme in the long-term, and to achieve a substantial improvement in the living conditions of existing South Kilburn secure Council tenants.

Councillor Tatler stated informed Members that the report relates to Queens Park/Cullen House, which is a fundamental part of the South Kilburn Regeneration Programme. The Site comprises of Keniston Press (now demolished), Premier House, Salusbury Road public car park, Cullen House and the Falcon Public House together defined as "Queens Park/Cullen House" (see appendix 1 – Existing Site Plan). She stated that this report provides an update on the progress regarding the Joint Venture with London & Newcastle Capital Limited (LN) but also sets out a contingency option to acquire the Falcon Public House (FPH).

RESOLVED that:

- 10.1 The significant progress made on the technical issues and the current position as set out in paragraph 3.6 and 3.7 of the Cabinet report with regard to progress in establishing a Joint Venture Company with London & Newcastle Capital Limited for the comprehensive redevelopment of the Queens Park/Cullen House project be noted;
- 10.2 The Strategic Director of Regeneration and Environment in consultation with the Lead Member Regeneration, Growth, Employment and Skills, be delegated authority to implement the contingency option detailed in paragraph 3.8 (the "Contingency Option") of the Cabinet report should it not be possible to agree the terms of the Joint Venture.
- 10.3 Officers be authorised to negotiate a buyout of London & Newcastle Capital Limited's interest in the Falcon Public House in order to bring the site forward for development, should the Contingency Option be selected;
- 10.4 Approval was granted for the procurement of a construction partner for the Queens Park/Cullen House site either through a mini-competition using an appropriate Framework or alternatively through a Competitive Procedure with Negotiation under the Public Contracts Regulations 2015 on the basis of the pre-tender considerations and evaluating the tenders on the basis of the evaluation criteria set out in (Appendix 3) should the Contingency Option be selected;
- 10.5 The Strategic Director of Regeneration & Environment in consultation with the Lead Member of Regeneration, Growth, Employment and Skills, be delegated authority to select the appropriate procurement route outlined in 10.4 above for the reasons detailed in paragraph 3.11 of the Cabinet report.
- 10.6 Authority to award a contract for a construction partner for the Queens Park/Cullen House site to the Strategic Director of Regeneration & Environment in consultation with the Lead Member of Regeneration, Growth, Employment and Skills, be delegated for the reasons detailed in paragraph 3.14 of the Cabinet report should the Contingency Option be selected.
- 10.7 The setting of rent levels for the affordable homes at the Queens Park/Cullen House site once complete, at a rent equivalent to the H.C.A. Target Rent levels, be approved;
- 10.8 The acquisition of a long lease of Networks Rail's interest by the Council be agreed in principle. A further report be presented to Members on the terms negotiated for this proposed purchase which would help to bring the site forward for redevelopment; and
- 10.9 Negotiation and entering into Heads of Terms with Transport for London for the delivery of their new offices by Officers be agreed.

11. Review of Council Tax Support scheme

Councillor Margaret McLennan, Deputy Leader of the Council, introduced the report stating that since April 2013 all Councils in England and Wales are required to

operate a local Council Tax Reduction Scheme. These local schemes replace the former national Council Tax Benefit (CTB) scheme.

Councillor McLennan reminded Cabinet Members that Brent introduced its current scheme ("Council Tax Support") in 2013 and it has remained in place with only minor changes since then. Councils are required to review and confirm or change their scheme each year.

RESOLVED that:

11.1 Brent's Council Tax Support ("CTS") scheme would remain unchanged in 2018/2019; and

11.2 The factors which would be relevant for consideration regarding the future of the local scheme beyond 2018/19 be noted.

12. Brent Council's Workforce Strategy 2017-2020

Councillor Muhammed Butt, Leader of the Council, introduced the report by saying that Brent has undergone many changes in the last 18 months. With development of the Brent 2020 strategic priorities, Brexit, changes in local government finance and increasing demand for services, it's absolutely the right time to have a new workforce strategy. He stated that the Strategy has also been discussed with Senior Managers and the Trade Unions. Councillor Butt stated that the high level action plan will evolve over the lifetime of the strategy and will be underpinned by a more detailed annual action plan.

RESOLVED that:

12.1 The Brent Council Workforce Strategy 2017 – 2020 be approved; including the four workforce priorities and the high level action plan.

13. Brent's Apprenticeship Strategy 2017-2020

Councillor Muhammed Butt, Leader of the Council, introduced the report stating that the Apprenticeship Strategy and associated action plan for 2017-20 sets out the key areas of activity the council will lead, often in partnership with external organisations, to increase the take-up of apprenticeships in Brent and to utilise the opportunity of the Apprenticeship Levy to support career progression.

RESOLVED that:

13.1 The Council's Apprenticeship Strategy be endorsed;

13.2 The recommended new apprenticeship pay scales for the council's own apprentices be noted; and

13.3 The analysis of the Council's skills gaps identified to date be noted and the ongoing utilisation of the Apprenticeship Levy to support investment in workforce development and apprenticeships be endorsed.

14. Resources Senior Manager Reconfiguration

Councillor Muhammed Butt, Leader of the Council, introduced the report setting out proposals to further refine the Resources Department senior management structure. He informed Cabinet Members that the proposals entail the re-designation, deletion and creation of senior management posts, and therefore Cabinet's approval is required.

RESOLVED that:

- 14.1 The deletion of the role of Director of Human Resources and Organisational Development for the reasons set out in the Cabinet report be approved;
- 14.2 That Cabinet approves the proposal to re-designate and then appoint to the Chief Legal Officer role at Hay 3 grade and the intention to move the oversight of the shared service for Procurement with Harrow as well as some aspects of the current HR function to within the remit of the re-designated Chief Legal Officer be noted;
- 14.3 The creation of a Director of Property and Assets role at Hay 3 be approved.
- 14.4 The proposal to bring the oversight of Civic Enterprise and some aspects of the current HR function within the remit of the Chief Finance Officer be noted;
- 14.5 The proposal to move the Equalities function to Performance, Policy and Partnerships be noted; and
- 14.6 The final decision-making on the proposals following consultation be delegated to the Chief Executive in consultation with the Leader and Deputy Leader.

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

None.

16. Exclusion of Press and Public


None.

17. Any Other Urgent Business

None.

The meeting was declared closed at 6.27 pm

COUNCILLOR MUHAMMED BUTT
Chair

 Brent	<p style="text-align: center;">Cabinet 13 November 2017</p> <p style="text-align: center;">Report from the Strategic Director of Community Wellbeing</p>
Wards affected: all	
Bid to become London Borough of Culture 2020	

1.0 Purpose of the Report

The Greater London Authority (GLA) has launched a new competition to award two boroughs the title of London Borough of Culture for 2019 and 2020. This award brings with it a £1.1 million revenue grant for each winning borough. A further six boroughs may receive grants of between £50k and £200k for exemplar projects. The application period closes on 1st December 2017 with winning boroughs announced in February 2018. Brent Council is preparing a bid for 2020.

2.0 Recommendations

- 2.1. To confirm the Council's commitment to submitting a bid to the Mayor for Brent to become the London Borough of Culture 2020
- 2.2. To agree that should the bid be successful the Council will make available the required match funding.

3.0 Detail

- 3.1 Brent has a diverse and growing cultural offer including world class venues such as Wembley Stadium, Wembley Arena and the Tricycle theatre. We have a thriving arts and culture programme delivered through the Council's cultural facilities as well as community locations and a variety of distinct local cultural identities across the Borough's neighbourhoods such as Harlesden and Ealing Road. The London Borough of Culture campaign would crystallise this offer, developing Brent as a borough-wide cultural destination, celebrating the diversity of our cultural activity and communities and supporting the Council's vision to ensure Brent is a great place to live, work and visit.

3.2 The London Borough of Culture bids will be assessed on 'the journey a borough wants to take, rather than what is already achieved' and will be scored on three criteria: Celebrating Creativity (40%), Making an Impact (30%) and Deliverability (30%). Proposals should outline the long term vision for the borough and state how the London Borough of Culture would help achieve or support these ambitions. This framework is advantageous for Brent as a place with a wide range of creative activity taking place, a distinct identity as a place that celebrates diversity and with the resources and experience as a Council to deliver successful high level projects.

3.3 A successful bid presents a number of opportunities for the borough including:

- Significant investment through revenue grants if successful
- Raised profile for the borough amongst public, fundraising and cultural sector audiences
- Significant income generation opportunities in the borough through increased footfall from visitors
- Attraction of longer term investment in the borough due to improved cultural infrastructure and profile
- Enhanced community cohesion and civic pride amongst residents through increased cultural participation
- Stronger working relationship and greater involvement of partners in delivery of a cohesive cultural offer in the borough

However, regardless of success the process of developing our application brings a number of benefits including:

- Opportunity to gain sector expertise in refining and developing the borough's cultural offer
- Development of borough wide cultural identity and offer with key external partners
- Creation of a vision and framework for culture in the borough to use in bidding for other fundraising opportunities
- Increase the profile of Brent as a cultural destination within the sector

3.4 In relation to the Deliverability component of the scoring, the Council has a proven track record in delivering high profile and high quality cultural programmes and events across a range of artistic and cultural disciplines. These include: facilitating elements of the 2012 Olympics; hosting the 2016 London Mela; delivering annual Brent Dance Month festivals and working in partnership with the Tricycle theatre to deliver Takeover 2017: Mapping Brent featuring performances at venues around the borough. There is also a positive precedent for receiving grant funding to deliver programmes and the Council has a solid framework in place to ensure all monitoring, reporting and evaluation requirements of grant funding are met.

3.5 Engagement with residents suggests a bid would attract support. In the recent 2017 survey to identify priorities for Community Infrastructure Levy (CIL) funded projects, cultural facilities featured strongly in the responses and was a top priority in four of the five neighbourhoods.

- 3.6 The GLA has stressed the importance of developing bids through working across Council services and with partners. A successful bid will be one which has engaged and represents local communities and is about bringing culture to local people rather than attracting more people to cultural venues.
- 3.7 Engagement with Council staff and partners has revealed an appreciation of the role of culture in the life of the Borough and an enthusiasm for contributing to the bid. External partners supporting the bid include Wembley Park, the Tricycle theatre, Wembley Stadium, SSE Arena, the Lexi Cinema, Young Brent Foundation, Westminster University, Mahogany Arts.

4.0 Financial Implications

- 4.1 The winning boroughs will receive £1.1 million revenue grant to deliver the year as London Borough of Culture. It is a requirement of the application process that boroughs have 30% match funding, totalling £330,000. The funding award is being supported by City Bridge Trust, Heritage Lottery Fund (HLF) and the Paul Hamlyn Foundation. These organisations are official partners of the fund and cannot be used to supply matched funding. Other funding and sponsorship is likely to be available to the winning boroughs including from other GLA funding streams.
- 4.2 There is support from the GLA for boroughs during the application stage which includes small grants to pay for expertise in areas such as creative direction, partnership development, governance and business case support. The Council has claimed its support grant from the GLA and secured external creative consultancy.

5.0 Legal Implications

There are no legal implications as a result of this report

6.0 Equality Implications

The bid will require the Council to demonstrate how we propose to address our duties under the Equality Act 2010.

7.0 Staffing/Accommodation Implications

The bid is being developed by staff from the Culture service, Partnerships Policy and performance, Communications, CYP supported by a creative consultancy

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PHIL PORTER
Strategic Director of Community Wellbeing



Cabinet
13 November 2017

Report from the Strategic Director of Community Wellbeing

Wards Affected: All

Fire Safety in the Council's Housing Stock

1.0 Purpose of the Report

- 1.1 This report follows on from a decision taken at full Council on 24 July 2017 to develop a costed programme of fire safety improvement work to form part of the Council's response to enhancing fire safety measures in the Council's housing stock.
- 1.2 The report provides an update on the work undertaken since July both in terms of engaging with residents on fire prevention and their concerns, and the work done to cost and plan fire safety improvement works for high rise blocks to ensure that residents are provided with reassurance and the safety of the council's high rise buildings is enhanced.

2.0 Recommendations

- 2.1 Cabinet approves a programme of Type 4 Fire Risk Assessments to be undertaken in every low, medium and high-rise block to ensure all fire risks (including any breaches in compartmentation) are fully understood and inform further works. This programme will start with high rise blocks over 12 storeys in January 2018.
- 2.2 Cabinet approves that the fire safety improvement programme be integrated within the HRA capital investment programme with immediate effect and that 3 blocks per year are to be completed. This means all blocks over 12 storeys will be complete within 5 years.
- 2.3 Cabinet approves the rationale for prioritising the order in which blocks receive fire safety improvements set out in paragraph 4.16 of this report.

3.0 Background

- 3.1 The council has 37 high rise blocks in total and 14 blocks over twelve storeys in height (where sprinklers are required to be installed in newly built residential buildings). There are no council high rise blocks with ACM cladding, which meant there was no need to consider immediate actions such as decanting residents or expensive actions such as installing around-the-clock Fire Marshalls in any of the council's blocks.
- 3.2 However, fire risks do not only relate to cladding, and there is never room for complacency. In July 2017, Brent Housing Partnership were able to confirm that fire safety had been a priority, for example:
- they had spent £10m over the previous 4 years on measures to reduce fire risk in council housing
 - all 37 high rise blocks had a valid type 1 Fire Risk Assessment (FRA). Those FRAs had identified a range of recommendations, and those recommendations were being implemented.
- 3.3 In response to the additional concern caused by the Grenfell fire, all 37 high rise blocks were visited by BHP neighbourhood services staff within 72 hours of the incident, to identify and remove fire hazards. A number of public meetings took place to inform residents of how seriously the Council takes fire safety and to provide reassurance to residents on the safety of their blocks. The BHP website was updated with FAQs and BHP wrote to all tenants and leaseholders about the dangers of leaving items in communal areas and to notify them that any such items identified during inspections will be removed without further notice to the owners.
- 3.4 What became clear during this period is that while the council's housing stock complied with fire safety regulation, there was an expectation from many residents in Brent and across the country, that landlords needed not only to deliver on current regulation, but also go above and beyond to ensure residents are safe. However, it is important to note that there is no definitive agreement on what this is. The government has established a public enquiry led by Sir Martin Moore-Bick, which will look into the causes of the fire, and it has also established a government fire safety expert panel, chaired by Sir Ken Knight to advise on any immediate actions that are required to ensure buildings are safe. However, at this point, there is no new regulation or guidance (aside from ACM specific guidance) and it is likely that this will not be available for 18-24 months. This does create challenges in terms of ensuring the right improvements are made for the long term.
- 3.5 Following full Council's agreement (10 July 2017) of £10m to fund to additional fire safety works above and beyond those currently required, the Chief Executive wrote to Department for Communities and Local government (DCLG) to request Government provide direct financial support to meet the costs that will be incurred. The current position in response to that request is that government will neither fund the additional works, nor change the policy on 1% decrease in rents up to 2020, nor increase the HRA borrowing cap as alternative ways to fund these additional works. However, there have been suggestions that there may be further announcements in the November 2017 Budget.

- 3.6 The lack of additional government funding for fire safety works means that the Council is left with no other choice but to fund these works from the HRA (please see 6.5 below). The Council will therefore have to follow financial rules that apply to the HRA.
- 3.7 In addition, the Chief Executive has written to request Government urgently consider revocation of the permitted development rights for office to residential conversions; that the Government review the building control laws which allow the use of building control teams from both the private sector and other local authorities to inspect buildings and that the Government address whether licensing laws for landlords in the private sector are stringent enough to ensure that all dwellings do not present unacceptable fire risks.

4.0 Detail

- 4.1 Since the reports to Cabinet and Full Council in July, there have been four work streams:
1. Drop-in surgeries with residents in all 37 high rise blocks
 2. Ongoing active fire management and/or prevention
 3. Fundamental review of the approach to fire safety across housing management
 4. Engaging a Fire Risk Assessor to review all 37 blocks and provide initial costs for the installation of sprinklers

4.2 *Drop-in surgeries*

To support residents directly in the aftermath of Grenfell, there was a commitment, in addition to the broader public meetings, to hold fire safety drop-in surgeries in each of the Council's 37 high rise blocks, recognising that every block is different and so the issues in every block would be different. The surgeries have been completed. Throughout these sessions the feedback received has been positive and rewarding for both tenants and the Council in providing reassurance. Fire Safety leaflets including answers to FAQ's have also been issued during the sessions. The Fire Safety concerns raised mainly regard access issues for emergency services, cars blocking the access routes and smoking in communal areas. However, we have also captured concerns regarding other housing matters and our Estate Services teams have followed up with appropriate communications and investigations.

4.3 *Fire prevention*

Officers have informed all tenants and leaseholders about the dangers of leaving items in communal areas and any items identified during inspections will be removed without further notice to the owners. This zero tolerance approach was communicated to Estate Inspectors that undertake Environmental Quality Checks every 28 days to high-rise blocks and 56-days to medium/low rise blocks. Estate Inspectors have been raising orders for any un-authorised items in communal areas to be removed by the cleaning contractor. Fire Safety Awareness Training has been provided by a registered training provider to 45 staff members who have received certificates to demonstrate they have successfully completed the fire training course. Officers also operate a mandatory Fire Health & Safety training course that all staff members need to complete via the E-learning Platform. This has currently been completed by 151 staff members. The fire safety review will identify individual staff members that would benefit from enhanced fire safety training as part of our active management and prevention strategy.

4.4 *Fire safety systems review*

Housing management leadership team have also engaged an external expert to carry out a review of all council housing management fire safety systems, standards and procedures. This will review how fire safety is embedded across all teams and job roles, considering both operational and strategic issues. The review will set out an 'as is' analysis of how fire safety is dealt with across the housing management function, it will then compare that to best practice in order to develop a 'to be' approach that will be embedded into the housing management transformation programme, which will be delivered by June 2018, and the outputs of this review will be:

- A fire safety strategy for the Housing Management Service.
- A staff practice manual on fire safety and tenancy and estate management

4.5 This review will be reinforced by the Brent Fire Safety Group, which has been set up and includes representatives from relevant services within the Council and external partners such as the LFB, the Police and major Registered Providers. The LFB Borough Commander has already signed up to this proposal and has committed his service to be part of this group.

4.6 *Fire risk assessments review*

Hunters (external qualified Fire Risk Assessors) were appointed in August 2017 to check the FRAs in the 37 high rise blocks and ensure there were no unidentified issues, and help set out a costed programme of fire safety improvement work to form part of the Council's response to enhancing fire safety measures in the Council's housing stock. This work was done by two Hunters staff both of whom are members of the Institute of Fire Engineers and both have worked for the London Fire Brigade. One is a retired Deputy Assistant Commissioner.

4.7 Hunters carried out a survey of each high-rise block to audit our type 1 FRAs in conjunction with a visual inspection of the block. As a result of this work we have three key outputs:

- A report on each block, making specific recommendations, and setting out an action plan, which has been added to the action plan from the original FRAs
- A summary report setting out the key issues we need to consider and is addressed later in this report
- Advice on costs for major additional investments Hunters recommend the Council considers, with a particular focus on sprinklers – This is summarised and attached at Appendix 1

4.8 The reports on each block confirmed that all 37 current Fire Risk Assessments that were carried out by Bailey Garner in the first quarter of 2017 are suitable and sufficient. Hunters did not amend the findings of the FRAs and highlighted those blocks that were either tolerable or moderate risk. The fire safety recommendations and/or remedial works identified in the FRAs have been prioritised and issued to our contractor to execute. The original schedule for completing all of these works was 31 October 2017, owing to operational difficulties, the revised completion date for works is 30 November 2017.

- 4.9 Hunters' summary restates the position for Brent council housing as it was understood in July, and confirms that position is still correct:
- The current evidence suggests that there are ongoing actions that are required, and are being delivered, but there is no evidence of fundamental issues which require immediate action
 - There is a need to focus on ongoing active management of risk (fire prevention), through activities such as fire safety training etc.
 - The council should consider additional investments, particularly sprinklers.
 - However, as this report has already set out, it is not clear yet what the new standards will be, for example, will sprinklers be required in blocks that are 18 or 30 metres tall. Therefore, Hunters suggest it might be prudent to wait for that guidance, or if we do progress ahead of it, to work closely with the London Fire Brigade in delivering additional measures.
- 4.10 Hunters' summary also sets out key recommendations which are summarised with our responses as follows:
- a) Type 4 Fire Risk Assessments should be carried out to ascertain the integrity of compartmentation.
It is proposed that external qualified Fire Risk Assessors be appointed in January 2018 to undertake Type 4 assessments to High-rise blocks and be completed by March 2018. This will be followed by further Type 4 assessments to the remaining medium and low rise stock.
 - b) Discussions should be sought with the London Fire Brigade and Building Control to seek guidance on the retro fitting of sprinklers.
This will be included on the agenda for the Brent Fire Safety Group, which has been set up and includes the LFB Borough Commander.
 - c) Detailed surveys to establish the requirements for smoke ventilation following the discussion with London Fire Brigade and Building Control.
Based on the findings of the Type 4 risk assessments and guidance provided at the Brent Fire Safety Group we will implement an appropriate and measured strategy.
 - d) More frequent checks of buildings, by competent personnel, should be carried out or seek the services of a competent consultant to assist.
Environmental quality checks and equipment maintenance inspections are currently undertaken, however the fire safety review will inform and define any further requirements based on best practice guidance.
 - e) Ensure all staff have undertaken relevant fire safety training to ensure the appropriate level of competence and records kept.
Fire Safety Training is currently being undertaken and records being stored. We will improve and develop existing training structures by implementing a central training and competency framework that will identify individuals that will benefit from specific training courses covering all compliance areas including fire safety.
 - f) Ensure all building users are aware of what they should do in the event of a fire.
Our policy has not changed and it remains as 'Stay Put'. This is confirmed by local fire signage and instructions. The FRAs have not revealed a need to issue new instructions to our residents.
 - g) Ensure Premises Information Boxes' (PIB's) contain the correct, up to date, information. The contents of the boxes will be reviewed with the

estates team and we will add additional documents if required, for example, updated personal evacuation plans.

- h) Ensure suitable controls are in place to allow unobstructed access to the emergency services.

We are proceeding to consult residents on an estate parking scheme, which will enable us to enforce illegal and/or inappropriate parking on our estates.

- 4.11 Given the need to progress fire safety works, but also given the uncertainty about future standards and regulation, it is proposed the Council progress a comprehensive programme of FRA type 4 surveys across all council housing and start fire safety improvement works as part of the planned refurbishment programme.
- 4.12 Hunters strongly recommend a comprehensive FRA4 programme because FRA4s are the only way to understand all risks in a building. Type 4 assessments require a degree of destructive inspection, in both the common parts of the building and the flats themselves. Dwelling surveys would be carried out on a sampling basis. This usually means the presence of a builder for the purpose of opening up construction and making good after the inspection.
- 4.13 These inspections are more difficult and take longer to deliver. However, they are essential to ascertain the fire integrity of the building and in particular compartmentation. It is the only way to establish long term robust fire safety strategy and systems. The findings of the Type 4 surveys will have a significant bearing on the fire strategy of the building and the prioritisation of the improvement works, and if at any point they identify an urgent issue then this work would be prioritised alongside the planned works programme.
- 4.14 It is therefore proposed to procure and instruct an appropriate agency to carry out a Type 4 FRA survey programme. It is proposed to include low and medium rise blocks in the programme, but the programme of assessments would be prioritised, starting with the 14 high rise blocks above 12 storey's, then moving to the other high rise block before moving to the medium and low rise. The estimated cost of this programme, which would run from January 2018 to March 2019 is estimated to be £950K.
- 4.15 The reason for integrating fire improvement works with the planned works programme is twofold: it will be more cost effective to do one set of works on a building, and not all residents may appreciate the fire safety works, they may be unsightly, so doing them alongside planned works, should see overall improvement in the building. Planned work may include refurbishments such as; new roofs, facades, windows, lifts, kitchens, bathrooms and heating systems. We want the projects to be meaningful and act as beacons in the borough for innovation and progress. This may make it more palatable for leaseholders as an improvement would mean an increase in the quality and value of their property.
- 4.16 In order to integrate with the planned works programme we require an approach to prioritising the blocks. This will be based on three levels:
- Given the lack of national guidance, the best estimate of future regulation is the current regulation for new buildings. Therefore, the

proposal is we focus in the first instance on buildings that are 12 storey's and above, which would currently require sprinklers if they were newly built.

- The original FRA1s provided risk ratings, and so those where there is the greatest risk (after all the recommended actions have been completed) would be prioritised, and
- The planned works already in the programme, for example Kilburn Square.

5.0 Financial Implications

5.1 Hunters have provided a costed programme of works for inclusion within the HRA capital programme – summarised at Appendix 1. In the absence of national guidance, they have prepared a programme that assumes the retrofitting of fire suppression may be mandatory in all high-rise blocks. Should Hunters' assumptions be confirmed the total works costs to fulfil the programme on all 37 high-rise blocks is estimated to be £14.1m.

5.2 However, as set out in the body of the report, the findings and recommendations of the independent Review of Building Regulations and Fire Safety may confirm that sprinkler systems are to be fitted retrospectively to existing residential structures in accordance with current building regulations (relating to new build structures). This outcome would make it compulsory for sprinklers to be fitted in buildings taller than 12 storey's or 30 metres. Therefore, the total works costs to fulfil the programme on just the 14 blocks we own that are 12 storeys and above is estimated to be £7.4m.

5.3 The cost of these works may be partly recoverable from leaseholders and the sprinkler systems would be maintained by the Council. Of the total properties that may benefit from the installation, approx. 20% are leasehold. It is estimated that recoverable costs range from £0.8m for the 14 blocks identified as being 12 storeys and higher, and £2.8m for all 37 blocks. This equates to approx. £6k per leaseholder. These are current estimates as costs will fluctuate as the market is likely to be saturated with requests for this service in the coming years.

5.4 The total costs are summarised in the table below. Where costs to the council range from £7.55m for 14 blocks and £12.25m for 37 blocks.

	FRA4's All blocks (£m's)	Gross cost of works (£m's)	Potential Leaseholder contribution (£m's)	Net Cost to Council (£m's)
All High-Rise Blocks (37)	0.95	14.1	-2.8	12.25
Blocks taller than 12 storey's or 30 metres (14)	0.95	7.4	-0.8	7.55

5.5 However, there is still significant room for change in these estimates. Implementing as part of a planned programme of works, will be more cost effective, but more importantly, there is the risk that FRA4s may identify other

issues, for example, compartmentation problems, which could significantly increase the costs. In addition, the cost estimates from Hunters do not include any potential ancillary costs such as temporary decants. Therefore, for planning purposes an estimated budget requirement of £10m has been used for budget planning based on the recommendations in this report.

5.6 Approvals are in place to commit the estimated £10m to fund the fire safety works, subject to cabinet approving the works programme within this report. On the assumption that the cost of this must now be met from the HRA following legal advice as explained in the legal implications for this report, the estimated consequences are as set out below.

5.7 There is borrowing headroom in the HRA of £1.6m. This could be used to fund part of the works. The balance of £8.4m would have to be funded by reducing other items in the capital programme as no additional revenue savings have been identified. Therefore, a process of prioritising the remaining items in the capital programme will have to take place.

5.8 The following table summarises the current planned HRA capital programme.

	Health & Safety Works capital	Future Major Repairs capital	Environmental Improvements Capital	Disabled Adaptations Capital	New Build & Regeneration	Totals
	£ m	£ m	£ m	£ m	£ m	£ m
2017/18	7.2	16.2	2.2	1.0	24.7	51.5
2018/19	6.2	13.1	0.4	1.0	24.1	44.8
2019/20	9.0	25.2	2.9	1.0	23.7	61.8

5.9 As a minimum, the current planned HRA capital programme would need to reduce by £4.5m in 18/19 and a further £3.9m in 19/20 to accommodate the additional Fire Safety works.

6.0 Legal Implications

6.1 The main duties upon local authorities as landlords in relation to fire safety are covered by the Housing Act 2004 Regulatory Reform (Fire Safety) Order 2005 and the Housing Act 2004. Local housing authorities as landlords also need to give comply with other statutory requirements that are set out in the Gas safety (Installation and Use) Regulations 1998, the Electrical Equipment (Safety) Regulations 1994 and the Furniture and Furnishings Act 1988.

6.2 The key requirement under the Regulatory Reform (Fire Safety) Order 2005 ("FSO") is that local authorities (and indeed other housing providers) as landlords of multi-occupied residential buildings, must carry out and maintain a suitable and sufficient fire risk assessment in communal areas to identify and provide adequate fire precautions and procedures to ensure the safety of all relevant persons. As part of carrying out a fire risk assessment, they must take adequate precautions to reduce the risk and to manage the risk that remains. Carrying out Type 4 Fire Risk Assessments for low, medium and high-rise blocks which are part of the Council's housing stock as proposed in this report will go beyond what is required in the FSO.

- 6.3 The Housing Act 2004 introduced the housing health and safety rating system (HHSRS). The HHSRS is the principal tool for assessing fire safety risk and regulating standards in all types and tenures of residential accommodation. A number of statutory instruments have been laid under the Housing Act 2004 regarding HHSRS and guidance under this legislation for local housing authorities is contained in the Housing Health and Safety Rating System Operating Guidance.
- 6.4 Section 20 of the Landlord and Tenant Act 1985 imposes a requirement on landlords to consult with Leaseholders in respect of qualifying works (e.g. where leaseholder's contribution is in excess of £250 in one financial year) or a qualifying long term agreements (ones entered into by the landlord for a period in excess of 12 months which result in a contribution of a leaseholder in a year is in excess of £100). Failure to comply with the consultation requirements will mean that only £250 per leaseholder per financial year can be recovered by the freehold owner in respect of qualifying works and only £100 per leaseholder per financial year can be recovered by the freehold owner in respect of qualifying long term agreements during the duration of those agreements. These various consultation requirements are set out in the Service Charges (Consultation Requirements) (England) Regulations 2003.
- 6.5 In relation to the cost assumption set out in paragraph 5.6 above, external legal advice has been obtained which confirms that the cost of such fire safety works must be met from the HRA rather than the General Fund.

7.0 Equality Implications

- 7.1 There are no equality implications to this report.

Background Papers

Appendix 1 – Capital improvement works and priorities

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PHIL PORTER
Strategic Director of Community Wellbeing

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Appendix 1 - Fire Safety in the Council's Housing Stock - Capital improvement works and priorities

Combined Address	Property Designation	FRA Overall Risk Rating	Total No of FRA Actions	FRA Overall Risk Rating with Completed Actions	Demolition Date	Height of Building	Number of Dwellings	Number of Leaseholds	Sprinkler Installation costs	Total amount to be recovered from leaseholders
1-167 AUSTEN HOUSE CAMBRIDGE ROAD KILBURN NW6 5YN	High-Rise	Moderate	18	Tolerable	2021	18	167	6	£1,000,000.00	£35,928.14
1-167 DICKENS HOUSE MALVERN ROAD KILBURN NW6	High-Rise	Tolerable	21	Tolerable		18	167	12	£1,000,000.00	£71,856.29
1-169 GLOUCESTER HOUSE CAMBRIDGE ROAD KILBURN NW6 5XJ	High-Rise	Tolerable	19	Tolerable	2017 / 2018	18			0	£0.00
1-168 HEREFORD HOUSE CARLTON VALE LONDON NW6 5QJ	High-Rise	Tolerable	17	Tolerable	2018 / 2019	18	168	10	£1,010,000.00	£60,119.05
11-90 KILBURN SQUARE KILBURN LONDON NW6 6PR	High-Rise	Moderate	20	Moderate		18	80	11	£480,000.00	£66,000.00
1-138 WINDMILL COURT MAPESBURY ROAD CRICKLEWOOD NW2 4JJ	High-Rise	Tolerable	6	Tolerable		17	138	32	£830,000.00	£192,463.77
1-40 MANOR COURT CENTRAL SQUARE WEMBLEY HA9 7AX	High-Rise	Moderate	8	Tolerable		13	40	6	£240,000.00	£36,000.00
1-77 WILLIAM DUNBAR HOUSE ALBERT ROAD KILBURN NW6 5DE	High-Rise	Moderate	12	Tolerable	2025 / 2026	13	77	11	£465,000.00	£66,428.57
1-74 WILLIAM SAVILLE HOUSE DENMARK ROAD KILBURN NW6 5DG	High-Rise	Moderate	16	Tolerable	2025 / 2026	13	74	8	£440,000.00	£47,567.57
1-78 CRAIK COURT CARLTON VALE KILBURN NW6 5HN	High-Rise	Moderate	11	Tolerable	2022 / 2023	12	78	7	£470,000.00	£42,179.49
1-85 CRONE COURT DENMARK ROAD KILBURN NW6 5BX	High-Rise	Moderate	13	Tolerable		12	85	8	£510,000.00	£48,000.00
1-38 LODGE COURT STATION GROVE WEMBLEY HA0 4AP	High-Rise	Moderate	11	Tolerable		12	38	7	£230,000.00	£42,368.42
13-56 WATLING GARDENS CRICKLEWOOD LONDON NW2 3UE	High-Rise	Moderate	9	Tolerable		12	44	10	£265,000.00	£60,227.27
1-66 WINTERLEYS ALBERT ROAD KILBURN NW6 5DR	High-Rise	Moderate	13	Moderate	2019 / 2020	12	66	4	£400,000.00	£24,242.42
49-78 FRONTENAC DONNINGTON ROAD WILLESDEN NW10 3RB	High-Rise	Tolerable	4	Tolerable		11	30	16	£180,000.00	£96,000.00
1-44 THE OAKS WILLESDEN LONDON NW10 3SA	High-Rise	Moderate	10	Tolerable		11	40	7	£240,000.00	£42,000.00
57-96 WATLING GARDENS CRICKLEWOOD LONDON NW2 3UD	High-Rise	Moderate	13	Tolerable		11	40	7	£240,000.00	£42,000.00
97-135 WATLING GARDENS CRICKLEWOOD LONDON NW2 3UB	High-Rise	Moderate	19	Tolerable		11	39	14	£235,000.00	£84,358.97
1-51 CANTERBURY COURT CHICHESTER ROAD KILBURN NW6 5SX	High-Rise	Tolerable	9	Tolerable		10	51	12	£310,000.00	£72,941.18
1-40 RYDE HOUSE PRIORY PARK ROAD KILBURN NW6 7UL	High-Rise	Moderate	8	Tolerable		10	40	8	£240,000.00	£48,000.00
17-56 SUMMIT COURT SHOOT UP HILL CRICKLEWOOD NW2 3PY	High-Rise	Tolerable	8	Tolerable		10	40	32	£240,000.00	£192,000.00
1-65 AMUNDSEN HOUSE STONEBRIDGE PARK STONEBRIDGE NW10 8EE	High-Rise	Moderate	9	Tolerable		9	65	11	£390,000.00	£66,000.00
1-113 GOREFIELD HOUSE CANTERBURY ROAD KILBURN NW6 5TB	High-Rise	Moderate	12	Moderate		9	113	19	£722,000.00	£121,398.23
1-64 JOHN RATCLIFFE HOUSE CHIPPENHAM GARDENS KILBURN NW6 5LH	High-Rise	Tolerable	14	Tolerable	2025	9	64	17	£390,000.00	£103,593.75
1-64 MAPES HOUSE WINCHESTER AVENUE KILBURN NW6 7TR	High-Rise	Tolerable	12	Tolerable		9	64	16	£380,000.00	£95,000.00
1-65 SHACKLETON HOUSE STONEBRIDGE PARK STONEBRIDGE NW10 8EH	High-Rise	Moderate	9	Tolerable		9	65	8	£390,000.00	£48,000.00
1-64 ALPHA HOUSE ALPHA PLACE KILBURN NW6 5TE	High-Rise	Tolerable	10	Tolerable		8	64	13	£390,000.00	£79,218.75
7-22 WESTCROFT COURT KINGSBURY ROAD KINGSBURY NW9 9PG	High-Rise	Moderate	7	Moderate		8	16	13	£96,000.00	£78,000.00
1-63 PHARAMOND WILLESDEN LANE WILLESDEN NW2 5RD	High-Rise	Substantial	9	Moderate		7	63	17	£380,000.00	£102,539.68
1-56 RATHBONE HOUSE BRONDESBURY ROAD KILBURN NW6 6QH	High-Rise	Moderate	10	Tolerable		7	56	28	£340,000.00	£170,000.00
1-28 SANDBY HOUSE BRONDESBURY ROAD KILBURN NW6 6QN	High-Rise	Moderate	10	Tolerable		7	28	15	£170,000.00	£91,071.43
1-28 VARLEY HOUSE BRONDESBURY ROAD LONDON NW6 6QJ	High-Rise	Moderate	10	Tolerable		7	28	15	£170,000.00	£91,071.43
1-48 BARRETT HOUSE VICTORIA ROAD KILBURN NW6 6QG	High-Rise	Moderate	10	Tolerable		6	48	21	£300,000.00	£131,250.00
1-71 BLAKE COURT MALVERN ROAD KILBURN NW6 5PW	High-Rise	Tolerable	16	Tolerable	2019 / 2020	6	71	9	£430,000.00	£54,507.04
1-24 FRONTENAC DONNINGTON ROAD WILLESDEN NW10 3RA	High-Rise	Tolerable	5	Tolerable		6	24	16	£150,000.00	£100,000.00
1-30 PEASCROFT HOUSE WILLESDEN LANE KILBURN NW6 7YQ	High-Rise	Tolerable	4	Tolerable		6	30	13	£180,000.00	£78,000.00
1-32 WORDSWORTH HOUSE STAFFORD ROAD KILBURN NW6 5YT	High-Rise	Tolerable	10	Tolerable	2018 / 2019	6	32	8	£200,000.00	£50,000.00
TOTAL			422				2333	467	£14,103,000.00	£2,830,331.45

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 <p>Brent</p>	<p>Cabinet 13 November 2017</p> <p>Strategic Director of Community Wellbeing</p>
<p>For Action</p>	<p>Wards affected: All</p>
<p>Improving the Housing Offer for Tenants and Leaseholders</p>	

1. Purpose of the Report

- 1.1 This report sets out proposed policy in meeting the needs of residents required to move as a result of estate regeneration programmes and, more widely, how the recommended approach could contribute to addressing Brent's supply shortage by increasing mobility within the housing stock and tackling under-occupation. The policy will cover resident and non-resident leaseholders, tenants, including those renting privately in properties sold through the Right to Buy (RTB), and the more limited number of affected freeholders. All references to leaseholders in this report apply equally to freeholders.
- 1.2 Given the potential wider housing need and supply implications, this report is submitted in the name of the Strategic Director of Community Wellbeing although it is relevant to regeneration schemes in South Kilburn and elsewhere that fall within the remit of the Strategic Director of Regeneration and Environment.
- 1.3 Following consideration at Cabinet the policy will be published for consultation and made available to all tenants and residents. It is proposed that once the consultation responses have been considered, the policy will be finalised and approved by the Strategic Director for Community Wellbeing in consultation with the Lead Member for Housing.

2. Recommendations

- 2.1 That Cabinet approves that the policy approach set out in sections 5 and 6 below should be pursued and to approve the specific recommendations set out below in 2.3 to 2.11 subject to consideration of responses arising from the consultation by the Strategic Director for Community Well-Being.

- 2.2 That the Cabinet gives authority to the Strategic Director for Community Well-Being to consult on the policy for improving the housing offer for displaced tenants and leaseholders, and to finalise and adopt the policy in consultation with the Lead Member for Housing after consideration of the responses received in the consultation process. If the finalised policy following consultation is significantly different from the approach set out in sections 5 and 6 below, the policy will be submitted to the Cabinet for consideration of the consultation responses and to approve the final version of the policy.
- 2.3 That the basic options currently available to tenants and leaseholders will remain part of the menu of options as follows:
- Market purchase in the regeneration area
 - Market purchase elsewhere
 - Shared ownership on the basis of a minimum purchase of 25% of the equity, funded through the buyback receipt and a contribution from Home Loss payments and, where appropriate, any other capital or savings, with rent payable on the share retained by the council.
- 2.4 That a shared equity option, with no rent payable on the equity retained by the council, should be available subject to a minimum purchase of 50% of the equity. This only applies to resident leaseholders
- 2.5 That a leasehold swap option should be offered, through which a leaseholder can transfer the equity in their current home into a void council property within (provided the property is not scheduled for demolition) or outside the regeneration area.
- 2.6 That, where it would be to the council's advantage or will assist in meeting needs that could otherwise delay a regeneration programme, advance purchase of properties scheduled for demolition should be considered.
- 2.7 That, on a similar basis to that proposed in recommendation 2.5, advance payment of Homes Loss and Disturbance compensation should be available to leaseholders and tenants.
- 2.8 That, in limited cases subject to detailed review, reversion to tenancy in acquired private sector property should be offered to leaseholders unable to pursue any other option, with buyback prices based on full market value. This would also be available to other leaseholders or tenants who wish to pursue this option.
- 2.9 That support and advice should be available to vulnerable households to secure supported housing where required, including the option of reversion to tenancy in Extra Care or similar provision where necessary.

- 2.10 That the council should purchase properties tailored to the needs of under-occupiers to release larger homes for renting within existing acquisition programmes. This could include purchase in the private sector or buy-back from leaseholders of smaller properties seeking to sell.
- 2.11 That the council should develop a programme to buy back properties from leaseholders who need to move on grounds of ill-health, disability or vulnerability, offering the full range of options available to displaced leaseholders in regeneration schemes.
- 2.12 That the council should investigate how a similar approach to that set out in recommendation 2.10 above might be taken to assist home owners in the private sector.
- 2.13 That the council should, where appropriate, offer temporary rehousing for vulnerable leaseholders affected by major works programmes, with a requirement for leaseholders to meet associated charges for such properties.

3. Background

- 3.1 Estate regeneration schemes undertaken by the council or other social landlords, such as in South Kilburn, can involve serious disruption for residents, particularly where a scheme requires the demolition and replacement of existing housing. Brent has significant past and current experience in managing such schemes but there is a need to review the approach. In doing this, it should be emphasised that, in the majority of cases, the solutions are relatively straightforward: tenants will be able to move to a new home on similar tenure and rent terms, while most leaseholders will be in a position to buy a new home in the area or elsewhere, either outright or on a shared ownership basis. In most cases, moves will therefore be facilitated by voluntary agreement. However, experience in Brent and elsewhere indicates that there will often be a small number of households who, because they lack the resources or are vulnerable in some way, will not be able to take advantage of the standard options, particularly in areas of high house prices such as London. While the numbers involved may not be large, it is important that Brent's offer should be as comprehensive as possible and also applicable where new options could address issues of supply, mobility and best use of stock.
- 3.2 As well as representing good practice through a clear and up-to-date policy, two immediate issues prompt the need for review. First, objections against the Compulsory Purchase Order (CPO) covering Chippenham Gardens in South Kilburn require that the council demonstrate that it has given due consideration to the options available to affected leaseholders and has led to the conclusion that this should be reflected in published policy. Second, developments in connection

with LB Southwark's programme on the Aylesbury Estate have potentially significant implications, while government and the Mayor have published relevant guidance that needs to be taken into account. Beyond these immediate drivers, there is also an opportunity to implement best practice.

- 3.3 In September 2016 LB Southwark's application for a CPO affecting several leasehold properties on the Aylesbury estate was rejected by the Secretary of State, taking account of a Planning Inspector's assessment. An initial application for permission to seek judicial review was refused in late 2016. However, the council subsequently renewed their permission application by seeking an oral hearing and thereafter the Secretary of State withdrew its decision to refuse to confirm the CPO and agreed that there will be a further public inquiry and the Secretary of State will need to reach a fresh decision in light of that. The public inquiry is scheduled for January 2018.
- 3.4 While some of the Inspector's concerns were specific to the Southwark scheme, wider questions centred on the citing of the European Convention on Human Rights and the Public Sector Equality Duty. In summary, the Secretary of State in his Decision Letter took the view that the difference between Southwark's valuation of leaseholders' properties and the cost of new homes in the borough could force them out of the area and that this could constitute a breach of Article 1 of the First Protocol to, and Article 8 of, the European Convention on Human Rights, which entitles a person to peaceful enjoyment of their property.
- 3.5 With regard to the Public Sector Equality Duty, identified negative impacts highlighted the needs of elderly leaseholders and others, including impacts on giving and receiving care and the education of children. The Decision Letter stressed that, since 67% of the population on the Estate were of BAME origin, *"it is highly likely that there is a potential disproportionate impact on the elderly and children from these groups, who are likely to dominate the profile of those remaining on the Estate and who are therefore likely to have to move out of the area if the Order is confirmed"*.
- 3.6 The possibility of further legal challenge or revisions to proposals that would meet the objections remains and it is important not to exaggerate the potential implications. It could be argued that human rights and equality issues, like other concerns, arise from actions or failings in that particular case. However, it is clear that the case could be drawn on by objectors to other schemes and their advisers and that programmes in London are more likely to face the market price barriers that underlie the problem. The key point is that it is essential that any regeneration scheme gives due consideration to the circumstances of and the options available to leaseholders and to the equality and human rights implications of any proposals. Most importantly, the case highlights the need for early, continuing and meaningful engagement with leaseholders and tenants collectively and individually to identify

barriers and agree solutions that are practical, legal and proportionate at an early stage.

- 3.7 A revised approach within regeneration schemes offers the opportunity to consider wider application. In the context of high levels of housing need, new supply is a primary objective but it is also essential that the council makes best use of its existing stock and there is potential to contribute to both aims. There are significant levels of under-occupation in the social housing stock. 61 households are currently registered on Locata with the intention of downsizing but they represent only a fraction of the total number of households in this position. The number of households successfully moving to smaller homes is low, despite the award of high priority on the Housing Register and the offer of financial incentives. Research into under-occupation indicates that successful schemes rely less on financial incentives and more on provision of one-to-one support and tailored solutions, matching offers closely to tenants' wishes. The potential to offer "bespoke" solutions to increase mobility is considered in more detail below.

4.0 The Mayor's Draft Guidance on Estate Regeneration

- 4.1 The Mayor has published a consultation draft of his *Good Practice Guide to Regeneration*. This has no statutory force but the council will need to pay regard to it since the guidance or aspects of it will be incorporated into a revised London Plan and London Housing Strategy, with which Brent's policies need to show general conformity. The Guide covers the treatment of leaseholders and tenants, stressing the need for early consultation and engagement, including the use of independent advisers and extra support for vulnerable households and the need to offer appropriate, affordable rehousing options, although the guidance is limited and does not cover all possibilities.
- 4.2 Brent's response to consultation welcomed the proposals but urged further consideration of some aspects. The Guide broadly reflects Brent's existing approach to tenants, encouraging policies that limit the number of moves involved, accepting a right to return and securing new homes at the same or similar rent levels and with an appropriate number of bedrooms. This represents best practice but more clarity would be helpful, for example in acknowledging that new homes will, or should, offer improved accommodation for returning or displaced tenants and that some increase in rent, within reasonable limits and reflecting local affordability issues, may be expected. Experience in South Kilburn suggests that calculation of both social and target rents will usually result in an increase. The guidance could also be more specific about the desirability of an offer in which tenants on social rents and affordable rents are offered new homes on similar terms.
- 4.3 For leaseholders, the Guide stresses that a mutually agreed acquisition is preferred and an offer at market value with home loss and disturbance payments agreed at an early stage is desirable (as well as

being a legal requirement). Our response suggested that the best approach to valuation is to use the District Valuer, whose impartiality is clear. The Guide cites the basic options considered below, but only mentions that other approaches are available. The intention is that Brent should offer a suite of options capable of tailoring to individual circumstances, in line with DCLG guidance which goes further than the Mayor's Guide and notes the use of shared ownership, shared equity, home swap, early buy-back and cash back deals where leaseholders carry out some completion works themselves, enabling personal choice in some aspects of a new home. Reversion to a tenancy is also an option, although potentially unattractive to leaseholders unwilling to give up ownership.

- 4.4 Where agreement cannot be reached, it may be necessary to use a CPO in the last resort. It is important that leaseholders' individual and collective needs and wishes are recognised and met, while balancing this against the wider benefits of regeneration to the community. London's high market values present a barrier to many households wishing to remain in their area and, however wide the menu of options, some or all may not be affordable or practical in a minority of cases. Early and transparent engagement, with independent advice and support, will be essential in clarifying what is and what is not possible.
- 4.5 In almost any scheme, sales will be essential to finance new affordable housing – a legitimate aspect of an authority's strategic housing responsibilities. Displaced leaseholders are likely to face higher values and therefore higher costs in new build homes and this needs to be discussed at an early stage, acknowledging the difficulties while highlighting the longer term benefits of an improved local environment and an uplift in the value of homes that is more likely to be sustained post-regeneration. It is also worth considering whether leaseholders should be informed of the potential impact of regeneration (whether or not there are existing plans) when they first take on a lease, as a matter of good practice. In addition, it may be advisable to consider whether future leases should explicitly reflect these issues.
- 4.6 The rights of leaseholders and the duties of local authorities in relation to compensation are set out in the statutory compensation code largely contained in legislation, most importantly the Land Compensation Acts 1961 and 1973 as amended and in decided cases. The code is usually the starting point for negotiations in relation to compensation, whether land is acquired by agreement or compulsorily. In summary, the standard first step is to agree voluntary purchase at market value, with the opportunity for the leaseholder to obtain their own valuation, normally funded wholly or partly by the council. Market value assumes a willing buyer and seller but is also based on the principle of equivalence: that is, the owner of the property should not be better or worse off than before the regeneration proposals. Market values on estates are generally lower than in other market segments, while the equivalence principle means that councils cannot normally offer an

artificially high price that would leave the seller better off, although the determination of compensation is not a precise science and there may be differing views about market value and the assessment of compensation. An acquiring authority therefore has some flexibility when determining compensation payments. In addition, the decision in the Aylesbury case suggests that there may be scope to offer some kind of enhanced value over and above market value, and that in some circumstances the making of "ex gratia" payments, to cover costs and losses falling outside the statutory compensation code may be justified - for example, to mitigate particular adverse impacts of dispossession on a particular occupier. Where agreement cannot be reached, a CPO can be sought, subject to the same valuation process. Displaced households are entitled to statutory Home Loss and Disturbance payments, with some flexibility around the inclusion of costs associated with moving such as legal fees.

5.0 Detail – Residents in Regeneration Areas

- 5.1 This section sets out proposals in relation to residents obliged to move due to regeneration programmes, while Section 6 covers wider application, both within and outside regeneration areas. Officers are confident that current arrangements for consultation, engagement and support in regeneration schemes represent good practice, conform to DCLG and draft Mayoral guidance and provide the right basis for a revised policy and no further changes are proposed on this. In South Kilburn the council has held early, extensive and continuing consultation and employed an independent adviser to support residents, who have been closely involved in developing the Masterplan and the Supplementary Planning Document, both recently reviewed and revised. The Masterplan provides the main mechanism through which the scheme is monitored and reported on.
- 5.2 In establishing rights to compensation and rehousing, it is necessary to distinguish between different modes of occupation as summarised in the table below. Note that the balance between resident and non-resident leaseholders is variable and each scheme will have its own characteristics. For example, in South Kilburn, 13 of 17 leaseholders are resident in Peel, while 3 of 8 are resident in Wordsworth House.

Occupancy Status	Housing Options	Compensation
Resident Leaseholder – Normally in occupation for 12 months prior to council notification of intention to acquire	Purchase in regeneration area or elsewhere, including shared ownership and shared equity Reversion to tenancy	Full market value, Home Loss and Disturbance payment plus related expenses.
Non-resident Leaseholder – e.g. owns or rents a home elsewhere and rents out the relevant	No obligation to rehouse in most circumstances. Leaseholders temporarily absent would be classed	Full market value plus compensation (Basic Loss Payment at a lower level than resident leaseholder)

property	as resident.	
Secure Tenant	<p>Offer of new property in regeneration area or option to move to another part of the borough.</p> <p>Subject to Local Lettings Plan, which may vary from the council's main Allocation Scheme</p> <p>Where agreement cannot be reached, council can seek possession if suitable alternative accommodation is made available</p> <p>One move is the norm, but a temporary move prior to a permanent offer may be necessary in some cases</p>	Home Loss and Disturbance Payment
Tenant of non-resident Leaseholder	No rehousing obligation but, in some cases, households may be able to make a homelessness application	Advice and assistance in finding a new rented home, usually in the private rented sector
Licensee (temporary accommodation)	Where properties are in use as temporary accommodation for households owed a homelessness duty, a move to alternative temporary accommodation or permanent rehousing would be offered in line with the council's legal obligations and homelessness policies. This would not fall into the options set out in this report.	As the property is occupied under a licence, there is no entitlement to compensation but advice and assistance would be available on the same basis offered to all households in temporary accommodation.
Unauthorised occupant – e.g. squatter or illegal sub-tenant	No rehousing obligation but, in some cases, households may be able to make a homelessness application	Advice and assistance in finding a new rented home, usually in the private rented sector

5.3 It is worth emphasising that, to qualify for full compensation and rehousing options, leaseholders must be resident at the relevant point

in the process, usually defined as 12 months before a set date, normally at the point the council announced its intention to proceed with purchase and/or CPO. This is not an absolute cut off and the key distinction is that the property should be the occupier's only or permanent home. For example, a buy-to-let landlord who is renting the property out would not be resident. A leaseholder who is temporarily absent, for work or other reasons, and is renting a home elsewhere would be classed as resident. It is also a requirement that a leaseholder or tenant must have owned or rented the home for 12 months to qualify for Home Loss payments. A non-resident leaseholder will receive market value for the property and other compensation at a lower level than Home Loss payment but will not be entitled to take up rehousing options.

- 5.4 The basic options offered by most boroughs – market purchase in the area or elsewhere and shared ownership – are all available in Brent but the aim is to go further, to maximise choice and secure a better match with individual circumstances. Any policy is unlikely to cover all possible permutations and there will be a need for flexibility in complex or sensitive cases where a solution outside general policy may be called for; the proposed policy is intended to be a guide to residents and officers, not a rigid set of rules. The following paragraphs summarise the current and proposed options, while Appendix 1 provides some comparative information on the approach taken by other London boroughs, many of whom have undertaken or are in the process of similar reviews. In all cases, the underlying principles are:

- There will be early and detailed engagement and advice and support will be offered, collectively and individually.
- A presumption that affected tenants and leaseholders will be supported to remain in the area wherever possible.

5.5 Market Purchase in the Regeneration Area

- 5.5.1 This option is currently available and will remain the default position. All displaced leaseholders will be offered the opportunity to purchase one of the new homes, with advice and support available as needed.

5.6 Market Purchase Elsewhere

- 5.6.1 Displaced leaseholders may choose to buy a property anywhere else if they do not wish to remain in the area or decide that it is not affordable and do not wish to pursue an alternative option. This option is currently available. In addition, there may be potential to combine this approach with the council's current programme of acquisitions of market housing.

5.7 Shared Ownership

5.7.1 Under a shared ownership arrangement the leaseholder purchases a proportion of the equity, with the housing provider retaining ownership of the remainder. Rent is payable on the proportion retained by the provider in addition to any mortgage payment. It is usually expected that the price received for the original home, any home loss payment (usually 50%, although some boroughs require 100%) and any other savings or capital (usually on a voluntary basis or above a set limit) will contribute to the purchase. Most schemes assume a purchase of at least 25% of the equity, although it would usually be possible for a leaseholder to purchase a higher share. This option is currently available. As with outright purchase, there is potential to combine this approach with the council's current programme of acquisitions of market housing in limited cases where this could improve affordability and choice.

5.8 Shared Equity

5.8.1 Resident leaseholders use funds available from buyback to purchase a percentage of the equity of a new property as with shared ownership. Any value gap is then met by the council or a development partner, depending on the nature of the regeneration scheme and is entered as a charge against the property. The leaseholder will not pay rent on the equity they do not own.

5.8.2 A shared equity option has been offered to resident leaseholders in South Kilburn but has not been used extensively to date. For example, on the Argo scheme, three of five possible shared equity units were taken by existing leaseholders. On the current Kilburn Quarter development it is anticipated that five of six units will be taken by existing leaseholders. Usually, it would be expected that the buyer would use all of the proceeds from the buyback and a proportion of any Home Loss payment and a contributions from savings as above. The purchaser retains an option to buy out the council's share at a later date, either wholly or in part, but will not pay rent or interest on the equity retained by the council.

5.8.3 This model can make purchase more affordable than shared ownership, where a rent charge would apply, while retaining the option of outright ownership in the future. On the other hand, it involves a significant upfront contribution from the council which may not be repaid for many years, albeit that any increase in value would be captured. While the retained share is an asset that will eventually be realised, there is a loss of rental income in the interim. There is also some risk associated with any future fall in property values, although this is difficult to assess and, on past market performance, might be regarded as minimal. Given the financial commitment required from the council in such cases, it is proposed that a minimum limit on the amount of equity purchased by the leaseholder should be imposed at 50%.

5.8.4 An alternative is to charge rent on the council's share. LB Ealing is considering a scheme through which a rent charge of 3% is payable after five years (in line with the government's Social HomeBuy1 scheme for shared ownership). A "voluntary charge" arrangement would also apply, allowing the leaseholder to ask for a further charge against the property to cover the rental element in cases of hardship. It is not proposed that this approach should be taken at this stage. Charging a rent, albeit at a reduced level, makes the option less attractive and less affordable to leaseholders and blurs the distinction between this and shared ownership.

5.8.5 In principle, a shared equity approach could be applied to market purchase within the regeneration area or elsewhere in the borough or outside. Again, there is potential to combine this approach with the council's current programme of acquisitions of market housing.

5.9 Leasehold Swap

5.9.1 This enables a leaseholder to 'transfer' their equity into a void council social rented unit that is not due for demolition. This could apply to retained units in South Kilburn (or future schemes) or it could be made available more widely to apply to all council voids of appropriate size and value. Any difference in value would be made up by the council or the leaseholder as appropriate. This 'swap' would reduce upfront acquisition costs but involves the loss of a unit that would otherwise be available at a social rent. The quid pro quo therefore is that an additional replacement social rented unit would need to be provided in the relevant phase. This would require an amendment to the Allocation Scheme and a review of this is planned.

5.9.2 Although this appears to be an attractive option, experience in other boroughs where it is used suggests that such swaps can be difficult to facilitate and happen rarely. However, this should not preclude its use.

5.10 Advance Acquisition and/or Compensation

5.10.1 In some cases, it will be to the council's advantage to acquire properties that are scheduled for demolition in advance of the regeneration programme being implemented. For example, in cases where a leaseholder has an urgent need to move for other reasons. A pilot project has been run, with a limited budget to allow for the purchase of a small number of homes.

5.10.2 While there are costs associated with this approach, it provides additional flexibility and, where appropriate, the ability to use the vacated property in other ways, for example as temporary housing with associated savings on temporary accommodation costs.

5.10.3 To assist in mitigating the impact of displacement and enable residents to remain in the area (should they wish to do so), it is additionally proposed that, in some cases, the council should approve advance compensation payments before a CPO is confirmed; for example, following a Cabinet resolution to proceed and the consequent suspension of the Right to Buy. An additional option would be to confirm purchase with delayed completion: that is, pay the leaseholder a large proportion (say 90%) of the value with the remainder paid on vacation. This would give the leaseholder more time as well as the necessary funds to buy. It is also proposed that consideration should be given to a similar approach for tenants that would allow the offer of home loss prior to action to seek possession through Ground 10A of Schedule 2 to the Housing Act 1985. Making such payments at an earlier stage would not involve significant additional costs since the payments are budgeted for in any event.

5.11 Reversion to tenancy

5.11.1 This allows a leaseholder who no longer wishes, or cannot afford, to be a property owner to be offered a tenancy, either within the regeneration area or elsewhere. One difficulty here is that, having received payment for the sale plus other payments, such leaseholders would have assets well above the £50,000 limit imposed by the council's Allocation Scheme, although they may also have an income below the current limits, set out below:

- 1 bed need – £35,000 per annum
- 2 bed need – £45,000 per annum
- 3 bed need – £55,000 per annum
- 4 bed need – £70,000 per annum

5.11.2 This need not be an insuperable barrier since the scheme provides for offers of social housing to be made in exceptional circumstances, through the Allocation Panel and with the approval of the Operational Director of Housing. The scheme also allows for the application of Local Lettings Policies, for example where this would contribute to protecting existing stable communities and wider community objectives, as has already been the case in South Kilburn. Finally, the scheme provides a discretionary power for the Operational Director to award additional priority and approve offers of housing. Section 167 (2E) of the Housing Act 1996 (as amended) enables housing authorities to allocate accommodation to people of a particular description, whether or not they fall within the reasonable preference categories. However, local authorities can only allocate social housing in accordance with their own allocation schemes. Where a policy change is involved as opposed to using discretion in exceptional circumstances for a small number of cases and the policy change is not in accordance with the Council's allocation scheme, this will require an amendment to the Council's allocation scheme.

- 5.11.3 Reversion to tenancy is offered by most local authorities, usually with conditions relating to a rigorous assessment of the household's financial resources and any vulnerabilities. However, there are some disadvantages from the council's perspective. First, this approach requires offering a home that would otherwise be available to a household with high priority on the Housing Register; effectively, the council would be giving up a unit of social housing. The purchase price would reflect this and would generally be assessed at tenanted rather than vacant possession value, reflecting the loss of the rented unit through a reduction of around 25-30% of the market value but this only partly mitigates the impact. In addition, any new home let under a secure or fixed term tenancy would still be subject to the Right to Buy and there is a risk that a displaced leaseholder could, perhaps with support from family and using the resources available from the sale, submit a Right to Buy Request at a later date. Although the number of such cases is likely to be small overall and the number who might seek to exercise the Right to Buy even smaller, this is a risk that should be considered.
- 5.11.4 An alternative approach is to limit reversion to tenancy to private sector properties purchased by the council outside the HRA, which would not be subject to the Right to Buy. These properties would be let at higher rents but within LHA limits and therefore eligible for Housing Benefit, although in the short term the capital available from the sale would mean that HB would not be payable (as would be the case with a council tenancy). There is also potential to offer greater choice in terms of area and type of property. In such cases, full market value rather than tenanted value would be offered in recognition of the fact that the council would not be surrendering use of a social home. This option is more advantageous to the council since it does not involve loss of a social rented unit and the RTB would not apply to property outside the HRA. It is therefore recommended that this approach should be taken in the small number of cases where reversion to tenancy is the preferred option or in other cases where leaseholders or tenants opt to rent privately. A policy change of this nature regarding the reversion to tenancy proposal as set out in this section 5.11 would also require an amendment to the Council's Allocation Scheme.

5.12 Vulnerable Households

- 5.12.1 Investigation of published policies suggests that the majority of local authorities have a limited set of approaches to the needs of vulnerable leaseholders. In most cases, advice and assistance is made available – for example where households need support with the process and age, health or low income are identified as barriers. In terms of specific rehousing options, the standard approach appears to be to offer reversion to a tenancy if other options are not appropriate or affordable, usually based on a detailed and evidenced assessment of need. For displaced tenants, the option of a move to sheltered or supported

housing – for example Extra Care provision through the NAIL programme – is available in Brent.

- 5.12.2 In general terms, it is likely that older leaseholders are more likely to struggle to afford the standard options. Given the age profile within the council's stock, it is also likely that there will be relatively large numbers of older households who exercised the RTB some time ago. While some may have paid off or significantly reduced their mortgages, their capacity to borrow to meet any gap in valuation will be very limited. While the tenancy reversion option may be appropriate in some cases, a tailored approach, based on individual engagement, is needed for this group.
- 5.12.3 This should include consideration of the extension of shared ownership and shared equity options in sheltered or supported housing provided by the council, RPs or private sector providers, although this would require the agreement of the provider and may need to be arranged on a case-by-case basis. It should also include the opportunity for reversion to tenancy, on similar terms to those set out at 5.11, in sheltered, Extra Care or other specialised accommodation as appropriate. In such cases, it is likely that an affordable housing provider, usually the council or an RP, would be involved, with tenanted value the basis for compensation. There are also potential implications for social care costs and a full assessment of potential costs and savings will be undertaken prior to consideration by Cabinet.
- 5.12.4 It is proposed that an officer will be recruited to act as the main liaison with all affected leaseholders, including potentially vulnerable households. This officer would provide support in taking leaseholders through the buy-back process and the search for alternative accommodation, as well as offering information and advice on the available options such as Shared Equity.

5.13 Displaced Tenants

- 5.13.1 With regard to council tenants, Brent's approach has been to develop specific Local Lettings Plans for each phase of any scheme and one is in place for South Kilburn, giving priority to tenants required to move. This includes a guaranteed offer of suitable accommodation within the scheme or elsewhere in the council's stock, depending on preference and availability of suitable accommodation. Where this cannot be achieved on a voluntary basis, the council can rely on Ground 10A of Schedule 2 of the Housing Act 1985, subject to having secured formal approval from the Secretary of State for the relevant redevelopment proposal. The court will require that suitable alternative accommodation is available where this ground is used.
- 5.13.2 Individual advice and support is made available, alongside general information for tenants. Tenants will, in most cases, have the option to remain on the estate and the type and size of property to be offered is

based on an individual needs assessment, taking account of family size, any health issues and other factors.

6. Supply, Mobility and Under-Occupation

- 6.1 As noted earlier, a wider application of the principles and options set out above is desirable to meet the council's wider objectives around housing supply and best use of available stock. The following paragraphs examine the potential.

6.2 Under-Occupation

- 6.2.1 Significant demand for larger homes, including from households in temporary accommodation, runs alongside significant levels of under-occupation. The council offers high priority on the Housing Register and financial incentives but this has had limited impact. There are currently 61 households registered with Locata seeking to move to a smaller home, although this by no means reflects the full extent of under-occupation. In this context, there is obvious potential for the council's acquisitions programmes to target properties tailored to the wishes of under-occupying tenants, expanding opportunities to meet expectations about property type and area. As well as private sector acquisitions, the council is securing properties from the private sector through Property Services which will fall within the HRA and it is proposed that the potential for the programme to secure properties to facilitate downsizing moves should be explored, particularly given the lower rents in such homes. In addition, regeneration schemes such as South Kilburn are delivering high quality new homes that could offer a desirable option to households seeking to downsize within existing prioritisation mechanisms on the Housing Register.
- 6.2.3 In some cases, it may also be desirable for the council to facilitate moves for leaseholders or to buy back properties that could assist in tackling under-occupation. There are two main possibilities. First, it is proposed that the council should consider targeted acquisition of one bedroom properties where leaseholders are seeking to sell, in order to make them available to tenants who are under-occupying. At this stage, this is proposed on the basis that a full cost benefit analysis would be undertaken and in the expectation that the number of such acquisitions is likely to be small. Second, it is proposed that the council should consider buy-backs where a leaseholder needs to move on grounds of ill-health, disability or vulnerability. This would include the full range of alternative housing options set out in section 5. Again, further work will be undertaken to assess costs and savings. It may also be possible to extend this approach to owners in the private sector, for example where the council is incurring significant social care costs which could be reduced by a move to more appropriate accommodation on a similar basis to that proposed for leaseholders displaced in regeneration schemes, potentially in return for a reduced purchase price that would enable the council to acquire and use the

property as temporary or permanent accommodation at LHA rents. Again, further work would be required to identify potential costs and benefits in detail.

- 6.2.6 Finally, there is a need to consider the needs of vulnerable leaseholders facing temporary displacement from their homes due to major improvement works. At present, the council will offer temporary housing to affected tenants but not to leaseholders. While this is an appropriate approach in many cases, it is proposed that there should be some flexibility to allow for temporary rehousing of leaseholders where it is clear that they would be unable to make their own arrangements. The leaseholder would however be required to fund any rent and/or service charges associated with the procured property.

7.0 Financial Implications

- 7.1 It is challenging to put a monetary value on the recommendations in this paper because it is largely untested. The recommendations intend to ensure leaseholders are treated fairly and that the Council does not face higher costs from challenges in the CPO process.
- 7.2 Paying advance compensation payments even before a CPO is confirmed or a slightly enhanced amount might not be more expensive than the costs attached to a delayed scheme or it might be less in some instances.
- 7.3 Shared equity might offer a possible long-term investment benefit to the Council as well as give the leaseholders flexibility. The Council has little experience with shared equity and there is an upfront cost. To illustrate this, assuming 103 leasehold properties were to be effected affected. Assuming 20% of leaseholders are interested, shared ownership is set at 50% per £600k average property and no rent is charged on the retained element, this would suggest a Council investment of £6.2m. This investment would not be realised until the unit was sold.
- 7.4 The costs attached to leasehold swaps when properties are void and private rented options would be covered within existing budgets. However, reversion to tenancy means that someone else who would have been housed by the council will need private housing or will have to wait longer for a social housing unit. There is a risk that this individual would need to be accommodated privately at a cost above what the individual might receive in housing benefits or that continued occupation of temporary accommodation will result in additional cost to the council. However, this impact can be mitigated in that, if the proportion of lettings generally available to homeless households remains the same, there should be no impact on the pace at which such households are rehoused.

- 7.5 The recommendations allow for additional option to the ones that are currently available. The council would need to assess the financial implication on a case by case basis depending on which of the options best fit the circumstance.
- 7.6 There is the cost of recruiting an officer, who would be at a higher grade than the current role (approximately £10k/year additional to budget). This person would help individuals through the leaseholder buyback process, with a particular focus on vulnerable adults. This would be funded within existing budgets.

8.0 Legal Implications

Compulsory Purchase Orders

- 8.1 The Council has power to make a compulsory purchase order under section 226(1) (a) of the Town and Country Planning Act 1990 if it thinks that the acquisition will “facilitate the carrying out of development, redevelopment or improvement in relation to the land to be acquired”. Under section 226(1) (A) the Council must not exercise the power under sub paragraph (a) unless it thinks that the development, redevelopment or improvement is likely to contribute to the achievement of any one or more of the following objects – (a) the promotion or improvement of the economic wellbeing of their area; (b) the promotion or improvement of the social wellbeing of their area; (c) the promotion or improvement of the environmental wellbeing of their area.
- 8.2 Compulsory purchase orders must only be made if the Council is satisfied that there is a compelling public interest to do so. The Compulsory Purchase guidance 2015 (the 2015 Guidance) states “*A compulsory purchase order should only be made where there is a compelling case in the public interest. An acquiring authority should be sure that the purposes for which it is making a compulsory purchase order sufficiently justify interfering with the human rights of those with an interest in the land affected. Regard should be had, in particular, to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and, in the case of a dwelling, Article 8 of the Convention.*”
- 8.3 Furthermore, in making the order there should be no impediments to its eventual implementation. The 2015 Guidance advises (in part): “*In demonstrating that there is a reasonable prospect of the scheme going ahead, the acquiring authority will also need to be able to show that it is unlikely to be blocked by any impediments to implementation. In addition to potential financial impediments, physical and legal factors need to be taken into account. These include the programming of any infrastructure accommodation works or remedial work which may be required, and any need for planning permission or other consent or license. Where*

planning permission will be required for the scheme, and has not been granted, there should be no obvious reason why it might be withheld.”

- 8.4 A compulsory purchase order must only be made if the Council is satisfied that there is a compelling public interest to do so. Paragraph 13 of the 2015 Guidance states:

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

- 8.5 Article 1 of the First Protocol of the European Convention on Human Rights (“ECHR”) states: *“Every natural or legal person is entitled to peaceful enjoyment of his possessions”* and *“No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by the law and by the general principles of international law.”*

- 8.6 Article 8(1) of the ECHR states: *“Everyone has the right to respect for his private and family life, his home and his correspondence.”* However, this is a qualified right. Article 8(2) states: *“There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.”*

- 8.7 If any duly made objections to the making of a compulsory purchase order are not withdrawn, the Secretary of State must hold an Inquiry and consider the conclusions and recommendations of the Inspector before confirming the Order.

- 8.8 The acquisition procedure is governed by the Acquisition of Land Act 1981, the Compulsory Purchase of Land Regulations 2004 and the Compulsory Purchase of Land (Vesting Declarations) Regulations 1990.

- 8.9 Before and during the compulsory acquisition process, the Council is expected to continue the process of seeking to acquire the properties sought by negotiation and private agreement:

Ground 10A

- 8.10 The Council is required to obtain the approval from the Secretary of State when seeking to re-housing secure tenants who will not leave the

Council properties that are due to be demolished pursuant to a redevelopment scheme. Before seeking approval the Council is required to consult with tenants. Approval will enable the Council to rely on Ground 10A of Schedule 2 to the Housing Act 1985 in County Court proceedings to obtain possession of the dwellings let under secure tenancies and provide the tenants with suitable alternative accommodation pursuant to its redevelopment scheme.

Allocations

- 8.11 The Council has to allocate housing accommodation in accordance with its allocation scheme pursuant to section 167(8) of the Housing Act 1996. The Council's Allocation Scheme allows for local allocation policies to be developed for regeneration schemes, including in South Kilburn.

Public Sector Equality Duty

- 8.12 Under the Equality Act 2010, the Council has a duty to have due regard to the need to: eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Act; advance equality of opportunity between people who share a protected characteristic and people who do not share it; and foster good relations between people who share a protected characteristic and people who do not share it. This is the Public Sector Equality Duty (PSED). The protected characteristics covered by PSED are as follows: age, disability, gender, gender reassignment, marriage and civil partnership (but only in respect of eliminating unlawful discrimination), pregnancy and maternity, race (this includes ethnic or national origins, colour or nationality), religion or belief (this includes lack of belief) and sexual orientation.

9.0 Equality Implications

- 9.1 A central intention of this report is to address the risk of differential impacts for households required to move as part of regeneration programmes, highlighting the issues arising from the Aylesbury Estate programme in Southwark. It should also be stressed that these issues arise from the consequences of such programmes, not from the proposals set out in this report, which are intended to identify and mitigate any potential/likely negative implications and maximise the positive equality outcomes for affected individuals and groups with protected characteristics and/or known vulnerability. This report recognises that full consideration must be given to residents and leaseholders with protected characteristics, particularly people with disabilities and / or other types of vulnerabilities due to age (both older adults, children and young people), childcare and/or caring responsibilities and support, socio-economic status (lone parents and large families). Due regard must also be paid to black, Asian and minority ethnic and religious groups (e.g. community ties and wider community infrastructure, needs of large families, support networks, etc.).

- 9.2 The Council must also ensure that the options put forward to re-house 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. Affected residents and leaseholders should be engaged in the process of identifying the options and alternatives available to them. Again, this report seeks to extend the options available in order to meet these requirements.
- 9.3 An initial Equality Analysis is attached at Appendix 2. The development of the final policy will be informed by a full analysis and consultation. As noted above, beyond the development of policy, it will be necessary to carry out specific analysis with regard to any individual regeneration programme that involves displacement of existing residents with protected characteristics. Most importantly, it will be necessary to show that, where a differential impact has been identified, appropriate steps have been taken to mitigate any negative effects.
- 9.4 Any regeneration scheme would need to include not only an overall assessment of equality implications but a clear programme of individual engagement with leaseholders from an early stage. It will also be necessary to ensure that equalities and human rights considerations are kept under review throughout the process.

10.0 Staffing/Accommodation Implications (if appropriate)

- 10.1 There are no immediate staffing or accommodation issues arising from this report beyond the cost of the additional officer referred to in paragraphs 5.14.4 and 7.4.

Background Papers

None.

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Appendix 1

Offer to Resident Leaseholders – Summary of Approaches in Other Boroughs

Note that information is taken from published policies. Some of these relate to particular schemes and do not necessarily represent the council's approach in all cases. Also, it may be the case that options not obviously available in published policy are not necessarily ruled out: for example, most policies do not mention private renting but it is assumed that assistance with this would be available in practice if it were requested.

The examples provided are intended as an illustration. Broadly similar policies apply in most London boroughs.

In all cases, the boroughs offer one-to-one support where required. Since valuation and compensation arrangements are covered by legislation and regulation, they are not referenced in the table.

Borough	Market Purchase in Area	Market Purchase Elsewhere	Shared Ownership	Shared Equity	Leasehold Swap	Purchase Through Investment Vehicle	Advance Acquisition or Compensation	Reversion to Tenancy	Private Renting
Brent (Proposed)	Y	Y	Y	Y	Y	Y	Y	Y	Y
Camden	Y	Y	N	Y	Where available	N	N	N	N
Hackney	Y	Y	Y	Y	Where available	N	N	Y On vulnerability grounds	Y Advice and support to contact accredited landlords
Hammersmith and Fulham	Y	Y	Y 25% minimum share	Y	Y	N	N	Y	N
Haringey	Y	Y	Y	Y	N	N	N	Y	N

			25% minimum share but no rent charged on first 40% of remaining equity to reduce leaseholder costs No shared ownership offer outside the regeneration area	Only available if leaseholder can afford 60% share No shared equity offer outside the borough				On a case by case basis	
Westminster	Y	Y With offer of support and advice (non-financial)	Y 25% minimum share	Y No stated minimum share	Y	N	N	Y On a case by case basis	N

Appendix 2 – Equality Analysis

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.

This proposal sets out the basis for the development of a policy in relation to residents who may be required to move (usually referred to as a decant process) from their current homes to facilitate delivery of regeneration programmes, as well as the potential to extend this approach to other tenants and leaseholders where this would assist in meeting their needs and meet the council's objectives in terms of housing supply and efficient use of the housing stock. It is of immediate relevance to the programme in South Kilburn but the policy will also apply to any future regeneration schemes and, in a more limited way, to tenants and leaseholders in the wider housing stock.

The primary intention is to ensure that the council has an up-to-date and agreed policy in place for regeneration schemes, reflecting current best practice and anticipating the needs of affected individuals and groups with protected characteristics, as well as applying the policy more widely in appropriate cases. More immediately, the use of Compulsory Purchase in South Kilburn requires that the council demonstrate that it has given due consideration to the options available to affected leaseholders and has taken account of the lessons learnt from the LB Southwark's programme on the Aylesbury Estate.

It is clear from the Southwark case that any scheme involving the displacement of existing occupiers, whether tenants or owners, must have full regard to the Public Sector Equality Duty. At a minimum, this would require the collection of data on the affected households and an assessment of the potential impact on all protected groups, with a particular emphasis on the impact based on age (e.g. older people and children), ethnicity (including consideration of community ties and wider community infrastructure, needs of large families, social, cultural and religious support networks), disability (including people with mental health needs, learning disabilities, dementia or other long term health conditions such as deafness), gender (including single parent households, pregnant women and carers). Most importantly, it will be necessary to show that, where a differential impact has been identified, appropriate steps have been taken to mitigate any negative effects. The wider application of policy outside regeneration areas would be on a purely voluntary basis, since there would be no requirement on other tenants and leaseholders to move.

Any approach would need to include not only an overall assessment of equality implications but a clear programme of individual engagement with leaseholders from an early stage in any programme. It will also be necessary to ensure that the equality analysis is kept under review and updated throughout the process.

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

The proposal affects the following groups, most immediately in South Kilburn regeneration programme but will have implications for other regeneration schemes and leaseholders and tenants in the council's stock across the borough:

- Resident leaseholders
- Non-resident leaseholders
- Council tenants
- Private sector tenants renting homes on the regeneration estate(s)
- Staff responsible for delivering the policy
- Partners (e.g. RPs) involved in regeneration programmes

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

The central issue for this proposal is the potential displacement of residents (in any tenure) because regeneration proposals require that their existing homes should be demolished or subject to major works. In these circumstances, residents may need to move permanently or temporarily to a new home. This is, in itself, disruptive but sometimes unavoidable and it should be stressed that any scheme will have been subject to extensive consultation and equality analysis, with the aim of improving the physical and socio-economic conditions of the area in partnership with and on behalf of the community.

However, it is recognised that there are or may be particular features of the community and the housing options available, either in South Kilburn specifically or in other estates or neighbourhoods where future schemes may be proposed, that could lead to unintended differential impacts. The issues raised in connection with the Aylesbury Estate in Southwark have highlighted risks that need to be addressed in order to ensure compliance with the duties under the Equality Act and Human Rights Act, particularly in relation to the position of displaced leaseholders with protected characteristics.

It should be noted that the current phase of the South Kilburn regeneration programme has been subject to wide consultation and an EA has been carried out in relation to the decant process and other aspects. This exercise set out the intentions with regard to equalities as follows:

The findings of the Planning Inspector in the case of the Aylesbury Estate, supported by the Secretary of State, have highlighted a number of equality considerations that are particularly relevant to displaced leaseholders who, although they will receive market value for their homes as well as compensation, may find it difficult to purchase a new home in the area. In essence, there is a potential problem of affordability that needs to be acknowledged and addressed in any scheme. In particular, the Aylesbury case highlighted issues around households obliged to move to another area, leaving settled communities with established social, cultural or other systems and support networks.

The position for tenants is, in most respects, more straightforward since they will be offered the opportunity to move to a new rented home in the area.

As noted above, in any cases outside regeneration programmes, the policy is intended to offer greater flexibility and choice to tenants or leaseholders seeking a move. Take up of any available option would be purely voluntary and intended to meet the particular needs of the household. There are no identified risks of differential impact in such cases since the desired outcomes are expected to be entirely positive and in line with residents' needs and choices.

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

This proposal is intended to produce a policy that responds to the issues identified in the report and mitigates any actual or perceived adverse impacts. It should therefore be stressed that any adverse impacts arise not from the proposed policy itself but from the issues in aims to address. Affordability issues and available alternatives may affect any household required to move but protected and vulnerable groups that are more likely to be disproportionately affected are:

- Age: older leaseholders, although they will receive market value (in most cases) and compensation, may not have sufficient income to remain in the area and/or get a mortgage. Older residents in any tenure may also require additional support to manage relocation.
- Age: families with young children attending local nurseries, schools or support services
- Disability: similar affordability and/or support issues may arise for disabled households. Households with disabled residents and their carers will require additional support not only to manage relocation but also to ensure that they settle in their new home to minimise distress. Due consideration must also be given to vulnerable residents and their dependants who require access to specific information, services and facilities, and communication may need to be tailored to their specific needs (e.g. people with Learning Difficulties and Disabilities, residents with Mental Health needs, BSL users, SEND dependants, etc.).
- Race: Black Asian and minority ethnic households are over-represented in the community profile and the alternative options offered to them should as far as possible be reflective of their specific needs (e.g. large families, language barriers, community ties and support networks).

It should be stressed that, while the purpose of the proposal is to put arrangements in place that minimise or remove any adverse impact, it will not be possible for the council to guarantee that all residents in a regeneration area will be able to exercise a choice to remain there.

A previous reports to Cabinet highlighted the following points relevant to mitigation of any negative impacts.

New affordable 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. With regard to the Chippenham site, secure tenants within the South Kilburn Regeneration Programme will be offered the opportunity to move into the new affordable units. The additional units will be made available to other secure tenants living in properties due for demolition as part of the South Kilburn regeneration programme.

Every effort should be made to provide the secure tenants with suitable alternative accommodation and to reach mutually acceptable agreements with the leaseholders to buy their properties without seeking legal action. When identifying the options and alternatives put forward, the Council should proactively engage with affected residents and leaseholders.

As with all other schemes that are part of the council's wider regeneration programme, full consideration must be given to individuals and groups with protected characteristics, particularly people with disabilities and / or other types of

vulnerabilities due to age (both older adults and young people), childcare and/or caring responsibilities and to the need for supporting infrastructure, socio-economic status (single parents and large families). Due regard must also be paid to black, Asian and minority ethnic and religious groups (e.g. community ties and wider community infrastructure, needs of large families, etc).

Race / Ethnicity

Due to the ethnicity profile of the area, full consideration must be given to the impact on black, Asian and minority ethnic individuals/groups. The Council must also ensure that the options put forward to tenants 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.

Age/Carers/Disability/Pregnancy and maternity

A requirement for anyone within these groups to have to move from their current property is likely to be present more difficulties and run the risk of greater psychological effects, including stress. These groups are therefore more likely to require a tailored and bespoke support and offer to meet their needs.

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

Services would be changed as noted above where tenants or leaseholders are obliged to move to a new home to ensure that vulnerable individuals and groups are receiving appropriate and timely information, support and offer.

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

Yes, as noted above.

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

Potentially, as noted above.

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

The proposal relates to the following objectives:

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

Recommend this EA for Full Analysis?

Yes, in relation to the development of policy and its potential to mitigate negative impacts. It should also be stressed that there will be a need for specific assessments in relations to current and future regeneration schemes and, in some cases, to individual phases within schemes, recognising that the profile of affected tenants and leaseholders is likely to vary across neighbourhoods or parts of neighbourhoods.

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.


It may be helpful to consider the EA requirements for this proposal as two-fold. First, to assess whether the policy in itself provides the right basis to identify and mitigate any adverse impacts. Second, how the policy is to be applied in the specific context of and varying circumstances in individual schemes. For example, in South Kilburn the regeneration programme is a long-term process that operates in distinct phases, affecting particular parts of the neighbourhood at any one time. The same approach is likely to apply to any future large-scale programmes. In that case, it will be necessary to carry out an assessment of the operation of the policy within the context of the specific regeneration scheme for each phase separately, recognising that there may be variations in the make-up of affected households as well as variations in the external conditions affecting the programme – for example, the state of the housing market.

With this in mind, information required to carry out a full assessment could include:

- Demographic profile of affected households broken down not only by protected characteristics but by household type and size, income, housing preferences and affordability.
- Outcomes from consultation exercises before and during the programme.
- Analysis of available housing options and potential/likely impact on specific protected characteristics.

It is proposed that a full EA should be carried out as part of the process of producing the detailed policy document and that this should be regularly updated and informed by consultation exercises carried out at each phase as required. Collective and individual engagement with residents and provision of support and independent advice is already an established part of the process and will feed into any future analysis.

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 Brent	<p style="text-align: center;">Cabinet 13 November 2017</p> <p style="text-align: center;">Report from the Strategic Director of Community Wellbeing</p>
Ward Affected: Northwick Park	
Compulsory Purchase of a Residential Property in the Kenton Area	

Not for publication:

Appendices 1, 2, 3 and 4 to this report are not for publication as they contain the following categories of exempt information as specified in Part 1, Schedule 12A of the Local Government Act 1972, namely:

- Paragraph 1 - Information relating to an Individual; and
- Paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

1.0 Purpose of the Report

- 1.1 This report seeks Members' approval to make a Compulsory Purchase Order of a residential property in the Kenton area of the borough of Brent. .
- 1.2 Despite much communication and advice the owner that has been provided in respect of this long term empty property, the owner is making no determined or on-going effort to bring the property back into use. A report to the Executive Committee recommending compulsory purchase of this property by the Council was made a number of years ago, the details of which are set out in Appendix 1. Just before the case went for submission to the Secretary of State the owner placed tenants in the property, as it was no longer empty the case to compulsory purchase was withdrawn following consideration of legal advice. Since then the property has become empty again, has not been maintained by the owner and is now squatted. Council officers submit that obtaining compulsory purchase is justified and they are of the opinion that it is the most effective solution. Acquisition of the property by the Council and the subsequent sale and refurbishment will achieve a quantitative and qualitative housing gain,

improve the aesthetics of the local area and remove the on-going anti-social behaviour.

2.0 Recommendations

- 2.1 That Cabinet agrees to use its compulsory purchase powers to acquire the property in the Kenton area of the borough of Brent,, the full address of which is set out in Appendix 1 to this report, under section 17 of the Housing Act 1985.
- 2.2 Authorise the Chief Legal Officer to make and seal the Compulsory Purchase Order in respect of the property for submission to the Secretary of State for Communities and Local Government for consideration and approval. Further, to authorise the Chief Legal Officer to confirm the said Compulsory Purchase Order in the event of the Secretary of State approving the Order.
- 2.3 Upon confirmation of the Compulsory Purchase Order to proceed with the acquisition.
- 2.4 Subject to confirmation of the Compulsory Purchase Order by the Secretary of State for Communities and Local Government, Cabinet do approve the disposal of the property through the Council's i4B project in the first instance if it was an affordable option for their scheme, to a Registered Social Landlord, or to a Private Developer (in which case the sale would be by way of auction) with covenants applied to bring the property back into use as soon as possible.

3.0 Details

- 3.1 Further details regarding the property in addition to what is set out in paragraph 1.2 above are set out in Appendix 1 to this report.
- 3.2 There is a shortage of social housing creating a greater dependency on the private rented sector and increasing the need for the council to make the most of the empty homes throughout the borough. Empty homes are critical in Brent, we are responding to complex needs for housing and working towards increasing this supply by returning empty dwellings to use.
- 3.3 Brent has acute housing pressure, there are over 19,000 households currently on the housing register
- 3.4 Brent has a culturally diverse population and needs a variety of types of homes – for rent and sale, for single people and for families with children.
- 3.5 Current and future need for homes prompts us to make better use of all our existing housing resources, which include empty properties.
- 3.6 Council tax records show that there are 1259 empty properties within the borough of which 859 properties have been empty for 6 months or more.
- 3.7 Empty properties have a significant contribution to make in Brent's development of a sustainable community, returning them to use helps to increase the housing

supply to meet our housing needs, improves the condition of the area and brings increased revenue through council tax. An empty property is a wasted resource especially when there is a need for housing and a shortage of supply.

4.0 Financial Implications

- 4.1 The basis of the CPO transaction is that upon transfer of ownership to the new freeholder, the capital receipt derived from the sale passes over to the owner. Any costs incurred by the Council in relation to the CPO transaction cannot be funded from the capital receipt. Any cost incurred by the council in bringing the CPO either to an aborted or successful CPO scheme cannot be deducted from the capital receipts. These costs will need to be paid for by the council, and they will need be funded from Private Housing Services existing capital grant budget for returning empty properties back to use.
- 4.2 If the Compulsory Purchase Order is confirmed by the Secretary of State for the Department of Communities & Local Government Brent will proceed if necessary with the acquisition of the property. Compensation will be payable to the owner based on the valuation on the date of possession, which could be higher or lower than the council's valuation.
- 4.3 The Council will be liable for the owner's reasonable surveyors' costs and legal fees associated with the conveyance which is estimated at £2,500. The council will also be liable for Stamp duty and costs to secure the property.
- 4.4 Officers will aim to identify a Registered Social Landlord to purchase the property on a back-to-back sale, to provide social housing. If a Registered Social Landlord cannot be identified an approved financially viable private sector developer will be identified, likely through auction, who can purchase the property from Brent as quickly as possible after the Council has acquired ownership. The property will be sold subject to covenants requiring the purchaser to carry out comprehensive refurbishment within a defined timescale. It is likely that the property will be sold on prior to the payment of compensation to the owner.
- 4.5 As can be seen at appendix 6, the costs of taking CPO could be in the region of £39,810 for an uncontested application and £54,740 should the case go to public hearing. It is proposed to fund this via the council's empty home grant programme if the CPO is successful. Stamp Duty Land Tax could be avoided if development work needs to be carried out by the new owner, if not we may be able to pass this cost onto the new owner.

5.0 Legal Implications

- 5.1 The Council has the power to purchase land and housing in order to provide housing or in order to sell to someone else to provide housing under section 17 of the Housing Act 1985. The Council can exercise this power either by purchasing the property by agreement or compulsorily with the consent of the Secretary of State. Compensation will be payable to the owner of the property.

- 5.2 Section 18 of the Housing Act states that where a local housing authority acquire a house, or a building which may be made suitable as a house, they shall make sure that the building is made suitable either by executing any necessary works themselves, or by leasing it or selling it to some person, subject to conditions for ensuring that they will make it suitable. The building should also be used as housing accommodation as soon as is practicable after the acquisition, or after the completion of any necessary works. Therefore, if the Council wishes to dispose of the property immediately then the transfer must contain an obligation for the purchaser to carry out the necessary repairs and improvements so that the property is brought back into use for housing within a specified time limit. Depending on the timing of any disposal the Council may have to forward fund any compensation payable to the owner if the sale proceeds are not received in time to pay the compensation.
- 5.3 In accordance with section 32 of the Housing Act 1985 once the property is acquired, the property can be disposed of in any manner the Council wishes but must first obtain the consent of the Secretary of State. Depending on who the buyer is and the agreement reached, specific consents may not be required if the General Consents issued by the Secretary of State can be relied on.
- 5.4 Officers have considered this proposed Compulsory Purchase Order in the light of the relevant provisions of the Human Rights Act 1998, Article 1 (no one should be deprived of his possessions except in the public interest), Article 6 (right to a fair trial – the owners have the right to appeal to the secretary of state and then also to the high court) and Article 8 (right to respect for private and family life, home and correspondence – the right to full and proper compensation) of the Human Rights Act 1998.
- 5.5 In view of the factors set out in this report officers consider that the exercise of compulsory purchase powers is justified by reason that it is in the public interest and authorised by law. Every effort to encourage the owner to bring the property back into use has been exhausted and compulsory purchase is the last resort left available to the council

6.0 Diversity Implications

- 6.1 The 2011 census data showed that Brent has the second highest ethnic minority population in England and Wales. However, there are no equalities implications for this report.

7.0 Staffing/Accommodation Implications (if appropriate)

None specific.

8.0 Background Papers

None.

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Strategic Director of Community Wellbeing

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Appendix 5

List of possible costs

It is important to note that within the CPO process there can be many complexities, uncertainties and unknowns – even in relatively straightforward applications. It is impossible to predict all costs but the list below gives a very good indication of possible expenditure that could be incurred and for which provision should be allowed in the Capital programme.

ITEM	COMMENT	INDICATIVE COST
Purchase cost	Desk top valuation of average prices for properties of a similar type in the area where the property is situated	This is set out in Appendix 1
Legal costs	Uncontested If public hearing £99 per hour – 30 hours	£2,000 £2,970
Basic Loss payment, if cannot be avoided	7.5% of property valuation (further details are set out in Appendix 1)	This is set out in Appendix 1
Valuation	Formal valuation needed at date of possession, with detailed report on full condition with photographic evidence.	£2,500
Surveyors e.g. to prepare schedule of works	May not be needed at early stage unless prospective purchaser e.g. RSL wants indicative cost of internal refurbishment costs. But, would be needed when CPO confirmed	£660
Locksmith	To attend on day of possession to force entry and change locks if disposed person does not allow entry..... may be abortive cost	£100
Carpenter	To attend on day of possession to gain entry if property already boarded up or board if not already secure	£200
Court Warrant	If dispossessed person blocks entry entirely on day of possession, the Council will need to get court warrant plus second attendance costs of locksmith if necessary	£1,000.00 £100
Conveyance to purchase and	Solicitors fees for performing the Conveyance	£2,000

sell – council costs	General disbursements e.g. land reg, searches etc.	£750.00
Previous owners conveyance costs	– including mortgage clearance where relevant	£ 3,000.00
Stamp duty land tax	at threshold on percentage of purchase price – payable on acquisition but exempted if development work to be done by new ‘owner’ threshold:- up to £125,000.00 The next £125,000.00 – 2% The next £675,000.00 - 5% The next £575,000.00 -10%	This is set out in Appendix 1.
Public enquiry plus Barrister fees	<i>Inspector costs</i> £630.00 per day. One day for preparation, one day for hearing (if one property and straightforward) writing up time, travelling and hotel costs: therefore minimum cost of public hearing say, £5,000.00 plus any legal and barrister fees.	£5,000.00 Plus £ 7,000.00
Notices, press notices etc.	To inform owner of relevant dates, to comply with regulations etc.	£2,500.00
TOTAL INDICATIVE COST	<i>excluding basic loss payment £52,500 and purchase price of property</i> – Without public enquiry - With public enquiry	£39,810 £54,780

 Brent	<p style="text-align: center;">Cabinet 13 November 2017</p> <p>Report from the Strategic Director of Regeneration and Environment</p>
<p style="text-align: right;">Wards affected: ALL</p>	
<p>Air Quality Action Plan (2017 – 2022)</p>	

1.0 Purpose of the Report

- 1.1 Brent recognises air pollution as a significant problem and is committed to action to clean up and take care of our natural environment by improving our air quality.
- 1.2 The Brent Air Quality Action Plan (2017 – 2022) outlines twenty broad measures the council will undertake to reduce levels of two key air pollutants, nitrogen dioxide and particulate matter, known to be harmful to health.
- 1.3 Consultation on the draft Air Quality Action Plan (2017 – 2022) was agreed by Cabinet on 16 December 2016. Since then the action plan has been subject to extensive public consultation and 478 members of our community responded. Feedback from the consultation was used to adjust the plan where appropriate.
- 1.4 The target date for publication of the plan is 30th November 2017. The new plan will supersede the previous Air Quality Action Plan. Work is currently being undertaken to provide detailed implementation plans outlining how each measure will be delivered.
- 1.5 The purpose of this report is to seek approval of the action plan measures.

2.0 Recommendations

- 2.1 Note the Air Quality Action Plan (2017 – 2022) measures.
- 2.2 Agree the measures can be published as final.

3.0 Background

- 3.1 Brent, like most London boroughs, struggles with poor quality air. While this kind of pollution is a longstanding and regrettable reality in cities such as London, it is neither inevitable nor insurmountable. It is, however, an enormous problem that's taking its toll on our residents to such an extent that it is thought to be contributing to around 200 premature deaths in Brent each year.
- 3.2 The Mayor recognises the significant impacts of long-term exposure to air pollution on health and recently introduced a charge to discourage those driving the oldest and most polluting vehicles into London and is bringing forward plans to impose stricter controls on diesel vehicles. It is estimated that this will reduce harmful emissions in boroughs like Brent by as much as 30% by 2022.
- 3.3 The Mayor intends to take action to tackle exposure to pollution of children following audits of schools in the most polluted areas in London. John Keble Church of England School in Harlesden and Ark Franklin School in Kensal Rise have been selected for inclusion in this programme.
- 3.4 The Mayor has committed resources to assist London local authorities in the delivery of their plans including the provision of a structured regime for managing the process, a long-list of air quality improvement measures to assist local authorities to select those most relevant to them and financial support via the Air Quality Fund. Brent has considered the guidance provided by the Mayor in drafting our air quality action plan and will seek assistance to deliver our most challenging projects where we can.
- 3.5 The London Local Air Quality Management (LLAQM) regime is the regional mechanism for determining compliance with our legal duties. The council will be expected to provide annual updates and demonstrate progress with our air quality objectives to the Mayor.
- 3.6 The Mayor also governs an accreditation scheme to reward local authorities able to demonstrate the impacts of their work. Local authorities can apply for Cleaner Air Borough status which is awarded to those who can demonstrate how they are improving air quality and exceeding upon rather than simply meeting targets. We aim to attain this.
- 3.7 The Mayor recently published additional guidance regarding expectations for local air quality action. The air quality actions outlined in the draft plan were considered in relation to this guidance and remain compliant with the approach set out in the London Local Air Quality Management regime.
- 3.8 Brent is supportive of the actions the Mayor has identified as the highest priority for cleaning the air in London. We are encouraged by the firm stance taken by the Mayor to tackle air pollution from a range of sources and the provision of support for local authorities to do the same. Our air quality action plan outlines measures that are directly aligned with these objectives.

- 3.9 A huge amount of work is required if we are to succeed in cleaning up and taking care of our natural environment. The good news is we understand the problem, we are determined to fix it, and have a strategy for doing so. As this action plan makes clear, there is much we can and will do, both on our own and in partnership with others, to secure a future for Brent in which our air is as clean as it can possibly be.
- 3.10 The Air Quality Action Plan (2017 – 2022) (AQAP) outlines the councils' strategy for reducing local emissions of nitrogen dioxide and particulate matter. This legal duty is a requirement under the Environment Act 1995 and all local authorities must publish and regularly review their action plan once an air quality management area has been declared.
- 3.11 Our AQAP comprises twenty key measures the council will implement to tackle local air pollution and specifically reduce emissions from local transport, construction and industry (see Appendix 1 for the AQAP). These actions have been selected as they will deliver the greatest reduction in pollution over the next five years. Once agreed this will supersede our previous action plan.
- 3.12 The AQAP places a greater emphasis on community engagement in recognition of the critical role our local community can play in assisting us to deliver our air quality objectives. This includes our aim to raise awareness of local air quality issues, inform and update residents about effectiveness of local action and the action we will take to support our community to get involved and undertake their own action.
- 3.13 The AQAP is complementary to other council strategies which target local environmental improvement, seek to reduce or limit the use of private vehicles and promote healthier and non-polluting options for travel such as walking and cycling. As a result, the AQAP will not duplicate the measures outlined in strategies for walking, cycling, or our transport strategy.

4.0 The Air Quality Action Plan Consultation

- 4.1 Consultation on the draft AQAP was agreed by Cabinet on 16 December 2016. Following this the council undertook early consultation with resident focus groups and specifically targeted residents that might ordinarily miss out on environmental messages. Residents were supportive of local action to address air quality but highlighted specific concerns about a number of issues such as exposure of school children to pollution, the lack of safe cycling routes in the borough and pollution from vehicles in general.
- 4.2 Residents also raised concerns about the lack of information regarding sources of pollutants, the councils' options for action to tackle the most polluting vehicles and how low emission neighbourhoods might be selected and implemented. There was a general concern that there was not enough information available to residents to help them understand air quality issues and make informed choices. The detailed summary of responses is provided in Appendix 2a.

- 4.3 The council also met with two residents groups in January 2017 to discuss the draft plan. Feedback from these meetings were used to refine the questions for the main consultation.
- 4.4 The second consultation phase was initiated on 9th February 2017. The deadline was extended in response to requests from residents and the consultation ended on 30th March 2017.
- 4.5 In addition to publicising the plan on the internet, in the press and via social media, the council attended a number of residents meetings to discuss the plan and answer queries. The council received 469 responses to this phase of the consultation.
- 4.6 The consultation consisted of eight questions which included requests for residents to comment generally on local air quality, comment specifically on the twenty actions proposed, rate their highest priorities for air quality action and suggest additional actions that should be included in the plan.
- 4.7 Feedback regarding the plan was generally positive, with residents supportive of the actions proposed overall and over 74% stated they thought the plan would deliver on the objectives partially or entirely.
- 4.8 Most residents perceived air quality in the borough to be poor. Of the residents who responded 78% felt that air quality in Brent was poor, and 19% felt that it was acceptable. The remainder stated they were unsure about local air quality and required more information. Residents also requested additional assistance and guidance so that they could make informed choices about travel and in order to better understand their role in improving local air quality.
- 4.9 The council received a number of requests for air quality information in the context of regional and national action as well as local action. As a result we will liaise with residents regularly to ensure our updates and information are provided in a format that is targeted to cater for specific user groups. Community Engagement is a significant part of the action plan and regular dialogue with residents is recognised as essential to successful delivery of the plan.
- 4.10 Residents raised similar concerns to those identified in the initial consultation phase. A significant proportion of questions raised related to transportation issues or queried the absence of measures to tackle pollution explicitly from this source. Residents' suggestions for additional air quality action measures which could be included in the plan were mainly transport-related and were either outside the remit of the council or already a feature of existing strategies.
- 4.11 Contributions to local pollution already identified as strategic targets in the transport strategy have not been duplicated in the Air Quality Action Plan. The council acknowledges the ongoing concerns of residents regarding wider issues about the impacts of local traffic. In response the council will ensure

that further work is undertaken to communicate our strategic objectives and highlight the synergies between individual plans.

- 4.12 Over 25% of residents who responded to the consultation stated that the council's highest priorities for action should be to tackle unnecessary idling in vehicles and accelerating the uptake of low emission vehicles in the borough fleet. Work is already underway to deliver on these objectives.
- 4.13 The councils' commitment to update our procurement policies, and thereby ensure that those who supply our services are held to the same environmental standards, was considered the lowest priority for action with less than 1% of residents selecting this as a priority measure. Some stated this was because they felt this should be part of usual council business.
- 4.14 A summary of the key findings is provided in Appendix 2b.

5.0 Air Quality Action to date

- 5.1 Progress reports detailing how we are delivering on our objectives will be published each April. We have already started work to deliver on our air quality objectives and examples of some actions for each air quality theme are provided in brief as follows.

5.2 Cleaner Transport

- 5.2.1 The council has continued to work to improve current cycling infrastructure and has developed our first lightly segregated cycle route in Carlton Vale. The council has also begun work to complete a Quietway from Gladstone Park to Regents Park. The council continues to deliver free cycle training sessions, has approved travel plans in 50 schools and 20 nurseries and published strategies for cycling and walking to assist residents to actively choose to make journeys on foot or by cycle where feasible.
- 5.2.2 The council also continues to work to dis-incentivise the use of private vehicles and has reviewed parking permit charges so that those with the most polluting vehicles pay more.

5.3 Exposure Reduction

- 5.3.1 The council routinely undertakes monitoring of air pollution levels across the borough. Since December 2015 the council has significantly improved our local air quality monitoring performance. Our annual data capture rate is now 95%.
- 5.3.2 The council has upgraded our existing air quality monitoring stations and commissioned a new station in Kensal Rise. We have increased the number of local monitoring points by 13 so we now monitor nitrogen dioxide in 40 locations across the borough. The additional monitoring data will assist us to

effectively evaluate the impacts of our air quality objectives and identify new areas that might require additional intervention.

- 5.3.3 This number of monitoring locations is potentially set to increase further still since, as part of our ongoing work to tackle idling, we are providing some schools with local air quality monitoring equipment and technical support.
- 5.3.4 The council is participating in a Mayoral initiative to audit 50 schools in London deemed to be in areas where pollution is highest and identify options for limiting the impacts of poor air quality on children in these areas. This work began in Brent in August 2017 and is expected to be completed by the end of the year.
- 5.3.5 The council has also begun work to improve the public realm and amenity in Neasden Lane. This area has been identified as significantly deficient in green space and following an assessment the council has identified where we will plant 30 trees early next year.

5.4 Community Engagement and Public Health

- 5.4.1 The council has continued to liaise with residents following the consultation on the draft action plan. The council currently works in partnership with a resident's coalition group – Clean Air for Brent (CAfB) to discuss local air quality action, raise the profile of air quality issues and encourage local participation in air pollution action. CAfB have met formally twice since the publication of the draft plan.

5.5 Delivery Servicing and Freight

- 5.5.1 The council is currently exploring options to reduce congestion in town centres by reconsidering off-peak delivery. This pilot study involves 3 large commercial operators and focuses on deliveries undertaken in Wembley, Neasden (North Circular Road) and Queens Park / Chamberlayne road. Results of the project are expected to be published before the end of the year.
- 5.5.2 The council has also started work to evaluate the actual air quality benefits of selected traffic improvement schemes rather than rely solely on estimates generated by models. This will enable the council to quantify actual air quality improvements in terms of real-time emission reductions and provide additional data to inform future decisions about other schemes such as potential low emission neighbourhoods.

6.0 Next Steps

- 6.1 Subject to agreement by Cabinet the AQAP will be published by 30th November 2017. Each action will be supported by a detailed implementation plan and these are currently under development.
- 6.2 The Air Quality Action Plan will be subject to annual review in compliance with our legal duties under the LLAQM and these status reports will be published in

April. The council will consider amendments to the plan at each annual review in accordance with changes to legislation or other priorities. In addition, the council will periodically communicate progress and key achievements in local air quality action to residents and local businesses. How progress with our objectives will be communicated will be included in the detailed implementation plan.

- 6.3 The council will also undertake a mid-term review to evaluate progress and check our actions are delivering as predicted.

7.0 Financial Implications

- 7.1 The Air Quality Action plan is anticipated to be delivered within existing budgets. However, subject to complying with the LLAQM criteria, the council can also apply for funding for air quality projects from the Mayors Air Quality Fund, which will be subject to availability.
- 7.2 Any requests for additional funding, or savings arising out of its implementation, will be managed through the normal budgeting process.

8.0 Legal Implications

- 8.1 The council has a statutory duty to comply with the requirements of the Environment Act 1995. This states that all local authorities must publish an air quality action plan once they have declared an air quality management area and continue to review and assess local air quality until national targets are met.
- 8.2 Governance of this regime for London local authorities has been devolved to the Mayor. As a result the council must demonstrate compliance with the LLAQM regime and provide regular updates regarding compliance with air quality objectives to the London Mayor.
- 8.3 The Government is subject to new legal pressure for failure to meet air quality targets and further legal proceedings are imminent. The council cannot anticipate at this stage the potential implications of this action for Brent or the additional legal requirements that might be imposed following the publication of the Governments updated clean air strategy scheduled for next year.

9.0 Equality Implications

- 9.1 An Equalities Assessment is currently being carried out to determine if the AQAP is likely to have a differential impact on members of the community with protected characteristics.
- 9.2 The Equalities Assessment screening template for the EA appended to the cabinet report

10.0 Staffing/Accommodation Implications (if appropriate)

10.1 None

Background Papers

Appendix 1 – The Air Quality Action Plan (2017 - 2022)

Appendix 2a –Phase 1 Brent Air quality Action Plan Consultation

Appendix 2b –Phase 2 Brent Air quality Action Plan Consultation Summary

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AMAR DAVE

Strategic Director of Regeneration and Environment

London Borough of Brent

Air Quality Action Plan 2017 - 2022

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Foreword

A Breath of Fresh Air

The London Borough of Brent's Air Quality Action Plan

Brent council acknowledges the impact of poor air quality on health and the need for action to reduce or eliminate air pollution where possible. In Brent it is estimated that 200 premature deaths occur each year which are directly attributable to air pollution as well as further unquantified premature deaths where air quality is a factor. We accept air quality in Brent is poor and recognise significant intervention is required to improve local air quality for all. We have made some progress but accept that further work is needed to meet this challenge. Our air quality action plan demonstrates we are taking this issue seriously and will endeavour to tackle air pollution at source or reduce exposure where this is not possible.

We will demonstrate our leadership by exploring options for low emission neighbourhoods, promotion of low emission vehicles and fuels where possible, reduce pollutant emissions from our buildings and vehicles and develop meaningful partnerships with others to get the most out of our air quality action measures.

We recognise air pollution as a shared problem and everyone must play their part to commit to continue to work with our communities to achieve air quality improvement. As we understand more about air pollution and the impact on health, we want to empower our residents to make informed choices about their options for travel and participate in decisions about air quality in the areas they live and work in. We must commit to safeguarding those at highest risk to provide additional information and limit or prohibit the development of areas where air quality is likely to be made worse.

Not all air quality improvements can be delivered directly by our actions and so we will develop partnerships with other Local Authorities, the London Mayor, and other agencies where appropriate to maximise resources where we can and realise wider air quality benefits from our actions.

We will commit to keeping this air quality action plan under review and will continue to identify new opportunities for air quality action in response to changes in legislation or local air quality as the need arises.

Our ultimate aim is to secure clean air for all especially for those at greatest risk or in the worst affected areas in the borough. We accept that this is likely to be a challenge to fulfil, but commit to investing in air quality action for improvement now and in the future. .

Signed

..... Lead Cabinet Member

..... Director of Public Health

..... Head of Transportation

Introduction

Current Air Quality in Brent

The link between poor health and air pollution is well established and for the last 15 years the council has been taking action to reduce pollution in the borough. Brent meets all national air quality targets except for two pollutants - Nitrogen Dioxide (NO₂) and Particulate Matter (PM₁₀). Air quality outside of our air quality management area has not worsened since 2006 and so no new management areas for air quality action are proposed.

Air quality in Brent has been improving but whilst this downward trend is likely to continue for the future the council will need to take action if we are to meet national targets set for NO₂. In addition, there is no threshold below which there are no ill health effects from particulates and local authorities are required to take steps to reduce these emissions where possible. As a result both nitrogen dioxide and particulates remain the focus of the new plan.



Figure 1: London Borough of Brent's current Air quality Management Area

The largest contributors to poor air quality in Brent are road transport, local energy generation and construction. Action plan measures will focus mainly on reduction of pollution from these sources. Any improvement in air quality will benefit everyone who lives in, works in or visits Brent. However, some areas of the Borough are more likely to be affected by poor air quality than others as the wider problems of poverty; deprivation and general poor health make some people more vulnerable to the effects of pollution than others. This is best illustrated by an almost 9-year difference in life expectancy between the most affluent and least affluent wards in the Borough. The council is committed to reducing this gap.

Planning for Air Quality Action

Our Air Quality Action Plan (AQAP) sets out what the council will do to improve air quality in Brent for the next five years and describes how the council will act to reduce pollution from a range of sources. The AQAP also sets out our air quality policy and describes targeted action for partnership work to achieve the greatest air quality benefits. The council also considered a range of external strategies such as the London Plan and the Mayor's Transport and Air Quality Strategies to ensure that there were no proposals that might have a detrimental impact on action plan progress.

As part of the action planning process the council undertook a review of critical policies such as the Brent Borough Plan 2015-2019 and our parking and transport strategies, to ensure consideration was given to strategic aims which would contribute to or benefit from air quality action. This AQAP is complimentary to existing and emerging strategies for walking and cycling. The council will ensure all air quality actions reduce car use and actively promote cycling and walking within the borough as viable alternatives. The AQAP also describes what we will do to help those who visit, live or work in Brent to understand the action they can take to improve local air quality. It is a live document so will be subject to annual review which will provide further opportunities to refine and update the plan.

Air Quality Action Plan Measures

The Air Quality action plan consists of 20 actions Brent will implement to deliver air quality improvement. These are split into the following key themes:

1. Cleaner Transport
2. Public Health and Community Engagement
3. Exposure Reduction Measures
4. Emissions from New Developments and Buildings
5. Delivery Servicing and Freight

1. Cleaner Transport:

Road transport is the largest contributor to air pollution in Brent, accounting for over 52% of emissions in the borough. Diesel vehicles are a significant source of particulates which are known to contribute to ill health, and measures to cut diesel use in Brent and reduce their impacts remain our highest priority for action.

We will take steps to limit or reduce the use of vehicles where we can. We will target early action on the most polluting vehicles and take action to limit the environmental impacts of vehicles by increasing access to low emission or alternative fuels, speeding up the introduction of the cleanest vehicles to our fleet, tackling those who idle their engines and introducing an extra charge for diesel vehicles users.

The council will also encourage to the use of public transport or car clubs instead of private vehicles to reduce the number of vehicles on Brent roads and reduce impacts of congestion. The current tiered parking charging scheme favours small and low (or zero) emission cars and promotes the use of less polluting vehicles or a shift to non-car modes of travel such as walking and cycling. The Council will continue to explore options for dis-incentivising car use, and will keep under continual review opportunities for adopting new technologies which aim to reduce vehicle emissions at source.

Our council fleet includes light and heavy duty diesel-fuelled vehicles such as mini buses and refuse collection vehicles with high primary NO₂ emissions. We will investigate options for further reduction of fleet vehicles and accelerate the uptake of cleaner vehicles where their use is essential. The 5 air quality action plan measures for cleaner transport are outlined below:

Action 1: Accelerate uptake of new low emission vehicles in borough fleet

The council will speed up the upgrade or replacement of vehicles used for council business with those of the lowest, current emission standard. The council will upgrade or replace vehicles used for council business with low emission, electric vehicles where feasible. The council will also work to speed up the introduction of the cleanest buses on key routes in the borough.

How :

- % increase of new vehicles in council fleet which meets highest standards
- % increase in new / upgraded in council fleet which use alternative fuels
- % increase in number of clean buses in operation in borough

Action 2: Tackle unnecessary idling by taxis, coaches and other vehicles

The council will undertake idling vehicle campaigns at schools and at key transport hubs such as taxi ranks and bus stands. The council will also improve provision of guidance for reporting issues and strengthen measures for enforcement of anti-idling regulations via the issue of warnings and Fixed Penalty Notices for persistent offenders.

How :

- Evaluation of idling and local environmental impacts via surveys
- Reduction of complaints related to idling
- Number of warnings and Fixed Penalty Notices issued

Action 3: Encourage Car Clubs to use low emission and alternative fuel vehicles in their fleet

The council will work with car club operators to identify options for increasing the take-up of car club vehicles and provision of the least polluting vehicles for use.

How:

- % Low emission Car Club vehicles in use against baseline established 2016/17

Action 4: Support the installation of on-street electric vehicle charge points throughout Brent

The council will identify suitable locations for options for on-street electric vehicle charging and provide support installation where feasible.

How:

- Number of electric vehicle charge points installed

Action 5: Support the take-up of electric taxis and commercial vehicles.

The council will investigate the feasibility of installation of Transport for London Rapid Chargers for electric vehicles and identify suitable locations in the borough.

How:

- Publication of feasibility report including list of potential locations
- Target set for installation
- Number of rapid charge points installed

2. Public Health and Community Engagement:

Raising awareness about air quality issues and ensuring that everyone understands their role in tackling poor air quality is a key priority for the council.

We understand the need to provide information and updates regarding local air pollution to residents in a format that is accessible to all. The council will ensure that we better engage with residents, businesses and others via a range of media about local air quality issues. We will ensure this includes the provision of simple tips and useful advice about measures our community can take to contribute to local air quality improvements.

We will inform and empower others to act to improve their local environment and promote positive steps they can take to encourage others to do the same. We will also provide guidance about healthier, less polluting options for travel and steps everyone can take to reduce their exposure to air pollution. The council will encourage residents to consider alternatives to car use, particularly encouraging the use of active and sustainable travel options such as walking and cycling and promoting the additional positive health benefits of increased physical activity.

The council will use local action days to promote car free initiatives and educate the community about air quality impacts of local measures. This will ensure we maintain a local focus on air quality action with the aim of securing long-term behavioural change.

The 3 air quality action plan measures for public health and community engagement are outlined below:

Action 6: Engage with Local Business to reduce local air pollution

The council will ensure businesses with the greatest polluting potential comply with the law and do not exceed limits for emissions to air. The council will also work with other local businesses to identify and implement their own air quality actions which will reduce local air pollution.

How :

- 100% of most polluting businesses are compliant with emission limits
- Publish guidance on reducing local air quality impacts for Brent businesses
- Undertake a feasibility study with selected businesses to identify air quality actions

Action 7: Promote air quality 'action days'

The council will raise awareness about air quality issues by expanding the current programme of low emission days such 'Play Streets' and 'Walk on Wednesdays' to include community-based action days. The council will also provide guidance and assistance to communities about effective local action to reduce exposure to local pollution.

How:

- Number of days implemented
- Published guidance on local air quality action
- Increased number of residents undertaking air quality action

Action 8: Ensure schools join the school travel planning programme

The council will ensure all Brent schools have travel plans. The council will also support schools with existing travel plans to achieve higher levels of compliance.

How :

- 100% of all schools have travel plan
- 40% of schools with existing travel plan attained higher level of compliance.

3. Exposure Reduction Measures:

Green Space provision in Brent is below the 15% London average and many Brent residents have little or no access to green or open space. Trees form an integral part of the urban environment and provide a range of benefits not limited to improving the general amenity of an area and positively impacting the local environment. The council recognises that additional

provision of green space also contributes more generally to the Councils' commitment for improving health and wellbeing and tackling health inequalities. In the borough

The air quality management area is recognised as generally lacking tree cover and the council seeks to address this by undertaking a targeted upgrade of green infrastructure in suitable locations, increasing planting and the quality of green space where appropriate. We expect this to also improve the accessibility of key routes to encourage walking and to make the street and public transport viable and attractive travel options.

The 3 air quality action plan measures for exposure reduction measures are outlined below:

Action 9: Identify and develop Low Emission Neighbourhoods where feasible

The council will explore options for local low emission neighbourhoods. Initially this will be focussed on four areas – Neasden Town Centre, Church End, Wembley and Tokyngton and the Kilburn Regeneration Area. These have been identified as areas where traffic emissions are highest and the opportunity exists to design low emission solutions into plans for town centre improvements at the earliest stages. The council will also work with local communities to identify other areas which could become low emission neighbourhoods.

How :

- Undertake a feasibility study to identify options for Low Emission Neighbourhoods

Action 10: Targeted upgrade of green infrastructure

The council will undertake an assessment to identify locations where exposure to poor air quality is high and access to green space or existing planting is limited. The council will undertake audits and develop a programme detailing appropriate action in the areas identified. The council will also assist the community including schools to take action by identifying improvements to local green infrastructure such as the installation of physical or green barriers or increase in tree planting.

How :

- Undertake assessment to identify areas where upgrades to green infrastructure are required
- Publish programme of upgrades and commission works
- Number of scheduled projects completed

Action 11: Promote air pollution forecasting and route planner tools

The council will promote the use of AirText messaging service and apps such as Walkit to allow the community to make informed travel choices on high pollution days.

How :

- Increased number of users for services in Brent
- Publish guidance on options for low-pollution routes for walking/ cycling, alternative travel and other action to be taken on high pollution days

4. Emissions from Developments and Buildings

Building works are a key source of pollution. The borough is subject to regular and ongoing development and, as the council plans to build over 22,000 new homes by 2026, this increase is likely to give rise to a lot more pollution in the short, medium, and long term unless properly controlled. We will create local low emission zones for construction sites and introduce a programme of inspections to check compliance as part of a new pan-London initiative. We will control and cut emissions from new and existing development sites and buildings by making sure equipment used in construction meets current standards, promoting or improving energy efficiency and taking enforcement action to control polluting activities

Emissions from local energy generation account for about 15% of the NO_x emissions across London and are also a significant source of air pollution. The Council will also reduce pollutant emissions generated by our use of heating, lighting and transport and encourage local businesses to follow our lead. We will use existing powers available to us to control and limit emissions from new and existing sources of pollutant emissions, by the following actions:

The 7 air quality action plan measures for exposure reduction measures are outlined below:

Action 12: Reduce construction emissions

The council will, in partnership with the Greater London Authority and other borough councils, ensure construction sites meet emission standards for the most polluting types of equipment. The council will inspect construction sites to secure compliance within new low emission zones and control on-site emissions using current enforcement powers.

How :

- % Increase in number of construction sites using least polluting equipment
- % Emissions reduction achieved on major sites within construction low emission zone.
- Reduction in number of complaints made

Action 13: Limit impact of new development using planning controls

The council will review all new planning applications for potential air quality impacts and require all new development have no additional impact on local air pollution as a minimum requirement.

How :

- % Increase in number of developments that are air quality neutral or better

Action 14: Enforce Combined Heat and Power and biomass air quality policies

The council will ensure that all new major developments use low and ultra-low emission boilers. The council will, by creating a register of local plant, be able to map and monitor local increases in this type of equipment, provide guidance regarding future installations and

implement further controls where needed. The council will also ensure that all energy generating equipment such as boilers achieve the highest emission standards.

How :

- Create a register of combined heat and power plants and biomass burners within the borough
- Ensure all new major developments install low emission boilers as a minimum requirement
- % Emissions reduction achieved as estimate based on local plant installed

Action 15: Promote and enforce Smoke Control Zones

The council will control the types of fuels that can be used in commercial and domestic buildings by enforcement of the Clean Air Act. The council will also improve guidance to assist businesses and residents to make informed choices about the least polluting fuels and equipment they can use.

How :

- Reduction in number of complaints made about smoke nuisance
- Publish guidance on appropriate use of fuels and equipment for residents

Action 16: Reduce emissions from the burning of waste or from waste facilities

The council will control emissions from waste disposal by using enforcement powers where appropriate. The council will also improve guidance to assist businesses and residents to use the least polluting options for waste disposal.

How :

- Reduction in number of complaints made about smoke nuisance from waste disposal
- Publish guidance on options for waste disposal for residents
- Work with partners responsible for regulating emissions from waste facilities to limit local impacts

Action 17: Promote energy efficiency retrofitting projects in workplaces and homes

The council will proactively promote initiatives to cut energy use, signpost commercial and residential building owners to assist them to replace old boilers and encourage them to adopt other measures to get the most out of energy they use.

How :

- % of residents and businesses adopting energy-saving measures
- % emissions reduction achieved

Action 18: Improve energy efficiency in council buildings

The council will review energy conservation measures and set targets for reducing emissions in our buildings and associated operations.

How :

- % emission reduction for council buildings

5. Delivery Servicing and Freight:

Vehicles delivering goods and services are usually light and heavy duty diesel-fuelled with high primary NO₂ emissions. This type of vehicle is a significant contributor to local air pollution and the council will explore options for reducing diesel use by changing the way local deliveries are made in Brent. Consideration will be given to changing delivery times to reduce contributions to local congestion and incentives for deliveries made using low emission vehicles. .

The 2 air quality action plan measures for delivery servicing and freight are outlined below:

Action 19: Update our procurement policies

The council will ensure we consider the social value of contracts we award rather than on price alone. The council will consider the environmental performance of our suppliers and encourage them to use the most environmentally friendly methods to provide our services. We will set out our environmental standards in updated our policies.

How :

- Updated procurement policies published
- % Successful compliance checks

Action 20: Investigate options for less polluting deliveries

The council will explore options for changing how deliveries in the borough are managed including consideration of alternatives for loading in town centres to reduce congestion, centralising deliveries where feasible, actively managing kerb space to reduce local congestion and idling by use of virtual loading bays. The council will explore the feasibility of options for low emission vehicle use for deliveries and promote this where possible.

How :

- Undertake a feasibility study with selected businesses to identify options for less polluting deliveries

Brent - A Cleaner Air Borough

Cleaner Air Borough (CAB) Status was established by the Greater London Authority (GLA) as a method for identifying and rewarding boroughs able to demonstrate good or best practice for air quality action. Councils must demonstrate excellence against the following key criteria:

- Political Leadership;
- Taking Action;
- Leading by Example;
- Using the Planning System;
- Integrating air quality into the public health system; and
- Informing the public

Brent attained CAB status in 2011 and will seek to demonstrate continued compliance with the key criteria, by implementation of air quality action plan measures and fulfilment of our statutory duties.

Air Quality Focus Areas

The action plan includes the designation of four Air Quality Focus Areas (AQFA) or hotspots, as Neasden town centre, Church End, the Kilburn Regeneration Area, and Wembley and Tokyngton. The council undertook local air quality testing and modelling and identified these areas as the worst affected sites within Brent.

In identifying these areas consideration was also given to sites with the greatest traffic emissions and where people would be exposed to air pollution. The council will take steps to ensure that action is taken to address the impacts of regeneration in growth areas at the earliest opportunity. Brent will develop area-based, targeted air quality measures and employ a strategic approach to tackling air pollution in these areas.

Air Quality Focus area 1: Neasden town centre

This area incorporates part of the north circular road as a critical route through the Borough, which is a significant source of pollution. It includes the site of our air quality monitoring station at IKEA and in very close proximity to Dudden Hill Lane. It also includes Neasden goods yard, a significant source of PM₁₀ and Neasden town centre which is earmarked for public realm improvement.

Air Quality Focus area 2: Church End

This area is earmarked for regeneration and is planned to include 800 new homes by 2026 supported by additional infrastructure such as education facilities, new health provision and space for recreation and play. It is in close proximity to Harlesden Town Centre, a major power station, industrial areas, residential, green spaces and the grand union canal. The

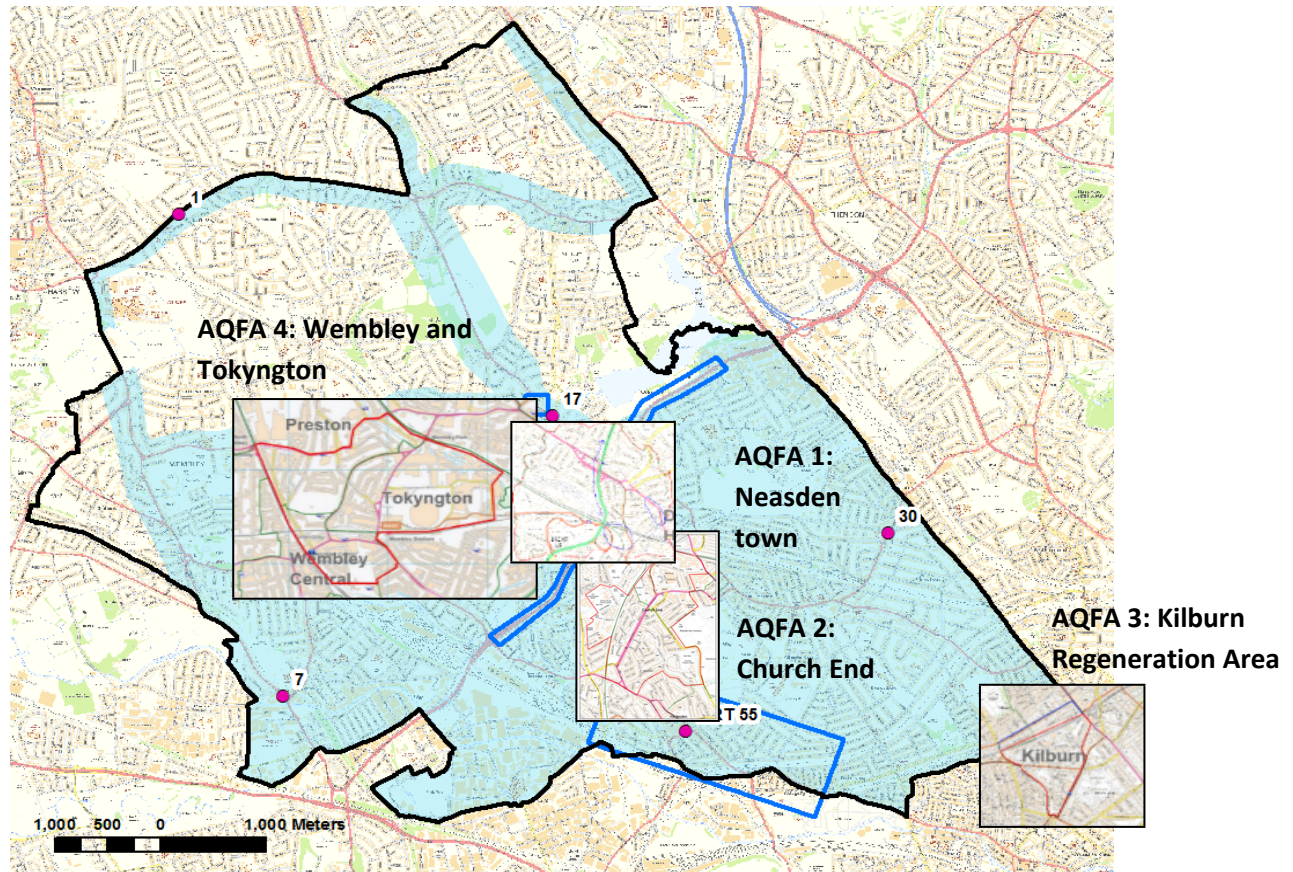
area identified is on the borough boundary so there are potential for cross-borough work and partnership. One of Brent's air quality monitoring stations is within this zone.

Air Quality Focus area 3: Kilburn Regeneration Area

This area is planned to provide 2600 new homes by 2026 and forms part of a major regeneration zone. It is in close proximity to Kilburn High Road, Cambridge Gardens and Brondesbury Road. Transport for London is to escalate the provision of cleaner buses (hybrid) within the zone and along the A5 route. This site includes proposal for a local energy centre. Council is in the process of assisting local residents to undertake their own air quality monitoring in and around this area. At the edge of this area is also development associated with the High Speed 2 site and associated increased heavy goods vehicle movements. There are opportunities for joint work or initiatives with neighbouring boroughs, such as, Camden and Westminster Council.

Air Quality Focus area 4: Wembley and Tokyngton

This area incorporates Wembley High Road; 3 critical public transport hubs – Wembley Park, Wembley Stadium and Wembley Central; 2 key regeneration areas – Wembley Regeneration area around the stadium and Wembley Triangle; and is in close proximity to large developments such as Copland School Development and other residential development along the Wembley High Road.



Area specific projects will be created for each of these 4 localities to address the main sources of pollution.

They will

- provide extra assistance and support to ensure that all schools within the AQFAs have and use school travel plans, are reducing vehicle use associated with schools, are regularly reviewing targets for reducing air pollution and establishing programmes for raising awareness with pupils and parents; ;
- provide assistance and support to businesses within the AQFAs with large fleets to have and utilise travel plans. The council and businesses will agree targets for emission reductions;
- Identify possible Low Emission Neighbourhoods in each AQFA and draft implementation plans for areas within each;
- Consider sites within these areas as highest priority for public realm improvements (such as additional green infrastructure) especially where there are those at highest risk or the most susceptible are located such as schools, residential properties and hospitals;
- Engage the local community in AQFAs using ward-focussed air quality action to educate and raise awareness about local air quality; - working with communities and public health professionals to protect and inform the most vulnerable;

Targeting action in the AQFAs does not mean that air quality action will not be prioritised in the rest of the Borough .The air quality plan includes action for the entire air quality management area as well as hotspots highlighted.

Brent will also work with partner agencies to reduce congestion and emissions from transport on key routes in the AQFAs. This will be completed by reviewing low emission planning guidance for new development sites; reducing emissions from our own borough fleet, and developing policies to increase the local uptake and use of ultra-low emission vehicles.

Way Forward

The council is legally required to comply with the London Local Air Quality Management regime. As part of this duty the Council will submit annual progress reports to the London Mayor's office.

A number of air quality actions plans are already being implemented. For example, works to improve green infrastructure by planting trees in Neasden Lane, auditing of schools in the most polluted areas to identify future air quality improvements that can be implemented, and campaign to tacking idling engines around schools.

The action plan is not an exhaustive list of measures. It is a live document and each review offers an opportunity for the council to respond to any emerging changes to legislation or other priorities. The Council may amend the plan accordingly. Timescales for implementing

air quality actions will be confirmed following approval of the air quality action plan measures outlined in this document.

Relevant policies and documents

1. Report 1_LBB_AQAP_Summary Report, 2016, Ricardo Energy & Environment
2. Report 2_LLBAQAP_Modelling, 2016, Ricardo Energy & Environment
3. Report 3_LLBAQAP_AQAP Measures, 2016, Ricardo Energy & Environment
4. UK Air Quality Strategy, 2007, Secretary of State for Environment, Food and Rural Affairs. Accessed at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69336/pb12654-air-quality-strategy-vol1-070712.pdf
5. London Local Air Quality Management (LLAQM) Policy Guidance 2016, 2016, Mayor of London. Accessed at: https://www.london.gov.uk/sites/default/files/llaqm_policy_guidance_llaqm.pg_16.pdf
6. London Local Air Quality Management (LLAQM) Technical Guidance 2016, 2016, Mayor of London. Accessed at: https://www.london.gov.uk/sites/default/files/llaqm_technical_guidance_llaqm.tg_16.pdf
7. Clearing the Air- The Mayors Air Quality Strategy, 2010, Mayor of London, Greater London Authority, ISBN 978 1 84781 411 1. Accessed at: https://www.london.gov.uk/sites/default/files/Air_Quality_Strategy_v3.pdf
8. The London Plan and Mayor's Transport Strategy, 2010, Mayor of London, Greater London Authority, ISBN 978 1 84781 357 2. Accessed at: <https://www.london.gov.uk/what-we-do/transport/transport-publications/mayors-transport-strategy>
9. Brent Long Term Transport Strategy 2015-2035, 2014, London Borough of Brent Council. Accessed at <https://www.brent.gov.uk/media/9786025/Draft-Brent-Long-Term-Transport-Strategy.pdf>
10. London Borough of Brent – Parking Strategy 2015, 2015, London Borough of Brent Council. Accessed at: <https://www.brent.gov.uk/media/16403337/parking-strategy-2015.pdf>
11. Brent Cycle Strategy 2016-2021, 2016, London Borough of Brent Council. Accessed at: <https://www.brent.gov.uk/media/16403337/parking-strategy-2015.pdf>
12. Brent Borough Plan 2015-2019, 2015, London Borough of Brent Council. Accessed at: <https://www.brent.gov.uk/media/14308131/brent-borough-plan-2015-2019.pdf>
13. Brent Local Plan- Core Strategy, 2010, London Borough of Brent Council. Accessed at: <https://www.brent.gov.uk/media/16404211/core-strategy-small.pdf>
14. London Borough of Brent Air Quality Action Plan 2012-2015, 2012, London Borough of Brent Council. Accessed at: <http://democracy.brent.gov.uk/mgConvert2PDF.aspx?ID=8343>
15. A Regeneration Strategy for Brent 2010-2030, 2010, London Borough of Brent Council. Accessed at: https://www.brent.gov.uk/media/916136/regeneration_strategy.pdf
16. Brent Green Charter, 2011, London Borough of Brent Council. Accessed at: <https://www.brent.gov.uk/media/2025031/Green%20Charter%202011.pdf>
17. Brent Joint Strategic Needs Assessment (JSNA), 2014, London Borough of Brent.
18. Brent Health and Wellbeing Strategy 2014-2017, NHS Brent. Accessed at: <https://www.brent.gov.uk/media/10211032/Health%20and%20Wellbeing%20Strategy%202014-2017%20refreshed.pdf>

Appendix: Air Quality Action Plan Action Details

Action ID	Action	Detail	By	Output
Cleaner Transport				
1	Accelerate uptake of new low emission vehicles in borough fleet	We will target the most polluting vehicles and focus on action to cut diesel use in Brent. We will also take action to limit the environmental impacts of vehicles by increasing access to low emission or alternative fuels, speeding up the introduction of the cleanest vehicles to our fleet by upgrade or replacement. We will also explore options for introducing an extra charge for diesel vehicles users.	2018/22	<ul style="list-style-type: none"> • % increase of new vehicles in council fleet which meets highest standards • % increase in new / upgraded in council fleet which use alternative fuels • % increase in number of clean buses in operation in borough
2	Tackle unnecessary idling by taxis, coaches and other vehicles	<p>We will actively discourage those who idle their engines via the implementation of idling vehicle campaigns at taxi ranks, bus stands and schools and other key locations identified as well as via a general campaign to raise awareness about the issue</p> <p>Enforcement of anti-idling regulations via issue of warnings and fixed penalty notices for persistent offenders.</p> <p>Revisit idling campaigns at key transport hubs and focus areas</p>	2018/20	<ul style="list-style-type: none"> • Evaluation of idling and local environmental impacts via surveys • Reduction of complaints related to idling • Number of warnings and Fixed Penalty Notices issued
3	Encourage Car Clubs to use low emission and alternative fuel vehicles in their fleet	The council will work with car club operators to identify options for increasing the take-up of car club vehicles and provision of the least polluting vehicles for use.	2018/22	<ul style="list-style-type: none"> • % Low emission Car Club vehicles in use against baseline established 2016/17
4	Support the installation of	The council will identify suitable locations for options for on-street	2018/22	<ul style="list-style-type: none"> • Number of electric vehicle charge points

Action ID	Action	Detail	By	Output
	on-street electric vehicle charge points throughout Brent	electric vehicle charging and provide support for installation where feasible.		installed
5	Support the take-up of electric taxis and commercial vehicles.	The council will investigate the feasibility of installation of Transport for London Rapid Chargers for electric vehicles and identify suitable locations in the borough. The council will undertake an annual review of chargers installed from 2020 onwards.	2018/22	<ul style="list-style-type: none"> • Publication of feasibility report including list of potential locations for future EVCPs and target set for installation • Number of rapid chargers installed reviewed annually

Public Health and Community Engagement

6	Engage with Local Business to reduce local air pollution	<p>The council will ensure businesses with the greatest polluting potential comply with the law and do not exceed limits for emissions to air. We will ensure all installations regulated under the Environmental Permitting Regulations comply with pollution emission controls</p> <p>The council will also work with other local businesses to identify and implement their own air quality actions which will reduce local air pollution. This will include investigating the potential for air quality action for large and medium-sized employers in strategic employment areas.</p>	Annual review 2018/19	<ul style="list-style-type: none"> • 100% of most polluting businesses are compliant with emission limits • Publish guidance on reducing local air quality impacts for Brent businesses • Undertake a feasibility study with selected businesses to identify air quality actions
7	Promote air quality action days	The council will promote air quality action days to encourage behaviour change and reduce pollution in priority areas.	2018/22	<ul style="list-style-type: none"> • Number of days implemented • Published guidance

Action ID	Action	Detail	By	Output
		Council currently promotes low emission days via initiatives such as Walk on Wednesdays for schools and Play Streets. The council will seek to expand or enhance this programme, especially in Focus Areas where possible.		<p>on local air quality action</p> <ul style="list-style-type: none"> Increased number of residents undertaking air quality action
8	Ensure schools join the school travel planning programme	The council will ensure all Brent schools have travel plans. The council will also support schools with existing travel plans to achieve higher levels of compliance, attain STARS accreditation or maintain existing gold accreditation in the same scheme.	2018/22	<ul style="list-style-type: none"> 100% of all schools have travel plan 40% of schools with existing travel plan attained higher level of compliance.

Exposure Reduction Measures

9	Identify and develop Low Emission Neighbourhoods where feasible	<p>The council will explore options for local low emission neighbourhoods. Initially this will be focussed on four areas – Neasden Town Centre, Church End, Wembley and Tokyngton and the Kilburn Regeneration Area. These have been identified as areas where traffic emissions are highest and the opportunity exists to design low emission solutions into plans for town centre improvements at the earliest stages. The council will also work with local communities to identify other areas which could become low emission neighbourhoods.</p> <p>The council will identify opportunities for incorporation into wider public realm projects at the planning stage likely to be as subject to additional consultation and may be associated with a significant lead time for delivery.</p>	2018/22	<ul style="list-style-type: none"> Undertake a feasibility study to identify options for Low Emission Neighbourhoods
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Action ID	Action	Detail	By	Output
10	Targeted upgrade of green infrastructure	The council will identify opportunities for the enhancement of green infrastructure at appropriate locations, especially in areas where exposure to poor air quality is high. The council will consider installation physical or green barriers and/ or increased planting in these areas.	2018/22	<ul style="list-style-type: none"> • Undertake assessment to identify areas where upgrades to green infrastructure are required • Publish programme of upgrades and commission works • Number of scheduled projects completed
11	Promote air pollution forecasting and route planner tools	The council will continue promote the use of AirText messaging service and similar route planning applications such as Walkit to allow the community to make informed travel choices on high pollution days. The council will also consider the promotion of other tools which will highlight the additional health benefits of active travel and	2018/22	<ul style="list-style-type: none"> • Increased number of users for services in Brent • Publish guidance on options for low-pollution routes for walking/ cycling, alternative travel and other action to be taken on high pollution days

Emissions from Developments and Buildings

12	Reduce construction emissions	The council will, as a member of the London Low Emission Construction Partnership, and with the Greater London Authority and other borough councils, ensure construction sites meet emission standards for the most polluting types of equipment – particularly Non Road Mobile Machinery. The council will inspect construction sites to secure compliance within new local low emission zones and control on-site	Annual Review from 2018/19	<ul style="list-style-type: none"> • % Increase in number of construction sites using least polluting equipment • % Emissions reduction achieved on major sites within construction low emission zone. • Reduction in number
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Action ID	Action	Detail	By	Output
		<p>emissions using current enforcement powers.</p> <p>The council will also require developers to comply with legislation and planning conditions to control on site emissions.</p>		of complaints made
13	Limit impact of new development using planning controls	The council will review all new planning applications for potential air quality impacts and require all new development have no additional impact on local air pollution as a minimum requirement. The council will undertake proactive assessment of the air quality impacts of new development, review construction method statements, enforce planning and environmental legislation and require all new development to be air quality neutral or better.	Annual Review from 2018/19	<ul style="list-style-type: none"> % Increase in number of developments that are air quality neutral or better
14	Enforce Combined Heat and Power and biomass air quality policies	The council will ensure that all new major developments use low and ultra-low emission boilers. The council will, by creating a register of local plant, be able to map and monitor local increases in this type of equipment, provide guidance regarding future installations and implement further controls where needed. The council will also ensure that all energy generating equipment such as boilers achieve the highest emission standards	Annual Review from 2018/19	<ul style="list-style-type: none"> Create a register of combined heat and power plants and biomass burners within the borough Ensure all new major developments install low emission boilers as a minimum requirement % Emissions reduction achieved as estimate based on local plant installed
15	Promote and enforce Smoke	Brent is entirely a smoke control zone and the council will control the types of	Annual Review	<ul style="list-style-type: none"> Reduction in number of complaints made

Action ID	Action	Detail	By	Output
	Control Zones	fuels that should be used in commercial and domestic buildings by enforcement of the Clean Air Act.. The council will also improve guidance to assist businesses and residents to make informed choices about the least polluting fuels and equipment they can use.	from 2018/19	<p>about smoke nuisance</p> <ul style="list-style-type: none"> • Publish guidance on appropriate use of fuels and equipment for residents
16	Reduce emissions from the burning of waste or from waste facilities	The council will control emissions from waste disposal by using enforcement powers where appropriate. The council will also improve guidance to assist businesses and residents to use the least polluting options for waste disposal.	Annual Review from 2018/19	<ul style="list-style-type: none"> • Reduction in number of complaints made about smoke nuisance from waste disposal • Publish guidance on options for waste disposal for residents • Work with partners responsible for regulating emissions from waste facilities to limit local impacts
17	Promote energy efficiency retrofitting projects in workplaces and homes	The council will proactively promote initiatives to cut energy use, signpost commercial and residential building owners to assist them to replace old boilers and encourage them to adopt other measures to get the most out of energy they use.	Annual Review from 2018/19	<ul style="list-style-type: none"> • % of residents and businesses adopting energy-saving measures • % emissions reduction achieved
18	Improve energy efficiency in council buildings	<p>The council will review energy conservation measures and set targets for reducing emissions in our buildings and associated operations.</p> <p>The council will signpost commercial and residential building owners to initiatives such as the GLA-led</p>	Annual Review from 2018/20	<ul style="list-style-type: none"> • % of residents and businesses adopting energy-saving measures • % emissions reduction achieved

Action ID	Action	Detail	By	Output
		RE:NEW and RE:FIT programmes to replace old boilers /top-up lost insulation in combination with other energy conservation measures where possible.		
Delivery Servicing and Freight				
19	Update our procurement policies	The council will ensure we consider the social value of contracts we award rather than on price alone. The council will consider the environmental performance of our suppliers and encourage them to use the most environmentally friendly methods to provide our services. We will set out our environmental standards in updated our policies.	2018/22	<ul style="list-style-type: none"> • Updated procurement policies published • % Successful compliance checks
20	Investigate options for less polluting deliveries	The council will explore options for changing how deliveries in the borough are managed including consideration of alternatives for loading in town centres to reduce congestion, centralising deliveries where feasible, actively managing kerb space to reduce local congestion and idling by use of virtual loading bays. The council will explore the feasibility of options for low emission vehicle use for deliveries and promote this where possible	2018/22	<ul style="list-style-type: none"> • Undertake a feasibility study with selected businesses to identify options for less polluting deliveries



London Sustainability Exchange

Response to the London Borough of Brent's Air Quality Action Plan (2017-2022)

4/12/2017



Introduction

London Sustainability Exchange is a 'think and do' charity which creates collaborators that address the complex barriers to a sustainable London. Our projects provide action-based community development and research to develop, and in turn share, the lessons from our work across London, and most importantly, influence London's policies for a sustainable future.

Our work and insights will provide valuable information that can contribute to the engagement of local groups in consultations. Through our work in London's diverse communities, we have identified the measures for successfully engaging people in change programmes. These will be essential to delivering messages throughout the myriad of communities for creating cleaner air in London.

Our response builds on LSx's extensive experience of delivering behaviour change programme of work, aimed at improving air quality and public health across London. The programme includes Cleaner Air 4 Communities, Cleaner Air 4 Schools, Well London and other projects tackling wider issues such as health and well-being. The purpose of this consultation was to uncover what Brent residents view is on air pollution and the Air Quality Action Plan 2017-2022 set forth by the council.

Methodology

Our response to this consultation was directly informed by a focus group that was held on the 27th January 2017 at 'Community Health Action Trust' headquarters in Willesden, NW10 2JJ. Our aim was to reach groups that would people that would often miss out on environmental messages. Numerous people from a wide and diverse background were contacted through telephone interviews, ranging from 20 to 35 minute long conversations. We also prepared an online survey and circulated to residents in the London Borough of Brent. Our respondents ranged from 25 to 65 years of age, with the majority (65%) being between the age of 37-50.

Background

An estimated 9,416 Londoners a year die prematurely from causes related to air pollution. Around 200 of those are residents of the London Borough of Brent. In September 2016 a new World Health Organization (WHO) air quality model confirms that 92% of the world's population lives in places where air quality levels exceed WHO limits. In 2012, it estimated that 6.5 million deaths (11.6% of all global deaths) were associated with indoor and outdoor air pollution together. Air pollution is a challenge of enormous proportions and multiple dimensions (political, economic etc) and it is imperative that we all take the right action now.

Transport is a key contributor to London's CO₂ emissions (21%), NO_x emissions (63%), PM_{2.5}, and PM₁₀ (52%) in London. The Department of Transport report in 2015 forecasted over the next three decades to be a 25-42% growth in car ownership (not necessarily electric) and 19-55% growth in miles driven. The 1995 Environment Act and UK Air Quality Strategy set domestic annual mean Air Quality Objective for NO₂ of 40µg/m³ to be achieved by 2005. It was evident by 2004 that this was unlikely to be met, as concentrations were not coming down as initially predicted. For the last couple years London continues to breach its annual pollution limit within days of the New Year. Big changes are required in order to make a big difference.

Key Findings

The key findings that came out of our discussion with Brent residents were:

- **School children being exposed to high level of pollutants;**
- **The lack of safe cycling routes;**
- **Idling;**
- **Lack of awareness regarding sources of pollutants (eg. Boilers);**
- **Lack of knowledge was to what Low Emission Neighborhoods constitute;**
- **A lack of discussion and action on the topic of diesel vehicles.**

What was highlighted was the acknowledgement that there is a lot of traffic going through Brent that is from outside the Borough. Hence an Air Quality action plan aimed only at residents of Brent will unlikely tackle a big proportion of pollution. There was an acknowledgement also that boroughs are not properly resources to tackle this huge issue, and that actions are limited within the context of national policies. What follows is a list of actions outlined in the Air Quality Action Plan, with a discussion surrounding the drivers, barriers, and any recommendations from Brent's residents.

Cleaner Transport
<p>Action 1. Accelerate uptake of new low emission vehicles in borough fleet.</p> <p>Uptake of new low emission vehicles in borough fleet, was a supported action, and highlighted as a priority. However the uptake of low emission vehicles should not only be limited to council vehicles and buses. Under this action it was stated that <i>“the council would speed up the introduction of the cleanest buses on key routes in the borough”</i>. The general view was that a lot of attention has been placed on buses, and rightly so. However there are many road users responsible for the high level of pollutants that arise from transportation. According to TfL in terms of NOx emissions, road transport is responsible for 63% of emissions, of which 10% is attributable to TfL busses. Actions for vans, diesel cars, motorcycles, heavy good vehicles (HGV) need to also be developed.</p> <p><i>“A lot of focus on buses. Vans are a bigger contributor now. How much has the introduction of hybrid buses changed pollution levels in Brent? Very little mention of diesel – many other sources that are not mentioned”</i> – Respondent K</p>
<p>Action 2. Tackle unnecessary idling by taxis, coaches and other vehicles.</p> <p>Tackling idling was a very much supported action. Many respondents suggested the need for an anti-idling borough wide campaign. Respondents felt the council has a responsibility to raise awareness of what the result of pumping unnecessary toxic fumes out into the air means. Brent council has launched a no-idling’ campaign engaging 8 schools across the borough, aimed at reducing the number of idling cars during the school run. No-idling posters and notices need to be also put up around key strategic points in the Borough (eg. rail crossings). The creation of a bylaw was suggested, to tackle the issue of idling. However it was acknowledged that there may be issues with enforcements, as the council may not have the resources to issue penalties. Thus it was then discussed that there may be the potential to add this into the contract of traffic wardens. Another suggestion was using the Community Infrastructure Levy, and design the idling campaign as a community led project.</p>
<p>Action 3. Encourage Car Clubs to use low emission and alternative fuel vehicles in their fleet.</p> <p>Car clubs received a mix response. Respondents thought it was a good action to encourage car clubs to introduce low emission and alternative fuel vehicles, but wondered why there was no other reference to reducing the number of privately owned cars and miles being driven, such as encouraging residents to share rides. A number of our respondents mentioned that car clubs were neither useful nor practical, and where targeted at more affluent individuals, and thus considered it an expensive alternative. None of our respondents were part of car clubs, and questioned what the contribution to overall road transport pollution was. A number of respondents were not aware of what car clubs entail, or how they work, and were not aware of any car clubs in their area. Respondents also questioned how much car clubs are used, and if there is any evidence that they work. Our respondents suggested that the council needs to facilitate for people in Brent to share car ownership, and/or for neighbours to share rides. Respondents suggested LB Brent could team up with organisations such as ‘Next Door’ that recently acquired ‘Street Life’ (UK social network), through which it could facilitate a car sharing network.</p> <p><i>“Do people only sign up for a period of time and then buy their own car? Is it an action that will support the</i></p>

long term uptake of people sharing cars?" – Respondent T

"If car clubs were easier and affordable, then maybe more people would use them?" - Respondent Y

Action 4. Support the installation of on street electric vehicle charge points throughout Brent.

Respondents supported the installation of on street electric charge points. However, as there are no clear targets as to when or how this would be put into action feedback was limited. Does the council have specific targets that it could communicate with the residents? By what year and how will the council achieve the installations? The challenge with electric charge points is that there needs to be a **common strategy among all the London Boroughs**, as well as across the whole country. Boroughs need to work together in order to achieve the smooth transition and facilitation for the use of electric vehicles. It has to be ubiquitous; there cannot be one borough with charge points, but not in the other. Moreover developing charge points for electric vehicles will be **complex for local planning and transport authorities** to deliver. More local provision of charge point infrastructure for electric vehicles and low emission car club parking spaces, are essential in order to develop Defra's clean air zones. The logistics in terms of providing the power to charge electric vehicles may prove challenging in the short term, in terms of locating them and working with the Distribution Network Organisation. Making provision within the planning process is fundamental, i.e. **developers could be required to provide charging points for all vehicles within the planning process**. This could assist the relevant local authorities transitioning to a low emission economy. Planners, developers and local authorities need to work together for these measures to take place.

Local authorities will find it challenging to implement charge points for electric vehicles in residential and commercial areas, due to being financially restricted, and lacking skills in developing contracts with providers. They could seek support from The Office for Low Emission Vehicles, established by the central government, or pool contract negotiation skills for developing relationships with providers as local authorities develop partnerships to tackle pollution. It is also **crucial to get residents on board** from the start to support this action. Last but not least, **transport and air quality is intimately linked**, and when discussing a move to electrification of infrastructure, energy use and efficiency also comes in to play.

"What is the point of using electric vehicles if we are burning fossil fuels to power them? We need to think of renewable energy, and creating charge points powered by solar panels for example to charge electric cars" – Respondent B

"No great rush to provide infrastructure for electric vehicles – to provide it, it must be common across the whole country – boroughs need to work together on this. Can't have one borough with charge points, but not in the other." – Respondent H

Action 5. Support the take-up of electric taxis and commercial vehicles.

Similarly with the discussion in Action 4, respondents supported this action, especially as taxis contribute a significant percentage of London's air pollution, and are to be excluded from the mayors Ultra Low Emission Zones.

General comments regarding the section of 'Cleaner Transport'

Road transport is responsible approximately for 63% of NOx emissions and 52% of PM 10. If the council wants to improve air quality in the LB of Brent it needs to go beyond the five actions it outlined in the Air Quality Action Plan. Residents deemed that **the actions to tackle cleaner transport were weak**. Moreover **a lot of road users that travel through Brent are not necessarily Brent residents**. **The council needs to work with neighbouring boroughs as the issue of air pollution goes beyond the borders of Brent**. Under the section 'Cleaner Transport', the actions were targeted mainly at four stakeholders: buses, council vehicles, car clubs, people who idle, and electric car users. There are still many other roads users that contribute to pollution, who seemingly **have not been taken into consideration**.

While there are some measures that can provide benefits in lowering both pollutants and CO₂ emissions, it is important to ensure that measures to improve one do not adversely impact the other. For example, diesel powered cars are more fuel efficient, producing less CO₂ for the same class of vehicle, and were thus encouraged through the Vehicle Excise Duty (VED) and company car tax bandings. Partly due to these tax incentives, new diesel car sales in the UK dramatically increased, from an approximate 14% share in 2000 to 50% in 2012. However they can produce up to 20 times as much PM10 and NOx emissions as a petrol equivalent, and their increased uptake has contributed to poor air quality in London. Respondents stated that when they were buying a diesel vehicle, they thought they were doing the right thing, and are reluctant to give up diesel. Tackling this challenging issue needs to be a crucial part of LB Brent Air Quality Action Plan.

Under the 'Cleaner Transport' actions, there was **no mention of cycling**. Respondents felt that this indicates the council has no intention on encouraging more residents to take up cycling. It should be an action in itself. The biggest **barrier to people cycling in Brent is the quality of infrastructure** and the conditions that people have to cycle in. More people need to take up cycling, but for that to happen, good infrastructure needs to be in place, to make it possible to cycle safely everywhere.

"Brent has particularly large infrastructure barriers. Many road junctions are very hostile to cyclists. The council needs to build safe crossings. Maybe tunnels or bridges that are cyclist friendly?" – Respondent G

"Streets need to be designed for people to walk and cycle, not to encourage people to drive. We need more initiatives that focus on changing our streets" – Respondent B

"Regarding the council's traffic calming approach, using road hump. Decision to put in road humps has potentially increased emissions 60-70% as cars accelerate away from them and break when approach. How many accidents a year are there? Let us say there are 37 accidents a year – you put these 20 miles zones – have they reduced accidents? For every accident, how many more people suffering more air pollution? Traffic needs to move slowly and smoothly. Pollution relates to engine speed providing speed is constant. Road humps are not an effective solution." – Respondent J

"The issue of car parking space and cycling is connected. Facilitating people sharing cars and rides can tackle the issue of car parking and having more space for bicycles. There needs to be a facility in Brent for people to share car ownership. For neighbours to share rides." – Respondent T

Public Health and Community Engagement

Action 6. Engage with Local Business to reduce local air pollution.

Respondents thought that engaging with local businesses to reduce local air pollution is important. All companies and the council could be encouraged to declare how staff travel to work as part of a sustainability policy. Incentives could be given to employees to push them to take public transport, cycle, car share, and/or share rides.

“All companies should declare how their staff travel to work – bonus if employees cycle to work – employers need to encourage people. Facilities need to be provided by businesses (showers, change rooms) to enable people to cycle to work” - Respondent A

Action 7. Promote air quality ‘action days’.

The majority of respondents felt that **air quality action days definitely need to be promoted widely**. More awareness needs to be raised regarding the issue of air pollution. **A number of respondents knew very little about air pollution in Brent**, and do not realise how it affects them. They also were not very aware and/or did not take into consideration the effect of their transportation choices. The council could play an important role in **raising awareness through the promotion of air quality ‘action days’**.

When asked how much responsibility an individual resident carries towards doing their part in tackling air pollution we received a mix response. Certain respondents thought it was not a helpful way to look at it, as people respond to what they are given. Others thought that the local authorities could do more to promote air quality action days. They could produce **visual information that captures the eye**. Especially in **areas that are “hot spots”**. And could point people to walk towards roads that are less polluted. Through a major advertising campaign, people can be better informed on the amount of pollution that one breathes in while sitting in their private vehicles. Social marketing can be used to get people to consider who do they think is most at risk. For example **studies have shown that the health benefits of cycling and walking outweigh the harm from inhaling air loaded with toxic fumes**. That is because physical inactivity is such a public health issue, and not that pollution is not detrimental.

“Houses along the north circular road – mum in buggies – children in ground level – it is a violation – no pavements – mothers have got no choice but to use this bit of road” – Respondent A

“The council could use community centres to raise awareness around the issues of air pollution, and the actions that Brent residents can take.” – Respondent J

“Very little publicised about pollution.” – Respondent T

Action 8. Ensure schools join the school travel planning programme.

Overall ensuring schools join the school travel planning programme was a supported action. However respondents questioned how it works, and whether it was successful. Moreover they questioned what air pollution busting actions schools are able to implement. Schools are an effective way to communicate to adults and the wider community, the issues of air pollution. **More actions need to be taken around ensuring that school children are not exposed to high levels of pollutants, and this was highlighted as a priority among all respondents**. Especially considering that there are more than **440 schools in the London that are in areas that exceed safe legal pollution levels**. Schools taking part in pollution busting activities and creating personal stories of impact are a way getting people to engage and act on air

<p>pollution. People favoured the idea of using children's point of view of air pollution, as an effective means of getting messages across.</p> <p><i>"It is criminal the level of pollutant that some school children are breathing in every day" – Respondent A</i></p>
<p align="center">Exposure Reduction Measures</p>
<p align="center">Action 9. Identify and develop Low Emission Neighbourhoods where feasible</p>
<p>A number of people did not know much about Low Emission Neighbourhoods. Some of the respondents had heard of them, but that was the extent of their knowledge. They questioned how they work, and what it would entail. The areas our respondents suggested need to be tackled are Neasden Town Centre, Church end, Wembley and Tokyngton, as they are highly polluted areas, with heavy traffic. There were fears however of "moving" pollution from one area to another.</p> <p>Regarding the discussion around air quality action areas, that could inform the development of Low Emission Neighbourhoods, respondents raised concerns about the North Circular road. Harlesden was also a concern, as well as Chamerlayne and Salusbury road during the school run hour. The majority of our respondents' thought the selection of action areas in the first draft of the council's air quality action plan made sense.</p> <p><i>"If one neighbourhood was to be a Low Emission Neighbourhood would that negatively impact a neighbouring one?" – Respondent A</i></p>
<p align="center">Action 10. Targeted upgrade of green infrastructure</p>
<p>Overall all our respondents fully support the upgrade of green infrastructure, as it is an action that can be done in the short term to mitigate air pollution. One respondent discussed possible unintended consequences that could arise from inappropriate green infrastructure installations. Green infrastructure installation needs to be designed carefully taking into consideration any latest published literature on this topic, and examples of best practise.</p>
<p align="center">Action 11. Promote air pollution forecasting and route planner tools</p>
<p>The promotion of air pollution forecasting tools and route planner tools was considered an important action. People need to be better informed, in order to make better decision. Pollution alerts are set to give three day reliable forecasts. On these particular days, residents need to be encouraged even more to reduce any unnecessary miles driven. The UK Daily Air Quality Index could be used to highlight the health effects of long-term exposure to air pollution, especially to people with underlying health conditions, and vulnerable groups. Air Quality alerts are already displayed at thousands locations including bus stops, road signs and underground stations around London. And should also be displayed at "hot spot" locations in the London Borough of Brent. Respondents suggested that beside air pollution forecasting, the council should create an air pollution busting guide on what action the residents of Brent can take. Also informing people on facts they would not be aware of, such as people sitting in their private vehicles are still exposed to high level of pollutants.</p>

Emissions from New Developments and Buildings	
Action 12. Reduce construction emissions	
A significant amount of air pollution is created during construction. Our respondents felt that necessary precautions need to be taken in order to reduce these emissions. The council needs to regularly inspect major construction sites, and fines should be given if regulations are breached.	
Action 13. Limit impact of new development using planning controls	
Respondents felt that limiting the impact of new developments using planning controls should be a given. NICE, The National Institute for Health and Care Excellence are expected to publish guidelines regarding outdoor air pollution in June 2017 for local authority staff working in transport, planning, local air quality management and public health. These guidelines could greatly assist the council in taking the necessary steps to limit the impact on air pollution from new developments.	
Action 14. Enforce combined Heat and Power and biomass air quality policies	
Boilers are a significant source of air pollution. Ensuring all new major developments install low emission boilers as a minimum requirement was supported by all our respondents. Many respondents were concerned about their boilers and were unaware of them being a source of air pollution (50%) . There was a suggestion that information regarding boilers could be tied in with SMART meters. If there are grants available through the national government they could be advertised here.	
Action 15. Promote and enforce Smoke Control Zones	
Most respondents thought this referred to tobacco smoking.	
Action 16. Reduce emissions from the burning of waste or from waste facilities	
Respondents were positive regarding the reduction of emissions from the burning of waste or from waste facilities. There were a number of complaints regarding these facilities, as a source of noise pollution.	
Action 17. Promote energy efficiency retrofitting projects in workplaces and homes	
Although road transport is by far the biggest contributor of NOx there are many other sources, including industry, gas boilers, and many types of machinery from combine harvesters to lawn mowers. Concerning boilers, there are many gas boilers that are too small to require permission to operate under the Integrated Pollution Prevention and Control (IPPC) or Local Authority Pollution Prevention and Control (LAPPC) regimes. These boilers may be broadly categorised as "small" gas boilers. Promoting energy efficiency retrofitting projects in workplaces and homes, and initiatives to use less polluting boilers and assist residential building owners to replace old boilers could be tied together. The council can also make use of existing manuals that have been developed for reducing pollution from boilers and buildings. Extensive guides have been developed by Camden council in partnership with the GLA in 2013.	
Action 18. Improve energy efficiency in council buildings Action 19. Update our procurement policies Action 20. Investigate options for less polluting deliveries	
Respondents replied positively to these actions, but did not provide any further comments or suggestions.	

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Air Quality Action Plan Consultation 2017 – Phase 2 Summary

Question 1: How do you feel about air quality in Brent?

How respondents felt about Air Quality in Brent:	Total
OK	13
Poor	366
Unsure/ no response	90
Grand Total	469

Specific comments about local air quality included:

“Very bad especially areas near the North Circular Rd”

“Reasonable, unless near a main road.”

“I don't notice it being poor but am aware that it is and that it is dangerous to certain groups of people”

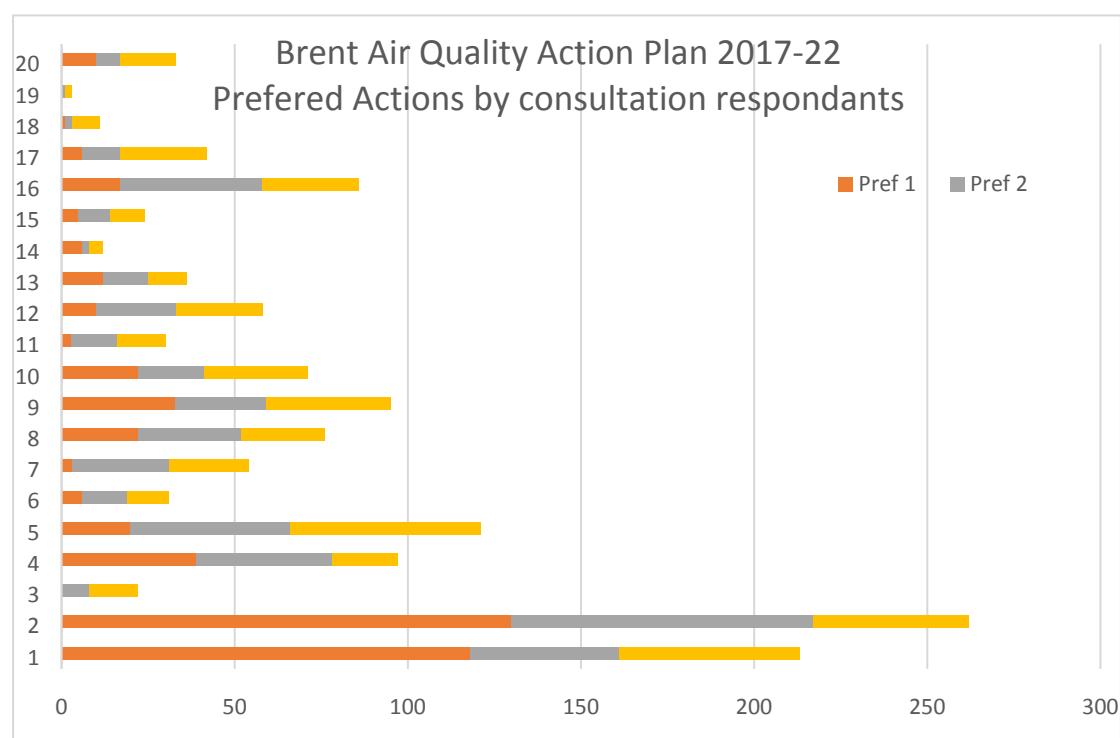
“Very concerned. Air pollution directly impacts people’s health and is a major factor in illness, disease and premature death. Air pollution is a significant problem around the major roads in my area”

“The air quality in Brent is very poor. There is significant pollution, from works traffic to school traffic and commuters. We have been shown repeatedly to have air pollution levels higher than safe recommended levels and so this is an issue which needs to be addressed”

“I feel that it is very poor across a lot of the borough and that Brent needs to do much more to inform and protect residents.... Bold and innovative action is necessary to protect the health of residents, in particular children”.

“... air quality in Brent is still of a very poor standard and on some days is extremely toxic. I avoid physical activity outdoors because of this and am worried about the effects it will have on mine and all Londoners health in the long term. I feel this is an extremely important issue and that something must be done quickly to improve the quality of our air”.

Question 2: The council has proposed 20 actions to improve local air quality. What do you think the 3 most important actions should be?



Action Plan Measure	Priority Ranking		
	1 st	2 nd	3 rd
Action 1: Accelerate uptake of new low emission vehicles in borough fleet	118	43	52
Action 2: Tackle unnecessary idling by taxis, coaches and other vehicles	130	87	45
Action 3: Encourage Car Clubs to use low emission and alternative fuel vehicles in their fleet	0	8	14
Action 4: Support the installation of on-street electric vehicle charge points throughout Brent	39	39	19
Action 5: Support the take-up of electric taxis and commercial vehicles	20	46	55
Action 6: Engage with Local Business to reduce local air pollution	6	13	12
Action 7: Promote air quality action days	3	28	23
Action 8: Ensure schools join the school travel planning programme	22	30	24
Action 9: Identify and develop Low Emission Neighbourhoods where feasible	33	26	36
Action 10: Targeted upgrade of green infrastructure	22	19	30
Action 11: Promote air pollution forecasting and route planner tools	3	13	14
Action 12: Reduce construction emissions	10	23	25

Action Plan Measure	Priority Ranking		
	1 st	2 nd	3 rd
Action 13: Limit impact of new development using planning controls	12	13	11
Action 14: Enforce Combined Heat and Power and biomass air quality policies	6	2	4
Action 15: Promote and enforce Smoke Control Zones	5	9	10
Action 16: Reduce emissions from the burning of waste or from waste facilities	17	41	28
Action 17: Promote energy efficiency retrofitting projects in workplaces and homes	6	11	25
Action 18: Improve energy efficiency in council buildings	1	2	8
Action 19: Update our procurement policies	0	1	2
Action 20: Investigate options for less polluting deliveries	10	7	16

Other comments:

“..I think all of them are important and don't understand why you only give a choice of three”

“Most of the actions are just tinkering around the edges and individually are unlikely to produce significant reductions in pollution”.

“It is unhelpful to ask respondents to the survey to select only 3 from a list of 20! I also strongly support actions 2, 6, 10, 12, 15”

“I would be able to make a much better assessment of which are the most important if your document gave an estimated measure of how much pollution might be reduced by each of these actions. In principle I think you should be doing all these things and more”

“It would be helpful to understand the main causes of air pollution. School run traffic? Public transport? Lorries? Building work? Commercial buildings?”

Question 3: Do you have any comments on the other actions we have listed?

	Total
Construction	8
<p><i>"new developments often include ecological and energy reports and it is up to the council to use the planning controls and policy already afforded to them to start thinking from a position of stewardship - and incorporate long term thinking around mitigating environmental impact of developments..."</i></p> <p><i>"..restrict construction lorries to certain times of the day to least impact pedestrians at peak hours."</i></p>	
Energy	4
<p><i>"... I think there would be easy ways to improve energy efficiency in council buildings without too much extra cost. "</i></p> <p><i>"Energy efficiency programmes to address insulation in people's homes and the roll out of LED lighting instead of the old sodium street lights should also be a priority."</i></p> <p><i>"My understanding is that the current fashion for wood burning stoves has had a huge impact on pollution levels in the capital - I would like to see these properly controlled."</i></p>	
Green Infrastructure	9
<p><i>"Plant more trees and the kind of plants what can clean the air strongly and keep these kind of plants in and around the buildings where child or old people..."</i></p> <p><i>"Plant more trees and green wall structures being hedges or green walls"</i></p> <p><i>"Upgrading of green infrastructure is a no brainer, but won't happen quickly enough to reduce pollution in my areas, which is why I have chosen three options that will have an almost immediate effect."</i></p>	
Industrial pollution	2
<p><i>"...with a waste incineration plant now close by I suspect this is a HUGE 'unseen' source of air pollution in our neighbourhoods and this is a grave concern that needs to be urgently addressed.."</i></p>	
Public engagement	13
<p><i>"...There is nothing about "communicating" directly with residents - providing them with timely user friendly information on the air quality in their environs. In addition to working with local business, what about engaging with schools? .."</i></p> <p><i>"... Surely it would be best to find which actions which make the biggest impact per pound spent (using scientific data) rather than asking peoples opinion?"</i></p> <p><i>" I think organising air quality action days is absolutely crucial to inform people</i></p>	

<i>about the benefits of walking, cycling and using public transports compared to private cars...."</i>	
Transport	84
<p><i>"Local incentives for residents to change their own private vehicles from Diesel to Electric or Hybrid"</i></p> <p><i>"Electric vehicles are not pollution free. If at all policies should not only promote the buying of new vehicles but promote affordable retrofitting that doesn't necessarily come "off the shelf" from large scale production. Small scale, private and small-business solutions must be affordable and should be promoted first of all"</i></p> <p><i>"The law seems unclear about unnecessary idling by coaches etc and it is standard practice for older diesel engines"</i></p> <p><i>"I think buses are a big pollutant but I didn't see them mentioned on the above list."</i></p> <p><i>"The council needs to put pressure on the government to release money to create electric car docks and also create no drive times and days"</i></p>	
No other comments provided	349
Grand Total	469

Question 4: Are there any other actions you think the council should include in the plan?

Additional actions suggested	Number of responses
Yes	280
No	153
Unanswered	36

Of those who responded with additional measures all but 9 were suggestions for additional measures to reduce traffic emissions, penalise or disincentives diesel use, discourage car use for short journeys such as the school run, improve cycling infrastructure, provide incentives for residents to increase take-up of low emission vehicles. Examples of suggestions for additional measures included:

“A percentage from CIL or Section 106 contributions from the new developments should be assigned for air quality improvement projects in Brent. TFL should use only low carbon or electric buses in Brent.”

“Address the pollution caused by the trains that passing through our borough”.

“Tackle traffic congestion hot spots eg Harrow Road to A40 in Harlesden”

“No mention of renewable energy , eg solar panels, - encourage measures in suitable buildings/plans as part of energy efficiency measures”

“Actively engage with the Mayor's idea of banning or penalising diesel vehicles and extend any Central London restrictions to our borough....

“Brent council needs to work closely with local NHS services to promote "healthy transports" (i.e. walking and cycling) in GP practices, hospitals etc.....”

“There should be digital signs / meters telling us in live time the degree of air pollution in multiple spots across the borough”

Question 5: What do you like most about the plan, and why?

Why they liked the action plan	Total
Cleaner transport	39
Low Emission Neighbourhoods	6
Manage Emissions from Developments and Buildings	2
Positive about the plan holistically	149
Public Health and Community Engagement	3
Reduce emissions from the burning	2
Upgrade of green infrastructure	6
Did not state or was unsure	219

In addition to the above, 21 respondents stated they were concerned about the delivery of the plan and did not believe it could be delivered. 22 respondents stated the plan was not sufficient and cited reasons related to transport mainly. Other responses included:

“Very relieved and glad to see that pollution from waste incineration is being addressed by the council. This is a very concerning issue.”

“The switch to electric as a fuel is very positive. We should be doing everything we can to encourage electric by having more on street charging for free / low cost and switching to electric”

“On-street charging points should increase the adoption rates of electric and hybrid vehicles. This will lower the emissions overall. buses etc wherever possible”

“At least you have some options and one can comment. It is important that improving air quality does not equal having to buy new products from large manufacturers (which can afford certification costs) but that it engages local people and their solutions first of all.”

“Its wide and inclusive span”

“Covers a wide range of issues from public transport to businesses to schools.”

“That the council is putting its own house in order, but hopefully not at the expense of essential services, and will seek to control pollution from developments both during and after construction through the Planning System.”

“The fact that an updated plan is being produced and that local action groups have been involved.”

“It covers nearly all necessary actions - within Councils own powers,- though it should also include renewable energy measures.”

“It mentions idling, which is a big problem both summer and winter”

“I'd like it better if I could see an immediate change in non polluting buses!”

“I think the so-called “targeted upgrade of green infrastructure” is important to create a pleasant environment. Anything that encourages people to spend more time outside is good. This combined with more play days happening across the borough can change how neighbours interact and strengthen communities.”

Question 6: What do you like least about the plan, and why?

Least liked about the plan	Total
Delay in implementing	45
More actions needed	36
Need to be stricter	56
Not Clear	31
Will affect the public purse	11
Won't deliver the improvement	27
Did not state	263
Total	469

"I don't like it as it is mainly about proposed 'promotions' and really taking any action at all."

"I don't think it will make much of an impact unless you take drastic action."

"Lack of clarity about what Brent plan to do... currently nothing compelling."

"Some of the actions above seem very vague e.g.' investigate options for less polluting deliveries'. It may be possible to investigate but I would be more reassured if this point was about a specific solution to polluting deliveries. I would like to see a very heavy charge for any diesel motor vehicles the only way to discourage people from choosing diesel vehicles is to tax them."

"I feel that the actions against idling need to be more strict. There is no need to have a car with the engine idling"

"There is no attempt to reduce the number of cars on the road, nor to install safe cycling and walking routes."

"Doesn't have measurable targets set."

"Waste management is not a part of the plan."

"It shouldn't promote electric vehicles because they are essentially not clean. it should focus more on small-scale solutions that engages local people and their contributions and that does not promote buying new products from large manufacturers. Air quality should also not be associated with bans, restrictions and increasing expenses. It should be associated with local innovation that engages all with an open door for local people."

Question 7: To what extent do you think that these actions will lead to major improvements in local air quality?

Will these actions will lead to major improvements?	
Definitely	41
Very Likely	75
Fairly Likely	173
Not Likely	112
Definitely will not	6
Don't know	40
No response	22

Question 8: How do you think the council can help residents to play their part in improving air quality in Brent?

Respondents provided a range of ideas, the majority of which were focused on traffic and transport and raised many of the issues identified above.

“By engaging via all means of communication - Brent Magazine, Brent and Kilburn Times, social media, street side advertisements/billboards, mailing lists - my Brent, Area Forums, at Brent Civic Centre, via Councillors' blogs, via Residents' Associations and in particular 'Clean Air for Brent', stalls at events, and special event days. Develop engaging materials for different audiences - schools and parents, businesses, drivers etc.”

“Getting them to see the link between what they do and the air we breathe”

“I think there is a lot of goodwill in the community for tackling this problem. ...So I think getting residents involved in fund raising campaigns to fund initiatives that will lower air pollution is possible”.

“I'm sure plenty of people would be willing to volunteer for doing door-to-door visits to educate people in the neighbourhood about air pollution if the council developed a small template/materials/leaflets for people to use” .

“Distribute leaflets with No Idling message. Hand them out in traffic jams”.

“Campaign and support the improvement of areas around stations and at bus stops to make public transport a favoured option - incentivise its use by introducing an annual travel voucher or discount with rates”

“Monthly newsletter (can be electronic) about developments in this direction with suggestions how residents can take part.”

“Engage residents in traffic management through consultations. Setup a small-business and private innovation award for those who contributed to air quality improvement and CO2 reduction solutions”


“Hard-hitting adverts on council vehicles/ billboards/Brent magazine showing a child with asthma or similar and explaining the link with poor air quality.”

“Reminders to residents that as we live in a smoke-free zone, wood cannot be burnt except in some types of wood burning stove”

“The AQAP says little about the role of volunteers who can work with schools, do anti-idling leafleting and other public awareness raising.”

“Keep residents as informed as possible on a regular basis and do a survey in 2 years to find out what people think of the plan once it's been implemented.”

Introducing green initiatives that local communities can be a part off to create change.

 <p>Brent</p>	<p>Cabinet 13 November 2017</p> <p>Report from the Strategic Director of Regeneration & Environment</p>
<p>For Action</p>	<p>Wards affected: Kilburn</p>
<p>Authority to Award the Design Team for South Kilburn Regeneration Programme – Carlton & Granville Centres Site – Development Options</p>	

Not for Publication:

Appendix 1 of this report is not for publication as it contains the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)"

1 Purpose of the Report

- 1.1 This report provides an update to the 15 November 2016 Cabinet report – South Kilburn Regeneration Programme – Carlton & Granville Centres Site – Development Options.
- 1.2 This report seeks approval to progress with appointment of a Design Team for Phase 2 of Carlton and Granville Centres Development as required by Contract Standing Order 88.

2 Recommendations

That Cabinet:

- 2.1 Approve the award of an architecturally led multidisciplinary design team for redevelopment of Carlton and Granville Centres site as Phase 2 of the works.
- 2.2 Delegate authority to Strategic Director of Regeneration & Environment in consultation with the Cabinet Member for Regeneration and Employment to oversee design development through further viability testing, local consultation and ultimately agree the scheme that is submitted for planning approval.
- 2.3 Delegate authority to Strategic Director of Regeneration & Environment to proceed with RIBA Stage 4 and surveys and assessments as outlined in Appendix 2.

3 Detail

Background

- 3.1 A report went to Cabinet on 15 November 2016 in respect of the Carlton and Granville Centres site and the procurement of a design team was approved by Cabinet. The approval included;
- i) That the procurement would be progressed by calling off the Greater London Authority (GLA) and Transport for London (TfL) Architecture, Design and Urbanism Panel (ADUP); and evaluating those tenders in accordance with that Framework;
 - ii) The cost of the design team and associated consultants anticipated to be in the region of £1m;
 - iii) Officers will report back to Cabinet to seek Member approval to award the proposed contract, once a preferred design team has been identified.
- 3.2 This report, attached as background information set out in detail the various phases of this project and numerous implications for progressing. The phases are summarised below;

Phase 1

- 3.3 The delivery of Phase 1 will refurbish part of the existing building to provide an Enterprise Hub and community space allowing The Granville Kitchen and Otherwise Club to make arrangements with the South Kilburn Trust for the space they require. The Nursery School and Barnardo's Children Centre stay on site in their current locations, this phase having little impact on these services.

Phase 2

- 3.4 The Council with the appointed Design Team will take forward a review of the options for the site and conduct in-depth engagement with the local community. The Council would envisage that the site would still deliver an Enterprise Hub, Education/Community Space and Housing, 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.
- 3.5 Taking the site forward with a Design Team, the Council would seek to ensure that:
- There is robust consultation,
 - Would review the viability of a complete demolition versus retaining all/parts of the building.
- 3.6 The current programme for this phase schedules the planning application is submitted towards the end of 2018 with a proposed start on site approximately 2 years from now.

Progress to Date

- 3.7 Phase 1 works have commenced on the upper floors of Granville and tenders are being evaluated for works to the lower ground floors.
- 3.8 The GLA Grant Agreement has been completed for phase 1 of this project.
- 3.9 Throughout the design stages there have been various consultation events conducted with good attendance from the community.

3.10 The building lease for SK Trust is now completed.

3.11 Officers engaged an historic buildings specialist who provided a report which was provided to the design team and planning officers.

Design Team Procurement – Phase 2

3.12 The procurement of a design team to develop a detailed planning application for the comprehensive redevelopment of the Carlton and Granville Centres site was procured by calling off the GLA and TfL ADUP framework.

3.13 Officers conducted a mini-competition under Lot 2 (Architecture) and Lot 3 (Site Masterplanning and Development Feasibility) across 23 suppliers initially seeking expressions of interest.

3.14 An expression of interest (EOI) was issued to the suppliers on the framework. The EOI evaluation criteria and weighting was as follows:

Design Intent The Architect should set out their understanding of the site and vision for the Carlton and Granville Centres site based on the information provided. Precedents of previous similar schemes may be included, but no design work should be undertaken	50%
Previous experience of projects – The Architect should provide details of three of its most recent and relevant completed projects. For each project include: images/photos, status, names and roles of key staff, budget, client name, and an explanation of how the project is relevant, with any key lessons learned.	30%
Expertise required – The Architect should provide a statement outlining initial thoughts on the type of expertise required to deliver this project, in accordance with the details laid out in the attached supporting documentation.	20%

3.15 The evaluation panel of Council Officers and Key Stakeholders evaluated the Expression of Interest bids and 3 suppliers were shortlisted and then invited to tender.

3.16 Each of the tender submissions were evaluated by an evaluation panel of Council Officers and Key Stakeholders (SK Trust, Organisations occupying Granville Centre and GLA representatives).

3.17 The award report is within Appendix 2 which shows the analysis of the evaluation.

3.18 The Recommendation is to award to the highest scoring bidder as detailed in Appendix 2.

3.19 If through the design additional surveys and assessments are required as by the design team, the project board will provide a report to the Strategic Director of Regeneration & Environment for approval. Similarly once RIBA stage 3 is completed and the bidder has met all expectations and the project board are satisfied to proceed to the next stage, the final decision to extend the work will be approved by the Strategic Director of Regeneration & Environment in accordance with the contract.

4 Financial Implications

- 4.1 The previous cabinet paper approved £1m to engage a full design team and associated consultants including a quantity surveyor to progress phase 2.
- 4.2 All costs of this appointment will be funded from within this budget.

5 Legal Implications

- 5.1 The estimated value of the proposed call off Contract is higher than the EU threshold for Services and the award of the contract is therefore governed by the Public Procurement Regulations 2015 (the “Procurement Regulations”). The award is subject to the Council’s own Standing Orders in respect of High Value contracts and Financial Regulations.
- 5.2 The Procurement Regulations allow the use of framework agreements and prescribe rules and controls for their procurement. Contracts may then be called off under such framework agreements without the need for them to be separately advertised and procured through a full EU process.
- 5.3 The Council’s Contract Standing Orders state that no formal tendering procedures apply where contracts are called off under a framework agreement established by another contracting authority, where call off under the framework agreement is approved by the relevant Chief Officer and provided that the Chief Legal Officer has advised that participation in the framework is legally permissible. Legal Services have reviewed the GLA ADUP framework used and is able to confirm that participation in the framework is legally permissible.
- 5.4 As this is a mini competition under the GLA ADUP framework, the standstill period of 10 days is not required.

6 Diversity Implications

- 6.1 The design team will be required to proactively consult and engage with affected stakeholders, service users and residents with protected characteristics such as:
 - Black, Asian and minority ethnic (BAME) groups
 - the diverse group of children, the majority of whom are from BAME backgrounds and with English as a second language attending the Nursery School and Barnardo’s operated Children’s Centre and their parents/guardians/families
 - SEND children and service users with disabilities, as well as their carers
 - Older residents and their carers
 - Economically disadvantaged groups who use the Granville Kitchen and Otherwise Club.

The recommended bidder is a London Living Wage employer and has a robust Social Value offer and action plan, which includes but is not limited to: ring-fencing employment, training, student and work placement opportunities to local residents; working with Brent job centres to offer job opportunities/apprenticeships to local people; delivering lectures and talks in schools to inspire more children and young people to pursue career in Architecture.

- 6.2 A full equality analysis, informed by the consultation findings and the potential/likely equality implications arising from the proposal, will support the business case related to the redevelopment of the Carlton and Granville Centres and the considered options.

7 Staffing/Accommodation Implications

- 7.1 There are Council staffing and accommodation implications. The Granville Plus Nursery Staff are all Council employees. Some staff at the Barnardos Children's Centre transferred pursuant to the Transfer of Undertaking (Protection of Employment) Regulations 2006 (TUPE) from Brent Council to Barnardos. In addition there are occupiers of the centre, whilst they are not Council employees will be affected by these proposals.
- 7.2 The Phase 2 implication for both staffing and accommodation are currently unknown, this will be fully explored as part of the EIA.

8 Property Implications

- 8.1 South Kilburn Trust – The lease with SK Trust should be able to continue without any direct impact. However, Property Services will be involved in any property related issues to ensure that any property related matters are appropriately managed.
- 8.2 In respect of other users, Barnardos have a crèche within the main Granville Centre held on a lease, albeit terminable on 1 years notice. There is a separate service contract between Brent and Barnardos that includes commitments to re-provide provision should their use in Granville terminate.
- 8.3 As part of any refurbishment project the Council would need to seek to assist Concord Cafe, the only third party occupiers of Carlton Centre, to locate to alternative premises.

8 Public Services (Social Value) Act 2012

- 8.1 The Council is under duty pursuant to the Public Services (Social Value) Act 2012 ('the **Social Value Act**') to consider how the services being procured might improve the economic, social and environmental well-being of its area; how, in conducting the procurement process, the Council might act with a view to securing that improvement; and whether the Council should undertake consultation. This duty applies to the procurement of the architecturally led multidisciplinary design team for the proposed redevelopment of Carlton and Granville Centres site
- 8.2 The services being procured aim to improve the economic, social and environmental well-being of residents of South Kilburn through the preparation of a detailed planning application for the comprehensive redevelopment of Carlton and Granville Centres site to deliver a high quality development.
- 8.3 Social Value criteria were incorporated into the procurement process and bidders required to indicate what social value they would be able to offer.

9 Background Papers

25 July 2017 Cabinet Report
15 November 2016 Cabinet Report

10 Contact Officers

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

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Appendix 2: Award Report

Carlton & Granville Design Team

Following the EOI 3 suppliers were invited to a mini-competition under the GLA ADUP framework.

Evaluation Team

Name	Position	Organisation
Emma Sweeney	Senior Project Manager – Evaluator	Brent Council
Richard Barrett	Head of Estates Regeneration – Evaluator	Brent Council
Pooja Agrawal	Regeneration - Evaluator	GLA
Lesley Benson	Key Stakeholders	Granville Plus Nursery School
Mark Allan	Key Stakeholders	South Kilburn Trust
Breda Hillman	Procurement - Moderator	Brent Council

The submissions were evaluated based on the following:

Quality / Technical	Area weighting	Overall weighting
Design Approach and Vision	25%	60%
Confirmed Deign Team	20%	
Produce a Consultation Strategy	15%	
Social Value	Area weighting	Overall weighting
Social Value Offer	5%	10%
Social Value Delivery	5%	
Combined Quality and Social Value Threshold – 42% out of the available 70%		
Commercial - Cost		Overall weighting
Cost submission		30%
Total		100%

The Scoring method used was as follows:

Score	Description
0	The information required is either omitted or fundamentally fails to meet the relevant submission requirements or to address the Authority's requirements. Insufficient evidence to support the proposal to allow the Authority to evaluate. Unacceptable.
1	The information submitted has insufficient evidence to demonstrate that the relevant submission requirements or the 'Authority's requirements can be met. Significant omissions, serious and/or many concerns. Poor.
2	The information submitted has some minor omissions in respect of the relevant submission requirements or the Authority's requirements. The tender satisfies the basic requirements in some respects but is unsatisfactory in other respects and raises some concerns. Fair.
3	The information submitted provides some good evidence to meet the relevant submission requirements or the Authority's requirements and is satisfactory in most respects and there are no major concerns. Good.

Score	Description
4	The information submitted provides good evidence that all the submission requirements or the Authority's requirements can be met. Full and robust response, any concerns are addressed so that the proposal gives confidence. Very Good .
5	The information submitted provides strong evidence that all the submission requirements or the Authority's requirements can be met and the proposal exceeds expectation i.e. exemplary in the industry provides full confidence and no concerns. Outstanding

Below is a summary of the quality evaluation.

Quality/Technical Evaluation	Weighting	Supplier 1		Supplier 2		Supplier 3	
		Score	Result	Score	Result	Score	Result
Design Approach and Vision	25%	4	20.00%	2	10.00%	2	10.00%
Confirmed Design Team	20%	4	16.00%	3	12.00%	3	12.00%
Produce a Consultation Strategy	15%	4	12.00%	2	6.00%	2	6.00%
Quality Total	60%		48.00%		28.00%		28.00%

Submissions overall were good, however, the evaluation showed a clear divide between the winning bidder and the other two suppliers. The highest scoring supplier showed a very strong vision with good design concept that incorporated housing. They also had a very good understanding of the locality and they gave a very detailed approach to consultation.

Social Value	Weighting	Supplier 1		Supplier 2		Supplier 3	
		Score	Result	Score	Result	Score	Result
Offer	5%	4	4.00%	4	4.00%	4	4.00%
Delivery	5%	4	4.00%	4	4.00%	2	2.00%
Total Social Value	10%		8.00%		8.00%		6.00%

The highest scoring supplier gave social value commitments that included a £10k community contribution to projects, 6 work placements, 4 lectures and talks in schools and aim to work with Brent job centres to offer job opportunities/apprenticeships.

The financial evaluation was worth 30%.

The scoring was based on: Best (lowest) price receives the maximum score available in this section; the remaining bids receive a score pro rata to the best price using the following calculation.

Bids were evaluated on the basis of a fixed price lump sum for the delivery of the Masterplan/Design scheme to RIBA Stage 3. The following is the scores from the Financial Evaluation

Commercial	Weighting	Supplier 1	Supplier 2	Supplier 3
Costs submission		£ 531,713.00	£ 619,106.00	£ 628,854.00
Total Commercial	30%	30.00%	25.77%	25.37%

Supplier 1 had the lowest price and therefore received maximum prices. The resources allocated by all bidders were similar but with different rates.

Bidders were also asked to provide an additional optional fixed price for RIBA Stage 4. This was stated that it may or may not be taken up by the council. The value for RIBA Stage 4 for bidder 1 is £295,666 which was cheaper than the other bidders.

These was further additional costs identified which did not form part of the evaluation but may be taken up by the council if required. This included surveys and assessment that may be required. The total additional costs identified were £81,730.

Overall Summary


The following is the result from the Quality/Social Value and Financial evaluation.

Overall Summary	Weighting	Supplier 1	Supplier 2	Supplier 3
Quality/Technical	60%	48.00%	28.00%	28.00%
Social Value	10%	8.00%	8.00%	6.00%
Commercial	30%	30.00%	25.77%	25.37%
Total	100%	86.00%	61.77%	59.37%

Recommendations

The recommendation is to award the contract to supplier 1 to commence as soon as possible. Supplier 1 is a well know Architectural Company that has many projects throughout London and the UK.

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 <p>Brent</p>	<p style="text-align: center;">Cabinet 13 November 2017</p> <p style="text-align: center;">Report from the Strategic Director of Regeneration & Environment</p>
<p>For Action</p>	<p style="text-align: right;">Wards affected: Kilburn</p>
<p>Authority to Award Works Contract for South Kilburn Enterprise and Community Hub (Phase 1b)</p>	

Not for Publication:

Appendix 2 of this report is not for publication as it contains the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)"

1 Purpose of the Report

- 1.1 This report provides an update to the 13 March 2017 Cabinet report – Phase 1 Building Project at The Granville Centre – Approval to Tender Works Contract
- 1.2 This report seeks authority to award a works contract to progress Phase 1 of Carlton and Granville Centres Development as required by Contract Standing Order 88.
- 1.3 This report asks Members to note a revision in weightings and adjustment in criteria used to evaluate tenders compared to those set out in the March 2017 Cabinet report for the reasons detailed in section 3.

2 Recommendations

That Cabinet;

- 2.1 Note the revised weightings and criteria used to procure and evaluate tenders as detailed in paragraph 3.3.
- 2.2 Approve the award of a works contract for South Kilburn Enterprise and Community Hub (Phase 1b) to Surecast Limited.

3 Detail

Background

3.1 In March 2017 Cabinet approved the procurement process for a contractor to complete Phase 1 works on the basis of the pre-tender considerations set out within the report which put forward a 60:40 split in favour of cost. However this was erroneous in that Officers should have advised members that the recommended split between quality and price criteria was in fact 60:40 in favour of quality.

3.2 To set out this change clearly, the original decision in March 2017 was based on the following weightings and criteria:

Quality - 40% of the overall evaluation, assessed using the following criteria.

- Proposed application of experience
- Design approach and compliance with employer's requirements.
- Community participation.
- Project Management and resourcing.
- Construction approach and technical proposals.
- Social Value representing 10% of this score.

Price - 60% of the overall evaluation.

3.3 Cabinet are now being asked to note that tenders were invited and evaluated on the evaluation criteria and weightings below. The changes were to reflect the fact that Officers should have advised members that the recommended split between quality and price criteria was in fact 60:40 in favour of quality and that the revised criteria were considered likely to better identify the most appropriate tender. The evaluation criteria and weightings were:

Quality - 60% of the overall evaluation, assessed using the following criteria.

- Work Management (Maximum of 19.25 marks of 60)
- Project Examples (Maximum of 8.25 marks of 60)
- Programme (Maximum of 16.5 marks of 60)
- Quality (Maximum of 11 marks of 60)
- Social Value (Maximum of 5 marks of 60)

Price - 40% of the overall evaluation.

3.4 Details of the tender process operated by Officers is set out in Appendix 1. The details of organisations tendering are set out in Appendix 2. It is important to note that all the information provided to tenderers and evaluators has been based on the correct split in favour of quality as has the evaluation itself. There has been no disadvantage to any participant.

- 3.5 Members will note from Appendix 1 that Supplier 10, namely Surecast Limited, has been identified as the most economically advantageous tender.
- 3.6 In addition to agreeing the procurement of a works contract, the March Cabinet delegated the award of the contract to the Strategic Director Regeneration and Environment in consultation with the Lead Member. However, now that Officers have concluded the evaluation and are reporting to Cabinet as to the revised basis of evaluation, this delegation is no longer required and therefore Members are requested, as set out in Recommendation 2.2 above, to approve the award of the works contract to Surecast Limited.

4 Financial Implications

- 4.1 This award is within the allocated budget.

5 Legal Implications

- 5.1 The value of this contract over its lifetime is under the EU threshold for Works and the award of the contract is not therefore governed by the Public Contracts Regulations 2015 (the “EU Regulations”). The award is subject to the Council’s own Standing Orders in respect of High Value contracts and Financial Regulations.
- 5.2 As the proposed contract is a High Value Contract, Cabinet authority was sought and approved to the criteria and weightings set out in paragraph 3.2. For the reasons detailed in paragraph 3.3, Officers have invited and evaluated tenders based on the weightings and criteria detailed in paragraph 3.3. Whilst this does not result in any disadvantage to tenderers, it represents a departure from the pre-tender considerations approved by Cabinet and therefore it is appropriate to notify Members of this.
- 5.3 As indicated in paragraph 3.6, the 13 March 2017 Cabinet delegated authority to award this contract to the Strategic Director Regeneration and Environment in consultation with the Lead Member. Given the requirement to notify Members of the departure from the approved weightings and criteria and as the evaluation has now concluded, Cabinet is now recommended to approve the award.

6 Diversity Implications

No amendment from 13 March 2017 Cabinet report

7 Staffing/Accommodation Implications

No amendment from 13 March 2017 Cabinet report

8 Property Implications

No amendment from 13 March 2017 Cabinet report

9 Public Services (Social Value) Act 2012

- 9.1 The Council is under a duty pursuant to the Public Services (Social Value) Act 2012 (‘the Social Value Act’) to consider how services being procured might

improve the economic, social and environmental well-being of its area; how, in conducting the procurement process, the Council might act with a view to securing that improvement; and whether the Council should undertake consultation. As this is a works contract, the Council does not have a statutory duty to comply with the Social Value Act but in accordance with CSO 89, Officers have had regard to the Social Value Act in planning the proposed procurement.

- 9.2 Social Value is an evaluation criterion that has been used to procure this contract. As part of its tender, the preferred tenderer has proposed the below targets:

Initiative Category	Target
Creating local jobs: utilising local labour resources	100% of labour agency staff employed as part of this contract to be currently living in London Borough of Brent.
Helping local businesses: utilising local subcontractor/ supplier resources (ensuring ethical sourcing practices)	Contact a minimum of one local supplier/subcontractor for every major package of works included in the South Kilburn project.
Promoting fair employment practices	Measurable equality and diversity target - Ensure all suppliers and subcontractors involved in the project at South Kilburn are committed to fair employment practices.
Employee welfare	To provide a fully compliant work environment for all members of staff employed as part of this contract.
	Submission of a welfare plan for approval prior to starting work on site.
Community involvement to minimise disruption	To complete the contract at South Kilburn without any complaints from the local community.
Apprenticeships and Training	Guarantee the involvement of our apprentice carpenter and junior graduate project manager in the delivery of the South Kilburn Community and Enterprise hub project.
Environmental sustainability	99% of all waste is recovered, reused or recycled.
	Ensuring a minimum of 50% of all site staff travel to and from work via public transport.
	All materials used on site comply fully with European Union and international law.

10 Background Papers

13 March 2017 Cabinet Report

9 Contact Officers

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Brent



Regeneration and Environment

Appendix 1

Award of Works Contract for South Kilburn Enterprise and Community Hub (Phase 1b)

Summary:

This document sets out the procurement process followed leading to a recommendation to approve the award of a high value works contract to the preferred bidder at a contract sum of £638,000.00

This contract is for the refurbishment of the Granville Centre for an Enterprise & Community Hub. The Enterprise Hub is set to be completed within the first eight weeks, with works to the Community Centre lasting through until March. The project includes a wide variety of works, including major refurbishments to windows, doors, electrical systems, alarms and demolitions.

Detail:

The refurbishment of the Granville Centre is part of the wider South Kilburn regeneration programme. The new refurbished centre will contain an enterprise hub and new community spaces. The project will help the South Kilburn Trust to thrive, ensure the continuity of services provided by South Kilburn Studio's and to enhance the level of community activity within the Granville centre.

The budget allocation for this project derived from the £749,000 funding received by the London Regeneration Fund (via the Greater London Authority) in 2016. Planning approval for this works was obtained on 23/08/2017.

In March 2017, a cabinet report was approved to invite tender for a works contract as required by contract Standing Orders 88 and 89.

The procurement exercise that followed was appropriate for a high value works contract. The tender was advertised on the London Tenders Portal on 14th September 2017 as an open tender and attracted ten on time bids by the closing date 11th October 2017. Contractors were invited to visit the site prior to submitting their bid.

Bids were invited and the tender assessment was as follows:

Section 1: Quality/Technical. Weight = 55%.

Section 2: Social value. Weight = 5%.

Section 3. Cost. Weight = 40%.

The tender estimated a cost of around £650,000. The average cost of the project from the tenders received was considerably higher at £726,135. Technical and cost evaluation was undertaken by Measur. Details of this can be found in Appendix 3.

Ten tenders were received for this project. The identity of the tenders is contained in Appendix 2. Tenders needed to obtain 50 marks out of 100 for the Quality/Technical section in order to avoid elimination and progress to the commercial review. Four tenders were eliminated at the quality/technical section after failing to reach the required 50 marks out of 100. The remaining 6 tenders were evaluated according to the weightings outlined above.

The preferred bidder was the second lowest in the commercial section, at a cost of £637,963.00. The preferred bidder ranked highest on quality, and ranked highest overall.

Construction for this project is expected to begin in November. The preferred bidder's programme of works stated that it expect to have this project completed within the 15 week period, with an option of an 8 week completion on the Enterprise element.

Measur was appointed by the Council as a cost consultant. Measur completed a full commercial analysis of the bids and recommends the acceptance of the quotation submitted by the preferred bidder under the JCT Intermediate Building Contract with Contractors Design (ICD) 2016.

Technical Evaluation

		Supplier 1		Supplier 2		Supplier 3		Supplier 4		Supplier 5	
Quality/Technical Evaluation	Weighting	Score	Result	Score	Result	Score	Result	Score	Result	Score	Result
Work Management	35%	0	0.00%	3	21.00%	3	21.00%	3	21.00%	3	21.00%
Project Examples	15%	0	0.00%	3	9.00%	4	12.00%	4	12.00%	1	3.00%
Programme	30%	2	12.00%	2	12.00%	3	18.00%	2	12.00%	2	12.00%
Quality	20%	0	0.00%	4	16.00%	3	12.00%	3	12.00%	3	12.00%
Sub total (out of 100)	100%		12.00%		58.00%		63.00%		57.00%		48.00%
Total out of 55%	55%		6.60%		31.90%		34.65%		31.35%		26.40%

		Supplier 6		Supplier 7		Supplier 8		Supplier 9		Supplier 10	
Quality/Technical Evaluation	Weighting	Score	Result	Score	Result	Score	Result	Score	Result	Score	Result
Work Management	35%	4	28.00%	3	21.00%	1	7.00%	2	14.00%	4	28.00%
Project Examples	15%	4	12.00%	2	6.00%	1	3.00%	1	3.00%	4	12.00%
Programme	30%	5	30.00%	3	18.00%	3	18.00%	4	24.00%	5	30.00%
Quality	20%	3	12.00%	2	8.00%	1	4.00%	1	4.00%	4	16.00%
Sub total (out of 100)	100%		82.00%		53.00%		32.00%		45.00%		86.00%
Total out of 55%	55%		45.10%		29.15%		17.60%		24.75%		47.30%

4 out of the 10 bidders failed to meet the quality threshold which was set at 50% out of the 100% and therefore as detailed within the ITT document these bidders were eliminated

from the process at this stage and their social value and commercial bids were not evaluated.

Social Value Evaluation

		Supplier 1		Supplier 2		Supplier 3		Supplier 4		Supplier 5	
Social Value	Weighting	Score	Result	Score	Result	Score	Result	Score	Result	Score	Result
Commitments	5%	N/A		2		3		4		N/A	
Total Social Value	5%				2.00%		3.00%		4.00%		

		Supplier 6		Supplier 7		Supplier 8		Supplier 9		Supplier 10	
Social Value	Weighting	Score	Result	Score	Result	Score	Result	Score	Result	Score	Result
Commitments	5%	4		2		N/A		N/A		2	
Total Social Value	5%		4.00%		2.00%						2.00%

Bidders that passed the quality threshold were evaluated on their commitments to social value. The responses to this question were mixed. Suppliers 4 & 5 demonstrated a very good understanding of social value, offering a range of social value targets.

Commercial Evaluation

Commercial	Weighting	Supplier 1		Supplier 2		Supplier 3		Supplier 4		Supplier 5	
Costs submission				£ 578,877.00		£ 817,947.00		£ 807,817.00			
Total Commercial	40%		0.00%		40.00%		28.31%		28.66%		0.00%

Commercial	Weighting	Supplier 6		Supplier 7		Supplier 8		Supplier 9		Supplier 10	
Costs submission		£ 739,568.00		£ 775,637.00						£ 637,963.00	
Total Commercial	40%		31.31%		29.85%		0.00%		0.00%		36.30%

The final stage of the evaluations was commercial, prices were evaluated as follows:

The lowest commercial bid received the highest available score all remaining bids received a pro rata score to the lowest price.

Summary

Overall Summary	Weighting	Supplier 1	Supplier 2	Supplier 3	Supplier 4	Supplier 5
Quality/Technical	55%	6.60%	31.90%	34.65%	31.35%	26.40%
Social Value	5%	N/A	2.00%	3.00%	4.00%	N/A
Commercial	40%	N/A	40.00%	28.31%	28.66%	N/A
Total	100%	6.60%	73.90%	65.96%	64.01%	26.40%

Overall Summary	Weighting	Supplier 6	Supplier 7	Supplier 8	Supplier 9	Supplier 10
Quality/Technical	55%	45.10%	29.15%	17.60%	24.75%	47.30%
Social Value	5%	4.00%	2.00%	N/A	N/A	2.00%
Commercial	40%	31.31%	29.85%	N/A	N/A	36.30%
Total	100%	80.41%	61.00%	17.60%	24.75%	85.60%


Supplier 10 received the highest overall score and is therefore recommended for the award of the contract.

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

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 Brent	Cabinet 13 November 2017
	Report of the Chief Finance Officer
Wards affected: ALL	
Financial Forecasts 2017/18	

1 Summary

- 1.1. This report sets out the forecasts as at 30 September of income and expenditure against the revenue budget for 2017/18, and other key financial data. The actual spend information in the report is to the 31 August 2017, and the forecasts were prepared and finalised as at 30 September.
- 1.2. The outlook for local government as a whole remains challenging, and the extent of the challenge remains uncertain given the developing national policies on matters such as exiting the EU, health and social care, and the new policy announcements made through the conference season. However, progress is being made towards business rates retention in London for 2018/19, and along with the forthcoming Autumn Budget this will provide greater certainty as the Council continues to develop its financial strategy for future years.
- 1.3. In order to be able to deliver a balanced budget and spend within its means, the council has put considerable effort into developing both a realistic budget that addresses the various challenges, and developing a culture of strong financial control so that areas at risk of overspend are addressed and solutions put in place. This means that the Council is able to continue to navigate this potentially turbulent period on a sound financial footing.

- 1.4. As a result of this work, the current forecast is that the 2017/18 general fund net revenue budget is broadly on target, with a small forecast overspend in Community Wellbeing relating to Mental Health Services offset by underspends in Regeneration & Environment relating principally to vacancies in the service and increased income. The Housing Revenue Account (HRA) is on target, and the Dedicated Schools Grant (DSG) is forecast to underspend due to reduced growth in primary school place requirements.
- 1.5. This outturn forecast does not mean that the council can afford to be complacent, there are still notable risks, which are discussed below, and there is extensive work necessary to deliver the savings on procurement and income generation through the civic enterprise strategy.
- 1.6. Table one summarises the overall position. The report then sets out more detail on a department by department basis.

Graph One: Overall revenue financial position 2017/18

Net overall revenue spend is forecast to be contained within the agreed budget. The General Fund variance is shown in the graph compared to the variances reported in 2016/17, this includes the August update provided to the Council Management Team. An underspend in Regeneration and Environment offsets an overspend in Community Wellbeing. The overall position is an increased underspend, relating additionally to an increased underspend on DSG funded activity.

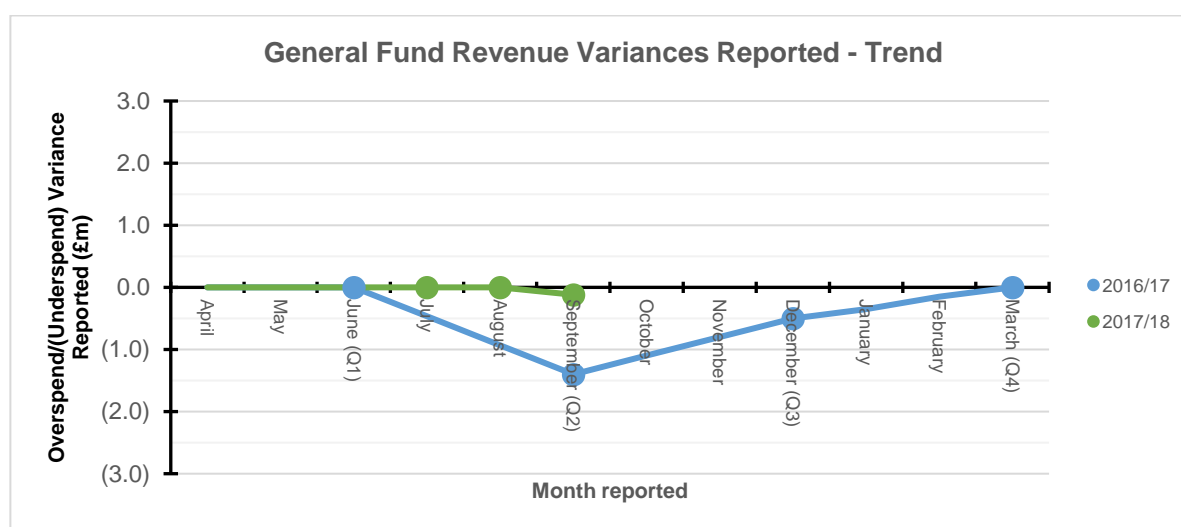


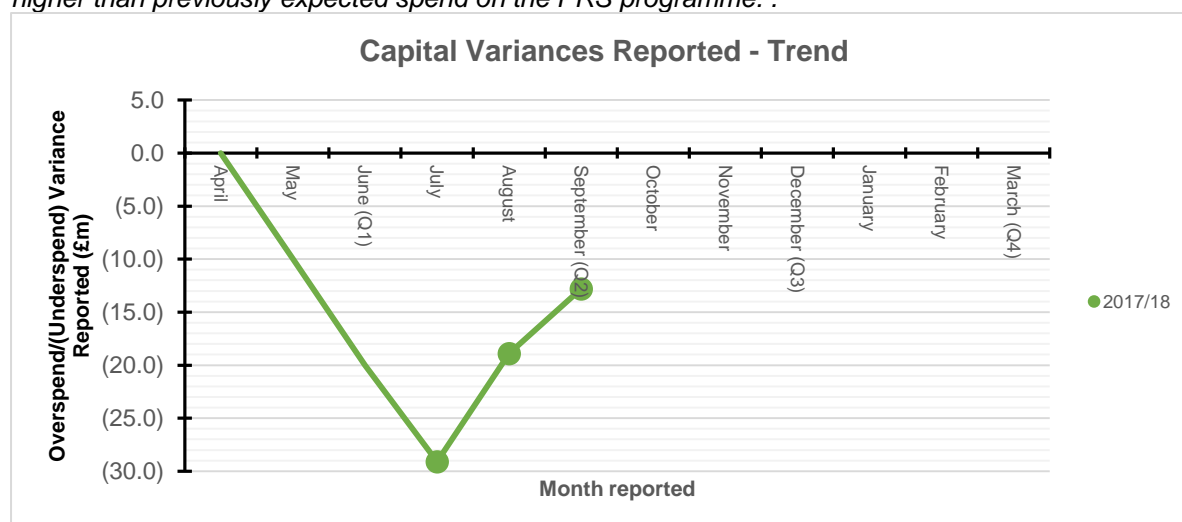
Table One: Overall revenue financial position 2017/18

Department	Budgeted Income	Budgeted Expenditure	Net Budget	Forecast spend	Variance
Figures as at September 2017	£m	£m	£m	£m	£m
Children & Young People	(29.0)	69.6	40.6	40.6	0.0
Community Wellbeing	(74.2)	202.2	128.0	128.5	0.5
Regeneration & Environment	(40.0)	72.8	32.8	32.2	(0.6)
Resources	(16.9)	50.5	33.6	33.6	0.0
PPP	(1.4)	11.0	9.6	9.6	0.0
Central Items (excludes Housing Benefit)	(288.6)	44.1	(244.5)	(244.5)	(0.0)
Total (General fund)	(450.1)	450.2	0.1	(0.0)	(0.1)
DSG funded activity (see table three)	(201.9)	201.9	0.0	(0.7)	(0.7)
HRA funded activity (see table four)	(53.1)	57.1	4.0	4.0	(0.0)
Overall position	(705.1)	709.2	4.1	3.3	(0.8)

1.7. The Capital Programme is currently forecast to underspend by £12.8m (5%), principally on projects reporting to the Housing Care Investment Board and Public Realm Board, as shown in table two, below. Overall, the variance is broadly the same as last month with the exception of South Kilburn, which is delivering £4m spend originally planned for future years. The budget has increased slightly due to the addition of new projects, mainly funded by direct grants and contributions from developers through Section 106 planning obligations and Community Infrastructure Levy.

Graph Two: Overall capital programme position 2017/18

Capital spend is forecast to be contained within the agreed budget. The underspend has reduced significantly since the last report. This is primarily due to greater certainty over spend by the South Kilburn team and an acquisition of £2.7m being agreed without needing to complete a CPO, and higher than previously expected spend on the PRS programme. .



Graph Three: Actual Capital Spend 2017/18

Actual capital spend compared with last year is shown in the graph, and has been updated to include data to 30 September. The dotted line on the graph shows the profile commonly taken by capital spend. This indicates that spend would need to accelerate to achieve the current forecast, as the current position is already £11m under the profiled budget and approximately the amount of the forecast underspend. Further detailed analysis of this potential issue and explanation of the methodology is provided in section 3, below. That said, spend in six months of 2017/18 is the same as over eleven months in 2016/17 (budget £223m and outturn £101m), therefore it remains clear that the programme is on track for far higher spend in 2017/18 than 2016/17 and that forecasting above £200m is reasonable.

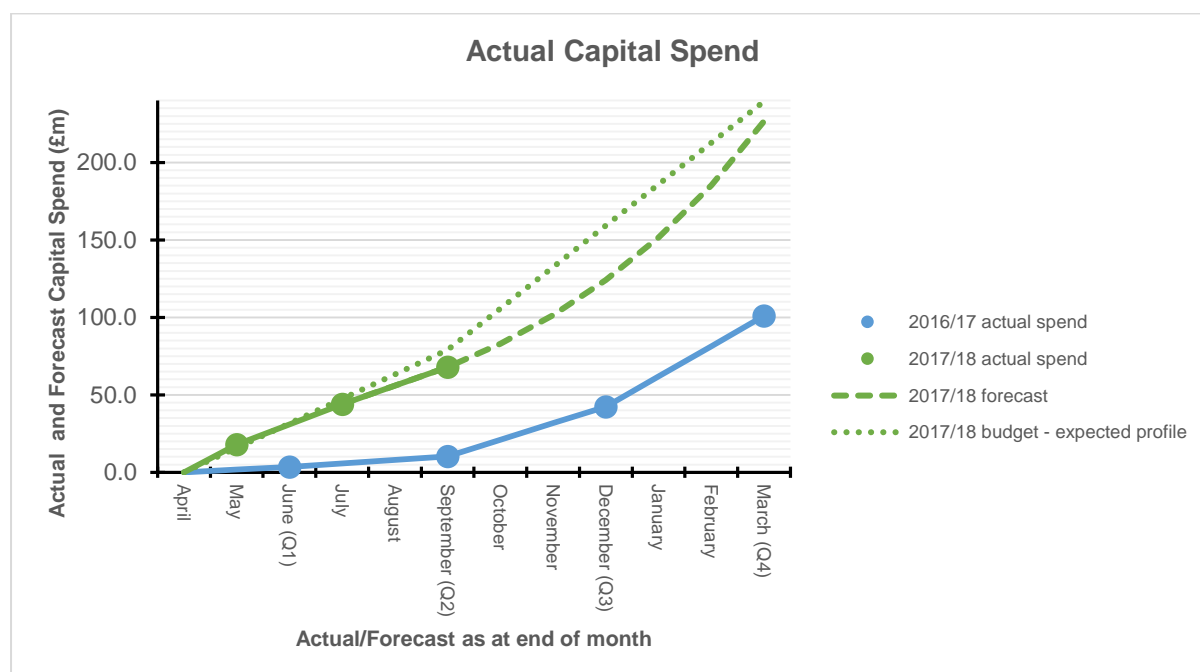


Table Two: Overall capital programme position 2017/18

As at September 30th	Budget	Revised Budget	Forecast Outturn	Actual Spend	Forecast Variance
	£m	£m	£m	£m	£m
Corporate Landlord	2.1	3.5	2.7	0.4	(0.8)
Housing Care Investment Board	147.7	153.5	145.7	46.4	(7.8)
Public Realm Board	17.1	26.3	19.7	2.0	(6.6)
Regeneration Board	8.7	11.9	10.3	5.0	(1.6)
Schools Programme Board	30.6	32.5	32.5	8.7	0.0
South Kilburn	11.7	11.7	15.7	5.4	4.0
Grand Total	217.9	239.4	226.6	67.9	(12.8)

2. Recommendations

- 2.1. To note the overall financial position and the actions being taken to manage the issues arising.
- 2.2. To note that the overspend of £0.8m across nursing and homecare will be offset through short term one-off improved Better Care Fund resources, which are currently available until 2019/20 only. The government has committed to finding a longer term solution for the funding of adult social care.

- 2.3. To delegate to the Chief Finance Officer the authority to increase existing Capital Programme budget lines to reflect additional spending funded by ring-fenced grants or contributions, in line with agreed policy objectives.

3. Detail

Children and Young People (General Fund)

- 3.1. The Children and Young People department forecasts spending within its agreed budget. This compares to a £2.3m overspend in 2016/17. In 2017/18, structural budget issues have been addressed and management have committed to a series of mitigating actions in order to limit expenditure to the budget.
- 3.2. Looked After Children (LAC) and Care Leaver placement numbers and placement mix are key cost drivers for CYP, as each placement is costly and the different types of placement mean a wide range of costs. More detail on the current numbers and mix is included in the following paragraphs. The General Fund forecast of a nil variance is dependent upon these remaining relatively constant, and the delivery of agreed savings and budget control actions within the year.
- 3.3. LAC numbers as at 30 September are 310, and in 2017/18 have remained consistently lower than the previous year (average 344). This is consistent with the budget assumptions for 2017/18. The cohort continues to include a high proportion of older children with just over a third aged 16 and over, and 50% of these are unaccompanied asylum seekers (UASC). The placements budget does however remain challenging as it also includes the cost of supporting a proportion of the increased number of care leavers. The number of care leavers in financially supported placements has risen from 59 in April to 69 in August. This pressure is expected to grow further due to the older age profile of LAC and legislative changes through the Children and Social Work Act 2017.
- 3.4. Within the LAC numbers there are currently five high cost youth offending and one secure welfare placement, which on its own has an annual cost of £0.3m. The other youth offending placements represent a significant overspend risk at an average cost of £550+ per night, with the council having no control over court-directed remand placements. The number of placements is forecast to continue at this level until the end of the year and cause an overspend of £0.3m in this area.
- 3.5. Actions to manage the risk to the placements budget have been taken, and in particular there has been a rebalancing in the number of in-house vs. external foster carers compared to the position at the start of the year. 86 LAC placements are now with in-house foster carers and 73 with external agencies, compared to foster placements in April of 81 and 82 respectively. However, the rate of change has slowed over the summer, and there will be some attrition through retirement and care leavers 'staying put' with their in-house foster carers. The Placements Assessments and Recruitment Team

have continued to attend community events, and there are 8 assessments ongoing which need to be successfully brought through the process in order to sustain the increase in the number of in-house foster carers.

- 3.6. The other main budget risk in CYP is the delivery of the social work staffing remodelling. Managers have launched the remodelling consultation with proposals that seek to optimise the social work staffing model within the Localities and the Looked after Children and Permanency Services, without compromising social work caseloads. The proposed establishment does achieve the savings for 2017/18 and creates a well-documented baseline staffing level designed for current caseloads, against which management can monitor and control staffing levels. The long term strategy is for Brent to become a desirable and attractive employer for social workers, with well managed team structures resulting in manageable caseloads, an important part of the offer to potential employees. The remodelling is now planned for implementation in late November, subject to the consultation which is later than planned, adding financial pressure.
- 3.7. There is also the related challenge of reducing the reliance on agency social workers throughout 2017/18. In 2016/17 35% of social workers were agency, and the target during 2017/18 was 20%. The IR35 legislation (which requires employers to deduct tax from certain agency staff) and a targeted recruitment campaign had some early impact, reducing the percentage to 29%. However, this has not been sustained and as at 31 August the figure is at 33%. The problem is particularly acute in more senior roles and in team leader positions which are harder to fill permanently due to market conditions. The uncertainty for staff undergoing the remodelling is also likely to have had some effect, but as above, the long term impact of the remodelling should be to improve the recruitment and retention position. In the short term CYP management are controlling agency costs through close monitoring and ensuring that all workers take appropriate leave. The combined cost of the agency staffing and the delay to the remodelling is forecast at £0.5m.
- 3.8. The total pressures described above on placements and staffing total £0.8m. Mitigating underspends have been identified in the Inclusion Service of £0.2m and CYP management will seek non-ringfenced grant opportunities to support appropriate expenditure and create further compensating savings of £0.1m. The DSG contribution of £0.3m in lieu of the former Education Services Grant can offset some of the cost of CYP management and education support services. This would leave £0.2m as a pressure which CYP are seeking to address to achieve a balanced position in year.
- 3.9. Elsewhere in the CYP General Fund the committed procurement savings and income targets must be met to avoid an adverse impact on the budget.

Community Well-Being (General Fund)

- 3.10. The Community Wellbeing department is forecasting to overspend by £0.5m.
- 3.11. Demand for homecare services has increased by 5% from June to August (since the previous report), an increase of 83 service users, which was 23 more than assumed in the budget. This additional increase can be partially explained by earlier discharges of service users from hospital to reduce Delayed Transfer of Care (DTOC) rates, but there is an element of unbudgeted growth. If not managed down by the end of the year this means an overspend of £0.3m, which is included in the current forecast.
- 3.12. The demand for nursing care has continued to grow across the first five months of 2017/18, with 376 clients as at 31 August, an 11% (38 client) increase since 1 April, when there were 338. The budgeted growth for business as usual demographic change in 2017/18 accommodates for an increase of nine clients across the full year.
- 3.13. A significant number of cases where nursing care was approved also relate to hospital discharges, and more specifically, the management of discharge delays. A lack of available appropriate provision means that clients are being discharged to more expensive nursing care settings due to lack of an alternative. The additional cost of this increase in demand means a forecast overspend of £0.5m.
- 3.14. The additional cost of £0.8m across nursing and homecare will be offset through the short term one-off DTOC related improved Better Care Fund (iBCF) funding programme. This is a specific intervention identified by the Council to support a reduction in hospital discharge delays by block purchasing additional nursing beds and adding community care provision, as these are seen as a major alleviator of delayed discharges in Brent.
- 3.15. The Mental Health budget is projected to overspend by £0.5m. Although existing service users have moved from residential to supported living schemes and from supported living to general needs, these reductions have been largely offset by new demands. The Mental Health target number of placements was set as 75 (ten residential, and 65 supported living). The current number of placements is 115 (20 residential, and 95 supported living) which represents a pressure of £0.5m in 2017/18. A specialist team has been set up to support service users, whilst ensuring their safety, to move to less intensive provision and the intention is for the number of placements to reach 75 (15 residential, and 60 supported living) by the end of 2017/18. The Chief Operating Officer at Central and North West London NHS Foundation Trust and the CWB Strategic Director are closely monitoring this work.
- 3.16. The continuation of the Housing Association Lease Scheme (HALS) for Temporary Accommodation (TA) continues to be uncertain, with discussions with providers ongoing. So far both Genesis and Network housing associations have contacted the Council about increasing their management fees by approximately £15 per week per property.

- 3.17. HALS are one of the cheaper TA schemes (average £12 per week compared to an average of £60 per week across other TA schemes) and currently make up 54% of TA usage (1,370 families of the 2,538). Any changes will therefore have a significant impact on the budget and planned savings in this area. Cost increases are expected at the renewal of leases, and are estimated at a full year effect of £1m for all HALS. However, if it emerges, this pressure would be staggered over a two year period as the leases come due for renewal. Options for mitigation are being appraised, and negotiations with providers have commenced.

Regeneration & Environment

- 3.18. The Regeneration and Environment department is forecasting a budget underspend of £0.6m. The department's current budget pressures/risks are as set out below.
- 3.19. The contract to implement LED Lanterns in street lights was delayed last financial year due to technical procurement problems and legal challenges from unsuccessful bidders. The project to make street lights more energy efficient was expected to save £0.8m, which has been removed from the budget. However, the delay has meant an underachievement (and therefore a reported overspend) of approximately £0.6m in the service area
- 3.20. The revised LED implementation start date is set for 1 November. The service is confident this date will be achieved as the issues causing the previous delays have been resolved. However, a potential risk exists if the manufacturers fail to achieve the negotiated 8 week manufacturing lead time. This will further postpone the start date potentially leading to increased installation costs and lost revenue savings both in 2017/18 and 2018/19. The service has placed the manufacturing order and delivery is on track.
- 3.21. The Brent Transport Service 3 year joint passenger transport inter-authority agreement (IAA) model with Harrow went live September 2016. While operationally the merged service has so far proved capable of delivering a collective transport solution, rising costs during the first 10 months have become an area of growing concern. The latest forecast presented to Brent is a net overspend of £0.8m (an increase of £0.4m) driven principally by increased demand. While passenger number increases typically averaged between 5% and 7.5% in recent years, last year saw an 11.4% overall increase. Current data for 2017/18 indicates an increase of between 7.5% and 10%. The core requirements for passenger transport come from children and young people with Special Educational Needs and adults who are elderly or disabled. Demand management work continues, principally moving adult clients from day centres to other forms of provision, and to ensure Educational Health and Care Plans for children are robustly assessed so transport is definitely needed.
- 3.22. To offset these pressures, a line by line review has been undertaken of budgets throughout the directorate, and action has been taken to reduce

costs to budget by holding vacancies in Highways and Parking. In total, in Environment Services a £1.2m offsetting underspend is forecast due to additional income in the Parking Service and the holding of vacancies. In Regeneration, the forecast for additional planning income has increased to £0.4m and a further £0.4m (relating mainly to vacant posts) has been identified due through the line by line review. This means a total of £0.6m underspend for the directorate.

Resources & PPP

- 3.23. As last quarter, Resources and PPP are forecasting a breakeven position against their 2017/18 budgets. However, as previously reported, there are known risks within the Customer Services budget in relation to the timing of the planned restructure and income generation within the Registrars and Nationality service and mitigating actions are being taken.
- 3.24. In addition, budget pressures have emerged within the HR department in relation to their £0.2m savings target for 2017/18, of this only 25% is expected to be achieved, so there is a risk that the department will overspend its current budget by approximately £0.15m. Mitigation actions are being put into place and, in any case, it is expected that the overspend will be contained through underspends elsewhere in the Resources department, so overall the forecast is on budget.

Central items - Collection Fund

- 3.25. The declining share of total council income made up by central government grants makes it increasingly important that the council monitors and maximises available income, even if, nationally, planned devolution of business rates does not proceed as previously envisaged. The first key source of income is Council tax. In order to deliver the plans set out in the budget, the total council tax payable needs to grow to £136.2m in 2017/18. As at 22 September this amount (technically, the gross debit) is materially the same as at 1 April, at £133.0m. Whilst there is considerable planned development of new residential properties the expected completion of many of these is in the latter half of 2017/18 and first half of 2018/19.
- 3.26. The council does not collect 100% of its council tax, so the other key element is the collection rate. The budget for 2017/18 set a challenging cumulative target collection rate for August of 48.1%, which has not been hit with an August actual of 48.04%. For comparison, last year the target was 47.3%, and actual collection was 47.94%. Officers are in regular discussions with the contractor responsible for collection in relation to their plans to achieve the required the collection rate by the end of the financial year. This is currently considered achievable.
- 3.27. The other key source of income in the collection fund is business rates. The council budgeted for total business rates payable of £133.2m. This figure is

currently £135.2m, and is expected to grow slightly in year, so the council is above target. This income is vulnerable to economic conditions, and may rise or fall depending on changes to the economic climate.

- 3.28. As with council tax, the actual collection rate is important in determining how much money the council ultimately collects, at the end of August, the council's target was to have collected 46.89% of business rates, and only 46.38% was collected. The underperformance shown is primarily due to timing differences in payments expected from new ratepayers, and in recognising some of the income. Therefore at this point it is forecast that the council's collection rate will return to target, but this needs to be monitored throughout the year.
- 3.29. A detailed review of the Council's Council Tax and Business Rates assumptions is underway in preparation for the budget reports to Cabinet planned for December to ensure that the assumptions included in plans for future years remain appropriate. However, it is expected that for 2017/18 performance across Business Rates and Council Tax will be on budget.

Central items - Corporate Savings targets

- 3.30. The Council set challenging procurement savings between 2017/18 and 2018/19 of £3.5m and £4.5m respectively, predicated on saving 10% on a range of existing contracts. Realising these savings in 2017/18 has been challenging and has got off to a slow start where £1.5m or 44% of planned savings have been achieved so far. This shortfall is largely due to the re-letting of contracts where no savings were able to be negotiated and where contracts have yet to be re-let.
- 3.31. In order to address this risk, compensating savings of £1.9m have been identified to offset the shortfall in procurement savings in 2017/18 which offsets the pressure. These savings are factored into the forecasts. However, delivering these savings will require extensive effort across the council.
- 3.32. The Civic Enterprise savings of £5.6m were agreed between 2017/18 and 2018/19. Of this, £2.5m relates to fees and charges underpinned by comparing Brent to neighbouring authorities in order to bring charges in line including for services that were previously free, with £1.25m in each year. So far this year 50% of the target has been achieved. There remains a gap of £0.6m from the original target, which is forecast as an overspend in this area. Further proposals are being developed by service areas and will be reported to the Civic Enterprise Board, though none were ready for the last meeting and the item was deferred. As appropriate, any proposals will be brought to Cabinet to agree. Developing and delivering these proposals will need imagination to identify new opportunities for the council and drive to realise the income, which is why this is an area being prioritised as part of Brent 2020.
- 3.33. Overall, it is recognised that the Council has got off to a slow start in 2017/18 in the delivery of Procurement and Civic Enterprise savings, though for

Procurement the additional savings compensate for the shortfall. However, it should be noted that despite implementing reasonable contingency plans in 2017/18, there are still savings for 2018/19 that need to be delivered and therefore given the experience of 2017/18, further scrutiny will need placed on each procurement decision.

Central items - Capital financing and other central items

3.34. Historically, Capital financing has underspent due to delayed delivery of the capital programme. At the moment, this budget is forecast to underspend by £0.5m, reflecting the small underspend in the capital programme referred to above. In addition, corporate debt collection targets are forecasts to be exceeded, offsetting the shortfall in corporate savings targets, above. Together, these offset the £0.6m shortfall in corporate savings targets, above.

3.35. Other areas of central items are expected to be on budget in 2017/18.

Dedicated Schools Grant

Table Three: Dedicated Schools Grant 2017/18

Dedicated Schools Grant	Budget as at July 2017	Forecast spend	Variance
	£m	£m	£m
School Budget Shares	141.6	141.4	(0.2)
Inclusion Service	27.4	27.2	(0.2)
Early Years	24.0	24.0	0.0
Central Services and Pupil Growth	8.9	8.4	(0.5)
Total DSG Expenditure	201.9	201.0	(0.9)
Total DSG Income	(201.9)	(201.7)	0.2
Total net DSG funded activity (to table one)	0.0	(0.7)	(0.7)

3.36. The Dedicated Schools Grant (DSG) expenditure and income budgets for Brent total £312m before recoupment of funds by the Department for Education (DfE) to fund the borough's Academies. This figure therefore represents the total cost of funding education to early years and school age pupils in the borough. Recoupment is expected to total £110m, so the borough will receive £202m of DSG and Sixth Form grant. This is £5m less than previously reported, with the correction relating to recoupment for high needs places, mainly at the Manor School which converted to Academy status this year. An underspend of at least £0.7m is forecast in 2017/18.

3.37. There are known DSG underspends on the school budget share budget and school growth allocation forecasts. The Floreat free school was included in the mainstream funding formula budget, but will no longer be opening, causing an underspend of £0.2m.

3.38. Additional placements in SEN provision are expected to increase spend in the High Needs block compared to last year so no underspend is forecast at this

stage. Further work is being carried out to review these budgets ahead of 2018/19. An underspend against the capital charges budget for The Village School is forecast due to interest rates remaining low.

- 3.39. The Early Years block of the DSG was rebalanced for 2017/18, but it is possible that there will ultimately be an underspend. The numbers of parents who have opted for the extended 30 hours' free child care for three and four year olds is lower than budgeted. Original budgets were set in line with DfE forecasts and it is not currently known whether the grant income will be reduced commensurately. For this reason the underspend is not currently reported.
- 3.40. The rate of growth in Primary school numbers has slowed, the budget was reduced for 2017/18 by £1m, but given the final underspend in 2016/17 was £2m, a variance of at least £0.5m against the growth budgets is anticipated this year. The demographic increase to pupil numbers is expected to impact the Secondary school phase from the autumn of 2017, and a more definitive forecast will be available after growth allocations have been calculated following the October schools census.
- 3.41. The Early Years Block grant income figure provided by DfE is based on the previous year and is therefore indicative. Final funding depends upon actual provision as per the early years census. An reduction of income of £0.114m has already been made in 2017/18, and this relates to the January 2017 early years census which showed that provision as measured by FTE had fallen by approximately 30 compared to the previous January. Although a relatively small adjustment this is significant in that there has been a swing from growth to a reduction in early years numbers. The previous year's adjustment was an increase of £0.272m representing growth of approximately 80 FTE.

Housing Revenue Account

Table Four: Housing Revenue Account 2017/18

Housing Revenue Account	Budget as at July 2017	Forecast spend	Variance
	£m	£m	£m
Housing Repairs	9.0	9.7	0.7
General and Special Management	16.7	16.8	0.1
Bad Debt Provision, Rent, Rates and Services	2.3	2.5	0.2
Capital Financing and Depreciation	29.1	29.1	0.0
Total HRA Expenditure	57.1	58.1	1.0
Rental Income	(49.8)	(49.5)	0.3
Service Charges and other Income	(3.3)	(4.6)	(1.3)
Total HRA Income	(53.1)	(54.1)	(1.0)
Total net HRA funded activity (to table one)	4.0	4.0	(0.0)

- 3.42. Overall the HRA is forecasting to spend within the proposed budget.
- 3.43. A number of variances have been identified as would be expected against a budget with gross expenditure of £57m. These relate to repair led pressures of £0.7m due to increased demand for both Gas and Lift servicing and repair, and the additional cost of recruiting two fire safety officers. Dwelling rents are showing under-recovery of income of £0.3m. It is envisaged that these costs and the under-recovery of income will be offset against the £1.3m over recovery of income on leaseholders' major works due to increase in the billing of leaseholders for capital works.

Capital - Overall

- 3.44. The Capital programme as a whole has a 2017/18 budget of £239m, two-thirds of which relates to Housing. The Forecast Outturn is currently £227m or 95% of target. It is forecast to underspend by £12m, a reduction of £16m since the previous report (and of which £6m is reported this month). Further detail about the movement is provided in each Board's section, below.
- 3.45. The budget has increased since the previous report as a result of approval of projects, including detailed profiles for Section 106 and neighbourhood CIL schemes (£7.5m), childcare places in schools (£1.6m), Gordon Brown additional funding (£0.3m), Digital Strategy (£2.1m) and Transport for London (TfL) additional funding (£0.5m). Where the increases do not relate to new, ringfenced funds which must be expended for the purposes specified by the funder, they have been approved under delegated authority, or by Cabinet.
- 3.46. Officers continue to work to secure additional funds through grants and contributions (for example from other public bodies such as TfL) within agreed policy objectives. To secure this money the Council has to make commitments to the funding body, and this sometimes includes taking on additional, fully funded spend. The current financial regulations require Cabinet approval for any new spend. However, to ensure that the Council

has the agility and flexibility to incorporate and deliver this kind of additional spend (funded by ring-fenced grants and contributions), and to avoid reports at short notice seeking from Cabinet the required approval for relatively small amounts of money, it is recommended that authority to increase existing budget lines to reflect such spend is delegated to the Chief Finance Officer.

- 3.47. In general, Capital spend mainly happens towards the end of the year, and usually a third of spend takes place in the first half of the year. This is the profile shown in the graph in the summary. £68m of spend to date indicates an outturn position of around £208m compared to the current forecast of £227m. Much of the additional spend in the last two months relates to programmes funded by direct grant, which adds some comfort.
- 3.48. Spend-to-date at £68m in six months of 2017/18 is already the same as spend over eleven months in 2016/17 (budget of £223m and outturn of £101m), therefore it is clear that the programme is on track for far higher spend in 2017/18 (forecast of £227m and budget of £239m) than 2016/17.
- 3.49. However, concerns remain about the tendency of contractors not to send in invoices until the last couple of months of the financial year. Whilst the Council is required to account for spend incurred in-year regardless of the actual timing of the invoice, this tendency could generate a risk of increased underspend on the Capital Programme if not all adjustments were identified and made, as well as affecting the Council's statutory duty to produce its 2017/18 accounts by 31 May 2018 and have its audit completed by 31 July (two months earlier than the 2016/17 deadline). Project managers have therefore been requested to ensure that invoices are submitted promptly for payment and contractors are reminded to invoice on time. Where spend is actually incurred later in the year there is a risk of last minute delay due to inclement weather which may drag spend into future years.

Capital - Housing Care Investment Board

- 3.50. Overall, the largest Board expects to deliver £146m out of £154m budget with PRS (I4B Holdings Ltd), HRA Acquisitions and NAIL refurbishment schemes on track to deliver to budget. The forecast net £8m underspend is detailed in this section.
- 3.51. The Investment strategy linking capital spend to corporate objectives around affordable housing and social care accommodation was signed off in April 2016. A wholly owned investment vehicle – I4B Holdings Ltd (I4B) – was established late in 2016, and the company is now operating. The first two tranches of Private Rented Sector (PRS) spend, totalling £50m, have been approved with a view to purchasing 150 properties. The overall agreement in principle is £100m for 300 properties but, by splitting this into tranches, Cabinet is able to review progress and performance. The next planned request for £50m is expected to go to October Cabinet, along with the proposals for development of I4B's 2018/19 business plan.

- 3.52. As previously reported, the purchasing cycle has been reduced from six months to four months with a target of three months (with the exception of existing tenanted properties) by making various improvements, most recently external buying agents have been appointed, and this is expected to generate further progress towards the three month target. Currently, 65 properties are owned and it is anticipated that further properties up to £45m will be purchased by the end of 2017/18. This is forecast as an over-delivery of £10m against the current year budget of £35m. This was previously expected to underspend, and accounts for the majority of the movement since the last report.
- 3.53. Development schemes are currently predicted to underspend by £11m on a budget of £23m, this is because infill schemes tend to be challenging due to their small sizes and complexity. There was a loss of units due to the scale of some schemes being reduced through the planning process, which also caused delays so the construction stage is now expected to extend into 2018/19. In-house Property-delivered schemes (Church End, Knowles House, and London Road) are forecast to only deliver £6m out of £21m due to over-programming.
- 3.54. Over £100m has already been approved in relation to the overall NAIL programme, but there are further approvals on a scheme by scheme basis. 351 units over the next three years (out of a planned 415 units) should contribute to the Council's existing savings targets (£6.1m out of £7.2m required savings over the next three years, with more to come by this and other means). The capital programme for NAIL is expected, materially, to spend to budget in 2017/18. However, Plot 3 is not forecast in 2017/18 until there is clarity over the status of the scheme and its budgets remain in 2018/19 onwards.
- 3.55. The Council is purchasing the headlease of Manor Court and Lodge Court to generate revenue savings on rental in the HRA. This is expected to be concluded in October at a total (including costs) of £10m.

Capital - Other Boards

- 3.56. Corporate Landlord (IT, Property, Energy) expects, subject to negotiations, to make the final payment on the Civic Centre and the approval of the digital strategy has increased the overall budget. The Corporate Landlord Board met for the first time in early September and began a comprehensive review of all projects. A detailed plan for its £0.8m budgeted spend on the rest of the Civic Centre was reviewed by the Board. The CHP Energy Project moved into the remit of the Board as all the works are commissioned by the Energy Team but it has been agreed that the deadlines of the South Kilburn Team will still be key. All of this led to a revision downwards to the Board's forecasts by £1.3m and an underspend of £0.8m reported. At the next quarterly meeting, the Board will review carbon emissions, other property management plans and the IT budget.

- 3.57. Schools Programme Board is reporting on budget. The spend relates to three of the primary school builds (Uxendon, Byron Court and Stonebridge). This is in relation to a delay in award of the stage two contract by one month while these costs are reviewed by the programme team and a value engineering exercise undertaken. This is being closely monitored but so far the project managers feel that the budget can be delivered. The slight increase (£1.9m) in the budget is due to Gordon Brown Outdoor Education Centre requesting additional budget (£0.3m) and the spend on free childcare places in schools (£1.6m).
- 3.58. Public Realm board consists of Highways, Parks, Sports and Street-Lighting, and is reporting a £7m underspend. There has been an extended delay on the Street-lighting project. Delivery was originally expected to be completed within 2016/17 but due to procurement delays, it will only start on site in October 2017. The contracted price is also expected to cost £1.5m less than the budget, generating an in-year underspend of £3.9m (£2.4m of which is related to delays). CCTV is predicting a £0.8m spend out of £2.3m in 2017/18. Unfortunately, a few months' delay can lead to this impact as the spend is usually weighted towards the end of the project. The difference between the original and revised budgets relates to £3.6m of Transport for London spend and £5.6m of S.106 and Neighbourhood CIL spend, the majority of which is currently being commissioned from contractors.
- 3.59. Regeneration spend relates primarily to Housing Zones. The purchase of Ujima House (£4.9m) has already taken place. The majority of the £3.2m growth relates to expenditure funded by direct grant, such as the £0.7m S.106 schools obligation to Ealing or the many small Neighbourhood CIL grants. The Tricycle Theatre project is expected to complete in 2017/18 (£1m), as they are due to open in April 2018.
- 3.60. The forecast for South Kilburn has increased to £15.7m, as spend to date is £5.4m. This is £4m more than the revised budget. The outturn depends on decisions made by leaseholders to accept Council offers so it is challenging to get an accurate forecast. However, the early agreement over the £2.7m purchase of the Post Office site in the land North of Chippenham Gardens means it was possible to increase the forecast. In addition, work to re-base the South Kilburn budget nears completion, so the Council will have a more accurate estimate of future costs and an understanding of the resources supporting the regeneration scheme.

Conclusion

- 3.61. Currently, the forecast shows that the financial position for the Council in 2017/18 is broadly on target with revenue overspend in Community Wellbeing offset by underspend in Regeneration & Environment, lower than expected growth in Council Tax offset by higher than expected Business Rates, and underspends on DSG and Capital.
- 3.62. However, there are some risks identified that could develop into structural issues if the Council is unsuccessful at addressing them. In particular,

changes in the temporary accommodation market could significantly increase costs, and action needs to be taken now to ensure that the Procurement and Civic Enterprise savings for 2018/19 are delivered. Subject to these plans being delivered, no new major cost pressures emerging, and the savings agreed by full Council being delivered, the Council should spend within its budget in 2017/18.

- 3.63. Work is underway to update the financial strategy and budget for 2018/19 and future years to ensure that the Council remains on a secure financial footing.

4. Financial Implications

- 4.1. This report is about the council's financial position in 2017/18, but there are no direct financial implications in agreeing the report.

5. Legal Implications

- 5.1. Managing public money responsibly is a key legal duty, but there are no direct legal implications in agreeing the report.


6. Equality Implications

- 6.1. There are no direct equality implications in agreeing the report.

Contact Officers

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 <p>Brent</p>	<p style="text-align: center;">Cabinet 13 November 2017</p> <p style="text-align: center;">Report from the Strategic Director of Resources</p>
<p>For Action</p>	<p style="text-align: right;">Wards affected: Sudbury</p>
<p>Community Asset Transfer of the Former Butlers Green Public Convenience, Harrow Road, Sudbury HA0 2SL. The outcome of marketing and recommendation to proceed with a preferred applicant.</p>	

1. Purpose of the Report

- 1.1 On the 24th April 2017 Brent's Cabinet approved the marketing of the Former Butlers Green Public Convenience (FBGPC), Harrow Road, Sudbury HA0 2SL as a Community Asset Transfer opportunity.
- 1.2 This report details the outcome of marketing making a recommendation to grant a lease of the FBGPC to a preferred applicant.

2. Recommendations

- 2.1 That Members approve the proposal for a Community Asset Transfer for the Former Butlers Green Public Convenience (FBGPC) the entering into a lease for 7 years with Sudbury Town Residents Association (STRA). A satisfactory response to equalities monitoring and assessment of the social value test has been provided.
- 2.2 That Members delegate authority to the Strategic Director of Resources to finalise and agree the terms of the leasehold disposal to the STRA.

3. Detail

- 3.1 The Butlers Green toilets has been unused for at least twenty years.
- 3.2 The property is of a single storey brick construction under a pitched tiled roof. The main entrance is through a set of double doors together with a separate side entrance. Internally the unit comprises of a large room and additional smaller areas. It totals about 46 square meter gross internal area.
- 3.3 The property will require complete refurbishment, reinstatement of the utilities, a heating system and new wiring. Externally new windows & doors will need to be added.

- 3.4 The building forms part of a matching pair of properties located in the Butlers Green Open Space, located close to the fork of the Harrow Road and Watford Road. Its counter-part is used primarily as an electrical sub-station. Parking is available on Harrow Road with pay and display meters.
- 3.5 On 1 June 2015 the Cabinet agreed the new Strategic Property Plan 2015-19, including proposals in respect of a new Community Asset Transfer (CAT) process. Subsequently in July 2015 a detailed CAT policy, procedure and guidance was published.
- 3.6 Through the CAT policy, the FBGPC was the subject of an Expression of Interest (EOI) by the Sudbury Town Residents Association (STRA). This EOI was evaluated and passed the relevant tests as outlined in the CAT policy.
- 3.7 Cabinet approved the marketing of the FBGPC on 24th April 2017 following a report titled 'Authority to market Butler's Green toilets under the Council's Community Asset Transfer (CAT) Policy'.

Marketing

- 3.8 In May 2017 the FBGPC was marketed as a CAT inviting applications from eligible third sector organisations, with the marketing particulars detailing the CAT policy's standard terms:
1. A lease term up to a maximum of 7 years.
 2. The lease will be on Full Repairing terms with the property being insured by the Council through Brent Council's block insurance policy and recovering the premium from the ingoing tenant.
 3. The ingoing tenant will be permitted to assign the property subject to Landlords' consent, not to be unreasonably withheld. Sub-letting will be prohibited.
 4. The lease will contain such terms as the Council considers appropriate. The ingoing tenant will be required to covenant to undertake any proposed work outlined in their business plan at their own expense and obtaining any requisite consents, including planning consents.
 5. The lease will be Contracted Out of the security of tenure provisions of the Landlord and Tenant Act 1954.
 6. Rent review to be on the 5th anniversary of the lease and to be uplifted by the Consumer Price Index.
 7. The lease to be entered into will be on Brent Council's standard terms but may include further terms as the Council's solicitor considers appropriate.
- 3.9 Interested applicants were asked to use the CAT property application form to submit their offer, the template form comprises standard questions and tests to enable application evaluation as detailed in the application section below.

Outcome of marketing

- 3.10 Two bids were received by 26th July 2016, the application submission deadline date.
- 3.11 Sudbury Town Residents Association (STRA) offered a rent of £2,200 per annum exclusive for a proposed 7 year lease on terms set out in the marketing particulars.
- 3.12 CTC Community Centre offered a rent of £2,000 per annum exclusive for a proposed 7 year lease set out in the marketing particulars and was at the same level as the £2,000 per annum guide rental value.

Application evaluation

- 3.13 In accordance with Brent's CAT policy applications were evaluated against the following criteria:
1. Is the applicant a qualifying organisation? (Non-qualifying organisations will be removed at this stage).
 2. Is the applicant properly constituted and governed?
 3. Does the applicant have skill and capacity to manage the asset and provide the service?
 4. Do the applicant's accounts demonstrate the ability to take on the asset and delivery the service?
 5. Does the applicant have experience of delivering similar projects?
 6. Is the applicant a consortium?
 7. Are the heads of terms submitted acceptable?
 8. What service does the applicant propose to deliver?
 9. What are the social value outcomes (the Brent template measures outcomes that align with the Borough Plan)?
 10. What are the applicant's equalities outcomes?
 11. If the proposed service will be inclusive for all?
 12. The form asked applicants to note any connection of interest that may create a conflict of interest issue.

- 3.14 The application evaluation is at Appendix 2.

Shortlisting

- 3.15 Both the STRA & the CTC Community Centre proposals were satisfactory and in order to review the proposals both parties were invited to attend an interview on 4th October 2017.

Interview

- 3.16 The STRA presented a very strong community focused bid and have researched the local demand in the area for community facilities. The STRA

aims to serve and encourage wider participation in the community (including the shops) in the restoration of a clean and safe environment within Sudbury as a residents association and forum it will work closely with Brent Council and other authorities to improve the conditions and safety in the area.

- 3.17 CTC Community Centre prepared a strong proposal that captured a wide range of activities however the limited size of the building would in reality make this unrealistic. The orientation of the bid was towards a catering facility that could be seen to serve as a kitchen to supply other off site clients.
- 3.18 Both parties were requested to re-provide additional information relating to social value test and equalities monitoring. STRA have submitted an Equalities Monitoring Form that confirms Brent's equalities policies are being met. STRA have provided a letter of confirmation that provisional CIL funding is approved for the refurbishment of the FBGPC.

4. Financial Implications

- 4.1 A rental income of £2,200 per annum exclusive will arise from a lease to the STRA. At the end of the lease term the Council will have the benefit of a refurbished and improved building.

5. Legal Implications.

- 5.1 Under Section 123 of the Local Government Act 1972 the Council has a general power to dispose of properties including by way of the sale of the freehold or the grant of a lease or a licence
- 5.2 The Council must obtain the best consideration that is reasonably obtainable unless it is a lease or licence for 7 years or less.
- 5.3 Disposals on the open market, either by way of auction or by way of appointing a marketing agent, will satisfy the best consideration requirement.
- 5.4 Since the land to be leased is held as public open space the disposal of the same is to be advertised under Section 123 of the Local Government Act 1972 in a local newspaper for two weeks, with a 21 day period for objections with any objections being considered by the Strategic Director of Resources.
- 5.5 The form of lease to be granted will be based upon a template lease for the disposal or letting of community assets which includes provision for appending the service offer, a once a year annual review comprising the review of the service offer, details of service delivery outcomes and anticipated outcomes for the following years.

6. Equality And Diversity Implications

- 6.1 Progressing the proposed CAT will support a number of Brent's equalities objectives. The proposals provide for community engagement and involvement,

safeguarding and enhancing the environment by providing opportunities for adults and children to use the FBGPC as part of a community based approach.

- 6.2 The marketing process aimed to ensure that all eligible organisations had equality of opportunity and could put forward an application, with marketing resulting in two applications being received.

7. Staffing/Accommodation Implications

- 7.1 There are no staffing implications that arise directly from this report.
- 7.2 There are no accommodation implications that arise other than the fundamental property matters that are described in detail throughout this report.

8. Additional Information

Appendix 1. Site Plan

Appendix 2. Application Evaluation

Appendix 3. Equalities

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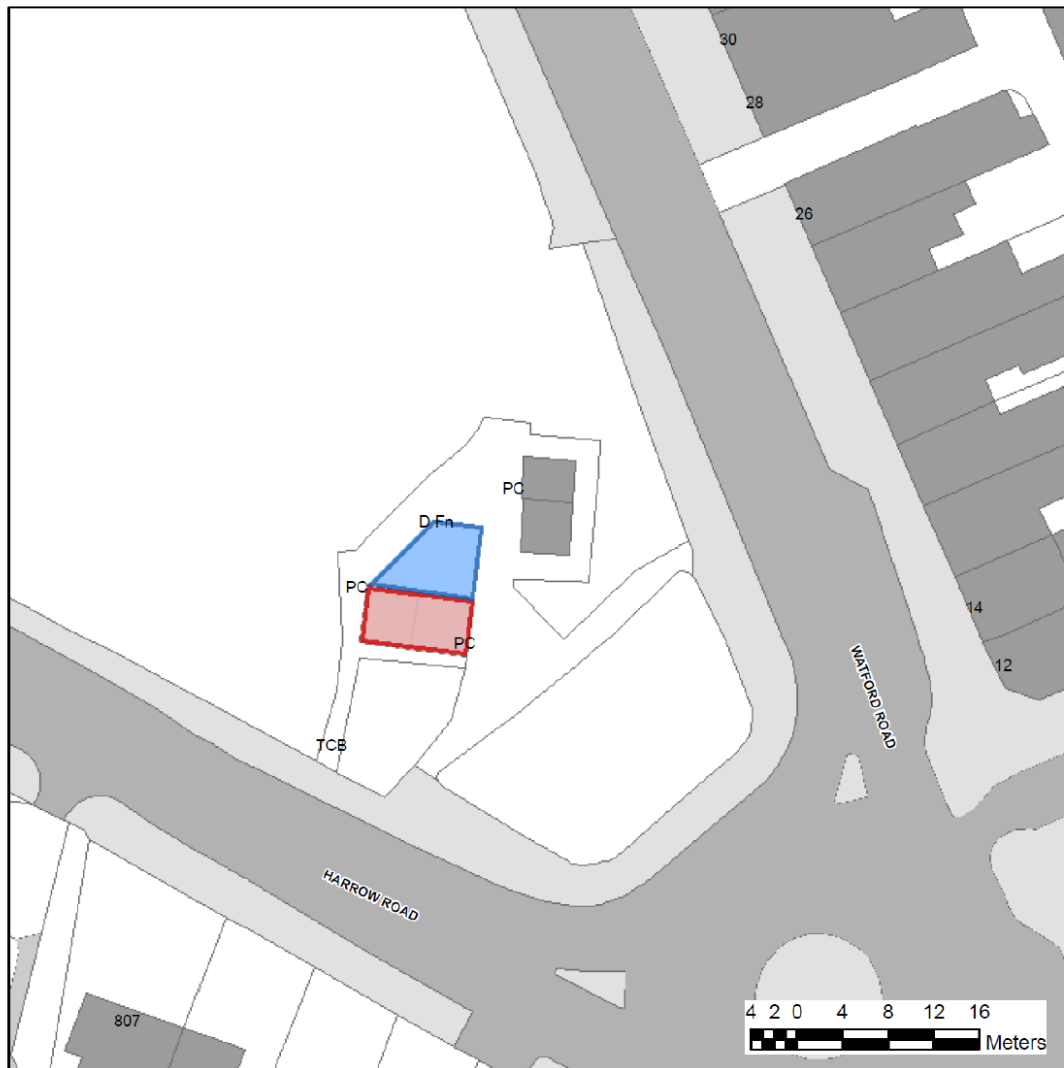
ALTHEA LODERICK

Strategic Director of Resources

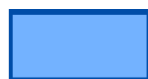
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Appendix 1. Site Plan

Butlers Green Public Convenience, Watford Road, Wembley HA0 2LP.



Demised Area



Licenced Area



Brent

1:500

Plan to stated scale if printed at A4.

PSMA OS copyright statement

© Crown copyright and database rights 2017 Ordnance Survey 100025260

OS Open data copyright statement:

Contains Ordnance Survey data © Crown copyright and database right 2017

NORTH



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Appendix 2. Application Evaluation

Criteria	Sudbury Town Residents Association (STRA)	CTC Community Centre
1. Qualifying organisation	Yes. Social enterprise.	Yes. Social enterprise.
2a. Properly constituted and governed.	Copy of constitution was made available.	Company limited by guarantee only (no charitable status). CTC Community Centre is a social enterprise. No information of constitution. Governed by a board of trustees.
2b. Skill and Capacity to manage asset and provide service	Previous projects include a Neighbourhood Plan, Diamond Jubilee, Olympic Celebrations, and a Music Festival. Minimal experience in developing a property, however it is noted during the viewing that architect, Builders were present to provide guidance and cost quotations.	Yes – some experience involved with the part refurbishment of the Tudor Park Sports Pavilion, Barnet. At interview the proposal was found not to have achieved planning consent & was subsequently surrendered.
2c. Accounts demonstrate ability to take on asset and deliver service	Accounts for 2015, 2016 & 2017 show surpluses. Cash flow provided with £35K Provisional £35K CIL funds approved.	Trading for under 3 years. Detailed business plan provided.
2d. Experience of delivering similar projects.	Works to be fully costed subject to planning permission. Requires substantial repair. No direct experience of delivering similar refurbishment projects, however members and external contractors from property and none property related backgrounds were at the viewings.	Yes. Part refurbishment of the Tudor Park Sports Pavilion in Barnet. See comment above at 2b.
2e. Copy of equality policy	No separate policy. Mission statement on web site details inclusive of all, non-sectarian, non-party organisation.	Yes.
2f. Consortium	No	No
3. Analysis of heads of terms.	Rent £2,200 pa. No rent free.	Rent £2,000 pa. No rent free.
4. Service Offer.	Short term – Get building operational and fit for community use. Long term – To provide a facility for use and enrichment	Short term – two months to refurbish the property. Long term – as a community facility with a high value restaurant, that includes a

	<p>of the whole community to encourage social interaction and generate income for local charitable purposes.</p> <p>To provide an opportunity for local start-ups/small businesses to test the market.</p> <p>To prolong or extend the lease if successful</p>	<p>delivery services with a catering kitchen facility.</p>
5. Social Value Test.	<p><u>Better Lives</u> Enabling people to live better lives.</p> <p>1.1 Health & fitness opportunities created for local people resulting from the CAT Year 1 - £1,152 Year 2 - £1,728</p> <p>1.2.1 Generating jobs for local people- Full time Year 1 - £28,672.80 Year 2 - £28,672.80</p> <p>1.2.2 Part time Year 1 - £8,372 Year 2 - £8,372</p> <p>Supporting local enterprise -</p> <p>1.3.1 Brents SME's in supply chain - Year 1 - £33,000 Year 2 - £0</p> <p>1.3.2 Free use of assets to SME Year 1-£31,357.20 Year 2 -£32,835.84</p> <p>1.4. Making sure our schools are the best. Year 1 - £576.96 Year 2 - £865.44</p> <p><u>Better Place</u> Making sure Brent is a better place to live.</p> <p>2.1 Upkeep of associated sports fields Year 1 - £52,503.36 Year 2 - £52,503.36</p> <p>2.2 Increase the supply of good quality arts & leisure facilities Year 1 - £85,000 Year 2 - £25,000</p>	<p><u>Better Lives</u> Enabling people to live better lives.</p> <p>1.1 Health & fitness opportunities created for local people resulting from the CAT Year 1 - £18,600 Year 2 - £18,720</p> <p>1.2.1 Generating jobs for local people- Full time Year 1 - £143,684 Year 2 - £172,036</p> <p>1.2.2 Part time Year 1 - £83,720 Year 2 - £100,464</p> <p>Supporting local enterprise -</p> <p>1.3.1 Brents SME's in supply chain - Year 1 - £1,500 Year 2 - £3,750</p> <p>1.3.2 Free use of assets to SME - Year 1-£3,018 Year 2 -£4,527</p> <p>1.4. Making sure our schools are the best. Year 1 - £4,808 Year 2 - £6,010</p> <p><u>Better Place</u> Making sure Brent is a better place to live.</p> <p>2.1 Upkeep of associated sports fields Year 1 - £13,222 Year 2 - £24,040</p> <p>2.2 Increase the supply of good quality arts & leisure facilities Year 1 - £5,000</p>

	<p><u>Better Locally</u> Building resilience & promoting local community. 3.1.1 Number of volunteering opportunities created through the CAT Year 1 - £16,154.88 Year 2 - £16,154.88 3.1.2 Accessing for social & community activities for local people. Year 1 - £2,250 Year 2 - £2,500 3.2 Building partnerships Year 1 - £18,108 Year 2 - £18.108</p> <p><u>Other Measures</u> 4.1 Other measures hours Year 1 - £4,327.20 Year 2 - £4,327.20 4.2 Other measures pounds Year 1 - £0 Year 2 - £0</p> <p><u>Sum of Social Value</u> Year 1 - £277,177.20 Year 2 - £186,740.32</p> <p><u>Estimate of Other SV Measures</u> Year 1 - £4,327.20 Year 2 - £4,327.20</p>	<p>Year 2 - £6,000</p> <p><u>Better Locally</u> Building resilience & promoting local community. 3.1.1 Number of volunteering opportunities created through the CAT Year 1 - £6,010 Year 2 - £7,031.70 3.1.2 Accessing for social & community activities for local people. Year 1 - £5,000 Year 2 - £7,500 3.2 Building partnerships Year 1 - £6,036 Year 2 - £9,054</p> <p><u>Other Measures</u> 4.1 Other measures hours Year 1 - £12,020 Year 2 - £14,424 4.2 Other measures pounds Year 1 - £7,500 Year 2 - £7,500</p> <p><u>Sum of Social Value</u> Year 1 - £290,278 Year 2 - £359,133.50</p> <p><u>Estimate of Other SV Measures</u> Year 1 - £19,520 Year 2 - £21,924</p>
6. Equalities outcomes	STRA have said they will have a positive impact on all the 9 protected characteristics with limited comment on why.	CTC Community Centre have detailed a positive impact on all the 9 protected characteristics with limited comment on why
6a. Inclusive to all	Indicated Yes.	Yes.
7. Equality monitoring.	Brent standard equalities form was completed.	Brent standard equalities form was not completed. (Copy requested)
8. Connection or interest.	None noted.	None noted.

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Appendix 3 - Equalities

Equality Analysis- Blank Form – Online EA System

Department:
Resources

Person Responsible:
equalities@brent.gov.uk

Created:
2nd November 2017

Last Review:
2nd November 2017

Status:
Complete

Next Review (if applicable):

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.

Brent's Cabinet Report in April 2017 approved the proposal to Community Asset Transfer (CAT) the Former Butlers Green Public Convenience (FBGPC), Harrow Road, Sudbury to a third sector organisation (TSO)

By all accounts the FBGPC has not been used for in excess of twenty years and has become in a poor state of repair. The Council has no allocated budget to return it to a useful state of repair. The Council has no allocated budget to return it to a useful state of repair.

The CAT provides for the asset to be leased to a TSO, aiming to build capacity in Brents TSO community, while bringing a disused property back into use, reducing anti-social behaviour and costs associated with managing an empty asset, generating management and maintenance saving with an opportunity to improve the use and condition of the surrounding area.

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

Residents. The condition of the FBGPC has attracted anti-social behaviour to the area that has affected the neighbouring housing. The proposed CAT will enable the a TSO organisation directly to manage the proposed re-generation of the FBGPC.

Staffing. There are no staffing issues. On completion the CAT operators will employ their own staff.

External Stakeholders. There are no external stakeholders.

Other Members of the Community. There may be many users of the proposed new facility

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

Yes

If answered 'yes' please indicate which equality characteristics are impacted.

- Age
- Disability
- Race

Age

- STRA. Impact positive. They indicate that they actively seek to promote greater social inclusion, their work delivers full inclusivity and non-discriminatory.
- CTC International. The organisation details that the facilities will be available to all age groups.
- Disability
- STRA. Impact positive. They indicate that they will make the facility and services available to all communities regardless of disability.
- CTC International. The organisation details that the facility and services will be available to all communities regardless of disability.
- Race
- STRA. Impact positive. They indicate that they will make the facility and services available to all communities regardless of religion or belief.

CTC International. The organisation details that the facility and services will be available to all communities regardless of religion or belief.

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

- Yes

The STRA proposal will result in a new community facility, that will in the future command a higher rent.

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

- Yes

The proposal offered by the STRA & CTC International has the potential to change over time. The CAT process is flexible allowing providers the ability to alter their service offer over time with changes captured through the annual self assessment process that is undertaken by tenants and submitted to the Council to review and feedback on.

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

- Yes

The proposed services are for both the residents of Brent & those outside. It is likely the service offer will be accessed by a range of backgrounds, including those from deprived backgrounds or areas with high crime, high health or low education attainment, employment and families living in social housing their may be beneficial dependents.

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

- Yes

Low income households. The Brent Borough profile shows Brent residents have the second lowest gross average income of all the London boroughs. Any significant fees charged by the STRA or CTC International may have an adverse effect on individuals ability to use the site.

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

- Yes

To know and understand all our communities. The proposal from STRA and CTC International provides for community engagement.

To involve our communities effectively, both proposals provide for community involvement.

To demonstrate leadership in equalities and human rights both within the Council and amongst partners and organisational committed to excellence. The proposal attempts to safeguard the FBGPC by providing opportunities in Brent and surrounding areas. Additionally it offers the potential of wider access by the community.

Recommend this EA for Full Analysis?

Yes

In respect of CAT and marketing both applicants submitted equality data that was broadly in line with Bents equality policy.

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.

N/a

Stage 2: Analysis

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

5.1 Age (select all that apply)

- ☒ Positive
- ☐ Neutral
- ☐ Negative

Please give details:

The CAT process aims to ensure opportunity for all and an open market process inviting applicants from eligible organizations.

The responses below are as per each application service analysis.

STRA. Position unknown but the organisation work is inclusive of age and has many members that are retired or in later years of employment.

CTC International. Position positive. They have detailed that the facility will be available to the elderly in Brent and surrounding areas regardless of race.

5.2 Disability (select all that apply)

- ☒ Positive
- ☐ Neutral
- ☐ Negative

Please give details:

The CAT process aims to ensure opportunity for all and an open market process inviting applications from eligible organisations.

The response below are as per each application service analysis.

STRA. Position Positive. They have indicated that the regeneration of the FBGPC will enable it to be available to all communities regardless of disability within Brent and surrounding areas. The diversity and deprivation level in Brent means that some residents the use of the proposed new facility may be one and only time such experience takes place.

CTS International. Position Positive. Have indicated that the facility is to be available to all persons in Brent & surrounding areas regardless of disability.

5.3 Gender Identity (select all that apply)

- ☒ Positive
- ☐ Neutral
- ☐ Negative

Please give details:

The CAT process aims to ensure opportunity for all and an open market process inviting applications from eligible organisations.

STRA. Position Positive. They have indicated that the regeneration of the FBGPC will enable it to be available to all communities regardless of gender within Brent and surrounding areas. The diversity and deprivation level in Brent means that some residents the use of the proposed new facility may be one and only time such experience takes place.

CTS International. Position Positive. Have indicated that the facility is to be available to all persons in Brent & surrounding areas regardless of gender.

5.4 Marriage and civil partnership (select all that apply)

- ☒ Positive
- ☐ Neutral
- ☐ Negative

Please give details:

The CAT process aims to ensure opportunity for all and an open market process inviting applications from eligible organisations.

STRA. Position Positive. They have indicated that the regeneration of the FBGPC will enable it to be available to all communities regardless of marriage or civil partnership within Brent and surrounding areas. The diversity and deprivation level in Brent means that some residents the use of the proposed new facility may be one and only time such experience takes place.

CTS International. Position Positive. Have indicated that the facility is to be available to all persons in Brent & surrounding areas regardless of marriage or civil partnership.

5.5 Pregnancy and maternity (select all that apply)

- ☒ Positive
- ☐ Neutral
- ☐ Negative

Please give details:

The CAT process aims to ensure opportunity for all and an open market process inviting applications from eligible organisations.

STRA. Position Positive. They have indicated that the regeneration of the FBGPC will enable it to be available to all communities regardless of pregnancy and maternity within Brent and surrounding areas. The diversity and deprivation level in Brent means that some residents the use of the proposed new facility may be one and only time such experience takes place.

CTS International. Position Positive. Have indicated that the facility is to be available to all persons in Brent & surrounding areas regardless of pregnancy and maternity.

5.5 Race (select all that apply)

- ☒ Positive
- ☐ Neutral
- ☐ Negative

Please give details:

The CAT process aims to ensure opportunity for all and an open market process inviting applications from eligible organisations.

STRA. Position Positive. They have indicated that the regeneration of the FBGPC will enable it to be available to all communities regardless of race within Brent and surrounding areas. The diversity and deprivation level in Brent means that some residents the use of the proposed new facility may be one and only time such experience takes place.

CTS International. Position Positive. Have indicated that the facility is to be available to all persons in Brent & surrounding areas regardless of race.

5.7 Religion or belief (select all that apply)

- ☒ Positive
- ☐ Neutral
- ☐ Negative

Please give details:

The CAT process aims to ensure opportunity for all and an open market process inviting applications from eligible organisations.

STRA. Position Positive. They have indicated that the regeneration of the FBGPC will enable it to be available to all communities regardless of religion or belief within Brent and surrounding areas. The diversity and deprivation level in Brent means that some residents the use of the proposed new facility may be one and only time such experience takes place.

CTS International. Position Positive. Have indicated that the facility is to be available to all persons in Brent & surrounding areas regardless of race.

5.8 Sex (select all that apply)

- ☒ Positive
- ☐ Neutral
- ☐ Negative

Please give details:

N/a

5.9 Sexual orientation (select all that apply)

- ☒ Positive
- ☐ Neutral
- ☐ Negative

Please give details:

The CAT process aims to ensure opportunity for all and an open market process inviting applications from eligible organisations.

STRA. Position Positive. They have indicated that the regeneration of the FBGPC will enable it to be available to all communities regardless of sexual orientation within Brent and surrounding areas. The diversity and deprivation level in Brent means that some residents the use of the proposed new facility may be one and only time such experience takes place.

CTS International. Position Positive. Have indicated that the facility is to be available to all persons in Brent & surrounding areas regardless of sexual orientation.

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

- ☐ Positive
- ☒ Neutral
- ☐ Negative

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

- ☐ Yes
☒ No

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

The CAT tender marketing campaign resulted in two applications for the FBGPC. They were both invited for a second round interview.

STRA are an established local association. Their equalities analysis comments in respect of the 9 protected characteristics were satisfactory.

CTC International are an established organisation. Their equalities analysis comments in respect of the 9 protected characteristics were satisfactory

What did you find out from consultation or data analysis?

The Council will require the CAT leaseholder to submit an annual self assessment comprising a service review on a regular basis with the time frame to be agreed.

The monitoring approach will enhance the potential positive impacts that have been identified in this report.

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

Yes.

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

The tender marketing process allowed for the best applicants to come through for the FBGPC. The equalities outcomes are the most satisfactory possible.

STAGE 3: ACTION PLANNING

Now, you will respond to your findings from the analysis stage and complete an action plan. At this stage you need to think about how to remove or reduce all the negative impacts that you have identified and how to maximise any opportunities to promote equality. This might mean making changes to your proposal or to the way that it is implemented.

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

The Council will require the CAT leaseholder to submit a annual self assessment comprising a service review on an regular basis with the time frame to be agreed.

The monitoring approach will enhance the potential positive impacts that have been identified in this report.

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

There were no negative impacts identified.

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

N/a

Organisation Sign Off Data

Enter your name

James Young

Enter your designation

Commercial Portfolio Manager


Enter your department

Resources

Enter todays date

03.11.17

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 <p>Brent</p>	<p style="text-align: center;">Cabinet 13 November 2017</p> <p style="text-align: center;">Report from the Strategic Director of Resources</p>
<p style="text-align: right;">Wards affected: Fryent, Stonebridge, Queens Park, Wembley Central</p>	
<p>Disposal of Vacant Residential Properties</p>	

Not for Publication:

Appendix 1 is not for publication as it contains the following category of exempt information as specified in Schedule 12A of the Local Government Act 1972, namely: Paragraph 3 - "Information relating to the financial or business affairs of any particular person (including the authority holding that information)"

1.0 Purpose of the Report

- 1.1 The purpose of this report is to seek the authority of Cabinet to dispose of surplus vacant residential properties, being;
- 8 Coniston Gardens, London NW9 OBD;
 - 67 Woodheyas Road, London NW10 9DE;
 - 20 Claremont Road, London W9 3DZ;
 - Property X (address shown in appendix 1 to safeguard personal data of the owner);
 - 3 Kent Road, Milton Keynes MK14 6BA;
 - 18 Alliance Close, London HA0 2NG.
- 1.2 The properties are presently non-operational and non-income producing. The properties are incurring hold costs and are likely to deteriorate physically and in capital value over time. The properties are considered surplus to requirement following a thorough review of the available options by officers.
- 1.3 The properties will be disposed at the best value that could be currently obtained in the market. The disposals would generate capital receipts to support wider corporate objectives.

2.0 Recommendations

That Members:

- 2.1 Approve the disposal of surplus properties at 8 Coniston Gardens and 67 Woodheyas Road to I4B Holdings Limited (I4B) – the Council's wholly owned company, at market value (which has been determined by an independent Chartered Surveyor) plus the Council's costs, for use under the Private Rented Sector programme (PRS).
- 2.2 Approve the disposal of Property X, which is owned by an Adult Social Care user, in the open market for a capital receipt in order that the Council may exercise its duty under the Care Act and deputyship order granted by the Court of Protection. The property will be sold at an arms-length transaction on the open market to ensure that no conflict of interest arises and that best consideration is obtained for the service user. Approval is also sought for all subsequent disposals under the Care Act, which is a statutory function, to be carried out under delegated authority of the Strategic Director of Resources.
- 2.3 Approve the disposal of surplus property at 20 Claremont Road at market value for a capital receipt, following a thorough review of options by officers to bring the property back into use. The property will be offered to I4B at market value, which has been determined by an independent Chartered Surveyor, for use within I4B's programmes, or will be sold on the open market.
- 2.4 Delegate authority to the Strategic Director of Resources to approve the method of disposal and agree the final terms for properties within this report, including for 3 Kent Road and 18 Alliance Close.
- 2.5 Consent to an application to the Secretary of State for the disposal of 3 Kent Road and 67 Woodheyas Road.
- 2.6 Consent to an application to the Secretary of State for Education for the disposal of 8 Coniston Gardens.

3.0 Detail

- 3.1 8 Coniston Gardens, London NW9 OBD
- 3.2 The property is a semi-detached 3 bedroom former caretaker's house of the Oliver Goldsmith Primary School. The property is owned freehold in the General Fund. Up until April 2016, the property had been managed by the school and had been vacant for approximately 9 years. Several options had been considered by the school to bring back the property into use for educational purposes but no viable option was ultimately identified. The property was declared surplus to requirement by the school and the Council's Children and Young People's Department in April 2016 following consultation and assessment of options by the Property Department.
- 3.3 In April 2016 approval was obtained under delegated authority to release the surplus property from education to general needs in accordance with Local Government Act 1972 i.e. appropriation of an education asset to a housing asset to meet the pressing housing needs of the borough.

- 3.4 On 14th October 2016, following a review of the options, delegated authority was given to use the property under the PRS programme. As this approval was prior to the formation of the Council's wholly owned company, I4B, the property is now required to be formerly sold to the company for use under the PRS programme.
- 3.5 Under the PRS scheme the Council is able to discharge its homelessness duties through securing suitable, available accommodation for households under section 193 of the Housing Act 1996 (following acceptance of the household as statutorily homeless). An offer of suitable private rented property can be made to prevent homelessness under the Act.
- 3.6 Disposal to I4B will be at market value, which has been assessed by an independent Chartered Surveyor, as shown in appendix 1, plus the Council's costs.
- 3.7 67 Woodheyas Road, London NW10 9DE
- 3.8 The property is a mid-terrace 2 bedroom property. The property is owned freehold and held within the General Fund. The property was compulsorily acquired by the Council's Empty Property Team in February 2016.
- 3.9 On 14th October 2016, following a review of the options, delegated authority was given to use the property under the PRS programme. As this approval was prior to the formation of the Council's wholly owned company, I4B, the property is now required to be formerly sold to the company for use under the PRS programme.
- 3.10 Should a compensation claim come forward by the previous owner, I4B will be required to reimburse the Council of costs associated with the compensation payable under the compulsory purchase order legislation. This will include loss and disturbance payments and reasonable legal and professional fees.
- 3.11 Disposal to I4B, if financially viable will be at market value. The financial viability has not yet been determined due to the complexities of the individual case.
- 3.12 Property X
- 3.13 The property is owned by an Adult Social Care service user (the client) who was admitted to a residential home approximately two years ago under Section 21 National Assistance Act 1948, which places a duty on local authorities to provide residential accommodation for persons who by reason of age, illness, disability or any other circumstances are in need of care and attention which is not otherwise available to them.
- 3.14 At present the client has to pay in full his residential care fees. He is not entitled to any financial support at present due to his capital being more than £23,250. The proceeds of the property, along with the client's current capital, will be used to fund his residential care fees.

- 3.15 Any care commissioned after 1st April 2015 would have been done under the Care act 2014 ("Care Act"). Also any care commissioned under the National Assistance Act 1948, which persisted after 1st April 2015 will now be under the Care Act.
- 3.16 The Council has the legal power as Deputy to deal with the property as if it were the proprietor under an order from the Court of Protection. This gives the Council the power to sell as long as the Council is satisfied that it is in the best interest of the client.
- 3.17 The property will be sold via an arms-length transaction on the open market which will ensure that the best price is achieved for the client and to ensure no conflict arises in respect of the deputyship order granted by the Court of Protection.
- 3.18 20 Claremont road, London W9 3DZ
- 3.19 The subject property is a five bedroom mid-terraced house arranged over three floors. The property is an ex-mental health hostel. The property is owned freehold and held within the general fund. The property was handed back to the Property Department in December 2015 because it was identified as surplus to requirement by the Adult Social Care Department.
- 3.20 The property was marketed for letting in May 2016 for a suitably experienced provider to convert the property and operate and manage under a leasing scheme. However, while a number of bids came forward they were dismissed because bidders' proposals did not meet any identified needs, or the Council's minimum financial criteria.
- 3.21 A number of alternative options have been reviewed, as shown below:
- Market letting through either I4B or First Wave Housing;
 - Supported Housing for Young People;
 - Temporary accommodation;
 - Social Housing under Housing Revenue Account;
 - NAIL programme (New accommodation for independent living);
 - Private Rented Sector Programme (I4B);
 - Accommodation for Children and Young People Services
- 3.22 However, the property is in need of internal decoration and modernisation at a cost of circa £100k to £150k, which has rendered many alternative options uneconomical. The options were also reviewed in the context of the empirical evidence available, such as supply and demand data and potential to generate savings, to validate or dismiss the options. In consultation with Council departments, the options above were considered and dismissed.
- 3.23 Furthermore, the Council's Property and Asset Strategy emphasises the need for assets to contribute towards regeneration and housing priorities while delivering a financial return. Disposal should be considered when the asset no longer makes a positive contribution to the current delivery of Council services or when a disposal would generate a significantly higher financial return than the

existing usage.

- 3.24 Because of the size of the initial capital investment required to bring the property back into use, both the market rent and social rent produce extremely low yields. Disposal is therefore the preferred option and will be at market value, as shown in appendix 1, for a substantial capital receipt.
- 3.25 The option of refurbishing the property prior to disposal has been considered. However, there is no way of knowing whether the final price achieved in the market is as a result of the refurbishment works. The price achieved will depend on a number of variables, such as the state of the market and demand and not just on the condition of the property. And therefore the recommendation is to take the property to the market in its current un-refurbished condition.
- 3.26 I4B have considered purchasing the property for the PRS programme, however, the property as a single dwelling does not meet the financial criteria for the programme. Therefore, I4B assessed the benefit of converting the property into 2 self-contained flats for the purpose of market letting. However due to the market value of the property and costs of conversion (£200k as assessed by an external surveyor), it would only achieve a 3.00% gross yield, which is far below the I4B's investment criteria. Conversion costs would have included the following works: re-plumbing, re-wiring, kitchens, bathrooms, fireproofing and soundproofing.
- 3.27 3 Kent Road, Stanton Bury, Milton Keynes MK14 6BA
- 3.28 The property is 3 bedroom end of terrace property held within the Housing Revenue Account, and owned freehold. It is one of a small number of properties which was managed by Milton Keynes Council under a long standing historical arrangement with Brent. The property had become void and was uneconomical to bring back into a lettable standard due to the high cost of repairs, and was therefore handed back by Milton Keynes Council to Brent in December 2015.
- 3.29 The property is being considered for the I4B programme in the first instance, but a full assessment needs to take place. If the property is not considered suitable for retention then the property will be sold on the open market for a capital receipt.
- 3.30 18 Alliance Close, London HA0 2NG
- 3.31 This property is a 2 bedroom flat which was let and managed by the Central and North West London NHS Foundation Trust (CNWL). The property is owned leasehold and is held within the General Fund. The property is no longer fit for purpose for the CNWL client group and has been handed back to the Council's Property Department.
- 3.32 The property is being considered for the I4B programme in the first instance, but a full assessment needs to take place. If the property is not considered suitable for retention then the property will be sold on the open market for a capital receipt.

4.0 Financial Implications

- 4.1 The estimated capital receipts are shown in appendix 1. It should be noted that the final sale value of individual assets which are sold on the open market will be subject to a number of factors including market conditions.
- 4.2 Costs associated with the disposals will be funded from the capital receipts.
- 4.3 The Council's general policy is that receipts arising from the disposal of land and properties are used to support the overall capital programme. However, all properties are assessed as to whether they meet I4B investment criteria first as the Council prefers to retain assets where appropriate.

5.0 Legal Implications

- 5.1 Local authorities are generally under a duty to comply with Section 123(2) of the Local Government Act 1972 which requires that "Except with the consent of the Secretary of State a Council shall not dispose of land under this section, otherwise than by way of a short tenancy, for a consideration less than the best that can reasonably be obtained." Disposal at market value, which has been determined by an independent Chartered Surveyor, will satisfy the best consideration requirement.
- 5.2 Where 67 Woodheyes has been acquired under section 17 of the Housing Act 1985, Secretary of State's consent will be required for a disposal under Section 32 of the Housing Act 1985.
- 5.3 The Secretary of State's consent will be required prior to the disposal of 3 Kent Road in accordance with section 32 of the Housing Act 1985.
- 5.4 A section 77 application would need to be made when disposing of Education land.

6.0 Diversity Implications

- 6.1 There are none. The land and properties are vacant and are not open to the public.

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 There will be officer time incurred in the disposal of the properties (Property Department and Legal Department). Depending upon the precise method of disposal in each case, there could be external fees to pay to agents or auctioneers, which are capitalised costs.

Background Papers

Confidential Appendix 1: Appraisal and Valuation

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ALTHEA LODERICK


Strategic Director of Resources

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

Document is Restricted

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 Brent	<p align="center">Cabinet</p> <p align="center">13 November 2017</p> <p align="center">Report from the Strategic Director of Resources</p>
<p align="right">Wards affected: All Wards</p>	
<p>Revenues and IT Support Service – Future Service Delivery Options</p>	

Not for Publication:

Appendices A and D of this report are not for publication as they contain the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)"

1.0 Purpose of the Report

- 1.1 This report considers and evaluates options for delivery of the Revenues and IT Support Service when the existing contractual arrangements with Capita Business Services Ltd ("Capita") end on 30th April 2019 and makes recommendations accordingly.
- 1.2 The options appraisal has shown a strong case for the retender of Business Rates as this offers the best prospects for strong performance with more robust resilience and less risk. The options appraisal has also indicated that the overall prospects for Council Tax collection performance improvement are stronger if the service returns to in house provision as this option offers the opportunity to directly control and develop the service in accordance with Brent's wider strategic objectives, in particular a more corporate approach to debt recovery and implementation of the Digital Strategy. The options appraisal has also indicated that a retender of the service may not achieve improved collection performance without increased investment through a higher contract price.
- 1.3 As this service has been outsourced since 1995 (i.e. 24 years at contract expiry) this option would incur one-off transition costs of circa £0.3m and would also require growth of circa £0.2m per annum to build capacity for improvement. It should be noted that Council Tax collection performance has been subject to "peaks and troughs" since 2013 with "in-year" collection averaging 95.7%. Over a similar period, significant savings have been achieved through contractual price reductions.

- 1.4 An in house Council Tax service would offer greater flexibility in terms of integrating Revenue collection with Benefits operations particularly as the working age Housing Benefit caseload starts to migrate to Universal credit from 2019. It would also allow greater flexibility in implementing a more corporate approach to debt recovery and implementation of the Digital Strategy.
- 1.5 An alternative option of returning the Council Tax service to in house provision but without growth in funding has also been considered and is not recommended. This is because the increased level of employer costs that would arise from Local Government Pension Scheme contributions and harmonisation of salary scales would necessitate a reduction of approximately seven full time equivalent staff from within the collection and enforcement teams (i.e. after having made due provision for staffing IT related aspects of the service) and this would adversely affect collection performance.
- 1.6 Soft market testing has demonstrated a competitive retender is a viable option for future Council Tax service provision and would facilitate a degree of risk transfer. The key question to be considered therefore is whether the potential benefits to be gained from a potential return to in house provision provide a sufficient return on investment to merit the cost and risks associated with this.

2.0 Recommendations

- 2.1 The following recommendations are submitted for consideration:
 - 2.1.1 Approve the invitation of tenders for the provision of the Business Rates Service (“NNDR”) including associated customer service, IT Support for the Academy IT System and printing for the NNDR service on the basis of the pre-tender considerations referred to in paragraph 5.2.2 and further defined within Appendix F of the report.
 - 2.1.2 Approve officers evaluating tenders referred to in 2.1.1 above on the basis of the evaluation criteria set out in Appendix F of the report.
 - 2.1.3 Agree the Council Tax Service and associated IT Support (including support for the Northgate IT System, Debtsys for Housing Benefit Overpayments and View 360 electronic document management system) be returned to in house provision at the expiry of the existing Revenues and IT Support Services contract based upon the options appraisal set out within this report.
 - 2.1.4 Note that subject to the decision taken in relation to Recommendation 2.1.3, that printing services for the Council Tax and Benefits Services will be procured by the Council (the timing of such procurement to form part of detailed transition plans in order to minimise risk of service disruption at contract expiry).
 - 2.1.5 Delegate authority to the Strategic Director Resources in consultation with the Deputy Leader to agree variations to the existing Revenues and IT Support Services contract to permit discrete areas of the existing contract package to be returned to in house provision before the contract expiry date, if appropriate.

- 2.1.6 Approve growth of £0.2m arising from recommendation 2.1.3 as set out within paragraph 3.8 and Section 6 (Financial Implications) of this report.

3.0 Detail

Background

- 3.1 There is no further contractual provision for extension when the existing Revenues and IT Support contract expires and therefore a decision needs to be taken in sufficient time to implement the preferred option for future service delivery. Implementation will require approximately 15 months, whichever option is determined.
- 3.2 An options appraisal has been undertaken to evaluate the relative merits of future service delivery models. This has included; in house, shared service and a retender. The evaluation of the shared service option has indicated that there is little current appetite amongst potential Local Authority partners. Indeed, more detailed evaluation of a potential shared service with a neighbouring authority has revealed that the financial returns were insufficient to merit either party progressing with them.
- 3.3 Soft market testing indicated that greater supplier interest might be achieved by increasing the current service scope. Consideration has therefore been given to extending the scope of the contract package particularly in relation to the inclusion of the Benefits service. However, changes arising from the roll out of Universal Credit within the Borough from August 2018 and the implementation of the corporate debt management and digital strategy make this option less attractive in terms of future flexibility to change and integrate these services.
- 3.4 The contract with Capita has seen a significant annual price reduction from approximately £3.1m in 2015/16 to its current level of £2.7m. However, annual Council Tax collection performance has been subject to “peaks and troughs” over the past four years, averaging 95.7% “in-year”. The introduction of the local Council Tax Support scheme (“CTS”) in April 2013 has impacted on collection but only in a marginal way. Collection rates for accounts where CTS is awarded are much higher than originally forecast. Non collection of Council Tax arising as a result of localised CTS is estimated to be equivalent to approximately 0.2% and there have been no significant changes to the Brent CTS scheme since 2013.
- 3.5 Although a tender process would attract market interest, the incumbent supplier is likely to have a financial advantage, as they would not incur the same level of transition costs for “take-on” of the service that another bidder would have.
- 3.6 A re-tender of the service might offer a lower cost option than an in house service and least risk in terms of service continuity with some degree of risk transfer. However, it may not achieve improved Council Tax collection performance without increased investment through a higher contract price and would give less flexibility to develop new operating models for Brent Customer

Services in the future. A risk and reward scheme could provide financial incentives for exceeding performance and financial reductions for any failure to achieve these however bidders are likely to price in accordance with the level of financial risk that they consider a contract presents.

- 3.7 The overall prospects for performance improvement are stronger if the service returns to in house provision as this option offers the opportunity to directly control and develop the service in accordance with Brent's wider strategic objectives, in particular a more corporate approach to debt recovery and implementation of the Digital Strategy.
- 3.8 Analysis of Brent's Council Tax collection when taking into account deprivation factors indicates there is a potential scope for improvement. The extent of this improvement is difficult to precisely quantify. However, it is considered that there is a potential to improve collection rates to between 95.8% and 96.4% based upon average collection rates for London authorities with broadly similar levels of deprivation - 96.4% representing an additional £0.9m for Brent's proportion of the collectable debit. An improvement could potentially be achieved within three years based upon the average collection performance for London Authorities that are closely ranked to Brent in terms of deprivation levels and with the increased staffing resource proposed for allocation to proactive collection and enforcement activities. If achieved, improved collection would have positive cash flow benefits and would also reduce recovery costs for future years. A three year improvement plan would be necessary to achieve this, with investment to increase capacity in the first year with scope to then reduce costs in years 2 and 3. Budget growth of £0.2m on current cash limits would be necessary for the in house option for at least the first year of the improvement plan.
- 3.9 Whilst an increased contract price may see an improvement in Council Tax collection performance, the benefits of in house provision as set out within paragraph 3.7 above would not be so easily achieved.
- 3.10 As Council Tax has been outsourced since 1995 (i.e. 24 years at contract expiry), there will be transition costs arising from an in house option. It is estimated that these would be in the region of £0.3m and would cover replacement of Northgate servers and virtualisation of these, early recruitment of Northgate application support to de-risk the potential loss of expertise at contract expiry; actuarial evaluations and project capacity to oversee the transition. Of these costs, circa £0.2m would be incurred anyway as a consequence of the replacement of Northgate servers and virtualisation and retender arrangements. Appendix B provides a summary of these activities.
- 3.11 Continuing austerity measures and potential changes to Local Government Finance proposed from April 2019 arising from full Business Rates Retention as an alternative to some existing central government grants including Revenue Support Grant ("RSG") mean that service delivery costs and Revenues collection performance take on increased significance. It is anticipated that the impact of Business Rates Retention will require increased co-ordination between a Business Rates Service Provider, Brent Council and the business

community to facilitate and effectively manage potential growth within the Borough and any associated risks. Additionally, in 2022, the five yearly revaluation of commercial properties is also scheduled to take place and this will require effective resourcing and management concurrent with the above changes.

- 3.12 The scheduled roll-out within Brent of the Universal Credit full digital service to working age claims from August 2018 and the subsequent migration of existing working age Housing Benefit claims between 2019 and 2022 will bring significant changes for the future delivery of Housing Benefit. This might present opportunities for exploring new models for the Council Tax Support Scheme and the way in which it is resourced.
- 3.13 Furthermore, the recent establishment of an in house Enforcement Agent service to take on enforcement of Council debts and the proposed move towards a centralised debt management model that makes better use of debt recovery expertise and applies a more co-ordinated approach to repayment of debt, is also anticipated to impact on future service delivery.
- 3.14 Harnessing opportunities presented by the 'digital revolution' and referenced within the Digital Strategy, the implementation of Customer Relationship Management (CRM) will bring a greater generic approach to assistance across a range of services rather than the more specialised demand, as experienced at present.
- 3.15 Details of the current service context are contained in Appendix D to this report and are summarised below:
 - The Business Rates service currently comprises 8,668 commercial properties with an average growth rate of 1% per annum and a net collectable debit of £132.2m. This compares to 8,262 properties and a net collectable debit of £97m at 31st March 2012.
 - The Council Tax service currently comprises 120,037 domestic properties with average growth of 3.2% per annum and comprising a net collectable debit of £132.9m. This compares to 103,086 domestic properties and a net collectable debit of £103m at 31st March 2012.
 - It is anticipated that both the above will continue to experience growth over the next few years as a consequence of both continued demand for housing and the fulfilment of corporate priorities.
 - Whilst a lower staffing resource is required for administering the Business Rates service in comparison to Council Tax, the administrative complexity in particular the application of small business rates relief, transitional relief and interest calculations on overpayments tends to make this a specialised service with staff often having niche skills and experience. Additionally, the general revaluation requirement for commercial properties on a five yearly basis means that reliefs and exemptions can often vary on a regular basis and are subject to annual changes at the time of the budget. Consequently, resilience in terms of staff numbers, knowledge, skills and experience are fundamental considerations for the Business Rates service.

- IT Support currently includes support for the Northgate Revenues and Benefits system, Academy Business Rates system, Axis Income Management system, Debtsys for Housing Benefits Overpayments, View 360 electronic document management system and associated printing.

4.0 Options Appraisal

- 4.1 A summary table and analysis of the advantages and disadvantages of each of the three options shown in paragraph 3.2 above is shown below. Appendix A to this report provides a more detailed table and analysis of these.

Reference Number	Outsourcing	Shared Service	In House
A1	<u>Business Rates</u> The strong London collection performance of suppliers for Business Rates and the proposed retention of 100% Business Rates income from 2019 support the case for retendering Business Rates.	<u>Council Tax and Business Rates</u> 'Standardisation' provides a cost reduction opportunity whether in terms of locality, IT systems, process or management and staffing.	<u>Council Tax</u> This option presents the best opportunities for improving performance with the flexibility to develop new operating models for Brent Customer Services in the future.
A2	<u>Business Rates</u> Suppliers have a pool of staff available to them with niche skills and expertise in Business Rates.	<u>Council Tax and Business Rates</u> A procurement process would not apply to a shared service arrangement.	<u>Council Tax</u> This option presents the best opportunity for developing the service to achieve corporate aims in relation to debt management, digital strategy and integration of the service with Benefits as Universal Credit is introduced.

Reference Number	Outsourcing	Shared Service	In House
A3	<u>Council Tax and Business Rates</u> Would probably cost less than the cost of in house service provision but without the flexibility to integrate with other Brent Council services.		<u>Council Tax</u> An in house option would not preclude the consideration of future innovative operating models including a shared service arrangement for example.
A4	<u>Council Tax and Business Rates</u> The retender of all or part of the existing		<u>Council Tax</u> There could be an opportunity for achieving economies

	contract services in scope would permit a degree of risk transfer that would not be possible with an in house or shared service arrangement.		of scale through the procurement of Council Tax and Benefits printing services with other Local Authorities.
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Disadvantages

Reference Number	Outsourcing	Shared Service	In House
D1	<u>Council Tax and Business Rates</u> Small number of suppliers and with interest potentially being dependent upon other contracts going to the market at the same time.	<u>Council Tax and Business Rates</u> Where shared Revenues and Benefits service arrangements have occurred in London, they have tended to end prematurely.	<u>Business Rates</u> Average performance for Business Rates collection in London is significantly weaker for in house services than outsourced ones.
D2	<u>Council Tax</u> The proposed move towards a centralised debt management model that makes better use of debt recovery expertise and applies a more co-ordinated approach to the repayment of debt in general and a corporate debt management system ("ASH") may make synergies more difficult to achieve with a third party supplier.	<u>Council Tax and Business Rates</u> There is little current appetite at present for a shared Revenues and / or Benefits service amongst representatives contacted.	<u>Business Rates</u> In the case of the Business Rates Academy system, there is no in house experience of hosting and supporting this.

Reference Number	Outsourcing	Shared Service	In House
D3	<u>Council Tax</u> Collection performance	<u>Council Tax and Business Rates</u>	<u>Council Tax and Business Rates</u>

	for Council Tax may not improve without additional investment that will result in a higher contract price.	A shared service arrangement would not permit the same degree of risk transfer as with an outsourced arrangement.	In house service provision will cost more than the current annual contract price.
D4	<u>Council Tax and Business Rates</u> Medium term contractual arrangements may restrict the potential for future innovative operating models.		<u>Council Tax and Business Rates</u> In the event that a decision is made to return some or all of the existing services to in house provision, there is a risk that performance may decline over the remaining period of the contract.

5.0 Legal Implications

5.1 There are a number of legal implications that will arise in relation to the recommendations in this report and these are summarised, as follows:

5.2 Procurement

5.2.1 The estimated total value of the Business Rates Service recommended to be outsourced / procured is higher than the current EU financial threshold for services. A procurement will therefore be subject to the full application of the Public Contracts Regulations 2015. The award of the contract is also subject to the Council's own Standing Orders in respect of High Value contracts and Financial Regulations. As a result, Cabinet approval will be required for the award of the contract and a mandatory ten calendar day standstill period will be applicable to the contract award.

5.2.2 The pretender considerations proposed for procurement of the relevant service(s) and subject to Cabinet decision in relation to the recommendations set out within Section 2 of this report, are comprised within Appendix F.

5.3 Public Sector Equality Duty

5.3.1 The public sector equality duty, as set out in section 149 of the Equalities Act 2010, requires the Council, when exercising its functions, to have "due regard" to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, and to advance equality of opportunity and foster good relations between those who have a "protected characteristic" and those who do not share that protected characteristic. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5.3.2 This includes enquiring into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need

to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic. For example, taking account of disabled persons' disabilities and the action that could be taken to help a disabled person."

5.3.3 In considering the recommendations submitted within this report, an Equality Analysis (please see Appendix G) has been undertaken to ensure that any potential adverse impact to groups that share a protected characteristic has been identified, evaluated and mitigated wherever possible. The analysis has not identified the potential for an adverse impact at this stage.

5.3.4 However, any equalities implications arising from the individual recommendations will continue to be considered and assessed as further data/information is obtained or becomes available during the decision-making process.

5.4 TUPE and Pensions

5.4.1 As there is no proposal to transfer work carried out by existing Council employees to a new provider, TUPE shall not affect any Council employees. However, in the case of work activities currently carried out by Capita staff, there will be TUPE and Pensions implications that will need to be addressed through the transition arrangements for in house provision and in the procurement arrangements and contract documentation for retender of the Business Rates service should the recommendations in this report be agreed.

5.5 Public Services (Social Value) Act

5.5.1 The Public Services (Social Value) Act 2012 requires the Council when procuring services, to consider whether it can achieve an improvement to the economic, social and environmental well-being of an area as part of the procurement of those services. If so, the social value objectives identified must be written into the procurement process. This must be achieved with regard to value for money and in a way that is compliant with public procurement law.

5.5.2 Appendix F to this report provides for the inclusion of Social Value within the price and quality weightings proposed within the pre-tender considerations and in accordance with the recommendations set out within Section 2 of this report.

5.5.3 It is proposed within Appendix F that a Social Value weighting of 5% split between quality 4% and price 1% is used for the purposes of the tender evaluation. This is lower than the Brent Council policy of 10% for contracts over £100,000 but as the service is likely to be delivered off site and outside of the Borough, the potential extent of any social value that might be achieved for Brent Council is lower than would be expected for a contract weighting of 10%.

6.0 Financial Implications

- 6.1 The current annual budget for the Revenues and IT Support Service is £2.9m which is funded from within the existing contract budget held by Brent Customer Services and which includes contract management costs.
- 6.2 If a decision is taken to return the Council Tax service to in house provision, the total cost of annual provision is estimated to be £3.1m, £0.2m above the current base budget. This is primarily due to pay differentials, higher Brent pension contributions in comparison to Capita and an increased staffing resource considered necessary for the transition period and to enable service improvements to be effectively implemented. This may be summarised as follows:

Staffing for roles that may not transfer under TUPE (e.g. IT)	£0.3m
Additional staffing for Council Tax and harmonisation costs	£0.2m
Additional pensions cost of the proposed new structure	£0.2m

Increased cost	£0.7m
=====	
Funded by reduction in contract related costs	£0.5m
=====	
Net growth	£0.2m

- 6.3 In the short term (i.e. years 1 and 2), funding this additional cost from within the overall Customer Services budget would be challenging, given the £1m savings target the department is required to deliver by 31 March 2018. However from year 2 onwards, it is anticipated that the additional cost could be reduced by virtue of synergies obtained through combining similar roles within the Brent Customer Services and the use of other innovative service models. Furthermore, with the additional staffing resource, it is estimated that the collection rate could potentially increase from 95.7% to up to 96.4% (based upon authorities ranked closely to Brent in the deprivation index) over the three year plan which could give a cash flow benefit of £0.9m from the additional Council Tax income collected in-year.
- 6.4 The first year of operation would effectively be a transitional phase whilst the new in house service and IT arrangements “bed in” and “one-off” transition costs are currently estimated to be in the region of £0.3m for this purpose. These can be funded through existing earmarked reserves allocated to Customer Services. Additionally, of these costs, approximately £0.2m would be incurred anyway as a consequence of replacing existing Northgate servers and virtualisation. The remaining £0.1m would be for resources needed to effectively implement transition plan arrangements.
- 6.5 Under the recommendations proposed within this report, a supplier would be responsible for annual Business Rates collection of £138m based upon current levels. Consequently, a reduction in the budgeted collection rate would have a significant impact on the Council’s budgeted income. Provision would therefore

need to be considered within any agreed contract for financial incentives and deductions to address variations that could occur.

- 6.6 It should be noted that the costing implications set out within this report have been based upon existing contract pricing information for 2018/19 and prevailing pay rates. However, actual costs in the future will be subject to due diligence and the tender price of a successful tenderer. Any variations arising as a consequence will need to be addressed through the normal budgetary process.

7.0 Risks and Issues

- 7.1 The key risks and issues arising in relation to the recommendations set out within Section 2 of this report are shown in Appendix H.

8.0 Equality Implications

- 8.1 As set out in the EIA Screening (Appendix G).

Background Papers

None

Appendices

Appendix A – Options Appraisal Advantages and Disadvantages (not for publication)

Appendix B – Transition Costs

Appendix C – London Collection Rate Performance

Appendix D – Service Context (not for publication)

Appendix E – London Local Authority Revenues and Benefits Provision

Appendix F – Pretender Considerations

Appendix G - EIA Screening

Appendix H – Risks and Issues

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Strategic Director of Resources

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of the Local Government Act 1972.

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Appendix B – Transition Costs

Server replacement and virtualisation costs (Including data migration and testing)	£100,000
Project Management / Project Support	£92,000
Actuarial evaluations including bulk transfer arrangements	£10,000
Early Appointment of Application Support	£98,000
<hr/>	
Total	£300,000

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Appendix C - Revenues Collection Rate Performance

Over the past four years, in-year collection performance achieved by Capita on behalf of Brent Council has been as shown in Tables 1 and 2 below:

Table 1 – Brent Council Tax Collection Performance

Year	Target (%)	Actual (%)
2013/14	93.80*	95.70
2014/15	95.90	95.60
2015/16	96.00	95.87
2016/17	96.20	95.74

* Localised Council Tax Support Scheme replaced the national Council Tax Benefit scheme and therefore a lower collection target was agreed.

Table 2 – Brent Business Rates Collection Performance

Year	Target (%)	Actual (%)
2013/14	97.50	97.56
2014/15	97.70	98.11
2015/16	97.85	98.32
2016/17	98.00	98.74

Analysis of Brent Performance

The above tables indicate that for Brent Council, Business Rates collection has consistently achieved above the contractual target over the past four years whereas Council Tax has performed below target for the same period.

Additionally, Business Rates collection performance has shown continuous improvement over the past four years with Council Tax collection performance predominantly characterised by peaks and troughs.

London Authorities Collection Performance

In terms of outsourced Revenues collection across London, Tables 3 and 4 below indicate collection rates achieved by third party Service Providers over the past four years with tables 5 and 6 providing a comparative in house performance for the same period:

Table 3 – Outsourced Council Tax Collection in London

	2013/14	2014/15	2015/16	2016/17	Average
Barking and Dagenham	94.1	94.3	94.8	95.5	94.7
Barnet	96.4	96.5	96.1	96.1	96.3
Bexley	96.3	96.6	96.7	96.5	96.5
Brent	95.7	95.6	95.9	95.7	95.7
Bromley	97.6	97.7	97.8	97.9	97.8
Hounslow	96.7	97.8	97.8	96.8	97.3
Hillingdon	97.9	97.3	95.1	97.3	96.9
Lambeth	94.5	95.0	95.2	95.3	95.0
Westminster	96.3	96.5	96.5	96.4	96.4
Overall Average	96.2	96.4	96.2	96.4	96.3

Table 4 – Outsourced Business Rates Collection in London

Year	2013/14	2014/15	2015/16	2016/17	Average
Barking and Dagenham	97.0	97.9	98.2	98.3	97.9
Barnet	95.8	96.3	96.7	97.0	96.5
Bexley	98.4	98.5	98.5	98.8	98.6
Brent	97.6	98.1	98.3	98.7	98.2
Bromley	98.7	98.9	99.1	98.9	98.9
Hounslow	99.1	99.4	99.6	99.9	99.5
Hillingdon	99.1	98.7	99.3	98.7	99.0
Kensington and Chelsea	99.2	99.1	99.1	98.9	99.1
Lambeth	98.2	98.5	98.7	99.0	98.6
Wandsworth	99.0	99.5	99.8	99.6	99.5
Westminster	98.4	98.4	98.5	98.4	98.4
<i>Overall Average</i>	98.2	98.5	98.7	98.7	98.5

Table 5 – Local Authority Council Tax Collection in London

	2013/14	2014/15	2015/16	2016/17	Average
Camden	96.3	96.5	96.3	96.3	96.4
Croydon	96.2	97.1	97	97.3	96.9
Ealing	96.8	96.2	96.6	97.3	96.7
Enfield	94.9	95.5	95.7	95.9	95.5
Greenwich	93.1	93.6	94.1	94.3	93.8
Hackney	93.6	94	94.1	94.5	94.1
Hammersmith & Fulham	96.3	96.3	96.3	97	96.5
Haringey	95.1	95.9	95.5	96.2	95.7
Harrow	97.5	97.3	97.4	97.4	97.4
Havering	97.1	97.2	96.8	96.9	97.0
Islington	95.8	95.6	95.6	96.2	95.8
Kensington & Chelsea	97	96.9	97.4	97.4	97.2
Kingston	98.6	98.5	98.9	99	98.8
Lewisham	94.1	94.3	94.5	94.6	94.4
Merton	97.1	97.3	97.5	97.7	97.4
Newham	92.5	94	95.6	96.3	94.6
Redbridge	96.6	97	97.2	97.2	97.0
Richmond	98.8	98.8	98.8	98.6	98.8
Southwark	95	95	95.2	95.9	95.3
Sutton	98.6	98.5	98.6	98.6	98.6
Tower Hamlets	95.4	96.7	96.3	96	96.1
Waltham Forest	95.3	95.8	96	96.1	95.8
Wandsworth	98.3	98.4	98.5	98.6	98.5
<i>Overall Average</i>	96.1	96.4	96.5	96.8	96.4

Table 6 – Local Authority Business Rates Collection in London

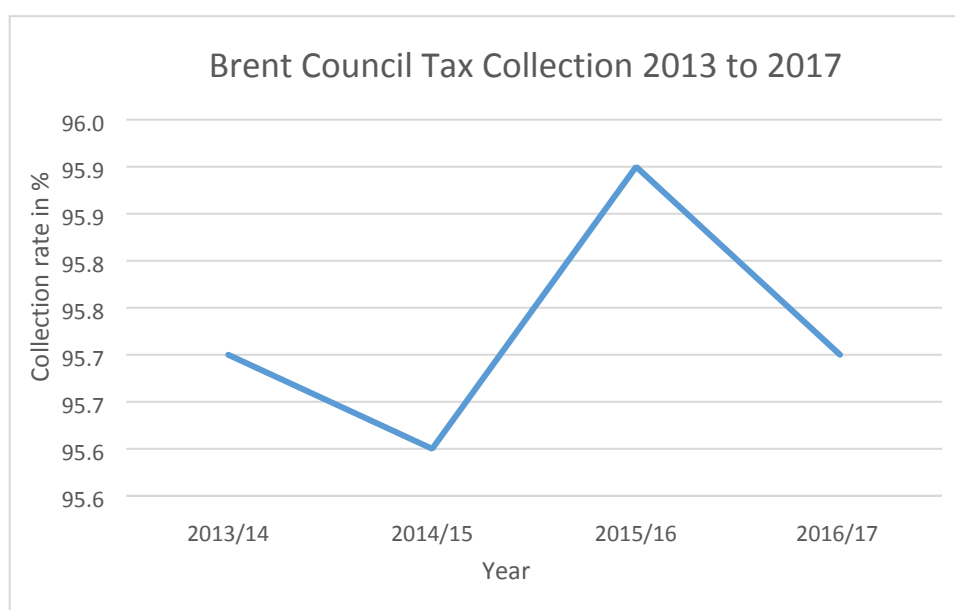
	2013/14	2014/15	2015/16	2016/17	Average
Camden	99.4	99.8	99.7	99.0	99.5
Croydon	98.1	98.6	98.6	99.9	98.8
Ealing	95.8	96.3	96.1	97.0	96.3
Enfield	98.8	98.8	98.7	98.8	98.8
Greenwich	97.5	97.8	98.2	98.2	97.9
Hackney	96.2	95.7	95.8	96.6	96.1
Hammersmith & Fulham	97.1	98.1	98.2	98.6	98.0
Haringey	96.7	97.5	98.3	98.4	97.7
Harrow	95.7	96.3	94.1	97.7	96.0
Havering	97.4	97.2	97.7	98.6	97.7
Islington	98.2	96.3	97.0	97.1	97.2
Kingston	97.7	98.2	98.9	98.9	98.4
Lewisham	99.1	99.6	99.7	99.4	99.5
Merton	97.3	97.8	97.7	97.9	97.7
Newham	99.8	99.8	99.7	99.7	99.8
Redbridge	97.1	97.7	97.4	98.8	97.8
Richmond	97.2	96.9	98.4	98.1	97.7
Southwark	98.4	98.7	99.5	99.3	99.0
Sutton	97.5	97.1	98.3	98.9	98.0
Tower Hamlets	99.7	99.9	99.6	98.5	99.4
Waltham Forest	95.6	96.9	97.0	97.2	96.7
<i>Overall Average</i>	97.6	97.9	98.0	98.4	98.0

Table 7 – Average London Authority Council Tax Collection 2013 to 2017 and Deprivation

A	B	C	D	E	F
Authority Name	Average Collection %	Deprivation Rank	Collection Rank	(C – D)	(E ²)
Hackney	94.1	1	31	-30	900
Barking and Dagenham	94.7	2	28	-26	676
Tower Hamlets	95.8	3	20	-17	289
Newham	94.6	4	29	-25	625
Islington	95.8	5	21.5	-16.5	272.25
Waltham Forest	95.8	6	21.5	-15.5	240.25
Haringey	95.7	7	23.5	-16.5	272.25
Lambeth	95.0	8	27	-19	361
Southwark	95.3	9	26	-17	289
Lewisham	94.4	10	30	-20	400
Brent	95.7	11	23.5	-12.5	156.25
Westminster	96.4	12	17.5	-5.5	30.25
Greenwich	93.8	13	32	-19	361
Enfield	95.5	14	25	-11	121
Camden	96.4	15	17.5	-2.5	6.25
Hammersmith & Fulham	96.5	16	15.5	0.5	0.25
Hounslow	97.3	17	8	9	81

A	B	C	D	E	F
Authority Name	Average Collection %	Deprivation Rank	Collection Rank	(C – D)	(E ²)
Ealing	96.7	18	14	4	16
Croydon	96.9	19	12.5	6.5	42.25
Kensington & Chelsea	97.2	20	9	11	121
Redbridge	97.0	21	10.5	10.5	110.25
Wandsworth	98.5	22	4	18	324
Hillingdon	96.9	23	12.5	10.5	110.25
Barnet	96.3	24	19	5	25
Havering	97.0	25	10.5	14.5	210.25
Bexley	96.5	26	15.5	10.5	110.25
Merton	97.4	27	6.5	20.5	420.25
Harrow	97.4	28	6.5	21.5	462.25
Sutton	98.6	29	3	26	676
Bromley	97.8	30	5	25	625
Kingston	98.8	31	1.5	29.5	870.25
Richmond	98.8	32	1.5	30.5	930.25
					10,134

Chart 1 – Brent Council Tax In-Year Collection Performance



Analysis of London Authorities Collection Performance

An analysis of Tables 1 to 7 and Chart 1 above, indicates the following:

- For Brent Council, Business Rates collection has consistently achieved above the contractual target over the past four years whereas Council Tax has performed below target for the same period;
- For Brent Council, Business Rates collection performance has shown continuous improvement over the past four years;
- For Brent Council, Council Tax collection performance is predominantly characterised by peaks and troughs;
- Brent Council is 0.6% below the overall average collection performance achieved for outsourced *Council Tax* collection services over the past four years and 0.7% for in house service provision;
- Brent Council is 0.3% below the overall average collection performance achieved by outsourced *Business Rates* collection services over the past four years and 0.2% above that achieved for Business Rates in house service provision;
- Outsourced *Business Rates* collection performance is 0.5% above that of in house collection performance based upon the overall average performance for the past four years;
- Outsourced Council Tax collection performance is 0.1% below that of in house collection performance based upon the overall average performance for the past four years. Collection performance had generally improved year on year up until 2016/17. However, reductions in collection performance were reported for 2017/18 at three other London Boroughs with outsourced services.

- There is little comparative information to refer to for collection from shared services in London as the tri-borough arrangement formerly comprising Westminster, Kensington and Chelsea and Hammersmith and Fulham, incorporated various permutations of outsourcing for Westminster and Kensington and Chelsea and in house provision for Hammersmith and Fulham. The oneSource arrangement incorporating Newham and Havering, showed an improved performance in 2016/17 for Havering Business Rates and a consistent performance with 2015/16 for Newham Business Rates. Council Tax collection for both Havering and Newham showed improvement in 2016/17.
- Applying 'Spearman's Rank Correlation Coefficient' to the data shown in Table 7 above, gives a correlation coefficient of -0.85, suggesting that there is a relatively strong and inversely proportional relationship between deprivation and collection rates in London Authorities (i.e. the higher the level of deprivation, the lower the collection rate achieved).
- Table 7 indicates that the average Council Tax collection achieved by Capita during the period 2013 to 2017 is generally either comparable with or higher than that achieved by authorities experiencing broadly similar or higher levels of deprivation.
- Chart 1 indicates that the Brent Council CTAX collection rate has been characterised by peaks and troughs over the past four years.

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Appendix E – London Local Authority Revenues and Benefits Services

Local Authority	2010 Elections	2014 Elections	Revenues (I,S,O, JV)	Benefits (I,S,O, JV)
Barking and Dagenham	Labour	Labour	JV–Agilysys	JV–Agilysys
Barnet	Conservative	Conservative	O–Capita	O–Capita
Bexley	Conservative	Conservative	O–Capita	O–Capita
Brent	Labour	Labour	O–Capita	O–Capita
Bromley	Conservative	Conservative	O–Liberata	O–Liberata
Camden	Labour	Labour	I	I
Croydon	Conservative	Labour	I	I
Ealing	Labour	Labour	I	I
Enfield	Labour	Labour	I	I
Greenwich	Labour	Labour	I	I
Hackney	Labour	Labour	I	I
Hammersmith and Fulham	Conservative	Labour	I	I
Haringey	Labour	Labour	I	I
Harrow	No overall control	Labour	I	I
Havering	Conservative	No overall control	S–oneSource	S–oneSource
Hillingdon	Conservative	Conservative	O–Liberata	I

Local Authority	2010 Elections	2014 Elections	Revenues (I,S,O, JV)	Benefits (I,S,O, JV)
Hounslow	Labour	Labour	O–Liberata	O–Liberata
Islington	Labour	Labour	I	I
Kensington and Chelsea	Conservative	Conservative	O–Capita (Business Rates) I–(Council Tax)	I
Kingston upon Thames	Liberal Democrat	Conservative	I	I
Lambeth	Labour	Labour	O–Capita	I
Lewisham	Labour	Labour	I	I
Merton	No overall control	Labour	I	I
Newham	Labour	Labour	S–oneSource*	S–oneSource*
Redbridge	No overall control	Labour	I	I
Richmond upon Thames	Conservative	Conservative	I	S-Wandsworth
Southwark	Labour	Labour	I	I
Sutton	Liberal Democrat	Liberal Democrat	I	I
Tower Hamlets	Labour	No overall control	I	I
Waltham Forest	Labour	Labour	I	I
Wandsworth	Conservative	Conservative	I–(Council Tax) O–Liberata (Business Rates)	S–Richmond
Westminster	Conservative	Conservative	O–Capita	O–Capita

(* = Have served notice to exit the arrangement).

Appendix F – Pretender Considerations

Ref.	Requirement	Response	
(i)	The nature of the service.	The provision of a billing, collection and enforcement service for Business Rates together with associated IT support, printing and customer service.	
(ii)	The estimated value.	£2.8M for the initial five year term and for up to a further three years.	
(iii)	The contract term.	Initial term of five years with an optional extension for up to a further three years at the authority's discretion.	
(iv)	The tender procedure to be adopted.	Competitive procedure with negotiation	
v)	The procurement timetable.	Indicative dates are:	
		Adverts placed	1st March 2018
		Expressions of interest returned	2 nd April 2018
		Shortlist drawn up in accordance with the Council's approved criteria	23 rd April 2018
		Invite to tender	25 th April 2018
		Deadline for tender submissions	20 th May 2018
		Panel evaluation and shortlist for interview	17 th June 2018
		Interviews and contract decision	17 th July 2018
		Report recommending Contract award circulated internally for comment	31 st July 2018
		Cabinet approval	11 th September 2018

Ref.	Requirement	Response	
		[Cabinet call in period of 5 days (mandatory unless excluded by the Cabinet) OR minimum 10 calendar day standstill period – notification issued to all tenderers and additional debriefing of unsuccessful tenderers (contracts covered by the full EU Regulations only)]	22 nd September 2018
		Contract Mobilisation	2 nd January 2019
		Contract start date	1 st May 2019
(vi)	The evaluation criteria and process.	<p>1. At selection stage shortlists are to be drawn up in accordance with the Council's Contract Procurement and Management Guidelines by the use of a selection questionnaire to identify organisations meeting the Council's financial standing requirements, technical capacity and technical expertise.</p> <p>2. At tender evaluation stage, the panel will evaluate the tenders against the following criteria:</p> <ul style="list-style-type: none"> • 50% price (representing 49% for tender price and 1% for social value) and 50% quality with the qualitative measures being as follows: <p>Staffing Arrangements (including location, recruitment and selection and training and development) and profile over the contract term</p> <p>Core IT Systems and Applications, (including any relevant infrastructure, hardware, software, procedures and support)</p> <p>Billing, Collection and Enforcement</p>	

Ref.	Requirement	Response
		<p>Organisation and Processes to Maximise the Net Debit and Collection</p> <p>Performance Monitoring, Management Reporting and Statistical Information for Service Delivery</p> <p>Audit, Security and Governance Arrangements</p> <p>Year End and Printing</p> <p>Transition and Exit Arrangements</p> <p>Open Book Arrangements and Change Control</p> <p>Social Value</p> <p>Identification and management of risks (including business continuity planning and disaster recovery)</p>
(vii)	Any business risks associated with entering the contract.	The business risks associated with entering into the service contract in accordance with the recommendations set out within the main report are set out in Appendix H. Financial Services and Legal Services have been consulted concerning this contract and have identified the risks set out within that Appendix.
(viii)	The Council's Best Value duties.	The Council has a duty of Best Value under Section 3 of the Local Government Act 1999. By undertaking a competitive procurement of the service, it is anticipated that achievement of Best Value may be demonstrated.
(ix)	Consideration of Public Services (Social Value) Act 2012	Consideration has been given to the inclusion of Social Value for this procurement and to this extent, a weighting of 5% split between quality 4% and price 1% is proposed. This is lower than the Brent Council policy of 10% for contracts over £100,000 but as the service is anticipated to be delivered off site and outside of the Borough, the potential social value for Brent Council is lower than would be expected for a contract weighting of 10%.
(x)	Any staffing	See section 5.4 of the report.

Ref.	Requirement	Response
	implications, including TUPE and pensions.	
(xi)	The relevant financial, legal and other considerations.	See sections 5 and 6 of the report.

Appendix G - Revenues and IT Support Service – Future Service Delivery Options

Equality Analysis Screening Stage

Department: Brent Customer Services

Person Responsible: Richard Vallis

Created: 27th September 2017

Last Review: Not applicable

Status: Open

Next Review (if applicable): (see report)

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 main objectives of this proposal are:

- To retender the Business Rates service with its associated services as set out in the Cabinet report to ensure that value for money is obtained and to comply with statutory provisions concerning service contracts.
- To return the Council Tax and associated IT services to direct Council provision from 1st May 2019.

The above are under consideration because the existing contract for the services concerned is scheduled to expire on 30th April 2019 and there is no further provision for extension of the term.

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

Capita employees, Brent employees, residents, businesses, suppliers, voluntary and advice agencies.

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

There is a potential that the proposal could impact on people in different ways although this is currently anticipated to be low. This will be kept under review subject to the Cabinet's decision and as the project progresses to ensure that any potential impact identified is considered and addressed, as appropriate.

3.2 Could the proposal have a disproportionate impact on some equality groups? If you answered 'Yes' please indicate which equality characteristic(s) are impacted

The proposal is not currently anticipated to have a disproportionate impact on some equality groups.

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

This is not currently anticipated.

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

No.

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

It is not currently anticipated that this will be the case.

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

The proposal relates to the following two equality objectives:

- To ensure that local public services are responsive to different needs and treat users with dignity and respect
- To develop and sustain a skilled and committed workforce able to meet the needs of all local people.

Recommend this EA for Full Analysis?

Yes, when more information concerning the precise details of the arrangements is available.

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.

A full equality analysis will be carried out when the detailed proposals have been identified. This is the case both in terms of personnel that may transfer to Brent Council under the proposals and those that could potentially transfer to another supplier for delivery of all or part of the services in scope.

In the case of the impact on residents, businesses and other stakeholders, it is currently anticipated that there will be a minimal impact on individuals and groups with protected characteristics. However, for Council Tax and Business Rate payers, the precise details of future service delivery arrangements will not be known until the Cabinet decision is taken and after any tenders have been received and evaluated. A similar position also applies in relation to suppliers currently used by Capita.

Data will be used from the last census, any current monitoring data held concerning local demographics and relevant service data to establish any potential impact on different groups of people. As the proposals relate primarily to back office services, the extent of any potential impact is currently anticipated to be minimal.

Appendix H – Key Risks and Issues

The following key risks and issues have been identified in relation to the recommendations within this report:

Financial


1. The anticipated cost of the services in the future has been modelled based upon the composition of the existing contract price for 2018/19, an indicative TUPE list received from Capita based upon their staffing arrangements at that time and current Brent Council salary and pension arrangements. Actual prices for the services in scope may therefore differ.
2. There is a possibility that there could be insufficient market interest at the time of inviting interest.
3. Improvements in Council Tax collection may not be achieved without further investment and a higher contract price.
4. There may be some costs and liabilities arising under the exit arrangements from the existing contract that can only be quantified following due diligence being performed.
5. The nature and extent of any financial incentive and deduction scheme related to performance within a future contract may influence the price of tenders received.
6. A contractor may seek to mitigate any financial liability arising from any adverse performance by a Brent service where there is a dependency.

Staffing

7. The numbers of staff transferring under TUPE has been based upon an indicative TUPE list provided by Capita. The actual number of transferees under TUPE may be different to that anticipated and could result in gaps in niche areas of skills and experience.
8. Service disruption may occur at the end of the existing contract due to the loss of experienced and skilled personnel to other roles and employment.
9. There may be a requirement during any transition period to deploy temporary and agency staff to support the service.
10. The administrative effort required to effectively oversee TUPE transfer arrangements will be influenced by the range and complexity of differing terms and conditions that transferring staff may have.

Administrative

11. There is less flexibility with a contracted service to effectively control and develop it in conjunction with other Brent Council services and projects.

 <p>Brent</p>	<p>Cabinet 13 November 2017</p> <p>Report from the Strategic Director of Resources</p>
<p>Wards affected: ALL</p>	
<p>Future Provision of the Pension Administration Service</p>	

Not for publication:

Appendix 1 of this report is not for publication as it contains the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)"

1.0 Purpose of the Report

- 1.1 This report seeks approval from Cabinet to enter into a shared service arrangement with a partner through the delegation of functions pursuant to The Local Government Acts 1972, and 2000, the Localism Act 2011 and the Local Authorities (Arrangement for the discharge of Functions) (England) Regulations 2012 for the provision of the future pensions administration service.

2.0 Recommendations

- 2.1 Cabinet is asked to approve the selection of the Local Pensions Partnership (LPP) as a shared service partner for the Brent Council pension administration service, using the delegation of functions of the Local Government Acts stated in paragraph 1.1. Approval to award a shared service provision for pension administration rests with Cabinet and General Purposes Committee. General Purposes Committee considered this report on 8 November 2017.

3.0 Details/ Operational Considerations

- 3.1 The responsibility for the administration of the Local Government Pension Scheme (LGPS) for the Brent Pension Fund lies with Brent Council. The pension administration service has been outsourced since 1994. The current pension administration contract was awarded in 2010 for 6 years to Capita Hartshead now Capita Employee Benefits (Capita), and commenced 1 October

2011. The council is now in the sixth year of the contract and the contract has been extended for a further year. A further year's extension is also possible taking maximum use of the current contract up to 30 September 2019 but the intention is to make use of only one year of extension. Pension administration is complex due to the detailed data and legislative requirements for such service provision. It usually takes between 9 to 12 months to transfer such a service from one provider to another.

- 3.2 As at the 31 March 2017, the pension fund had 6,053 contributors, 6,391 pensioners and 8,014 deferred pensioners.
- 3.3 Capita's performance on the contract had not been satisfactory especially on special projects such as implementation of the new LGPS regulations 2014. Concerns had been raised in the triennial valuation by the pension fund actuary with regard to the quality of Brent's pension administration data. Delays in sending out the 2016 and 2017 Annual Benefit Statements (ABS), which have been reported as material breaches to The Pensions Regulator. Officers are working closely with Capita and The Pensions Regulator to prepare a record keeping plan to improve the quality of pension data which in turn will enable the issue of a higher number of annual benefit statements. The number of ABSs issued in 2017 has been higher compared to 2016, an increase from 80% to 89% for active members that could have received an ABS. It should be 100%.
- 3.4 Prior to the expiry of the current contract, the Council explored the option of procurement of the pension administration contract through a mini competition using an existing procurement framework. The commercial market for pension administration services is small and rather than procure a further contract, Officers considered that a shared service arrangement may offer the Council a better service going forward. The Council Management Team (CMT) approved this approach in July 2017. CMT discussed options for a shared service partner for pension administration at a meeting on 5 October 2017.
- 3.5 An engagement event with potential shared service partners was held on 4 September. Harrow Council, West Yorkshire Pension Fund, Lancashire Council, Wandsworth Council and Orbis (which comprises of Surrey, East Sussex and Brighton and Hove Councils) were invited to attend. Wandsworth Council did not attend as they felt it would not be fair to existing partners to bring on a new partner at the current time. Harrow Council did not attend as they had misunderstood the nature of the engagement. Lancashire County Council referred us to the Local Pensions Partnership (LPP) who attended on their behalf. LPP is a collaboration between the Lancashire County Pension Fund and the London Pensions Fund Authority (LPFA). It is a local government owned pensions services company. Orbis and the West Yorkshire Pension Fund (WYPF) also attended.
- 3.6 On the day, three presentations were made to officers and the Chair of the Pension Board.
- 3.7 All three organisations clearly stated that a minimum of 9 months lead-in time was required for a successful transition. This ties in with timescales for the

current contract which currently will cease in September 2018. A delay in implementation would have detrimental consequences for the successful completion of three major projects: 1) the triannual re-enrolment project which is due in early 2019, 2) the next triennial valuation of the pension fund which is due as at 31 March 2019 and 3) the provision of the ABSs for 2019.

- 3.8 Following the engagement day contact was made with existing partners Southwark and Lewisham who both declined the opportunity for a shared pension administration service.

4.0 **Options appraisal of prospective partners**

- 4.1 The Council's objectives for the service are to secure best value for money, achieve consistent quality of performance, improve the quality of data and ensure ease of implementation and transition. The Council considered the relative merits of the three organisations that attended the engagement event and these are detailed below. After the presentation, a process of review took place between Finance and HR. This resulted in a number of calls to the three potential partners for clarification on service provision and costs. Information is summarised in Appendix 1.

Orbis

- 4.2 Orbis is a partnership between three councils Surrey, East Sussex and Brighton and Hove.
- Orbis pension administration operates Altair software the most common type across LGPS.
 - Orbis provides pension administration to 2 Councils and in addition 4 London Boroughs, three of whom had been on the London framework and were previously clients of Capita. Therefore they have experience with transferring from Capita's bespoke pension administration system HartLink.
 - As Orbis is a partnership of local authorities, Brent Council would be able to enter into a shared service arrangement. Any shared service agreement means that the councils have a mutual understanding that the administration service is being provided for the benefit of participating councils and its other customers.

Reviewing Appendix 1 however, Orbis costs were significantly higher than the other two presenters and costs for software implementation were also very high. Annual software licence costs are in addition to the annual service provision costs which is not the case for the other two providers. Given that Orbis costs were so much higher, it is recommended that the Council does not enter into a shared service partnership with Orbis.

Local Pensions Partnership (LPP)

- 4.3 The Local Pension Partnership (LPP), is a local government owned not for profit limited company.

- As a partner with the LPP Brent Council would not have an input into the LPP Board but there is an advisory board to which Brent could input.
- The LPP pension administration operating system is Altair which is the standard local government pension administration system operated by approximately 90% of the LGPS Funds in England and Wales. Aquila Heywood is the software supplier of Altair and the near monopoly means licence costs tend to be higher for system use.
- LPP although a relatively new entity, can draw on the experience of the LPFA, formally one of the main suppliers of LGPS administration. The LPFA indicated two years ago that it was going to focus on pension fund investment rather than pension administration.
- The shared service arrangement would be with Lancashire County Council.
- LPP have a wide range of organisations to which it provides pension administration services.
- The range of organisations to which pension administration is provided and the expertise in provision of such services gives confidence that the LPP can provide a quality pension administration service.

West Yorkshire Pension Fund (WYPF)

4.4 West Yorkshire Pension Fund is a joint service run with West Yorkshire and Lincolnshire Pension Fund.

- WYPF confirmed on the day that Brent would have a genuine partnership being able to input into the running of pension administration.
- WYPF operate Civica as their pension administration software which is the second largest system used by Local Government Pension Scheme providers in England and Wales but that is about five percent of the market. Licenses for this software are significantly cheaper than Altair.
- WYPF operating costs were the lowest of the three presenters.
- WYPF implementation costs were also significantly lower than LPP although WYPF indicated that if implementation costs are greater than the £30k, these extra costs would be passed on.
- WYPF currently provide a pension administration service for a number of fire pension schemes and the Lincolnshire Pension Fund too.

4.5 Although the costs for WYPF are cheaper, serious consideration has to be given to sustainability of quality of service provision into the future. The redacted Table 1 below summarises factors taken into account when considering a service provided by LPP or WYPF. Figures for annual contract costs and implementation costs in Table 1 can be found in Appendix 1 which contains exempt information.

Table 1

	Factor	LPP	WYPF
1.	Annual Contract Costs	Please see Appendix 1	Please see Appendix 1
2.	Implementation Costs	Please see Appendix 1	Please see Appendix 1

		Expenditure driven by higher costs for implementing Altair but seems more realistic when considering complexities and length of time for implementing a new pension administration service.	Officers think WYPF have underestimated total implementation costs. WYPF has informed the Council that if costs are higher than specified, these will be passed on which means an unknown additional amount at this time.
3.	Operating System	Altair Proven to deliver across most LGPS pension schemes but the software supplier has a near monopoly (over 90%) so costs are higher. Altair does calculations within the system so does “end to end” processing.	Civica Proven to deliver for those funds for which it operates but only has about 5% of the LGPS market. Civica is not “end to end” and does calculations externally which then have to be fed back into Civica. This creates additional processes.
4.	Customers	Includes London Boroughs such as One Source and Ealing; Lancashire and Hertfordshire County Council. Fire Services such as Kent, Lancashire, Hertfordshire, Bedfordshire, Merseyside	No London Boroughs to date. Lincolnshire, West Yorkshire County Councils. Fire Services such as Dorset & Wiltshire, Berkshire, Devon & Somerset.
5.	Experience of bringing in Capita contracts and Hartlink	Yes – Cumbria County Council	No
6.	Governance	Entering into a shared service with Lancashire County Council whose pension administration is done by a Limited Company LPP was a concern expressed by officers. This places the service delivery at arm’s length and would not be such a close partnership as would be possible with WYPF.	As WYPF is part of Bradford Metropolitan Council, the service provision would not be at “arm’s length” and this would be potentially a closer partnership.

		Legal have confirmed that it would be possible to enter into a shared service with Lancashire County Council.	
7.	Quality of Service Provision	LPP is the new vehicle of pension administration for the LPFA which is now focusing on pension fund investment. As such, it has a wide breadth of experience of pension administration including London Boroughs. LPP is bigger than WYPF having 520,000 members.	WYPF has recently been shortlisted for the scheme administration award in the LAPF Investment Awards and were Pension Age Awards finalists. WYPF are the third largest of 89 local authority pension funds (447,000 members).

Of the three potential partners WYPF are able to better match the price currently paid by the Pension Fund for the pension administration service. However, given the data quality issues that have been identified by the Actuary and the performance issues that have come to light with the Annual Benefit Statement exercises, it is considered that LPP should be partnered with due to their experience in migrating pensions administration from Capita and experience in delivering a sustained quality service for a range of other LGPS bodies including some London boroughs.

4.6 Pension Payroll

Currently pension payroll is administered in house by Brent payroll through Oracle. The three authorities were asked about the ongoing pension payroll provision and expressed a preference for an end to end service. Officers have considered the existing arrangements and have a preference for maintaining pension payroll in house. This is cheaper and costing and coding are all dealt with through the Oracle interface which can link with other pension administration systems.

- 4.7 Please see Appendix 1 for a cost and quality comparison between the three organisations

5.0 Financial Implications

- 5.1 The current cost of the service and costs associated with adopting the recommendation of the report, including one off implementation costs, are contained in Appendix 1. These costs initially fall to the pension fund. However, this will, over time, add to the deficit on the pension fund, and hence have to be

recovered from the other employers in the fund, principally the council as the largest employer.

The report has set out the concerns over the current quality of service and why this additional expense is expected to alleviate those concerns.

6.0 Legal Implications

6.1 Officers are seeking approval to identify a local authority shared service partner for the pension administration service. 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.

6.2 Any proposed shared service and delegation will need to be undertaken in accordance with the statutory framework noted in paragraph 6.1. Officers will need to be mindful that unless the shared service or delegation is undertaken in accordance with the statutory framework, there is a possibility that the arrangement could amount to a public contract and be caught by the EU procurement rules.

6.3 In agreeing any arrangement, Officers should have regard to the Council's fiduciary responsibilities to secure best value and value for money.

6.4 The council's statutory pension functions are non-executive functions and are exercised by the Pension Fund Sub-Committee. It could be argued that the decision to enter into a shared service for the provision of pension administration services would also be a non-executive function and that the decision would fall to the General Purposes Committee. Alternatively, the nature of pensions administration is largely an administrative support service and therefore incidental to the council's statutory function. In such circumstances, the decision as to a new provider should be reported to Cabinet. In view of the lack of clarity as to whether a pensions administration service is an executive or non-executive function, it is recommended that approval is sought from both Cabinet and the General Purposes Committee. A report on the pension administration service went to General Purposes Committee on 8th November 2017.

7.0 Diversity Implications

7.1 There are no diversity implications arising from the report.

8.0 Staffing /Accommodation Implications

- 8.1 There are no direct implications for Brent staff in having a new shared service with a new provider and the pensioners payroll being retained in house.

Attached: Appendix 1 contains exempt information as specified in the Local Government Act 1972.

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

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 <p>Brent</p>	<p align="center">Cabinet 13 November 2017</p> <p align="center">Report from the Strategic Director of Resources</p>
<p align="right">Wards Affected: All Wards</p>	
<p>Authority to Award a Contract for the Managed Services for Contingent Labour</p>	

Not for Publication:

Appendix 1 of this report is not for publication as it contains the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)"

Appendix 3 of this report is not for publication as it contains the following category of exempt information as specified in Paragraph 5, Schedule 12A of the Local Government Act 1972, namely: "Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings".

1.0 Purpose of the Report

- 1.1 In accordance with Contract Standing Order 88, this report seeks Cabinet authority to award a contract for the Managed Services for Contingent Labor. The service will provide temporary staff, to fill vacant posts in the short term and on an interim basis, to manage fluctuations in workload and to obtain specialist skills quickly when the need arises. The contract for the existing service for the management of temporary staff is due to expire on 4 February 2018 and a replacement service must be in place by then to ensure no disruption to users. This report summarises the process undertaken in tendering the contract and, following the completion of the evaluation of the tenders, recommends to whom the contract should be awarded.

2.0 Recommendations

- 2.1 That Cabinet award the contract for the managed services for contingent labour to Comensura Limited for the period three years plus one year extension.

3.0 Background

- 3.1 Temporary workers represent an important part of the Council's workforce. The use of temporary workers enables staffing levels to be quickly flexed in line with peaks and troughs of overall workloads. Temps are sometimes used to fill vacant posts before and during restructures to manage the risk of redundancies. They are also used where permanent posts are hard to fill.
- 3.2 In December 2012 the Executive approved the award of a contract to Adecco Group UK and Ireland, however Adecco were unable to accept the award due to a shortage of resources. An alternative procurement route was therefore followed and an award was made to Reed Specialist Recruitment Limited from the Mstar (Managed Services for Temporary Agency Resources) under the ESPO framework
- 3.3 The current contract is a Master Vendor contract whereby Reed directly employs some categories of agency staff and contracts with other agencies for the remainder. The Reed contract commenced on 4 August 2013 for a period of 3 years plus 1 year extension. This contract was further extended in August 2017 for a period of 6 months and is due to expire on 4 February 2018.
- 3.4 The Council spent £12.7m on temporary workers through the Reed contract in 2016/2017. This includes the gross amount paid to the agency workers, the fees paid to the employing agency and the fee paid to Reed for their service.
- 3.5 Officers are proposing to award a contract for the provision of its temporary workers based on a Hybrid Model, whereby some categories of workers are provided directly by the appointed Managed Service Provider, and some based on a tiered Vendor Neutral Model. The Council has taken a flexible approach - the job categories delivered through each type of model have not been predetermined. It is however expected that at least one category will be delivered on a Master Vendor Basis, and at least one on a Vendor Neutral basis. The award proposed in this report is for a service to be operated on a Vendor Neutral Model, with the provider appointed able to flex to operate Master Vendor to source certain categories of staff. Please see description of services in the table below;

Managed Vendor	This model is a Managed Service Provider that have a supply of their own workers and then appoint 2nd and 3rd tier providers if the requirements are better met externally. The provider will manage their own staff and the supply chain including 2nd tier, 3rd tier providers to fulfil the requirements of the council.
Vendor Neutral	The model is a Managed Service Provider that will provide all temporary agency workers via 3rd

	party agencies and not provide the workers themselves. The provider will manage the supply chain including 2nd and 3rd tier providers to fulfil the requirements of the council.
Hybrid Model	This model is a bespoke service delivered flexibly which is tailored to specific needs and challenges. The Managed Service Provider will be the main point of contact for the customer and the provider will either fulfil requirements via internal workers or via 2nd and 3rd tier providers.

3.6 The advantages are:

- The model is based around the Council's needs and not one that requires the Council to adapt its resourcing of agency workers to a pre-determined and prescribed model.
- There is an effective supply chain that can meet demand for a broad range of very different skills, including those that are in short supply and those that cannot readily be met by a single agency
- A partner that can work with local communities to help provide a more diverse temporary workforce and to help reach those who are long term unemployed
- A dedicated on-site recruitment support.

4.0 The Selection Process

- 4.1 This is a mini competition under the Yorkshire Purchasing Organisation Framework.
- 4.2 The Yorkshire Purchasing Organisation ("YPO") tendered for a national framework for HR services and solutions in 2015. Prior to tendering, YPO conducted extensive pre-market engagement with customers and providers to ensure the Framework Agreement would meet the needs and outcomes of both buyers and suppliers. The YPO Framework Agreement commenced in December 2015 for a term of 3 years plus 1 possible year's extension. The YPO Framework Agreement gives access to a range of HR related services, Lot 1 of which is in respect of Managed Services for Contingent Labour. The YPO Framework Agreement has been let in accordance with the Public Contracts Regulations 2015 and was procured via the restricted procedure.
- 4.3 The YPO Framework Agreement is person focused and covered all aspects of HR services to enable flexibility for authorities to develop appropriate solutions.
- 4.4 The relevant lot of the YPO Framework Agreement has 10 market leading suppliers appointed to it; the use of the Framework Agreement ensures compliance with EU Regulations and reduced timescales. The YPO Framework Agreement also offers aggregated spend, with

authority spend amalgamated across the country to ensure best possible rates are provided.

5.0 Market Position Statement

- 5.1 By being awarded the right to supply through the YPO Framework, the Council is satisfied that tenderers will have already satisfied core operational and technological criteria. The Council has core requirements similar to YPO Framework Agreement criteria, so the specification focuses more on the bespoke requirements of the Council.

6.0 The Tender and Evaluation Process

- 6.1 All of the ten potential providers on Lot 1 (Managed Service for Contingent labor) of the YPO Framework Agreement had the opportunity to bid for the proposed contract under a further competition issued via the London Tenders Portal.
- 6.2 The quality element of the evaluation consisted of 40% of the overall 100% score with cost/price being 60%. The evaluation was carried out by a panel of officers from Human Resources, Digital Services and Planning, Transport & Licensing. Details of the evaluation criteria and weightings are detailed below:

Temporary Agency Staff Managed Service	Weighting
Quality of which:	100%
Implementation	25%
Delivery Model	10%
Service Delivery	30%
Contract Management	15%
Savings	20%
Quality Total	100%
Adjusted for quality weighting	35%
Social Value	5%
Price	60%
Total Tender Score	100%

- 6.3 All bids had to be submitted electronically no later than 29 September 2017 at 12.00pm. Bids were opened on 29 September 2017 and four bids were received. Certain clarification of tenders took place following which each member of the evaluation panel read the tenders using evaluation sheets to note down their comments on how well each of the award criteria was addressed.

- 6.4 Officers carried out an initial evaluation of bids independently. The panel, alongside the Procurement Category Manager, then met on the 09 October 2017 to moderate the allocated scores and agree an overall quality result. The 10% quality question allocated to price was evaluated during the moderation meeting and scored appropriately between the four evaluators. Following this, the cost element was scored by the Procurement Category Manager, overseen by the Head of Human Resources, where the lowest cost received the maximum 50% score and the remainder a proportion of the 50% dependent on their difference to the lowest.
- 6.5 During this evaluation it was noted that two of the bids were significantly lower than the other 2. Officers therefore sought evidence from the organisations with the two lowest priced bid that their bids were achievable and sustainable. Evidence was provided by both organisations that satisfied the evaluation panel that all bids were achievable and sustainable.
- 6.6 The names of the tenderers are contained in Appendix 1. The scores received by the tenderers are included in Appendix 2. It will be noted that the following Tenderer gained the highest score and Officers therefore recommend the award for the contract as follows:

Tender	Recommend Provider
Lot 1 - Managed Services for Contingent Labour	Comensura

- 6.7 It is proposed that the contract will commence 5 February 2018 subject to the Council's observation of the Council's call-in period.

7.0 Financial Implications

- 7.1 The Council's Contract Standing Orders state that contracts for supplies and services exceeding £250k or works contracts exceeding £500k shall be referred to the Cabinet for approval of the award of the contract. The estimated value of this contract is over this threshold.
- 7.2 Total spend through the contract for the three year period is expected to be approximately £38.1m (based on £12.7 million spend in 2016/17 through the current contract). Based on the tender documentation from the winning bidder, the actual fees generated (administration/booking fees and supplier margins) will be approximately £2.7m over the contract period, i.e. £0.9m per annum. However, these fees will vary depending on the volume and type of bookings made. This represents (on a like for like basis) a saving on fees of £0.2m compared to the current contract. Continued pressure on public sector finances means that, like other Councils, Brent will deliver cost savings through demand management by hiring managers of agency workers to deliver savings and efficiencies throughout the term of the contract.

- 7.3 The cost of the contract will be met from existing service budgets and is dependent on the overall use of agency staff. Each individual assignment is subject to an internal budget authorisation before any spend is committed under the contract. On the whole, the Council does not budget specifically for agency costs as the cost is usually offset against underspends in direct employee budgets through vacancies.

8.0 Legal Implications

- 8.1 The estimated value of this contract over its lifetime is higher than the EU threshold for Services and the award of the contracts therefore is governed by the Public Contracts Regulations 2015 (the “EU Regulations”). The award is subject to the Council’s own Standing Orders in respect of High Value contracts and Financial Regulations.
- 8.2 The Procurement Regulations allow the use of framework agreements and prescribe rules and controls for their procurement. Contracts may then be called off under such framework agreements without the need for them to be separately advertised and procured through a full EU process.
- 8.3 The Council’s Contract Standing Orders state that no formal tendering procedures apply where contracts are called off under a framework agreement established by another contracting authority, where call off under the framework agreement is approved by the relevant Chief Officer and provided that the Chief Legal Officer has advised that participation in the framework is legally permissible. Legal Services have reviewed the YPO Framework Agreement used and is able to confirm that participation in the framework is legally permissible.
- 8.4 As this is a mini competition under the YPO Framework Agreement, a standstill period of 10 days is not required although Officers are required to observe the council’s call-in period prior to any award.
- 8.5 Further Legal Implications are contained in Appendix 3.

9.0 Equality Implications

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

10.0 Staffing/Accommodation Implications

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

11.0 Public Services (Social Value) Act 2012

- 11.1 It should be noted that the nature of the services being procured naturally align themselves to the requirements of the Public Services (Social Value) Act 2012 as they are aimed at supporting and improving the lives of some of the most vulnerable and deprived sections of the local community. The procurement process itself involved consideration of social value, with providers invited to describe how they would advance social value as part of the bid and their responses evaluated against social value criteria.
- 11.2 Where a new provider has been selected then staff assigned to the contracts who are eligible to transfer pursuant to TUPE, will transfer from the current providers to the new providers save in the circumstances described in paragraph 7.3.

12.0 Contract Mobilisation Implications

- 12.1 Current contract expires 04 February 2017 therefore very tight implementation and contract mobilisation which could potentially be a risk due to the complexity of implementing a new system.

13.0 Background Papers

- 13.1 None

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

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APPENDIX 2

MANAGED SERVICES FOR CONTINGENT LABOUR

APPENDIX 2 -TENDER EVALUATION GRID

Bidders were asked a series of questions which covered key areas of service delivery with weightings attached to each question.

QUALITY TENDER EVALUATION GRID		BIDDER WEIGHTED SCORE			
	Weighting of 100%	A1	A2	A3	A4
1. Implementation: Please detail your approach to implementation, including providing your Implementation Plan. Your response should include, but not be limited to: <ul style="list-style-type: none"> •Transfer of existing workers and suppliers and any associated data •An explanation of how you will achieve the implementation by 5th February 2018 	25%	21.88%	15.63%	17.19%	21.88%
2. Delivery Model: Please detail the delivery model that you have chosen, including an explanation of which job categories will be filled through a Vendor Neutral approach, and which through Master Vendor, and why you expect this to deliver the best value for money for the Council. You should also explain how you will measure success and approach any review of the model during the contract period.	10%	5.63%	6.88%	6.25%	8.75%
3. Service Delivery: (a) How will you ensure a 24/7/365 service with rapid response where necessary?	6%	4.88%	4.50%	4.50%	5.25%
4. Service Delivery: (b) What level of onsite support is included in your offer?	13%	9.75%	11.38%	6.50%	11.38%
5. Service Delivery: (c) How will you meet the need for specialist and interim roles?	8%	5%	5.50%	6%	5%
6. Service Delivery: (d) Please describe the IT system that hiring managers will be required to use, and the user training/guidance that will be provided. You should provide screenshots in order to make this clear.	3%	2.25%	2.63%	2.25%	2.44%
7. Contract Management: (a) How will you manage your supply chain, including supplier audit (of DBS and RTW requirements for example)	6%	5.25%	5.63%	4.50%	5.25%

8. Contract Management: (b) How will you gather and review customer feedback?	3%	2.25%	2.25%	2.06%	2.44%
9. Contract Management: (c) Please provide an example of the Management Information reports that will be available to the Council, and explain how they will be provided (e.g. self-service, by email etc.)	6%	4.50%	5.25%	4.50%	4.88%
10. Savings: Please explain your approach to savings delivery over the course of the contract, and how this will be measured. You should include a description of how you will minimise off contract spend, as well as any other savings proposals.	20%	12.50%	12.50%	13.75%	15%
Total:	100%	73.89%	72.15%	67.50%	82.27%
Total Adjusted Quality Score:	35%	25.86%	25.25%	23.63%	28.79%
11. Social Value: Please read the background document (c), and set out your proposal for delivering social value. Your answer should include but not necessarily be limited to: <ul style="list-style-type: none"> Your proposals for supporting and delivering social value for Brent through service delivery and the supply chain. Initiatives your organisation will put in place to support local people and communities, with specific regard to employment opportunities Developing skills and smaller businesses in Brent. 	5%	3.13%	3.75%	3.44%	4.38%
Total:	40%	28.99%	29%	27.07%	33.17%

COST TENDER EVALUATION GRID

	BIDDER WEIGHTED SCORE			
Weighting of 100%	A1	A2	A3	A4

Price:	50%	49.04%	41.22%	50%	38.67%
Price – Quality Question: <i>Please explain your pricing approach to each of vendor neutral and master vendor, in particular addressing any differences in rates tendered. The Council is looking for a flexible model, and needs to be assured of a reasonable approach in calculating rates which will not be included in the tender total.</i>	10%	5%	7.50%	5%	7.50%
Total:	60%	54.04%	48.72%	55%	46.17%

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PART 2B – WEIGHTED COST/ QUALITY SCORES AND BIDDER RANKING

As stated within the ITT evaluation methodology, the quality scores for the quality element were added to the costs scores.


MANAGED SERVICES FOR CONTINGENT LABOUR

Service	Bidder Ref	Quality score (out of 40%)	Cost score (out of 60%)	TOTAL SCORE	RANK
Lot 1 - Managed Services for Contingent Labour	A1	28.99%	54.04%	83.03%	1
	A2	29%	48.72%	77.72%	4
	A3	27.07%	55%	82.07%	2
	A4	33.17%	46.17%	79.34%	3

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 <p>Brent</p>	<p>Cabinet 13 November 2017</p> <p>Report from the Strategic Director of Resources</p>
<p>Wards affected: ALL</p>	
<p>Proposed remodelling of Brent Customer Services</p>	

1.0 Purpose of the Report

- 1.1 This report sets out details of proposals to remodel access arrangements for services provided by Brent Customer Services, following a pilot of revised arrangements which commenced in June 2017. The changes directly support achievement of the new Digital Strategy launched in July 2017 and build on work that has taken place over the last two years to make it easier for residents to access services and information through digital channels. The Digital strategy forms part of Brent's 2020 programme which aims to fundamentally reshape the nature of the Council's role and relationship with service users, whilst better managing future demand and supporting individuals to become more resilient.

2.0 Recommendations

- 2.1 Cabinet is recommended to consider and approve the proposed remodelling of services provided by Brent Customer Services as piloted from June 2017 and detailed in paragraphs 4.2 to 4.6. The revised service model includes:

- A move to an appointments only service for residents visiting the Customer Services Centre (CSC), with appointments only available for enquiries that cannot be resolved on line, except where the customer is identified as vulnerable and unable to use on-line facilities with assistance.
- A move to digital assistance for residents phoning Brent Customer Services except where the customer is identified as vulnerable and unable to use on-line facilities with assistance.
- Active promotion of digital channels with increased support available to customers who need assistance in using these, including assistance via webchat and floor walkers in the Customer Services Centre.

- 2.2 Subject to approval of recommendation 2.1 above, Cabinet is asked to note that the permanent shift to digital-based service delivery will become effective from December 2017 and the associated staffing and other arrangements will be managed between mid-November 2017 and April 2018.

3.0 Detail

Background

- 3.1 In July 2017, Brent launched a new Digital Strategy setting out its vision to become a Digital Council and for Brent to be a Digital Place. This strategy forms an important part of the delivery of the Brent 2020 strategy which aims to fundamentally reshape the nature of the Council's role and relationship with service users, whilst better managing future demand and supporting individuals to become more resilient.
- 3.2 One of the key objectives of the Digital Strategy is to make online access the first choice for customer interactions with all Council services. Work has been in progress since 2014 to improve Brent's online offer to residents, most significantly with the implementation of My Account in October 2015, which enables residents to view and manage their Council Tax, Housing Rent and Housing Benefit claim as well as enabling them to carry out transactions via online facilities without the need to visit or phone the Council. These are transactional services that generate high volumes of resident contact and in the case of Council Tax, touch every household in Brent.
- 3.3 Brent residents have already demonstrated an appetite for accessing Council services via digital channels with over 80,000 residents activating access through My Account representing 61% of households and just over 250,000 Council Tax and 326,000 Housing Benefit online interactions to date. These numbers are continuing to grow month on month. We are continuing to work to improve our Digital offer so that everyone who can or wants to transact online is able to do so easily, allowing us to better support those who are vulnerable and unable to do so.
- 3.4 As part of wider budget savings agreed for the Resources Department, Brent Customer Services has to deliver savings of £1m during 2017/18. The proposed remodelling of the service, which will accelerate channel shift, supports delivery of these savings and significantly mitigates any adverse impact these might otherwise have for the quality of services provided to residents. The proposed remodelling of the service has been piloted since June 2017 and the outcomes of this have been very positive, demonstrating that the revised service model can be implemented smoothly and successfully for residents.

4.0 Details of the proposed remodelling

- 4.1 There are circa 1,341 telephone calls received every day via Brent Customer Services by the Corporate Contact Centre, Benefits and Council Tax services. Additionally there are an average of 233 visitors to the Customer Services Centre whose enquiries are handled by a customer services officer as opposed to the use of self service facilities. Many of these contacts relate to enquiries or transactions that are available online and in the case of Benefits, have been generated because of a requirement to provide original documentation to validate Housing Benefit and Council Tax Support claims. Given the growth in online provision for banking, utilities and other services, the documentation required to validate Benefit claims is increasingly digital and thus we have reviewed our validation policy (known as risk based verification or RBV) and are no longer requiring original documentation. This means that Benefit customers do not need to visit the Customer Services Centre as they can scan or photograph their supporting information and send it electronically. Additional

checks have been put in place to validate information provided to support claims.

Changes to Customer Service Centre: face to face visitors

4.2 In view of the revised policy for Benefit verification, the comprehensive online facility available through My Account and the availability of self-service PC's for visitors in the Customer Services Centre, Brent Customer Services has been piloting a revised approach to handling face to face enquiries over the past 3 months. The pilot will continue until December, when subject to Cabinet approval, the revised service model will be permanently adopted. The key elements of this are:

- A move to an appointments only service except for defined emergencies such as imminent eviction;
- All enquiries to be triaged before appointments are offered and where an enquiry can be resolved online, the customer will be signposted to a self-service PC and provided with digital assistance as required;
- Where a customer is vulnerable and unable to use online facilities, an appointment will be offered with a customer services officer, usually on the same day and the enquiry will be resolved by the officer. Officers are provided with guidance to help identify those who may need more personalised help, but this is not prescriptive and officers will be trained and encouraged to use their judgement and discretion to support those who need most help;
- Additional digital floorwalkers will be made available to support increased use of self-service facilities;
- Self-service scanning facilities are being progressed and in the interim a document drop-off desk has been set up in the Customer Services Centre;

4.3 Evaluation of the pilot to date has shown a 51% reduction to the number of customers being seen by an officer and a corresponding increase in the use of self-service facilities. For those customers who needed to see an officer in order to resolve their enquiry, waiting times reduced from an average of 20 minutes to 11 minutes and a survey of visitors to the Customer Services Centre showed 95% were satisfied with the service they received.

Changes to arrangements for phone enquiries

4.4 Concurrent with the pilot in the Customer Services Centre, a revised approach has also been piloted in the Corporate Contact Centre and Benefits phone teams. The key elements of the proposed changes are:

- Interactive Voice recognition (IVR) messaging will be amended to promote the availability of self-service facilities including My Account and the Council's website. The messages will be relayed to callers whilst being held awaiting an officer to answer or when selecting a specific telephone option (e.g. reporting a missed bin).
- As with face to face contact, additional digital assistance will be made available to help residents use digital self-serve channels to resolve their enquiry. This will include increased resources available to handle

webchat enquiries; (webchat is available to customers using My Account facilities for Housing Benefit, Council Tax and Housing Rents). Enquiry handling will continue to be available for customers identified as vulnerable and unable to use self-service facilities. During the pilot, the vast majority of callers not requiring support were directed to the use of self-service facilities, enabling those who did require help to receive this in a responsive and timely way.

- 4.5 Evaluation of the pilot has shown a 22% reduction in calls to the Corporate Contact Centre with 88% of calls answered. Benefit phone demand also reduced by 21 % with circa 70% of calls answered. Average call waiting times remained stable for the Corporate Contact Centre at 1 minute 26 seconds but increased in relation to Benefit calls. Resources are now being reviewed to ensure that there is a more consistent performance across both contact teams. Additionally further actions are also in progress to reduce the volume of calls received by the Benefits team including implementation of a new online form for self-employed applicants and a new fast track assessment service that will encourage customers to submit all documentation required to support their claim and prevent the need for follow up contact. Feedback from customers is also being addressed including a review of the Councils' web site and shortening the length of IVR messages.
- 4.6 The results of the pilot have been very positive and have demonstrated that the online offer for Brent Customer Services is now sufficiently developed to enable a revised approach to enquiry handling to be adopted. This is why this report proposes that this revised approach be permanently implemented. This will necessitate changes to staffing arrangements within the unit in order to increase resources available to provide digital assistance as well as reducing overall costs to meet savings targets. It is anticipated that there will be a net reduction of about 25 posts within the unit arising from reorganisation although the precise details of this are still in development. Consultation for the proposed staffing changes will commence in mid to late November in accordance with the Managing Change policy, subject to Cabinet approval to adopt the revised service model.
- 4.7 Service quality has been evaluated both prior to and after the pilot and is subject to routine monitoring and evaluation as part of daily operational management with results being reported and reviewed on a monthly basis at the department's Service Management Board. Qualitative performance is measured using a combination of observation of interviews and appointments within the CSC and listening to "phone calls" conducted within the Corporate Contact Centre and Benefits Service. This helps to ensure that our Customer Promise is achieved and that any potential concerns identified are addressed in a positive and timely way.
- 4.8 The potential vulnerability of a customer is assessed by officers with specific reference to service guidelines. Additionally, officers are provided with guidance to help identify customers that may need more personalised assistance and are trained and encouraged to use their judgement and discretion to support those who need it most. Where vulnerability is determined, a "flag" and / or notepad entry, as appropriate, is recorded on the relevant software system used by the service concerned to ensure that the information is available for any other officer that may have future communications with the customer.

- 4.9 Subject to Cabinet approval, it is proposed that the change of service offer outlined within this report and the increased portfolio of online services available for customers to access will be publicised in partnership with the Digital Transformation Team helping to implement the Digital Strategy.

5.0 Financial Implications

- 5.1 Total savings of £1m have already been agreed for Brent Customer Services and the proposed remodelling of the service will facilitate the delivery of those savings, as planned, in 2018/19. The proposals, if agreed, will lead to one-off redundancy costs, which will be calculated when a revised operating model is agreed.

6.0 Legal Implications

- 6.1 The public sector equality duty, as set out in section 149 of the Equalities Act 2010, requires the Council, when exercising its functions, to have “due regard” to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, advance equality of opportunity and foster good relations between those who have a “protected characteristic” and those who do not share that protected characteristic. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 6.2 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic. For example, taking account of disabled persons’ disabilities and the action that could be taken to help a disabled person.
- 6.3 Due regard should also be had to the need to encourage those who have a protected characteristic to participate in public life. Having due regard to “fostering good relations” involves having due regard to the need to tackle prejudice and promote understanding.
- 6.4 There is no prescribed manner in which the equality duty must be exercised, though producing an Equality Analysis is considered to be the most common and effective method. The Council must have an adequate evidence base for its decision making. This can be achieved by engagement with the public and/or service user groups and by analysing service user feedback and relevant data.

7.0 Diversity implications

- 7.1 In considering the proposed service changes for Brent Customer Services, an Equality Analysis (see Appendix A) has been undertaken to ensure that any adverse impact to residents who share a protected characteristic has been considered and mitigated where this is possible. The analysis has identified a potential adverse impact on some protected groups who may not be able to use online facilities such as older customers, customers with disabilities and

customers whose first language is not English. This impact has been mitigated by the measures taken to ensure that customers who are unable to use online facilities can continue to access services through existing face to face and phone arrangements and additional assistance as referred to in paragraph 4.2 of this report.

- 7.2 There are also positive outcomes arising for protected groups as improved online facilities enable customers with mobility issues to access services from home and those seeking help to use facilities can access this from any location.

8.0 Staffing and Accommodation Implications

- 8.1 Subject to Cabinet approval of the proposed service changes, staffing structures in BCS will be revised through the managing change policy to ensure that roles meet the needs of the new service model and savings targets are achieved. A separate Equality Analysis will be carried out to assess the potential / likely impact of the proposals on staff with protected characteristics.

Background Papers

Appendix A – Equality Analysis

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ALTHEA LODERICK

Strategic Director of Resources

Appendix A – EIA Screening

Equality Analysis – Proposed Remodelling of Brent Customer Services

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 overall proposal is for a new service operating model for Brent Customer Services (BCS) concurrent with proposed changes to the organisational structure of the unit.

The key features of the proposals are as follows:

- A move to an appointments only service for residents visiting the Customer Services Centre (CSC), with appointments only available for enquiries that cannot be resolved online, except where the customer is identified as vulnerable and unable to use on-line facilities with assistance.
- A move to digital assistance for residents phoning Brent Customer Services except where the customer is identified as vulnerable and unable to use on-line facilities with assistance.
- Active promotion of digital channels with increased support available to customers who need assistance in using these, including assistance via webchat and floor walkers in the Customer Services Centre.

These proposals support accelerated channel shift and the wider aims of Brent's Digital Strategy as well as the achievement of savings of £1m by 31st March 2018.

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

Residents – Some vulnerable residents accessing our face to face service and phone service could potentially be affected. However, as the current service offer for such residents will continue unchanged, no adverse impact is currently anticipated.

By improving our digital offer and driving channel shift, more services will be available online and "24/7". The proposed changes will not only improve convenience and ease of access for those who can self-serve but will also ensure that phone and face-to-face communication channels are targeted at the most vulnerable residents who may otherwise experience access barriers due to disability, language or knowledge and ownership of appropriate IT equipment.

Staffing – An Equality Analysis will be carried out to determine and assess any potential impact of the proposed organisational change for staff with protected characteristics once the structure and any associated implications have been determined.

External Stakeholders - Voluntary sector service providers may be approached by residents for face to face support and assistance. As indicated above, mitigations have been made to the proposals to ensure that vulnerable residents continue to receive the same level of service and access to services as at present and will not be adversely impacted.

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

Yes.

- Age:
 - Customers of pensionable age who are unable to access and use online services, including those where additional assistance is required.
- Disability / long term health conditions

- Customers who face access barriers and cannot self-serve due to disabilities or health conditions. These may include but are not be limited to customers with learning disabilities, mental health conditions or severe physical disabilities or health conditions, as well as customers with hearing (incl. BSL users) and/or visual impairments.
- Race / Ethnicity - Black, Asian and minority ethnic (BAME) customers whose first language is not English
 - BAME customers that do not have English as their first language may face access barriers or be unable to self-serve without alternative languages being available for translation. Whilst the Brent Council website provides information and support in alternative languages, this does not extend to the Housing Benefit online application and MyAccount. However, the council is able to arrange translation or interpreting services and/or alternative formats for customers with language and/or disability barriers upon request.

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

Yes – Age, disability and race/ethnicity (BAME customers whose first language is not English).

Office for National Statistics (ONS) – UK internet users, 2017 states that 99% of those aged under 34 access the internet and therefore are “digitally included”, with those aged between 55-64 being 90% “digitally included” and those aged 65 to 74 years old being 79% “digitally included”.

When comparing this to the volume of customers that applied for Housing Benefit during the pilot period of 16th June to 15th September 2017, 9% were aged under 25 years old, 48% were aged between 40 to 60 years old and 7% aged over 65 years old. Similarly, of those that reported a change to their Housing Benefit claim from 16th June to 15th September 2017, 5% were aged over 65 years old.

Of the customers that applied for Housing Benefit during the pilot period of 16th June to 15th September 2017, 6% indicated that they were disabled.

Of the customers that applied for Housing Benefit during the pilot period of 16th June to 15th September 2017, 23% declared that they received assistance with applying for their Benefit, of which 3% of this total received assistance from Brent Council staff.

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

There is a potential for the change to impact upon services used by vulnerable groups of people. However, it is proposed under the revised arrangements that the existing service levels and access to services will continue unchanged for vulnerable residents that fall into the protected characteristic groups.

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

Yes – residents facing social inequality for example those in lower socio-economic groups; those in poor health and those that do not have immediate access to PC's and the internet or the associated knowledge and experience in using them.

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

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

The proposed changes will ensure that we are continuously improving accessibility of services and enhancing our digital offer by ensuring that services are available 24/7.

Recommend this EA for Full Analysis?

No

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.

The proposed re-modelling of Brent Customer Services has given due regard to vulnerable customers. It is proposed that the retention of existing service levels and access to services for vulnerable persons shall remain unchanged from the existing arrangements. Additionally, increased staff support within the CSC in the form of “floor-walkers” shall be made available to provide visiting customers with assistance in accessing online services. It is therefore not currently anticipated that there will be any adverse impact arising from the changes proposed.

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



Yes



No

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

What did you find out from consultation or data analysis?

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

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

Customer feedback was obtained during the “pilot” period from those that experienced the changes and who contacted Brent by phone, visited the CSC, completed an online Housing Benefit Application or reported changes in their circumstances. A total of 372 customers responded.

Of the 123 phone customers that responded, 38% were “signposted” to Brent’s online media for assistance with their enquiry and 44% indicated that they did not find the website easy to understand.

Of the 65 customers that visited our CSC and responded, 40% advised that they were confident using online services and 62% indicated that they were happy with the service they received.

Of the 45 customers that completed the online Housing Benefit Application and provided feedback, 71% indicated that they found the “MyAccount” customer portal easy to use and 84% indicated that they received sufficient information from the website to assist them with their application.

Of the 139 customers that reported changes to their circumstances online, 81% were provided with sufficient information on the website to report their change and 60% that used My Account to inform us of the change stated that they found it easy to use.

The overall results of the pilot indicated a 22% reduction in the volume of Contact Centre phone calls being presented and a 32% reduction in enquiries and appointments within the CSC as well as a 59% reduction in casual callers to the CSC.

Phone calls answered prior to the pilot (i.e. January to March 2017) totaled 12,429, averaging 191 per day. During the pilot (June to September 2017), calls answered totaled 5,429, averaging 136 calls per day. This represents a decrease in the average number of calls answered per day of 28.7%.

Average number of webchats presented during the pilot period generally increased week on week as more services became available for access through the “MyAccount” customer portal and Brent website.

Resident feedback was sought and obtained from across each communication channel from residents that experienced the changes concerned.

Overall findings from the pilot together with the resident feedback obtained indicate that the proposed changes have been positive although there are improvements that have been identified and will be further explored, as set out within the action plan. Volumes of complaints received per week have remained broadly similar throughout the pilot period, averaging approximately 3 per week in total for Benefits, Council Tax and the Customer Service Centre. This suggests that the changes made for the purposes of the pilot project have not had an adverse impact on service quality, as perceived by customers.

STAGE 3: ACTION PLANNING

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

Replacing email enquiries with online forms has been very successful and consequently further means of developing and enhancing customer communication options and the portfolio of online forms will be explored and evaluated.

The current service facility that permits customers visiting the CSC to scan their Housing Benefit supporting information for attachment to their application will be further enhanced to enable them to link the documentation to their application without requiring staff assistance.

The current service that permits customers to upload their supporting documentation to support their Housing Benefit application will be further developed to simplify the process and enhance the customer experience.

Promote the service offer and options available for customers and in an accessible and inclusive way to ensure that customers across all protected characteristics are aware of the changes and can benefit from the enhanced offer.

Use feedback obtained from organisations that attend the Network Partnership Meetings and resident feedback to continuously improve and enhance the service available.

Retain existing service access and communication channels for vulnerable residents (e.g. phone and face to face).

We will monitor the impact of the proposals on a continuing basis on residents with protected characteristics as part of our service monitoring and improvement arrangements.

Investigate the findings obtained from resident feedback and use the opportunities that these present to further develop and enhance the service offer for customers.

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

We will continue to maintain and review our “vulnerable resident” guidance to ensure that it is representative, fit for purpose and that residents are not adversely impacted by the proposed

changes. We will monitor the impact of the proposals on residents with protected characteristics as part of service monitoring and improvement arrangements.

Customer Service staff have attended a range of training programmes to assist with the identification and provision of help for customers that may require support. This includes for example courses in relation to Mental Health Awareness and Disability Awareness. Courses / briefings have also been provided in relation to autism and personal safety. As further training needs are identified, appropriate training will be arranged and provided, as appropriate.

BCS also maintains a database of officers that can speak additional languages and who can be available to assist customers either visiting the offices or phoning.

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

There are no remaining negative impacts anticipated.

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