



# Brent

## Cabinet

**Monday 11 December 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](mailto: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](http://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**

**1 Apologies for Absence**

**2 Declarations of Interest**

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 - 12

To approve the minutes of the previous meeting held on 13 November 2017 as a correct record.

**4 Matters Arising (if any)**

To consider any matters arising from the minutes of the previous meeting.

**5 Petitions (if any)**

To discuss any petitions from members of the public, in accordance with Standing Order 66.

## Chief Executive's reports

**6 Performance Report, Q2 (July - Sept.) 2017/18** 13 - 48

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

**Ward Affected:**  
All Wards

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

**Contact Officer:** Irene Bremang, Head of Performance & Improvement  
Tel: 020 8937 1822  
[irene.bremang@brent.gov.uk](mailto:irene.bremang@brent.gov.uk)

This paper sets out the proposal to enter into a four year Services Agreement between the Council and First Wave Housing Ltd, which requires Cabinet consent.

**Ward Affected:**  
All Wards

**Lead Member:** Lead Member for Housing and Welfare Reform (Councillor Harbi Farah)  
**Contact Officer:** Peter Gadsdon, Director, Performance, Policy and Partnerships  
Tel: 020 8937 1400  
peter.gadsdon@brent.gov.uk

## Resources reports

### 8 **Budget Strategy and Financing Update**

53 - 74

The purpose of this report is to set out the Council's budget proposals for 2018/19. It therefore includes other key activities in relation to setting the 2018/19 budget, including dealing with any surplus on the Council's collection fund and the updating the position on the proposed London business rates pilot pool. It also provides a general update on the overall financial position, including an assessment of the Chancellor of the Exchequer's Autumn Budget of 22 November 2017.

**Ward Affected:**  
All Wards

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

### 9 **Shared Registration and Nationality Service with Barnet**

75 - 82

Brent has been providing Barnet's Registration and Nationality Service under the terms of an Inter Authority Agreement (IAA) since 22<sup>nd</sup> April 2014. The IAA is for an initial term of five years, with an option to extend for a further 2 years subject to agreement by both parties. The IAA also provides an opportunity for both parties to review the arrangement after 3.5 years of operation and to determine whether the arrangement should continue. In the event that either party wished to cease the arrangement, at least six months' prior notice would be required. Accordingly, both parties agreed to jointly review the IAA during 2016/17 to determine whether it should continue and if so, to identify and agree changes to the IAA.

**Ward Affected:**  
All Wards

**Lead Member:** Lead Member for Stronger Communities (Councillor Tom Miller)  
**Contact Officer:** Margaret Read, Director of Brent Customer Services

## Community Well-being reports

### 10 Acquisition of land at 136 Honeypot Lane 83 - 92

The NAIL Programme is a strategic Council project to deliver new accommodation options for people with high care and support needs, including Extra Care housing. This report is to secure urgent Cabinet approval for the acquisition of land at 136 Honeypot Lane as a site for NAIL Extra Care housing.

**Ward Affected:**  
Queensbury

**Lead Member:** Lead Member for Community Wellbeing (Councillor Krupesh Hirani)  
**Contact Officer:** Jenny Beasley, Senior Commissioning Manager  
Tel: 020 8937 1443  
jenny.beasley@brent.gov.uk

### 11 London Housing Strategy – Consultation Response 93 - 114

This report advises Cabinet of the Council's response to the Mayor's draft London Housing Strategy. Reporting deadlines and the deadline of 7 December for submission of responses mean that it has not been possible to present a report to Cabinet prior to this meeting. However given the importance of the London Housing Strategy in driving future housing policy in London and the need for the Council's own strategies to demonstrate general conformity with it, it is important that Cabinet should be aware of the draft proposals and the issues identified in the response.

**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

### 12 Authority to Award a Contract for a Mental Health Supported Living Scheme 115 - 136

In accordance with Contract Standing Order 88, this report seeks Cabinet authority to award a care and support contract for a Mental Health Supported Living Scheme at 115 Pound Lane.

**Ward Affected:**  
All Wards

**Lead Member:** Lead Member for Community Wellbeing (Councillor Krupesh Hirani)  
**Contact Officer:** Edwin Mensah, Contracts Officer  
Tel: 020 8937 4132

**13 Authority To Award Contracts For Care and Support for Learning Disability Supported Living Accommodation** 137 - 154

This report requests authority to award 2 contracts each for a period of 3+1+1 years as required by Contract Standing Order No 88. These contracts are for care and support services within supported living accommodation at 7 Kinch Grove and 63 Manor Drive and 54 Beechcroft Gardens.

**Ward Affected:**  
All Wards

**Lead Member:** Lead Member for Community Wellbeing (Councillor Krupesh Hirani)  
**Contact Officer:** Jenny Beasley, Senior Commissioning Manager  
Tel: 020 8937 1443  
jenny.beasley@brent.gov.uk

### Regeneration and Environment reports

**14 Authority to Award Contract for CCTV Supplies and Services** 155 - 162

This report requests authority to award contracts as required by Contract Standing Order No 88. This report summarises the process undertaken in tendering this contract and, following the completion of the evaluation of the tenders, recommends to whom the contract should be awarded.

**Ward Affected:**  
All Wards

**Lead Member:** Lead Member for Stronger Communities (Councillor Tom Miller)  
**Contact Officer:** Karina Wane, Head of Community Protection  
Tel: 020 8937 5067  
Karina.Wane@brent.gov.uk

**15 Parking Services Contract** 163 - 180

This report sets out options and identifies a preferred option for the future procurement of the Council's Parking Services Contract. Parking is a high profile service with key objectives to ensure adequate parking spaces on-street for residents, businesses and visitors, to reduce congestion and improve road safety, and support sustainable environmental objectives.

**Ward Affected:**  
All Wards

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

## 16 Authority to Award Contract for Arboricultural Services

181 - 190

This report requests authority to award a contract as required by Contract Standing Order No 88. This report summarises the process undertaken in tendering this contract and, following the completion of the evaluation of the tenders, recommends to whom the contract should be awarded.

**Ward Affected:**  
All Wards

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

## 17 Tree Management Policy

191 - 222

The revised Tree Management Policy has been developed to consider the benefits and importance of maintaining the borough's trees. It aims to raise the profile, value and appreciation of trees in the borough, to improve understanding of tree issues, manage expectations and to meet the challenge of adapting to climate change in the coming decades.

**Ward Affected:**  
All Wards

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

## 18 Quietway – Phase 2: Wembley Park to Harrow Weald

223 - 240

This report introduces the proposed phase 2 Quietway cycle route from Wembley Park to Harrow Weald. This includes two spurs: one to Wembley Central station; and the second along Churchill Avenue to Kenton Road. The programme is at an early stage with only an indicative route, passing through the central and northern parts of the borough.

**Ward Affected:**  
Kenton;  
Northwick Park;  
Preston;  
Wembley  
Central

**Lead Member:** Lead Member for Environment  
(Councillor Eleanor Southwood)  
**Contact Officer:** Rachel Best, Transportation  
Planning Manager  
Tel: 020 8937 5289  
rachel.best@brent.gov.uk

## 19 Decision to delegate authority for the award of contracts for three named schemes within the South Kilburn Regeneration Programme

241 - 318

This report seeks approval to authorise the Strategic Director of Regeneration and Environment to appoint multi-disciplinary design teams

and a developer partner for the named sites within the South Kilburn Regeneration Programme in order to speed up the design process and also the delivery process. This will help to ensure that the programme timescales as envisaged and as communicated can be achieved.

**Ward Affected:**  
Kilburn

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

**Contact Officer:** Marie Frederick, Senior Project Manager, Estate Regeneration  
Tel: 020 8937 1621;  
Marie.Frederick@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)*":

- Agenda Item 10
  - Acquisition of land at 136 Honeypot Lane – **Appendices 1 & 2**
- Agenda Item 13
  - Authority To Award Contracts For Care and Support for Learning Disability Supported Living Accommodation – **Appendix 1**
- Agenda Item 14
  - Authority to Award Contract for CCTV Supplies and Services – **Appendix 1**
- Agenda Item 16
  - Authority to Award Contract for Arboricultural Services – **Appendix 1**

## 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 15 January 2018**



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 13 November 2017 at 6.00 pm**

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

**Also Present:** Councillors Long and Perrin

1. **Apologies for Absence**

None.

2. **Declarations of Interest**

There were no declarations of interest made.

3. **Minutes of the Previous Meeting**

**RESOLVED:-**

that the minutes of the previous meeting held on 23 October 2017 be approved as an accurate record of the meeting.

4. **Matters Arising (if any)**

None.

5. **Petitions (if any)**

None.

6. **Bid to become London Borough of Culture 2020**

Councillor Tom Miller, Cabinet Member for Stronger Communities, introduced the report stating that 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.

Councillor Miller stated that 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. Cabinet noted that the application period closes on 1 December 2017 with winning boroughs announced in February 2018.

Councillor Miller stated that Brent Council is preparing a bid for 2020. Councillor Mili Patel, Cabinet Member for Children and Young People, welcomed this initiative and thanked all the staff members involved for preparing such a positive bid.

**RESOLVED:**

- 6.1 The Council's commitment to submitting a bid to the Mayor for Brent to become the London Borough of Culture 2020 be confirmed; and
- 6.2 If the bid was successful, the Council would make available the required match funding.

**7. Fire Safety in the Council's Housing Stock**

Councillor Butt, Leader of the Council, welcomed Cllr Janice Long, Chair of Housing Scrutiny Committee, to the meeting. Cllr Long expressed concern that the report had not been available for discussion at a meeting of the Council's Scrutiny Committee, but welcomed the report recommendations.

Councillor Farah, Cabinet Member for Housing and Welfare Reform, introduced the report which 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.

Councillor Farah stated that 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.

Members of the Cabinet welcomed the report and criticised central government's approach to improving fire safety since the Grenfell Tragedy.

Councillor Butt, Leader of the Council, reminded members of the cabinet about his correspondence with the Secretary of State for Communities and Local Government.

**RESOLVED:**

- 7.1 Cabinet approved 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;
- 7.2 Cabinet approved 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; and

7.3 Cabinet approved the rationale for prioritising the order in which blocks receive fire safety improvements set out in paragraph 4.16 of this report.

## 8. Improving the Housing Offer for Tenants and Leaseholders

With the permission of the Chair, Cllr Janice Long, Chair of Housing Scrutiny Committee addressed the Cabinet.

Councillor Farah, Cabinet Member for Housing and Welfare Reform, introduced the report which sets out the 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.

Councillor Farah stated that 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.

Councillor Farah stated that, 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 and Welfare Reform.

### **RESOLVED:**

8.1 The policy approach set out in sections 5 and 6 in the Cabinet report be approved to be pursued and the specific recommendations set out in resolutions 8.3 to 8.11 be approved, subject to consideration of responses arising from the consultation by the Strategic Director for Community Wellbeing;

8.2 Authority be given to the Strategic Director for Community Wellbeing 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 be submitted to the Cabinet for consideration of the consultation responses and to approve the final version of the policy;

8.3 The basic options currently available to tenants and leaseholders to 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;

- 8.4 A shared equity option, with no rent payable on the equity retained by the council, be available subject to a minimum purchase of 50% of the equity. This only applies to resident leaseholders;
- 8.5 A leasehold swap option 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;
- 8.6 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 be considered;
- 8.7 On a similar basis to that proposed in resolution 8.5, advance payment of Homes Loss and Disturbance compensation be available to leaseholders and tenants;
- 8.8 In limited cases, subject to detailed review, reversion to tenancy in acquired private sector property 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;
- 8.9 Support and advice 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;
- 8.10 The Council purchases 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;
- 8.11 That the Council develops 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;
- 8.12 The council investigates how a similar approach to that set out in resolution 8.10 above might be taken to assist home owners in the private sector; and
- 8.13 The Council, where appropriate, offers temporary rehousing for vulnerable leaseholders affected by major works programmes, with a requirement for leaseholders to meet associated charges for such properties.

## **9. Compulsory Purchase of a Residential Property in the Kenton Area**

With the permission of the Chair, Cllr Janice Long, Chair of Housing Scrutiny Committee addressed the Cabinet.

Councillor Farah, Cabinet Member for Housing and Welfare Reform, introduced the report stating that it seeks Members' approval to make a Compulsory Purchase Order of a residential property in the Kenton area of the borough of Brent.

Cllr Farah stated that 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.

Cllr Farah stated that a report to the Executive Committee recommending compulsory purchase of this property by the Council was made a number of years ago.

**RESOLVED:**

- 9.1 Cabinet agreed 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;
- 9.2 The Chief Legal Officer be authorised 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, the Chief Legal Officer be authorised to confirm the said Compulsory Purchase Order in the event of the Secretary of State approving the Order;
- 9.3 To proceed with the acquisition, upon confirmation of the Compulsory Purchase Order; and
- 9.4 Subject to confirmation of the Compulsory Purchase Order by the Secretary of State for Communities and Local Government, Cabinet approved 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.

**10. Air Quality Action Plan (2017 - 2022)**

Councillor Ellie Southwood, Cabinet Member for Environment, introduced the report and The Brent Air Quality Action Plan (2017 – 2022) which, she stated, 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.

Councillor Southwood stated that 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.

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.

Councillor Southwood stated that the purpose of this report is to seek approval of the action plan measures. Councillors Hirani, Miller, Tatler and McLennan welcomed the report and action plan.

**RESOLVED:**

10.1 The Air Quality Action Plan (2017 – 2022) measures be noted; and

10.2 The measures be published as final.

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

Councillor Shama Tatler, Cabinet Member for Regeneration, Growth, Employment and Skills, introduced the report providing an update to the 15 November 2016 Cabinet report – South Kilburn Regeneration Programme – Carlton & Granville Centres Site – Development Options.

Councillor Tatler stated that the 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.

**RESOLVED:**

11.1 The redevelopment of Carlton and Granville Centres site as Phase 2 of the works be awarded to an architecturally led multidisciplinary design team;

11.2 Authority be delegated to the 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; and

11.3 Authority be delegated to the Strategic Director of Regeneration & Environment to proceed with RIBA Stage 4 and surveys and assessments as outlined in Appendix 2 to the Cabinet report.

**12. Authority to Award Works Contract for South Kilburn Enterprise and Community Hub (Phase 1b)**

Councillor Shama Tatler, Cabinet Member for Regeneration, Growth, Employment and Skills, introduced 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

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.

Councillor Tatler stated that the 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.

**RESOLVED:**

- 12.1 The revised weightings and criteria used to procure and evaluate tenders as detailed in paragraph 3.3 of the Cabinet report be noted; and
- 12.2 The award of a works contract for South Kilburn Enterprise and Community Hub (Phase 1b) to Surecast Limited be approved.

**13. Financial Forecasts 2017/2018 - Quarter 2**

Councillor Margaret McLennan, Deputy Leader of the Council, introduced the report setting out the forecasts as at 30 September of income and expenditure against the revenue budget for 2017/18, and other key financial data.

Councillor McLennan informed Members of the Cabinet that the actual spend information in the report is to 31 August 2017, and the forecasts were prepared and finalised as at 30 September.

Members of the Cabinet noted that 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.

Councillor Muhammed Butt, Leader of the Council, stated that this outturn forecast means the Council cannot be complacent. He said that there are still notable risks, which are outlined in the report, and there is extensive work necessary to deliver the savings on procurement and income generation through the civic enterprise strategy.

**RESOLVED:**

- 13.1 The overall financial position and the actions being taken to manage the issues arising be noted;
- 13.2. The fact 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, be noted. The government has committed to finding a longer term solution for the funding of adult social care; and
- 13.3. The Chief Finance Officer be delegated 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.

**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**

Councillor Shama Tatler, Cabinet Member for Regeneration, Growth, Employment and Skills, reminded Cabinet members that, 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.

Councillor Tatler stated that the report details the outcome of marketing making a recommendation to grant a lease of the FBGPC to a preferred applicant.

**RESOLVED:**

14.1 Cabinet approved the proposal for a Community Asset Transfer of the Former Butlers Green Public Convenience (FBGPC) entering into a lease for 7 years with Sudbury Town Residents Association (STRA) subject to a satisfactory response to equalities monitoring and assessment of the social value test; and

14.2 Authority be delegated to the Strategic Director of Resources to finalise and agree the terms of the leasehold disposal.

**15. Disposal of Vacant Residential Properties**

Councillor Muhammed Butt, Leader of the Council, informed members of Cabinet that the purpose of the report is to seek the authority of Cabinet to dispose of surplus vacant residential properties, being;

- 8 Coniston Gardens, London NW9 0BD;
- 67 Woodheyes 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.

Councillor Butt stated that 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.

**RESOLVED:**

15.1 The disposal of surplus properties at 8 Coniston Gardens and 67 Woodheyes 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), be approved;

15.2 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, be approved. 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 was granted for all subsequent disposals under the Care Act, which is a statutory function, to be carried out under the delegated authority of the Strategic Director of Resources;

- 15.3 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, be approved. 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;
- 15.4 Authority be delegated to the Strategic Director of Resources to approve, in consultation with the relevant Lead Member, the method of disposal and agree the final terms for properties within this report, including for 3 Kent Road and 18 Alliance Close;
- 15.5 An application to the Secretary of State for the disposal of 3 Kent Road and 67 Woodheyes Road be approved; and
- 15.6 An application to the Secretary of State for Education for the disposal of 8 Coniston Gardens be approved.

## 16. **Revenues and IT Support Service – Future Service Delivery Options**

Councillor Margaret McLennan, Deputy Leader of the Council, introduced the report asking Cabinet to consider and evaluate options for delivery of the Revenues and IT Support Service when the existing contractual arrangements with Capita Business Services Ltd ("Capita") end on 30 April 2019.

Councillor McLennan stated that 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. She stated that 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. Cabinet noted that 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.

Cabinet noted that 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.

**RESOLVED:**

- 16.1 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 Cabinet report, be approved;
- 16.2 Officers evaluating tenders referred to in resolution 16.1 above on the basis of the evaluation criteria set out in Appendix F of the report, be approved;
- 16.3 The return of 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) to in-house provision at the expiry of the existing Revenues and IT Support Services contract, be approved, based upon the options appraisal set out within this report;
- 16.4 Cabinet noted that subject to resolution 16.3 above, printing services for the Council Tax and Benefits Services 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);
- 16.5 Authority be delegated 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; and
- 16.6 Growth of £0.2m arising from resolution 16.3 above be approved as set out within paragraph 3.8 and Section 6 (Financial Implications) of the Cabinet report.

## **17. Future Provision of the Pension Administration Service**

Councillor Margaret McLennan, Deputy Leader of the Council, introduced the report seeking 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.

### **RESOLVED:**

- 17.1 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 of the Cabinet report, be approved.

## **18. Authority to Award a Contract for the Managed Services for Contingent Labour**

Councillor Margaret McLennan, Deputy Leader of the Council, introduced the report stating that, in accordance with Contract Standing Order 88, this report seeks

Cabinet authority to award a contract for the Managed Services for Contingent Labour.

She stated that 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. Councillor McLennan stated that the 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.

**RESOLVED:**

18.1 The contract for the managed services for contingent labour be awarded to Comensura Limited for the period three years plus one year extension.

**19. Proposed Remodelling of Brent Customer Services**

Councillor Margaret McLennan, Deputy Leader of the Council, introduced the report setting 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.

Councillor McLennan stated that 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.

**RESOLVED:**

19.1 The proposed remodelling of services provided by Brent Customer Services as piloted from June 2017 and detailed in paragraphs 4.2 to 4.6 of the Cabinet report, be approved. The revised service model included:

- 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; and

19.2 Subject to resolution 19.1 above, the fact that the permanent shift to digital-based service delivery would become effective from December 2017 and the

associated staffing and other arrangements would be managed between mid-November 2017 and April 2018, be noted.

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

None.

21. **Exclusion of Press and Public**

None.

22. **Any Other Urgent Business**

None.

The meeting was declared closed at 6.46 pm

COUNCILLOR MUHAMMED BUTT  
Chair

	<p style="text-align: center;"><b>Cabinet</b> 11 December 2017</p>
	<p style="text-align: center;"><b>Report from the Director of Performance, Policy and Partnerships</b></p>
<p style="text-align: center;"><b>Performance Report, Q2 (July – Sept.) 2017/18</b></p>	

<b>Wards Affected:</b>	All
<b>Key or Non-Key Decision:</b>	Key
<b>Open or Part/Fully Exempt:</b>	Open
<b>No. of Appendices:</b>	1 – Corporate Performance Scorecard
<b>Background Papers:</b>	None.
<b>Contact Officers:</b>	<p>Irene Bremang Head of Performance &amp; Improvement Tel: 020 8937 1822 <a href="mailto:Irene.bremang@brent.gov.uk">Irene.bremang@brent.gov.uk</a></p> <p>Peter Gadsdon Director, Performance, Policy and Partnerships Tel: 020 8937 1400 <a href="mailto:Peter.gadsdon@brent.gov.uk">Peter.gadsdon@brent.gov.uk</a></p>

## 1.0 Purpose of the Report

- 1.1 This report and the performance scorecard (**Appendix A**) set out the position on the Council's performance in the second quarter of 2017/18. The content and format of the report and scorecard have been revised to focus primarily on the Brent 2020 priorities and then on the Borough Plan priorities.
- 1.2 The purpose of this report is to provide Cabinet with a corporate overview of performance information linked to the Brent 2020 and Borough Plan priorities, to support informed decision-making and to manage performance effectively.
- 1.3 The Brent 2020 vision provides a strategic picture of where the Council would like to be by 2020 and how it intends to get there. The Brent 2020 vision is designed to complement the Borough Plan over the next five years. Its five themed priorities are as follows:
- Employment and Skills – to respond to the increase in the working age population and lift people out of poverty and welfare dependency.
  - Regeneration - to improve the economic, social and environmental conditions in the borough.

- Business and Housing Growth - to maximise the tax base to support the delivery of core services.
  - Demand Management - to manage the pressure on needs led budgets such as children's social care, adult social care and homelessness.
  - Raising Income - to support the delivery of core services.
- 1.4 The Borough Plan for 2016-19 was agreed by Full Council in April 2016. It includes the Brent 2020 vision and its five themed priorities for the Council. Three overarching priorities for Brent are set out in the Borough Plan as follows:
- Better Lives
  - Better Place
  - Better Locally
- 1.5 The Corporate Performance Scorecard (Appendix A) sets out the suite of key performance indicators (KPIs) being monitored corporately. Commentary is mandatory in line with the current performance framework and is included in the scorecard. This applies to all measures which have a Green, Amber or Red RAG status.

## **2.0 Recommendation(s)**

2.1 Cabinet has been asked to:

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

## **3.0 Detail**

- 3.1 Overall there are currently 90 key indicators in the Q2 performance scorecard. The format of the scorecard has been revised to provide a more distinct and primary focus on Brent 2020 priorities and outcomes.
- The first part of the scorecard sets out 30 key indicators linked to the Brent 2020 themed priorities. Brent 2020 indicators are presented graphically (2016/17 outturn figures and benchmarking data are also provided where available).
  - The second part of the scorecard lists 60 key indicators linked to the Borough Plan priorities and the Council's 'Corporate Health' in a tabular format.
- 3.2 Out of the 30 Brent 2020 priority indicators: 11 are on or above target (Green status), with a further 9 just off target (Amber status), leaving 10 significantly off target (Red status).

- 3.3 There are 60 Borough Plan and Corporate Health indicators in the Q2 scorecard, of which 44 indicators have a RAG status. 16 are on or above target (Green status), 14 are just off target (Amber status), and 14 are significantly off target (Red status). A further 16 indicators are for contextual use.
- 3.4 A summary of performance under the Brent 2020 priorities and Borough plan priorities is set out below.

### **Brent 2020 Priorities**

#### **Employment and Skills**

- 3.5 There has been good performance in Brent Works job outcomes, Brent Start achievement rates and percentage rate of NEETs (16 to 18 year olds who are not in education, employment or training). All these indicators exceeded their targets and have a Green RAG status: Brent Start job outcomes (Actual YTD – 64, Target – 50); Brent Start achievement rates (Actual YTD – 93%, Target – 86%); Percentage of NEETs (Actual YTD – 0.9%, Target YTD – 1.6%).
- 3.6 The Living Room employment outcomes (Actual YTD – 12, Target – 13) and Brent Works apprenticeship outcomes (Actual YTD – 10, Target – 25) are both currently below target and have an Amber and Red rating respectively. Outreach is being increased on the St. Raphael's estate to help improve Living Room employment outcomes in future months alongside proposals for a Community Hub. A new Apprenticeship Strategy was proposed to Cabinet on 23/10/17 which aims to streamline processes and promote the apprenticeship scheme in Brent in time for the next financial year.
- 3.7 The percentage of care leavers in education, employment or training (EET) is below target and is Red rated. Overall performance YTD for care leavers in EET is 47.3% against a target of 58%. This group includes an increasing number of former Unaccompanied Asylum Seekers (UASC) whose immigration status prevents them accessing employment and education post 18 years old, which has a significant impact on performance in this area. We ensure that Brent's personal advisors and accommodation providers actively work with these young people to provide meaningful activities whilst their asylum status is being determined.

## **Regeneration - economic, social and environmental conditions**

- 3.8 The timeliness of minor planning application decisions is above target and additional resources and better performance management have led to this improved level of performance (Actual YTD – 89.63% provisional; Target YTD – 76%). On the other hand, the timeliness of major planning applications is below target (Actual YTD – 78.57% provisional, Target YTD – 82%) and is now reported as a rolling 2 year figure as per government guidance. Going forward there will be a greater staff focus on the appropriate use of extension of time agreements on both major and minor applications.
- 3.9 Reports of illegally dumped waste incidents are significantly above target and therefore this indicator has a Red RAG status (Actual YTD – 9,499 incidents, Target YTD – 6,000). The rise of reported incidents has been attributed to greater resident awareness from the Love Where You Live campaign and also the ease of reporting incidents using mobile apps. Whilst the volume of reported incidents has gradually been rising, the number of reported incidents in Q2 17/18 was 6% lower than in Q2 16/17. Building on this awareness and good work from Q2 onwards, there is a new in-house team to issue Fixed Penalty Notices for littering and illegal dumping. Notably, even with increasing volumes of reported incidents, the average time taken to remove illegally dumped waste is less than one day (Green RAG status).
- 3.10 The reoffending rates by young offenders is Red rated (Actual YTD – 48.2%; Target YTD - 42.8%). The Youth Offending Service is using the Youth Justice Board re-offending live tracker tool to identify opportunities to target support and respond to emerging needs.

## **Business and Housing Growth**

- 3.11 The number of empty properties brought back into use is significantly below target (Actual YTD – 18, Target YTD – 50). Although Red RAG, a recent audit showed that there nearly 40 properties expected to be completed during the rest of the financial year that will significantly improve overall performance by March 2018. Furthermore there are two ongoing projects – an empty properties audit and an empty commercial properties project – running alongside a move to offer shorter leases against a reduced grant - that will provide greater security for landlords and the council.

## **Demand Management**

- 3.12 There has been mixed performance against the suite of Housing Needs indicators that signify demand for housing, and these indicators have a Green RAG status: Household in Temporary Accommodation (Actual YTD – 2,536, Target 2,643); Accepted homeless (Actual YTD – 282, Target YTD – 300).

The Homelessness prevention indicator has a Green RAG status this quarter which is a significant improvement on last quarter (Actual YTD – 176; Target YTD – 130). Households in non-self-contained B&B (Actual YTD – 33 Target 30) is currently Red RAG but the service is now prioritising reduced use of this temporary accommodation type and is monitoring of performance in this challenging area.

- 3.13 The demand for residential and nursing care and the provision of suitable alternative accommodation for independent living is a major focus in the Adult Social Care service. The number of residential and nursing admissions remains above target and the indicators for both age ranges (18-64 and 65+) have Red and Amber ratings respectively. In the past 6 months there were 18 admissions for people aged 18-64 against a target of 7 admissions for this period. And for older people aged 65+, there were 74 admissions cumulatively at the end of Q2 against a target of 69 admissions. There is increased pressure on this service, particularly in the 18-64 age category due to several reasons including the inclusion of former CCG placements. To sustainably improve performance in the near future, work is being undertaken to agree a process for managing Continuing Health Care funding reviews.
- 3.14 Although reflecting an Amber RAG status this quarter, the Reablement service is showing a positive trend in its monthly performance this quarter (Actual YTD – 74%, Target 75%). In Q1, the performance level achieved was 68%. To continue to improve performance and maintain excellent service standards, an agreement between the council and health partners to make reablement (referred to as Home First) the default pathway for clients leaving hospital care has been reached. In addition, relevant staff are being up-skilled to implement this new process and maintain high standards of care.
- 3.15 There has been a substantial improvement in reducing the timescales for placing a child in care with their new adoptive family (Green YTD) reflecting effective permanency planning. The 3-year average position is currently at 385 days against a target of 494 days in Q2. At the end of Q1 it was 376 days, compared with the Target YTD of 550 days and 2016/17 outturn of 523 days.
- 3.16 The percentage of LAC placed with foster carers is below target (Actual YTD – 63.9%, Target – 68%). The overall number of children in care has decreased, however a greater proportion (40%) of those now in care are aged 16-17. Semi-independent accommodation is being used more often as a placement option for young people in this age range.

### **Raising Income**

- 3.17 Performance is just below target for council tax, benefit overpayment recovery and business rates collection (all Amber RAG). (NNDR Actual YTD –

57.16%, Target YTD – 58.03%; Council Tax Actual YTD – 56.38%, Target YTD – 56.75%; CT/HB Overpayments Actual YTD - £4.635m, Target YTD - £5.1m). Additional staff have been recruited to address backlogs and processes are being improved to help improve income collection and recovery of debt for the rest of the financial year.

3.18 The value of council tax arrears is higher than forecasted (Red RAG, Actual YTD – £1.2m, Target YTD – £1.5m). The service has increased resources dedicated to pro-active debt recovery to help improve performance.

3.19 Income generation in Building Control has improved significantly from £5.8k in Q1 to £14.4k in Q2, already attaining the annual target figure of £5k. This is mainly due to three cross-boundary projects in July 2017. The revenue income from the council's commercial portfolio is below target (Red RAG, Actual YTD – £1.02m, Target YTD – £1.15m). The level of income collected fluctuates during the year, however, the cumulative figure is forecast to continue to rise due to increased levels of income billing over time. The Registration and Nationality service income (Actual YTD - £461k; Target YTD - £469K) is a marginally below target for this quarter reflecting an Amber RAG status. This is an improvement from last quarter (Actual £219k against a Target of £236k, Red RAG) as a result of increasing the appointments available for the European Passport Service and citizenship ceremonies. The Nationality Checking Service diaries are being monitored to identify opportunities for efficiency and income maximisation.

## **Borough Plan Priorities**

### **Better Lives**

3.20 There has been a slight decline in overall performance in the percentage of LAC with an up to date Personal Educational Plan (Q2 Actual YTD – 96%; Target – 98%; Amber RAG status) from Q1 when it was Green RAG. However there were newly accommodated LAC from the summer school break who will have their PEP completed this term. In regard to school places, performance was good - there were no children not offered a school place within 4 weeks. This resulted in a Green RAG status, an improvement from Q1.

3.21 In Adult Social Care, performance has also been good in the use of self-directed support (Actual YTD – 97.8%, Target YTD – 95%); reflecting a Green RAG status. However, performance for direct payments (Actual YTD – 22.88%, Target YTD – 23.5%) has slipped to Amber RAG this quarter from a Green RAG status in Q1. Direct payment services continue to be promoted by the service, including encouraging the change to DP from traditional packages by existing clients alongside increasing uptake.

- 3.22 There has been strong performance with regard to public health services. Brent is currently in the top quartile nationally for successful completions (opiates) as a proportion of all drug users in treatment (Green RAG) and all but one of 188 clients reported a waiting time of more than three weeks for their first intervention, which is well above the national average (Green RAG). The percentage of resident completing health checks is on track against its forecast for this time of the year (Green RAG for Q2) and is expected to meet its annual target in March 2018.

## **Better Place**

### Sustainable Environment

- 3.23 The percentage of gullies regularly cleared is just below target (Actual YTD – 98%, target – 99%) and has an Amber RAG status. Gully cleaning performance has been affected by parked vehicles, causing restrictions and leading to multiple visits which has affected performance.
- 3.24 Five of the public realm indicators have a Red RAG status and the performance for residual household waste per household has dropped from Green RAG to Amber (Q2 Actual YTD – 247kg, Target YTD – 240kg). The service area is undertaking a range of activities to improve performance in these areas including a targeted food waste campaign, initiatives to increase recycling from flats across the borough and ongoing contract management reviews and discussions. The Red rated indicators are:
- Residual waste disposal tonnage (Actual YTD – 34,533, Target YTD – 30,805)
  - Municipal waste tonnage sent to landfill (Actual YTD – 37,253, Target - 33,886)
  - Household recyclables (Actual YTD – 38%; Target – 45%)
  - Category 1 defects (emergency call outs – 24 hours response time) repaired on time (Actual YTD – 87%; Target YTD – 98%)
  - Category 2 defects (non-emergency call outs, 7-28 days response time) - repaired on time (Actual YTD – 37%, Target YTD – 98%).

### Housing Supply and Provision

- 3.25 Three of the housing provision indicators are on target or exceeding their targets and have a Green RAG status: Percentage of Wates responsive repairs appointments that are kept (Actual YTD – 99%, Target – YTD 99%); Percentage of repairs issued to WLS completed on the first visit (Actual YTD – 96.8%, Target – YTD 92%); Number of Mandatory HMOs licensed (Actual YTD – 667, Annual target – 700).
- 3.26 There is one housing supply indicator that is just below target and has an Amber rating:

- Number of additional and selective dwellings licensed (cumulative), (Actual YTD – 5,855, Target – 8,000).

### 3.27 Two housing supply indicators have Red RAGs:

- Average time to re-let minor voids (Housing Management)
  - Actual YTD – 43 days; Annual Target – 24 days
  - Solutions have been put in place to better identify and address problems and thus improve performance. These include changes to asbestos management, allocating ownership of processes more efficiently, establishing better performance measures.
  - In the long run there will be a service redesign and more effective use of the housing management system as part of the wider transformation programme.
- Average time to re-let major voids (Housing Management)
  - Actual YTD days – 68; Annual Target – 61 days
  - Solutions are the same as for minor voids, listed above.
- Underperformance of these two KPIS relates to performance before the service was brought back into the Council. The Housing Management Service came back to the Council at the end of Q2 and solutions have been put in place as a priority.

### Arts and Leisure Facilities

3.28 Performance indicators for sports centre visits, online library interactions and cultural events engagement levels at Willesden Green library are all exceeding target and have a Green RAG status. The performance indicator for the number of active borrowers is just under target and has an Amber RAG status (Actual YTD 36,417; Target YTD – 36,588). A marketing outreach plan to care homes, schools and former library users has been put in place to help improve performance for the rest of the year. Alongside this, the service is sending out targeted emails to lapsed borrowers and has piloted invites to school children in a drive to promote independent visits. Performance is expected to improve and meet target by March 2018.

### **Better Local**

#### Customer Care

3.29 Timeliness of processed benefits claims is performing well and has a Green RAG status (Actual YTD – 6.8 days, Target – 7 days). However Telephone call answering rates (Actual YTD – 74.17%; Target – 90%), and ACD telephone calls answered (Actual YTD – 76.7%; Target YTD – 90%) are performing below target and have a Red rating. Average Customer waiting times (Actual YTD – 31 minutes; Target YTD – 30 minutes) is currently Amber RAG. There have been a number of contributory factors to underperformance such as resourcing pressures backlogs and service transformation. Brent Customer Service is piloting a new initiative to speed up channel shift and is

also working with specific service areas to help improve service delivery and performance across the council.

- 3.30 There has been an improvement in Stage 1 and Stage 2 corporate complaints timeliness performance although these indicators remain Red rated (Stage 1 Actual – 93%, YTD Target – 100%; Stage 2 Actual – 84%, YTD Target – 100%). There has been a 1% point dip in the timeliness of Stage 1 statutory complaints (Actual – 95%, YTD Target – 100%, Amber rated). Timeliness of statutory stage 2 complaints has dropped significantly this quarter with only 33% of 6 cases completed on time and an actual YTD performance of 42% against a 100% target. The volume of statutory stage 2 complaints is very low, but the nature of these complaints are complex and Children’s cases must be investigated independently. There has been some difficulty in engaging independent investigators and this is an area of focus in a wider complaints improvement action plan to address timeliness, escalation of complaints and improved management of complaints.
- 3.31 FOI performance is continuing to exceed the ICO’s minimum standard on timeliness and has a Green RAG status again in Q2 (Actual YTD – 96%; Target – 90%).

#### **4.0 Financial Implications**

- 4.1 None.

#### **5.0 Legal Implications**

- 5.1 In Table 3 of Part 3 of the council’s constitution, it states that the Cabinet is responsible for formulating and preparing a sustainable community strategy and then submitting the same to Full Council for consideration and adoption or approval. The Sustainable Community Strategy constitutes part of the council’s Policy Framework. The Council’s Borough Plan 2016-19, which is its current sustainable community strategy, was agreed by Full Council in 2016.

#### **6.0 Equality Implications**

- 6.1 There are no direct diversity implications. However the report includes performance measures related to the council’s diversity objectives and is part of the framework for ensuring delivery of these key outcomes. Service areas have the responsibility for managing the delivery and performance of their services. Therefore the service area would also need to consider if a variation in performance could lead to equality implications at a service level.

#### **7.0 Consultation with Ward Members and Stakeholders**

- 7.1 Not applicable.

#### **8.0 Human Resources/Property Implications (if appropriate)**

- 8.1 None

**Report sign off:**

**PETER GADSDON**

Director of Performance, Policy & Partnerships

# Cabinet - Corporate Performance Scorecard December 2017

## Brent 2020 and Borough Plan Performance Summary – Quarter 2 (July 2017 to September 2017)

How did Brent perform?

Legend: ■ Red ■ Amber ■ Green ■ Contextual



Performance summary of Brent 2020 priorities

Page 23

Employment and Skills



Regeneration



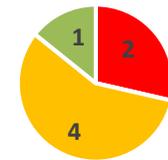
Business and Housing Growth



Demand Management



Raising Income



Performance summary of Borough Plan priorities

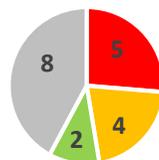
Better Lives



Better Place



Better Local



Corporate Health



**Brent 2020 and Borough Plan Performance Summary – Quarter 1 (July 2017 to September 2017)**
**Key for Performance Tables (all priorities)**

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

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

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

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	Better Place	Page 17
	Better Local	Page 22
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BRENT 2020 - EMPLOYMENT AND SKILLS

KPI ID:	2016/17 OUTTURN	Q1 17/18	Jul-17	Aug-17	Sep-17	ACTUAL YTD	TARGET YTD	RAG	COMMENTS AND ACTIONS																				
Priority Areas - The Living Room (TLR) - Employment Outcomes	49	7	0	3	2	12	13	AMBER	<p><b>Comment:</b> Delivery at The Living Room has continued to prove successful in supporting residents into work despite various complications with regards to the ESF contract with London Councils.</p> <p><b>Actions:</b> Recruitment drives currently being undertaken for a new manager and two new advisors due to imminent staff departures. A new outreach strategy has been implemented in order to engage new residents and a new programme of workshops to help support progression into employment. Working with colleagues to develop proposals for Community Hubs. The employment offer can be scaled to work across the borough, including St Raphael's estate and other priority neighbourhoods.</p>																				
<p><b>LEAD MEMBER:</b> Cllr Tatler</p> <p><b>STRATEGIC DIRECTOR:</b> Amar Dave</p> <p><b>GOOD IS:</b> Bigger is better</p>	<p>Priority Areas - The Living Room (TLR) - Employment Outcomes</p> <table border="1"> <caption>Priority Areas - The Living Room (TLR) - Employment Outcomes</caption> <thead> <tr> <th>Month</th> <th>Actual</th> <th>Target</th> </tr> </thead> <tbody> <tr> <td>Apr-17</td> <td>1</td> <td>1</td> </tr> <tr> <td>May-17</td> <td>5</td> <td>1</td> </tr> <tr> <td>Jun-17</td> <td>1</td> <td>1</td> </tr> <tr> <td>Jul-17</td> <td>0</td> <td>1</td> </tr> <tr> <td>Aug-17</td> <td>3</td> <td>1</td> </tr> <tr> <td>Sep-17</td> <td>2</td> <td>1</td> </tr> </tbody> </table>							Month		Actual	Target	Apr-17	1	1	May-17	5	1	Jun-17	1	1	Jul-17	0	1	Aug-17	3	1	Sep-17	2	1
Month	Actual	Target																											
Apr-17	1	1																											
May-17	5	1																											
Jun-17	1	1																											
Jul-17	0	1																											
Aug-17	3	1																											
Sep-17	2	1																											

KPI ID:	2016/17 OUTTURN	Q1 17/18	Jul-17	Aug-17	Sep-17	ACTUAL YTD	TARGET YTD	RAG	COMMENTS AND ACTIONS																				
Brent Works - Apprenticeship Outcomes	27	4	2	0	4	10	25	RED	<p><b>Comment:</b> A large number of outstanding outcomes, live vacancies and confirmed vacancies this financial year. On track to meet end of year target. 18 outstanding Apprenticeship Outcomes. 60 candidates supported &amp; shortlisted by Brent Works for interviews. Slow start to achieving YTD targets has been attributed to a number of factors revolving around recruitment &amp; training.</p> <p><b>Actions:</b> Apprenticeship Strategy to be agreed by Cabinet, will include the following targets: (1) integrated approach with HR to support council Apprenticeships (2) supporting &amp; monitoring developers in achieving Section 106 obligations (3) increased partnership collaboration to identify candidates (4) standardising work processes (5) improving reporting systems &amp; implementing a new mentoring scheme</p>																				
<p><b>LEAD MEMBER:</b> Cllr Tatler</p> <p><b>STRATEGIC DIRECTOR:</b> Amar Dave</p> <p><b>GOOD IS:</b> Bigger is better</p>	<p>Brent Works - Apprenticeship Outcomes</p> <table border="1"> <caption>Brent Works - Apprenticeship Outcomes</caption> <thead> <tr> <th>Month</th> <th>Actual</th> <th>Target</th> </tr> </thead> <tbody> <tr> <td>Apr-17</td> <td>0</td> <td>0</td> </tr> <tr> <td>May-17</td> <td>2</td> <td>0</td> </tr> <tr> <td>Jun-17</td> <td>2</td> <td>0</td> </tr> <tr> <td>Jul-17</td> <td>2</td> <td>0</td> </tr> <tr> <td>Aug-17</td> <td>0</td> <td>0</td> </tr> <tr> <td>Sep-17</td> <td>4</td> <td>0</td> </tr> </tbody> </table>							Month		Actual	Target	Apr-17	0	0	May-17	2	0	Jun-17	2	0	Jul-17	2	0	Aug-17	0	0	Sep-17	4	0
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KPI ID:	2016/17 OUTTURN	Q1 17/18	Jul-17	Aug-17	Sep-17	ACTUAL YTD	TARGET YTD	RAG	COMMENTS AND ACTIONS																				
Brent Works - Job Outcomes	New Measure for 2017/18	34	7	6	17	64	50	GREEN	<p><b>Comment:</b> Surpassed YTD target. 64 outcomes in place and presently recruiting to 28 live vacancies. Focused on developing new employer leads in the Park Royal and via Section 106 obligations</p> <p><b>Action:</b> (1)Team sustaining strong relationships with employers who continue to engage with Brent Works for ongoing recruitment needs (2)Continued focus on areas such as SBWA's and developing partnership working with providers such as JCP and CNWL. (3)Implemented a structured and robust process to recruit on a large scale for organisation such as Wasabi and various Health Care providers (4)Further development and implementation of the Section 106 requirements, placing the team in a more strategic position to recruit against employment vacancies</p>																				
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BRENT 2020 - EMPLOYMENT AND SKILLS

KPI ID:	2016/17 OUTTURN	Q1 17/18	Jul-17	Aug-17	Sep-17	ACTUAL YTD	TARGET YTD	RAG	COMMENTS AND ACTIONS																				
Brent Starts Achievement Rate <i>(now referred to by Education and Skills Funding Agency (ESFA) as Pass Rate)</i>	90%	92%	94%	94%	94%	93%	86%	GREEN	<p><b>Comment:</b> This is internal interim data. Waiting for ESFA to validate data which occurs in Q3. Q3 return will have finalised achievement data for 16/17 academic year and in-year information from 17/18.</p> <p><b>Action:</b> Enrolments for 17/18 academic year currently on target. Teaching observations being rolled out across all courses to support quality of learning and achievement rates.</p>																				
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Percentage of care leavers in education, employment or training (EET)	49%	47%	49.3%	45.2%	47.3%	47.3%	58%	RED	<p><b>Comment:</b> The cohort includes a growing proportion of former Unaccompanied Asylum Seekers whose immigration status prevents them accessing employment and education post 18 years old, which has a significant impact on percentages. There is a slightly lower EET rate (3%) amongst former UASC care leavers than the general care leaver population. EET rates for the general care leaver population is 48% and for former UASC care leavers it is 45%. The total EET for Care leavers at the end of September 2017 is 47%</p> <p><b>Action:</b> Until young people's asylum status is determined, we ensure that Brent's personal advisors and accommodation providers actively work with these young people to provide meaningful activities, such as courses that do not require a financial contribution within local educational establishments.</p>																				
<p><b>LEAD MEMBER:</b> Cllr Patel</p> <p><b>STRATEGIC DIRECTOR:</b> Gail Tolley</p> <p><b>GOOD IS:</b> Bigger is better</p>	<p>Percentage of care leavers in education, employment or training</p> <table border="1"> <caption>Percentage of care leavers in education, employment or training Data</caption> <thead> <tr> <th>Month</th> <th>Actual</th> <th>Target</th> </tr> </thead> <tbody> <tr> <td>Apr-17</td> <td>44%</td> <td>58%</td> </tr> <tr> <td>May-17</td> <td>44%</td> <td>58%</td> </tr> <tr> <td>Jun-17</td> <td>47%</td> <td>58%</td> </tr> <tr> <td>Jul-17</td> <td>49%</td> <td>58%</td> </tr> <tr> <td>Aug-17</td> <td>45%</td> <td>58%</td> </tr> <tr> <td>Sep-17</td> <td>47%</td> <td>58%</td> </tr> </tbody> </table>							Month		Actual	Target	Apr-17	44%	58%	May-17	44%	58%	Jun-17	47%	58%	Jul-17	49%	58%	Aug-17	45%	58%	Sep-17	47%	58%
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Percentage of academic age 16-17 year olds who are not in education, employment or training (NEET)	2.3%	2.4%	2.3%	1.4%	0.9%	0.90%	1.6%	Green	<p>The quarter 2 figure isn't representative of the NEET cohort due to the start of the new academic year. Young people are still in transition and tracking is ongoing. School, college and training provider lists are still being received until December. Therefore a more accurate figure will be available in quarter 3.</p> <p>Annual performance against this target is measured nationally as a three month average of December, January and February.</p>														
<p><b>LEAD MEMBER:</b> Cllr Patel</p> <p><b>STRATEGIC DIRECTOR:</b> Gail Tolley</p> <p><b>GOOD IS:</b> Smaller is better</p>	<p>Percentage of 16 to 18 year olds who are not in education, employment or training (NEET)</p> <table border="1"> <caption>Percentage of 16 to 18 year olds who are not in education, employment or training (NEET) Data</caption> <thead> <tr> <th>Quarter</th> <th>Actual</th> <th>Target</th> </tr> </thead> <tbody> <tr> <td>Q3 16/17</td> <td>2.4%</td> <td>1.6%</td> </tr> <tr> <td>Q4 16/17</td> <td>2.3%</td> <td>1.6%</td> </tr> <tr> <td>Q1 17/18</td> <td>1.4%</td> <td>1.6%</td> </tr> <tr> <td>Q2 17/18</td> <td>0.9%</td> <td>1.6%</td> </tr> </tbody> </table>							Quarter		Actual	Target	Q3 16/17	2.4%	1.6%	Q4 16/17	2.3%	1.6%	Q1 17/18	1.4%	1.6%	Q2 17/18	0.9%	1.6%
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BRENT 2020 - REGENERATION (Physical, Economic & Social)

KPI ID:	2016/17 OUTTURN	Q1 17/18	Jul-17	Aug-17	Sep-17	ACTUAL YTD	TARGET YTD	RAG	COMMENTS AND ACTIONS																				
Percentage of major applications determined in 13 weeks or other formally agreed time over rolling two year period	85.73%	77.07%	79.12%	79.57%	81.58%	78.57%	82%	Amber	<p><b>Comment:</b> Now reporting a 2 year rolling performance as per government performance monitoring criteria. Stronger recent performance puts us clear of potential 'designation' by government. Reflects increase in staff resources.</p> <p><b>Action:</b> To improve the performance for the next 2 quarters further, staff are having a greater focus on proper use of extension of time agreements (part of staff objectives).</p>																				
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KPI ID:	2016/17 OUTTURN	Q1 17/18	Jul-17	Aug-17	Sep-17	ACTUAL YTD	TARGET YTD	RAG	COMMENTS AND ACTIONS																				
Percentage of minor applications determined in 8 weeks or other formally agreed time	77.98%	86.98%	94.39%	91.89%	90.53%	89.63%	76%	GREEN	<p><b>Comment:</b> Based on quarterly performance. Improved performance reflects increased and more stable staffing situation. Aim now is to reduce reliance on extension of time agreements.</p>																				
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Number of illegally dumped waste incidents reported on public land (large and small)	17,338	4,568	1,653	1,606	1,672	9,499	6,000	RED	<p><b>Comment:</b> The number shown for this measure indicates the actual number that have been cleared from the public highway. We are continuing to see a high number of fly-tips reported, due to high media attention to waste related issues and Brent Councils active promotion of reporting such incidents. However, there has been a 6% (601) reduction in reports received YTD compared to the same period in 2016/17.</p> <p><b>Action:</b> We are promoting the "Love Where You Live" campaign and deploying the new in-house patrol team to issue Fixed Penalty Notices for littering offences and enforcing against illegal rubbish dumping offences, using CCTV wherever possible to assist in identify offenders.</p>																				
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BRENT 2020 - REGENERATION (Physical, Economic & Social)

KPI ID:	2016/17 OUTTURN	Q1 17/18	Jul-17	Aug-17	Sep-17	ACTUAL YTD	TARGET YTD	RAG	COMMENTS AND ACTIONS																					
Average time taken to remove illegally dumped waste (days)	0.79	0.76	0.71	0.65	0.79	0.74	1	GREEN	<p><b>Comment:</b> Despite the high number of reports to the Council, performance remains ahead of target, with YTD performance showing an improvement compared to the outturn for 2016/17.</p>																					
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Reoffending rate by young offenders per cohort	42.6%	39.5%	42.6%	44.4%	48.2%	48.20%	42.80%	Red	<p><b>Comment:</b> This is the second successive quarter in which it has been above the London average which is currently 44.2% and has also risen in the past two quarters. The increase is due to the decreasing number of young people in the Brent YOS cohort (228) compared to the same period twelve months ago (277). Conversely, the number of reoffending instances increased in this period from 337 to 391. In order to better understand and deliver effective interventions to a changing young offender cohort in Brent (less children &amp; young people committing an increasing number of offences), the YOS has adopted the Youth Justice Board reoffending live tracker tool, which identifies opportunities to target support and respond to emerging needs. Data represents a rolling full-year (Oct.14 to Sept.15 cohort)</p>															
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KPI ID:	2016/17 OUTTURN	Q3 16/17	Q4 16/17	Q1 17/18	Q2 17/18	ACTUAL YTD	TARGET YTD	RAG	COMMENTS AND ACTIONS															
First time entrants to the Youth Justice System aged 10-17 per cohort	132	134	132	127	126	126	157	GREEN	<p><b>Comment:</b> The data for this indicator comes from the Police National Computer and is published by the Ministry of Justice. The data is shown in rolling full-years for the 12 months to March, July, September, and December of each year. The latest figures available are for April 2016 to March 2017. Due to this being annual rolling figure, the individual quarters should not be used cumulatively. The number of First Time Entrants (126) is 5 fewer than in the same period 12 months ago (131).</p>															
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<p><b>LEAD MEMBER:</b> Cllr Patel</p> <p><b>STRATEGIC DIRECTOR:</b> Gail Tolley</p> <p><b>GOOD IS:</b> Smaller is better</p>	<p><b>BENCHMARK DATA</b></p>																							

BRENT 2020 - BUSINESS AND HOUSING GROWTH

KPI ID:	2016/17 OUTTURN	Q3 16/17	Q4 16/17	Q1 17/18	Q2 17/18	ACTUAL YTD	TARGET YTD	RAG	COMMENTS AND ACTIONS													
Empty properties brought back into use	118	31	30	7	11	18	50	RED	<p><b>Comment:</b> Returns are lower than expected, however an audit of grant applications in the pipeline has revealed that there are 37 units that will definitely complete in this financial year. There are some applications for conversions that are with planning for approval which if approved will bring an additional 20 units, with a further 38 units that are either at enquiry stage or have been brought back through our intervention.</p> <p><b>Action:</b> We are working on a couple of projects - an audit of empty properties in the borough and an empty commercial property project as well as offering shorter leases for a reduced grant to further secure properties with landlords.</p>													
	<table border="1"> <caption>Empty properties brought back into use - Actual vs Target</caption> <thead> <tr> <th>Quarter</th> <th>Actual</th> <th>Target</th> </tr> </thead> <tbody> <tr> <td>Q3 16/17</td> <td>31</td> <td>50</td> </tr> <tr> <td>Q4 16/17</td> <td>30</td> <td>50</td> </tr> <tr> <td>Q1 17/18</td> <td>7</td> <td>50</td> </tr> <tr> <td>Q2 17/18</td> <td>11</td> <td>50</td> </tr> </tbody> </table>									Quarter	Actual	Target	Q3 16/17	31	50	Q4 16/17	30	50	Q1 17/18	7	50	Q2 17/18
Quarter	Actual	Target																				
Q3 16/17	31	50																				
Q4 16/17	30	50																				
Q1 17/18	7	50																				
Q2 17/18	11	50																				
<b>LEAD MEMBER:</b> Cllr Farah																						
<b>STRATEGIC DIRECTOR:</b> Phil Porter																						
<b>GOOD IS:</b> Bigger is better																						
<b>BENCHMARK DATA</b>																						

**BRENT 2020 - DEMAND MANAGEMENT**

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KPI ID:	2016/17 OUTTURN	Q1 17/18	Jul-17	Aug-17	Sep-17	ACTUAL YTD	TARGET YTD	RAG	COMMENTS AND ACTIONS																					
Households in Temporary Accommodation	2,904	2,611	2,533	2,526	2,536	2,536	2,643	<b>GREEN</b>	<p><b>Comment:</b> The number of households living in Temporary Accommodation is slightly better than forecast, due to a combination of prevention of homelessness and good use of the Private Rented Sector to meet homelessness demand.</p> <p style="text-align: center;"><b>BENCHMARK DATA</b></p>																					
	<p>Households in Temporary Accommodation</p> <table border="1" style="display: none;"> <caption>Households in Temporary Accommodation Data</caption> <thead> <tr><th>Month</th><th>Actual</th><th>Target</th></tr> </thead> <tbody> <tr><td>Apr-17</td><td>2883</td><td>2643</td></tr> <tr><td>May-17</td><td>2639</td><td>2643</td></tr> <tr><td>Jun-17</td><td>2611</td><td>2643</td></tr> <tr><td>Jul-17</td><td>2553</td><td>2643</td></tr> <tr><td>Aug-17</td><td>2526</td><td>2643</td></tr> <tr><td>Sep-17</td><td>2536</td><td>2643</td></tr> </tbody> </table>									Month	Actual	Target	Apr-17	2883	2643	May-17	2639	2643	Jun-17	2611	2643	Jul-17	2553	2643	Aug-17	2526	2643	Sep-17	2536	2643
	Month	Actual	Target																											
Apr-17	2883	2643																												
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<p><b>LEAD MEMBER:</b> Cllr Farah</p> <p><b>STRATEGIC DIRECTOR:</b> Phil Porter</p> <p><b>GOOD IS:</b> Smaller is better</p>																														

KPI ID:	2016/17 OUTTURN	Q1 17/18	Jul-17	Aug-17	Sep-17	ACTUAL YTD	TARGET YTD	RAG	COMMENTS AND ACTIONS																					
Number of households in non-self-contained B&B	29	23	28	32	33	33	30	<b>RED</b>	<p><b>Comment:</b> as the overall performance on use of Temporary Accommodation is good.</p> <p><b>Action:</b> non-self-contained B&amp;B is prioritised for reduction as it is the least suitable and most expensive form of TA that we use.</p> <p style="text-align: center;"><b>BENCHMARK DATA</b></p>																					
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	Month	Actual	Target																											
Apr-17	43	30																												
May-17	42	30																												
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<p><b>LEAD MEMBER:</b> Cllr Farah</p> <p><b>STRATEGIC DIRECTOR:</b> Phil Porter</p> <p><b>GOOD IS:</b> Smaller is better</p>																														

KPI ID:	2016/17 OUTTURN	Q1 17/18	Jul-17	Aug-17	Sep-17	ACTUAL YTD	TARGET YTD	RAG	COMMENTS AND ACTIONS																					
Accepted homeless	553	137	65	49	31	282	300	<b>GREEN</b>	<p><b>Comment:</b> The number of households to whom we have accepted the main rehousing duty to is slightly better than forecast, mainly due to the use of a small back log team to work on Homeless Assessment cases, freeing capacity for officers to work on the prevention of homelessness.</p> <p style="text-align: center;"><b>BENCHMARK DATA</b></p>																					
	<p>Accepted homeless</p> <table border="1" style="display: none;"> <caption>Accepted homeless Data</caption> <thead> <tr><th>Month</th><th>Actual</th><th>Target</th></tr> </thead> <tbody> <tr><td>Apr-17</td><td>45</td><td>300</td></tr> <tr><td>May-17</td><td>42</td><td>300</td></tr> <tr><td>Jun-17</td><td>50</td><td>300</td></tr> <tr><td>Jul-17</td><td>65</td><td>300</td></tr> <tr><td>Aug-17</td><td>49</td><td>300</td></tr> <tr><td>Sep-17</td><td>31</td><td>300</td></tr> </tbody> </table>									Month	Actual	Target	Apr-17	45	300	May-17	42	300	Jun-17	50	300	Jul-17	65	300	Aug-17	49	300	Sep-17	31	300
	Month	Actual	Target																											
Apr-17	45	300																												
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<p><b>LEAD MEMBER:</b> Cllr Farah</p> <p><b>STRATEGIC DIRECTOR:</b> Phil Porter</p> <p><b>GOOD IS:</b> Smaller is better</p>																														

BRENT 2020 - DEMAND MANAGEMENT

KPI ID:	2016/17 OUTTURN	Q1 17/18	Jul-17	Aug-17	Sep-17	ACTUAL YTD	TARGET YTD	RAG	COMMENTS AND ACTIONS
Homeless Prevention	415	83	31	45	17	176	130	Green	The number of homeless prevented cases increased slightly in quarter two. The overall year to date figure remains above the target, this is for quarters 1 and 2.
LEAD MEMBER: Cllr Farah									BENCHMARK DATA
STRATEGIC DIRECTOR: Phil Porter									
GOOD IS: Bigger is better									

KPI ID:	2016/17 OUTTURN	Q1 17/18	Jul-17	Aug-17	Sep-17	ACTUAL YTD	TARGET YTD	RAG	COMMENTS AND ACTIONS
New admissions to residential & nursing care homes, 18-64 (cumulative)	13	9	14	16	18	18	7	RED	<p><b>Comment:</b> Admissions to residential and nursing care for this client group have increased more than we would have wanted. This is due to a number of factors outside of our control, including inheriting a number of placements made by the CCG under fully funded CHC which have been reviewed and deemed now to be council or joint funded.</p> <p><b>Action:</b> Work is being undertaken with the CCG to agree a process for jointly managing CHC funding reviews.</p>
LEAD MEMBER: Cllr Hirani									BENCHMARK DATA
STRATEGIC DIRECTOR: Phil Porter									
GOOD IS: Smaller is better									

KPI ID:	2016/17 OUTTURN	Q1 17/18	Jul-17	Aug-17	Sep-17	ACTUAL YTD	TARGET YTD	RAG	COMMENTS AND ACTIONS
New admissions to residential & nursing care homes, 65+ (cumulative)	107	42	56	68	74	74	69	AMBER	<p><b>Comment:</b> The admission rate in Q2 has decreased significantly compared to Q1 (following a similar pattern to last year), and we believe the target is still achievable especially as Visram House will be open in late October and 40% of placements made have been residential who probably could have gone into ECSH had it been available. Further work needs to be done to upskill ECSH staff to be able to support people with more complex needs and this work will be undertaken over the next 6 months. This will also support a reduction in admissions to residential care for this group.</p>
LEAD MEMBER: Cllr Hirani									BENCHMARK DATA
STRATEGIC DIRECTOR: Phil Porter									
GOOD IS: Smaller is better									

**BRENT 2020 - DEMAND MANAGEMENT**

KPI ID:	2016/17 OUTTURN	Q1 17/18	Jul-17	Aug-17	Sep-17	ACTUAL YTD	TARGET YTD	RAG	COMMENTS AND ACTIONS																				
The outcome of short-term services: sequel to service (REABLEMENT)	71%	68%	78%	76%	88%	74%	75%	AMBER	<p><b>Comment:</b> At the end of quarter 2, 571 individuals received Reablement, 408 (74%) of them did not go on to receive further services. Of the 123 individuals who received a service 83 % received a reduced service as a result of Reablement. Further work is being done through the BCF programme to refine the pathways into reablement, and we expect to see more clients receiving reablement in Q3 because of this.</p> <p><b>Action:</b> We have agreed with health partners that reablement will be the default pathway for all clients coming out of hospital via the Home First pathway. Work is currently being undertaken to upskill hospital staff to utilise this pathway.</p>																				
	<p>The outcome of short-term services: sequel to service (REABLEMENT)</p> <table border="1" style="margin: 10px auto; border-collapse: collapse;"> <caption>Actual vs Target Data for Reablement</caption> <thead> <tr> <th>Month</th> <th>Actual (%)</th> <th>Target (%)</th> </tr> </thead> <tbody> <tr><td>Apr-17</td><td>65%</td><td>75%</td></tr> <tr><td>May-17</td><td>67%</td><td>75%</td></tr> <tr><td>Jun-17</td><td>72%</td><td>75%</td></tr> <tr><td>Jul-17</td><td>78%</td><td>75%</td></tr> <tr><td>Aug-17</td><td>76%</td><td>75%</td></tr> <tr><td>Sep-17</td><td>88%</td><td>75%</td></tr> </tbody> </table>									Month	Actual (%)	Target (%)	Apr-17	65%	75%	May-17	67%	75%	Jun-17	72%	75%	Jul-17	78%	75%	Aug-17	76%	75%	Sep-17	88%
Month	Actual (%)	Target (%)																											
Apr-17	65%	75%																											
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KPI ID:	2016/17 OUTTURN	Q1 17/18	Jul-17	Aug-17	Sep-17	ACTUAL YTD	TARGET YTD	RAG	COMMENTS AND ACTIONS														
Average monthly acute delayed transfers of care (DToc) attributable to ASC	7.4	3.8	2.0	n/a	n/a	3.4	3.2	AMBER	<p><b>Comment:</b> There is a significant improvement in both recording and in the overall reduction in numbers of delayed discharges. The figures for Aug/Sept have not yet been released but we expect to see a slight increase due to the onset of winter pressures. However, we believe that we are still on target to achieve this indicator. <b>Action:</b> The Hospitals discharge team is keeping track of delays throughout the month and are liaising with all parties involved to reduce delays.</p>														
	<p>The outcome of short-term services: sequel to service (REABLEMENT)</p> <table border="1" style="margin: 10px auto; border-collapse: collapse;"> <caption>Actual vs Target Data for DToc</caption> <thead> <tr> <th>Month</th> <th>Actual</th> <th>Target</th> </tr> </thead> <tbody> <tr><td>Apr-17</td><td>6</td><td>3.2</td></tr> <tr><td>May-17</td><td>4.4</td><td>3.2</td></tr> <tr><td>Jun-17</td><td>1.1</td><td>3.2</td></tr> <tr><td>Jul-17</td><td>2</td><td>3.2</td></tr> </tbody> </table>									Month	Actual	Target	Apr-17	6	3.2	May-17	4.4	3.2	Jun-17	1.1	3.2	Jul-17	2
Month	Actual	Target																					
Apr-17	6	3.2																					
May-17	4.4	3.2																					
Jun-17	1.1	3.2																					
Jul-17	2	3.2																					
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KPI ID:	2016/17 OUTTURN	Q3 16/17	Q4 16/17	Q1 17/18	Q2 17/18	ACTUAL YTD	TARGET YTD	RAG	COMMENTS AND ACTIONS														
Average days between a child entering care and moving in with his/her adoptive family, for those adopted	523	523.0	523.0	366.8	384.5	384.5	494	GREEN	<p><b>Comment:</b> Performance remains strong in this area reflecting effective permanency planning.</p>														
	<p>Average days between a child entering care and moving in with its adoptive family, for those adopted</p> <table border="1" style="margin: 10px auto; border-collapse: collapse;"> <caption>Actual vs Target Data for Adoption Days</caption> <thead> <tr> <th>Quarter</th> <th>Actual</th> <th>Target</th> </tr> </thead> <tbody> <tr><td>Q3 16/17</td><td>523</td><td>494</td></tr> <tr><td>Q4 16/17</td><td>523</td><td>494</td></tr> <tr><td>Q1 17/18</td><td>366.8</td><td>494</td></tr> <tr><td>Q2 17/18</td><td>384.5</td><td>494</td></tr> </tbody> </table>									Quarter	Actual	Target	Q3 16/17	523	494	Q4 16/17	523	494	Q1 17/18	366.8	494	Q2 17/18	384.5
Quarter	Actual	Target																					
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<b>STRATEGIC DIRECTOR:</b> Gail Tolley																							
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**BRENT 2020 - DEMAND MANAGEMENT**

KPI ID:	2016/17 OUTTURN	Q1 17/18	Jul-17	Aug-17	Sep-17	ACTUAL YTD	TARGET YTD	RAG	COMMENTS AND ACTIONS																				
Percentage of Looked After Children placed with foster carers	63.6%	62.4%	64.4%	62.1%	63.9%	63.9%	68%	<b>RED</b>	<p><b>Comment:</b> 40% of current LAC are aged over 16 years old and as such, a significant proportion of LAC are now residing in semi-independent accommodation. A smaller LAC population and a greater proportion of over 16s puts pressure on meeting this target.</p> <p><b>Action:</b> Greater progress has been made this year in recruiting in-house foster carers, which should result in more children being placed in foster care.</p>																				
	<p>Percentage of Looked After Children placed with foster carers</p> <table border="1" style="margin: 10px auto; border-collapse: collapse;"> <caption>Actual vs Target Data</caption> <thead> <tr> <th>Month</th> <th>Actual (%)</th> <th>Target (%)</th> </tr> </thead> <tbody> <tr> <td>Apr-17</td> <td>62.60%</td> <td>68%</td> </tr> <tr> <td>May-17</td> <td>61.80%</td> <td>68%</td> </tr> <tr> <td>Jun-17</td> <td>64.2%</td> <td>68%</td> </tr> <tr> <td>Jul-17</td> <td>64.4%</td> <td>68%</td> </tr> <tr> <td>Aug-17</td> <td>62.1%</td> <td>68%</td> </tr> <tr> <td>Sep-17</td> <td>63.9%</td> <td>68%</td> </tr> </tbody> </table>									Month	Actual (%)	Target (%)	Apr-17	62.60%	68%	May-17	61.80%	68%	Jun-17	64.2%	68%	Jul-17	64.4%	68%	Aug-17	62.1%	68%	Sep-17	63.9%
Month	Actual (%)	Target (%)																											
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BRENT 2020 - RAISING INCOME

KPI ID:	2016/17 OUTTURN	Q1 17/18	Jul-17	Aug-17	Sep-17	ACTUAL YTD	TARGET YTD	RAG	COMMENTS AND ACTIONS																				
Non-Domestic Business Rates (NDR)	98.74%	28.07%	37.46%	46.38%	57.16%	57.16%	58.03%	AMBER	<p><b>Comment:</b> Collection in 2017/18 is behind when compared to same time last year due to (1)More instalments are profiled to be paid in February and March when compared to last year due to more ratepayers opting to pay their instalments over 12 months rather than 10. This means that comparisons with last year are not true indications of likely end of year out-turn (2)At the time of reporting Q2 there were a number of payments that whilst having been received by the council had not yet been allocated to the relevant NDR accounts and so were not reflected- these payments have now all been allocated and will be reflected in Q3 (3)A large rating assessment was instigated during Q2 and at 000 time of reporting, had not yet been paid but payments have been made since then and again will be reflected in Q3 (4)Taking account of the factors listed above, NDR collection is on course to match 2016/17 out-turn and achieve contractual targets . We'll continue to monitor very closely.</p>																				
	<p>Non-Domestic Business Rates (NDR)</p> <table border="1"> <caption>Non-Domestic Business Rates (NDR) Data</caption> <thead> <tr> <th>Month</th> <th>Actual</th> <th>Target</th> </tr> </thead> <tbody> <tr> <td>Apr-17</td> <td>9.44%</td> <td>-</td> </tr> <tr> <td>May-17</td> <td>18.91%</td> <td>-</td> </tr> <tr> <td>Jun-17</td> <td>28.07%</td> <td>-</td> </tr> <tr> <td>Jul-17</td> <td>37.46%</td> <td>-</td> </tr> <tr> <td>Aug-17</td> <td>46.38%</td> <td>-</td> </tr> <tr> <td>Sep-17</td> <td>57.16%</td> <td>-</td> </tr> </tbody> </table>									Month	Actual	Target	Apr-17	9.44%	-	May-17	18.91%	-	Jun-17	28.07%	-	Jul-17	37.46%	-	Aug-17	46.38%	-	Sep-17	57.16%
Month	Actual	Target																											
Apr-17	9.44%	-																											
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<p><b>LEAD MEMBER:</b> Cllr McLennan</p> <p><b>STRATEGIC DIRECTOR:</b> Althea Loderick</p> <p><b>GOOD IS:</b> Bigger is better</p>																													

KPI ID:	2016/17 OUTTURN	Q1 17/18	Jul-17	Aug-17	Sep-17	ACTUAL YTD	TARGET YTD	RAG	COMMENTS AND ACTIONS																				
Percentage of Council Tax collected	95.74%	30.35%	39.12%	48.04%	56.38%	56.38%	56.75%	AMBER	<p><b>Comment:</b> Collection in 2017/18 is behind target and when compared to same time last year due to: (1)A number of new properties were banded in September which resulted in an increase in the collectable debit, and these have yet to be paid (2)Correspondence and telephone backlogs in the summer impacted on amount of value of cash received</p> <p><b>Actions:</b> (1)New staff taken on by contractors which has seen improvements in telephone performance as well as ensuring correspondence is up to date (2)This new resource will also enable proactive tasks to be carried out such as telephoning those who owe us money and referring high value debt cases to debt collection companies for bankruptcy and charging orders. These will help improve payments (3)We are monitoring the impact of these actions closely through formal contract management reviews.</p>																				
	<p>Percentage of Council Tax collected</p> <table border="1"> <caption>Percentage of Council Tax collected Data</caption> <thead> <tr> <th>Month</th> <th>Actual</th> <th>Target</th> </tr> </thead> <tbody> <tr> <td>Apr-17</td> <td>12.27%</td> <td>-</td> </tr> <tr> <td>May-17</td> <td>21.71%</td> <td>-</td> </tr> <tr> <td>Jun-17</td> <td>30.35%</td> <td>-</td> </tr> <tr> <td>Jul-17</td> <td>39.12%</td> <td>-</td> </tr> <tr> <td>Aug-17</td> <td>48.04%</td> <td>-</td> </tr> <tr> <td>Sep-17</td> <td>56.38%</td> <td>-</td> </tr> </tbody> </table>									Month	Actual	Target	Apr-17	12.27%	-	May-17	21.71%	-	Jun-17	30.35%	-	Jul-17	39.12%	-	Aug-17	48.04%	-	Sep-17	56.38%
Month	Actual	Target																											
Apr-17	12.27%	-																											
May-17	21.71%	-																											
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KPI ID:	2016/17 OUTTURN	Q1 17/18	Jul-17	Aug-17	Sep-17	ACTUAL YTD	TARGET YTD	RAG	COMMENTS AND ACTIONS																				
Value of CT/HB overpayments recovered	£9,121,039	£2,332,670	£788,535	£773,590	£740,645	£4,635,440	£5,100,000	AMBER	<p><b>Comment:</b> Current projected performance is £10.5 million which is £1.3 million more than last year and which meets the targets set as part of the agreed Business case to increase resources to support increased recovery . The profiled target of £11.2M was set on the basis of legal action producing the additional revenue in the latter half of the year and there is circa £2.14 M subject to legal action. There are currently a number of vacancies on the team which have not all yet been filled.</p> <p><b>Actions:</b> Cases currently referred for legal action total £2.14 million and from this month the team should start to receive the benefits of this additional income stream through lump sum reductions or negotiated arrangements for cases where no money was being recovered historically. This will be monitored closely. Vacancies will be filled as part of a wider restructuring of BCS.</p>																				
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BRENT 2020 - RAISING INCOME

KPI ID:	2016/17 OUTTURN	Q1 17/18	Jul-17	Aug-17	Sep-17	ACTUAL YTD	TARGET YTD	RAG	COMMENTS AND ACTIONS																				
Value of Council Tax arrears recovered	£2,079,573	£497,352	£227,763	£363,858	£114,027	£1,203,000	£1,500,000	RED	<p><b>Comment:</b> Performance has been impacted by correspondence backlogs and staffing vacancies.</p> <p><b>Actions:</b> (1)Correspondence backlogs have been cleared and telephone performance has improved as a result – this is critical as recovery notices generate high level contact from residents who want to discuss the difficulties they are experiencing and agree payment arrangements (2)Recruitment has been undertaken to fill vacant posts and new staff are now being trained (3)We are monitoring progress closely through formal contract meetings.</p>																				
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KPI ID:	2016/17 OUTTURN	Q3 16/17	Q4 16/17	Q1 17/18	Q2 17/18	ACTUAL YTD	TARGET YTD	RAG	COMMENTS AND ACTIONS														
Revenue income secured from commercial portfolio	£2,325,659	£523,876	£903,000	£472,000	£548,000	£1,020,000	£1,150,000	RED	<p><b>Comment:</b> The income is not consistent over the year. Turnover is also impacted by a number of top up rents. In addition there are other set of rents that will be coming on stream at later dates in the year.</p> <p><b>Action:</b> Q3 rent is forecasted at £633,000 (charged and in the system), this is expected to remain similar for Q4. The cumulative figure will continue to rise quarter by quarter as more income billing is completed.</p>														
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KPI ID:	2016/17 OUTTURN	Q1 17/18	Jul-17	Aug-17	Sep-17	ACTUAL YTD	FORECAST YTD	RAG	COMMENTS AND ACTIONS																				
Registration and Nationality external income achieved to date	£805,063	£219,941	£76,731	£70,092	£94,447	£461,211	£469,500	AMBER	<p><b>Comment:</b> There has been a reduction to the number of marriages year to date compared to previous years and some reduction to Citizenship ceremonies. These reductions have been experienced across London and are not Brent specific. We cannot influence the number of Citizenship ceremonies as these are determined by the Home Office and we have very little influence on the number of marriages requested.</p> <p><b>Action:</b> Additional staffing has been secured on a short term basis to try to increase discretionary income for functions such as Nationality and Passport checking. We are confident that this can mitigate the shortfall in income against target by the end of the financial year.</p>																				
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BRENT 2020 - RAISING INCOME

KPI ID:	2016/17 OUTTURN	Q1 17/18	Jul-17	Aug-17	Sep-17	ACTUAL YTD	FORECAST YTD	RAG	COMMENTS AND ACTIONS																	
Additional income generated by Building Control	New Measure for 2017/18	£5,856	£6,002	£2,550	n/a	£14,408	£5,000	GREEN	<p><b>Comment:</b> Annual target £5000. 3 x small-medium cross-boundary projects received in July. Target now achieved.</p>																	
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**Making sure that our children and young people have access to the best education and training, achieve to their potential and have the best start in life**

**Schools and Education**

Performance Indicator	16/17 Outturn	Q1	Q2	Actual YTD	Target YTD	Good is?	RAG YTD	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
No. of CYP applying for Yr 7, 8, 9, 10 & 11 (ages 11-16) not offered a school place w/in 4 wks	1	1	0	0	0	Smaller is Better	Green	-	The authority is continuing to receive in-year applications across all year groups. While there are sufficient places to meet demand, there can be occasions when it can take longer to identify places that meet the needs of new arrivals, as was the case in April/May.	Gail Tolley	Clr Patel
Percentage of pupils attending Brent schools that are judged as being either good or outstanding	97%	97.2%	97.7%	97.7%	100%	Bigger is Better	Amber	-	There has been a marginal increase because of the number of the schools judged good in the inspections during this quarter.	Gail Tolley	Clr Patel

**Supporting vulnerable people and families when they need it**

**Children's Social Care**

Performance Indicator	16/17 Outturn	Q1	Q2	Actual YTD	Target YTD	Good is?	RAG YTD	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
Percentage of Looked After Children with an up to date Personal Education Plan	98%	99%	96%	96%	98%	Bigger is Better	Amber	-	The percentage of LAC with a completed PEP is expected to rise by the end of the term. This will take into account newly accommodated LAC from the summer school break who will have their PEP completed this term.	Gail Tolley	Clr Patel
Percentage of Looked After Children placed with In-House (Brent) foster carers	27.0%	27.5%	26.8%	26.8%	-	Contextual		-		Gail Tolley	Clr Patel
Percentage of Looked After Children placed with independent fostering agencies	26.0%	25.5%	24.5%	24.5%	-	Contextual		-		Gail Tolley	Clr Patel
Percentage of Looked After Children placed with relatives and friends	10.0%	10.5%	11.9%	11.9%	-	Contextual		-		Gail Tolley	Clr Patel

**Supporting vulnerable people and families when they need it**

**Adults' Social Care**

Performance Indicator	16/17 Outturn	Q1	Q2	Actual YTD	Target YTD	Good is?	RAG YTD	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
Percentage of adults using services who receive self-directed support	96.6%	98.27%	98.0%	97.8%	95.0%	Bigger is Better	Green		We are on track with this indicator and as per guidance.	Phil Porter	Clr Hirani
Percentage of adults using services who receive a direct payment in the community	22.6%	22.80%	22.88%	22.88%	23.5%	Bigger is Better	Amber		We have been strongly promoting DP services with families and service users, and this has supported a small uptake in our DP figures. In order to meet the annual target we will need to not only increase our uptake but also encourage clients with traditional packages to change to DP which can be more challenging to achieve.	Phil Porter	Clr Hirani

Enabling people to live healthier lives and reducing health inequalities

Public Health

Performance Indicator	16/17 Outturn	Q1	Q2	Actual YTD	Target YTD	Good is?	RAG YTD	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
Successful completions as a proportion of all opiate drug users in treatment	7.6% (Feb)	9.7%	n/a	9.7%	7.6% based on 16/17 baseline	Bigger is Better	Green	9.64% (NDTMS)	Target fully met: National Drug Treatment Monitoring Service Performance on qtr 1 places Brent in the top quartile of local authority performance nationally on this measure. Q2 data to be released mid-November.	Phil Porter	CLr Hirani
Waiting times - % of clients waiting to start first intervention (referrals seen within 3 weeks)	100%	98.4%	n/a	98.4%	95%	Bigger is Better	Green	-	Target fully met: One waiting time recorded out of 188 records for opiates, non - opiates and alcohol interventions. Performance for waiting times is above the national than the national average. Q2 data to be released mid-November.	Phil Porter	CLr Hirani
% of residents that complete a health check as a proportion of those offered	57.0%	39%	44%	41%	35%	Bigger is Better	Green	-	The target trajectory reflects the situation where practices invite patients in Q1 and Q2 and then issue reminders throughout the year, so we expect the proportion attending their health check to increase through Q1 to 4.	Phil Porter	CLr Hirani

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

Public Realm and Highways

Performance Indicator	16/17 Outturn	Q1	Q2	Actual YTD	Target YTD	Good is?	RAG YTD	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
Percentage of sites with unacceptable levels of litter	6%	3%	12%	8%	-	Contextual			<p><b>Comment:</b> Due to changes to grass cutting regimes, and the impact this may have on litter, it has been agreed for a contract target not to apply in 2017/18. 2017/18 data will be used as a benchmark to set future years' targets.</p> <p><b>Action:</b> Even with the absence of a target, the 2017/18 YTD scores are positive and reflect seasonal trends compared to 2016/17. The recruitment of five Neighbourhood Managers will improve the monitoring of cleansing performance and highlighting issues to the contractor to resolve.</p>	Amar Dave	Cllr Southwood
Residual waste disposal tonnage - Public Realm Contract Target 1	68,775	17,372	17,161	34,533	30,805	Smaller is Better	Red		<p><b>Comment:</b> The increase in waste tonnages since 2014 reflects the economic recovery nationwide as well as property growth within the borough, which is set to continue. However, the full year forecast of 67,180 tonnes, would result in a decrease from the previous year's outturn, despite a 2% property growth projection.</p> <p><b>Action:</b> A joint project with West London Waste Authority seeks to increase diversion of food waste from the residual waste stream. There will also be continued promotion of the recycling service. The cost for disposal of tonnage in excess of the contract target is met by the Public Realm contractor Veolia.</p>	Amar Dave	Cllr Southwood
Tonnes of municipal waste sent to landfill	70,679	18,949	18,304	37,253	33,886	Smaller is Better	Red		<p><b>Comment:</b> The increase in waste tonnages since 2014 reflects the economic recovery nationwide as well as property growth within the borough, which is set to continue.</p> <p><b>Action:</b> Diverting food waste from the residual waste stream will be the feature of a targeted campaign in 2017/18. There will also be continued promotion of the recycling service. Please note data for this indicator includes all residual waste collected as part of the Public Realm contract (given in the above indicator) as well residual waste from the Reuse and Recycling Centre at Abbey Road and materials rejected from the recycling facility.</p>	Amar Dave	Cllr Southwood
Number of waste cases investigated which lead to enforcement action	1,129	164	233	397	-	Contextual			<p><b>Comment:</b> Waste crime continues to be a significant problem in Brent, as it is in many urban areas nationwide. Despite concerted enforcement and education activity, problems persist.</p> <p><b>Action:</b> The team continues to work with Veolia and the community to identify and tackle those responsible for waste crime in the borough. The in-house patrol team have been fully integrated into the service and this, together with additional mobile CCTV technology and the proposed move towards area-based working will enable a more targeted and focused approach going forward. The service works with the Communication Team to actively promote enforcement outcomes and criminal convictions whenever possible across a range of media channels.</p>	Amar Dave	Cllr Southwood

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

Public Realm and Highways continued

Performance Indicator	16/17 Outturn	Q1	Q2	Actual YTD	Target YTD	Good is?	RAG YTD	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
Household recyclables collected that are sent for reuse, recycling, recovery and composting	36%	37%	38%	38%	45%	Bigger is Better	Red		<b>Comment:</b> Recycling rates have plateaued in London over recent years, but YTD results show an improvement compared with the 2016/17 outturn figure. <b>Action:</b> As part of the waste minimisation work in partnership with Veolia and West London Waste Authority, communication and engagement campaigns in 2017/18 will specifically focus on increasing recycling from flats and increasing food waste recycling.	Amar Dave	Cllr Southwood
Number of kilograms of residual household waste collected per household	463	125	122	247	240	Smaller is Better	Red		<b>Comment:</b> As mentioned above, the Council continues to work with Veolia on waste minimisation initiatives and increasing levels of recycling. A decrease is projected for full year waste arisings, despite property growth, suggesting these initiatives are having a positive effect in terms of kilograms of waste per household.	Amar Dave	Cllr Southwood
Percentage of Cat 1 defects repaired on time (Emergency call-outs: response time to make safe within 24hrs)	88%	83%	90%	87%	98%	Bigger is Better	Red	-	<b>Comment:</b> A big improvement from August to September; the contractor has achieve 100%. The dip in August was due to a reduction in available resource over the holiday period, leaving the contractor short on cover. <b>Action:</b> This will be discussed at the next Contract Management Meeting to ensure sufficient cover is provided in future, particularly over the next "holiday" period	Amar Dave	Cllr Southwood
Percentage of Cat 2 defects repaired on time (Non emergency repairs: response time to make safe within 7-28 days)	48%	47%	28%	37%	98%	Bigger is Better	Red	-	<b>Comment:</b> Performance has been disappointing over the last three months. The figures include all outstanding defects from previous months, which are being addressed through a catch up programme. The contactor has doubled the resource (6 gangs) for this work and reports they will have caught up by the end of November. <b>Action:</b> Weekly progress reports will be submitted and monitored to ensure they do not fall behind. Performance for September alone is 66%. Although an improvement on last month, is still below our expectations. The additional resource will provide further improvement for the next reporting period.	Amar Dave	Cllr Southwood
Gulleys regularly cleared	98%	99%	98%	98%	99%	Bigger is Better	Amber	-	<b>Comment:</b> Performance has been consistent during the year. Parked vehicles, preventing access to some gullies, often requires multiple return visits and is reflected in the percentage not achieving 100%.	Amar Dave	Cllr Southwood

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

Public Realm and Highways continued

Performance Indicator	16/17 Outturn	Q1	Q2	Actual YTD	Forecast YTD	Good is?	RAG YTD	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
Parking driver compliance: PCNs issued: Parking contraventions	105,584	26,938	26,814	53,752	52,542	Contextual		-	<b>Comment:</b> PCN issuance continues to be above forecast due to high productivity from Serco CEOs enforcing non-compliant parking.	Amar Dave	CLlr Southwood
Parking driver compliance: PCNs issued: CCTV bus lane	10,355	3,006	3,077	6,083	5,400	Contextual		-	<b>Comment:</b> Issuance above forecast, reflecting increase in non-compliance.	Amar Dave	CLlr Southwood
Parking driver compliance: PCNs issued: CCTV moving traffic	72,260	17,438	17,365	34,803	36,811	Contextual		-	<b>Comment:</b> Issuance below forecast, due to sustained increases in driver compliance at most sites. 3 additional cameras installed in 2017/18 with a further 7 scheduled for installation to manage moving traffic contraventions.	Amar Dave	CLlr Southwood
Parking revenue: Car parks / Off street P&D	£527,223	£151,262	£146,260	£297,522	£270,000	Bigger is Better	Green	-	<b>Comment:</b> Income continues to be above forecast. Salusbury Rd car park scheduled to close due to development, but closure date not yet determined.	Amar Dave	CLlr Southwood

Continue to reduce crime, especially violent crime, making people feel safe

Community Protection

Performance Indicator	16/17 Outturn	Q1	Q2	Actual YTD	Target YTD	Good is?	RAG YTD	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
SSL 01 - % of street lighting working as planned	99.94%	99.93%	99.84%	99.88%	99.95%	Bigger is Better	Amber	-	<b>Comment:</b> Minor drop in KPI performance over the summer, but performance level has met with expectations in Sept 2017. The borough wide LED lanterns installation programme is scheduled to commence in November 2017, and this is expected to increase the % of lighting working as planned.	Amar Dave	CLlr Southwood

Increase the supply of affordable, good quality housing

Housing Supply and Provision

Performance Indicator	16/17 Outturn	Q1	Q2	Actual YTD	Target YTD	Good is?	RAG YTD	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
HE 38 - Number of Mandatory HMOs licensed	603	631	667	667	700 (Annual)	Bigger is Better	Green	-	<b>Comment:</b> RAG rating is green due to it being halfway through the year - mandatory licence applications are still increasing and only 33 more mandatory licences need to be issued in the next 6 months to achieve the year-end target.	Phil Porter	Clr Farah
HE 48 - Cumulative number of additional and selective dwellings licenced	5,486	5618	5855	5,855	8000	Bigger is Better	Amber	-	<b>Comment:</b> The cabinet have approved the recommendation to extend selective licensing to the rest of Brent. This now needs to be approved by the Secretary of State which we hope to get in by the end of the year. Selective licensing would then be extended in January 2018 when we would expect to see an increase in applications.	Phil Porter	Clr Farah
% of properties with a valid gas certificate (Brent Housing Management)	99.98%	99.83%	99.94%	99.94%	100%	Bigger is Better	Amber	-	<b>Comment:</b> One property was without a current gas certificate at the end of the month. This is a property on the Brent Direct Lease temporary accommodation scheme and is due to a housing management issue.	Phil Porter	Clr Farah
Average re-let time minor voids in calendar days (Brent Housing Management)	26.7	47	52 (July)	43	24	Smaller is Better	Red	-	<b>Comment:</b> In bringing the service back to the Council at the end of Q2, it was clear that performance was not good enough. The Operational Director has focused on this. <b>Action:</b> Improvement workshops involving staff across housing (including housing management and housing needs) have taken place, and the issues effecting performance clearly identified, and a new voids management process being implemented. The Council is now directly running the service (from Q3) and new process is already in place, practical changes include: • Changes to the management of asbestos, which was causing unnecessary delays • Assigning ownership of the end to end process to 1 senior officer • Establishing and monitoring performance measures to assess each element of the process. We expect to start seeing marked improvement by the end of Q3.	Phil Porter	Clr Farah
Average re-let time major voids in calendar days (Brent Housing Management)	48	54.4	80.3	68	61	Smaller is Better	Red	-		Phil Porter	Clr Farah
Percentage of responsive repairs appointments for Wates Living Space (WLS) that are made and kept (Brent Housing Management)	96%	98%	99%	99%	99%	Bigger is Better	Green	-	Performance is in line with target which have been supported by the recent introduction by appointments being confirmed by text message. Consideration is being given to send reminder text messages with the view that will improve performance even further.	Phil Porter	Clr Farah
Percentage of repairs issued to WLS completed on the first visit (Brent Housing Management)	93%	96.70%	97%	96.80%	92%	Bigger is Better	Green	-	Performance is better than target this is due to the effectiveness the planning and scheduling process which enables the right operative to be deployed with the right tools.	Phil Porter	Clr Farah
Percentage of all responsive repairs completed by WLS within target time (Brent Housing Management)	91%	93.70%	93%	93.30%	95%	Bigger is Better	Amber	-	Performance is marginally outside of target this is impacted by complex repairs which requires engagement with sub-contractors. Work is underway to improve the handling of complex repairs.	Phil Porter	Clr Farah

Ensuring good quality, accessible arts and leisure facilities

Sports and Culture

Performance Indicator	16/17 Outturn	Q1	Q2	Actual YTD	Target YTD	Good is?	RAG YTD	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
The overall number of wet and dry visits to Brent's sports centres	1,650,306	434,721	429,966	864,687	846,312	Bigger is Better	Green	-	<p><b>Comment:</b> Total visits exceeded the target for the second quarter running, being 10,595 above the 419,313 target (2.5%) It is anticipated that the overall annual target will be met.</p> <p>Willesden have carried out good work on their GP referral scheme and other health projects; bringing in new customers and grant funding – their Q2 visits were 2,528 ahead of target Vale Farm's swim visits were 270 behind target but remain on course to meet their annual target. Bridge Park CLC visits were 429 behind target. This can be attributed to the temporary closure of the health suite for several weeks. The suite has since reopened.</p>	Phil Porter	Clr Hirani
Number of active borrowers	N/A	35,707	36,417	36,417	36,588	Bigger is Better	Amber	-	<p><b>Comment:</b> We have missed the Q2 target by a small number. We had a disappointing return on efforts to engage new housebound customers through lack of response from care homes. Outreach around Wembley has yielded high volumes of new borrowers who haven't all become active.</p> <p><b>Action:</b> We will aim to get targeted emails out to lapsed borrowers in Nov/Dec. School children membership invitations have been piloted this month to promote independent visits and new partnerships for U5's are being arranged with the children's centres which should facilitate new Children and Young People and family members to become active.</p> <p>We are anticipating to meet our active borrowers targets by the end of the year.</p>	Phil Porter	Clr Miller
Number of engagements through cultural events and programmes at Library at Willesden Green	N/A	18,149	17,397	35,546	29,305	Bigger is Better	Green	-	<p><b>Comment:</b> SRC targets and events attendance were met. The mini mela event was also successful driving higher footfall into the building with a range of activities taking place across the services in the building which increases the number of engagements. The art gallery continues to log higher footfall than projected.</p>	Phil Porter	Clr Miller
Number of online interactions	3,318,556	819,533	855,215	1,674,748	1,600,000	Bigger is Better	Green	-	<p><b>Comment:</b> Additional traffic potentially due to London Borough of Culture, Mini Mela and Ganesha. Q2 has seen additional newsletters sent out with embedded links promoting events that may have raised the engagement rates.</p>	Phil Porter	Clr Miller

Building community resilience and promoting citizenship

Partnership Working

Performance Indicator	16/17 Outturn	Q1	Q2	Actual YTD	Target YTD	Good is?	RAG YTD	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
Number of people attending Brent Connects forums	846	113	176	289	-	Contextual		-		Peter Gadsdon	Cllr McLennan
Number of people registered as volunteer	1078	282	194	476	-	Contextual		-		Peter Gadsdon	Cllr McLennan
Income to benefit the borough secured by local voluntary groups, with CVS support	£1,804,999	£180,000	£195,000	£375,000	-	Contextual		-		Peter Gadsdon	Cllr McLennan
Number of local voluntary sector groups receiving 1-2-1 advice and guidance from CVS	220	220	28	248	-	Contextual		-		Peter Gadsdon	Cllr McLennan

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

Internal Business

Performance Indicator	16/17 Outturn	Q1	Q2	Actual YTD	Target YTD	Good is?	RAG YTD	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
Percentage of telephone calls answered by BCS	84.05%	72.77%	75.57%	74.17%	90%	Bigger is Better	Red	-	<p><b>Comment:</b> There was a slight increase to phone answering performance of 3% compared to the previous quarter however we still haven't achieved the 90% target answer rate. Our overall strategy is to reduce the volumes of calls being received by ensuring that residents who are able to use self service digital channels, do so, allowing us to target our most personalised approach to those who are most vulnerable.</p> <p>During the second quarter Brent Customer Services carried out a pilot to accelerate channel shift to digital channels with the aim of reducing telephone and face to face contacts. As part of the pilot 10 new online forms were developed allowing customers to request services online rather than calling or visiting. Additional resources were made available to support residents to use digital channels including use of My Account facilities and web chat. Telephone performance improved slightly during this pilot which is reassuring.</p> <p><b>Action:</b> The revised service operating model is being considered formally by Cabinet on 1 November and BCS staffing structures will be reorganised to better meet the needs of the revised model. We are working closely with the Digital Strategy to further improve our digital offer to residents and we are continuing to evaluate ways in which greater automation could be achieved.</p>	Althea Loderick	Cllr McLennan
Average customer waiting time in local offices (mins)	23.5	34	27	31	30	Smaller is Better	Amber	-	<p><b>Comment:</b> Performance dipped slightly in July when the pilot of the new customer service offer commenced but has since recovered during the remainder of the pilot and into October</p>	Althea Loderick	Cllr McLennan
Average days taken to process new benefit claims and change events	7.14	5.99	7.60	6.8	7	Smaller is Better	Green	-	<p><b>Comment:</b> Processing times have slipped slightly in Q2 during the pilot of the new customer service offer, but are still within target for upper quartile performance, and this is expected to be maintained with the introduction of further enhancements to the service offer (eg a fast track service for claimants submitting all their information at once).</p>	Althea Loderick	Cllr McLennan

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

Internal Business continued

Performance Indicator	16/17 Outturn	Q1	Q2	Actual YTD	Target YTD	Good is?	RAG YTD	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
Percentage of telephone calls answered through the council's ACD system	84.5%	76.0%	77.9%	76.7%	90%	Bigger is Better	Red	-	<b>Comment:</b> ACD performance for Brent Customer Services has been reported in the indicator above. Service areas who haven't achieved the target answer rates have been informed. We are aware that departments such as Housing Management are going through a transformation programme and as part of that are looking into their operating model, resources and processes. In addition Housing is also going through a restructure and will be reviewing functions within their teams.	Althea Loderick	Cllr McLennan
Percentage of stage 1 complaints responded to within timescale (Corporate)	90%	91%	96%	93%	100%	Bigger is Better	Red	-	<b>Comment:</b> volume of Stage 1 corporate cases due for a response decreased from 216 cases in Q1 to 195 cases in Q2. Timeliness of response improved by 4% points. <b>Action:</b> ongoing weekly monitoring of performance and a Complaints Action Plan has been put in place to help improve all aspects of complaints.	Peter Gadsdon	Cllr McLennan
Percentage of stage 1 complaints responded to within timescale (Statutory)	93%	97%	96%	95%	100%	Bigger is Better	Amber	-	<b>Comment:</b> Stage 1 statutory performance remains strong for ASC maintaining 100% of responses on time for Q2 despite closing more cases. CYP saw a slight dip in performance from 94% to 88% in Q2. <b>Action:</b> ongoing monitoring of timeliness rate.	Peter Gadsdon	Cllr McLennan
Percentage of stage 2 complaints responded to within timescale (Corporate)	85%	79%	84%	81%	100%	Bigger is Better	Red	-	<b>Comment:</b> 5% point increase in performance in Q2, however casework, enquiries and customer support levels remain high for the corporate team. <b>Action:</b> performance is regularly monitored and a Complaints Action Plan has been introduced to help improve performance and to help minimise unnecessary escalations to Stage 2 and the Ombudsman.	Peter Gadsdon	Cllr McLennan
Percentage of stage 2 complaints responded to within timescale (Statutory)	57%	50%	33%	42%	100%	Bigger is Better	Red	-	<b>Comment:</b> volume of statutory Stage 2 complaints is relatively low, i.e. 11 cases in Q1 and 6 cases in Q2. However the complexity of the cases and requirement for independent persons to investigate Children's cases makes it challenging to meet this target and only 2 out of 6 cases were completed on time in Q2. <b>Action:</b> Complaints Action Plan includes actions to tackle resourcing and timescales on Children's statutory Stage 2 complaints.	Peter Gadsdon	Cllr McLennan
Total number of stage 1 complaints upheld / partially upheld	404	104	102	206	-	Contextual		-		Peter Gadsdon	Cllr McLennan
Total number of stage 1 complaints not upheld	439	137	106	243	-	Contextual		-		Peter Gadsdon	Cllr McLennan
Total number of decisions made by the ombudsman on complaints investigated	78	8	19	27	-	Contextual		-		Peter Gadsdon	Cllr McLennan
Total number of complaints upheld by the ombudsman	20	3	6	9	-	Contextual		-		Peter Gadsdon	Cllr McLennan

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

Internal Business continued

Performance Indicator	16/17 Outturn	Q1	Q2	Actual YTD	Target YTD	Good is?	RAG YTD	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
Percentage of FOI responded to within 20 working days	96%	95%	96%	96%	90%	Bigger is Better	Green	-	<b>Comment:</b> Performance continues to exceed target, and showed a slight improvement in the second quarter. Work has proceeded on the setting up of a Disclosure Log and the publishing of certain Business Rates data. These should see a further improvement in time, as there should be less work for some of the services as those seeking information will be referred to where it is already published.	Peter Gadsdon	Cllr McLennan
Percentage of members enquiries responded to within 10 days	96%	94%	97%	97%	100%	Bigger is Better	Amber	-	<b>Comment:</b> 3% point increase in timeliness and the volume of enquiries closed increased by 193 cases during Q2. <b>Action:</b> ongoing weekly monitoring of timeliness rate	Peter Gadsdon	Cllr Butt
Number of SARs (Subject Access Requests) responded to within the statutory 40 days	86%	89%	89%	89%	90%	Bigger is Better	Amber	-	<b>Comment:</b> An additional resource on SARs has helped to improve the process, closing 44 cases during Q3 with 5 missing deadlines. The effect of low numbers on ratios has meant that that the overall performance was 1% short of the target. <b>Action:</b> The improved alert reporting from migrating to the new SAR monitoring system (icasework) as well as the increase in experience of the new resource should ensure that fewer cases miss their deadlines in the next quarter.	Peter Gadsdon	Cllr McLennan

## Corporate Health

## Internal Business

Performance Indicator	16/17 Outturn	Q1	Q2	Actual YTD	Target YTD	Good is?	RAG YTD	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
Percentages of invoices paid on time	79%	81.6%	84.1%	82.9%	90%	Bigger is Better	Red	-	<p><b>Comment:</b> Performance has been stable during the last quarter at 85%. The Accounts Payable team are working with service areas to reduce the number of invoices on hold and to ensure that the correct process is followed to raise purchase orders.</p> <p><b>Action:</b> A range of improvements are being progressed through the Oracle Improvement Programme, including implementation of a new interface engine that will streamline supplier set ups, customer set ups, non-purchase order related payments and bulk invoice raising. More fundamental changes are being evaluated to address the key issues that cause delay in paying invoices related to services and supplies obtained through Purchase Orders. These include E Invoicing, increased use of the GPC card for low value purchases, review of approval hierarchies on Oracle and possible reductions to the number of requisitioners and cost centre managers in order to better manage skills and competence requirements. A review of the policies and procedures is also being carried out by Finance to ensure that they are fit for purpose and that they enable us to make payments on time. A CMT report will be submitted later this year with a summary to recommendations and an update on progress.</p>	Althea Loderick	Clr Miller
Number of deaths registered within 5 days (excluding those referred to the Coroner) (%)	88.8%	87%	89%	88%	90%	Bigger is Better	Amber	-	<p><b>Comment:</b> Data excludes all deaths referred to coroner which are all reported outside the 5 day KPI target as confirmed by report from Our General Register Office which gets published monthly after our monitoring deadlines. The data n Q1 has been updated to reflect this.</p>	Althea Loderick	Clr Miller

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## Digital Services

Performance Indicator	16/17 Outturn	Q1	Q2	Actual YTD	Target YTD	Good is?	RAG YTD	Benchmark (Source)	Commentary and Actions	Owner	Lead Member
Digital Services: Percentage of calls resolved within SLA timescales	78.94%	86.62%	86.44%	86.53%	80%	Bigger is Better	Green	-	<p><b>Comment:</b> Performance remains strong Q2 and our current actual YTD is above the target for this year and the actual for the full year 2016/17.</p>	Althea Loderick	Clr McLennan
Digital Services: Net Promoter Score	66.2	72.2	60.4	66.3	20	Bigger is Better	Green	-	<p><b>Comment:</b> The Net Promoter Score is an index ranging from -100 to 100 that measures the willingness of service users to recommend a company's or departments services to them. It is used as a proxy for gauging the overall satisfaction with a service. Although there has been a slight dip in our score, we are still well ahead of our minimum target.</p>	Althea Loderick	Clr McLennan

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 <b>Brent</b>	<b>Cabinet</b> 11 December 2017
	<b>Report from the Director of Performance, Policy and Partnerships</b>
<b>First Wave Housing Ltd – Services Agreement</b>	

<b>Wards Affected:</b>	All
<b>Key or Non-Key Decision:</b>	Key
<b>Open or Part/Fully Exempt:</b>	Open
<b>No. of Appendices:</b>	None
<b>Background Papers:</b>	None
<b>Contact Officer:</b>	Peter Gadsdon Director of Performance, Policy and Partnerships Tel: 020 8937 6095 <a href="mailto:peter.gadsdon@brent.gov.uk">peter.gadsdon@brent.gov.uk</a>

## 1.0 Purpose of the Report

1.1 This paper sets out the proposal to enter into a Services Agreement between the Council and First Wave Housing Ltd, which requires Cabinet consent.

## 2.0 Recommendations

2.1 Cabinet approves the Council’s entry into a four-year Services Agreement with First Wave Housing Ltd to provide a range of support services.

2.2 Cabinet agrees that any future variation to the Services Agreement is delegated to the Chief Finance Officer in conjunction with the Leader.

## 3.0 Detail

3.1 Housing Management services have now been brought in-house, but the Council has retained First Wave Housing Ltd (formerly Brent Housing Partnership Ltd) as an arms-length organisation with Registered Provider status.

3.2 The Council has been asked by First Wave Housing Ltd to provide it with services as detailed at paragraph 3.5. A medium-term (four-year) Services Agreement is considered appropriate by both First Wave and Council Officers. The Services Agreement will require the Council to procure and directly deliver a number of services and provide a number of functions in return for a fee and reimbursement of costs incurred directly on behalf of First Wave Housing Ltd.

- 3.3 The four-year Services Agreement will contain details of service descriptions, performance targets, service standards, lead officers, the fee structure, and clarity of how the service scope can be reviewed during the lifetime of the Services Agreement. The pricing schedule, attached at Appendix A, summarises the various functions included within the SLA.
- 3.4 The Services Agreement includes a conflict resolution clause for resolving matters between the parties and a break clause should persistent breaches occur. The Services Agreement, or elements of the Agreement, can be ended at any time by mutual consent, however, a six-month notice period is required should one party wish to end the agreement. Any future variation required to the Services Agreement would be agreed by the Chief Finance Officer in conjunction with the Leader of the Council.
- 3.5 The Services Agreement requests the Council to provide, directly or through contracts with external providers, two key service functions:
- a) Services to support the Company structure / Governance functions
  - b) Procurement of contractors and direct management and services supporting the Company's private rented sector housing management and repair functions
- 3.6 Services to the Company structure / Governance function include support in areas such as Board administration, business planning and business modelling, support with freedom of information requests, complaints, IT and IT systems, procurement and legal advice, financial management, treasury management, and payment systems.
- 3.7 The Council will procure and administer the private sector Housing Management and Repairs functions of the Company. The Services Agreement would permit the Council to provide private sector Housing Management and Repairs services to the Company directly or through sub-contractors. A contract is currently in place which was signed with BHP, to provide housing management and repairs services up to February 2018. All Housing Management contractors will be managed in accordance with the Company's Assured Shorthold Tenancy agreement and policies.
- 3.8 As the Company requires new or replacement services and functions, it will work with the Council's procurement service to establish in-house or external expertise.

#### **4.0 Financial Implications**

- 4.1 The fee value of the Services Agreement is up to £1,457,100 per year (including VAT) over four years and will be recognised as corporate income.
- 4.2 All services to First Wave Housing will (after taking account of State Aid considerations) be provided at the cost to the Council.

## **5.0 Legal Implications**

5.1 The general power of competence in the Localism Act 2011 permits the Council to provide services to First Wave Housing Ltd. To date, the Council has provided such services under a short term interim contract but the Council and First Wave Housing Ltd now seek to enter into a four-year Services Agreement. Under Contract Standing Order 87(c), authority to enter into such arrangements must be agreed by the Cabinet where the contract value would exceed £150,000 per annum; or the gross cost to the Council of providing the relevant services under the contract is estimated to exceed £150,000 per annum calculating the full costs over the term of the contract. The value of a four-year contract is £2.75m (including VAT). In the circumstances Cabinet approval is required to enter into a four-year Services Agreement with First Wave Housing Ltd.

## **6.0 Equality Implications**

6.1 No diversity implications have been identified.

## **7.0 Consultation with Ward Members/Stakeholders**

7.1 N/A.

## **8.0 Human Resources/Property Implications (if appropriate)**

8.1 Council staff will provide the proposed services under the Service Agreement from Council premises. No other staffing/accommodation implications have been identified.

**Report sign off:**

**PETER GADSDON**

Director of Performance, Policy and Partnerships



 <b>Brent</b>	<p align="center"><b>Cabinet</b> 11 December 2017</p>
	<p align="center"><b>Report from the Chief Finance Officer</b></p>
<p><b>Budget Strategy and Financing update</b></p>	

<b>Wards Affected:</b>	All
<b>Key or Non-Key Decision:</b>	Key
<b>Open or Part/Fully Exempt:</b>	Open
<b>No. of Appendices:</b>	1
<b>Background Papers:</b>	N/A
<b>Contact Officer:</b>	Conrad Hall Chief Finance Officer Tel: 0208 937 6528 <a href="mailto:conrad.hall@brent.gov.uk">conrad.hall@brent.gov.uk</a>

## 1.0 Purpose of the Report

- 1.1 The purpose of this report is to set out the Council's budget proposals for 2018/19. It therefore includes other key activities in relation to setting the 2018/19 budget, including dealing with any surplus on the Council's collection fund and the updating the position on the proposed London business rates pilot pool. It also provides a general update on the overall financial position, including an assessment of the Chancellor of the Exchequer's Autumn Budget of 22 November 2017.
- 1.2 Subject to the results of consultation and scrutiny, it is envisaged that the budget proposals set out in this report would then form the basis of the budget to be agreed at the Full Council meeting of February 2018. For the avoidance of doubt, all of the proposals included in this report were set out for Council in February 2017, together with the results of the consultation carried out leading up to that.
- 1.3 Brent, like most well-run local authorities, seeks to avoid making substantial new proposals in the last budget of any Administration, as it will be for whatever councillors are elected in May 2018 to determine longer-term financial policy. Therefore, no new budget proposals are recommended by way of this report and the position for 2018/19 is still broadly in line with that estimated in February 2017 and updated since.

- 1.4 Agreeing the proposals in this report, all of which were consulted on and agreed in February 2017 will enable the council to set a balanced budget in 2018/19, in accordance with the statutory obligations. At this stage, however, Cabinet is merely being asked to note the position so that further consultation can be concluded, prior to a formal budget being recommended to the 26 February 2018 Council meeting. Aside from the usual updating of and adjustments to various technical assumptions the key features of this budget would be:
- A council tax increase of 3.99%, making a Band D council tax of £1,190.85 (for the Brent element) plus an assumed GLA precept (subject to their own decision making) of £280.02; hence an aggregate Band D council tax of about £1,470.87; and
  - New budget savings proposals (all of which were considered by Council in February 2017) with an aggregate value of £12.9m, as summarised in Appendix A.

- 1.5 The report also asks Cabinet to take decisions necessary to enable the council to participate in the London Business Rates Pool should this be in the council's interests.

## **2.0 Recommendation(s)**

- 2.1 That Cabinet notes the overall financial position.
- 2.2 That Cabinet endorses the budget proposals for 2018/19 that were previously agreed at the Council meeting of 27 February 2017, as set out in Appendix A.
- 2.3 That Cabinet endorses the technical assumptions underpinning the budget as set out throughout the report.
- 2.4 That Cabinet notes the results of the extensive consultation on the budget proposals and a council tax increase of 3.99% that was carried out between November 2016 and January 2017 with local residents, businesses and other stakeholders.
- 2.5 That Cabinet endorses the approach to consultation between December 2017 and January 2018, as set out in section 4 of this report.
- 2.6 That Cabinet agrees the estimated Collection Fund balance relating to Council Tax for 2018/19 as a surplus of £1.856m (Brent's share being £1.503m) and note the current estimated balance relating to NNDR for 2018/19 as zero (no surplus or deficit).
- 2.7 That Cabinet:
- i. Agree, in principle, to participate in the London Business Rates Pilot Pool for one year with effect from 1 April 2018;
  - ii. Delegate to the Chief Finance Officer the decision whether to agree the Designation Order to be issued by the Secretary of State designating the Council as an authority within the London Business Rates Pilot Pool pursuant to 34(7)(1) of Schedule 7B Local Government Finance Act 1988;

- iii. Authorise the Chief Finance Officer to enter into such Memorandum of Understanding with the participating authorities as may be necessary to implement and/or regulate the pool;
- iv. Delegate the authority's administrative functions as a billing authority pursuant to the Non-Domestic Rating (Rates Retention) Regulations 2013 to the City of London Corporation ("COLC") acting as the Lead Authority, subject to agreement of the Designation Order by the Chief Finance Officer;
- v. Agree that the Leader of the Council will represent the authority in relation to consultations regarding the London Business Rates Pilot Pool as may be undertaken by the Lead Authority pursuant to the Memorandum of Understanding and that he will respond to the consultations;
- vi. Note that the Lead Authority may sub-contract certain ancillary administrative functions within the Pool to the GLA as it considers expedient;
- vii. Agree to delegate to the Chief Finance Officer, in consultation with the Leader of the Council, authority to agree the operational details of the pooling arrangements with the participating authorities.

### **3.0 Detail**

- 3.1 The Council set its budget and council tax for 2017/18, and its business plans for 2018/19, at the 27 February 2017 meeting. This included the delivery of £19.8m of savings in 2017/18 and plans for £12.9m savings to be delivered in 2018/19.
- 3.2 Since then Cabinet received an update on the financial position on 27 July 2017. At this meeting, Cabinet confirmed their intention that, as previously announced and subject to consultation and any other material changes to circumstances, to increase council tax by 3.99% in 2018/19 and to proceed with the savings referred to in paragraph 3.1 above. On this basis this means that no new savings proposals need to be developed for that year and, if agreed, the budget for 2018/19 would be balanced.
- 3.3 Some details have yet to be resolved, including the formal detail of the Local Government Finance Settlement which has not yet been announced. However, given that the Council previously signed up to a four year settlement up to 2019/20 the risk of significant changes to our funding assumptions is expected to be low. The provisional LG settlement is expected to be announced before Christmas with the final settlement in February 2018.
- 3.4 The Autumn Budget was announced on 22 November 2017. It did not contain definitive statements on figures to be taken into account in Brent's budget, but the following announcements are considered by officers to be particularly significant.
  - London business rates retention pilot – the government has agreed a pilot of 100% business rates retention in London in 2018/19.
  - Business Rates RPI to CPI indexation – will happen in April 2018 (2 years early) costing £770 million in those 2 years. Local government will be fully compensated, but it's not yet clear how.

- Business rates revaluations – will move to 3 yearly revaluations following the next revaluation, currently due in 2022. A consultation on implementation is due in the spring.
- Council Tax – power to raise empty homes premium will be doubled from 50% to 100% from April 2018.
- HRA borrowing cap – will be lifted for areas in highest need, but not until 2019/20 and local authorities will have to bid for it (this will be limited to £1 billion nationally).

At this stage, it is too early to confirm what the exact impact on local government will be and more detail is likely to emerge over time.

- 3.5 This report updates the position on the core estimates that drive the Council's budget position, to enable Members to assess the approach to the business planning and budgeting cycle.
- 3.6 In February 2018 it would be open to Council, subject to all the usual planning uncertainties and caveats, simply to re-confirm the proposals set out a year earlier, which would result in a balanced budget for the 2018/19 financial year. For the avoidance of doubt, achieving this would mean continuing with the previously planned 3.99% increase to council tax for 2018/19.
- 3.7 Brent therefore, by design, has time to work out how it should approach its budgeting for the 2019/20 year and beyond. This will need to take into account the ongoing need to find efficiencies and cost savings in service delivery that any well managed organisation would want to deliver year on year. This report does not set out the detailed process or timetable for this; rather it introduces the considerations that will need to be taken into account in that process, in order to ensure that there is some space to take views into account before starting to identify detailed new proposals. Of course, the benefit of the council being ahead of the curve in its financial planning is that there will be more opportunity to assess the financial opportunities and efficiencies from its creative strategies – such as the outcome based reviews and recently approved digital strategy – before having to consider possibly more problematic decisions about the level of services to be provided.
- 3.8 The 2018/19 budget setting process, following this Cabinet meeting, is proposed as follows:
- These proposals, together with any changes made by cabinet, will form the basis of consultation between December 2017 and January 2018 with local residents, businesses and other stakeholders;
  - Presentations and question and answer sessions at each of the Brent Connects meetings;
  - The two scrutiny committees will review the budget proposals and report accordingly;
  - After consultation, a budget paper will be presented for Cabinet to recommend a final budget and council tax to the February 2018 Council meeting.

#### **4.0 Budget process and consultation**

- 4.1 The council's minimum legal duty in February 2018 will be to set a budget and council tax for 2018/19. As set out in this report, provided the decision on increasing Council Tax is endorsed by members, the service budget for 2018/19 can be set on the basis of savings proposals which have already been consulted on extensively, subject to the results of the local government settlement and any other material changes in the financial position.
- 4.2 For clarity, these are the proposals set out in Appendix A. These were agreed in February 2017, following consultation at each Brent Connects meeting, three pop up events and a well-publicised campaign on the council's website which attracted many responses.
- 4.3 Clearly, in the consultation process set out below, it will be open for respondents to raise issues about these proposals if they so choose. However, on the basis that they have already been consulted on extensively, and agreed to go forward when other budget proposals were explicitly rejected through that process, the reasonable working assumption is that these proposals will proceed unchanged.
- 4.4 Brent Connects is a well-established consultation mechanism for local residents, businesses and other stakeholders. It is therefore intended that the proposals in Appendix A be taken to all five Brent Connects meetings and to publicise the proposals on our website.
- 4.5 The following Brent Connects meetings will be attended.

Brent Connects	2018
Harlesden	25-Jan
Kingsbury and Kenton	08-Feb
Kilburn	30-Jan
Wembley	17-Jan
Willesden	06-Feb

- 4.6 In addition to attending Brent Connects, it is also proposed to consult directly with local business via the Brent Business Board, the High Street business associations, the West London Business and Federation of Small Businesses in Brent.
- 4.7 The Scrutiny Committees reviewed these proposals through their budget scrutiny task group in 2016 and also the process through which they were developed. In October 2017, the scrutiny committees commenced the work of a joint task group to carry out the statutory scrutiny of the budget, chaired by Cllr Kelcher. The task group has had two meetings, where it examined plans for the London business rates pool in 2018/19 and reviewed progress against existing savings commitments. Another meeting is planned for December with a view to writing a short budget scrutiny report for the January 2018 Resources and Public Realm Scrutiny Committee, to be responded to by the Deputy Leader at this meeting.
- 4.8 It is also proposed to present the budget proposals on Brent's website, explaining that there are no changes from proposals previously consulted upon and sign posting the Brent Connects meetings.

## 5.0 Key Assumptions and Review of Revenue Budget Proposals

5.1 The council's recent financial history, the medium term financial outlook and the implications of these were set out in the July Cabinet report. There have been no material changes to the position, and it should therefore be read in conjunction with this report. For ease of reference and of significant relevance to this report, Cabinet agreed a set of budget adjustments for service areas to enable spend to be contained within existing budgets for 2017/18 and confirmed their intention, as previously announced and subject to consultation and any other material changes to circumstances, to increase council tax by 3.99% in 2018/19, on the basis that this means that no new savings proposals need to be developed.

## 6.0 Technical budget assumptions and expenditure pressures

6.1 Expenditure in 2017/18 is forecast to be within budget for the general fund. The main general fund revenue budget for 2018/19 was essentially set at the Council meeting of February 2017, where savings of £12.9m for 2018/19 were agreed. Provided that the key assumptions set out in the table below hold true then expenditure in 2018/19 should also be contained within budget.

Assumption	Value (£m)	Commentary
Council tax will be increased by 3.99%	(4.3)	Assuming that there is no change in the previously agreed political strategy then this is still valid
Council tax base increases by c2.5%	(2.7)	Previously assumed growth of 4% based on historical growth in the overall tax base. This growth appears to be slowing and has therefore been revised down. This will put pressure on the budget if growth continues to decline.
Demographic growth to be allocated in 2018/19	3.0	As the 2017/18 budget is on target these assumptions (which are unchanged year on year) should be fairly sound. (Split of the £3m is roughly £0.4m environmental pressures, £0.4m children's social care, £2.0m adult social care and £0.2m customer and support services).
Inflation	6.0	Made up of c£2m for pay (assumes 2% pay settlement) and c£4m for contract inflation (assuming average awards of around 1.5%)
Other items	2.5	Pensions costs, freedom passes and other technical items – the amounts allowed for in the budget can be regarded as reliable
Procurement savings	(4.5)	Of this £2m comes from the contract end of the street lighting PFI, and will automatically be achieved. The remaining £2.5m is medium risk, as this has been a difficult area to date
Fees and Charges	(1.25)	Specific decisions, in line with previous agreed budget strategy, will be needed to deliver this additional civic enterprise income
Parking income	(3.0)	This is based on the assumption that the increased car ownership arising from the rising population will lead to additional revenues, and that further pricing measures to manage demand may be appropriate
Other service savings	(5.0)	These are in hand and currently considered low or low to medium risk (for example ASC savings from the NAIL programme, temporary accommodation savings from the I4B property acquisition programme and so on)

6.2 Other technical budget assumptions for 2018/19 are set out below:

<b>Income</b>	<b>Value (£m)</b>
Revenue Support Grant	33.7
Business Rates retained	37.8
Business Rates top up	51.0
Council Tax	113.9
Specific Grants	28.4
<b>Total Income</b>	<b>264.8</b>

6.3 Business Rates and RSG income were announced at the last local government finance settlement in February 2017 and no major deviations from this are expected as the Council signed up to a four year settlement (to 2019/20).

6.4 That said, if the London Business Rates pilot pool proceeds as currently planned, the composition (not quantum) of the grants above would change. For each borough in the pool RSG would be replaced by retaining additional business rates. In addition the Public Health Grant and the Improved Better Care Fund would also be replaced by additional business rates, leading to an adjustment of expected baselines. While the composition of each borough's "core funding" (retained rates plus RSG, Public Health Grant and iBCF) will therefore change, the overall quantum will not. This revised position is then the baseline against which the "no detriment" guarantee is calculated. Each borough – whether its business rate income grows or declines during the operation of the pilot pool – will receive, as a minimum, the same amount of cash it would have received under the existing 50% system.

6.5 It is expected that if final agreement with the Government is achieved, the proposals will be reflected in the provisional LG settlement (expected mid to end December 2017) and the final LG settlement (expected February 2018).

6.6 A 3.99% increase in council tax is the maximum permitted under the existing legislation, unless a referendum is conducted. The Council conducted an extensive consultation of the budget proposals and a council tax increase of 3.99% in both 2017/18 and 2018/19. Legally, separate decisions on council tax will still formally be required at the budget setting meeting of the Full Council in February 2018. That said, Cabinet has confirmed their intention, as previously announced and subject to consultation and any other material changes to circumstances, to increase council tax by 3.99% in 2018/19, on the basis that this means that no new savings proposals need to be developed.

6.7 The table below summarises the income, expenditure and savings assumptions described above and shows that the overall budget for 2018/19 is balanced, unchanged from the budget presented to Cabinet in February 2017:

	<b>2018/19 £m</b>
<b>Income</b>	
Revenue Support Grant	(33.7)
Business Rates retained	(37.8)
Business Rates top up	(51.0)
Council Tax	(113.9)
Specific Grants	(28.4)
<b>Total Income</b>	<b>(264.8)</b>
<b>Expenditure</b>	
Net Budget brought forward from 2017/18 before in year growth and savings	265.5
Demographic Growth	3.0
Other Growth	10.4
Savings presented in February 2017	(12.9)
Technical adjustments	(1.2)
<b>Total Expenditure</b>	<b>264.8</b>
<b>Balance</b>	<b>0.0</b>

## 7.0 The tax base and the Collection Fund

7.1 General Purposes Committee approved the Council's 2018/19 tax base as 95,677 band D equivalent properties, based on a lifetime/eventual collection rate of 97.63%. Broadly, the increase in the tax base from the previous year (93,319) is due to new properties coming in to rating and a slight reduction in residents eligible for council tax support.

7.2 As part of the Council Tax setting process for 2018/2019 the Council is required to estimate the amount of any surplus or deficit on the Collection Fund as at 31 March 2018 and how it is shared amongst the constituent precepting bodies and Central Government. This must be done by 15 January 2018 in relation to Council Tax, and this report asks Members to approve the estimated balance for both Council Tax and Business Rates (NNDR).

### 7.3 Council Tax

Income from Council Tax is paid into the 'Collection Fund'. Brent and the Greater London Authority (GLA) make charges (formally known as 'precepts') on this fund to finance their budgets. If the eventual collection of Council Tax is greater than precepts on the collection fund, taking the cumulative position since the introduction of Council Tax in 1993, a surplus will be generated. If the reverse happens, there will be a deficit. Any surplus or deficit is shared between Brent and the GLA. It is normal and proper practice to estimate these surpluses or deficits in setting the budget and to make distributions to the preceptors, or to require contributions from them, according to those estimates.

7.4 The Council's 2016/17 audited accounts reported a surplus of £12.8m (Brent's share £10.2m) on the Council Tax Collection Fund. The latest review of the Fund indicates that a surplus on Council Tax of £1.856m can be declared for

2018/19, where the balance will be shared between the Council (£1.503m) and the Greater London Authority (£0.353m) in proportion to their 2017/18 Band D council tax charges. This technical surplus relates to council tax due on or before 31 March 2018, where the council has been more effective than previously assumed in collecting arrears, and also reflects collection performance of debts relating to 2017/18, and an increase in the net collectable figure during 2017/18.

## **7.5 Business Rates**

Since 2013/2014 local authorities retain a proportion of the income raised. For London, the local authority keeps 30% of the income, the GLA receives 20%, and the remaining 50% is paid to the national pool to be redistributed as before. Therefore London authorities benefit from 30% of any additional rates income, or bear 30% of the cost of any reduction.

7.6 If the year-end income from NNDR is higher than estimated at the start of the year, a surplus would be declared, which would be shared in the same ratios as above. Therefore, if Brent had a surplus it would keep 30% of this. If income was lower than anticipated, there would be a deficit to be shared in the same proportion (i.e. Brent would bear 30% of the deficit).

7.7 The estimate for the income figure (or net rate yield) for 2018/19, and the surplus or deficit figure as at 31 March 2018 will be taken from the NNDR1 return to be submitted in January 2017. The Non Domestic Rating (Rates Retention) Regulations 2013 require that these figures be calculated and notified to preceptors (central government and the GLA) by 31 January, and the NNDR1 return is used to calculate the figures.

7.8 Estimating what the figures will be is complex, as there are many factors which can significantly affect the overall figure, including entitlement to reliefs and properties coming in to, or being taken out, of rating. The biggest uncertainty concerns revaluations arising from appeals against the Valuation Office (VO) determinations. These are very common and can lead to large refunds being backdated several years. Given these uncertainties, it is recommended that a forecast of no surplus or deficit is assumed at present.

## **8.0 London Business Rates Pilot Pool**

8.1 As reported to Cabinet in September 2017, it is proposed to proceed with a London business rates retention pilot via a pan-London pool in 2018/19.

8.2 Since this report, the London Council's Leaders' Committee met on 10 October 2017 and unanimously agreed 'in principle' to proceed with an application to government for a London wide business rates pilot pool for 2018/19. London Councils have been considering options for governance of the pool and it is proposed that the City of London Council act as lead authority operating under a Memorandum of Understanding (MOU) which requires consultation with a member representative of each of the participating councils. It is recommended that this role be undertaken for Brent by the Leader of the Council.

- 8.3 Whilst the timetable is challenging, and introduces a degree of uncertainty for both authorities and the government during the budget-setting process, London would not be unique in this regard.
- 8.4 The financial gains in 2018/19 for Brent, which range from £4m to £5m, are based on estimates using forecasts from London Boroughs and therefore are illustrative and a lower set of figures is entirely possible. However, the example serves to illustrate the potential direct financial benefit of joining a pool on the pilot basis being offered.
- 8.5 Assuming the pilot goes ahead as currently proposed, whatever option is ultimately chosen, and therefore the amount of additional business rates income due to Brent, a process needs to be agreed for allocating the money. However, the Council would need to exercise some caution in developing proposals too soon given the current uncertainties described above. The role of scrutiny will also be important as part of this process. Proposals would then be brought forward as part of the budget setting report in February 2018, subject to all the elements of a pilot pool being agreed within the required timescales.
- 8.6 Over the next few weeks, discussions will continue both with Government and within London to finalise the arrangements. Subject to consensus being reached, Government will then prepare a “designation order” to establish the London pilot pool and this will be reflected within the Provisional Local Government Finance Settlement.
- 8.7 In order to ensure that the council is able to make the necessary decisions in respect of participation in a timely way, it is proposed that the Cabinet make decisions in principle at this meeting and delegates to the Chief Finance Officer further decisions that will enable participation to proceed.

## **9.0 Approach to budget proposals for 2019/20-2020/21**

- 9.1 As reported to Cabinet in July 2017, officers’ best estimate of the budget gap in 2019/20 was £13m. Since then, it is now estimated that the gap in 2019/20 is estimated at £19m and the gap in 2020/21 is estimated at £11m. The total saving over the two year period is broadly as expected at £30m but the profile has since changed. The most significant change to the budget assumptions over the summer has been the outcome of modelling the growth in the tax base. Previously, it was expected that the tax base would grow by 4.4% per annum, which was based on actual growth observed on average between 2014/15 and 2016/17. However, on analysing the actual tax base after 2016/17, growth appears to have slowed slightly to an average of 2.5%. This therefore has the impact of worsening the financial position in 2019/20, and beyond.
- 9.2 Nonetheless, the exact gap is inherently uncertain, simply because of the number of variables to be estimated and the difficulty of doing so over longer periods of time. In the current circumstances, with a lack of a clear national policy direction on many aspects of local government finance it is even more than usually difficult to do so. The most significant reforms to the local government finance system are:
- The iBCF, if it is built into long-term financial plans (which government has to date declined to do) has the potential to reduce the gap significantly.

- Business rates devolution, if it goes ahead, is theoretically cost neutral. However, most reforms to the local government finance system create winners and losers, but the impact of this cannot reliably be estimated at this point.
- The needs review, which will change the weighting of the factors (deprivation, population density and so on) used to allocate government funding. This will therefore create shifts in the pattern of funding and so the impact is likely to be substantial but which cannot reliably be forecast.

9.3 This gives a target savings figure of £30m, for 2019/20 and 2020/21. The accuracy of this is probably at best +/- 20%, and wider variations are entirely plausible. The actual figure required will not be known for at least a year, once the local government finance reforms are further forward.

9.4 The 2019/20 budget proposals will need to be consulted upon by autumn 2018, leading in to a February 2019 budget setting meeting at Council. It is therefore proposed to develop and consult on budget proposals for 2019/20 and 2020/21 after the elections in May 2018.

## 10.0 Financial Implications

10.1 There are no direct financial implications of agreeing the recommendations of this report. However, the entire report is clearly highly relevant to the council's overall financial position.

10.2 The budget agreed by Cabinet in February 2017 presented a balanced budget for the financial year 2018/19 and therefore no new budget proposals are proposed. Therefore there are no direct costs associated with agreeing the recommendations in this report, other than for consultation, the costs of which are built into existing budgets.

10.3 The overall budget setting timetable for the 2018/19 is set out below:

Date	Activity
11/12/17	Cabinet: Budget proposals 2018/19 and Collection Fund Surplus
12/02/18	Cabinet: Budget Proposals 2018/19
26/02/18	Full Council: Budget and Council Tax Setting

## 11.0 Legal Implications

11.1 A local authority must budget so as to give a reasonable degree of certainty as to the maintenance of its services. In particular, local authorities are required by the Local Government Finance Act 1992 to calculate as part of their overall budget what amounts are appropriate for contingencies and reserves. The Council must ensure sufficient flexibility to avoid going into deficit at any point during the financial year. The Chief Financial Officer is required to report on the robustness of the proposed financial reserves.

- 11.2 The Secretary of State has the power to designate two or more "relevant authorities" as a pool of authorities for the purposes of the provisions of Schedule 7B of the Local Government Finance Act 1988. If the council wishes to participate in the pilot it will need to have resolved to participate in the pool and accept the Secretary of State's designations of the pool by within 28 days of the Provisional Settlement.
- 11.3 Local authorities have the power to enter into a Memorandum of Understanding to record the governing arrangements between them including under section 111 of the Local Government Act (LGA) 1972.
- 11.4 Although the Cabinet is being asked to delegate to the COLC the functions of assessment, due consultation and approval of projects eligible for funding from the Pool's Strategic Investment Pot this power can only be exercised if, following consultation with the participating authorities, at least two thirds of such participating London Boroughs (including the City of London Corporation) and the Mayor of London in favour of the relevant recommendation as agreed by the authorised representatives from each authority (in the case of the London Borough of Brent, this will be the Leader of the Council) and provided that no entire sub-region is in disagreement with the decision.

## **12.0 Equality Implications**

- 12.1 Under the Public Sector Equality Duty (PSED) of the Equality Act 2010, Brent Council is required in the exercise of its functions, to have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act,
  - advance equality of opportunity between people who share a protected characteristic and those who do not, and
  - foster good relations between people who share a protected characteristic and those who do not.
- 12.2 The nine protected characteristics are: age, disability, gender, gender identity, ethnicity/race, religion/belief, sexual orientation, pregnancy and maternity, marriage and civil partnership.
- 12.3 The PSED does not prevent decision-makers from making difficult decisions in the context of the requirement to achieve a significant level of savings across all operations. It supports the Council to make robust decisions in a fair, transparent and accountable way that takes into account the diverse needs of all our local communities and of our workforce. The duty continues to be a "have regard duty", and the weight to be attached to it is a matter for the Council, bearing in mind the principles of relevance and proportionality.
- 12.4 In March 2017 the Council agreed its budget for the current year, and a number of other proposals to be built into the budget from 2018/19 (Appendix A). These proposals went through extensive consultation and were subject to full Equality Impact Assessments to assess their potential/likely impact on service users and/or employees with protected characteristics. No changes to these are proposed.

12.5 This report sets out the overall financial framework and seeks authority to consult on the above listed draft budget proposals for 2018/19. Subject to the results of consultation it is envisaged that these would then form the basis of the budget to be agreed at the Full Council meeting of February 2018.

### **13.0 Consultation with Ward Members and Stakeholders**

13.1 The budget proposals for 2018/19 will form the basis of consultation with local residents, businesses and other stakeholders via Brent Connects Forums. It is proposed to attend all five Brent Connects Forums (dates below) so that the whole borough is covered and to all residents the opportunity to give their views.

Brent Connects	2018
Harlesden	25-Jan
Kingsbury and Kenton	08-Feb
Kilburn	30-Jan
Wembley	17-Jan
Willesden	06-Feb

### **14.0 Human Resources/Property Implications (if appropriate)**

14.1 Not applicable.

**Report sign off:**

**CONRAD HALL**  
Chief Finance Officer

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 <b>Brent</b>	<b>Cabinet</b> 11 December 2017
	<b>Report from the Chief Finance Officer</b>
<b>Budget Strategy and Financing update</b>	

## **Savings proposals previously approved by Council as part of previous budget reports**

When Council agrees savings the financial impact of these is not always neatly confined to a single financial year. The appendix therefore shows the further financial impact in 2018/19 of previously agreed proposals. This impact was disclosed at the time of the relevant previous budget report.

The text of individual proposals has not been amended from that previously agreed. In some cases this leads to minor apparent inconsistencies, as the text refers to the total financial impact (e.g. over 2017/18 and 2018/19). It was considered better to accept this position than to amend text previously agreed by Council.

Ref No	Unit /Service	Description:	Item	2018/19 (£'000)
<b>Savings agreed in Feb 15 and Feb 16</b>				
ASC002	Residential & Nursing	Reduce residential care to necessary minimum and increase extra care/supported living housing	Transform the accommodation based care market in line with the Council's Market Position Statement. Reducing to a minimum the focus on residential and nursing care and developing Extra Care Sheltered/Supported Living Accommodation to give the vast majority of people who need accommodation based care greater independence and improved quality of life. Savings of £370k included in 2015/16	1,400
R&G025f	Regeneration & Growth	Letting Agency	Establishing a lettings agency which will generate increased income from the provision of property and tenancy management services to private sector properties.	175
<b>Driving Organisational Efficiency</b>				
DOE001	Support Planning, Reablement & Mental Health	Increase Direct Payments	This will mean that people pay for their home care/community support through independent Personal Assistants or direct purchasing of support from providers. A market for Independent Personal Assistants will continue to be developed in the local area to maximise the benefit.	50
DOE002a	Early Help	Transformation of the design and delivery of early help	Effective and co-ordinated early intervention will build resilience and independence which will in turn move cases out of high risk and high cost services. As far as possible there will be a one worker to one family approach. Savings will be achieved through three main workstreams: 1. More effective co-ordination and signposting and to early intervention services delivered by partners including schools and the voluntary sector; 2. Improved use of research to ensure a greater strategic focus on high impact interventions and more effective assessment of individual need. Savings will be achieved by reducing delivery of low impact or repeat interventions; 3. Planned structural change across CYP. In the first instance this will enable the delivery of a more coherent offer which is expected to reduce demand for high cost services. Any reduction in demand will then enable a further reduction in headcount.	550

Ref No	Unit /Service	Description:	Item	2018/19 (£'000)
DOE002b	Children's Social Care	Signs of Safety and Social worker recruit	Increased efficiencies of £200k driven by the Signs of Safety programme and a linked, but separate, reduction in the reliance on agency staff across the division. There are approximately 70 agency social workers, deputy and team managers in children's social care currently. Over the two year period the plan is to reduced this by 40, this would realise a saving of approximately £300k.	200
DOE003	Community Services	To review staffing structures and spans of control across the eight services divisions	Savings of £2.25m would come from a 20% reduction in FTE across all eight services. The review would particularly include contract management and strategy development arrangements so that these can be standardised and rationalised across all large operational contracts in a way that creates consistency of approach and improved service outputs. The services referred to are those that were located in what was at that time called the Community Services division of the Chief Operating Officer's department.	1,125
DOE004	Corporate Business Support	Review support service costs	The proposal is to review the level of support services provided within the council in the future to create a leaner more efficient service to users. The options for achieving the saving are: restructuring, merging, outsourcing, shared services, and driving greater efficiency through technology and self-service.	500

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

Ref No	Unit /Service	Description:	Item	2018/19 (£'000)
CE004	Parking & Lighting/Parking	Eliminate the additional overhead costs of the Serco parking contract	It was originally intended that the cost of the overheads for the Serco parking contract would be apportioned on a 60:38:2 ratio between the three participating boroughs: LB Brent; LB Hounslow; and LB Ealing; respectively. The ratio was calculated in proportion to the value of the overhead costs being transferred to Serco at the commencement of the contract. Immediately prior to the letting of the contract, LB Hounslow identified a shortfall on the savings target required by their administration. It was agreed between the boroughs that, on a temporary basis, the ratio would be amended to 80:18:2 (Brent: Hounslow: Ealing), with a review in January of each year to assess whether the additional contribution from Brent to Hounslow could still be justified. Brent's additional contribution is £347k p.a. and this will be reviewed.	47
CE006	Regeneration and Growth	Civic Centre - Rental Income	Additional income could come from additional lets eg Library café space, increased income from the basement car park or from further release of office space	125

Ref No	Unit /Service	Description:	Item	2018/19 (£'000)
<b>Making Our Money Go Further</b>				
MGF001	Procurement	Contract Renewal Savings	There are 161 contracts due for renewal over the next three years (2016/17 - 2018/19). This includes 63 contracts above £500k and 98 contracts below £500k. The aim will be to approach the market with a target of 10% savings against current contract prices. In addition savings to be achieved on the end of the Streetlight PFI contract by replacing the current contract requirements by a repairs only contract.	4,500
MGF003	Regeneration and Growth	FM Contract	Savings in FM contract. This could flow from a further reduction in buildings within the contract or from a revision to the contract. The alternative option which is unlikely to be acceptable to CMT, is to negotiate a reduction in the contract in return for triggering the additional period which is available at the end of the current contract period.	100
<b>New Policy Options</b>				
1718BUD1	Public Health	Sexual health transformation	Through participation in the London Sexual Health Transformation Programme including the London wide procurement of a 'front door' to sexual health services and a joint procurement with Ealing and Harrow of an integrated local sexual health service savings are anticipated through a diversion of activity to lower cost settings	350
1718BUD4	Residential & Nursing	Extending NAIL provision	An extension to the New Accommodation for Independent Living programme. Proposal to move the lowest needs Nursing care clients to appropriate Supported Living schemes.	200
1718BUD9	Parking	Parking Charges	To conduct a review of the charging structure for residents' permits and pay and display parking. The additional income is based on a presumption that the additional income generated would be approximately equal to four years' inflation	1000
1718BUD10	Environmental Improvement	Public Realm contract	The Public Realm Contract with Veolia includes a schedule of potential savings that can be exercised at any time during the course of the contract.	450

Ref No	Unit /Service	Description:	Item	2018/19 (£'000)
1718BUD11	Parking & Lighting	Street Lighting	It is considered that an additional £100k p.a. could be saved through a rigorous review of lighting levels at a highly localised level across the borough, utilising new technology purchased for this purpose.	100
<b>Total</b>				12,897

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	<p align="center"><b>Cabinet</b> 11 December 2017</p>
	<p align="center"><b>Report from the Strategic Director of Resources</b></p>
<p align="center"><b>Shared Registration and Nationality Service with Barnet</b></p>	

<b>Wards Affected:</b>	All
<b>Key or Non-Key Decision:</b>	Key
<b>Open or Part/Fully Exempt:</b>	Open
<b>No. of Appendices:</b>	1
<b>Background Papers:</b>	None
<b>Contact Officer:</b>	Margaret Read Director of Brent Customer Services <a href="mailto:Margaret.read@brent.gov.uk">Margaret.read@brent.gov.uk</a> 0208 937 1521

## 1.0 Purpose of the Report

- 1.1 Brent has been providing Barnet's Registration and Nationality Service under the terms of an Inter Authority Agreement (IAA) since 22<sup>nd</sup> April 2014. The IAA is for an initial term of five years, with an option to extend for a further 2 years subject to agreement by both parties.
- 1.2 The IAA also provides an opportunity for both parties to review the arrangement after 3.5 years of operation and to determine whether the arrangement should continue. In the event that either party wished to cease the arrangement, at least six months' prior notice would be required. Accordingly, both parties agreed to jointly review the IAA during 2016/17 to determine whether it should continue and if so, to identify and agree changes to the IAA.
- 1.3 The recommendations in this report are submitted with reference to the conclusions drawn from the review conducted.

## 2.0 Recommendations

That Members:

- 2.1 Agree to terminate the Inter Authority Agreement with Barnet Council for the provision of a shared Registration and Nationality Service by giving notice as

required under the Inter Authority Agreement of not less than six months but not more than nine months.

- 2.2 Delegate authority to the Strategic Director Resources to agree the precise terms of the exit arrangements applicable to the ending of the Inter Authority Agreement including any continued provision of Information Technology Support relating to the Barnet Registration and Nationality Service.
- 2.3 Note the financial implications arising from Recommendation 2.1.as set out within Section 4 of this report (Financial Implications).
- 2.4 Note the potential requirement for the council to enter into a bulk transfer arrangement for pension purposes as set out within paragraph 5.4.2 of this report.

### **3.0 Detail**

- 3.1 In 2014, Brent was commissioned to provide a Registration and Nationality Service on behalf of Barnet which is regulated by an Inter Authority Agreement (IAA). Staff delivering the service are employed by Brent under a generic contract of employment and are located at both Barnet and Brent offices. The IAA commenced on 22<sup>nd</sup> April 2014, for an initial term of five years.
- 3.2 Barnet service expenditure is effectively met from Barnet fee income generated from statutory and discretionary Registration and Nationality services provided by Brent on its behalf. The income and expenditure for Brent and Barnet are separately accounted for with baseline levels of income and expenditure for Barnet contractually defined. In the event that Barnet fee income exceeds expenditure, any growth in discretionary service income is split between the parties with a greater proportion in favour of Barnet as agreed at the time the IAA was established, reflecting the overall cost of service and potential level of risk.
- 3.3 In practice, fee income has generally been below contractually defined levels resulting in Brent invoicing Barnet for any shortfall between expenditure and income. In particular, statutory changes concerning nationality checks and citizenship that occurred in 2014 resulted in a decline in applications for these services. This led to a reduction in fee income that was further exacerbated by other statutory changes relating to marriages for foreign nationals. To mitigate against the effects of the above changes, some vacant posts were left unfilled in the short term. However, this placed greater pressure on the Barnet service and its ability to meet performance targets particularly in relation to the timeliness of death registrations which have a target to be completed within 5 days of the death.
- 3.4 Pressures also arose as a result of the closure of Chase Farm Hospital's maternity unit in November 2013, which gave rise to an additional 2,000 birth registrations per annum for the service. This meant a greater volume of birth registrations needing to be handled than was originally envisaged under the agreement and without any consequential increase in staffing or funding.

- 3.5 Barnet subsequently agreed to increase resource for the Barnet service to ensure achievement of the national standard of 90% registration of deaths within 5 days along with an extension of opening hours, so as to enable 7 day a week opening. It was also agreed between the parties to recruit a full time Head of Service (shared) to replace the previous part time post holder.
- 3.6 The IAA includes provision for both parties to review arrangements after 3.5 years and to determine any changes to this including decisions about the continuation of the IAA. In the event that either party wishes to cease the arrangement, at least six months' prior notice is required. Both parties agreed to jointly review the IAA in the autumn of 2016 with a view to identifying improvements for both parties.
- 3.7 In general terms, the IAA has been cost neutral to Brent with income broadly meeting the costs of service delivery. The main financial benefit to Brent has been some shared management costs and a shared business support officer. However, there is no other financial benefit to Brent from the existing arrangements, despite the original aims of the agreement. The shared management arrangements have also represented a dis-benefit to Brent, as a result of a dilution of management focus on Brent's service and in particular, its capacity to generate discretionary income and new income streams.
- 3.8 The Barnet service is provided from Hendon Town Hall (previously from a building in Burnt Oak) and is thus geographically distant from Brent's Registration and Nationality service which is based at the Civic Centre. Both the Brent and Barnet teams are small with circa 14 staff located at each office and the geographical distance of the sites has proved to be a major constraint in utilising staff in a flexible way across the shared service. Both services are open to residents for 7 days a week and the vast majority of duties are required to be carried out face to face with residents. The size of the teams and geographical distance between the two offices has prevented the development of shared resources, other than at managerial level.
- 3.9 In evaluating the relative merits of continuing with the IAA, consideration has been given to the recent decision by the Home Office to cease commissioning discretionary services from local authorities from October 2018. This means that local authorities will no longer be carrying out nationality checking, the European Passport Return Service, Joint Passport and Citizenship and Settlement checking.
- 3.10 This change will result in a reduction to discretionary fee income for Brent although there may be continued demand for chargeable assistance for completion of digital forms, signposting and guidance. There will also be a concurrent reduction to Barnet's discretionary fee income.
- 3.11 A detailed impact assessment for this change is currently being carried out, including evaluation of other income generation opportunities and a review of staffing levels based on revised workloads. The geographical distance between Brent and Barnet offices and the fact that both services are now open

for 7 days a week, means that there is a very limited opportunity for utilising resources across both sites. Additionally, as there will be an increased gap between income and expenditure for both Brent and Barnet, it is anticipated that Brent will need more focussed management on the Brent service, rather than diluting this across two local authorities.

- 3.12 Having evaluated the IAA both in terms of the current financial implications for Brent, as referred to within Section 4 (Financial Implications) of this report and with reference to the changes outlined in paragraphs 3.9 and 3.10 above, Officers are of the opinion that the interests of Brent and its Council Tax Payers would be best served by ending the existing IAA and instead focusing their efforts exclusively on the Registration and Nationality Service provided for Brent residents and seeking to maximise the provision of discretionary services within the confines of any statutory constraints.

#### **4.0 Financial Implications**

- 4.1 If the recommendations within this report are agreed, financial implications arising are anticipated to amount to £52,500 per annum representing the additional cost of two full time posts where the role is currently shared between Brent and Barnet (i.e. Head of Service and Business Information). However, it is intended that a review of the organisational management arrangements will be conducted to mitigate against this cost and to seek to recover any additional cost that may arise as a consequence from discretionary service income within the confines of statutory constraints. There are also anticipated to be annual savings of approximately £6,000 per annum resulting from the cessation of services not currently charged to Barnet which may be offset against the above amount.
- 4.2 It is anticipated that there will be “one-off” transition costs, currently estimated to be in the region of £8,000. These can be funded through existing earmarked reserves allocated to Customer Services.

#### **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 Contractual Implications**

- 5.2.1 Brent Council may terminate the agreement by giving Barnet not less than six months’ prior written notice. Consequently, if the recommendations in this report are approved, a written notice will need to be served on Barnet in the manner and format provided for under the terms of the IAA.
- 5.2.2 Additionally, there will be obligations on both parties arising from the exit arrangements in particular relating to staffing, handover, and IT that will need to be considered and addressed.

### **5.3 Public Sector Equality Duty**

- 5.3.1 The public sector equality duty, as set out in section 149 of the Equality Act 2010, requires the Council, when exercising its functions, to have “due regard” to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, 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 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.
- 5.3.3 There is no prescribed manner in which the council must exercise its public sector equality duty but having an adequate evidence base for its decision is necessary. Members are referred to the contents of this report for information, in particular the Equality Analysis at Appendix A and Section 6 of the report.

### **5.4 TUPE and Pensions**

- 5.4.1 If agreed, the recommendations within this report would constitute a service provision change and therefore would be subject to the Transfer of Undertakings (Protection of Employment) Regulations 2006 as amended by the Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014.
- 5.4.2 Appropriate pension arrangements will also need to be made for any Brent staff that are to transfer under TUPE to Barnet. The nature and extent of these requirements will be dependent upon the number of Brent personnel transferring. If there are ten or more, there will be a need to provide for a bulk transfer payment and the services of the Council’s actuary to determine the payment amount for this purpose will need to be obtained. Any Brent personnel transferring to Barnet who are members of the Local Government Pension Scheme (LGPS) will be entitled to continue their membership. Any other transferring personnel that are not current members of the LGPS, will be eligible to join the scheme at Barnet if they wish.

### **6.0 Equality Implications**

- 6.1 In considering the recommendations submitted within this report, an Equality Analysis (please see Appendix A) 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.

- 6.2 The analysis currently indicates that with the exception of one management post, there is no potential adverse impact anticipated. Officers will continue to monitor the impact from the proposal as the parties move closer to the transfer date.
- 6.3 As the service for Brent residents will continue to be delivered in the same manner as at present with no change in locality or service offering, it is not currently anticipated that there will be an adverse impact on residents.
- 6.4 Any equalities implications arising from the recommendations in this report will be considered and assessed as further data / information is obtained or becomes available during the decision-making process.

## **7.0 Consultation with Ward Members and Stakeholders**

- 7.1 As this report affects all wards, consultation with specific ward members has not been conducted. As service delivery will remain unchanged for Brent residents, consultation with Brent stakeholders has not been conducted.

## **8.0 Human Resources / Property Implications**

- 8.1 Paragraph 5.4 of this report sets out the general TUPE and Pensions requirements arising from the recommendations in this report. There are however, no current plans to change the organisational structure in consequence of the recommendations set out within this report, with the exception of one management post, the precise impact of which will be determined closer to the transfer date.

**Report sign off:**

**ALTHEA LODERICK**  
Strategic Director of Resources

## Appendix A – EIA Screening

### Equality Analysis – Shared Registration and Nationality Service with Barnet

#### 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 to cease the current shared Registration and Nationality Service with Barnet.

The key features of the proposal are as follows:

To terminate the existing Inter Authority Agreement (IAA) for the service and to transfer any relevant Brent personnel to Barnet Council under the TUPE provisions.

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

Residents – However, as the current service offer for such residents will continue unchanged, there is no potential adverse impact currently anticipated.

Staffing – With the exception of one management post-holder, there are no plans arising from the proposal to change the organisational arrangements. There is however the potential for an adverse impact in relation to one management post-holder. The precise impact of the proposal will be determined closer to the transfer date.

External Stakeholders – The General Register Office (GRO) will need to be made aware of the change as will software suppliers for the service.

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

The proposal is not currently anticipated to impact on residents in different ways because of their equality characteristics as the service is not intended to change.

However, there is currently a potential that one Brent management post-holder may be affected by any organisational management change undertaken as a consequence of the proposal. This will be kept under review subject to the decision taken to ensure that any potential impact arising is identified, 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**

It is not currently anticipated that there will be a potential for a disproportionate impact on Brent personnel (i.e. those staff not transferring to Barnet under TUPE) because there are no plans to change the organisational structure in consequence of the proposals set out within the report, with the exception of one management post.

**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?**

Yes – residents accessing the service may be from within the following protected characteristic groups:

Race, Religion or belief, Age, Sexual Orientation, Marriage and Civil Partnership, Maternity and Pregnancy.

**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 for residents, as the proposal is not anticipated to change the service offering and delivery.

However, the proposal may be sensitive or important for the post-holder that may be affected by the proposals.

**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

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

**Recommend this EA for Full Analysis?**

No, as there is only one post-holder potentially affected by the proposals that may be subject to an adverse impact.

 <b>Brent</b>	<b>Cabinet</b> 11 December 2017
	<b>Report from the Strategic Director of Community Wellbeing</b>
<b>Acquisition of land at 136 Honeypot Lane</b>	

<b>Wards Affected:</b>	Queensbury
<b>Key or Non-Key Decision:</b>	Key
<b>Open or Part/Fully Exempt:</b> <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Part Exempt - <b>*Appendices 1 &amp; 2 are not for publication</b> as they contain the following category of exempt information as specified in Part 3, Schedule 12A of the Local Government Act 1972, namely: <i>“Information relating to the financial or business affairs of any particular person (Including the authority holding that information)”</i>
<b>Reasons for Urgency:</b>	The site recently came onto the market, and the terms were not agreed with the vendor until 20 November '17. The vendor requires exchange of contracts before Christmas.
<b>No. of Appendices:</b>	2
<b>Background Papers:</b>	Analysis of future requirements for older persons Extra Care housing
<b>Contact Officer:</b>	Jon Burgoyne NAIL Programme Manager Tel: 020 8937 4216 <a href="mailto:jon.burgoyne@brent.gov.uk">jon.burgoyne@brent.gov.uk</a>

## 1.0 Purpose of the Report

- 1.1 To secure urgent Cabinet approval for the acquisition of land at 136 Honeypot Lane as a site for NAIL (New Accommodation for Independent Living) Extra Care housing. As part of terms of sale the vendor requires that exchange of contracts takes place before Christmas.

## **2.0 Recommendation(s)**

- 2.1 That Cabinet make provision to meet future Extra Care housing needs in the borough through investment in land which is suitable to meet local needs, and in a location that promotes the wellbeing of customers.
- 2.2 That Cabinet agrees to buy the land at 136 Honeypot Lane at the price disclosed in the confidential Appendix 2, subject to the Strategic Director of Resources being satisfied that appropriate due diligence checks have been carried out.

## **3.0 Detail**

### Background

- 3.1 The NAIL Programme is a strategic Council project to deliver new accommodation options for people with high care and support needs, including Extra Care housing. The NAIL Programme will deliver at least 700 new units of accommodation, to provide alternatives to residential and nursing care by the end of 2020/21.
- 3.2 Projected requirements for Extra Care housing for older persons with care and support needs indicate a need for an additional 20 units per annum from 2021 onwards assuming that all planned acquisitions and Extra Care developments are successful. There are currently no sites allocated for the development of Extra Care housing to enable ASC to meet these additional needs beyond 2021. See Background Paper : 'Analysis of future requirements for older persons Extra Care housing' for further detail.

### Site details

- 3.3 136 Honeypot Lane NW9 9QA is a site formerly used as a residential care home ('The Willows'), owned and operated by The Abbeyfield Society. The original building was a 1980s block with single rooms and shared facilities which no longer met Adult Social Care (ASC) commissioning standards.
- 3.4 In Sept 2017 Brent Planning granted permission (17/1829) for 'Demolition of the existing care home building and redevelopment of the site comprising the erection of a five-storey building providing 50 self-contained flats (4 studios, 11 x 1-bed, 23 x 2-bed and 12 x 3-bed) with associated basement level car and cycle parking space, bin stores, amenity space and landscaping. This was subject to a S106 agreement to provide 10 units 'affordable intermediate housing' i.e. shared ownership.
- 3.5 The site is well-situated in terms of the residential area, and links to local facilities, and was previously identified as very suitable for Extra Care housing. It has the potential to serve an area in the north of Brent which currently has no planned NAIL Extra Care housing.

- 3.6 It is important that Extra Care housing is situated in areas that serve local communities, and maximise opportunities for occupants to maintain local connections, and the informal support networks which have been shown to be an important factor in maintaining wellbeing.
- 3.7 The site has access to considerable 'green space' and meets the general site requirements for the 'HAPPI' standard for Extra Care developments which is advocated by the GLA, and which has proved challenging to meet within Brent.
- 3.8 In principle discussions with Brent Planning suggest that an alternative mix of units suitable for Extra Care housing could allow for 60 self-contained flats plus communal and staff areas within the approved planning footprint.

However there would be options to consider alternative mixes of accommodation that would be advantageous to the Council, other than just using the site exclusively for NAIL accommodation.

- 3.9 The site was marketed in October by Savills, and is being sold freehold with vacant possession. An offer was accepted subject to the Conditions of Sale detailed in Appendix 2 – Notification of Sale.

#### **4.0 Financial Implications**

- 4.1 The costs relating to the acquisition of the land combined with a potential 60 unit NAIL development can be found in the confidential details within Appendix 1.
- 4.2 NAIL Extra Care housing generates average revenue savings of £332 per person per week in comparison to traditional residential or nursing care placements. A scheme comprising 50 units would therefore generate revenue savings of £0.86m p.a., and a scheme comprising 60 units would generate revenue savings of £1m p.a.
- 4.3 Overall, the acquisition of the land in combination with a 60 unit NAIL development would produce a scheme where the cost of capital (Interest and repayment of borrowing) would be outweighed by the savings generated.

#### **5.0 Legal Implications**

- 5.1 Section 120 of the Local Government Act 1972 allows the Council to acquire land by way of agreement for any of its functions or for the benefit, improvement or development of its area. Section 111 Local Government Act 1972 gives the Council powers to do anything which is conducive to the discharge of any of its functions. The Council has a duty under the Housing Act 1996 to provide housing for vulnerable adults.
- 5.2 Prior to exchange of contracts the necessary due diligence checks and searches will be undertaken to ensure that the Council will acquire a good and marketable title.

## **6.0 Equality Implications**

- 6.1 The equality analysis for the NAIL Programme found that from a protected characteristic point of view the NAIL schemes have a positive impact, as having a home of your own gives more individual choice and control than in a care home (over how it's decorated, furnished, food you eat, how you spend your day, and more personal space to have visitors) and the range of communal facilities enable greater levels and opportunities for social activities.
- 6.2 It was noted that in residential care, older adults from local BAME (black Asian and minority ethnic) communities were under represented, anecdotally this does not appear to be the case in Extra Care housing with an increasing number of referrals from the BAME communities.

## **7.0 Consultation with Ward Members and Stakeholders**

- 7.1 Not applicable.

## **8.0 Human Resources/Property Implications (if appropriate)**

- 8.1 Not applicable.

**Report sign off:**

**PHIL PORTER**

Strategic Director of Community Wellbeing.

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

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of the Local Government Act 1972.

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## **Background Paper**

### **Analysis of Brent's future requirements for older persons Extra Care housing**

#### **Conclusions Summary**

Brent is moving from an institutional care homes placements model to Extra Care housing, meeting a growing care need for older people to be accommodated in Extra Care whilst retaining a smaller number of people in Registered Care and Nursing Homes.

Current Extra Care provision needs growing in line with the demand.

Brent has a large population over the age of 50 with 40% being aged 50-65%. This demographic anomaly suggest that the large numbers of residents needing care will present within the next two decades as this cohort ages.

Further 120 units of Extra care accommodation are needed by 2019-20

To maintain ratio of 4:6 between Extra Care and residential a further 190 units of Extra Care Accommodation will be needed by 2030

To keep pace with the increased demand 20 units of accommodation should be added every year from 2020-30

New projects should be taking into account reablement and the need for step down accommodation for people leaving hospitals.

Out of the 176 units in the existing Extra Care projects, Beachwood Court (20 flats, or 11% of the capacity) is the only dementia friendly/specialist service. It is consistently oversubscribed. Wandering in the community seems to be the most common reason for placing people in institutional residential setting even when personal care, mobility and independent function are not diminished.

Between 2014 and 2030 the total population in Brent estimated to have dementia is projected to rise from 2,369 to 3,857 (63% over this period).

Brent has a population of 262 clients with Mental Health problems receiving accommodation based support. As this population is ageing, living longer and presenting with personal care needs on top of specialist mental health needs (although mostly treatment and management stable) they are becoming a distinct group. There are currently 19 people within this characteristic on the waiting list for Extra Care. (10-15%)

#### **Methodology and data analysed**

1. Demand for Extra Care Accommodation in Brent over the twelve month period with 176 units of accommodation in existing schemes and the prospect of 99 flats block in Visram House
2. ONS estimate for population demographic change 2015-30
3. Housing LIN Shop Tool comparing Local and national demographic and extra care supply data
4. POPO, INS, 2016 projection based on ONS census data released 2014
5. JSNA 2015 Brent Overview report
6. JSNA 2015, Brent, report extract on Dementia

Radomir Lazarevich - NAIL Independent Living Coordinator 10/11/17

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	<b>Cabinet</b> 11 December 2017
	<b>Report from the Strategic Director of Community Wellbeing</b>
<b>London Housing Strategy Response</b>	

<b>Wards Affected:</b>	All
<b>Key or Non-Key Decision:</b>	Key
<b>Open or Part/Fully Exempt:</b>	Open
<b>No. of Appendices:</b>	1
<b>Background Papers:</b>	None
<b>Contact Officers:</b>	Hakeem Osinaike Operational Director of Housing 020 8937 2023 <a href="mailto:hakeem.osinaike@brent.gov.uk">hakeem.osinaike@brent.gov.uk</a>  Tony Hirsch Policy and Strategy Manager, Housing Partnerships 020 8937 2336 <a href="mailto:tony.hirsch@brent.gov.uk">tony.hirsch@brent.gov.uk</a>

## 1.0 Purpose of the Report

- 1.1 This report advises Cabinet of the Council's response to the Mayor's draft London Housing Strategy. Reporting deadlines and the deadline of 7<sup>th</sup> December for submission of responses mean that it has not been possible to present a report to Cabinet prior to this meeting, but the draft response has been considered at CMT, PCG and Leader's briefing and has taken on board discussion at those meetings. Given the importance of the London Housing Strategy in driving future housing policy in London and the need for the Council's own strategies to demonstrate general conformity with it, it is important that Cabinet should be aware of the draft proposals and the issues identified in the response. The final strategy will be published in spring 2018.
- 1.2 The draft London Housing Strategy sets out a range of policies, principally concerned with increasing housing supply but also covering the private rented sector, homelessness and rough sleeping and indicating how the Mayor will seek to work with the boroughs, housing providers and the wider housing sector. It also provides a position statement for the Mayor to lobby Government on a number of housing and related matters. The strategy sets out expectations on councils for local delivery, and promises a package of financial and professional support to assist.
- 1.3 The response is set out in Appendix A and draws on a series of workshops and discussions with senior officers across departments as well as at the meetings noted above.

## **2.0 Recommendations**

2.1 Cabinet notes the response.

## **3. Detail**

3.1 The London Housing Strategy (LHS) sets out the Mayor's plans and policies for housing. It is a companion document to the London Plan, which sets out his planning policies for housing and other areas. Brent's strategies and policies for housing and planning are expected to demonstrate general conformity with the Mayor's published approach.

3.2 The LHS is structured around five priorities:

1. Building Homes for Londoners
2. Delivering Genuinely Affordable Homes
3. High Quality Homes and Inclusive Neighbourhoods
4. A Fairer Deal for Private Renters and Leaseholders
5. Tackling Homelessness and Helping Rough Sleepers

3.3 In very broad terms, the LHS covers areas where the Mayor has significant powers and responsibilities, for example around planning and housing supply. It also covers areas where the Mayor will be reliant on others to deliver, for example homelessness and private renting. There are other areas where the Mayor is relying on government for legislative, regulatory or policy change. The need for government intervention introduces an element of uncertainty, since the Mayor's ambitions depend on shifts in government policy in some key areas, notably the call for significantly increased resources for the Affordable Homes Programme to deliver genuinely affordable rented homes, the call for a relaxation of local authority borrowing constraints, the call for further devolution of powers and resources to London and the call for changes to welfare policy. Although there have been signs of some realignment of national policy, including a recognition of the need to provide more affordable homes, there are no clear indications that government is willing to go as far as the Mayor would like. In that case, delivering the strategy in full will present real challenges. Having said this, the strategy sets out a policy framework that chimes well with Brent's approach and priorities in most respects and there is therefore much that is welcome. The response emphasises this while concentrating on the areas where the council has concerns, would welcome more detail or would wish the Mayor to go further. The key points are summarised in the following paragraphs and covered in detail in Appendix A.

3.4 A key concern for Brent is the Mayor's aspiration for outer London Boroughs to be a significant provider of the additional housing that London requires, set out in Chapter 3 of the document. The revised London Plan, the draft of which is due to be published imminently, will identify the Borough's housing targets, plus associated priority locations within boroughs, but this is foreshadowed in the LHS and is therefore addressed in the response. The policy direction identified in the strategy is not unexpected: limited greenfield land availability, plus the Mayor's manifesto promise of not encroaching into the Green Belt means identifying potential housing opportunities on sites currently used for one purpose or another. Outer London boroughs are where there are likely to be more limited built environment designations, such as conservation areas, lower existing densities and comparatively cheaper locations provide an obvious solution. In addition,

increasing density, partly through building higher, has long been acknowledged as an almost necessary outcome of London accommodating its housing needs.

- 3.5 For the most part, existing London Plan policy has been beneficial for Brent in terms of its regeneration and Brent has played a positive role in increasing London's housing supply. Recognising the challenges that its population face in terms of meeting their housing needs, plus the regenerative benefits associated with supporting new housing, the Council has had a positive approach to meeting challenging, but ultimately evidence based London Plan housing targets. Although a housing target for Brent is not identified in the draft strategy, the Council has recently received draft figures which will inform the London Plan that indicate the potential for Brent to accommodate an average additional 2915 dwellings per annum for the next 10 years. Some other Boroughs (notably outer London) have been impacted by similarly high increases as the Mayor seeks to raise the delivery total from 42,000 to 66,000, while some may see a reduction in current targets.
- 3.6 Whilst the Council will have the opportunity to address this matter in responding to the draft London Plan, if the identified capacity results in an increased housing target of this size, then in order to register the magnitude of its concerns the response to the draft strategy addresses this issue. In particular this element of the response focusses on:
- a) the need for the Mayor to lobby at a national level for a revision to ensure a joined up approach to planning in the South East. The current duty to co-operate mechanisms are not an effective way to strategically plan for meeting London's housing and economic needs;
  - b) the fact that whilst Outer London Boroughs understand and support the provision of additional homes to meet London's housing needs, the targets set need to be proportionate and evidence based reflecting realistic capacity on sites likely to be available and the capacity to deliver from the market and public sectors; and
  - c) sufficient flexibility needing to be provided in London Plan policy for Strategic Industrial Land and Locally Significant Industrial Sites to be used for a wider range of uses and more intensively, including residential development, where this does not lead to an overall loss of B1, B2, B8 or Sui Generis floorspace, or alternatively generates higher employment numbers.
- 3.7 It is also worth stressing here that the response emphasises the fact that Brent is the 5<sup>th</sup> most densely populated borough, with high levels of need and demand coupled with high house prices and rents. In these and other respects, Brent has much more in common with inner than outer London. In particular, the response raises concerns over the proposed restrictive approach to employment land, given Brent's high level of Strategic Industrial Locations, the assumptions on delivery of small sites, where there is doubt over the potential pace and scale of development and the assumptions on delivery timescales overall, which appear over-optimistic.
- 3.8 The remainder of Chapter 3 covers a range of proposals to increase and accelerate housing delivery. These include increased support for Build to Rent, an approach which Brent has also taken, although the proposed response urges to Mayor to consider how he can support the wider private sector, particularly in its role as a key provider of temporary and permanent housing solutions for boroughs,

a point also emphasised in the respect of Chapter 6, which covers private renting. The response is supportive of the Mayor's proposals to diversify the development industry and, in particular, to support local authorities to deliver new homes. On this point, the response also calls on the Mayor to go further in his call for changes that would enable better use of Right to Buy receipts and to urge further change to the Right to Buy, including the option of extending the qualification period, possibly in relation to new homes built by councils if wider reform is not achievable. The other key concern in this chapter is the proposal to change local labour schemes so that they operate on a pan-London basis. Given that Brent is active in this area, with a strong focus on local employment, there are fears that opening up schemes to all London residents could weaken their impact in the borough.

- 3.9 Chapter 4 addresses the need for more affordable homes and, while recognising that the introduction of the 35% affordable housing threshold in planning agreements is a pragmatic response to market and funding conditions, the response supports long term adherence to the 50% target and a continued emphasis on a 70:30 rented to intermediate housing split. The response also emphasises the acute affordability issues in Brent and the importance of a mix of new affordable housing that matches local needs, in particular for homes at London Affordable Rents or similar levels, and calls for some flexibility in the 35% threshold for viability assessment where a scheme delivering below this level could deliver more rented homes as opposed to intermediate options.
- 3.10 Other key points in this Chapter address the effectiveness of bespoke housing solutions for under-occupying households seeking to downsize and the need for flexibility in the Mayor's approach to estate regeneration that involves displacement of tenants or leaseholders. Cabinet has recently approved proposals for a new approach in Brent that goes further than the Mayor's guidance in many respects and represents best practice in this area.
- 3.11 Chapter 5 covers a range of policies on design and quality. A detailed design guide will be published, although there is no specific date as yet, and may address some of the questions raised in Brent's response. While the majority of proposals can be unequivocally supported, there are some areas where further detail would assist. The main focus for the response is on proposals for social infrastructure. While essential in supporting development, policy here could be clearer and recognise the associated costs, particularly with regard to provision for older people, while also acknowledging that quality and relevance of provision is more important than quantity.
- 3.12 Although the statement is very general, this chapter also calls for improved provision for Gypsies and Travellers. Brent's response suggests that the Mayor could go further here, taking direct control at the regional level in recognition of the variable provision across London and the difficulty in identifying suitable new sites. Finally, the Mayor calls for a reduction in the acceptance of cash in lieu payments in connection with planning agreements and greater transparency over the use of receipts. While this is supported, Brent's response suggests a need for flexibility where cash in lieu can demonstrably deliver more appropriate solutions than on-site provision, based on a test that considers outcomes and deliverability.
- 3.13 Chapter 6 is concerned with the private rented sector and leaseholders, areas where the Mayor's powers are more limited. Overall, the policy proposals are helpful but, as noted above, the strategy could give more attention to supporting local authorities and the sector to work together in providing temporary and

permanent housing options, a point also made with regard to chapter 7 on homelessness. Specifically, the response calls on the Mayor to consider how landlords can be incentivised to do more to improve access to the sector and deliver improvements to the stock. The Mayor calls for devolution of the power to approve licensing schemes and, while this is supported in principle, the response notes the risk that a different Mayor could take a less supportive approach in the future.

- 3.14 The final chapter addresses homelessness and rough sleeping, taking an approach that is already strongly embedded locally, for example through the Trailblazer projects preparing for the implementation of the Homelessness Reduction Act next year. The policy proposals in this chapter are considered helpful, but the response calls on the Mayor to go further in lobbying government for change in some areas, including the future of the Flexible Homelessness Support Grant and the need for long-term clarity and recognition of real costs in the new burdens funding made available in light of the Act.

#### **4. Conclusions**

- 4.1 Subject to the questions and concerns set out in the response, the council should support the overall policy direction set out in the draft strategy and stress its willingness to work with the Mayor to deliver its objectives. As noted earlier, some aspects of the draft strategy, particularly the housing targets for individual boroughs, will also be addressed in the draft London Plan, to which the council will also need to respond. The final London Housing Strategy will be published in spring 2018, while the London Plan has a much longer gestation period and it is possible that the final version of the Plan will require some further amendment to the strategy at some point. Although the publication date is uncertain, government has announced plans for a Housing Green Paper, which is likely to give a better indication of how far government thinking is aligned to the Mayor's and will influence the final version of the strategy.

#### **5. Financial Implications**

- 5.1 The London Housing Strategy is a wide ranging document which points towards various interventions across a wide range of organisations including local government that ultimately could have both positive and negative financial impacts on the Council. The impacts are currently unquantifiable. Any recommendations to consequentially adapt Council policy or practises with their associated financial implications will be addressed through relevant Cabinet decisions.

#### **6. Legal Implications**

- 6.1 Any changes to Council policy taking account of the implications of the Mayor's Housing Strategy and changes to the London Plan are likely to be subject to Cabinet and potentially Full Council decisions with the appropriate level of legal guidance. .

#### **7. Equality Implications**

- 7.1 The Equality Act 2010 introduced a new public sector equality duty under section 149. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race,

religion or belief, sex and sexual orientation. The Council must, in exercising its functions, have “due regard” to the need to:

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

7.2 On the whole, as the consultation seeks to fundamentally address overcoming the lack of housing to meet needs. If taken through to policy and delivery, the proposals are likely to have positive implications for many of the protected characteristics groups. Generally, the majority of these groups are less likely to be able to meet their housing needs on the open market as they are disproportionately represented within deprived households.

## **8. Consultation with Ward Members/Stakeholders**

8.1 None.

## **9. Human Resources/Property Implications (if appropriate)**

9.1 None arising specifically from this report.

**Report sign off:**

**PHIL PORTER**

Strategic Director of Community Wellbeing



## **Draft London Housing Strategy**

### **Response from Brent Council**

#### **1. Introduction**

- 1.1 Brent Council welcomes the opportunity to comment on the draft London Housing Strategy. Overall, the strategy sets out an approach that has the potential to make a real impact on London's housing crisis, especially in terms of accelerating and increasing supply, although it is recognised that it will take time to deliver at the ambitious scale the strategy envisages. Delivery will depend to a large extent on successful partnership working between the GLA, boroughs, RPs and the private sector and we are keen to identify all opportunities to work with the GLA and other partners to achieve local and regional aims. Intervention from government, in terms of resources, legislation and policy, will also be essential and the Council supports the Mayor's calls for change. It is disappointing that the Budget did not propose change at the scale that the Mayor and others have argued for but the Council will continue to back the case for change.
- 1.2 However, we have concerns about some proposals and would welcome further detail on others, while there are areas where we feel the Mayor could go still further in creating the conditions for change. This response focusses mainly on these areas and it should be taken as read that, apart from these, Brent Council supports proposals and policies where not specifically indicated in this document.
- 1.3 This response follows the chapter order of the strategy, although the connections between policies across chapters mean that some points may be referred to more than once.

#### **2. Chapter 3: Building Homes for Londoners**

- 2.1 The Mayor's call for Outer London to contribute a larger number and proportion of dwellings to meet London's housing needs is understood. However, while Brent is considered an outer-London borough, it has far more in common with inner-London areas than with boroughs on the fringe of the capital and bordering the wider South East. For example, Brent is the 5<sup>th</sup> most densely populated borough, with high levels of need and demand coupled with high house prices and rents. Latest analysis suggests that Brent's private rented sector now represents over one third of the housing stock, among the highest proportions in London. Land values, especially in the south of the borough, are also comparable to other inner-London areas, with few suitable areas for further intensification and densification. Brent

has historically had high housing targets and has consistently been one of the higher deliverers of housing overall and affordable housing in particular. This has been a key element in the Borough's ambition to regenerate neighbourhoods and better meet the needs of its population.

2.2 While this is primarily a matter for consultation on the draft London Plan, it is worth stressing here that Brent supports the provision of challenging but achievable targets based on evidence. The capacity of boroughs to meet housing needs will need to realistically reflect local conditions, policies and site-specific requirements. Brent does not consider that the 2017 SHLAA provides a suitable methodology for robustly identifying the capacity of the borough to achieve the 2019/20-2029/30 target that has been proposed. In particular there are three significant elements that are not considered appropriate:

- The proposed restrictive approach to employment land (Strategic Industrial Locations, and Locally Significant Industrial Sites).
- The assumptions on delivery on small sites.
- Assumptions on delivery timescales overall.

### **2.3 The proposed restrictive approach to employment land**

2.3.1 The Council understands the concerns of the London Plan team about the pressures on employment sites as set out in the GLA's Employment Land Study 2017. Clearly, provision of suitable business use class employment premises to help meet London's economic needs is required. Nevertheless, Brent considers that a more rounded approach to the protection of SIL and LSIS employment sites is required, which would provide the flexibility to provide other uses on site, whilst retaining employment provision. The draft strategy itself acknowledges this in Policy 3.1, A (ii) and at 3.24 in its call for co-location and densification. This is an approach that could be applied equally effectively, with suitable safeguards, to SIL. While the council has some concerns about proposals in this area in the budget, in particular the extension of permitted development rights, a more flexible approach has the potential to deliver more.

2.3.2 In Brent's case, significant housing capacity has previously been attained on SIL and LSIS. Provision of employment premises in association with these residential developments has been limited, purely because of a lack of need and therefore no policy requirement to seek it. Nevertheless, taking account of the recent change in GLA approach to employment sites it is clear that many developers will be willing to provide such space in association with mixed use developments. The GLA's own employment land study shows examples of how this has worked in practice, e.g. Travis Perkins King's Cross.

2.3.3 Whilst there is growing pressure for premises to accommodate businesses that are being displaced, this hasn't really been reflected in increases in rents that would encourage investment in new industrial premises in Brent. The reality is many premises are very low quality or used inefficiently but the existing use value compared to potential value if redeveloped solely for employment purposes is sufficient to discourage new investment. Whilst

there are some sectors that will pay very high rents for the appropriate premises, e.g. storage and distribution, others will not and as such it is unlikely there will be the necessary investment in the majority of stock.

- 2.3.4 A greater flexibility on SIL and LSIS moving forward should allow for more efficient use of land by encouraging residential and other uses above employment premises. If done correctly this should not undermine the ability of employment premises to operate and will lead to a better quality of premises. This will assist businesses in improving their performance and need not necessarily result in increased rents if policies also sought to provide sufficient affordable workspace.

## **2.4 The assumptions on delivery of small sites**

- 2.4.1 In Brent's case, the ten-fold plus increase in assumed housing delivery from small windfall sites compared to historic trends and previous SHLAA assumptions is not considered credible. Whilst the London Plan may provide for policies that seek to maximise this capacity Brent does not consider the assumptions on delivery levels robust. The need to set targets that show how the Mayor's ambition to achieve London's housing needs can be met is understood. Nevertheless, incorporation of such high and potentially unachievable targets brings considerable risks to boroughs. In particular, an inability to show delivery of 5 year housing land supply opens up Councils to their Local Plans being marginalised to the detriment of the local community's trust in the planning system.
- 2.4.2 Meeting a much higher target would also require a level of investment from the private sector, supported by public subsidy, far beyond that currently achieved, even in a borough where significant private sector investment has come forward in recent years. Much therefore depends on the government's willingness to provide the scale of investment, particularly to support affordable housing, envisaged in the strategy. The budget announcement of a relaxation of the HRA borrowing cap in areas of high housing stress is welcome but the promised additional capacity will have a limited impact: pending detail on the methodology for identifying which councils might benefit, our initial analysis suggests that, at best, the level of increase envisaged would deliver between 40 and 50 affordable homes. The council will therefore support the Mayor in any further calls for additional resources.
- 2.4.3 The strategy makes a case for more development around town centres and high streets and the budget announcements supporting increased density and intensive development suggest similar thinking at the national level. However, further clarity over what is intended here would be helpful: town centres and high streets are not the same thing and some high streets may be better suited to intensification than others, for example where there are already good transport links and other infrastructure. Brent is already undertaking significant development around high streets, for example in Wembley, but programmes can be complicated by multiple and opaque land ownership and reluctance on the part of freeholders to support development. The council therefore supports the Mayor's calls for extended CPO powers and use of Mayoral resources to support them, proposals for a joint approach to land assembly between boroughs and City Hall and the

identification of incentives to land and business owners and developers in high streets as well as other areas.

## **2.5 The assumptions on delivery timescales overall**

2.5.1 Whilst the ambition for increased housing targets is recognised, there are doubts over capacity to deliver. Changing the current approach through the proposals around private and public sector capacity, land availability, compulsory purchase, skills shortage, funding and so on will take time. In that case, the ten-year capacity identified by the SHLAA would be better considered and the likely number of homes delivered on sites pushed back to take account of the likely reality of implementing delivery changes.

2.5.2 The increased reliance on windfall sites and development in outer London has been noted above but this also presents particular difficulties in terms of timing and the potential pace of development. Collective large scale delivery through a high number of small sites could be complex, drawn out and costly to deliver, while also being disruptive to existing communities, which may provoke local resistance. Currently, development in suburban areas is often piecemeal, involving acquisition and demolition on small sites and the character of suburban areas may not fit well with higher density and taller buildings in many cases.

2.5.3 We would make two further suggestions on tackling the risk of land banking and delays following the grant of planning permission. First, to establish a clear definition of what is meant by “start on site” and expectations for the pace of delivery beyond that point. Second, that the Mayor should urge government to empower local authorities to charge Council Tax on undeveloped land where there is a reasonable expectation that it should have been built out. The government’s announcement of a review offers an opportunity to set out the arguments on the issue, although the council’s view is that the causes are fairly well understood and the review needs to focus on the solutions if it is to deliver any benefit.

## **2.6 The need for a wider South East co-ordinated regional approach to dealing with London’s housing needs.**

2.6.1 Brent’s primary objective is to meet the housing needs of its population and, within this, to provide more affordable and specialist housing. Brent understands the Mayor’s emphasis on the role that outer London boroughs can play and supports a multi-faceted approach.

2.6.2 In terms of planning policy, whilst seeking to meet London’s housing needs within London is understood, the additional target challenge identified by the Mayor is so great that all options need to be looked at. An approach that aims to meet all need within London in the timescales identified is not realistically achievable in the Council’s view. There is a history of planned ‘new towns’ and more recently a broader regional planning process that took account of how the wider South East could help to meet London’s needs. The draft strategy is silent on this point. Currently there is no formal mechanism for the Mayor to input into a wider south east regional spatial approach although London’s influence on Housing Market Areas across the south east is evident and many of these areas provide homes for people working in London. Although similar past announcements have led to little,

the government does appear to be committed to proposals for new garden towns close to London. Although the benefits are likely to be long-term, this provides an opportunity to address aspects of London's need in the way that the post-war new town developments did and the Mayor should ensure that this potential is fulfilled.

- 2.6.3 The current 'duty to co-operate' and process of splitting up the wider south east's planning for housing needs into Housing Market Areas and expecting the GLA to comment on each is ineffective and creates a disjointed approach; it needs to be overcome. England is the only country in Europe where such an ineffective system exists. The Mayor should lobby Government to effectively address London's wider housing and economic needs through an appropriate South East regional planning process; this will be for the benefit of the UK's economic performance, not just London's.

## **2.7 Help to Buy**

- 2.7.1 The announcement of further funding for Help to Buy reinforces its central place in government housing policy. The council welcomes the Mayor's call for a sustainable successor to the product in London that could address some of the problems with the existing scheme. However, the council would also urge the Mayor to take up the wider issue of the scheme's impact on the housing market, in particular the risk that it artificially stimulates prices while imposing a high level of long term debt on purchasers that puts them at significant risk in the event of any fall in values.

## **2.8 Housing Zones**

- 2.8.1 The council welcomes proposals to accelerate development in key growth areas and the continuing emphasis on Housing Zones. Brent is delivering effectively and at scale in its two Housing Zones, both central to our long-term supply ambitions. We would therefore welcome further clarity on how the "strongest Housing Zones" will be defined and the specific measures that will support an increase in the pace and scale of delivery.

## **2.9 Build to Rent**

- 2.9.1 Brent has supported Build to Rent development, including Discounted Market Rent provision and welcomes the Mayor's approach to supporting and expanding the sector. Build to Rent makes an important contribution to raising quality within the wider private rented sector and, through provision of Discounted Market Rent, to adding to the range of broadly affordable products. The Council believes that the sector can play a role in meeting the needs of key workers in the public and other sectors vital to the London economy, a point we would like the strategy to emphasise.
- 2.9.2 At 3.76 and elsewhere the strategy stresses the potential for the sector to deliver London Living Rent. While the council does not disagree with this idea, it is not clear how exactly this would work within the Build to Rent model. For example, is it expected that tenants would be able to buy the home they live in, in line with the general expectations for London Living Rent and has there been any analysis of the impact of the generally higher level of service charges within such schemes as opposed to provision by

Registered Providers? We would welcome more clarity on how this would work in practice.

- 2.9.3 While Build to Rent is an important product for developers in Brent, buy to let is still prominent locally and in London: 70% of new home sales go into the private rented sector. While the role of smaller landlords is considered further in comments on Chapters 6 and 7, the strategy could go further in considering how the sector can be supported in its role as the housing provider for a significant proportion of Londoners. There is also a question as to how far the market might assist in more problematic areas, for example the need for shared housing or HMOs, a part of the market where poor management and conditions are prevalent but which remains an important resource, especially in light of HB restrictions for younger single people. Some RPs and private sector organisations are developing approaches on this and it would be helpful if the strategy took a view on the options available and their applicability to London's needs.
- 2.9.4 Access to Build to Rent is a key question for boroughs. While nomination arrangements may be made for any discounted units, often with priority for key workers or lower income households, a more robust approach could offer benefits. It is suggested that the Mayor could adopt a "cascade" approach similar to that used for shared ownership, with a proportion of units retaining nomination rights to borough residents in the first instance, potentially managed through the Homes for London portal.

## **2.10 Diversifying the Homebuilding Industry**

- 2.10.1 The council welcomes proposals to diversify the industry and to support SMEs. Brent already adopts an approach to CIL similar to that proposed by the Mayor and supports a presumption in favour of development for small sites. The Small Sites, Small Builders programme has the potential to develop approaches that could be applied beyond publicly owned sites and the council would welcome more detail on how SMEs could be supported to compete in the wider market.
- 2.10.2 Strategic partnerships with RPs have obvious potential to accelerate and increase delivery. The strategy also highlights, at 3.90 and elsewhere, the Mayor's intention to work with councils wishing to support higher levels of homebuilding and Brent would be keen to engage. In this context, extending a similar offer of strategic partnership to ambitious local authorities would be helpful, perhaps in connection with the ambition to accelerate and increase delivery in Housing Zones.
- 2.10.3 The council recognises the important role played by smaller and specialist RPs, particularly in a borough as diverse as Brent. The clear expression of support for this segment of the RP sector is welcome, but beyond the suggestion of encouragement for consortia, there is little detail on how this support will be put into practice.
- 2.10.4 The council agrees that, as set out at 3.90, national policy change will be essential in supporting boroughs to deliver. The government has announced a new rent settlement from 2020, although we would urge to Mayor to continue to press for long-term certainty and for further consideration of the impact of welfare reforms on affordability. On the Right

to Buy (RTB), we believe the Mayor could go further. While relaxation of rules on use of receipts, where the council would support 100% retention, would, along with the Mayor's support for changes to HRA borrowing limits, assist in replacing lost stock, the fundamental question of the impact of the RTB in London remains. As it stands, RTB is not only leading to stock loss without adequate replacement, but is also leading some councils to question the value of building new homes that could be sold within a relatively short period. In addition, RTB is increasingly distorting the market through the high level of private renting of former council stock, with around 40% of sold properties ending up in the private rented sector, as well as contributing to housing management issues in areas where such homes are concentrated. Similarly, the government's indication that RTB will be applied to any development approach that takes new homes out of the HRA should be challenged. Brent has set up a company that is purchasing homes to be let at LHA rates but this approach would not be sustainable if these homes were subject to the RTB. It is recognised that this is an issue on which the government is unlikely to be receptive, but there is a case to be made for changes. Among other options, this could include an extension of the qualification period for RTB eligibility to ten years, a right of first refusal to buy back sold homes, the ability for local authorities to impose conditions on subsequent lettings, and a reduction in the discount or the removal or imposition of different conditions for the RTB for new homes developed by local authorities, at least in London.

## **2.11 Increasing the Capacity of the Industry**

2.11.1 Brent's only concern in this section is the proposal at 3.102 for a more flexible approach to local labour requirements. In principle, Brent residents could benefit from opportunities elsewhere in London but we are concerned about the proposal for several reasons. First, Brent has well-developed programmes, using planning agreements and the work of our Employment and Enterprise Team and a range of partners that have been tailored to local needs and the Brent workforce. Other boroughs will have similar approaches, but the scope and scale is variable. Second, the ability to support local labour schemes is a factor in securing support for development by demonstrating wider benefits that may not be viewed as favourably if there is no focus on local priorities.

## **3 Chapter 4: Delivering Genuinely Affordable Homes**

3.1 The council recognises the need for a range of affordable housing products accessible to households on a range of incomes and, along with the policies outlined in the previous and following chapters, the proposals set out here are broadly supported. However, some areas of concern are highlighted below.

3.2 The most recent Strategic Housing Market Assessment has indicated an even higher delivery requirement than the previous exercise, while broadly confirming that around two thirds of this total need to be affordable and around two thirds of that proportion need to be at social rent levels. In the context of high land and development costs and low levels of subsidy, this total, and particularly the desired proportion of social or equivalent rented homes, will be extremely difficult to achieve. The Mayor's long-term adherence to the 50% target, within which the council would wish to see a

continued commitment to an overall 70:30 rented/intermediate split, is welcome. At the same time, the introduction of the 35% threshold and the associated approach to viability is a pragmatic response, although it would also assist if the Mayor would make a clear statement that arguments over residual land values are not an excuse for failure to deliver. Our concern centres on the mix and balance of products that is being and will be delivered.

3.3 Affordability is an issue on which Brent has more in common with inner-London and is a central question for Brent's own housing policies. The draft strategy identifies a spectrum of affordable housing products, ranging from social rent to Discounted Market Rent (DMR) and affordable home-ownership and the council is clear that all of these can and should play a role in meeting local demand. However, our experience, reflected across London, is that a broad definition of affordability that encompasses higher cost products has meant that these products have become the default option for many developers. Recent schemes coming forward for planning, including those within the OPDC area, have routinely included little or no rented housing, even at Affordable Rents, offering mainly, or sometimes exclusively, intermediate or similar options as the contribution to affordable housing.

3.4 The Council has commissioned research on affordability in the borough from Cambridge University which, together with our own analysis of need, is informing the development of our approach and our view on the range and mix of products best able to meet need in the borough. Our findings suggest that market products are beyond the means of the majority of households on our waiting list and in temporary accommodation and a large proportion of the much larger number of households seeking suitable and affordable housing. For many of these households, the same is true for intermediate products such as shared ownership or DMR. Our primary need is for rented housing at or close to target rents, meaning that London Affordable Rent or its equivalent is the most desirable solution for many households, alongside London Living Rent for those seeking to buy in the longer term. To illustrate this, the examples below show the proportion of households that cannot afford to rent without Housing Benefit. While this is a particular approach to defining affordability, the council takes the view that ability to meet the rent without support is a good indicator of whether a home is genuinely affordable in the long term. It should also be stressed that affordability for larger homes is even more stretched than in the two bedroom property examples below.

- Couple with one child (2 bedroom property)
  - 25% of couples with one child cannot afford the average 2 bed LB Brent social rent without housing benefit
  - 56% of couples with one child cannot afford the LHA rent in NW London without housing benefit
  - 56% of couples with one child cannot afford the average 2 bed Affordable Rent without housing benefit
  - 39% to 45% of couples with one child cannot afford 60% of open market 2 bed rents
  
- Lone parent with one child (2 bedroom property)

- 66% of lone parents with one child cannot afford the average 2 bed LB Brent social rent without housing benefit
  - 91% of lone parents with one child cannot afford the LHA rent in NW London without housing benefit
  - 91% of lone parents with one child cannot afford the average 2 bed Affordable Rent without housing benefit
  - 85% to 87% of lone parents with one child cannot afford 60% of open market 2 bed rents
- 3.5 It is recognised that significant new investment will be needed to alter the picture and the Mayor's calls to government on this are fully supported. Similarly, the council welcomes the Mayor's commitment to support innovation and new options, alongside his support for new building techniques. The council is extending its own development programmes, both directly and through our new vehicle, I4B, and is keen to work with the Mayor to identify ways in which further expansion can be achieved. In particular, the council welcomes the recognition that a more flexible approach to grant may be needed when funding supported housing.
- 3.6 While supportive of the 35% threshold, Brent would like to see some limited flexibility that could assist in improving the balance of new supply. To illustrate this, from Brent's perspective a scheme offering 30% affordable housing all at London Affordable Rent would be much more valuable than a scheme offering 35% shared ownership or DMR. While this is a hypothetical example, the council would ask the Mayor to acknowledge that some flexibility over the threshold could be available where there are clear benefits in terms of the housing mix and its fit with local need. A related point is made in connection with cash in lieu payments in the comments on Chapter 5.
- 3.7 Proposals on mobility, and downsizing in particular, are welcome but could go further in supporting development specifically tailored to the needs and wishes of under-occupiers. Research suggests that the quality and location of a new home and ability to influence design and fitting out is a far more persuasive option for under-occupiers than financial incentives. Bespoke schemes have already been delivered in some boroughs and Brent is in discussions with a developer over a scheme for active elderly households aimed at this group. As well as delivering appropriate housing solutions for these households, such schemes can open up much-needed social rented homes for letting and the Mayor should consider how best such projects could be supported, including through flexible use of grant.
- 3.8 It is recognised that the impact on meeting housing need of asset management policies should be considered carefully. Brent's approach does allow for sales in some circumstances, particularly where this could increase resources to deliver new homes, and it will be important that local authorities retain control in this area, while having proper regard to the Mayor's position. Brent shares the Mayor's opposition to Pay to Stay and has no plans to adopt it.
- 3.9 The draft strategy reiterates the Mayor's guidance on estate regeneration schemes and Brent is broadly supportive of his proposals. However, as the council pointed out in its response to the guidance, there are areas where

the Mayor could go further, while it is essential to recognise the realities and economics of such schemes. While the principle of like-for-like replacement of demolished homes is sound, this may not always be appropriate or achievable. For example, occupation is not always in line with the size of an existing home: under-occupation or overcrowding are common, meaning that a simple definition of “like for like” is not possible in terms of the housing needs of affected households. Similarly, and as the draft strategy and the guidance recognise, it is not often possible to exactly replicate rent levels and values of new leasehold homes are almost always higher than existing properties. Suitability of the alternative offer, which might be of a larger or smaller home, possibly in a different area and at a different cost, is a better basis for policy and a bespoke offer agreed with the community from the start should be the aim. Having said this, the principle that there should be no loss of affordable housing is supported.

- 3.10 Brent has recently reviewed its approach in this area and, in the council’s view, now offers a range of options that go further than the Mayor’s guidance in seeking to protect the interests of displaced tenants and leaseholders. One specific example, not unique to Brent, is the offer of a shared equity option, more affordable than shared ownership in removing the requirement for rent charges on the unsold equity and protecting the council’s interests through repayment when the property is sold. It is suggested that this is a model that the Mayor could actively promote, not only in the context of estate regeneration but more widely as a more affordable alternative to shared ownership, potentially with some support through the Affordable Homes Programme to cover up-front costs.

#### **4. Chapter 5: High Quality Homes and Inclusive Neighbourhoods**

- 4.1 The case for changes to VAT to encourage repairs and improvements by home owners and private landlords has been made for many years and the council fully supports the Mayor’s call for action on this, particularly with regard to the private rented sector. At 5.29, the strategy calls on government to provide tax relief on expenditure by landlords that improves environmental performance but Brent would like to see this call expanded to cover all improvements as well as repairs. Similarly, the call for simplified planning arrangements for homeowners seeking to improve or extend could also be applied, with suitable safeguards protecting tenant interests, to private landlords. As with other measures that might assist private landlords, Brent would ask the Mayor to consider how such benefits could be linked to participation in accreditation or licensing programmes.
- 4.2 In terms of design, the strategy could say more on some issues, for example utilities in buildings such as broadband access, healthy and green design, rubbish disposal and recycling (although it is appreciated that these may be addressed in the planned design guide).
- 4.3 In this context and anticipating further guidance, there is a general point to be made about the role of design and quality in ensuring that homes offer affordable living as well as affordable rents, for example through reducing energy costs. The Build to Rent sector, for example in the TIPI developments in Wembley, provides a model in which all costs are included in rent payments, providing certainty over the true costs of occupation and this could be applied more widely, for example in developments for older

people. It should also be recognised that design requirements have cost and price implications. This is particularly the case in providing for “ageing in place” by building in future adaptability and in schemes such as extra care, where provision of internal and external shared and amenity space, added to the revenue costs of support, will impact on rent charges. This needs to be recognised in subsidy provision, as noted earlier and it is appreciated that the strategy recognises the need for flexibility.

- 4.4 In considering design, there is a particular need to address standards in housing for older people, where there are challenges around, for example, mitigating the risk of isolation in supported housing and extra care. While the HAPPI Standard is in place for extra care, it is ambitious and expensive to meet in London. On a related point, although density is addressed in earlier chapters, there is a concern that a drive to higher density could conflict with older people’s needs, for example in terms of shared/public space and accessibility and design guidance needs to consider this. It may also be the case that provision for older people is best located in the kind of high street settings envisaged for more intensive development in earlier chapters, given accessibility to transport and local amenities and services.
- 4.5 The council supports the Mayor’s call on government to raise the maximum Disabled Facilities Grant to £45,000 and encourage RPs to invest their own resources in adaptations.
- 4.6 It is clear that the needs of Gypsies and Travellers are not adequately met. Even in boroughs where sites are provided, such as Brent, demand outstrips supply but identifying and developing new sites is difficult and, it must be acknowledged, frequently subject to significant opposition. Given the lack of consistency across London, it is suggested that the Mayor should seek to take direct responsibility for this area at the regional level.
- 4.7 The council welcomes support for community-led solutions and the establishment of the Community–Led Housing Hub. Like other boroughs, Brent has received a small amount of government funding and is supporting a community group to explore options, but the resources available can only support research and capacity building, not actual development. The council therefore welcomes the Mayor’s commitment to investment in this area but suggests that, if it is possible to secure a share of the Community Housing Fund, this should be devolved to borough level, where partnerships are already in place or development.
- 4.8 Brent recognises the importance of social infrastructure in creating sustainable neighbourhoods. Clearly, provision will vary according to the type of development, its location, its occupancy, its links with existing facilities and services and other factors but it would be helpful if the draft strategy gave an indication of the Mayor’s expectations here. Brent’s Local Plan looks at the impact of population increase and assumes some community space, health facilities, open space and so on and Brent’s flexible approach to CIL allows for some funding to go to neighbourhood projects as well as strategic infrastructure such as schools and transport. However, the council’s view is that the key question is not the amount of space devoted to social infrastructure but the quality and relevance of service provision. It is also essential to recognise the revenue costs involved and identify how these will be met. In Brent for example, there is

high demand for nursery provision and there is a community appetite to use and fund resources. It is also the case that the private sector increasingly controls and manages community/public space, raising issues about access and use. There is also a growing market for community hub settings that can combine retail and commercial or other uses as well as community space. Brent Civic Centre is an example of this approach, with the council achieving efficiencies through a single location for most staff and services while combining retail and community facilities.

- 4.9 Brent is in favour of the publication of viability assessments and the Mayor's calls for greater transparency in the market. In general, the Council also supports proposals around acceptance of cash in lieu in planning agreements. Brent does not use this option very often and receipts are generally ring-fenced to capital spending but there should be flexibility where a cash sum could provide benefits compared to on-site provision. For example, there may be cases where cash in lieu could deliver more, or more affordable, housing by transferring the housing spend to a part of the borough with lower land costs. Our view is that the test should consider deliverability and outcomes rather than blanket opposition to the principle of cash in lieu. In terms of the timing of spend, it could be difficult to make detailed and explicit intentions clear at an early stage given lead in times for development and cost variations and any test should also reflect this.
- 4.10 Our comments on estate regeneration are set out in relation to Chapter 4 but the Council supports the Mayor's call for an Independent Commissioner for Social Housing Residents.

## 5. **Chapter 6: A Fairer Deal for Private Renters and Leaseholders**

- 5.1 Brent welcomes the establishment of the Private Rented Sector Partnership and is already an active participant. Brent has also pursued both borough-wide Additional Licensing and a more limited Selective Licensing scheme and is awaiting Secretary of State's consent for an extension to the latter, which currently covers three wards. The council therefore welcomes the Mayor's strong commitment to effective use of regulatory powers in the sector.
- 5.2 In principle, the Council also supports the call for devolution of licensing powers but can see some risks. First, some boroughs may be reluctant to engage but, more critically, while the Mayor is clearly supportive of licensing, this may not be true of future Mayors. An alternative would be to seek devolution of decision making powers to borough level.
- 5.3 Similarly, the Council supports the principle of a registration scheme but, while a light touch approach is desirable our view is that participation should be compulsory. Related to this, the Council welcomes the Mayor's intention to publish a rogue landlord database, noting that his proposal goes further than the government's planned scheme in making more information available to tenants. Having said this, it will be important to ensure that the approaches are complementary and avoid duplication.
- 5.4 While the emphasis on regulation and enforcement is understandable, it is important that the strategy should also recognise that boroughs rely heavily on the sector to provide temporary and permanent housing solutions and

that the majority of the sector not only operates within the law but includes landlords keen to work with the public sector and offer a good service to tenants. It is also the case that, partly driven by LHA caps, councils are obliged to work with landlords in the cheaper segment of the market, where the pressures on landlords and competition for accommodation are greatest. In this context, the strategy could do more to offer support to the sector and the majority of small landlords, beyond the support for Build to Rent outlined earlier in the document. At the national level, there has been an increased focus on dealing with rogue landlords and the draft strategy has a similar emphasis. While this is an approach Brent supports and has embraced, it is essential that it should be balanced with policies that support the sector and, in particular, that part of it on which boroughs increasingly depend.

5.5 Brent supports proposals in this area to work with landlords and tenants to develop a London Model of reform and to establish the conditions for improvements to security and in other areas. Similarly, proposals noted earlier around VAT on repairs and improvements will assist. Beyond this, the strategy should consider the potential incentives that could be made available to encourage investment and better management and mitigate the risk of withdrawal from the market or withdrawal from the LHA sector. This could include urging government to improve the tax position of landlords following recent changes, possibly linked to participation in accreditation or licensing schemes or commitment to meet identified standards. Further, incentives to build confidence within the sector could include greater support, in the form of grants or tax breaks for example, for landlords installing disabled facilities or energy improvements, especially in light of introduction of minimum energy standards.

5.6 The most important challenge for boroughs is sustaining access to the sector for households in need and, in addition to the calls for change on the welfare system highlighted in the strategy, which Brent fully supports, the Mayor should make the case against the negative impacts of the roll out of Universal Credit and argue for reinstatement of direct payments and a recalibration of the LHA rate in London to more realistic levels. Budget proposals have offered some recognition of the issues and there may be scope to press for further change. The Private Rented Sector Partnership is already demonstrating the value of bringing London boroughs together with the GLA and a similar approach could be taken to coordinate approaches to access to the sector for temporary and permanent housing, where the Mayor has already made welcome proposals for pan-London procurement.

5.7 Brent supports the Mayor's proposals on leaseholders but please note our comments on leaseholders affected by estate regeneration programmes above.

## **6. Chapter 7: Tackling Homelessness and Helping Rough Sleepers**

6.1 Brent welcomes the Mayor's proposals in this chapter, which strongly reflect the local approach.

6.2 Brent is well prepared for the implementation of the Homelessness Reduction Act, with two key trailblazer projects in train for single homeless people and rough sleepers. The Mayor has rightly emphasised the need for government to provide adequate resources to cover the additional burdens it

will impose. While it is questionable whether funding announced so far will be sufficient, a particular concern for Brent and other boroughs is the uncertainty in the longer term. Brent, for example, has £1.2 million over three years but no guarantee of an increase, or even continued funding, beyond that. Our analysis anticipates a 50% increase in temporary accommodation bookings and length of stay and a 50% increase in the incentive payments offered through our Find Your Home initiative. This element alone, without taking account of other costs such as additional staff, is estimated at £900,000 a year, accounting for the majority of the three year additional burdens funding. Similarly, our single homelessness trailblazer has two-year funding from DCLG and £900k match funding from the council but there is no indication of the future position.

- 6.3 Also, the gap between actual costs and available funding is not entirely due to new burdens, so while it is critical that new burdens funding continues beyond the current time scales, the Mayor should support boroughs in making the case not only that further funding should be provided but that the government should recognise the existing and continuing funding gap in London.
- 6.4 In terms of new supply, alongside traditional sources the council has now established I4B, a special purpose vehicle purchasing property in the private sector, focussed on temporary accommodation supply at this stage. The Mayor's commitment to making the case to government for reform of the borrowing cap and a new approach on welfare has the potential to assist in increasing the pace and scale of our work in this area.
- 6.5 Brent is compliant with, and in many ways goes beyond, the requirements of the Notify system but as a large scale receiving borough experiences problems when information from other boroughs is not forthcoming. As notification is a legal requirement, the council welcomes the Mayor's emphasis on its importance.
- 6.6 The call for a fairer funding regime for temporary accommodation is also welcome. The Flexible Support Grant, a positive development in many ways, is only definite for two years with no guarantee of future ring-fencing. The premise that the grant will enable a reduction in temporary accommodation use that will reduce future funding needs is flawed and, particularly in London, costs are continuing to rise while future funding may fall. Although Brent has, against the London trend, achieved a significant reduction in temporary accommodation use, the reality is that demand remains high and funding needs to be linked accordingly. Having said this, we welcome the Mayor's commitment to work with boroughs to make the most effective use of resources through joint procurement and other initiatives.
- 6.7 The Council looks forward to the publication of MOPAC's strategy on violence against women and girls. This is an issue that Brent is looking at closely through an Outcome Based Review that will identify opportunities to join up and develop services and the Council is keen to work with the Mayor.
- 6.8 Brent is engaged in the West London Prevention Service, a trailblazer project working with rough sleepers. Particular issues identified locally

include individuals with no recourse to public funds and encampments, with migrant workers the main affected group. There is also an emerging link between rough sleepers and the worst HMOs, with evidence that the same individuals shift between the two. We are therefore keen to explore how existing and new funding and services can support work in this area.

- 6.9 Our experience is that No Second Night Out provision tends to fill up very quickly, meaning that there are sometimes not enough places. The Mayor's commitment to additional hostel places and move on accommodation is therefore welcome but we would ask that consideration be given to linking provision to groups of, say, three boroughs to ensure that it is sufficient and accessible. In addition, we have identified a need for assessment bed spaces or safe spaces; not all our service users need to go into hostels.

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	<b>Cabinet</b> 11 December 2017
	<b>Report from the Strategic Director of Community Wellbeing</b>
<b>Authority to Award a Contract for a Mental Health Supported Living Scheme</b>	

<b>Wards Affected:</b>	All
<b>Key or Non-Key Decision:</b>	Key
<b>Open or Part/Fully Exempt:</b>	Open
<b>No. of Appendices:</b>	1
<b>Background Papers:</b>	None
<b>Contact Officer:</b>	Edwin Mensah NAIL Commissioner Tel: 020 8937 4132 <a href="mailto:Edwin.mensah@brent.gov.uk">Edwin.mensah@brent.gov.uk</a>

## 1. Purpose of the Report

- 1.1. In accordance with Contract Standing Orders 88, this report seeks Cabinet authority to award a care and support contract for a Mental Health Supported Living Scheme at 115 Pound Lane. The site at Pound Lane has an Annex that has 14 self-contained studio flats where we would like to deliver a supported Living scheme
- 1.2. This report summarises the rationale for this request and the impact on the wider community as well as the financial implication on the London Borough of Brent.

## 2. Recommendation(s)

That Cabinet:

- 2.1. Agrees an exemption from the procurement requirements of Contract Standing Order 95 in respect of a contract for Care and Support for a Mental Health Supported Living Scheme at 115 Pound Lane.
- 2.2. Approves the award of a contract for Care and Support for a Mental Health Supported Living Scheme at 115 Pound Lane to Look Ahead Care and Support for an initial term of up to 3 years 9 months with the ability to

extend such term by 1 further year. We anticipate this contract start date would be February 2018 if agreed by cabinet.

### **3. Background and Service Requirements**

- 3.1. The site at 115 Pound Lane has a total of 84 units of accommodations across two building. There is the main hostel building which has 70 units of shared accommodation and then there is a separate annex, where we would like to deliver supported living scheme, which has 14 self-contained units. The accommodation offers the tenant their own kitchen, bathroom and living space with no shared spaces, further promoting independence.
- 3.2. The 14 self-contained units were initially part of the Housing Related Support portfolio and were designed to be secondary accommodation after leaving the main hostel. However service users were never moved on to independent accommodation which resulted in officer's decommissioning the service. NAIL team approached St Mungo's about the use of the building to deliver supported living scheme for mental health tenants. St Mungo's agreed in principle provided Look Ahead Care and support deliver the support as they have an agreement to use the site
- 3.3. Officers worked proactively with the market and colleagues in mental health (CNWL who manage the Council Social Care activities with residents experiencing mental ill health) to develop New Accommodation for Independent Living services (NAIL) to help meet the Borough's existing and future needs for such services. This includes the Mental Health Supported Living Scheme (the "Scheme") referred to in this report.
- 3.4. The Scheme will support the key vision set out in the Brent Market Position Statement, which is to increase provision of tenanted models of care and support by providing an alternative to residential care, thus moving away from the 'traditional' residential care model and enabling residents to build on their skills and abilities to live a more independent life.
- 3.5. This Scheme will allow tenants who have experienced mental ill health to access a flexible level of care and support which responds to their changing needs and ensures they maintain as much independence as is practical. It is proposed that the Scheme is based at 115 Pound Lane, which is new build accommodation.
- 3.6. This Scheme has been developed by the NAIL project and is the first fully self-contained supported living accommodation the Council has been able to offer people with mental ill health to help promote their independence

and also provide savings. It helps to demonstrate the Council's ability to deliver schemes that are cost effective and offer choice to the service user

- 3.7. This Scheme will deliver support which builds on tenant's strengths and abilities whilst delivering support that is tailored to individuals' varying needs. The Scheme will ensure that there is enough staff time available to pick up any signs or triggers if tenants are deteriorating or there is a fluctuation in their needs.
- 3.8. The Scheme has been designed to provide tenants with the opportunity to recover and flourish in their home without any thoughts of being asked to move into the next stage accommodation. Tenants will only move if their needs change significantly or they become ready for more independent accommodation such as a home of their own.
- 3.9. The 14 self-contained Studio flats are part of the 115 Pound Lane site which is owned by St Mungo's who also manage the site. The self-contained units are in a separate part of the site and have CCTV and its own door entry systems. There is one communal area for residents and an office in the building for staff.
- 3.10. There will be a 24 hour staff presence which is designed to work with tenants to build on their skills and abilities and closely monitor and support their mental health whilst working with other professionals to ensure their needs are met and any changes in their mental health is responded to in a timely and appropriate fashion. This will prevent costly re-admissions to acute hospital care and the associated deterioration in tenants' ability to return to more independent life when discharged.
- 3.11. The services at the Scheme will be available 24 hours a day, 365 days of the year and will principally be delivered at the Scheme but may be delivered in the community as dictated by the tenants needs.
- 3.12. The group of individuals for which the Scheme has been designed would struggle to live in general needs accommodation without risk of relapse. Officers believe that this Scheme will meet the gap between general needs and supported accommodation due to the independence the accommodation provides. The Scheme will allow staff to work with tenants on an individual basis, responding to their assessed needs and offering support and practical solutions.

3.13. This Scheme will use support hours that will consist of core and assessed hours. Core hours will be the hours that officers deem will be needed to deliver support safely within the Scheme. There will then be the option of assessed hours to top up staffing hours depending on the individual's needs and support plans. This allows support to be tailored to the individual as required, but also means whenever an individual's needs fluctuate, there is support available from the same support staff, ensuring continuity of care.

3.14. The property at 115 Pound Lane is of a very high specification and offers people suffering mental illness in Brent, accommodation that supports their individual needs.

#### **The Contract**

3.15. As indicated at paragraph 3.7, the 14 self-contained studio flats are part of the 115 Pound Lane site which is owned by St Mungo's who also manage the site. The majority of the site provides hostel type accommodation. The Council in June 2017 let a Mental Health Support Services Housing Related Support Contract to Look Ahead Care in respect of this hostel accommodation. This contract commenced in September 2017 and is for a period of 4 + 1 years. St Mungo's subsequently entered into an agreement with Look Ahead Care for the management of mental health services across the whole of the 115 Pound Lane site.

3.16. Given the arrangements as between St Mungo's and Look Ahead Care for the management of mental health services across the whole of the 115 Pound Lane site, the Council is unable to approach a different provider to provide housing related support if it wishes to use the 14 self-contained studio flats on the 115 Pound Lane site. For the reasons detailed in Section 3, the 14 self-contained studio flats are considered ideal for the delivery of a new Scheme and in the circumstances Officers would recommend the award of the Care and Support Services Contract the Scheme to Look Ahead Care.

3.17. The contract with Look Ahead Care in respect of the hostel accommodation is for a period of 4 + 1 years and started in September 2017. There is a wish to align the end dates of the existing and the proposed contracts. It is not known exactly when the proposed contract can start and therefore Officers recommend award of the proposed contract for a term of up to 3 years 9 months with the ability to extend such term by 1 further year.

3.18. Officers have had initial discussions with Look Ahead Care in relation to the proposed contract and have received a quote for the delivery of services. Officers have compared pricing with other bids in previous tenders and also

checked the Look Ahead Care's quoted price with other pricing information available for similar provision and concluded that the pricing proposed is competitive.

#### **4. Financial Implications**

- 4.1. The cost of the proposed service in the 115 Pound Lane self-contained units is £300k per annum. These contract costs are inclusive of the core daily service which is £246,406 and specific assessed hours per individual which we anticipate will be £53,594.
- 4.2. As stated above, this contract represent a more cost effective care model than traditional mental health care settings due to costs partially being offset by individual's housing benefit income. Individuals therefore move from or can be diverted from more restrictive and costly care home provision to supported living provision, which will generate savings for the Council.
- 4.3. This Scheme will contribute savings of approximately £175k pa towards the Councils NAIL program.
- 4.4. The cost of the proposed contract is inclusive of London Living Wage

#### **5. Legal Implications**

- 5.1. A contract for provision of care and support falls within the category of social and other specific services listed in Schedule 3 of the Public Contract Regulations 2015 ("PCR 2015"). The value of the proposed contract is in excess of the threshold for Schedule 3 contracts of £589,148 and as a result, the procurement of such services is subject to the requirements of the PCR 2015 and would ordinarily require tendering. However, it will be noted that at paragraphs 3.13 and 3.14, it is indicated that the landlord of the site, St Mungo's, has a management agreement with Look Ahead Care in respect of the whole site at 115 Pound Lane. As a result, if the Council wishes to use the 14 self-contained flats, it is required to contract with Look Ahead Care. Regulation 32(b)(ii) of the PCR 2015 does allow a contracting authority to negotiate a contract with one provider where services can only be supplied by a particular economic operator where competition is absent for technical reasons. Given that the Council would be unable to use the 14 self-contained flats unless Look Ahead Care also provides care, reliance could be placed on Regulation 32(b)(ii) of the PCR 2015 to award the proposed contract to Look Ahead Care.

- 5.2. The estimated value of the proposed contract with Look Ahead Care is such that it is classed as a High Value Contract for the purposes of the Council's Contract Standing Orders.
- 5.3. Contract Standing Order 95 provides that for contracts with an estimated value above the PCR 2015 threshold, tenders shall be invited for High Value Contracts. However, Contract Standing Order 84(a) provides that subject to compliance with domestic and European legislation, the Cabinet may agree an exemption from the requirement to procure in accordance with Contract Standing Orders where there are "good operational and/or financial reasons". For the reasons detailed in paragraph 6.1 it is not considered there is a breach of domestic or EU legislation. Further, Officers consider that there are good operational and financial reasons for negotiating and awarding the contracts with Look Ahead Care and Members are referred to Section 3 of the report for such reasons.

## **6. Equality Implications**

- 6.1. The proposed contract will require the provider to deliver services which:
- Address the needs of young black men who are over represented in this resident group by providing training, identifying long term factors that stand in the way of residents making a good recovery and building the resilience to remain well for longer.
  - Ensure staff have appropriate training in areas that will raise their awareness of issues faced by vulnerable people from different ethnic backgrounds
  - Ensure that the staff group have appropriate support to raise and address the complex issues that face adults recovering from mental ill health.
- 6.2. The provider will be monitored to ensure they are complying with these requirements through checking of their records, regular review of services provided to individual service users where feedback will be sought from service users, quarterly monitoring meetings and provision of quarterly performance information to the Council
- 6.3. In view of the fact that this procurement represents a change to the model of service delivery for some service users, it is necessary for the Cabinet, as decision-making body, to consider the equalities implications, which are contained within the Equalities Impact Assessment in Appendix 1. In accordance with the Equality Act 2010 officers believe that there are no adverse diversity implications and in fact the impact should be positive as

this is less restrictive than alternatives and will allow tenants to build on their independence.

## **7. Public Services (Social Value) Act 2012**

- 7.1. Since 31 January 2013, the council, in common with all public authorities subject to the PCR 2015, has been under duty to consider the economic, social and environmental well-being of its area when undertaking public procurements of services contracts. This is set out in the Public Services (Social Value) Act 2012. This duty applies to the proposed award of the contract until such time as it is entered into. The duty requires authorities to consider how what is procured might improve economic, social and environmental well-being of their area, and how it might act in procuring the service to secure that improvement. Whilst there are few ways of securing social value in the way in which the procurement is conducted, this service is required for the purpose of meeting the needs a vulnerable group of service users and will help to improve economic, social and environmental well-being of those service users and others in Brent. It should also be mentioned that it is proposed that the contract be awarded on the basis that the London Living Wage is paid to staff.

## **8. Consultation with ward members/stakeholders**

- 8.1 None

## **9. Human Resources/Property Implications**

- 9.1. The proposed contract award for the Scheme at 115 Pound Lane does not have any implications for council staff as it is a new Scheme. It is not considered that there are any TUPE implications for the Scheme.

**Report sign off:**

**PHIL PORTER**

Strategic Director of Community Wellbeing

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## APPENDIX 1:

### Brent Council Equality Analysis Form –

#### Equality Analysis- New Accommodation for Independent Living (NAIL)

#### Mental Health

#### 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 New Accommodation for Independent Living (NAIL) project aims to deliver alternatives to residential and nursing care in tenanted accommodation which ensures that individuals' needs are met and giving people more independence, choice and control over where they live and how they receive care.
- 
- The purpose of the project is to design and develop alternative 'accommodation plus' options, which incorporate:
  - 'extra care' living (generally for older clients) and
  - supported living' for younger people who require support from Adult Social Services due to a physical disability, learning difficulty or mental health condition.
- Providing services in this way enables clients to live independently in the community, promoting well-being and alleviating social isolation. It also enables primary health, care and support services to come to the individual, rather than the individual being required to change their accommodation in order to receive services that can and should be available in the community.
- 
- The table below shows the four main client categories under which Adult Social Care (ASC) clients living in residential care homes may be receiving support, and number of units were planned to be developed in the first tranche of developments until March 2017 for each of these categories of service user. As the mix of units has planned until March 2017, it was agreed that the further decisions would be made on basis of the demographic of clients remaining in residential care at that time (2014) Analysis of number of people receiving accommodation and support in 2017 suggest that figures from 2014 were underestimated.
- 

• Client Group	• Total clients in residential care (2014)	• Total Number of clients receiving accommodation and care in 2017	• Planned number of units delivered by NAIL project by March 2017
• Learning Disability 18-64	• 220	• 271	• 62
• Mental Health	• 46	• 106	• 22
• Older People's Services	• 407	• 550	• 93
• Physical Disability 18-64	• 23	• 44	• 22
• <b>Grand Total</b>	• 696	• 971	• 200

This analysis focuses on the delivery of the supported living accommodation for people with mental health needs, updating the plan for delivery in 2017-19.

The original plan to deliver 22 units of NAIL accommodation for people, with Mental Health Needs was based on number of mental health clients in residential care of 46. A number of people receiving 24/7 level of care in supported living has been excluded from the estimation. There currently appear to be 28 people in residential care, 26 in Supported Living receiving 24/7 care and 39 in Supported Living receiving daily support on site. This exclude people in temporary accommodation, where the level of support is varying from a few hours a week to 24/7. In total, in December 2016, there were 212 people with mental health problems, receiving accommodation based support in Brent and the focus on 24/7 was misleading as there needed to be a greater variety of long term options to meet people assessed needs, but this was only available at present in short term accommodation options. Also a number of people have been funded through the block provision by Central and North West London NHS Foundation Trust (CNWL) and have not been estimated as the Local Authority liability. This assessment takes all people with Mental Health needs into account in Brent.

A large number of clients appear to be placed in short term accommodation for a substantial period of time, or are receiving the packages "according to what is delivered as a standard in the project they are placed in", rather than what they need as individuals. Subsequently, the care is often overprovided, for the sake of meeting the emergency housing need, or underprovided in the short term accommodation setting, as that accommodation was available when required. Overall, the system seems to be lacking dynamism that would respond to the changing client's needs and the lack of permanent accommodation prevents the people from moving out of the system, once they are ready to do so.

It is clear from work done with CNWL that people are not receiving the appropriate support they should get and that the development of lower need accommodation and support and increasing access to general needs accommodation would provide an increase in choice and control for customers.

It certainly appears to be a case that the lack of appropriate 'independent accommodation with support', is adversely affecting people with Mental Health Needs, who are placed in poor quality housing, or in supported temporary housing, without a viable route out of the system.

Analysis of the local need and the available housing provision suggest a shortfall of 40 permanent supported housing units and 50 general housing units that are stopping individuals moving on to more appropriate accommodation.

NAIL proposal suggests developing hub and spoke service with three developed properties at Braemar Road (5 units) and Stagg Lane (8 units) and Forty Lane (10 units), total of 23 units of supported accommodation in the first phase of the development (2017-18) where the minimum standard of accommodation would be a decent room with en-suite facilities and shared communal facilities. Additional property refurbishment and development to a similar standard, at Park Avenue North, would deliver the further 8 units in 2018-19. Repurposing, redecoration and adaptation of two buildings in Wembley Park Drive could bring additional 14 units (Korsakov and Physical Disability) and the similar opportunity could be explored with the Hanover Road.

Further plan for the NAIL to deliver 80 units through acquisitions by 2018-19 would designate some capacity for people with Mental Health needs.

Independent accommodation that has been offered through Private Rented Sector (PRS) to people with mental health problems has been of the lower quality than the temporary accommodation and to date has not assisted in resolving the problem. Customers with Mental Health needs are more likely to be a victim of a crime, or are more likely to be reporting on antisocial behaviour than be the proponents of it, but the view of the generic landlords is the

opposite . These facts have influenced our identification of schemes to assist in reducing this. For clients to be able to access the appropriate accommodation from the PFI stock, the structure that would be delivering the care packages to these people, otherwise living independently will need to be developed, ensuring that packages include advocacy and conflict mediation, mitigating this inherent discrimination.

The adverse impact of substance misuse on people with Mental Health problems is twofold. Firstly, the use of mind altering illegal substances may have adverse effect on people's mental health and the stability and efficacy of the pharmacological treatment received. Secondly, the vulnerability of the client group makes individuals with mental health issues susceptible to prying behaviour inherent to functioning of the drugs subculture. Security of the premises and the sensitive use of the CCTV are considered as a design feature to act as a protective factor against this vulnerability, as well as the competency of the care provider in working with both chronic mental health and the substance misuse.

A significant proportion of clients with mental health needs need monitoring and assistance with medication, engagement with medical services providing ongoing treatment of chronic medical issues, domestic support and supervision to prevent self-neglect and environmental neglect. These need to be addressed within the specification of the support services

Age breakdown of the target client group of 212 is:

20-30- 6.3%

30-40- 17%

40-50- 29%

50-60- 31%

60-70- 16.2%

70+ - 0.5%

It is indicative that there is absence of people over 70 in the client group (2011 Census Data suggests 12% of the general population to be within that group). However, this is likely to be due to their needs being picked up within Adult Social Care rather than within specialist mental health services.

Gender split amongst the CNWL clients in accommodation based services is Female 21.6%, Male 78.4%, whilst Brent population split is 50/50.

In contrast, Mental Health Foundation suggests that, in England, women are more likely to have common mental health problems than men, the fact observed by WHO across the world, suggesting no marked difference in severe mental health disorders like schizophrenia and bipolar, men being three times more likely to be diagnosed with antisocial personality disorders, twice as likely to present with alcohol dependency and substance misuse, whilst women predominate by 3-1 in depression, generalised anxiety and somatic disorders (the largest group of Mental Health clients).

Brent Joint Strategic Needs Assessment (JSNA) in 2015 identified prevalence of enduring and severe mental ill health to be above both London and England's average at 1.1% of population estimate of above 2600 people and common mental health problems estimated at 33543 people (60% Female). Statutory homelessness in Brent is higher than England average, with high

poverty, poor availability of the affordable property causing a larger than average numbers of people in temporary accommodation.

People with Mental Health needs are generally experiencing discrimination when it comes to appropriate housing, with well documented link in both cause and the effect between Mental Health and homelessness. The effects of the housing crisis are harder felt in population with mental health needs and it is certainly a case that unsecure accommodation can negatively affect clients' ability to engage with the support services and meaningfully receive support they need. This negative impact is harder felt in male population with mental health problems.

This information strongly suggests discrimination against the men with mental health needs in both accessing the appropriate and secure accommodation and the levels of support that is appropriate to their needs. The degree of discrimination could be described as cultural, further exacerbating exclusion, social isolation and marginalisation of the group. Equally, the lower number of female clients could be suggestive of a need for female only provision.

Health inequalities between the general population and people with comorbidity of Mental Health needs and physical health issues are well recorded, a lower life expectancy of 15-20 years lower in the group suffering schizophrenia and bi polar disorders, largely attributable to a higher rate of heart disease, lung disease, stroke and cancer, as preventable conditions. This group also accounts for a large proportion of presentation with physically unexplained symptoms (prevalence, intensity and effect) such as persistent pain, acute tiredness and gastric issues. Additionally, there is a common presentation of the life style attributable diseases such as obesity, diabetes and asthma, having adverse effect on client function and wellbeing.

Traditionally a response to these inequalities, has been to ensure that the physical and mental health services are as integrated as much as possible, however this is only one side of the coin. Clients failure to consistently engage with health care services in management of chronic illnesses, as well as making the life style choices that would form a part of this strategy can easily be contributed by socio economic standing, inadequate housing and transiency associated with temporary accommodation. The Kings Fund has argued that the interaction between comorbidities and deprivation makes a large contribution to generating and maintaining inequalities within the people with mental health and physical health problems.

There is a small number of people in the borough suffering from the different stages of Korsakoff syndrome, a disabling illness presenting with the features similar to early offsets of dementia, underpinned with compromised livers and immunology due to historic alcohol use. NAIL aims to develop a specialist provision for this group in 73 Wembley Park Drive (7 units), whilst 80 Wembley Park Drive would be developed to support adults with physical disabilities.

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

National evidence suggests that this approach has the capacity to bring significant improvements to people's quality of life by moving away from a limited selection of traditional accommodation settings to a diverse range of accommodation settings which better support individual needs.

There is broad recognition that for some people residential/nursing care homes will continue to offer the best solution, and individual assessments will ensure that moves into "accommodation plus" units are only offered where appropriate. Conversely, there are significant numbers of people within restrictive residential care homes that could be better supported in more independent accommodation and who have the potential to achieve greater personal independence.

At present, there are over 1000 clients currently in residential or nursing care homes. Clients who are identified as potentially being suitable for accommodation plus will be identified through individual assessment of their health and social care needs. As a result, the likelihood is that the

vast majority of accommodation plus units will be filled from those living in residential care homes. Those currently living in nursing care homes are more likely to have needs which are best managed within a nursing setting, and are least likely to be able to benefit from independent accommodation, although they will be considered on an individual basis. As such, this EA only considers equalities data relating to the 700 individuals living in residential care homes.

#### Provider/Staff

Although dealing with people with Mental Health needs is accepted as being a specialism, requiring a specific skill set from the staff, a large number of people with mental health needs in Brent are currently placed in generic supported housing, or temporary housing for a long period of time. Generic providers are offered support and expertise from the specialist statutory provider, CNWL.

This proposal will diversify providers mix, encouraging greater skills and expertise mix, as well as encouraging competition between the new providers. The level of specialist provision in the borough will increase creating employment opportunities for Brent residents.

#### Service Users

A large number of clients in temporary accommodation with mental health problems will be impacted with this project, as well as population with mental health needs placed in institutional setting. The project will reduce the level of disabling institutional dependency within protected groups, without reduction in the level of care and support provided.

Younger population with Physical Disability would be provided in the setting that is age appropriate and with the mix of residents of similar age and needs.

#### Carers and Families

Where the families have been providing care to their members, but the care needs have increased beyond their level of coping and skills, or the capacity of the family carer has been affected by the change in their own care needs, family relationships will continue with the support of the professional carers and the environment conducive of independent living.

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

The core purpose of Adult Social Care is to prevent deterioration of physical and mental health, to promote independence and social inclusion, and to improve opportunities and life chances by provision of person-centred and needs-based support. The ability to live independently whilst receiving this tailored support has been shown to enable people to achieve better outcomes, and is what service users have told us that they want. The NAIL project will enable the Council to support the development of the types of accommodation that is needed, and to get involved earlier in the process so that we have adequate time to address any concerns our service users may have, and to build the skills they need to prepare for independent living.

The detailed needs assessments that are central to Adult Social Care will be used to match service users to the appropriate accommodation. These assessments are based upon need, and not on whether someone exhibits any of the protected characteristics, and as such are fair and transparent.

The policy would have a significant impact on different equality groups and on cohesion and good relations such as:

- Men with MH needs – improving access to permanent accommodation
- People with MH needs and physical issues- instability of accommodation precluded from engagement with long term treatment and the support to make lasting life style changes

- Women that are victims of DV,
- Older people with MH needs being placed in services that would cater to their personal care and mental health needs
- People with Mental Health needs engaged with substance misuse culture and related lifestyle

NAIL accommodation aims to address these inequalities by improving the security of tenure for the target group through:

- Issuing clients with Assured Shorthold Tenancies rather than Licence Agreements and designing the accommodation that would be suitable to individuals in the long term, rather than for a fixed period.
- Standard of accommodation adhering with meeting the long term needs rather than temporary arrangements, so that the accommodation is provided “for life”, discouraging service revolving door through emergency and hospital services.
- Development of stable accommodation that also delivers support with the access to the main health care services as part of the package, thus improving treatment and management of chronic physical illnesses affecting the target group
- Including support with managing negative symptoms of psychiatric illnesses as part of accompanying support and care package (domestic support, managing hoarding behaviour, support with healthy nutrition, exercise, stimulating occupational framework catering individual’s needs, interests and abilities, monitoring medication concordance)
- Establishing an environment where health relationships and supportive social networks can be developed and maintained
- Improving access to volunteering, education and employment opportunities
- Newly diagnosed clients coming to terms with their illness and proactive approach to management strategies.

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

No changes to the level of the service are proposed, other than opportunities identified during phase one to improve both the quality of service delivery and the commitment by Brent to support local residents to stay at home for as long as possible or as close to home for as long as possible with excellent quality, personalised care and support.

It must be noted that Adult Social Care play an important role in ensuring that older people; people with learning disabilities, physical disabilities or mental ill health access the right support within the community. Also in doing so, Adult Social Care support social inclusion for these groups within the wider community in Brent.

In addition, it is the intention of the NAIL project to provide suitable, flexible communal space within schemes whenever possible that can be used for a variety of purposes, enabling different groups to participate in activities with one another.

We anticipate a positive impact in relation to most service users across all protected groups, as the opportunity to live independently with the right support and care is a preferable long term outcome than living in institutionalised and restrictive care settings.

The levels and type of service provision will remain as at present, but will be improved by giving service users more choice and independence to decide how and where they live. It is recognised that for many service users across all different groups, relocation may cause emotional distress and orientation issues in their new surroundings. To mitigate this, it will be necessary to offer a ‘resettlement package’ to ensure that appropriate support and assistance are in place, both during and after the move.

The programme also involves purchasing the new accommodation, so the overall number of units available will be increased. Some sites will be reduced in the number of units during the

repurposing, where there was overcrowding, whilst some will be increased with redistribution of the space and site development.

As the project will move a significant number of service users throughout the borough, there is potential for a negative impact on faith / belief. While we hope that the varied distribution of potential sites mitigates this risk, the benefits of the project, and the financial pressure on Adult Social Care budgets mean that we must pursue the most suitable and viable sites and may not be able to take into account the relative location of places of worship. Should we identify a negative impact as the project progresses, we could consult with the Brent Multi-Faith forum to ascertain whether we can engage faith groups to provide added community support.

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

Overall, the detailed analysis has found that the proposals will be beneficial for all service users. The analysis has only identified a minor negative impact in relation to religion or belief as sites cannot be guaranteed to be close to places of worship. While we hope that the varied distribution of potential sites mitigates this risk, the benefits of the project, and the financial pressure on Adult Social Care budgets mean that we must pursue the most suitable and viable sites and may not be able to take into account the relative location of places of worship.

This aside, the project has the potential to have a significant positive impact on all service users, regardless of what protected characteristics they exhibit, by enabling them to have choice and control over their lives, and ensuring that tailored support is provided to them to improve their equality of opportunity and the overall quality of their lives.

### **Design and the quality of accommodation**

When it comes to development of the property for people with mental health problems, quality, design, location, management, accessibility and integration in the community matter as much as numbers of accommodation units.

The dispersed stock of single accommodation and smaller supported housing projects, located in residential areas, appear a better alternative than a large self-contained scheme with mixed use, which reinforces the institutionalised feel of the temporary hostel environment. Location of accommodation away from the high concentration social housing, crime hotspots, and areas known for antisocial disturbances, is one of the determining factors of what can be attached to a good quality accommodation.

Whilst Happi Standards state the building requirements for ageing population clearly, there is a lack of statutory standards for people with Mental Health needs. NAIL is developing its own standards for minimum requirements, to ensure that accommodation is suitable as 'home for life', rather than a temporary accommodation in an institutionalised environment. As a minimum it is accepted that all bedrooms will have en-suite bathrooms, unless it is a self-contained unit and will have at least two communal areas, so that the privacy is protected, whilst the risk of isolation and exclusion is mitigated by design. Additional features to all properties will regard a good access to natural light throughout, robust doors and fittings, good sound insulation and access to well maintained and secure outdoors space. Sensitive use of CCTV and telecare will be built in the design of the developed properties. Furniture design, colour choice, soft furniture, wide stairs and curved walls would be taken into account, to avoid creating the institutional feel of the space, but to strive to facilitate establishing and maintaining homely feel in the new accommodation.

### **Service Model**

With Hub and Spoke model, the staff presence will be variable, with one unit acting as a base where the staff could be based 24/7 and adjoining property providing medium level of support

(staffed during the day) and the large number of units being supported with floating support plus (staff would be expected to have a greater level of competency in relation to working with people with mental health problems than is expected from a generic support provider, in as much as being able to manage the medication concordance, key work clients, and deliver psychosocial interventions ). Economies of scale would allow for a shared clinical governance, management, domestic support, as well as a reactive flexibility within the support packages, across staff at different sites.

In addition to the development of the new shared accommodation sites, repurposing and refurbishing the existing neglected stock of accommodation used by other services will enable the NAIL project to move away from “site based institutionalised support”, to develop a structure that could deliver mobile packages in scattered stock of independent accommodation.

### **Types of Packages:**

Whilst the client group does not require high level of personal care due to their physical, or cognitive disability, their lack of motivation, life style choices and the side effects of psychotropic medication, commonly used in treatment of mental health conditions, makes self-neglect and environmental neglect a common feature amongst the client group, impacting adversely on individuals wellbeing and their propensity to isolation and social exclusion.

Depression has been linked to 67% increased risk of death from heart disease, 50% of increased risk of death from cancer, while schizophrenia doubles the risk of death from heart disease, triples the risk from respiratory disease. (Mental Health Foundation). People with MH conditions are less likely to receive a physical health care they are entitled to, including routine check-ups that may detect symptoms of these diseases earlier. They also have greater difficulty in adhering to the requirements for management of chronic diseases, like diabetes. Additionally, the transient life style, poor nutrition, lack of exercise, side effects of medication make the obesity more prevalent in the client group than the general population.

Packages would include support with setting up and attending medical appointments, engaging proactively with the treatment services and making a life style changes that would improve health and general wellbeing.

Medication compliance is one of the critical features of maintaining independence and functionality of the client group and supporting clients to maintain engagement with the treatment services would be one of the critical component of the care package.

Client group is vulnerable, prone to exclusion, exploitation, abuse, being a victim of a crime as well as having a fluctuating insight and capacity and needs access to advocacy, low key conflict mediation.

Typically the packages would offer:

- Assistance and supervision of medication
- Domestic support
- Prompting and support with hygiene and domestic tasks
- Nutritional support
- Access to advocacy, mediation, conflict resolution and support with tenancy sustainment tasks
- Support with enabling access and maintaining engagement with health care services
- Health promotion enabling access and enhancing motivation to engage with healthier life style activities
- Keyworking and psychosocial support

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

Yes

Brent has produced its first Market Position Statement (MPS) which aims to signal our intention to share better, more transparent information with the market; for the benefit of both current and potential providers of Accommodation Based Care and Support Services (ABCSS). It will support better relationships between Commissioners and service providers, acting as a foundation for better engagement and partnership working resulting in a full range of services that fully meet the needs of people as close to home as possible and to promote real choice for local people.

Packages of social care are based upon an individual's social care needs, irrespective of what protected groups they may or may not be part of. In doing this, services users are provided tailored support to enable them to live more independently and thus improve their equality of opportunity.

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

Yes, it relates to the following objectives:

Equality Objective 1: To know and understand all our communities

Equality Objective 2: To involve our communities effectively

Equality Objective 4: 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. Full analysis is recommended in two years' time, updating the impact of the current proposal and entering the phase three of the NAIL program.

## **4. Describe how the policy will impact on the Council's duty to have due regard to the need to:**

### **(a) Eliminate discrimination (including indirect discrimination), harassment and victimisation;**

As described above the Council will be better able to discharge its duty under the Care Act in meeting the client's eligible needs. Clients support plans and the assessment of needs will determine their eligibility for the service and the care plan developed in conjunction with a customer and the flexibility and bespoke nature of the services will reduce the inherent discrimination against the sections of the protected group by:

- Improving access to health care
- Securing a permanent address to allow engagement with healthy communities
- Advocacy
- Community safety and offending as well as protecting victims of crime
- Preventing Homelessness
- Community Cohesion
- Access to ETE
- Wellbeing- nutrition, sleep, exercise
- Promoting independence with people with Physical disability

- Concurrent support for people with Comorbidity issues 9MH and PD as well as MH and substance misuse)
- Reducing Housing inequality (security of tenure, financial stability, reducing transiency)

The following four principles guide our thinking around how we develop models of ABCSS going forward:

**Principle 1:** Wherever possible we meet people's needs at home or as close to home as possible and we will build local capacity in the marketplace to achieve this

**Principle 2:** We recognise that the needs of individuals may change over time, and we work with individuals receiving care and support to review the services they receive in line with these changes; which may mean a change in service provision to better meet their needs, rather than the customer moving accommodation as happens now.

**Principle 3:** We work proactively with the market to ensure that services are always of an excellent quality and value for money is always achieved.

**Principle 4:** For local people, who genuinely need residential or nursing care, we actively review and monitor the quality of these services, to ensure they are safe, personalised, and deliver excellent quality and good outcomes for individuals.

The Brent Health and Wellbeing Strategy 2014-2017 stipulates that people will need to take on much greater personal responsibility for their own wellbeing, making the right choices when these are open to them. At the same time, recognising those people who are vulnerable or at risk, so that we can focus on keeping people safe, offering prevention and early help for them.

#### **(b) Advance equality of opportunity;**

Providing stability of accommodation would allow commonly excluded group to participate in civic activities, family life, education, access to health care.

#### **(c) Foster good relations**

NAIL strives to work in partnership with the statutory Health provision, developing a system that would allow the health provision to continue being delivered according to a specific individuals need, but in more planned and coherent manner, reducing the occurrence of crisis, or making a better crisis management a possibility, that would move away from a revolving door between acute hospital, residential and housing.

Developing accommodation according to need and the flexibility in the design of the care packages would improve relationships between the housing and the care providers as well as mitigating anxieties of both.

### **5. What engagement activity did you carry out as part of your assessment?**

In the preparation of the analysis we have looked at the following consultation to gain an understanding of the situation for adults with mental health issues,

1. CNWL have undertaken reviews of customers
2. General consultation events that were held as part of the Housing Vulnerable Adults Outcome Based Review,
3. Consultation with Support Providers on the key issues facing customers
4. The group and individual consultation activity undertaken as part of the review of the Council's Supporting people's services.

### **6. Have you identified a negative impact on any protected group, or identified any unmet needs/requirements that affect specific protected groups? If so, explain what actions you**

have undertaken, including consideration of any alternative proposals, to lessen or mitigate against this impact.

No negative impact has been identified, as the project emerged from identification of the need for the protected group.

## Stage 2: Analysis

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

Protected Group	Positive Impact	Adverse impact	Neutral
Age	X		
Disability	X		
Gender Re-assignment			Unknown
Marriage and Civil Partnership			Unknown
Pregnancy and Maternity			X
Race			X
Religion and Belief		Possible adverse impact	
Sex	X		
Sexual Orientation			Unknown

#### Age and Disability

People with mental health problems that are of a mature age would be placed in age appropriate accommodation, rather than directed towards older peoples extra care services earlier than their care needs may demand. People with physical disability and mental health problems would be receiving support in least restrictive environment, where their participation in occupational activities would be encouraged and institutionalisation prevented.

#### Gender identity, Sexual Orientation, and Marriage and Civil Partnership

Even though the impact of the policy is unknown, it is likely for it to have a positive impact, as people would be in more stable and better quality accommodation, that would allow them to express, establish and exercise activities that would lead to development of relationships.

#### Pregnancy and Maternity

Due to the nature of the service and the service user profile, we do not anticipate a disproportionate impact on this protected characteristic. However, if there are eligible clients who are either parents of young children or have a partner who is pregnant, we will consider their individual circumstances to ensure that their / their family's needs are met. **Sex:**

Policy is likely to address disproportionately high number of men currently in temporary accommodation.

#### Race,

Policy is likely to be neutral

#### Religion or Belief:

The policy may have a minor negative impact in relation to religion or belief as sites cannot be guaranteed to be close to places of worship. While we hope that the varied distribution of potential sites mitigates this risk, the benefits of the project, and the financial pressure on Adult Social Care budgets mean that we may not be able to take into account the relative location of places of worship.

### 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.**

Three consultation events have been held with the clinical professionals.

Individual consultation meetings with service users have taken place.

Fortnightly meetings are taking place with Housing Officer, CNWL and NAIL officers since March 2017, discussing with individuals with mental health needs with the potential for move on and housing need.

Meetings took place with small groups of service users accommodated in the same service type (hostel, supported housing)

Two provider forums discussed developments proposals.

Annual service users consultation event solicited views from Brent residents receiving support in the borough, including those with presentation of the Mental Health problems.

NAIL Equality Analysis 2014

CNWL RAG rated support modalities estimates (October 2016 and Dec 2016)

Brent Health and Wellbeing Strategy 2014-17

Bringing Together Physical and Mental Health, Kings Fund, 2016

Mental Health and Housing Report 2016, Mental Health Foundation

Fundamental Facts about Mental Health, 2015, Mental Health Foundation

Eliot, J. Briefing: Demonstrating the Effectiveness of Housing Support Services for People with Mental Health Problems: A Review, National Housing Federation, March 2011

Patel V, Kleinman A. (2003). Poverty and common mental disorders in developing countries. *Bulletin of the World Health Organization*, 81(8), 609- 615.

Pettitt, B., Greenhead, S., Khalifeh, H., Drennan, V., Hart, T., Hogg, J., Borschmann, R., Mamo, E., and Moran, P. (2013). *At risk, yet dismissed: the criminal victimisation of people with mental health problems*. London: Victim Support

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

There is a significant shortfall in availability of good quality accommodation for people with mental health problems in Brent.

Overuse of temporary accommodation, overprovision and under provision of support are present in significant numbers, with a large proportion of people with mental health problems being placed in institutional setting that promotes dependency. The system is responsive in a crisis, but a lot of improvements to the prevention of the crisis could be made by this proposal.

Service users describe support system as confusing with unmanageable access to housing. Poor access to housing seems to be preventing people from moving 'out of the system' and it is difficult to get back in unless there is a crisis.

Large number of people with sufficient independent living skills are staying in accommodation and services that provide greater level of support than they need. Placing people in independent accommodation with support packages would be more desirable, efficient and cost effective.

Some supported accommodation used by people with mental health problems has been severely neglected.

Type of support people with mental health need are usually related to prompting and encouragement with domestic and personal care tasks, rather than assistance, increasing motivation to engage in activities that would improve wellbeing and increase independence, but the system and the delivery is often institutionalised. Social isolation and self-neglect are the most common problems presented by the protected group.

The current system that places the expectation that people would be moving from the acute setting to supported housing for a period of two years and then to independent living is not working, as there is insufficient independent accommodation that is available and people have nowhere to move to from the supported living.

Baton passing and linear progression through the system/ revolving door as the system do not reflect the dynamic nature of the changing client needs. .

## **8. The Findings of your Analysis**

Overall this analysis has found that the proposal would have a beneficial effect of the quality of life and the wellbeing of the service users. It would address some inherent inequalities experienced by the protected group.

The analysis has also identified younger people with physical disability and Korsakoff as a group that would benefit from the development of the specialist residential centres in the Borough. Two properties in Wembley Park drive have been identified as suitable for this purpose.

## **STAGE 3: ACTION PLANNING**

### **9. Action plan and outcomes**

- Take over neglected properties
- Purchase additional properties
- Develop pathways for the PFI flats
- Ongoing monitoring of the changing needs profile
- Develop hub and spoke service across all properties.

Commission provision of specialist care and support across the developed sites.



	<b>Cabinet</b> 11 December 2017
	<b>Report from the Strategic Director of Community Wellbeing</b>
<b>Authority To Award Contracts For Care and Support for Learning Disability Supported Living Accommodation</b>	

<b>Wards Affected:</b>	All
<b>Key or Non-Key Decision:</b>	Key
<b>Open or Part/Fully Exempt:</b> <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Part Exempt - <b>Appendix 1 is Not for Publication</b> as it contains the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: <i>"Information relating to the financial or business affairs of any particular person (including the authority holding that information)"</i>
<b>No. of Appendices:</b>	3
<b>Background Papers:</b>	None
<b>Contact Officers:</b>	Laura Power Commissioning & Change Team Manager. 0208 937 1689 <a href="mailto:Laura.Power@brent.gov.uk">Laura.Power@brent.gov.uk</a>  Jenny Beasley Head of Commissioning, Contracting and Market Management 0208 937 1443 <a href="mailto:Jenny.Beasley@brent.gov.uk">Jenny.Beasley@brent.gov.uk</a>

## 1.0 Purpose of the Report

- 1.1 This report requests authority to award 2 contracts each for a period of 3+1+1 years as required by Contract Standing Order No 88. These contracts are for care and support services within supported living accommodation at 7 Kinch Grove and 63 Manor Drive and 54 Beechcroft Gardens.
- 1.2 These care and support services will be provided to people aged 18+ who have learning disabilities and an assessed need for care and support as defined by The Care Act 2014. They will deliver enablement focussed support which will support individual's to have increased choice, control and independence in line with our strategic objectives for accommodation based care.

- 1.3 This report summarises the process undertaken in tendering this contract and, following the completion of the evaluation of the tenders, recommends to whom the contract should be awarded.
- 1.4 The tender process was conducted through the Brent Council's Accommodation plus Dynamic Purchasing System (AP DPS).

## **2.0 Recommendations**

That Members:

- 2.1 Award a contract for 24 hour care and support at Kinch Grove to Voyage Care for a period of 3 years with options to extend for 2 further periods of 1 year (3+1+1).
- 2.2 Award a contract for 24 hour care and support at 63 Manor Drive and 54 Beechcroft Gardens to Dimensions (UK) Ltd for a period of 3 years with options to extend for 2 further periods of 1 year (3+1+1).

## **3.0 Detail**

### ***Background***

- 3.1 The 3 properties at Kinch Grove, 63 Manor Drive and 54 Beechcroft Gardens were transferred to Brent Council by Brent PCT in 2011. At this time they were residential care services with service providers in situ delivering the service. The services are all for people with learning disabilities and it was a condition of the transfer that these properties continue to deliver services to this client group. With Council authority and in consultation with service users and families the 3 services de-registered to supported living services accommodation, the last to deregister was Kinch Grove which achieved supported living status in September 2016.
- 3.2 Procurement of care and support in a supported living setting for adults who have a learning disability ensure the local authority continues to meet our ambition of ensuring people receive care and support in a way that is flexible in meeting their needs, delivers better outcomes for people, improves their quality of life and gives greater choice and control over how their care is delivered, in a home of their own.
- 3.3 Kinch Grove provides supported living care and support for up to 4 individuals with needs arising from a learning disability. The current tenants have lived and received support at this service for many years, and are now entering older age. They have close relationships with each other and are supported by their families who are actively involved in their lives and care. Service users have been supported through the de-registration process and the service has been in a process of transition from a residential model of care to a supported living model which offers service users more choice and control over their support. Support is delivered on-site covering 24 hours per day including waking night.

- 3.4 Manor Drive and Beechcroft Gardens provides supported living care and support for up to 7 individuals (4 individuals and 3 individuals respectively) with needs arising from a learning disability. Those individuals currently in situ in Manor Drive have moved in more recently, within the last 3 years. Support is provided on-site covering 24 hours per day with sleep in provision on-site. Those living in Beechcroft Gardens have lived at this location for a number of years. The majority of individuals at Manor Drive and Beechcroft have family members who are actively involved in their lives and care.
- 3.5 These services deliver to Brent's Market Position Statement (MPS) 2014 and are linked to the wider NAIL objective to provide alternatives to institutional residential care. These services support individuals who have a learning disability aged 18+ to maintain their own long-term home, with their own front door via flexible care and support available when people need it.
- 3.6 The emphasis within the procurement of these support services was on care and support delivery to service users being flexible and proactively supporting them to maintain and develop their independent living skills, to maximize using and accessing community assets to live as independently as possible in their own home, reducing hospital admissions and/or moving into more restrictive accommodation support options such as residential and nursing care.

### **The Tender and Evaluation Process**

- 3.7 In accordance with the authority to procure granted by Members in July 2016, tenders were invited from providers on Lot 4.1 of the Accommodation Plus Dynamic Purchasing System ("DPS") on the 15<sup>th</sup> August 2017 for the two tender opportunities for the provision of care and support services at Kinch Grove, and for Manor Drive and Beechcroft Gardens. There were a number of responses received from the bidders detailed in Appendix 1, these bids were robustly evaluated by Brent officers on the basis of cost and quality.
- 3.8 The tendering instructions for both Kinch Grove and Manor Drive and Beechcroft Gardens stated that the contract would be awarded on the basis of the most economically advantageous offer to the Council. Officers compared pricing with other bids in the tender and also checked the bidder's price with other pricing information available for similar provision locally and concluded that the bidders' pricing was competitive.
- 3.9 The evaluation of the quality element of the bid enabled Officers to satisfy themselves as to the ability of the bidder to deliver the proposed service for both Kinch Grove and Manor Drive and Beechcroft Gardens as described in each service specification. Through contract monitoring this will be routinely checked to ensure the content of the bid is reflected in the actual quality of care and support delivered.
- 3.10 These 2 contracts will be let for 3 years with options to extend for 2 further periods of 1 year under the Dynamic Purchasing System Contractual Terms and Conditions.

- 3.11 All tenders had to be submitted electronically via the London Tender Portal no later than 19.09.17. Tenders were opened on 19 September 2017 and 2 valid bid submissions were received in respect of the tenders for both Kinch Grove and Manor Drive and Beechcroft Gardens. A bid submission was received in respect of Kinch Grove which could not proceed as it exceeded the advised cost envelope for the service in line with the tender methodology. Officers evaluated tenders via the DPS online function which limits errors and offers a full audit history.
- 3.12 The tender evaluation was carried out by a panel of officers from Brent Commissioning and Quality. 10% of the quality evaluation consisted of a presentation delivered by bidders which service users/ family members were invited to attend to provide their views and comments. Officers considered these comments when allocating a score to this part of the quality evaluation. 2 family members attended the presentation for Kinch Grove and 2 family members attended the presentation for Manor Drive and Beechcroft Gardens.
- 3.13 A copy of the bidder's scoring is attached in Appendix 2 and it will be noted that the highest scoring bidder for Kinch Grove was Voyage Care (who scored 83.46%) and the highest scoring bidder for Manor Drive and Beechcroft Gardens was Dimensions UK Ltd (who scored 83.20%). As the highest scoring and therefore most economically advantageous bid, these organisations are recommended for award of the 2 contracts.
- 3.14 It is proposed that both contracts will commence on 01.04.2018, following an implementation period from January-March 2018. Both contracts are recommended for award to the current incumbent providers, thus there should be minimal disruption to tenants from the new contract commencement. Implementation plans were submitted as part of the quality evaluation. Officers will work with providers to ensure that the next phase of service delivery is as smooth as possible and of the highest quality for the tenants living in these properties.

#### **4.0 Financial Implications**

- 4.1 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 for the contracts for Kinch Grove and Manor Drive are both over this threshold.
- 4.2 The estimated costs of the proposed contract for Kinch Grove is £240k per annum and for Manor Drive and Beechcroft Gardens is £354k per annum; the actual costs payable will be dependent upon service user need. Voids will not be funded for these contracts.
- 4.3 Both of these contracts will be delivered inclusive of London Living Wage (LLW). Agreeing to a LLW rate would commit the Council to annual increases within the contract which would need to be considered in the annual setting of the Council budget. The Council will need to consider that future inflation in the LLW rate is likely to be higher than other measures of inflation.

- 4.4 The uplift to deliver LLW has had cost implications for the value of these contracts. The annual value across the two contracts is demonstrating a 12% increase due to the impact of paying LLW as opposed to NLW.
- 4.5 It is also to be noted that HMRC tribunal decision regarding sleep in payments which determined that individual's sleeping in at work are working and this should be incorporated into their hours worked across a given period has also had an impact on the price of the service at Manor Drive and Beechcroft Gardens where sleep in support is delivered. The prices submitted ensure that sleep in payments will be made to ensure that workers' wages do not fall below London Living Wage across a given period by the provider. Officers will work with Dimensions UK Ltd to on an ongoing basis to review night provision to ensure that risks and needs at night are safely managed whilst providing best value for money.

## **5.0 Legal Implications**

- 5.1 The estimated value of both contracts over their 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 contracts have been procured using the Accommodation Plus Dynamic Purchasing System ("DPS"). The DPS was set up in accordance with the EU Regulations and the procurement has been operated in accordance with the rules governing the operation of the DPS.
- 5.2 The award of the contracts is subject to the Council's own Standing Orders in respect of High Value contracts and Financial Regulations. As such, Member approval is required for the award.
- 5.3 As the DPS has been used to procure the contracts, there is no requirement under EU Regulations for a 10 day standstill period before the contracts can be awarded. Officers are however required to observe a 5 day call in period following Members' decision before award can be made.
- 5.4 As the incumbent providers for both contracts are recommended for award, there are no implications arising out of the Transfer of Undertakings (Protection of Employment) Regulations 2006.

## **6.0 Equality Implications**

- 6.1 Members are referred to the Equalities Impact Assessment at Appendix 3 and will note the proposals in this report have been subject to screening and officer believe that there are no equality implications.

## **7.0 Consultation with Ward Members and Stakeholders**

- 7.1 Officers consulted and worked with service users, their families and advocates to review current services and develop the tender documentation for the care and support services to be procured. Family members were invited to participate in the evaluation of tenders through attending a presentation

delivered by bidders, and provided their views to officers on the presentation content and delivery for consideration. Coproduction was embedded throughout to ensure the service procured represented the needs and wishes of those using these services.

- 7.2 Officers will continue to work with service users and their families throughout the implementation period to facilitate a smooth transition for tenants receiving care and support at these services. These contracts will be robustly monitored to ensure quality services are delivered and the risk of provider failure is minimised. Where it is determined that provider failure is possible officers will work with the provider to manage the issues and if required the contingency will be invoked of sourcing an alternative via current contractual arrangements or a tender process.

## **8.0 Human Resources and Property Implications**

- 8.1 A contract was let for housing management with associated leases and service users have tenancies in place with the housing management provider, Dimensions Care Ltd, giving them security of tenure in their own home. This was procured in 2016/17 and was a Low Value Contract under the Councils Contract Standing Orders and as such was awarded under delegated powers.

- 8.2 These services are provided by an external contractor and there are no implications for Council staff arising from the retendering of the contracts.

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

- 9.1 The Council has a duty pursuant to the Public Services (Social Value) Act 2012 to consider how the service being procured might improve the economic, social and environmental well-being of Brent and how it might act with a view to securing that improvement during the procurement.

- 9.2 The services under these proposed contracts have as their primary aim, the improvement of the social wellbeing of one of the most vulnerable groups in Brent. In procuring the services, the council specified that both contracts should be London Living Wage compliant. Further, social value was an evaluation criterion with a weighting of 10%. Providers were asked to propose social value initiatives as part of their bid and examples of social value initiatives which will be delivered via these contracts are the offer of apprenticeship scheme to young people in Brent to enter the care sector and gain qualifications potentially leading to employment within the organisation; employment offers to people who have disabilities including learning disabilities and autism; aspirational staff career development models including offer of qualifications; spending money locally using local businesses wherever possible; and supporting service users to learn about environmental responsibility, for example through support to purchase environmentally friendly products and engage with household recycling.

**Report sign off:**

**PHIL PORTER**

Strategic Director of Community Wellbeing

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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 – KINCH GROVE TENDER EVALUATION GRID**

Bidders were asked a series of questions which covered key areas of service delivery with weightings attached to each question.

**APPENDIX 2 – QUALITY TENDER EVALUATION GRID**

	Weighting of 100%	BIDDER WEIGHTED SCORE	
		A1	A2
Q1. Application of Experience	6%	3.50%	4.50%
Q2. Delivering Outcomes	6%	2.50%	4.50%
Q3. Service Delivery Out of Hours	4%	2.33%	3%
Q4. Independence	6%	4%	4%
Q5. Equality & Human Rights	3%	2.25%	2.25%
Q6. Safeguarding	3%	2%	2.25%
Q7. Safeguarding	3%	2%	2%
Q8. Service Model (Experience & Structure)	5%	2.50%	3.75%
Q9. Staffing (Skills, Qualifications & experience)	4%	2.33%	2.67%
Q10. Social Value	10%	7.50%	7.50%
Q11. Added Value (Presentation Question)	10%	5.83%	7.50%
<b>Total</b>	<b>60%</b>	<b>36.74%</b>	<b>43.92%</b>

**APPENDIX 2 –MANOR DRIVE & BEEHCROFT GARDENS TENDER  
EVALUATION GRID**

Bidders were asked a series of questions which covered key areas of service delivery with weightings attached to each question.

**APPENDIX 2 – QUALITY TENDER EVALUATION  
GRID**

	Weighting of 100%	BIDDER WEIGHTED SCORE	
		A1	A2
Q1. Application of Experience	6%	4.50%	3.50%
Q2. Delivering Outcomes	6%	4.50%	3.50%
Q3. Service Delivery Out of Hours	4%	3%	2.33%
Q4. Independence	6%	4.50%	4.50%
Q5. Equality & Human Rights	3%	2%	2%
Q6. Safeguarding	3%	2.25%	2%
Q7. Safeguarding	3%	1.75%	1.75%
Q8. Service Model (Experience & Structure)	5%	3.33%	2.50%
Q9. Staffing (Skills, Qualifications & experience)	4%	3%	2.33%
Q10. Social Value	10%	8.33%	7.50%
Q11. Added Value (Presentation Question)	10%	6.67%	5.83%
<b>Total</b>	<b>60%</b>	<b>43.83%</b>	<b>37.74%</b>

**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 with the latter being rounded up or down if below or above 0.5 decimal places.

<b>Service</b>	<b>Bidder Ref</b>	<b>Quality score (out of 60%)</b>	<b>Cost score (out of 40%)</b>	<b>TOTAL SCORE</b>	<b>RANK</b>
<b>ASC0013 KINCH GROVE</b>	A1	36.74%	40%	76.74%	2
	A2	43.92%	39.54%	83.46%	1

<b>Service</b>	<b>Bidder Ref</b>	<b>Quality score (out of 60%)</b>	<b>Cost score (out of 40%)</b>	<b>TOTAL SCORE</b>	<b>RANK</b>
<b>ASC0014 MANOR &amp; BEEHCROFT</b>	A1	43.83%	39.37%	83.20%	1
	A2	37.74%	40%	77.74%	2

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# LD Supported Living Services

**Department**

Community & Well-Being

**Person Responsible**

Laura Power

**Created**

3rd August, 2017

**Last Review**

3rd August, 2017

**Status**

Assessed

**Next Review**

3rd August, 2018

## Impact Assessment Data

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

5.1 Age (select all that apply)

- Positive
- Neutral

The majority of people living and receiving care and support at these services are entering older age. We have ensured that the service specification developed includes the expectation that the service provider will be able to support people who have learning disabilities entering older age, support people to stay well as they age and ensure the provider has the skills to observe, refer to appropriate services and manage any changes in need that may arise from aging such as changes to mobility, health or memory.

5.2 Disability (select all that apply)

- Neutral

Service users, their family members/ appropriate individuals and advocates have been consulted about the tender process and to co-produce the tender documentation ensuring that the service procured represents the needs and the service requirements of the individual's living and receiving care at Kinch Grove, Manor Drive and Beechcroft Gardens. Service users and their family members had the opportunity to support the evaluation of tenders through attending a presentation delivered by bidders and giving their views on the content and delivery.

Any change needs to be well managed with these service users as due to their cognitive impairment they have substantial difficulty in understanding any changes. The tender process does not represent a change of provision, individuals will continue to receive a 24 hour supported living service which meets their individual outcomes and needs arising from their disability as per their personalised support plan. Staff currently delivering the service will have the right to TUPE and may choose to do so which would minimise the impact of change should a new service provider win the tender.

A 3 month implementation period has been scheduled so that in the eventuality that a new provider wins the competitive tender process there is sufficient time for the provider to work with the individual's living and receiving care at these accommodations, their family members and advocates to support them to understand and manage the change of care provider delivering their service. This will also allow ample time for the service provider to get to know these individuals well, understand their need and how to support them. Brent Officers will work closely with the service provider, service users and their families to support the transition as required.

5.3 Gender identity and expression (select all that apply)

- Neutral

it is anticipated that there will be no impact on gender identity and expression as a result of the competitive tender process to procure a service provider to deliver a 24 hour care and support service to the individuals living and receiving care at Kinch Grove, Manor Drive and Beechcroft Gardens. Individuals are supported in line with their assessed needs, support plans and choices, should an individual wish to engage with services related to gender identity and expression the service provider can support them to do so under the new contractual arrangement.

5.4 Marriage and civil partnership (select all that apply)

- Neutral

it is anticipated that there will be no impact on gender marriage and civil partnership as a result of the competitive tender process to procure a service provider to deliver a 24 hour care and support service to the individuals living and

receiving care at Kinch Grove, Manor Drive and Beechcroft Gardens. None of the individual's currently in situ are married or in a civil partnership.

5.5 Pregnancy and maternity (select all that apply)

- Neutral

it is anticipated that there will be no impact on pregnancy and maternity as a result of the competitive tender process to procure a service provider to deliver a 24 hour care and support service to the individuals living and receiving care at Kinch Grove, Manor Drive and Beechcroft Gardens. None of the individual's currently in situ are pregnant or have children.

5.6 Race (select all that apply)

- Neutral

it is anticipated that there will be no impact on race as a result of the competitive tender process to procure a service provider to deliver a 24 hour care and support service to the individuals living and receiving care at Kinch Grove, Manor Drive and Beechcroft Gardens.

Of the 9 Brent residents currently in situ 11% are Black British, 22% are Asian and 67% are White British.

The specification for the service has been developed in consultation with individuals appropriate individuals/family member and advocates. Included within the specification is the expectation that the provider will meet individual's cultural needs particularly related to personal grooming and nutrition. The service provider will support people to meet their needs and wishes arising from their race, ethnicity and culture such as accessing groups in the community and cooking meals from the individuals culture.

5.7 Religion or belief (select all that apply)

- Neutral

It is anticipated that there will be no impact on religion as a result of the competitive tender process to procure a service provider to deliver a 24 hour care and support service to the individuals living and receiving care at Kinch Grove, Manor Drive and Beechcroft Gardens.

Individual support plans take into account an individual's needs arising from their religion, such as ensuring that ingredients selected or preparation methods for cooking lessons are compatible with the individual's religion. The service provider will continue to support service users access to community groups, places of worship and observe festivals relevant to their religion or belief. This has been detailed in the service specification.

5.8 Sex (select all that apply)

- Neutral

It is anticipated that there will be no impact on sex as a result of the competitive tender process to procure a service provider to deliver a 24 hour care and support service to the individuals living and receiving care at Kinch Grove, Manor Drive and Beechcroft Gardens.

Of the 9 Brent residents currently in situ 11% are female and 89% are male. Service users will continue to receive continuity of care, it is expected that gender matching support will be observed where possible should this be appropriate.

5.9 Sexual orientation (select all that apply)

- Neutral

It is anticipated that there will be no impact on sexual orientation as a result of the competitive tender process to procure a service provider to deliver a 24 hour care and support service to the individuals living and receiving care at Kinch Grove, Manor Drive and Beechcroft Gardens.

Presently we do not have any data surrounding sexual orientation for these service users. The service provider will be expected to support people's needs, should an individual wish to explore their sexual orientation it is expected that the service provider will support them to access services which can facilitate this.

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

- Neutral

No other impacts have been identified as a result of this tender process.

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

What did you find out from consultation or data analysis?

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

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

Data for this EA has been drawn from Mosaic.

Family members/ appropriate individual's have been consulted face to face and over the telephone to ensure their inclusion in the tender process. This has included explaining the tender process, seeking their views on what is important to be included and their views and comments on the drafted tender documentation. At the point of completing this EA all family members have been satisfied with the tender documentation drafted and their involvement in the process.

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

- No

No impacts have been identified as unlawful under the Equality Act 2010.

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

We have ensured that a detailed service specification which accurately represents the needs of the individual's living and receiving care at Kinch Grove, Manor Drive and Beechcroft Gardens has been drafted which is satisfactory to those identified as appropriate individual's for the service users in situ. It is expected that we will have a better basis for reviewing the quality of the service provided and ensuring that a high quality supported living service which meets people's needs, outcomes and aspirations is delivered.

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

No negative impacts have been identified. We will continue to fully involve family members/appropriate individual's throughout the process to mitigate any negative impacts or impacts arising from potential change.

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

No negative impacts have been identified at this time. We will continue to engage and consult with service users, their family members and advocates throughout the process to manage any anxieties or issues that may arise.

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 <b>Brent</b>	<b>Cabinet</b> 11 December 2017
<b>Report from the Strategic Director of Regeneration and Environment</b>	
<b>Authority to Award Contract for CCTV Supplies and Services</b>	

<b>Wards Affected:</b>	All
<b>Key or Non-Key Decision:</b>	Key Decision
<b>Open or Part/Fully Exempt:</b> <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Part Exempt - <b>Appendix 1 is Not for Publication</b> as it contains the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: <i>"Information relating to the financial or business affairs of any particular person (including the authority holding that information)"</i>
<b>No. of Appendices:</b>	1
<b>Background Papers:</b>	None
<b>Contact Officers:</b>	Clare Brennan Commercial Category Manager, Tel: 0208 937 1160 <a href="mailto:clare.brennan@brent.gov.uk">clare.brennan@brent.gov.uk</a>  Karina Wane Head of Community Protection Tel: 0208 937 5067 <a href="mailto:karina.wane@brent.gov.uk">karina.wane@brent.gov.uk</a>

## 1.0 Purpose of the Report

- 1.1 This report requests authority to award contracts as required by Contract Standing Order No 88. This report summarises the process undertaken in tendering this contract and, following the completion of the evaluation of the tenders, recommends to whom the contract should be awarded.

## 2.0 Recommendation

- 2.1 That Members award the contract for Upgrade of CCTV Equipment - Supplies and Services to Tyco Fire and Integrated Solutions (UK) Ltd. for a period of two years with a possible one year extension for a maximum sum of £2.3m dependant on the specific CCTV equipment required on individual sites during installation.

### 3.0 Detail

#### ***Background***

- 3.1. The Council operates over 200 CCTV cameras from its control room at Brent Civic Centre. CCTV cameras primarily make Brent safer, giving confidence to the community but are also used for traffic and parking enforcement, housing and fly tip monitoring, environmental ASB, gathering public protection intelligence etc. Therefore the Council relies significantly on the systems for operational purposes and resident safety. The vision for a safer, cleaner, greener Brent is directly linked to Brent's CCTV going forward.
- 3.2 A report concerning Brent's CCTV system was considered by Cabinet on 13 March 2017. This listed the benefits and options open to the Council for upgrading the CCTV system and Cabinet agreed the recommendation to procure new digital CCTV equipment using a framework agreement established by Eastern Shires Purchasing Organisation (ESPO), namely the Security and Surveillance Framework Agreement.
- 3.3 Upgraded digital CCTV equipment will replace outdated equipment which had high operating costs, notably transmission and maintenance costs. Brent's present CCTV infrastructure is not only using dated technology but is also falling apart due to lack of investment, with some cameras over 20 years old, despite only been designed to last 15 years.
- 3.4 Upgrading to digital CCTV equipment will make immediate savings and help the service to adapt to a more challenging economic environment. It will also open opportunities for income generation via monitoring CCTV for Registered Social Landlords, as well as other partner arrangements with neighbouring boroughs and private organisations to minimise any maintenance and management costs. At present, the service's analogue technology and infrastructure does not allow these possibilities and options to be addressed.
- 3.5 Benefits of a digital 'IP enabled' system include:
- **Enhanced recording capabilities** - Increased intelligence and enforcement.
  - **Greater flexibility** - to move cameras and at minimal cost.
  - **Sharing services** - reducing transmission costs to become cost neutral.
  - **Increased income** - monitoring Registered Social Landlord (RSL) CCTV.
  - **Reduced maintenance costs** - new infrastructure requiring less maintenance.
  - **Increased community safety, increased environmental cleanliness** – positively affecting community reassurance.
- 3.6 The impact of CCTV operations are diverse and wide-spread, both keeping Brent residents safe, supporting criminal justice, the night-time economy, and generating income.

### ***The Tender Process***

- 3.7 Having obtained Chief Legal Officer approval confirming the use of the ESPO Framework Agreement No 628 15 for the supply of Security and Surveillance equipment and Services was legally permissible, Officers conducted a further competition amongst suppliers on Lot 1A which covered design consultancy supply installation commissioning servicing and maintenance of public space CCTV.
- 3.8 Further competition documentation was issued to all suppliers on Lot 1A using the London Tenders Portal on 18<sup>th</sup> September 2017. Contractors were provided with an outline specification and details of the tender approach and were invited to submit tenders using the Council's Electronic Tendering Facility.
- 3.9 The tendering instructions stated that the contract would be awarded on the basis of the most economically advantageous tender and that in evaluating tenders, the Council would have assign a weighting of 50% for price and 50% for Quality. The following criteria made up the Quality Criteria:
- Functional Specification 7%
  - Installation methodology 7%
  - Project Management and Team 4%
  - Design and Installation Method statement 4%
  - F.A.T. and S.A.T. documentation 3%
  - Supply Chain Management 3%
  - Resource Management 3%
  - Legislative Compliance 3%
  - Defects Liability 3%
  - Efficiencies through New technology 3%
  - Social Value 10%

### ***Evaluation Process***

- 3.10 The tender evaluation was carried out by a panel of officers from the Regeneration and Environment Department. Specialist technical advice on submissions was provided by the Council's external technical advisor.
- 3.11 All tenders had to be submitted electronically no later than 12 Noon on Friday 13<sup>th</sup> October. Tenders were opened on 17<sup>th</sup> October 2017 and one valid tender was received. Each member of the evaluation panel read the tender using evaluation sheets to note down their comments on how well each of the award criteria was addressed.
- 3.12 The panel met on 17<sup>th</sup> October 2017, and the submission was marked by the whole panel against the award criteria. It will be noted that the submission scored highly in relation to the quality criteria, scoring 41% out of a possible 50%. Officers therefore had no concerns as to quality. With regard to price, the tenderer bid the sum of £2.3m, being a maximum cost and dependant on the specific CCTV equipment required on individual sites during installation. As there was only one bid, the bid scored full marks. In order to be satisfied as to

the competitiveness of the price bid however, Officers took advice from the Council's Technical Consultant and compared market prices for digital CCTV equipment. The tendered price was very close to the pre-tender estimate.

- 3.13 The name of the tenderer was Tyco Fire and Integrated Solutions (UK) Ltd. The full scores received by the tenderer are included in Appendix 1. Officers recommend the award of the contract to Tyco Fire and Integrated Solutions (UK) Ltd.
- 3.14 It is proposed that the contract will commence on 1<sup>st</sup> January 2018 for a period of 24 months with an option to extend for a further one year.

#### **4.0 Financial Implications**

- 4.1 Approval of the recommendation stated in paragraph 2.1 above to enter into contract with 'Tyco Fire and Integrated Solutions (UK) Ltd' to upgrade CCTV equipment, will commit the Council to £2.3m expenditure. This expenditure is an approved capital expenditure item within the Council's capital programme and will be wholly spent in 2018/19.
- 4.2 The contract is expected to deliver £65k procurement savings to be achieved from efficiency gains of using up to date technology and a reduction of BT line rental costs.

#### **5.0 Legal Implications**

- 5.1 The estimated value of this contract (£2.3m) over its lifetime is higher than the EU threshold for services or supplies contracts which currently is £164,176. The award of this contract therefore falls within the remit of 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 and Cabinet authority is required to award this contract as set out in Standing Order 86(e).
- 5.2 Officers in paragraph 3.2 have explained that in order to procure this contract they used ESPO Framework Agreement No 628 15 for the supply of Security and Surveillance equipment and Services - the ESPO Security and Surveillance Framework Agreement has been used. This framework is available to all public sector bodies.
- 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 ESPO framework used and is able to confirm that participation under this framework is legally permissible.

#### **6.0 Equality Implications**

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

## **7.0 Consultation with Ward Members and Stakeholders**

- 7.1 Key stakeholders and members have been updated throughout the initial proposal for and development of the CCTV upgrade. Members were invited to make a decision on whether the upgrade should go ahead using Capital Investment, and other key stakeholders were involved in the determining the benefits and opportunities an upgrade could bring the council and residents should the recommendation for an upgrade be upheld.
- 7.2 A member's session regarding how the CCTV upgrade links to the wider 'Safer Brent' agenda is scheduled for 20<sup>th</sup> November 2017.

## **8.0 Human Resources/Property Implications (if appropriate)**

- 8.1 There are no implications for Council staff arising from this contract.

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

- 9.1 In procuring the contract, Officers have had regard to the Public Services (Social Value) Act 2012 given the contract involves both services and supplies. Social Value was one of the evaluation criteria used to evaluate bids and organisations were invited to propose initiatives as part of their bid for supporting local communities, local businesses and the local environment. The preferred bidder has indicated that it would utilise local suppliers and businesses, as well as offering apprenticeships and training opportunities to local residents.

**Report sign off:**

**AMAR DAVE**

Strategic Director of Regeneration and Environment

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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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 <b>Brent</b>	<b>Cabinet</b> 11 December 2017
	<b>Report from the Strategic Director of Regeneration &amp; Environment</b>
<b>Parking Services Contract</b>	

<b>Wards Affected:</b>	All
<b>Key or Non-Key Decision:</b>	Key
<b>Open or Part/Fully Exempt:</b>	Open
<b>No. of Appendices:</b>	1
<b>Background Papers:</b>	<a href="#">Parking service annual report</a>
<b>Contact Officer:</b>	Gavin F Moore Head of Parking and Lighting Tel: 020 8937 2979 <a href="mailto:gavin.f.moore@brent.gov.uk">gavin.f.moore@brent.gov.uk</a>

## 1.0 Purpose of the Report

- 1.1 This report sets out options and identifies a preferred option for the future procurement of the Council's Parking Services Contract. Parking is a high profile service with key objectives to ensure adequate parking spaces on-street for residents, businesses and visitors, to reduce congestion and improve road safety, and support sustainable environmental objectives.
  
- 1.2 Three procurement options have been considered for this contract, whose first five year term expires in July 2018: re-tendering the contract; establishing a new in-house team; or extending the Serco contract by up to five years. The report sets out why the latter option is recommended: to facilitate service improvements, efficiencies and savings; and minimise service and financial risks. The extension period will also provide an opportunity to test new approaches to enforcement and ways of working; and provide space to develop a preferred strategic option for the council in respect of the future delivery of parking and other environmental services.

## 2.0 Recommendation

- 2.1 That Cabinet agrees to exercise the option to extend the Parking Services Contract by four years and nine months to 31 March 2023, for the reasons set out in Section 5 of this report.

### **3.0 The Current Parking Contract**

3.1 The parking contract with Serco was let in 2013 for a term of five years (to July 2018), with an option for the council to extend the contract by up to 5 years. The contract covers the full range of activities undertaken to provide parking services, including civil enforcement of parking and moving traffic restrictions as set out in the Road Traffic Regulation and Traffic Management Acts. Key functions are:

- Parking enforcement, mainly through deployment of Civil Enforcement Officers
- CCTV enforcement of moving traffic and bus lanes
- Responding to informal PCN representations
- Management, Operation & Maintenance of Pay & Display bays on-street
- Management and maintenance of Controlled Parking Zones
- Management of off-street parking in council car parks
- Vehicle removal operations & car pound
- Managing specialist provision of cashless parking & electronic payments
- Back office business processing services, including the provision of parking control software, scanning, indexing, and permit administration

Brent retain a client function with responsibility for:

:

- Parking policy and overall management
- Establishing priorities
- Prioritisation and management of service changes
- Management of the Serco parking contract
- Management of the civil enforcement agent (bailiff) contracts
- Hearing formal PCN appeals, tribunal referrals and debt recovery processes
- Parking related enquiries, complaints and Freedom of Information requests

Serco's performance to date is examined in detail in Section 4 below. Annual contract expenditure in 2017/18 is expected to be over £4.5m p.a. The Parking Account was in surplus in 2016/17 (see table in paragraph 4.6 below); taking account of legal requirements the surplus has been applied to meet 72% of the cost of funding concessionary fares (the Freedom Pass), in accordance with Council policy and corporate budget planning.

3.2 The contract was originally procured as a West London Alliance initiative alongside the London Boroughs of Ealing and Hounslow. At present Brent and Hounslow are both utilising the full services provided by Serco, including the provision of parking and traffic enforcement services. However, apart from some back office provision, LB Ealing currently use NSL to provide most parking services, in particular enforcement. An Inter-Authority Agreement has been in place to govern the operation of the joint contract. The boroughs have jointly agreed not to extend the Inter-Authority Agreement beyond the initial five year term. Any extension agreed by LB Brent from July 2018 would therefore be on a single borough basis.

3.3 Officers have been advised that LB Hounslow has entered discussions with Serco to discuss an extension to their contract beyond July 2018. Cabinet will be advised verbally should there be further developments.

3.4 LB Ealing uses NSL for most enforcement and parking service activity. Serco provide some back-office parking functions. Ealing have decided that continued division of the parking service is not desirable. The borough is therefore consolidating its contracts with NSL and Serco into a single unified parking contract due to commence in April 2019. Contract extensions with both companies are in place to March 2019. Ealing have expressed an interest in continuing to work with Brent in collaboration to achieve efficiencies and deliver savings. Ealing have also approached other nearby authorities, including LB Barnet. This could provide an opportunity to achieve enhanced economies of scale from April 2019, particularly if LB Hounslow decide to extend their contract with Serco.

#### **4.0 Performance of the Serco Contract**

4.1 Following the mobilisation period in 2013/14, contract performance by Serco has been of a high standard. Local Partnerships (the joint consultancy arm of the Local Government Association and the Treasury) were engaged in 2017 to determine the range of options available to the council from an objective, independent perspective. Local Partnerships concluded: *“The service quality of the current arrangement is generally well regarded and Brent, with Serco, have been recognised nationally for their good practice, winning ‘Team of the Year’ at the British Parking Awards.”* Local Partnerships also concluded that *“...the evidence was clear that the current service is performing well. Brent has built a good relationship with Serco and Serco has performed.”*

4.2 Performance data over the term of the contract is summarised in the [Parking service annual report](#), which was endorsed by Highways Committee in July 2018. The service has performed well ahead of expectation over recent years, even after taking account of the loss of most parking CCTV enforcement powers in April 2015 as a result of restrictions imposed on all local authorities by the 2015 Deregulation Act.

- The Act’s key impact was to greatly reduce the council’s power to enforce parking through the use of CCTV. The loss of power was imposed on the council with only one week’s notice, immediately prior to the 2015 General Election. Serco addressed the changes required by the comprehensively in Brent, switching staff resources overnight from CCTV to on-street CEO enforcement. In comparison with other local authorities, Brent and Serco were able to sustain effective parking enforcement from the first day of the Act coming into effect. Subsequently improvements in CEO productivity have led to further growth in enforcement coverage. The planned introduction of the London Living Wage in July 2018 will further expand capacity for effective CEO enforcement borough-wide.
- In respect of moving traffic enforcement, in 2015/16 Serco and Brent achieved the highest growth in operations of the 33 enforcement authorities in Greater London. As a result non-compliance by motorists at key locations has been reduced by up to 80%, with a significant impact on reducing traffic congestion and improving road safety. Serco has the capacity to introduce additional moving traffic enforcement at key locations identified by Brent, utilising automated Lanewatch cameras

- Complaints about the service have dropped by 56% - 146 complaints were received in 2016/17, compared to 337 received in the contract mobilisation year 2013/14.
- All budget planning expectations have been met or exceeded, providing additional contributions to the corporate cost of concessionary fares in each year from 2014/15.

4.3 The first year of the contract, 2013/14, was focused on achieving a smooth transfer of operational responsibility from the former contractor and mobilising Serco's enforcement operations. Two key changes were also implemented in the first 18 months of the contract:

- Automatic Number Plate Recognition was introduced, linked to Brent's CPZs, supplemented by data tables, analytics and operational models. Mobile ANPR operations have built a 'heat map' of locations across Brent where compliance is low historically so that day to day planned compliance activity can be focussed on those areas where most offences occur. The system is linked to mobile CEOs who can respond quickly to enforce parking contraventions.
- Delivery of the major project to replace the former parking shops, and the visitor scratch card system, with accessible on-line services for permit issuance and PCN administration.

4.4 During contract years 2014/15 and 2015/16, Serco were directed by Brent to devote their change management resources to focus on delivery of a substantial programme of improvements to the service, with £3.2m of budget planning implications. The key components of the programme successfully delivered in partnership with the client team are set out below.

<b>Project</b>	<b>Notes</b>
<b>Additional CEO Deployment replacing CCTV</b>	See 4.2 above; facilitating substantial increase in enforcement
<b>Introduction of moving traffic enforcement CCTV</b>	See 4.2 above; issuance of PCNs for moving traffic offences trebled
<b>Introduction of new car park Season Ticket options</b>	
<b>Introduction of Event Day Parking in Car Parks</b>	Moving parked cars off-street
<b>Enforcement of Northwick Park car park</b>	
<b>Introduction of Lower Place Business CPZ and enforcement of Disraeli Road car park</b>	Innovative and popular business parking scheme supporting the Lower Place industrial estate
<b>Reform Visitor Parking Charges to the new £1.50/£3/£4.50 pattern</b>	High impact on parking supply, with an estimated 700 places freed up each day

<b>Project</b>	<b>Notes</b>
<b>Introduction of Voice Recognition telephone technology</b>	See 4.5 below
<b>Online PCN Case Management</b>	
<b>Transfer of RingGo cashless parking</b>	See 4.5 below
<b>Removal of surplus P&amp;D Machines</b>	

4.5A range of other service improvements and innovations have been introduced by Serco in partnership with Brent during the course of the contract:

- Voice Recognition technology has been introduced to the Serco Parking call centre, to improve the handling of enquiries and visitor parking bookings. Call response times have improved along with customer satisfaction. More reliable call handling has now reduced by 50% the total number of calls received; a reduction of 60,000 calls p.a., providing a cost saving to the council of £120k p.a. In addition, the proportion of calls abandoned has reduced by more than 60%.
- From January 2017, virtual parking permits have replaced paper permits for residents and businesses
- Body Worn Video has been introduced to improve staff safety on-street, and to assist in resolving PCN appeals
- Introduction of re-locatable CCTV to enforce school Keep Clear markings
- Staff essential user paper permits will be phased out in 2018 and replaced by an on-line booking system to eliminate any misuse
- Serco has taken over the management of a range of specialist sub-contractors, including RingGo's cashless payments service, providing substantial cost savings;
- In 2016/17, 59% of on-street parking payments were made using cashless methods, compared with just 19% in 2012/13 before contract start
- Deployment of moped CEOs has facilitated a rapid response to reports of parking contraventions made by residents and Members
- Introduction of a permit reminder service providing text, email and letter
- Introduction of online case management to assist motorists to view and appeal their Penalty Charge Notice online
- Pursuing PCN debt on foreign registered vehicles abroad
- Accreditation to the Payment Card Industry Data Security Standard for all payments received, ensuring that credit card information is secure.

Further service innovations offered by Serco for the proposed contract extension are set out in the Appendix.

#### 4.6 Enforcement and financial performance

The table below shows how enforcement and financial performance has improved since the pre-contract year, 2012/13. It is forecast that performance will improve further in 2017/18.

<b>Key Performance Indicators</b>	<b>2012/13 (APCOA*)</b>	<b>2013/14 (SERCO mobilised)</b>	<b>2014/15 (SERCO)</b>	<b>2015/16 (SERCO)</b>	<b>2016/17 (SERCO)</b>
<b>PCNs issued by CEOs for parking contraventions</b>	<b>85,101</b>	<b>75,458</b>	<b>87,347</b>	<b>99,145</b>	<b>103,363</b>
<b>PCNs issued by CCTV for parking contraventions**</b>	<b>28,942</b>	<b>37,353</b>	<b>36,584</b>	<b>991</b>	<b>2,160</b>
<b>PCNs issued for bus lane contraventions</b>	<b>3,373</b>	<b>5,681</b>	<b>11,362</b>	<b>8,370</b>	<b>10,349</b>
<b>PCNs issued for moving traffic offences</b>	<b>25,367</b>	<b>24,029</b>	<b>27,512</b>	<b>73,990</b>	<b>72,221</b>
<b>Parking Account: net surplus</b>	<b>n/a</b>	<b>£7.914m</b>	<b>£8.957m</b>	<b>£10.119m</b>	<b>£11.724m ***</b>

\* Prior to 2013 the service provider was APCOA

\*\* Since 2015/16 the number of parking PCNs issued by CCTV has dropped by almost 95%, following the introduction of the Deregulation Act 2015. This also had the effect of reducing enforcement revenue by an estimated £1.8m p.a. from 2015/16 onwards.

\*\*\* The entire £11.7m surplus in 2016/17 was utilised to meet 72% of the total cost of concessionary fares (the Freedom Pass)

#### 4.7 Civil Enforcement Officer Productivity

Productivity is measured by PCN issuance per deployed CEO hour; the contract requires a productivity of at least 1.15 PCNs per hour. As the table below shows, since 2014 Serco has been able to exceed the productivity rate required by the contract specification. This improvement in productive activity is especially marked as the volume of enforcement has also increased.

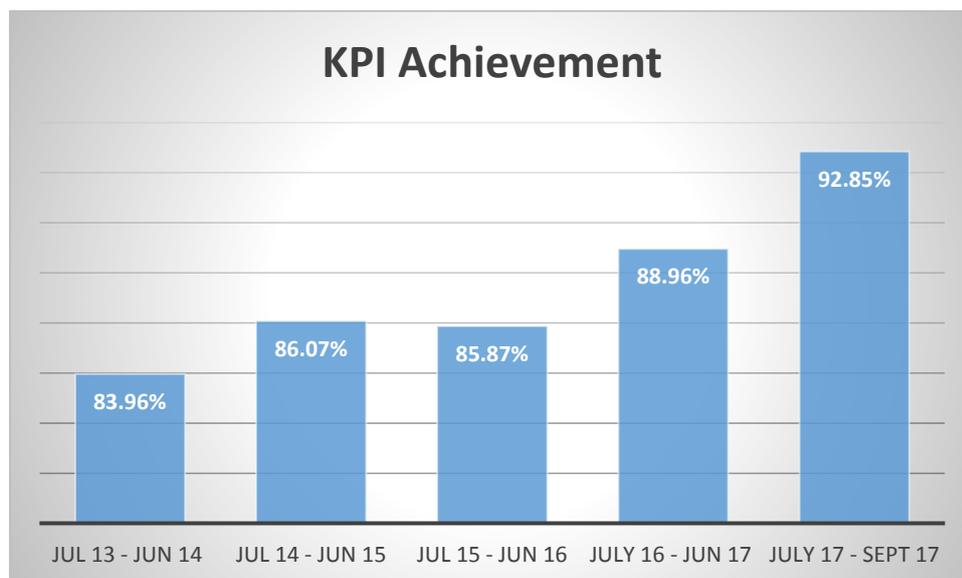
<b>Contract year</b>	<b>PCNs issued</b>	<b>CEO Hours</b>	<b>Productivity (PCN/hour)</b>
2017/18 (first 3 months)	25,987	20,998	1.24
2016/17 (Serco)	100,503	80,256	1.25
2015/16(Serco)	97,570	78,899	1.24
2014/15 (Serco)	93,045	77,615	1.20
2013/14 (Serco mobilisation)	74,113	71,840	1.03
2013 (APCOA – first six months of 2013)	42,682	49,084	0.87

CEO productivity is very difficult to benchmark. The issuance levels achieved are invariably held as contract data and not made available to other parties. Even if data

were to be made available, direct comparisons would be unreliable due to the different scale of operations in each authority and the impact of diminishing marginal returns. In effect the larger the scale of enforcement the lower productivity tends to be, as more locations with lower levels of contraventions are enforced. In authorities with smaller scale enforcement volumes than Brent, activity is focused on only the most contravened restrictions and productivity can appear artificially high.

#### 4.8 Contract KPIs

The contract KPI basket is used to calculate the profit element of the contract paid to the contractor. The improved level of achievement achieved by Serco against the Brent basket of KPIs is set out in the chart below. Serco has achieved comparable KPI performance improvements in Hounslow and Ealing.



#### 4.9 Benchmarking

A reliable comparison of contractor performance is difficult to secure as no formal information-sharing is undertaken by enforcement authorities. Only PCN issuance data is collected London-wide. An assessment has however been undertaken of Serco's performance in respect of PCN issuance in comparison with: Brent's previous contractor (APCOA). The table below illustrates a marked improvement in PCN issuance achieved by Serco compared to Brent's former contractor, APCOA.

	<b>Brent PCN issuance:</b> 2012/3 (APCOA) to 2016/7 (Serco)
<b>Traffic and bus lane CCTV</b>	Up from 27,719 (APCOA) to 82,615 (Serco) [+198%]
<b>CEO Parking</b>	Up from 85,101 (APCOA) to 103,424 (Serco) [+21%]

(PCNs issued by CCTV for parking offences are excluded due to the ban imposed by the 2015 Deregulation Act.)

#### **5.0 Options Appraisal**

Three Gateway options have been examined:

- Option 1: Extend current Serco contract for 4.75 years, to synchronise the end of term with the Veolia public realm and other environment contracts
- Option 2: Move all current Serco services in-house from July 2018
- Option 3: Let a new contract to commence from July 2018 by going out to market

Key issues have been identified for each of these options and are set out in detail below.

##### 5.1 Option 1: Extend current Serco contract for 4.75 years to March 31<sup>st</sup> 2023

- The contractor's performance record is strong, as set out in Section 4 above
- This is reinforced by the strong financial record of the contract to date (see paragraph 4.4 above)
- High levels of enforcement performance have had a marked impact on PCN issuance, increasing the contribution which the service makes to fund the Freedom Pass (concessionary fares). This contribution last year covered 72% of the total cost (see table in paragraph 4.6 above), which would otherwise need to be met from the Council's general resources.

- Assurance of this high level of service and financial performance during the proposed extension period can be provided by Serco.
- Serco's capacity to expand enforcement will improve further through introduction of the London Living Wage in July 2018, in line with Brent policy. This will particularly benefit Serco's Civil Enforcement Officers (over 50 fte), facilitating the recruitment and retention of additional CEOs. Serco and the council had wished to bring this implementation date forward but this was blocked due to restrictions imposed by the Inter Authority Agreement with LB Hounslow.
- The £220k p.a. cost of introducing the London Living Wage for the whole workforce from July 2018 will be covered through efficiency savings to be delivered by Serco.
- During the course of the contract extension, neither Serco nor the council would be restricted to the London Living Wage as a fixed baseline salary. In principle, and if resources permitted, the council could in future decide on a policy change regarding the minimum salary expected for staff employed by contractors and external commissioned services. In respect of the Serco contract, this could be delivered through a contract amendment with an associated growth bid.
- Negotiations with Serco are progressing to achieve an additional £550k p.a. target for growth in revenue and savings from July 2018, integral to any agreement to extend the contract to March 2023 (£413k in 2018/19, then £550k p.a. from 2019/20 onwards). A range of service improvement options proposed by Serco are under consideration (see Appendix A), including more effective enforcement outside schools at peak times, and deployment of an experienced specialist team to target problem locations outside of normal enforcement hours. An extension to March 2023 would provide Serco with the commercial stability to deliver these improvements. A short term extension to the contract would not be viable in commercial terms, to facilitate the extension of capacity needed to deliver savings and service improvements at this level.
- A contract extension will facilitate development of a business case to extend more effective parking enforcement to Housing estates through a variation to the Serco contract
- There would be a further opportunity in Spring 2019 to secure additional economies of scale if Serco win the Ealing and/or Barnet contracts, utilising the inherent flexibility and transparency of the Open Book approach used in the current Serco contract; this opportunity would also arise if Hounslow agree to extend their contract with Serco
- There will be opportunities to test new ways of working with Serco during the contract extension including alignment with the proposed neighbourhood management approach to the provision of Environmental Services, and providing greater support to schools to meet the targets set out in their travel plans

- Serco has the capacity to deliver further growth in cashless parking provision, and to support any move towards fully cashless payments if the council decides to pursue that objective. This could provide cost reductions and reduced losses due to theft from machines. Within the next five years customer acceptance of cashless methods can be expected to increase, potentially making this a more viable option than previously considered.
- Formal PCN appeals will remain an in-house service, in compliance with Statutory Guidance, providing motorists with an assurance that appeals will be judged impartially at arms-length from the enforcement provider.

5.2 An extension of the Serco contract to March 2023 opens up strategic options for the Council to consider which could provide a greater opportunity for economies of scale. A more wide-ranging option covering a range of environmental services, aligned with the end of the Veolia and other contracts in March 2023, could potentially be more viable. This would facilitate full Member engagement from 2018 in analysis and decision-making; and provide sufficient time to plan for and implement whichever strategic option Members select.

5.3 Local Partnerships advised “... a number of currently outsourced service contracts co-terminate around 2023. This offers the council an opportunity to review their procurement and service delivery strategy across a range of service elements and bring these together in a consistent and considered solution. Future planning offers an opportunity therefore to consider the short to medium term up to this ‘pivot date’, and long term defined as after this. Based on the analysis undertaken, Local Partnerships recommends therefore that in the short to medium-term Brent works with Serco to test integration with Area Teams and elements for in-house provision. This should allow Brent to develop its knowledge of the service and what is possible and develop robust business case(s) in real-time with real data. Given the strong relationship with Serco and the ability to extend the current arrangement for a period of time, this will enable Brent to manage the risk to income / revenue of changing provision, in a sensible way.”

#### 5.4 Option 2: Move all current Serco services in-house from July 2018

- It has not been possible to establish a viable business case for the creation of a new in-house Parking service on a short timescale, particularly in respect of the risk to functions relating to parking enforcement and permit issuance.
- A stand-alone in-house parking service, established on a like-for-like basis from July 2018, could be substantially more expensive than the current provision. This would be due to three main factors: higher staff direct costs than forecast under the agreed London Living Wage model, and higher staff on-costs (including pension provision); less favourable specialist sub-contractor charge rates (for example cashless parking) than those secured by Serco; and the substantial risk of lower enforcement performance and declining revenue. A growth bid would need to be brought forward to bridge the gap if this option were to be considered.

- Most local authorities have now outsourced parking enforcement; it has not been possible to identify a comparable authority which has returned an outsourced parking enforcement service successfully to in-house provision
- There is no recent experience within the council of direct management of parking enforcement services; and no recent experience of managing front-line public realm services on this scale – over 100 fte staff would be involved. Time and resources would be needed to create and build this capacity to provide a prospect of success.
- Complex management, Legal, HR, Procurement and Finance challenges would need to be considered with appropriate levels of staff input and other resources.
- TUPE would be a factor as the existing Serco staff would hold acquired employment rights on transfer of employment.
- This would be a high risk option given the unknown capability of a new parking service to meet current service performance standards (see section 4 above); if enforcement is weakened the level of parking contraventions could increase, making it more difficult for residents to find a parking space and increasing traffic congestion; in respect of enforcement this also implies a high corporate financial risk due to the substantial contribution of enforcement revenue to the parking surplus used to help fund concessionary fares.
- This risk of immediate disruption to permit issuance and parking enforcement services, in particular, could commence from January 2018 and cover a period of at least a further 18 months; due to (a) the winding down of the current contract and (b) the creation and mobilisation of a new parking service. (During 2013/14, the mobilisation year of the current contract, PCN issuance dropped by 10,000; equivalent to an expected £500k yield.)
- A new IT system for parking permit issuance would need to be procured and made operational for July 2018. Changing IT systems with a high customer turnover are inherently risky projects, and prone to time and cost overruns.
- Should there be disruption to parking enforcement or the issuance of permits to residents, there would be a clear impact on residents in 2018. Disruption to permit issuance would be a cause of stress and anxiety to residents, and could undermine enforcement action.
- There could be no assurance that the £550k p.a. forecast from the proposed contract extension could be delivered by a new parking service, or that efficiency savings could be delivered by a new service to cover the £220k p.a. cost of introducing the London Living Wage. Either of these risks would have a significant impact on current corporate budget planning assumptions were they to be realised

- Advice of specialist external parking consultants, Alpha Parking, engaged in 2017 was that a stand-alone in-house service established on a short timescale would be unlikely to be viable
- LB Ealing has also concluded that an in-house service would not be an immediate option. Their decision report advised: *“This industry has advanced at a rapid pace in terms of IT support and staff development. Coupled with the development of the Serco service on a reasonable scale, this means the contracted-out option continues to make economic and service efficiency sense.”*

A more wide-ranging in-house option covering a range of environmental services, aligned with the end of the Veolia and other contracts in March 2023, could potentially be a more viable option. This would facilitate full Member engagement from 2018 in options analysis and decision-making; and provide sufficient time to plan for and implement a strategic in-house option.

### 5.5 Option 3: Let a new contract by going out to the market

- Cost savings on the current contract price are unlikely to be achieved by re-tendering; Serco were awarded the contract in 2013 with the lowest price and there have not been any major new service provider entrants to the London market since then.
- The cost of the contract has not increased automatically by inflation over the initial five year term, increasing the likelihood that retendering the contract could increase costs
- Service quality provided by Serco has been markedly greater than anticipated at the time of the contract award; there is a risk that another provider would not offer the same quality, reducing the effectiveness of enforcement and a reduction in net enforcement. Benchmarking the performance of another leading contractor provides some evidence to support this assessment (see 4.7 above).
- Procurement costs would be incurred
- In the longer term more strategic tendering options will be available, aligned with the end of the Veolia contract in March 2023
- Serco may not submit a tender if the contract is re-let, limiting the value of the competitive process; if Serco did tender their price might well increase
- Service disruption would be inevitable in the transitional period up to July 2018
- There would be an unavoidable performance dip from early 2018 to mid-2019 at least as Serco withdraw from the service and a new contractor is mobilised.
- A replacement parking permit IT system would need to be in place from July 2018, with a high risk of service disruption and increased resident dissatisfaction should the timetable not be met

## Conclusion

5.6 Taking into account the conclusions of the analysis presented above, officers recommend that the Council should exercise its contractual option to extend the Parking Services contract with Serco for a period of 4.75 years to 31<sup>st</sup> March 2023. This recommendation has been endorsed by the corporate Commissioning and Procurement Board.

5.7 The parking contract contains provisions for change control, and a number of significant changes have been made to service provision since 2013. Further service changes can be introduced into the contract through this mechanism. An opportunity to consider change could be taken during the 2018/19 contract year, given that an Open Book review will be scheduled for that period which will take account of any additional parking contracts gained by Serco. This would provide Members with the opportunity to seek further changes and innovation through the contract. An example is the possibility of a greater drive towards cashless parking, as identified above.

## **6.0 Financial Implications**

The Parking Enforcement service annually costs £4.5m, and this report evaluates three options for continued service provision after the current contract ends in July 2018. The recommended option stated in paragraph 2.1 is to extend the current Serco contract to 31<sup>st</sup> March 2023. As part of the contract extension negotiations, officers are seeking from Serco a reduction in the contract price to meet the 2018/19 £0.55m procurement contract savings target.

## **7.0 Legal Implications**

7.1 Officers' preferred option is to extend the existing Parking Services Contract with Serco by four years and nine months to 31 March 2023. The initial term of the Parking Services Contract expires on 3<sup>rd</sup> July 2018. The Council has an option to extend the term of the contract by up to a further 5 years by giving no less than six month's written notice expiring at the end of the initial contract term.

7.2 Any extension of the Parking Services Contract is subject to price adjustment in accordance with clause 29. This provides that the parties shall agree an appropriate price adjustment. Clause 29.4 indicates that any price increase shall not exceed the percentage change in the Approved Indices between the Commencement Date and the date 6 months before the end of the Initial Contract Period.

7.3 As indicated in paragraph 3.2, the Parking Services Contract was procured as part of a West London Alliance project involving the London Boroughs of Ealing and Hounslow. Both Ealing and Hounslow are parties to the contract and the three boroughs have operated it jointly during the initial term under an inter-authority agreement. Ealing is extending its element of the contract to 31 March 2019 but it is not clear whether Hounslow will be extending its element of the contract and

if so, for how long. Irrespective of whether the contract is further extended by Hounslow, the three boroughs have decided not to continue to operate the contract jointly after the expiry of the initial term and will need to agree exiting arrangements from the Inter-Authority Agreement.

7.4 With parties leaving the Parking Services Contract, there will need to be certain variations to it as a result although it will not be possible to know the extent of the variations until Hounslow have confirmed their intentions. In addition to these variations, it is proposed that the contract will be varied to address the service improvements and efficiencies proposed in Appendix A.

7.5 Should the Council chose to re-tender the Parking Services Contract from July 2018, the estimated value based on the current contract would mean that the contract would be classed as a High Value Contract under Contract Standing Orders and would require a full tender exercise to be undertaken in order to comply with Contract Standing Orders and Public Contract Regulations 2015.

7.6 Should the Council chose to move in-house all services provided under the Parking Services Contract, the Transfer of Undertaking (Protection of Employment) Regulations 2006 is likely to apply to a large number of Serco staff working on the Brent element of the contract who would transfer to the employment of the Council.

## **8.0 Equalities Considerations**

8.1 Standards within the contract will ensure that the service provider continues to comply with the Council's policies for equalities.

8.2 An initial equalities impact assessment screening has been completed in respect of the recommendation to extend the Serco contract by 4.75 years. It is considered that there will be no adverse impact or discrimination against any of the specified equalities groups.

## **9.0 Consultation with Ward Members and Stakeholders**

9.1 The parking service covers the whole borough and therefore preliminary consultation has not taken place with specific ward Members.

9.2 Specialist consultancy support from Alpha Parking and Local Partnerships has informed the analysis contained within this report.

9.3 The Council's Commissioning and Procurement Board has endorsed the recommendation of the report.

## **10.0 Human Resources/Property Implications**

10.1 It is anticipated that Serco will continue to provide the service from their current Whitby Avenue depot, located within Brent.

10.2 There are no specific implications for Council staff. Formal PCN appeals, notice processing and debt collection management will continue to be dealt with by the in-house Notice Processing team of 14fte staff.

**Report sign off:**

**AMAR DAVE**

Strategic Director of Regeneration & Environment

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## **Appendix A - Service Improvements and Efficiencies being sought from Serco**

Serco will bring forward a business plan to increase CEO deployment borough-wide, facilitated by the payment of the London Living Wage. Currently LLW rates are paid to CEOs in nearby boroughs, and this has impacted on Serco's ability to recruit and retain staff. The clear commitment by Serco and the council to match the LLW rate paid in neighbouring authorities at the earliest opportunity is already improving retention rates.

A business and investment plan will also be developed to introduce CCTV camera enforcement at all remaining suitable moving traffic locations, with a planned timetable for roll-out borough-wide. 20 key locations will be prioritised.

Serco have also offered to develop a range of efficiencies and service improvements within the context of a contract extension to March 2023. These include:

- Introduction of a new mobile CEO 'hit squad' providing flexible and mobile enforcement to tackle compliance problems in problem areas such as in the vicinity of schools at pupil arrival and departure time, taxi-ranks, garages and retail areas. The team would comprise three experienced staff capable of meeting the challenge of these locations, where the loss of CCTV enforcement powers has had most impact. The team could also be deployed at key locations outside of normal hours where a specific problem is identified.
- This specialist team would be assisted by the roll-out of enforcement of school Keep Clear markings through re-mountable CCTV
- Further development of ANPR technology to improve deployment and respond more quickly to parking contraventions
- Further reductions in the pay and display machine network in favour of the accelerated adoption of 'Ringo' cashless only parking. Serco consider that a reduction in the number of machines from 600 to less than 200 could be achievable.
- Further improvements to the Response Master portal to facilitate better understanding by motorists of the likelihood of a successful PCN challenge. This would aim to reduce the number of PCN challenges by at least 10%, reducing costs at all stages of the appeals process.
- Creation of new roles for permanent staff and apprentices providing additional employment and career opportunities for Brent residents; with five new apprentices recruited in each tranche (Social Value objective)
- Introduction of new training and development pathways for CEOs, most of whom are locally recruited. (Social Value objective)
- A review of options for the vehicle removal/relocation service together with opportunities to reduce accommodation and other costs to ensure the service operates at a break-even level or better;

- An exploration of savings or service improvements which could be generated by the utilisation of Serco's Customer Contact Centre in Cardiff.
- Improvements in the customer journey including Customer Services Excellence accreditation informed by regular customer satisfaction Surveys; a joint application for CSE status with the client team could be made
- Improvements to services such as Bay Suspensions, increasing ease of use and access, and reducing back office administration costs.
- Develop and test new approaches to enforcement and better integration with Environmental Services' proposed area management structure

If Serco were to win additional contracts or contract extensions in nearby boroughs in 2018/19, there would be a further opportunity to secure a share of efficiency savings for Brent, utilising the Open Book cost adjustment process provided for within the contract

 <p><b>Brent</b></p>	<p align="center"><b>Cabinet</b> 11 December 2017</p>
	<p align="center"><b>Report from the Strategic Director of Regeneration and Environment</b></p>
<p align="center"><b>Authority to Award Contract for Arboricultural Services</b></p>	

<b>Wards Affected:</b>	All
<b>Key or Non-Key Decision:</b>	Key
<b>Open or Part/Fully Exempt:</b> <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Part Exempt - <b>Appendix 1 is Not for Publication</b> 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)"
<b>No. of Appendices:</b>	2
<b>Background Papers:</b>	Cabinet Report: <i>Arboricultural Services Contract and Authority to Tender</i> , 24 April 2017
<b>Contact Officers:</b>	Mark Fairchild Acting Senior Contracts Manager Tel: 020 8937 5300 <a href="mailto:mark.fairchild@brent.gov.uk">mark.fairchild@brent.gov.uk</a>

## 1.0 Purpose of the Report

1.1 This report requests authority to award a contract as required by Contract Standing Order No 88. This report summarises the process undertaken in tendering this contract and, following the completion of the evaluation of the tenders, recommends to whom the contract should be awarded.

## 2.0 Recommendation

2.1 That Members approve the award of the contract for the Arboricultural Services Contract to Gristwood and Toms Ltd for a period of five (5) years from 1<sup>st</sup> April 2018, with an option to extend for up to two (2) additional years.

### **3.0 Detail**

- 3.1 The Council has in excess of 17,000 public highway trees, 5,200 estate trees located on 200 housing estates, and 14,500 trees in Brent's parks and cemeteries.
- 3.2 There are currently separate maintenance contracts for public highway trees and for estate trees, both with Gristwood and Toms Ltd and both expiring on 31<sup>st</sup> March 2018. The Parks service does not currently have a formal trees maintenance contract. Instead, maintenance works are carried out on an ad hoc basis, according to need, and these works are placed almost exclusively with the council's current contractor, Gristwood and Toms Ltd.
- 3.3 The new Arboricultural Services contract will cover all trees on the public highway, on housing estates and in parks and cemeteries. The combined value of the Council's spend on arboricultural services will be £0.65m p.a. based on existing budgets.
- 3.4 The contract is priced according to the estimated volume of work being delivered against the tendered schedule of rates, covering the full range of activities undertaken to maintain the tree stock.
- 3.5 The contract specification breaks down specific work activities (e.g. pruning, pollarding, planting, etc.), and sets out the Council's expectations for the undertaking of maintenance works. This is aimed at ensuring that works are delivered to a standard which does not prejudice the health of the tree stock. The majority of these works are undertaken as part of an annual programme, but some works are undertaken on an ad hoc basis where there is a requirement for immediate action to eliminate potential risks.
- 3.6 There is also an element of fixed costs in the contract, associated with public highway ground works. These works ensure that the Council meets its statutory requirements by keeping the highway clear. They include the removal of epicormic (basal) growth from the Council's lime trees, and the removal of low hanging branches which may impede the footway or carriageway.
- 3.7 There is provision within the contract for the Contractor to coordinate and undertake emergency works.
- 3.8 The former street trees contract specification has been updated to incorporate the requirements of all three services. It requires a risk assessment on the Council's public highways trees stock to be kept up to date, taking particular account of trees liable to cause subsidence and property damage. This will be facilitated by the comprehensive street trees database which has been assembled over the past 18 months.

- 3.9 The revised specification explicitly encourages the contractor to improve quality and reduce costs while taking account of safety issues.
- 3.10 Contract performance management requirements have also been improved in the revised specification. Key Performance Indicators (KPIs) will be monitored to ensure that a satisfactory level of service is being delivered by the Contractor. All data which will inform the Key Performance Indicators will also be recorded on the trees database. Each KPI has a target with performance thresholds which determine whether the performance level against each KPI is at a Green, Amber or Red status.

### ***The tender process***

- 3.11 The contract opportunity was advertised on 24<sup>th</sup> July 2017 in the Official Journal of the European Community (OJEU), and the London Tender Portal inviting expressions of interest under a two stage tender process. Shortlisting was carried out on the basis of the contractors' financial viability and technical ability on 20<sup>th</sup> September 2017 and 4 contractors were invited to tender.
- 3.12 The Invitation to Tender stated that the contract would be awarded on the basis of the most economically advantageous tender; and that the Council would evaluate tenders on the basis of a weighting of 40% attributable to price and 60% to quality. The quality assessment was based on the following sub-criteria:
- Management of the Contract – 8%
  - Mobilisation – 8%
  - Provision of the Service – 14%
  - Health & Safety, Quality Control and policies – 8%
  - Exit Strategy – 4%
  - Continuous Improvement – 8%
  - Social Value – 10%

- 3.13 Tenderers were asked to submit additional information providing details of their arrangements concerning health & safety risk assessments.

### ***Evaluation process***

- 3.14 The tender evaluation was carried out by a panel of officers from Environmental Services and Housing Management.
- 3.15 All tenders had to be submitted electronically no later than 24<sup>th</sup> October 2017. Tenders were opened on 24<sup>th</sup> October 2017 and two valid tenders were received. 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.

- 3.16 The panel met on 31<sup>st</sup> October 2017 and each submission was marked by the whole panel against the award criteria.
- 3.17 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 Tenderer A was the highest scoring tenderer. Officers therefore recommend the award of the contract to Tenderer A, namely Gristwood and Toms Ltd.
- 3.18 The contract will commence on 1<sup>st</sup> April 2018 subject to the Council's observation of the requirements of the mandatory standstill period noted in paragraph 5.3 below.

#### **4.0 Financial Implications**

- 4.1 Approving the recommendation of this report as set out in paragraph 2.1 will commit the Council to a five year contract (with the option to extend for a further two additional years) valued at up to £0.65m. The annual budget available amounts to £0.65m to be funded from existing approved budgets within Regeneration & Environment (£0.49m) and the Housing Revenue Account (£0.16m).
- 4.2 Fixed costs to cover tree maintenance in order to safeguard the Borough's highways amounts to £0.12m, the remaining variable element of £0.53m are to cover other tree maintenance works based on a schedule of pricing rates. The service is advised to plan work within the contract's schedule of rates to ensure overall expenditure is kept within the £0.65m budget.
- 4.3 Changes within the specification of the contract to adjust the approach to service provision will seek to reduce the level of insurance claim risk in the future. Due to the speed at which insurance claims in this area progress it is unlikely that the success of these changes will be ascertained until the end of the proposed initial contract term.
- 4.4 The Commissioning and Procurement Board anticipates that revisions to the specification will enable from 2018/19 annual insurance claim savings of £55k.

#### **5.0 Legal Implications**

- 5.1 The value of this contract over its lifetime is higher than the EU threshold for service contracts and the award of the contract is therefore governed by the Public Procurement Regulations 2015 (the "EU Regulations"). A restricted, or two stage, procurement procedure has been used to procure this contract in accordance with the requirements of the EU Regulations.

- 5.2 The award is subject to the Council's own Standing Orders in respect of High Value contracts and Financial Regulations and as such Cabinet approval is required for award.
- 5.3 The Council is also required under the EU Regulations to observe the mandatory minimum 10 calendar day standstill period. Therefore once the Cabinet has determined which tenderer should be awarded the contract, all tenderers will be issued with written notification of the contract award decision. As soon as possible after the standstill period ends, the successful tenderer will be issued with a letter of acceptance and the contract can commence.
- 5.4 In order to use the Roe Green depot a lease would need to be entered into and excluded from the Landlord and Tenant Act 1954 to ensure that the successful tenderer does not acquire security of tenure. The lease would need to run coterminous with the Contract.

## **6.0 Equality Implications**

- 6.1 An Equalities Analysis screening exercise has been undertaken. No significant diversity implications for any protected groups have been identified arising from the decisions recommended in this report.
- 6.2 One of the purposes of programmed ground works maintenance is to ensure that the Council can meet its statutory requirement to keep footways clear for all users.

## **7.0 Consultation with Ward Members and Stakeholders**

- 7.1 The Lead Member was consulted when seeking authority to tender the contract. The contract is borough-wide and therefore consultation in respect of specific wards was not considered appropriate.

## **8.0 Human Resources/Property Implications (if appropriate)**

- 8.1 This service is currently provided by an external contractor and there are no implications for Council staff arising from retendering the contract.
- 8.2 Roe Green Park depot was offered as a potential depot site to Tenderers, for the local storage of equipment and vehicles. The tender documentation stated that the successful tenderer would need to secure relevant permission for the installation of any storage or staff facilities that they require, and any expenditure on creating a depot facility would be at the contractor's liability.
- 8.3 Tenderer A, namely Gristwood and Toms Ltd has its own depot facility to operate the contract. However, they have indicated that they wish to discuss the option of potentially utilising the Roe Green park depot

subject to further discussion on the level of capital works required. This will be discussed during contract mobilisation.

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

9.1 In procuring the contract, Officers have had regard to the Public Services (Social Value) Act 2012. Social Value was one of the evaluation criteria used to evaluate bids. Tenderers were invited to propose initiatives as part of their bid for supporting local communities, local businesses and the local environment. The preferred tenderer has indicated that it will undertake partnership projects involving schools, initiate community engagement programmes and sponsor neighbourhood environmental initiatives. It will also promote employment opportunities, skills development and training for local residents that will promote carbon reduction and environmental sustainability. The submission included detailed costed examples of these initiatives.

**Report sign off:**

**AMAR DAVE**

Strategic Director of Regeneration and Environment

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

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## APPENDIX 2

### Arboricultural Services Contract

#### TENDER EVALUATION GRID

<b>Tender Evaluation Criteria</b>	<b>Weight</b>	<b>Bidder A Score</b>	<b>Bidder B Score</b>
Price & Cost Effectiveness	40	34	31
Qualitative Criteria			
Contract Management	8	8	6
Mobilisation	8	8	6
Provision of service	14	14	10.5
Health and Safety	8	8	8
Exit Strategy	4	4	4
Continuous improvement	8	8	6
Social Value	10	7.5	7.5
Qualitative Criteria Total	60	57.5	48.0
<b>Total Score</b>	100	91.5	79.0

#### Price Evaluation

Bidders were invited to provide prices against a schedule of rates. The schedules of rates contained 7 sections, and each section was weighted. Prices were evaluated by comparing the prices provided by bidders. The lowest price provided received a maximum score according to the weighting available in each Section.

Each subsequent higher bid received proportionally less dependent on the increased price submitted.

The weightings were then totalled to provide an overall price evaluation score.

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	<p align="center"><b>Cabinet</b> 11 December 2017</p>
	<p align="center"><b>Report from the Strategic Director of Regeneration &amp; Environment</b></p>
<p><b>Tree Management Policy</b></p>	

<b>Wards Affected:</b>	All
<b>Key or Non-Key Decision:</b>	Key
<b>Open or Part/Fully Exempt:</b>	Open
<b>No. of Appendices:</b>	One
<b>Background Papers:</b>	Brent's Tree Management Policy 2007; Housing (formerly BHP) Tree Management Policy
<b>Contact Officers:</b>	Anthony Vartanian Policy Manager, Parking and Lighting Tel: 0208 937 2985 <a href="mailto:anthony.vartanian@brent.gov.uk">anthony.vartanian@brent.gov.uk</a>

## 1.0 Purpose of the Report

- 1.1 Brent Council is committed to managing the Borough's tree stock successfully. The revised Tree Management Policy has been developed to consider the benefits and importance of maintaining our trees. It aims to raise the profile, value and appreciation of trees in the borough, to improve understanding of tree issues, manage expectations and to meet the challenge of adapting to climate change in the coming decades.
- 1.2 The policy also recommends a risk management-based approach to mitigate against insurance claims arising from damage to property and/or personal injury caused by trees.
- 1.3 The report also draws together all relevant services to provide a single comprehensive policy covering the management of trees that fall within service areas of: Street Trees; Parks & Cemeteries; Planning; Highways & Infrastructure; and Housing Management.

## 2.0 Recommendation

That Cabinet agrees to:

- 2.1 Approve the Council's revised Tree Management Policy, set out as the Appendix to this report.

### 3.0 Detail

3.1 The Council recognises the value of trees and the need to plan for a sustainable future, particularly in Brent's urban context. Trees in urban environments provide a range of environmental, health and community benefits. They:

- absorb carbon dioxide, the main greenhouse gas
- reduce pollution and improve air quality
- moderate temperature extremes
- reduce the risk of flash flooding
- provide shade from UV radiation to reduce skin cancer risks
- contribute to psychological wellbeing
- create character and a sense of place
- support biodiversity

Brent Council has a legal responsibility for the management of all trees on the public highway, on council-owned land, and for trees in parks, open spaces, cemeteries and allotments.

3.2 The Council is committed to sustainable development and improving the environmental wellbeing of the borough. Brent's Corporate Strategy commits us to improving the quality of life, becoming an exemplar for environmentally sustainable activity and making sustainability a central issue through initiatives such as the Climate Change Strategy, the Carbon Management Strategy & Implementation Plan, and the Energy Statement & Strategy.

3.3 Brent has many parks, green spaces and tree-lined streets. These features offer not only aesthetic and wildlife value but many environmental, economic and social benefits too. The revised policy has been developed to ensure Brent's trees contribute positively to the quality of the local environment; do not pose a risk to health and safety, or of damage to property; and are protected from unnecessary harm. The policy acknowledges the high level of interest shown in our trees by all who live, work and visit Brent.

3.4 The revised Tree Management Policy sets out how the council will fulfil the following commitments:

- Maintain the managed tree stock on the public highway, housing estates, parks, cemeteries and allotments; on a proactive cyclical maintenance regime to ensure that trees are in a safe and healthy condition, and minimising the risk they may pose to property, residents or the public highway.
- Limit the felling of trees to those circumstances where it is essential or clearly advisable.
- Undertake pruning works following best arboriculture practice, and where possible for this to be undertaken on a scheduled basis. In addition, the council will also carry out reactive and emergency inspections as and when they are deemed necessary.
- Manage residents' expectations by listing circumstances in which the Council will not intervene, to provide clarity on an impartial basis to all residents.
- Enhance the role of street trees in mitigating and adapting to climate change by maintaining and, where possible, increasing tree cover across the Borough.
- Encourage tree adoption and sponsorship to support planting schemes on council land.
- Consider replacement, where appropriate, of specific mature lime trees to mitigate against the concerns they may pose.
- Provide public information in advance of planned tree works, including new planting or removal schemes.
- Seek external funding to support the planting of new and replacement trees
- Work closely with services to identify areas to plant new trees, in particular during regeneration and major resurfacing works.

- Use current planning legislation to protect threatened trees, and those of particular value such as those in conservation areas or protected by Tree Preservation Orders
- Take action against perpetrators who cause wilful damage to trees

Delivery of these commitments will be matched against the necessarily constrained resources available to undertake tree maintenance activities.

3.5 A number of policies and plans have informed our approach, such as: *London Tree and Woodland Framework* (2005); *The London Plan* (2011); *National Planning Policy Framework* (2012); and *England's Trees, Woods and Forests* (2007).

3.6 Section 3.5 of the policy sets out a clear policy on communication with residents where specific individual trees are considered for removal:

The Council will seek to inform the public of any proposed tree removals by placing a notice on the tree at least ten (10) working days in advance of the felling date. The notice will give additional information on the council's sponsorship scheme for replacement and new trees.

Where possible, the Council will notify the public of its intention and the reasons for removing established trees. Exceptions to this are where trees need to be removed urgently, for example:

- Trees that have become dangerous
- Young trees that have failed to establish properly and have died
- Other trees that are already dead

3.7 Cabinet has previously considered the potential for replacing groups of mature lime trees on a planned basis. This activity would only take place if secure funding is available to replace all the lime trees proposed for removal, and following targeted consultation with residents.

## **4.0 Financial Implications**

4.1 There are no direct financial implications as the proposed activities in the Policy will be contained within the current budgets of the relevant services.

4.2 It should be noted that each year, council managed trees are implicated in insurance claims relating to possible or actual subsidence of properties or personal injury. When an enquiry relating to alleged tree damage to a building is received, council officers will seek to request relevant reports and monitoring information to ascertain the facts concerning the issue. It is anticipated that the revised Tree Management Policy, will facilitate a reduction in the Council's expenditure on trees-related insurance claims. The potential insurance saving is reflected in the 11th December 2017 Cabinet report titled 'Authority to Award Contract for Arboricultural Services'.

4.3 The council will seek compensation from any external organisation or private individual responsible for significant damage to, or removal of, any council owned tree(s).

## **5.0 Legal Implications**

5.1 The Policy covers the overall management of trees in the borough, and the legislation covering the management of trees applies. This includes Tree Preservation Orders (TPOs) and the law relating to Conservation Areas.

5.2 A TPO is an order made by the planning authority under Town and Country Planning Act 1990 ("the Act"), the Town and Country Planning (Tree Preservation) (England) Regulations 2012

and amending legislation to include s192 of the Planning Act 2008 and Part 6 of the Localism Act 2010. A TPO is made to protect specific trees or a particular area, group or woodland from deliberate damage or destruction in the interests of amenity. TPOs can prevent the felling, lopping, topping, uprooting or otherwise wilful damaging of trees without the permission of the Local Planning Authority, although different TPOs have different degrees of protection. TPOs can be made by making the TPO and giving persons with an interest on the land to make representations on the order before the Council decides whether or not to make the TPO. Where there is an immediate danger to trees the Council can make an emergency TPO.

- 5.3 Section 154 of the Highways Act 1980 gives local authorities' powers to deal with trees in private ownership that are overhanging or are endangering or obstructing the highway.

## **6.0 Equality Implications**

- 6.1 No diversity implications have been identified.

## **7.0 Consultation with Ward Members and Stakeholders**

- 7.1 The Lead Member for Environment has been consulted throughout the process. The policy would apply borough-wide and therefore specific ward-level consultation was not considered appropriate.

## **8.0 Human Resource/Property Implications**

- 8.1 None

**Report sign off:**

**AMAR DAVE**

Strategic Director of Regeneration and Environment



**Brent**

# TREE MANAGEMENT POLICY

December 2017



*Barham Park*

London Borough of Brent  
Brent Civic Centre  
Engineers Way  
Wembley

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## **1.0 Introduction**

Brent is a diverse borough with a distinct character, embracing a wide variety of town centres, suburban areas, parks, open spaces and woodlands. These different land use types are traversed by a network of transport routes, major roads, railways, streets, cycle routes, and the river Brent. Existing through all these landscape types are our trees.

Trees, open spaces and woodlands have for generations played an important role in promoting recreation and public health. Many of our trees grow within and beyond the human lifecycle, giving us a link between the past, present and future. Trees are vital as they provide us with oxygen, store carbon, stabilise the soil and support a diversity of wildlife.

This Tree Management Policy has been developed to consider the benefits and importance of maintaining our trees. It aims to recognise their importance, and place trees within the context of the decisions which will create Brent's landscape of the future and meet the challenge of mitigating and adapting to climate change in the coming decades.

### **Why have a Tree Management Policy?**

Brent has many parks, green spaces and tree-lined streets. These features offer not only aesthetic and wildlife value but many environmental, economic and social benefits too. This policy has been developed to ensure Brent's trees contribute positively to the quality of the local environment; do not pose a risk to the health and safety of people, or of damage to property; are protected from unnecessary harm; and that their management acknowledges the high level of interest shown in them by all who live, work and pass through Brent.

### **The Environmental Benefits of Trees**

Trees on streets and in parks are now recognised as more than just pleasant features; they are the backbone of urban forests and ecosystems. The environmental benefits of trees in urban settings are numerous. They provide a range of environmental, health and community benefits. They:

- absorb carbon dioxide, the main greenhouse gas
- reduce pollution and improve air quality
- moderate temperature extremes
- reduce the risk of flash flooding
- provide shade from UV radiation to reduce skin cancer risks
- contribute to psychological wellbeing
- create character and a sense of place
- support biodiversity

## **2.0 Policy Framework**

### **2.1 National Policy**

The National Planning Policy Framework (produced by the Department for Communities and Local Government in 2011) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system to perform a number of roles focused on the protection and enhancement of the natural environment.

### **2.2 Regional Policy**

Mayoral Strategies and The London Plan, produced by the Greater London Authority for London as a whole, states that '*Trees and woodlands should be protected, maintained and enhanced following the guidance of the London Tree and Woodland Framework (or any successor strategy)*'. This framework explains that to maximise the benefits of trees, the resource should be considered as an urban forest so that trees are managed in a planned and coordinated way.

### **2.3 Local policy and Brent's vision for the future of trees**

The Council is committed to sustainable development and improving the environmental wellbeing of the borough, through the services that we provide and by reducing the adverse effects of our own actions. Our Corporate Strategy commits us to improving the quality of life, becoming an exemplar for environmentally sustainable activity and making sustainability a central issue through initiatives such as the Climate Change Strategy, the Carbon Management Strategy & Implementation Plan, and the Energy Statement & Strategy.

### **2.4 Policy Statement**

The Council aims to raise the profile, value and appreciation of trees in the borough, to improve understanding of tree issues and manage expectations. We will: manage and enhance the urban tree stock in accordance with good arboricultural practice; improve the protection given to trees to ensure the character of localities is preserved; raise the level of tree cover to realise the many benefits of trees and to mitigate against the effects of climate change; minimise the incidence of tree-related subsidence; and improve the handling of insurance claims; reducing the inconvenience caused to residents and the financial implications for the Council. The council recognises that it must seek to achieve these aims in the context of financial constraints. Wherever possible, we will take up opportunities to seek external funding to support the planting of new and replacement trees. We aim to be open about this reality in our relations with the residents we serve.

### **3.0 Tree Management**

#### **3.1 Tree Maintenance**

The Council's tree inspection and maintenance programme is governed by a risk-based approach. The aim is to identify issues and deal with them before they escalate into complex problems that require greater attention and expense.

Tree maintenance involves ensuring the borough's street trees are in good health and continue to thrive. Tree maintenance is also linked to the risk trees face or the risk they may pose to property, residents or the public highway.

Examples of tree maintenance techniques the council uses include regular inspections, pruning, tree removal and pollarding.

For the purposes of implementing the tree maintenance programme, the council will:

- carry out regular inspections to identify problems early on and take preventative action where appropriate;
- retain trees unless there are good arboricultural, environmental, or risk related reasons not to;
- grow a wide range of tree species through our management and planting programmes;
- undertake short-rotation pollarding only on certain trees that are growing close to buildings;
- proactively manage our trees based on maintenance cycles ranging from 2 to 5 years depending on age, distance from property, species, health and other arboricultural factors; and
- take account of the spread of artificial light from street lights when planning our tree planting and maintenance works.

#### **3.2 Pruning of Council Trees**

The council's annual planned maintenance programme includes tree pruning. The council will generally only prune trees for the following reasons:

- To abate an actionable nuisance such as removal of branches touching buildings or to reduce the water uptake by the tree
- To mitigate against the risk of building subsidence
- Where the works are advantageous to the health of the tree and are done in accordance with good practice
- to improve safety, for example to ensure suitable clearance over footpaths, cycle lanes or carriageways, or where the tree is causing an obstruction to the public highway

In addition to the annual routine tree maintenance programme, the council also carries out emergency and reactive inspections as and when they are deemed necessary. These are sometimes, but not exclusively, generated following requests from residents referred to the Trees Officer. Regardless of how the inspection request is generated (emergency, reactive or planned) the Council applies strict criteria to assess when pruning is deemed necessary.

### 3.3 Managing Residents' Expectations

The Council occasionally receives requests from residents to prune or remove trees. To ensure an impartial, reasonable and accountable service is provided to all of its residents, the Council does not remove or prune trees to allay or resolve the following issues:

- Interference with satellite, TV or media reception <sup>1</sup>
- Touching telephone wires <sup>2</sup>
- Leaf fall or fallen fruit <sup>3</sup>
- Problems associated with pollen
- Mess caused by insects or birds
- Honeydew or sticky sap
- Where a tree is perceived to be visually too large
- Obstruction of view <sup>4</sup>
- Overhanging branches <sup>4</sup>
- Lack of/too much light <sup>4</sup>
- Sight lines of Private CCTV systems <sup>4</sup>
- Wind turbines generating power for private gain
- Solar panels converting sunlight for private gain
- Pruning or removing because a resident is willing to pay
- Speculation that a tree may cause damage to a building or structure

<sup>1</sup>The Council (as is the case with any tree owner) has no legal obligation to remove or prune trees to improve TV reception. When positioning a new satellite receiver, residents are recommended to carefully consider existing trees and their potential for growth to avoid problems in the future.

<sup>2</sup>Telephone wires are plastic coated and faults on the line are very rarely caused by touching branches. Please contact your service provider to address any faults or interference you may have with your phone line.

<sup>3</sup>Problems caused by falling leaves and fruit, pollen, bird droppings and honey-dew drip are considered natural seasonal nuisances and are not recognised as a 'nuisance under law'. With regards to honeydew, residents are advised to make their own arrangements to minimise the problem such as regular car washing, covering the car or parking in an alternative location

<sup>4</sup>The Council (as is the case with any tree owner) is not legally required to prune a tree to preserve light access or a view. Additionally there is no legal requirement for tree owners to prevent their tree from overhanging another property. Residents do have a legal right to prune, to the boundary of their property (only), any vegetation overhanging their perimeter. Residents must ensure the tree is not protected by planning legislation.

### 3.4 Tree Removal

Trees will only be removed where there are good arboricultural, environmental or risk-related reasons to do so.

Council owned trees form an integral part of the borough's urban tree stock and the Council will not remove trees without careful consideration. Under certain circumstances trees may be removed: to abate an actionable nuisance; to mitigate against the risk of building subsidence; where the outcome will be advantageous to the tree stock and in accordance with good arboricultural practice; or to improve safety and protect health.

To ensure a fair and reasonable service is provided to all of its residents, the Council will only remove trees for the above reasons. Problems such as those detailed in Section 3.3 Managing Customer Expectations will not be accepted as reasons to justify tree removal.

### **3.5 Publicising Tree Removal**

The Council will seek to inform the public of any proposed tree removals by placing a notice on the tree at least ten (10) working days in advance of the felling date. The notice will notify the public of its intention and the reasons for removing established trees. It will also provide additional information on the council's sponsorship scheme for replacement and new trees.

Exceptions to this may be necessary when trees need to be removed urgently, for example:

- Trees that have become dangerous and pose a risk to the public
- Young trees that have failed to establish properly and have died
- Trees that are already dead

### **3.6 Maintain Tree Cover through Replacement Planting**

To maintain tree cover across the borough, the Council will seek, over the long term, to plant at least one new tree for every tree it removes. Funding constraints can however limit our ability to achieve this ambition.

Currently street tree planting occurs between November and March each year. To ensure new trees are successfully established, the Council will inspect all new trees in each of the two years following planting; any failure to thrive will be investigated and the tree replaced.

It is recognised that additional funding sources are needed to sustain the borough's stock of trees. Possible sources of funding include grant funding from the Mayor of London and GLA, Community Infrastructure Levy/Section 106 contributions for environmental improvements.

### **3.7 Increasing Tree Cover**

The Council will, subject to resources, encourage additional new tree planting throughout the borough. Planting will normally have priority in areas lacking trees and/or deficient in open green space, but the Council encourages new trees on all its sites and welcomes all requests and suggestions from the public. Any increase in the borough's tree population will assist the authority in dealing with the effects of climate change and provide a greater resource for residents and visitors.

### **3.8 Tree Planting and Climate Change**

Through new tree planting the Council will seek to diversify the species mix within sites, and mitigate the risks that monoculture and climate change present for tree management.

The role of trees is more important than ever in mitigating the effects of climate change, which itself presents a threat to tree health. In recent years we have seen the rapid spread of pests and diseases internationally and the threat to trees is becoming greater. Examples include horse chestnut leaf miner, and ash dieback.

The spread of new species-specific diseases to the UK emphasises the importance of species distribution. To ensure the continuity of the borough's urban tree stock the Council will seek to increase the variety of species within each site. Without this diversity some areas of the borough could be at risk of losing their tree cover altogether.

### **3.9 Planting Large Canopy Trees**

The Council will carefully consider all tree planting decisions to ensure that the right trees are selected for the chosen location. Where possible, and consistent with the aim of species diversity. The Council will plant large canopy trees to achieve the maximum benefit that trees provide.

These large trees will create new skyline features and offer the maximum impact when mature. The Council understands the importance of planting the right tree in the right location; and in certain

circumstances it will be necessary to scale down to an appropriate size and consider specific constraints such as locality to buildings, soil type, other plants, etc.

### **3.10 Planned removals and replacements**

We have a legacy of trees planted many decades ago, most of which are still appropriate, but some species can attract negative comment from residents. Lime trees in particular attract complaints due to two very species-specific attributes; their ability to produce “suckers” or soft leafy growth from the base of the tree; and their propensity to attract aphids. Removing basal growth so it does not obstruct pedestrians is a costly and labour intensive repetitive task. The honeydew that aphids create is harmless to humans but can leave a sticky residue on vehicles underneath the tree. The borough will during the span of this policy consider replacement of specific mature lime trees to mitigate against these concerns. Where appropriate, lime trees will be replaced by a smaller native sub-species of lime which cause less basal growth and honeydew. In certain areas of the borough, removed lime trees may need to be replaced with an alternative species. Replacement trees would be planted at a suitable stage of growth.

### **3.11 Pest and Diseases**

The Council will ensure adequate resources are available in good time to control and contain the outbreak of known pests and diseases.

The introduction of invasive pests and diseases has increased with globalisation, and many are flourishing under the more favourable conditions associated with climate change. The Council recognises the importance of controlling these pests and diseases. It will look to identify adequate resources in good time to limit the scale of any outbreak and work pro-actively with the statutory authorities.

### **3.12 Wilful and accidental damage to council trees**

Wilful damage to trees is extremely rare. Where it is reported to the council we will seek compensation from the perpetrators; this will usually take the form of financial recompense to put right the damage they have caused. We encourage those who have damaged a tree accidentally e.g. through careless vehicle manoeuvring to report this themselves with the aim of resolving issues amicably. We will inform the police if we feel their intervention will be useful, but we will not waste police time by reporting trivial matters. It is not unusual for members of the public reporting damage to wish to remain anonymous as, in some instances, the person they are implicating may be a near neighbour; we will respect their anonymity while recognising that unsubstantiated accusations cannot always be resolved.

### **3.13 Useful work by citizens**

Some residents have in the past asked how they can enhance the utility of trees, for example by removing low hanging leaves from highway trees. It is important to tackle an erroneous belief that they may face prosecution from the council or that they may be in breach of health & safety rules. This policy sets out to clarify that we are grateful to any resident who can assist with any of the following:

- Apply water to any tree, particularly young saplings.
- Remove low hanging leaves that cause a nuisance to pedestrians
- Remove basal growth from trees that cause a nuisance to pedestrians.
- Remove leaves and branches that cross the boundary line of their own property

If a resident cannot dispose of any leaves or twigs they remove, we would prefer them to do nothing; littering them on the highway is not helpful, we can offer no financial assistance or reward to people who volunteer their time in this pro bono fashion.

### **3.14 Reduce the Potential for Tree-Related Building Damage**

The Council will manage its tree stock with the aim of reducing the potential for damage to buildings, whilst maintaining a healthy and sustainable tree stock.

### **3.15 Procurement of Tree Contractor/s**

In the future procurement of arboricultural works the Council will aim for the highest possible standards while balancing quality with available financial resources.

The Council employs a single contractor to undertake all arboricultural works in the borough. In the procurement of future tree contracts the Council will explore every avenue to achieve the highest standards of arboricultural expertise, whilst delivering value for money. Contracts will be procured in accordance with Council policies.

As part of any procurement exercise the Council will explore the market for by-products of tree management that have the potential to generate financial and environmental benefits.

### **3.16 Street Tree Inspections**

The Council will continue its programme of cyclical street tree inspections to ensure the health and safety of trees is maintained, and the potential for tree-related damage and nuisance is kept to a reasonable minimum.

The management of trees can present numerous challenges, for example:

- Large leaves may block drains and guttering, and cause a potential slip hazard in autumn
- Large pulpy fruits may cause mess and a slip hazard on footpaths if not cleared
- Root action can damage public pavements and kerbs, private walls and hard standing.
- High water-demanding trees can contribute to structural damage in nearby properties
- Honeydew, produced by aphids feeding on the leaves, drips from the trees
- Bird droppings from roosting birds
- Excessive suckering occurs from the base of certain species of tree
- Excessive shading can be caused where inappropriate trees are planted or allowed to grow in inappropriate locations

### **3.17 Publicising Street Tree Cyclical Pruning**

The Council will seek to publicise the cyclical tree pruning regime on its website.

Brent residents continue to show a keen interest in trees, and the Council recognises that residents would like to know what tree works are planned in their local area. The borough-wide programme for tree-maintenance work will be available on the Council website and works will be posted as soon as details become available. The street tree planting programme is not an exhaustive list, as street trees are occasionally planted through alternative funding sources, and planting is occasionally arranged at short notice. The Council therefore reserves the right to plant new trees on Council land without consultation. The Council will, without prejudice, consider any challenges to proposed or recent tree planting (within 21 days); these should be made in writing to the Council's Tree service.

For many years the Council has operated a cyclical street tree inspection and pruning programme across the borough. This regular management regime seeks to ensure that urban trees can continue to make a positive and long-lasting contribution to the environment. The Council has had to reduce the scope of this regime due to financial constraints. We aim to be candid with residents who live on roads where reactive rather than planned work takes place in the future. We will aim to liaise with residents on roads where only reactive work takes place

### **3.18 Planting New Street Trees**

When planting new street trees the Council will consider the future implications for adjacent utilities and highway maintenance, and will in all cases ensure an optimum distance is maintained from street furniture and residential properties

Although the borough contains thousands of street trees there are still many areas that would benefit from additional planting. New trees are required in locations where trees have not been replaced in the past, and where there are large gaps in the distribution of street trees

When selecting trees it is important to consider the principle of ‘right place - right tree’ and that the species chosen are appropriate for the size and character of space available. When positioning new street trees the Council will:

- Consider carefully the future growth of the tree to ensure that this will not compromise the visibility and safe use of the highway.
- Aim to avoid future obstruction of lamp columns by ensuring that the fully mature new tree will not excessively restrict the spread of light from columns.
- In all circumstances consider carefully the potential implications for street parking, and particularly those sites adjacent to disabled and loading bays; and
- Seek to position new trees near the boundary dividing properties

### **3.19 Tree Sponsorship and Adoption**

The council encourages community involvement by asking residents, businesses and other groups to take an active role in helping their local green spaces and streetscapes, fostering a sense of ownership and engagement. Sponsoring or adopting trees is a popular way for the community within Brent to form a link with their locality and gain a sense of pride.

The Council will continue to manage a sponsored tree planting scheme and will aim to expand this. The species choice of the sponsor will be accommodated wherever possible but, due to the importance of species selection, the final decision will be made by the Council’s Tree Service. It should be noted that descriptive plaques will be permitted on certain park sites only. Details of the tree sponsorship scheme are available on the Council’s website.

### **3.20 Highways Works and New Tree Planting**

Planned footway and carriageway resurfacing works on the public highway, and town centre regeneration schemes, often provide the opportunity to plant new trees. The council’s tree service will continue to work closely with the Highway & Infrastructure service to utilise funding opportunities through the Community Infrastructure Levy and Section 106 funding to identify species and areas to plant new trees.

### **3.21 Air Quality**

Urban trees can affect local and regional air quality by altering the urban atmospheric environment. A report from the Department for Environment, Food and Rural Affairs (DEFRA) identifies ways in which trees can affect air quality through:

1. **Temperature Reduction and microclimatic effects:** Tree transpiration and tree canopies can affect air temperature, radiation absorption and heat storage, wind speed, relative humidity, turbulence, surface albedo, surface roughness and consequently the evolution of the mixing-layer height. Such changes in local meteorology can have an effect on local pollutant concentrations in urban areas.
2. **Removal of Air Pollutants:** Trees can remove gaseous air pollution either through uptake via leaf stomata or the plant surface. Once inside the leaf, gases diffuse into intercellular spaces and may be absorbed by water films to form acids or react with inner-leaf surfaces. Research suggests that the planting of trees along the sides of roads could reduce NO<sub>2</sub> concentrations. Trees can also remove pollution by intercepting airborne particles. The full article is available at: <https://laqm.defra.gov.uk/laqm-faqs/faq105.html>

## **4.0 Trees in Parks, Open Spaces, Cemeteries and Allotments**

There are over 90 parks and open spaces in the borough, ranging from formal Victorian parks to a country park, providing approximately 1,000 acres of public open space within the boundaries of Brent.

The council also owns and manages five cemeteries and burial grounds within the borough: Alperton; Paddington Old Cemetery; Willesden New Cemetery; Willesden Old Burial Ground and St. John's Burial ground. It also manages and maintains three closed Churchyard's, St. Mary's in Willesden, St. John's in Wembley and most recently St. Andrews in Kingsbury. Outside the Borough, the council jointly owns Carpenders Park Cemetery, located within the area of Three Rivers District Council near Watford. Harrow Council owns approximately 25 per cent of the burial land at Carpenders Park with Brent managing the whole cemetery as part of a joint delivery arrangement.

There are 21 allotment sites throughout the borough which are owned and managed by the Council.

### **4.1 Tree Maintenance**

The Council's tree contractor is responsible for maintaining the tree stock and undertaking major works within parks and cemeteries. The Parks service also benefit from minor works undertaken by a separate contractor, currently Veolia.

### **4.2 Minor Tree Works**

The council's Public Realm contractor can carry out minor tree works and tasks that can be undertaken from the ground without the use of ladders. These tasks are:

- Twice yearly inspection and removal of epicormic growth up to a height of 2.5m.
- Removal of branches, up to a height of 2m, overhanging hardstanding areas.
- New trees supplied with suitable supports and irrigation pipes.
- Unrequired supports removed.
- Removal of damaged or fallen limbs up to a height of 2m.
- Maintenance of the tree pits.
- Inspection and reporting of damaged/diseased/dead/dying trees to the Trees Officer.

Tree pruning and other arboriculture operations are carried out in accordance with professional standards, specifically BS 3998:2010, and in accordance to the Council's requirements.

Within parks and open spaces, the council will not lop branches unless they are a safety concern. When felling a park tree, the council will not necessarily remove the tree stump as it offers a habitat supporting biodiversity, and can sometimes be used to prevent encroachment.

Trees located along main paths (red routes) through parks and cemeteries (excluding allotments) have a higher inspection frequency than the surrounding area.

Planting of trees: the council offers a memorial tree planting service in parks and cemeteries. The service is responsible for agreeing the species of tree to be planted and the location.

Trees in conservations areas, such as Paddington Old Cemetery, would need to obtain prior approval from the tree officer, planning service, for any works to be carried out.

If home-owners are concerned about trees within parks or open spaces causing subsidence to their properties, they are advised in the first instance to contact their insurance providers who will be able to provide guidance on how to commission and obtain a written report. On receipt of the report the council will consider the risk, and if deemed necessary, preventative works will be undertaken.

Where a private property borders a Park, Cemetery or Allotment, with prior permission residents can prune branches overhanging their property and leave the debris on Council land. The council will arrange for the debris to be cleared.

## **5.0 Trees located on Brent Council Estates**

Trees located on Brent Council housing estates are managed by the Housing service. Trees are managed in line with the service's vision "*to build vibrant, diverse and resilient communities*".

The Housing service is responsible for the day-to-day management of housing for over 9,500 council tenants and 3,000 leaseholders (12,500 residents altogether).

The key objectives that underpin the management of trees on Housing land are to ensure that they do not represent a risk to health and safety; do not cause damage to other properties; they contribute positively to the quality of the local environment; and they are protected from unnecessary harm.

The Housing service has a risk-based, proactive tree inspection and maintenance programme in place. The aim is to identify issues and deal with them before they escalate into complex problems that require greater attention and expense.

Tree maintenance involves effective management of the risks that trees may pose to properties, residents or the general public. It also involves ensuring estate trees are in good health and continue to thrive. Examples of tree maintenance techniques the Housing service uses include regular inspections, pruning and, where necessary, tree removal.

The Housing service aims to remove only trees that are diseased, dead, causing structural damage to property and any communal tree that poses a risk to health and safety. Trees will not be removed or pruned for other reasons such as to reduce leaf fall or sap production; to reduce activities of birds, animals or insects; to change natural light levels or to improve TV or mobile phone signal reception.

We will carry out regular inspections to identify problems early and take preventative action; keep trees unless there are good arboricultural, environmental, or risk-related reasons not to do so, including preventing structural property damage; proactively manage trees based on a two-year maintenance cycle depending on age, distance from property, species, health and other arboriculture factors;

Trees in an individual customer's private garden are the responsibility of the customer to maintain. However, Housing service recognise that there are occasions where intervention is needed. These circumstances are as follows: Where there are vulnerability issues that mean the customer is unable to carry out the work themselves; where there is a health and safety risk; where not taking action may lead to structural property damage; or where not taking action may lead to reputational damage or an insurance claim. In all the above examples, the Housing service we will consider carrying out the work and, in the case of a leaseholder, recharging the customer.

When managing and planting estate trees, the Housing service will consider, amongst other things, the space available both above and below ground, the nature of existing or proposed buildings, future management of different tree types and the impact of climate change.

The Housing service will: consider planting trees which are in keeping with the landscape character, and good arboricultural practice; continue to encourage the council's arboricultural contractor to re-use, recycle and compost tree clippings, old trunks and felled trees; and work with the Council and the developer to ensure they are replaced, as appropriate.

The Housing service will ensure that all council tenants and leaseholders have a reasonable opportunity to have a say in how we manage our tree stock, and will inform council tenants and leaseholders before trees are removed, including the reason for the removal, especially where trees may appear to be otherwise healthy. The Housing service will publish the arboriculture maintenance programmes on the council's website each year.

## **6.0 Trees on Private Land**

Private trees make a significant contribution to the visual amenity of Brent and provide an important habitat for wildlife. The council encourages owners of private trees to manage their trees correctly and in accordance with good arboricultural practice. There is a duty of care to minimise the risk to people and property resulting from trees with their land.

### **6.1 *Care and Maintenance of Private Trees***

Tree owners have a duty of care towards others and should regularly inspect trees in their ownership or care, maintaining them to a good and safe standard. It is advisable to seek legal advice before carrying out any works to a protected tree either subject to a Tree Preservation Order (TPO) or in a conservation area, unless there is imminent danger to the public.

Branches of trees rooted in a neighbouring property, which overhang the boundary, may be cut back to the boundary to prevent or abate a nuisance. The term nuisance is used in the legal sense and the branches remain the property of the owner.

### **6.2 *Dangerous Trees***

If a tree on private land is considered to be dangerous and causing a risk or hazard to the public or to nearby properties or structures, the council may serve notice on the owner requesting work is carried out to make safe any risk of hazard. If remedial work is not satisfactorily undertaken as requested, the council may undertake the necessary work and claim compensation from the owner for the cost incurred.

### **6.3 *Protecting Private Trees***

In accordance with the Town and Country Planning legislation, the council will seek to protect and preserve trees through the use of TPO and Conservation area legislation to ensure that trees amenity value are protected.

### **6.4 *Trees in Conservation Area***

The statutory definition of a conservation area is “an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve”. Existing trees which make a positive contribution to the character of a conservation area and which provide a setting for Brent’s architectural heritage will be preserved.

Any person wishing to remove or undertake works to a tree within a Conservation area is required to give 6 weeks’ notice to the council. The council will register, assess and reply to all correspondence within 6 weeks.

Any person wishing to remove or prune a tree under a TPO is required by law to make a formal application to the planning service. Once the application has been registered it will be assessed and a decision notice issued within 8 weeks detailing the outcome.

The council will seek to prosecute any person who carries out or allows another to carry out on their behalf unauthorised works to a tree protected by a TPO or within a conservation area.

### **6.5 *Trees owned by Public Authorities***

Where issues arise in respect of trees on land owned by other public bodies; such as trees around canals that are the responsibility of British Waterways; or trees on rail sides that are the responsibility of Transport for London or Network Rail; the Council is limited in its powers to intervene. Nonetheless, the Council seeks to work with the relevant public authorities to advise and encourage that trees are maintained to a satisfactory standard.

## **7.0 Developments and Trees**

### **7.1 Planning Applications for Developments**

Trees on streets, open spaces and private land are at risk from the pressures of development, whether as a result of alterations to an existing building or the redevelopment of a site. Where development is proposed it is essential that both existing and proposed trees are considered from the early stages of design and prior to an application for planning permission.

When processing planning applications for proposed development sites, the council will have a high regard for the retention of all protected trees or those worthy of preservation as per recommendations in the Town and Planning Act 1990, Section 197. Where trees of a sufficient value exist on development sites that are not covered by a Tree Preservation Order (TPO), the council will survey, with a view of protecting the trees, either through the use of planning conditions or through serving of a new TPO. Council owned trees will in most instances be considered as though they are protected by a TPO when planning applications are assessed.

The council will endeavour to ensure all development sites look to incorporate tree planting as part of the planning process. In accordance with policy 7.21 of the London Plan, the council agrees that “any loss as a result of development should be replaced following the principle of *right place, right tree.*”

Where trees have been removed to facilitate a new development, suitable levels of replanting will be required. Where the provisions of tree planting on a development site conflicts with other council policies or where suitable levels of tree planting cannot be found, the council will seek funding through Community Infrastructure Levy (CIL) and Section 106 agreements to enable an appropriate level of compensation for alternative tree planting in the locality.

Should a development result in works to the public highway that would necessitate the removal of a tree, a Section 278 agreement may be entered into in order that a developer pays for a replacement.

The Council, through its Planning service, will seek to maintain and increase the level of tree planting across the borough in accordance with the Local Plan, and will take into consideration commitments to increase the tree stock as part of the Mayor of London’s initiatives.

### **7.2 Criteria for creation of crossovers**

The Council’s Highways and Infrastructure Service receives applications for the construction of domestic vehicle crossovers. Often referred to as ‘dropped kerbs’, these allow vehicles access to drive across the footway to gain access to park on their property. A vehicle crossover is where the footway is strengthened to take the weight of a vehicle and the kerb is dropped to form a ramp.

The creation of crossovers can have a detrimental effect on fronting or adjacent trees. When locating a new crossover a minimum distance is required between the edge of the crossover and the mid-point of the tree stem. This minimum distance is 1 metre.

Crossovers will not normally be allowed where their construction will require either the removal, or cutting of the roots, of a street tree. Generally, a street tree will only be removed for the purpose of creating a crossover if it is dead, diseased or dying, considered to be at the end of its useful life expectancy, or in some exceptional circumstances.

In all cases, the Highways and Infrastructure service will seek advice from the Arboricultural Officer and where it is agreed to remove a street tree, the applicant will be required to pay for the cost of its removal and replacement of either one or two trees to be located, wherever possible, elsewhere outside or in close proximity to their frontage.

## **8.0 Claim Mitigation**

Brent Council's Insurance team currently manages all claims relating to the Council's trees. Where a tree is implicated as having potentially caused subsidence damage to a property, the burden of proof is on the claimant to provide evidence that the tree is the cause.

Where a claim has been notified to the Council, the Council may undertake appropriate tree management, on a strictly without prejudice basis in respect to legal liability. Such tree management measures may include cyclical pruning and/or pollarding or, alternatively, removal of the implicated tree/s. To manage risk and reduce liability for insurance claims, specified large trees and, where appropriate, groups of trees would be pruned more frequently. The council will therefore undertake the following actions:

- Instigate a regime of cyclical pruning of Council tree stock in areas predisposed to building movement where this is appropriate
- Prioritise resources for dealing with subsidence-generated claims directed at Council-owned trees
- Instigate a regime of selective removal and replacement of street tree stock in areas predisposed to building movement where this is appropriate
- Challenge unwarranted claims based on poorly investigated or inaccurate evidence

## **9.0 Claim Procedure**

The process for dealing with insurance claims is as follows:

If you wish to claim for an incident which you consider has caused loss or damage to property, and/or personal injury, claimants are required to complete and return the 'details of accident form' that is available to download from the Council's website. Prior to completing the form, it is advisable for the claimant to contact the Council to check the tree concerned is owned or managed by the Council, and it is beneficial to send any photographs with the claim form. The claimant/property owner or their building insurers should provide the Council with the following:

- A structural report with a formal description of the damage and opinion as to causation (usually carried out by an appointed Chartered Surveyor or structural engineer)
- Twelve months crack and/or level monitoring to show evidence of the cyclical movement relating to the seasonal effect of vegetation (as opposed to the effect of defective drainage or other causes)
- Positive root identification and evidence of encroachment of roots beneath the foundations of the property;
- An Arboricultural Report identifying the alleged source of the identified roots and implicated trees by species;
- Soil analysis including the classification of the sub-soil and laboratory testing.

*1 Subsidence occurs on clay soils, which naturally shrink or swell with changes in soil moisture. The water demand from trees and other vegetation growing on clay soils can affect the shrink/swell effect and, where close to buildings, a tree's effect on clay shrinkage can cause damage. Many properties in Brent are built on sub soils with a high proportion of London clay.*

## **Useful Information source**

England's Trees, Woods and Forests' (2007)

<http://www.greeninfrastructurenw.co.uk/climatechange/doc.php?docID=107>

National Planning Policy Framework (NPPF) 2012

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf)

The London Plan 2011 (updated 2016)

[https://www.london.gov.uk/sites/default/files/the\\_london\\_plan\\_malp\\_final\\_for\\_web\\_0606\\_0.pdf](https://www.london.gov.uk/sites/default/files/the_london_plan_malp_final_for_web_0606_0.pdf)

London Tree and Woodland Framework (2005)

[https://www.forestry.gov.uk/pdf/ltwf\\_full.pdf/\\$FILE/ltwf\\_full.pdf](https://www.forestry.gov.uk/pdf/ltwf_full.pdf/$FILE/ltwf_full.pdf)

Tree Preservation Order

[https://www.planningni.gov.uk/8pp\\_tree\\_preservation\\_order\\_lores.pdf](https://www.planningni.gov.uk/8pp_tree_preservation_order_lores.pdf)

Town and Country Planning Act 1990

[http://www.legislation.gov.uk/ukpga/1990/8/pdfs/ukpga\\_19900008\\_en.pdf](http://www.legislation.gov.uk/ukpga/1990/8/pdfs/ukpga_19900008_en.pdf)

Town and Country Planning (Tree Preservation) Regulations 2012

[http://www.legislation.gov.uk/uksi/2012/605/pdfs/uksi\\_20120605\\_en.pdf](http://www.legislation.gov.uk/uksi/2012/605/pdfs/uksi_20120605_en.pdf)

Highways Act 1990

[http://www.legislation.gov.uk/ukpga/1980/66/pdfs/ukpga\\_19800066\\_en.pdf](http://www.legislation.gov.uk/ukpga/1980/66/pdfs/ukpga_19800066_en.pdf)

Domestic Vehicle Footway Crossover Policy

<https://www.brent.gov.uk/media/16408426/vehicle-crossover-policy-v3-revised-may-17.pdf>

The Woodland Trust

<https://www.woodlandtrust.org.uk>

## **Council Service Areas**

Parking and Street Lighting – Trees Service

Highways and Infrastructure

Parks, Open Spaces and Cemeteries

Brent Housing

Planning Department

## **Brent Councils Tree Adoption / Sponsorship Scheme**

This scheme allows you to pay for a tree to be planted on the public highway. Call us on 020 8937 5050 to discuss the scheme in more detail.

For a full list of Council services please visit [www.brent.gov.uk](http://www.brent.gov.uk)

## **STREET TREE MANAGEMENT POLICY**

### **Overall Policy Aim**

To ensure Brent's highway trees contribute positively to the quality of the local environment, are protected from unnecessary harm and that their management acknowledges the high level of interest they receive from all who live, work and pass through Brent.

### **Policy Objective A**

To introduce and continually develop a risk-based approach to tree maintenance.

### **Policy A1: Tree Maintenance**

The council has a proactive tree inspection and maintenance programme in place. The aim is to identify issues and deal with them before they escalate into complex problems that require greater attention and expense.

Tree maintenance involves ensuring the borough's street trees are in good health and continue to thrive. Tree maintenance is also related to the risk trees face or the risk they may pose to houses, residents and / or highways. Examples of tree maintenance techniques the council uses include regular inspections, pruning, tree removal and pollarding (removing a large number of branches).

The council aims to only remove or pollard trees that pose a greater risk. Tree pollarding for example can damage trees and reduce their lifespan.

#### **Under Policy A1 we will:**

- carry out regular inspections to identify problems early and take preventative action, example, removal of growth from the base of trees before pathways are blocked;
- keep trees unless there are good arboricultural, environmental, or risk-related reasons not to do so;
- grow a wide range of tree species through our maintenance, management and planting programmes;
- undertake short rotation pollarding only on certain trees that are growing very close to buildings;
- proactively manage our trees based on maintenance cycles ranging from 2, 3, 4, or 5 yearly depending on age, distance from property, species, health and other arboricultural factors;

- not remove or prune trees for the following reasons:
  - To reduce leaf fall and sap production
  - To reduce activities of birds or invertebrates
  - To change natural light levels
- take account of the spread of artificial light from street lights when planning our tree planting and maintenance works.

### **Policy A2: Subsidence**

Subsidence is an identified problem across London, due to the "London Clay" soil in which building foundations rest. This type of soil is prone to move when it dries and when it rains. Buildings across the capital can therefore suffer subsidence even with no trees.

We know that trees take water out of the soil. In some circumstances this can cause the soil to shrink further, causing more soil movement. This can add to subsidence risk.

If we do not recognise these risks in our maintenance works we would leave the council open to increased claims, charges of negligence and subsequent costs.

#### **Under Policy A2 we will:**

- determine the type and frequency of maintenance work based on the potential for subsidence; and
- identify street trees for removal and replacement, where this is thought to be in the best interests of the Council and its stakeholders. Appropriate replacement trees will be planted.

### **Policy Objective B**

To ensure our tree planting recognises the needs and capacities of the environment

### **Policy B1: Environmental Sustainability**

Our management of street trees must take into account environmental impacts for our present and future generations.

When planting street trees the borough has to consider amongst other things the space available both above and below ground, the nature of existing or proposed buildings, future management of different tree types and the current presumption of an increasingly warmer climate.

**Under Policy B1 we will:**

- ensure all tree planting work complies with all arboricultural and Highways Legislation, which controls invasive works in the urban environment;
- continue to plant trees which are in keeping with the landscape character, and good arboricultural practice;
- within available resources, protect street trees and the growing environment from threats such as loss of or damage to verges, the activities of statutory undertakers and others excavating near trees, and damage from overuse of road de-icing salt;
- not consider removing healthy street trees to facilitate off street parking;
- continue to encourage our Arboricultural contractor to re-use, recycle and compost tree clippings waste, old trunks and felled trees;
- seek section 106 monies from large developments, ensuring that schemes contribute to the environmental improvement of their urban context. Where developments require the removal of street trees, we will work with the developer to ensure they are replaced with species appropriate to the changing urban environment;
- have regard to the Borough's Air Quality Action Plan, ensuring that tree species positively affect air quality, when choosing tree species and planting regimes;
- work to provide a sustainable, high quality tree population that:
  - plays a part in adapting to or mitigating climate change, and which is durable under climatic extremes;
  - is kept refreshed as trees age and die off naturally;
- where appropriate, plant suitable native species to meet biodiversity requirements. However, consideration will be given to suitable species based on the latest climate change models that are more adaptable to predicted future climates.

**Policy Objective C**

To ensure that all relevant customers have a reasonable opportunity to play their part in managing the borough's tree stock.

**Policy C1: Customer Engagement**

People like to have trees in their street; they soften the landscape, are attractive in the summer and provide habitats for birds. Because of this we understand that removing trees can cause upset, so communicating our decisions regarding tree management is important. The council could choose to make decisions in isolation but we feel this would not be in keeping with our role to engage with and respond to the needs of the community we serve.

**Under Policy C1 we will:**

- introduce a 'Sponsor a Tree' scheme to encourage and improve residents understanding of tree management. The scheme will also promote greater community ownership of local trees;
- inform local residents before trees are removed, including the reason for the removal, especially where trees may appear to be otherwise healthy;
- publish our arboriculture maintenance programmes on our website each year;
- consult with partners to reduce any potential conflict between our trees and street lighting and CCTV cameras

**Policy Objective D**

To ensure our Arboricultural maintenance follows good management practice, and meets our certification to the 'ISO14001' environmental management system

**Policy D1: General Tree Management**

There is a growing need for the Council to provide accurate information on all of its assets, to show transparency in local government processes. One of the ways we meet this is through independently verified management systems. Our Environment & Culture department is certified to the management system ISO14001, and this must be reflected in our overall approach to managing trees in the urban environment.

**Under Policy D1 we will:**

- The Council will keep its records and management system up to date, and will store and maintain an inventory of its street tree stock, to enable accurate analysis of the tree population for future planning purposes.
- We will review this street tree policy every four years.

# Brent Housing Partnership Policy

Policy Name:	Tree Management
Policy Issue number:	1601
Version:	01
Issue date:	November 2016
Next Review Date:	November 2017
Policy Owner:	Head of Compliance & Risk
Are the relevant procedures in place?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Has staff training been undertaken? If No, please attach a training plan:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Have the Customer Response Team been briefed? If No, please advise scheduled date:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Has a Stage 1 Equality Impact Assessment been completed? Is a full assessment required?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Is the Policy saved to Infostore?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Recommended by:	
Authorised by:	

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## 1.0 Introduction and scope

The purpose of this policy is to ensure efficient management of trees located on Brent Council estates that are managed by Brent Housing Partnership (BHP).

The policy also deals with how we will deal with the need for occasional tree maintenance in individual gardens.

The actions we take will underpin our Vision:

*To build vibrant, diverse and resilient communities*

and our Values:

- *We deliver on our commitments*
- *We are honest, open and transparent*
- *We are bold and resilient*
- *We do good business and work to high ethical standards*
- *We learn and we innovate*

This policy applies to trees on all properties managed by Brent Housing Partnership.

## 2.0 Aims and Objectives

The key aims and objectives of this policy are to ensure that trees located on properties managed by Brent Housing Partnership:

- Do not present a risk to health and safety;
- Do not cause damage to our or other properties;
- Contribute positively to the quality of the local environment;
- Are protected from unnecessary harm.

## 3.0 External Related Documents

**HCA Regulatory Framework** (Neighbourhood and Community Standard). [Click here for publication.](#)

**Well Maintained Highways** – Code of Practice. [Click here for publication.](#)

**Forestry Commission Practice Guide Hazards from Trees: A General Guide** by David Lonsdale (2000) – [click here for publication](#)

## 4.0 Internal Related Documents

Key Strategy	Asset Management
Other Strategies	n/a
Policies	Environmental Improvements Untidy Gardens Rechargeable Works Section 20 Consultation
Procedures	Tree Requests – Estates Tree Requests - Gardens Environmental Improvements Untidy Gardens Rechargeable Works Service Charges
Other documents	n/a

## 5.0 Legal Framework

Legislation	Main powers and relevance to Tree Management
Trees Act 1970	Deals with tree preservation orders
Corporate Manslaughter	Can be used for prosecutions if an employee is killed and there is evidence that serious management failures resulted in a 'gross breach of a relevant duty of care'

## 6.0 Definitions

**Tree management** – for the purposes of this policy, BHP defines tree management as the ways in which we will manage and maintain trees on properties managed by Brent Housing Partnership with a view to creating and maintaining safe and attractive neighbourhoods.

## 7.0 Abbreviations

BHP	Brent Housing Partnership
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## 8.0 POLICY STATEMENT

### 8.1 Introduction

BHP has a risk-based, proactive tree inspection and maintenance programme in place. The aim is to identify issues and deal with them before they escalate into complex problems that require greater attention and expense.

Tree maintenance involves effective management of the risks that trees may pose to properties, residents or the general public. It also involves ensuring estate trees are in good health and continue to thrive. Examples of tree maintenance techniques BHP uses include regular inspections, pruning and where necessary tree removal.

BHP aims to only remove trees that are diseased, dead, causing structural damage to property and any communal tree that poses a risk to health and safety. Trees will only be removed or pruned for reasons stated in 8.2 and 8.3 and will not be removed or pruned for other reasons, e.g.:

- To reduce leaf fall or sap production
- To reduce activities of birds, animals or insects
- To change natural light levels
- To improve TV or mobile phone signal reception

### 8.2 Tree maintenance - communal

We will:

- Carry out regular inspections to identify problems early and take preventative action;
- Keep trees unless there are good arboricultural, environmental, or risk-related reasons not to do so, including preventing structural property damage;
- Proactively manage our trees based on a two-year maintenance cycle depending on age, distance from property, species, health and other arboriculture factors;

### 8.3 Tree maintenance – individual gardens

Trees in an individual customer's, private garden are the responsibility of the customer to maintain. However, we recognise that there are occasions where we will need to intervene. These circumstances are as follows:

- Where there are vulnerability issues that mean the customer is unable to carry out the work themselves;
- Where there is a health and safety risk;
- Where not taking action may lead to structural property damage (BHP's or someone else's);
- Where not taking action may lead to reputational damage or an insurance claim.

In all the above, we will consider carrying out the work and recharging the customer.

#### **8.4 Subsidence**

Subsidence is an identified problem across London, due to the “London Clay” soil in which building foundations rest. This type of soil is prone to move when it dries and when it rains. Buildings across the capital can therefore suffer subsidence even with no trees.

Trees take water out of the soil and in some circumstances this can cause the soil to shrink further, causing more soil movement. This can add to subsidence risk.

If BHP does not recognise these risks in our maintenance works, this may leave us open to increased claims, charges of negligence and subsequent costs.

When required, BHP must ensure that the necessary steps are taken to address any subsidence issues. By being proactive, we will be eliminating the risk of claims due to negligence and also minimise cost.

We will:

- Determine the type and frequency of maintenance work based on the potential for subsidence;
- Identify estate trees for removal and/or replacement, where this is thought to be in the best interests of BHP or the Council. Appropriate replacement trees will be planted where necessary.

#### **8.5 Environmental sustainability**

To ensure our tree planting recognises the needs and capacities of the environment, our management of estate trees must take into account environmental impact.

When managing and planting estate trees, BHP has to consider amongst other things the space available both above and below ground, the nature of existing or proposed buildings, future management of different tree types and the current presumption of an increasingly warmer climate.

We will:

- Consider planting trees which are in keeping with the landscape character, and good arboricultural practice;
- Continue to encourage our arboricultural contractor to re-use, recycle and compost tree clippings waste, old trunks and felled trees;
- BHP will work with Brent Council and the developer to ensure they are replaced, as appropriate;

- Have regard to [Brent Council's Air Quality Action Plan](#), ensuring that tree species positively affect air quality when choosing tree species and planting regimes.

### **8.6 Resident engagement**

We will ensure that all council tenants and leaseholders have a reasonable opportunity to have a say in how we manage our tree stock.

We will:

- Inform council tenants and leaseholders before trees are removed, including the reason for the removal, especially where trees may appear to be otherwise healthy;
- Publish our arboriculture maintenance programmes on our website each year.

### **8.7 Tree management system**

We will ensure that our arboricultural maintenance follows good management practice, and meets Brent Council's certification to the 'ISO14001' environmental management system.

We will:

- Maintain records and will store and maintain an inventory of our estate tree stock, to enable accurate analysis of the tree population for future planning purposes.

## **9.0 Performance Indicators**

We will measure our success at managing our tree stock by reporting at 6-monthly intervals on the outcomes of our tree inspections and any one-off interventions in individual gardens.

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 <b>Brent</b>	<b>Cabinet</b> 11 December 2017
<b>Report from the Strategic Director of Regeneration and Environment</b>	
<b>Quietway - Phase 2: Wembley Park To Harrow Weald</b>	

<b>Wards Affected:</b>	Kenton, Northwick Park, Preston, Wembley Central
<b>Key or Non-Key Decision:</b>	Key
<b>Open or Part/Fully Exempt:</b>	Open
<b>No. of Appendices:</b>	2
<b>Background Papers:</b>	None
<b>Contact Officer:</b>	Rachel Best, Transportation Planning Manager Tel: 020 8937 5249, <a href="mailto:rachel.best@brent.gov.uk">rachel.best@brent.gov.uk</a>

## 1.0 Purpose of the Report

- 1.1 This report introduces the proposed phase 2 Quietway cycle route from Wembley Park to Harrow Weald. This includes two spurs: one to Wembley Central station; and the second along Churchill Avenue to Kenton Road. The programme is at an early stage with only an indicative route, passing through the central and northern parts of the borough.
  
- 1.2 Quietways are important as they provide a network of routes on safer, lower-traffic back streets, aimed at new and less confident cyclists and the proposed phase 2 route from Wembley Park to Harrow Weald forms part of the wider cycle network outlined in the Brent Cycle Strategy 2016 – 2021.
  
- 1.3 Seven Quietway routes identified in the pilot phase are being implemented, including one from Regent’s Park to Gladstone Park, which will benefit Brent residents.
  
- 1.4 The Quietway programme has evolved to include improvements for pedestrians as well as cyclists. Implementation will involve improvements to junctions and signage to make cycling and walking safer.

## **2.0 Recommendation(s)**

### **2.1 That Cabinet:**

- 2.1.1 Agrees the route of the proposed Quietway through Brent and for the scheme to be continued to detailed design and consultation.
- 2.1.2 Authorises the Head of Highways and Infrastructure in consultation with the Lead Member for Environment to undertake any necessary statutory and non-statutory consultation and consider any objections or representations regarding the proposed Quietway route and interventions. If there are no objections or representations, or the Head of Highways and Infrastructure in consultation with the Lead Member for Environment considers the objections or representations are groundless or insignificant, the Head of Highways and Infrastructure in consultation with the Lead Member for Environment is authorised to deliver the scheme. Otherwise, the Head of Highways and Infrastructure in consultation with the Lead Member for Environment is authorised to refer objections or representations to the Cabinet for further consideration.

## **3.0 Detail**

- 3.1 Phase 2 of the Quietway programme is now underway and a route is proposed to link Wembley Park and Harrow Weald. The section from Wembley Park to Northwick would run through Brent.
- 3.2 Quietways are a ten year, £120m programme and part of the former Mayor's Cycling Vision to provide a network of routes on safer, lower-traffic back streets, aimed at new and less confident cyclists. They are routes where people will want to cycle, by providing direct and comfortable journeys to key destinations across London, using parks and green spaces where suitable.
- 3.3 Transport for London (TfL) asked boroughs to identify potential future routes for cycling. This long list was prioritised by TfL using their criteria and the Quietway network for the duration of the Quietway programme was established. The first seven routes selected by TfL formed part of the Quietway pilot programme, and subsequently further additional routes forming the London-wide Quietway network have been chosen for progression as part of phase 2.
- 3.4 As part of the pilot programme, both Quietway 1: Waterloo to Greenwich and Quietway 3: Regent's Park to Gladstone Park are complete with Quietway 2: Bloomsbury to Walthamstow due to open in autumn 2017. TfL are continuing work to implement the remaining four Quietway pilot routes, most of which are set to be complete by early 2018:
  - Quietway 4: Clapham Common to Wimbledon
  - Quietway 5: Waterloo to Norbury
  - Quietway 6: Mile End to Barkingside
  - Quietway 7: Elephant & Castle to Crystal Palace
- 3.5 The focus of the Quietway programme has since evolved to include pedestrians as well as cyclists as part of the Mayor of London's Healthy Streets vision; this approach will be taken into consideration at all stages offering improvements for pedestrians as well as cyclists.

- 3.6 The proposed phase 2 route from Wembley Park to Harrow Weald forms part of the wider cycle network outlined in the Brent Cycle Strategy 2016 – 2021. It will enable further progress towards achieving objective one to develop a coherent network of direct, comfortable and attractive cycle routes.
- 3.7 Cycle modelling undertaken by TfL<sup>1</sup> has shown there is high potential for cycling along the proposed route including the spur to Wembley Central.
- 3.8 This proposal also meets the aspirations of the Northwick Park Transport Advisory Group to improve accessibility by bicycle to the hospital and campus site.

#### **4.0 Quietway – Phase 2: Wembley Park to Harrow Weald**

- 4.1 The proposed section of the route that passes through Brent runs from Wembley Park to Northwick Park and is shown in **Appendix A**. Currently it is intended to start at Wembley Park station, run along Brook Avenue crossing the A4088 Forty Avenue to continue along Elmstead Avenue. It then crosses Preston Road before continuing along Grasmere Avenue until it reaches the roundabout. It then heads north, under the railway line before turning left along Draycott Avenue, left again into The Ridgeway and then follows a path linking to a bridge over the railway line. This links to Northwick Avenue which takes the route to Brent's border with Harrow.
- 4.2 From here it passes through the London Borough of Harrow to Harrow town centre providing connectivity to stations within Harrow and linking both Wembley and Harrow opportunity areas.
- 4.3 Within Brent, the proposed Quietway will serve three underground stations: Wembley Park, Preston Park, and Northwick Park. It will also pass close to Kenton station.
- 4.4 Demand has been identified for a link to Wembley Central station through TfL's cycle heat map and therefore a spur from the main route is proposed along Preston Road, St Augustine's Avenue, Castleton Avenue and St John's Road as part of the overall scheme. This route already has some cycle facilities along it.
- 4.5 An additional spur has been proposed at the northern end of the route which would run along Churchill Avenue from Northwick Avenue to Brent's border with Harrow. This will connect to an existing cycle route that passes through Kenton Recreation Ground.
- 4.6 As part of the proposed scheme, interventions will be developed at a number of junctions to improve safety for pedestrians and cyclists, subject to public consultation and final TfL approval.
- 4.7 Signage will also be provided at key locations (such as intersections) and at regular intervals along the route to ensure legibility for riders. A signage

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<sup>1</sup> Strategic Cycling Analysis: identifying future cycling demand in London, June 2017

standard for Quietways has been developed by TfL which has to be implemented.

## **5.0 Corporate Priority Alignment**

5.1 It is expected that this scheme will align with the Brent 2020 vision for the borough and will contribute to regeneration in the Northwick Park area. The proposed route forms part of the wider cycle network outlined in the Brent Cycle Strategy 2016 – 2021.

## **6.0 Financial Implications**

6.1 The capital funding mechanism for Quietways is similar to Local Implementation Plan (LIP) projects, where TfL provide funding to boroughs, as highways authorities, through their Quietways programme for project costs in arrears. There should be no additional cost to the Council in implementing these schemes.

6.2 Subject to receiving support for the proposed route, together with the proposed spurs, TfL will make a decision on releasing funds to progress the route development work.

6.3 Following completion, the route will become part of the Brent Highways network and Brent will be required to maintain these assets. Any additional maintenance costs will need to be funded within existing budgets.

6.4 Further submissions following approval of the route alignment will need to be made to TfL's Quietways Board to secure funding to complete the detailed design phase, consultation and delivery of the scheme.

## **7.0 Legal Implications**

7.1 The Greater London Authority Act 1999 (the Act) requires that the London Local Authorities must implement the Mayor's Transport Strategy (MTS). This Strategy sets out the transport policy framework for London. A central component of the MTS is to improve cycling infrastructure to encourage more trips to be taken by bicycle.

7.2 Consultation on the draft MTS took place between June and October 2017 with publication expected in early 2018. The draft MTS continues to and places further emphasis on encouraging cycling and providing the required infrastructure to achieve it. The overarching aim of the draft MTS is that, by 2041, 80% of Londoners' trips will be made on foot, by bicycle or using public transport.

7.3 The requirements regarding to publication and consultation regarding the making of Traffic Management Orders are set out in the Road Traffic Regulation Act 1984.

## **8.0 Equality Implications**

8.1 The public sector duty set out at Section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to the need to

eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, and to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not share that protected characteristic.

8.2 It is not expected that the proposed Wembley Park to Harrow Weald Quietway route will be unlawful or result in potential sources of inequality. However, Equality Analysis (EA) will be undertaken and any potential sources of inequality will be mitigated prior to scheme implementation.

8.3 Consultation will be undertaken by Brent Council to ensure that the scheme developed captures the comments from residents and businesses in Brent and is fully transparent and inclusive of comments.

8.4 **Appendix B** contains a copy of the EA.

## **9.0 Consultation with Ward Members and Stakeholders**

9.1 Consultation regarding the borough's proposed cycle network was undertaken as part of the Cycle Strategy. Following this the cycle network which Brent seeks to establish was agreed with the Wembley Park to Harrow Weald route forming part of this cycle network.

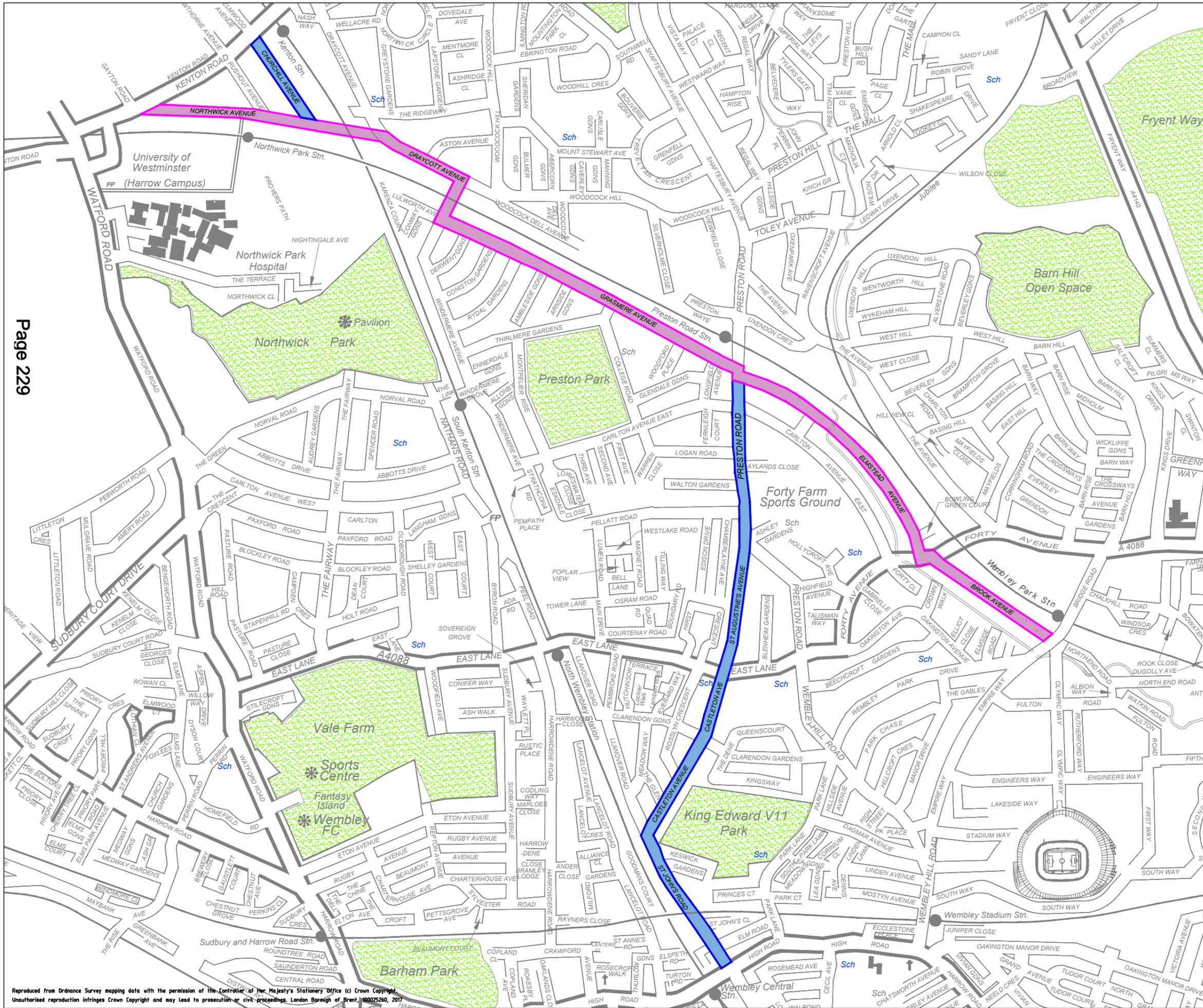
9.2 Further consultation will take place with Members and the public at the detailed design phase of the scheme. This will also seek to improve or reduce any negative impacts identified as part of the Equality Analysis and any mitigation required will be built into the design.

**Report sign off:**

**AMAR DAVE**

Strategic Director of Regeneration & Environment

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Notes

KEY

- Indicative alignment of Wembley Park to Harrow Weald Quietway Route.
- Indicative alignment of possible spurs to Wembley Central Station and to LB Harrow via Churchill Avenue.

Note: Both alignments are subject to Quietway Definition Plans (QDPs) and approval by TfL

Rev	Revision Note	Date
A	Sustrans & LB Harrow Mtg.	041017

**London Borough of Brent**  
**Highways and Infrastructure Service**  
**Brent Civic Centre, Engineers Way**  
**Wembley, Middlesex, HA9 0FJ**

**Job Title**  
 Proposed Wembley Park to Harrow Weald Quietway

**Drawing Title**  
 Possible Route for Quietway and Spur to Wembley Central Station

Scale	<b>A3</b>	Designed AS
NTS		Drawn AS
Date created		Checked JD
30/05/17		Approved RB
Drawing No.	001	Rev. A
CAD Ref.	WPHW Quietway	

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## **Equality Analysis**

### **Quietway – Phase 2: Wembley Park to Harrow Weald**

<b>Department</b> Regeneration & Environment	<b>Person Responsible</b> Monica Li
<b>Created</b> November 2017	<b>Next Review</b> November 2018

#### **Screening Data**

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

While cycling has seen considerable increases in ridership in recent years across all of London, much of this growth has been from male riders, particularly those from white ethnic groups, while women and those of Black, Asian and Minority Ethnic (BAME) groups have continued to be less well represented. Analysis undertaken by Transport for London (TfL) of cycling potential shows that within Outer London, 55 per cent of trips are potentially cyclable based on trips undertaken by London residents between 2012/13 and 2014/15. The research also reveals that only 27 per cent of current cycle trips are made by women, compared to 55 per cent of potentially cyclable trips. Similarly, BAME groups account for 15 per cent of current cycle trips, but 38 per cent of potentially cyclable trips.

Brent, along with other local authorities, TfL and the Greater London Authority (GLA), see increasing cycling as a key means of reducing congestion, improving lifestyles and reducing pollution. Over half of Brent's adult population do not undertake sport or physical activity and a higher percentage of Brent's school children in reception and year 6 were obese when compared to the England average highlighting the need to encourage more active lifestyles that include cycling.

The Brent Long Term Transport Strategy 2015 – 2035 (LTTS), the Brent Cycle Strategy 2016 – 2021, and the draft Mayor's Transport Strategy, all seek to increase the number of cycle trips as well as improve existing infrastructure to encourage cycling. The overarching objective of the draft Mayor's Transport Strategy is for 80 per cent of journeys by 2041 to be on foot, by bicycle or using public transport. Therefore, new cycling infrastructure is a key part of encouraging cycling in the borough to those groups who are underrepresented.

The vision for cycling in Brent from the Brent Cycle Strategy 2016 – 2021 is:

- “To make Brent a borough where everyone can cycle safely, in comfort and with confidence; and
- To enable people of all ages and abilities from every section of Brent's diverse society to see cycling as a good option for everyday travel.”

The purpose of the Quietways programme is to develop safe routes for cyclists who may be less confident, for reasons such as safety, which may be contributed to by age, gender, race, disability, or cultural difference, and encourage greater take up of cycling by these groups. Quietways are a ten year, £120m programme and part of the former Mayor's Cycling Vision to provide a network of routes on safer, lower-traffic back streets, aimed at new and less confident cyclists. They are routes where people will want to cycle, by providing direct and comfortable journeys to key destinations across London, using parks and green spaces where suitable.

The proposed Quietway from Wembley Park to Harrow Weald forms part of Phase 2 of the programme and follows on from the pilot phase which is currently being implemented. The programme is at an early stage with only an indicative route, passing through the central and northern parts of the borough and includes two spurs. The first links to Wembley Central station

and the second runs along Churchill Avenue to Kenton Road. Cycle modelling undertaken by TfL has shown there is high potential for cycling along the proposed route. Although the proposed Quietway will link Wembley Park and Harrow Weald, the portion that runs through Brent connects Wembley Park and Northwick. This Equality Analysis will concentrate solely on the section of the Quietway that is within Brent (including both spurs) although the Quietway will be referred to by its full title, Wembley Park to Harrow Weald.

As yet, there is no evidence to suggest that the implementation of a Quietway route will have an adverse impact on any of the equality groups listed. Consultation will take place as part of the detailed design stage of the process and any mitigation required will be built into the design.

Sources:

- Brent Council Joint Strategic Needs Assessment: Overview Report 2015/16
- Draft Mayor's Transport Strategy (2017)
- Transport for London (2017), Analysis of cycling potential 2016
- Transport for London (2017), Strategic Cycling Analysis: identifying future cycling demand in London

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

Implementation of a Quietway between Wembley Park and Harrow Weald will have the greatest benefit to all who already cycle or wish to cycle and will improve the environment for everyone, including for those who live and work in the borough as well as those who are visiting or passing through by bicycle.

Other identified benefits include:

- reduction in traffic congestion and improved air quality;
- removal of barriers to travel for those who already cycle or wish to cycle;
- improvement in health outcomes due to increased exercise due to active travel patterns;
- creation of a more sustainable community with an attractive environment, new and improved public spaces and improved cycling links; and
- encouraging cycling as a viable mode of transport.

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

- Yes

Analysis of the London Travel Demand Survey (LTDS) by TfL has highlighted that across London as a whole, not only do men cycle more frequently than women but that the rate of growth among men has been faster. The data also shows that cycling is more popular among white Londoners than those from other ethnic groups and that cycle trip rates are highest for those age 30 to 49.

This indicates that those groups who are already more prone to cycling will be impacted by the implementation of a Quietway in a different way to those who do not cycle. For the former, it will provide a new official cycle route available for them to use, whereas for the latter it will be a facility that may encourage them to start cycling.

For those who are unable to cycle due to a disability or are unable to ride a bicycle, the proposal will have no impact as it will not be a facility that they will be able to use. However, it will positively impact those who are disabled and able to cycle.

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

- Age
- Race
- Sex

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

- Yes

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

- Age
- Race
- Sex

The implementation of a new Quietway route will disproportionately benefit those groups who already cycle or are more likely to cycle.

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

- No

Implementation of a Quietway route between Wembley Park and Harrow Weald would not change or remove services used by vulnerable groups of people. Consultation will take place as part of the detailed design stage of the process and any mitigation required will be built into the design.

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

- Yes

There is considerable variation in equality across Brent and the borough as a whole ranks 39<sup>th</sup> out of all English local authorities in terms of deprivation. This measure includes: income deprivation; employment deprivation; education, skills and training deprivation; health deprivation and disability; crime; barriers to housing and services; and living environment.

Three of the four wards affected by the proposal (Kenton, Northwick Park, and Preston) are the least deprived in the borough but still contain pockets of deprivation. The fourth ward, Wembley Central, has higher levels of deprivation as a whole.

When individual measures of deprivation are considered, a different pattern emerges. All four wards are made up of Lower Super Output Areas (LSOAs) that are within the top 30 per cent most deprived in the country with regards to barriers to housing and services. All LSOAs in Wembley Central ward also rank in the top 40 per cent most deprived nationally for crime.

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

- Yes

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

- Age
- Race
- Sex

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

- Yes

To know and understand all our communities

To involve our communities effectively.

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

### **Recommend this EA for Full Analysis?**

Yes

### **Comments**

A mixture of qualitative and quantitative data was used to inform this EA including:

- Brent Joint Strategic Needs Assessment Deprivation (2015) - presentation
- Greater London Authority, Update CIS2012-04, *2011 Census Snapshot: Ethnic Diversity Indices*
- Greater London Authority, Update CIS2013-02, *2011 Census Snapshot: Ethnic Diversity Indices for wards*
- Greater London Authority, (2016), *2015-round trend based ethnic group population projections (long-term trend)*.
- Greater London Authority, (2017), *2016-based trend population projections (central migration scenario)*
- Office for National Statistics (2012), *2011 Census*
- Office for National Statistics, (2016), *2016 mid-year population estimates*
- Office for National Statistics, (2017), *Birth Summary Tables 2016*
- Transport for London (2016), *Travel in London: Report 9*

## Impact Assessment Data

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

### 5.1 Age (select all that

- Positive

Based on the LTDS, for London residents as a whole, the average cycle trip rate is highest for those aged 30-39 years at nearly 0.10. This falls to just over 0.09 for those aged 40-49 and is some 0.07 for both age groups; 20-29 years and 50-59 years. Due to the small sample size in Brent, it is not possible to break these figures down to borough level.

This suggests that those age groups which undertake the most cycle trips to begin with are likely to benefit from the implementation of a Quietway route.

Currently (at mid-year 2016), Brent's population split by age broadly aligns with that of London indicating that if only age is taken into consideration, Brent residents are likely to undertake on average a similar number of cycle trips by age group.

The number of Brent residents aged 30-39 is projected to fall over the next ten years by 0.44 per cent or some 260 people. However all other age groups are projected to see a rise with those aged 40-49 projected to increase by over 11 per cent or nearly five thousand residents and those aged 20-29 by 6.5 per cent or over three thousand people.

Despite the projected fall in the number of 30-39 year olds in Brent, this age group will still make up over 16 per cent of Brent's population and if the current average trip rates of cyclists based on age continues, this group will see a large benefit from the provision of a Quietway.

In addition, the projected higher numbers of Brent residents in the other age groups suggests that there will be more people of these ages to benefit from a new Quietway.

Consultation will take place as part of the detailed design stage of the process and any mitigation required will be built into the design.

#### Sources:

- Transport for London (2016), Travel in London: Report 9
- ONS 2016 mid-year population estimates
- GLA 2016-based trend population projections (central migration scenario)

### 5.2 Disability (select all that apply)

- Positive

The 2011 Census revealed that 5.3 per cent of Brent's population classify themselves as in bad or very bad health. For nearly seven per cent of residents, their day to day activities are limited a lot because of a long-term illness.

This lines up with the four individual wards that the Quietway would pass through. Between 4.0 per cent (Northwick Park) and 5.3 per cent (Wembley Central) of residents classify themselves as in bad or very bad health. In Northwick Park, just over six per cent of residents stated that their day to day activities were limited a lot because of long-term illness. This rose to 7.6 per cent of Kenton residents.

Inclusive Quietway design means everyone can enjoy the benefits of cycling. The Council will ensure that disabled people of all cycling abilities can enjoy the benefits of cycling. The use of cycles can also be considered as a mobility aid. Providing a safe and inclusive cycle route will have a positive impact on disabled residents who are able to cycle. Some of the residents are unlikely to be able to cycle and therefore provision of a Quietway route should not impact on these residents in either a negative or positive way.

Regardless of this, consultation will take place as part of the detailed design stage of the process and any mitigation required will be built into the design.

- ONS Census 2011; Table KS301EW

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

- Neutral

There is no evidence to suggest that those with this protected characteristic will be disproportionately affected (either positively or negatively). Notwithstanding this, consultation will take place as part of the detailed design stage of the process and any mitigation required will be built into the design.

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

- Neutral

There is no evidence to suggest that those with this protected characteristic will be disproportionately affected (either positively or negatively). Notwithstanding this, consultation will take place as part of the detailed design stage of the process and any mitigation required will be built into the design.

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

- Neutral

In 2016 there were some 5,150 live births in Brent equating to some four per cent of all live births in Greater London. This is below the high point of over 5,300 births in 2012 although still over 31 per cent higher than in 2001 (just over 3,900 births).

This rise in the number of births to women resident in Brent means a higher number of pregnant women and parents with dependent children resident in the borough who could see a positive impact from the provision of a Quietway cycle route.

Although pregnancy does not prevent women from cycling, for some it may be a temporary barrier. That said, provision of a Quietway itself is unlikely to have a negative impact for pregnant women.

Consultation will take place as part of the detailed design stage of the process and any mitigation required will be built into the design.

- ONS Birth Summary Tables 2016

### 5.6 Race (select all that apply)

- Positive

At London level, White Londoners are most likely to cycle and have an average cycle trip rate of 0.09 trips (2012/13 to 2014/15). This is considerably higher than for all other ethnic groups with Black Londoners having an average trip rate of only 0.02 trips and Asian Londoners of nearly 0.03 trips. Mixed, other and Arab Londoners are slightly more active with just under 0.04 cycle trips. Due to the small sample size in Brent, it is not possible to break these figures down to borough level.

Brent ranked as the second most diverse local authority in England & Wales in the most recent Census estimates using Simpson's Diversity Index. Of the four wards affected by the implementation of a Quietway route, Preston ward ranks in the top 50 most diverse wards in England & Wales.

In the 2011 Census, 18.6 per cent of residents classified themselves as Asian/Asian British: Indian, 18.0 per cent as White: English/Welsh/Scottish/Northern Irish/British, and a further 14.3 per cent as White: Other White. It is projected that by 2022, these three ethnic groups will remain dominant in Brent but the largest increases are projected in the White: Other White, Asian/Asian British: Other Asian, and Arab groups; up 2.0 percentage points, 1.5 percentage points and 1.2 percentage points respectively when compared to 2011. Given Brent's diversity, any measures to encourage cycling would therefore be particularly positive for all ethnic groups but may disproportionately benefit those from White backgrounds who already cycle more.

Consultation will take place as part of the detailed design stage of the process and any mitigation required will be built into the design.

Sources:

- GLA Update CIS2012-04, 2011 Census Snapshot: Ethnic Diversity Indices
- GLA Update CIS2013-02, 2011 Census Snapshot: Ethnic Diversity Indices for wards
- ONS Census 2011; Table KS201EW
- GLA 2015-round trend-based ethnic group population projections (long-term trend)

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

- Neutral

There is no evidence to suggest that those with this protected characteristic will be disproportionately affected (either positively or negatively). Consultation will take place as part of the detailed design stage of the process and any mitigation required will be built into the design.

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

- Positive

According to data from the LTDS for Brent residents for 2013/14 to 2015/16, men make on average 0.03 cycle trips per day compared to women who only make 0.01 cycle trips. This aligns with the pattern seen for London as a whole. Analysis by TfL of London level data, indicates that cycling amongst men is growing at a faster rate.

As men make more cycle trips on average and the number of cycle trips undertaken by men is increasing faster, they are therefore also more likely to benefit from the provision of new cycling infrastructure, such as Quietway routes.

Just over half of Brent's population are male (mid-2016). This proportion is set to increase by 0.32 percentage points to over 51 per cent by 2026. This indicates that if the trend for men making on average more cycle trips than women continues, there would be both a greater number and greater proportion of men who would benefit from a Quietway route.

Consultation will take place as part of the detailed design stage of the process and any mitigation required will be built into the design.

Sources:

- Transport for London (2016), Travel in London: Report 9
- ONS 2016 mid-year population estimates
- GLA 2016-based trend population projections (central migration scenario)

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

- Neutral

There is no evidence to suggest that those with this protected characteristic will be

disproportionately affected (either positively or negatively). Consultation will take place as part of the detailed design stage of the process and any mitigation required will be built into the design.

#### 5.10 Other (Socio-economic characteristics)

- Neutral

There is no evidence to suggest that those with certain socio-economic characteristics will be disproportionately affected (either positively or negatively) as it will be a route available for use by all regardless of their socio-economic characteristics.

Consultation will take place as part of the detailed design stage of the process and any mitigation required will be built into the design.

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

What did you find out from consultation or data analysis?

Were the participants in any engagement initiatives representative of the people who will be affected by your proposal? How did your findings and the wider evidence base inform the proposal?

TfL asked boroughs to identify potential future routes for cycling which they then prioritised using TfL criteria. This led to the establishment of the Quietway network for the duration of the ten year programme. The proposed phase 2 route from Wembley Park to Harrow Weald forms part of the wider cycle network outlined in the Brent Cycle Strategy 2016-2021.

As part of the development of the Brent Cycle Strategy, an engagement consultation was undertaken in late 2014 in the form of a detailed questionnaire which asked residents for their views of how to turn Brent's vision for cycling into a reality. This six week consultation was advertised through a number of channels to obtain as many responses as possible to try and reflect the diverse nature of the borough. This included the Council website, social media such as Facebook and Twitter, and at key destinations such as libraries, sport centres, community centres and bike shops.

Qualitative research in the form of focus groups and in-depth interviews were undertaken with individuals from ethnic backgrounds and age groups that were underrepresented amongst cyclists to determine the reasons behind this. A small number of individuals recruited from the focus groups were followed over a number of days to obtain an insight into their thoughts about cycling and the barriers that prevented them from doing so.

Analysis of the LTDS, Mosaic household classification, the Council's own data and the findings from the quantitative and qualitative research found that:

- Women are less likely to cycle than men.
- People aged 25 to 45 are much more likely to cycle than those from younger or older groups.
- Female respondents aged between 35 and 54 appeared to be the most likely group who were open to the idea of cycling, but who do not currently do so.
- Cycling to work was the most popular reason overall for cycling, though for female respondents, the most popular reason for cycling was to go to local services such as shops and libraries.
- Individuals from BAME groups are less likely to cycle than those of any white ethnicity.
- Individuals that cycled when they were young are more likely to continue to do so or pick it up again when they are older.
- Road safety was seen as the biggest barrier to cycling by respondents.
- The majority of respondents said they preferred quieter roads, even if this meant a longer route to get to their destination.
- Separate cycle lanes on main roads and at junctions, better education for motorists, and safer cycle routes to schools were seen as most in need of improvement.

As the questionnaire relied on self-completion, Brent had no control over who completed the

survey. Those who responded were likely to be most affected by proposals within the Cycle Strategy. The final sample is not representative of Brent's overall population as it is skewed towards white, male respondents. However, the qualitative research aimed to complement the findings of the questionnaire results by building a more detailed profile of views on cycling.

A draft Cycle Strategy was subsequently developed, of which one objective was to "*improve facilities for cyclists where they are most likely to support the growth in cycling in the borough*". The proposed Quietway route between Wembley Park and Harrow Weald would help in achieving this objective.

Public consultation on the draft Strategy was undertaken in summer 2015 through the form of a questionnaire but was also supplemented with five consultation events held across the borough. The responses received indicate that those aged 35 to 64 and males were overrepresented whereas those from non-white ethnic backgrounds were underrepresented. This is similar to previous engagement undertaken.

Consultation will take place as part of the detailed design stage of the process and any mitigation required will be built into the design. As part of this consultation process, Brent Council will collect data on those who complete any survey questionnaires to determine whether respondents are representative of those who will be affected by the proposals.

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

- No

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

The Quietway will be designed according to London Cycling Design Standards and will demonstrate the Healthy Streets for London approach. The differing requirements of people with a range of disabilities (both physical and non-physical) and long-term health conditions (e.g. dementia) will be taken into account in the design.

Brent Council will continue to publicise improvements made to reduce or remove barriers to equality and will raise awareness of any outstanding equality issues within the community. It will also ensure that any communication and consultation initiatives are accessible and inclusive of all protected groups, including people with learning disabilities, deaf and blind (as well as deaf blind) residents, people with dementia and their carers, as well as children, young people and older people.

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

There are no known negative impacts of the implementation of a Quietway between Wembley Park and Harrow Weald identified by the equality analysis at this stage. However, consultation will take place as part of the detailed design stage of the process and any mitigation required will be built into the design

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

The implementation of a Quietway does not have any outstanding identified negative impacts.

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	<b>Cabinet</b> 11 December 2017
	<b>Report from the Strategic Director          of Regeneration and Environment</b>
<b>Decision to delegate authority for the award of contracts for          three named schemes within the South Kilburn          Regeneration Programme</b>	

<b>Wards Affected:</b>	Kilburn
<b>Key or Non-Key Decision:</b>	Key
<b>Open or Part/Fully Exempt:</b>	Open
<b>No. of Appendices:</b>	6
<b>Background Papers:</b>	None
<b>Contact Officers:</b>	<p>Marie Frederick            Senior Project Manager            Tel: 020 8937 1621            E-mail: <a href="mailto:marie.frederick@brent.gov.uk">marie.frederick@brent.gov.uk</a></p> <p>Jill Rennie            Senior Project Manager            Tel: 020 8937 2556            E-mail: <a href="mailto:jill.rennie@brent.gov.uk">jill.rennie@brent.gov.uk</a></p> <p>Richard Barrett            Head of Estate Regeneration            Tel: 020 8937 1330            E-mail: <a href="mailto:richard.barrett@brent.gov.uk">richard.barrett@brent.gov.uk</a></p> <p>Aktar Choudhury            Operational Director of Regeneration            Tel: 0208 937 1764            Email: <a href="mailto:aktar.choudhury@brent.gov.uk">aktar.choudhury@brent.gov.uk</a></p>

## 1 Purpose of Report

- 1.1 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.
- 1.2 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.

- 1.3 The South Kilburn Masterplan review took place in 2016, and the community are at the heart of our decision making process. We have taken an inclusive and participatory approach to consultation and engaged with residents and stakeholders of South Kilburn with extensive local consultation from July through to December, which directly fed into the drafting of a revised South Kilburn Supplementary Planning Document 2017 (SPD). The SPD was adopted by Cabinet on the 19 June 2017 and will be an important document in determining how this area continues to transform over the next 10-15 years.
- 1.4 The South Kilburn Regeneration Programme also includes the delivery of a new larger high quality urban park and an improved public realm, a new local primary school, new health facilities, new retail facilities, an Enterprise Hub and Community Space, improved environmental standards and a South Kilburn District Energy System. The South Kilburn Programme has been recognised for exemplar design for new build homes as well as landscape projects and has won a number of prestigious awards.
- 1.5 This report seeks approval to authorise the Strategic Director of Regeneration and Environment to appoint multi-disciplinary design teams and a developer partner for the named sites within the South Kilburn Regeneration Programme in order to speed up the design process and also the delivery process. This will help to ensure that the programme timescales as envisaged and as communicated can be achieved.
- 1.6 Please note that the redline boundary for 1-8 Neville House, 1-64 Winterleys, 113-128 Carlton House and Carlton Hall has been updated and is included at Appendix 1 - *please note the development boundary on the plan is at present indicative only, and may be subject to adjustment following detailed design work.*

## **2 Recommendation(s)**

That Members:

- 2.1 Delegate to the Strategic Director of Regeneration and Environment in consultation with the Lead Member Regeneration, Growth, Employment and Skills authority to award the contract for a Multi-Disciplinary Design Team to progress with the design process to prepare a detailed planning application for the proposed comprehensive redevelopment of the 1-8 Neville, 1-64 Winterleys, 113-128 Carlton House and Carlton Hall Site.
- 2.2 Delegate to the Strategic Director of Regeneration and Environment in consultation with the Lead Member Regeneration, Growth, Employment and Skills authority to award the contract for an architecturally led Multi-Disciplinary Design Team to progress the design process to prepare a detailed planning application for the proposed comprehensive redevelopment of the Hereford House and Exeter Court Site.
- 2.3 Delegate authority to the Strategic Director of Regeneration and Environment in consultation with the Lead Member Regeneration, Growth, Employment and Skills to award a contract for a Developer Partner for the Redevelopment of the Chippenham Gardens Site.

### 3 Detail

#### Background and Update

- 3.1 The South Kilburn Estate is an amalgam of Council residential blocks from the 1950's and 60's including a number of different post-war social housing typologies in poorly designed and low quality physical environment. The estate is located in the south of the borough and sits between Kilburn High Road to the east, Queen's Park to the north-west and extends towards Maida Vale in the south. It is the Southern-most part of Brent and shares a boundary with the City of Westminster. It is an area surrounded predominantly by privately-owned terraced Victorian and Edwardian housing that command high values. The over and underground facilities of Queen's Park and Kilburn Park stations and Kilburn High Road over ground station lie close to the estate's borders.
- 3.2 The estate is the largest concentration of social housing in Brent and amongst the largest in London. Much of the housing suffers from inherent internal design problems and the relationships between buildings, streets and spaces are poor and indeterminate. The area is not amenable for maintenance or improvement and as a whole the estate presents significant management challenges. These physical conditions manifest themselves in some of the highest levels of social and economic exclusion in the borough (and are amongst the highest in the country).
- 3.3 1-8 Neville House, 1-64 Winterleys and 113-128 Carlton House are more of the traditional 1950's Council blocks. Winterleys is a 12 storey block which now faces on to Woodhouse Urban Park, but is currently separated from the park by surface car parking. Neville House is a four storey block. Carlton House is a four storey residential block. Much of the existing site has poor definition of public and shared space and presents inactive frontages to the street and surrounding areas; Carlton Hall is a one storey detached community space currently occupied by the South Kilburn Trust.
- 3.4 A key principle of the phasing strategy for the South Kilburn regeneration programme is that the new affordable social rented homes developed on each site will, where the relevant needs are met, be made available to existing secure tenants within sites earmarked for development in the next phase.
- 3.5 The extent of the regeneration to date has transformed part of the estate; South Kilburn is changing for the better and this additional project will bring forward further improvements to the physical area that is South Kilburn. Officers intend to procure a design team to prepare a RIBA 3 detailed planning application and specification, with the option of taking this to RIBA Stage 4 (Technical Design), for the comprehensive redevelopment of 1-8 Neville House, 1-64 Winterleys and 113-128 Carlton House and Carlton Hall, to deliver a high quality residential development and public realm. This would help to ensure that there continues to be a pipeline of developments in South Kilburn, so that the delivery of much needed new homes in South Kilburn can continue at pace so as to meet the programme decant requirements and Masterplan timelines, which are highlighted in the South Kilburn Supplementary Planning Document 2017 approved at the June Cabinet.

## **1-8 Neville, 1-64 Winterelys, 113-128 Carlton House and Carlton Hall Site**

### **3.6 Cabinet in July 2017 (Appendix 3) resolved:**

20.1 The procurement of an architecturally led multidisciplinary design team be approved to develop up to and including a RIBA Stage 3 detailed planning application and specification, with the option of taking the design to RIBA Stage 4, for comprehensive redevelopment of Neville House, 1-64 Winterelys and 113-128 Carlton House and Carlton Hall by either:

- (i) Calling off an appropriate OJEU compliant framework; and evaluating those tenders in accordance with the relevant Framework; or alternatively
- (ii) Inviting tenders using a restricted procedure under the Public Contracts Regulations 2015 on the basis of the pre-tender considerations set out in paragraph 5.4, of the Cabinet report and evaluating the tenders on the basis of the evaluation criteria set out in Appendix 2;

20.2 That the decision as to the procurement of the Strategic Director of Regeneration and Environment, in consultation with the Lead Member Regeneration, Growth, Employment and Skills, be delegated the decision as to the procurement options detailed in paragraph 20.1, for the reasons detailed in paragraph 3.8 of the Cabinet report; and

20.3 The intention to report back to Cabinet to seek approval to award the proposed contract, once a preferred design team has been identified be noted.

3.7 Prior to appointing a design team, Officers carried out feasibility work to refine the scope of the brief. The South Kilburn Supplementary Planning Document 2017 provided this information to refine the scope of the brief. Officers have therefore commenced the procurement of a design team to prepare a RIBA 3 (Developed Design) detailed planning application and specification, with the option of taking this to RIBA Stage 4 (Technical Design).

3.8 The decision as to the procurement options above was delegated to the Strategic Director of Regeneration and Environment. Following full consideration of options, calling off a compliant framework, namely the Greater London Authority (GLA) and Transport for London (TfL) *Architecture, Design and Urbanism Panel* (ADUP), was chosen. Officers have therefore commenced a mini-competition under Lot 2, 3, 7 (Architecture) of the ADUP framework and expressions of interest are due back in the coming weeks. It will then be necessary to carry out an evaluation of bids. It was initially intended to report back to Cabinet to seek Member approval to award the proposed contract once a preferred design team was identified however, in order to expedite the process and ensure appointment takes place within the envisaged timelines thereby enabling the contract to commence in February 2018, it is recommended that Cabinet delegate authority to the Strategic Director of Regeneration in consultation with the Lead Member Regeneration, Growth, Employment and Skills to award the contract for a Multi-Disciplinary Design Team.

## Hereford House and Exeter Court Site

- 3.9 Hereford House is an 18 storey residential block comprising 135 dwellings. Exeter Court is 32 dwellings formed of four storey residential blocks connected by a public open space at podium level incorporating a playground under which is garaging and a commercial storage space.
- 3.10 The buildings are fragmented and present a blank frontage onto Carlton Vale and Granville Road, with public realm essentially comprising car parking/hardstanding for garage access interspersed with sporadic semi mature trees along the street edge.
- 3.11 As identified in the South Kilburn Supplementary Planning Document 2017 (SPD) the site is also to provide the new Granville Park, as the current Granville Open Space is identified in the SPD for housing. The current Granville Open Space is poorly overlooked with no adjacent frontage development and backs onto rear boundary fences of villas on Princess Road, increasing their risk of being subject to crime. Public consultation identified that this space due to its limited visibility and lack of attractions is essentially unknown to the majority of the surrounding population. Whilst the reopening of Granville Road is proposed and this may improve its accessibility and raise public awareness, the SPD identifies that there is no certainty its inherent potential weakness; a lack of natural surveillance will be addressed. As such it is considered that there is merit in transferring the open space to the Hereford House and Exeter Court development.
- 3.12 Cabinet in **July 2016 (Appendix 4)** resolved:
- (i) that approval be given to the procurement of an architecturally led multidisciplinary design team to develop a detailed planning application for comprehensive redevelopment of Hereford House and Exeter Court by either:
    - calling off the Greater London Authority (GLA) and Transport for London (TfL) *Architecture, Design and Urbanism Panel (ADUP)* or such other appropriate OJEU compliant framework; and evaluating those tenders in accordance with the relevant Framework; or alternatively
    - inviting tenders using a Restricted procedure under the Public Contracts Regulations 2015 on the basis of the pre-tender considerations set out in paragraph 3.7 of this report and evaluating the tenders on the basis of the evaluation criteria set out in that paragraph.
  - (ii) that the decision as to the procurement options details in (i) above be delegated to the Strategic Director of Regeneration and Environment;
  - (iii) that the intention to report back to Cabinet to seek approval to award the proposed contract for an architecturally led multidisciplinary design team, once a preferred design team has been identified be noted
- 3.13 The July 2016 Cabinet paper had identified that the procurement would be undertaken during autumn/winter 2016. This did not occur due to other unforeseen programme

requirements, mainly the inclusion of the Carlton and Granville Centres site in the South Kilburn Masterplan Review 2016.

- 3.14 Prior to appointing a design team officers were to carry out feasibility work to refine the scope of the brief. The South Kilburn Supplementary Planning Document 2017 provided this information to refine the scope of the brief. Officers intend to procure a design team to prepare a RIBA 3 (Developed Design) detailed planning application and specification, with the option of taking this to RIBA Stage 4 (Technical Design).
- 3.15 The decision as to the procurement options above was delegated to the Strategic Director of Regeneration and Environment. Following full consideration of options, calling off a compliant framework, namely the GLA and TfL ADUP framework was chosen. Officers have commenced a mini-competition under Lot 2 (Architecture) of the ADUP framework. The Expression of Interests stage has completed and the shortlist has been chosen for the Invitation to Tender stage. It was initially intended to report back to Cabinet to seek Member approval to award the proposed contract once a preferred design team was identified however, in order to expedite the process and ensure appointment takes place within the envisaged timelines thereby enabling the contract to commence in January 2018, it is recommended that Cabinet delegate authority to the Strategic Director of Regeneration in consultation with the Lead Member Regeneration, Growth, Employment and Skills to award the contract for a Multi-Disciplinary Design Team.

### **Chippenham Gardens Site**

- 3.16 Chippenham Gardens has the benefit of full detailed planning permission granted by the Council on 14 July 2016. The consented scheme will consist of 52 new high quality residential homes which will include approximately 30 dwellings for sale on the open market and approximately 22 'affordable' dwellings (for existing secure tenants of South Kilburn) comprising a range of 1 to 3 bedroom flats. In addition, the development will provide new public realm and improved pedestrian routes, car parking spaces, new landscaped private and shared gardens and associated highway and other infrastructure, drainage, servicing and works ("the **Scheme**").
- 3.17 Cabinet in **June 2017 (Appendix 6)** resolved inter alia:
- 8.1 Cabinet approved the procurement of a delivery partner for the Chippenham Gardens 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 set out in Appendix 3 of the report from the Strategic Director of Regeneration & Environment and evaluating the tenders on the basis of the evaluation criteria set out in Appendix 3.
- 8.2 Cabinet agreed to delegate to the Strategic Director of Regeneration & Environment in consultation with the Lead Member of Regeneration, Growth, Employment and Skills, authority to select the appropriate procurement route outlined in 8.1 above for the reasons detailed in paragraph 3.8 of the report from the Strategic Director of Regeneration & Environment.

3.18 Following full consideration of matters, it was decided that procuring via an OJEU compliant framework was appropriate. Officers have shortlisted two frameworks and one of these frameworks will be selected imminently. Expressions of interests and up-coming meetings with proposed Developer Partners is due commence in winter of this year. The proposed contract start date is early 2018. In order to expedite the process and ensure appointment takes place within the envisaged timelines following the return of the Invitation to Tender, it is recommended that Cabinet Delegate powers to the Strategic Director of Regeneration in consultation with the Lead Member Regeneration, Growth, Employment and Skills to award the contract for a Developer Partner.

## **4 Financial Implications**

4.1 The financial model for the South Kilburn regeneration programme is to be self-financing within the funding envelope generated from on-going disposals. The capital receipts generated are reinvested back into the South Kilburn regeneration programme, to enable the rolling regeneration programme that delivers new homes.

4.2 The South Kilburn model has traditionally worked through a process of procuring delivery partners, who develop an existing site and generate high value properties. In return for this site, they build affordable and social housing, while also delivering capital receipts to support the capital programme.

4.3 All schemes have budgets approved for this financial year 2017-18 in order to deliver.

## **5 Legal Implications**

5.1 In all three procurements detailed in the report, the decision has been made to use a suitable framework that has been procured pursuant to the Public Contracts Regulations 2015 and established by another contracting authority. In accordance with Contract Standing Order 86 (e), Chief Legal Officer approval has been obtained to confirm that use of the frameworks is legally permissible and mini-competitions are being operated in accordance with framework rules.

5.2 The estimated value of each of three contracts the subject matter of this report is in excess of £500k. As such the award of the contracts is subject to the Council's own Standing Orders in respect of High Value contracts and Financial Regulations and Cabinet approval is required for the award. For the reasons detailed in paragraphs 3.8, 3.15 and 3.18, Cabinet approval is sought for delegated authority to award these contracts.

## **6 Equality Implications**

6.1 As The 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 within the neighbourhood. Secure tenants within the South Kilburn Regeneration Programme will be offered the opportunity to move into the new affordable (social rent) units when the schemes are delivered.

6.2 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.

- 6.3 As with all schemes that are part of the South Kilburn regeneration programme, full consideration is and will continue to be given to residents and leaseholders with protected characteristics, particularly people with disabilities and / or other types of vulnerabilities due to older age, childcare and/or caring responsibilities, socio-economic status (single parents and large families).

### **Race / Ethnicity**

- 6.4 Due to the ethnicity profile of the area, full consideration is and will continue to be given to the impact on black, Asian and minority ethnic individuals/groups. The Council will/has ensured that the options put forward to residents and leaseholders 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**

- 6.5 The requirements for anyone who is older or with a disability, or those who are pregnant or on maternity to have to move from their current property (residential or commercial property) is likely to be more difficult and could suffer greater psychological effects, including stress. This in turn has an impact on people with childcare and caring responsibilities.
- 6.6 To mitigate this, for the secure tenants who are moving, the re-housing team provides help to secure tenants through the moving process, additional support and services to those who require it.
- 6.7 Leaseholders may be affected if they are seeking to acquire a similar sized property in the surrounding area as the value for a Local Authority property tends to be less than a non-Local Authority property. To counteract these implications, the Council offers to resident leaseholders a number of options such as the option of shared-equity or a property swap on the South Kilburn Estate (where available). The purpose of making the offers on the Estate is to allow residential leaseholders to remain on the Estate within the same locality and to help provide for a real sense of social cohesion. For those who move off the estate, they may have to increase/get a new mortgage agreement which could be difficult for older residents or those with caring childcare responsibilities.
- 6.8 The Equality Analysis is currently being updated and will inform the delegated approval to award the contract for the Hereford House and Exeter Court site.
- 6.9 The anticipated Social Value benefits from this proposal outlined in section 8 will further enhance the equality outcomes for residents with protected characteristics living in the area.

## **7 Consultation with Ward Members and Stakeholders**

7.1 This paper has been circulated to ward members.

## **8 Human Resources/Property Implications (if appropriate)**

8.1 There are no specific implications for Council staff or accommodation associated with the proposals contained within this report.

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

9.1 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 1-8 Neville House, 1-64 Winterleys, 113-128 Carlton House and Carlton and Hereford House and Exeter Court and for a developer partner for the Chippenham Gardens site.

9.2 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 1-8 Neville House, 1-64 Winterleys, 113-128 Carlton House and Carlton Hall and Hereford House and Exeter Court to deliver a high quality residential development and continue to deliver much needed new affordable homes to rehouse existing secure tenants of South Kilburn; and provide a new Granville Park, hugely improving their living conditions and reconnecting the area to its surrounding neighbourhoods and through the reconstruction and delivery of new high quality homes at the Chippenham Gardens Site.

9.3 Where possible the contracts will require that the Design Teams and Delivery Partner to:

- provide opportunities for local people or prioritise local people for the employment opportunities that may arise during this contract (e.g. apprenticeships, work placements for disabled people or BAME groups, etc);
- pay the London Living Wage as part of the Council's commitment to reduce socioeconomic disadvantage.

Consultation will form part of the Design Teams' work and that of the Delivery Partner. Additionally, Social Value will form a scored element of the procurement process in selecting the Design Teams and Delivery Partner, including identifying how the Design Team and Delivery Partner will target engagement of disabled people, young people, older residents and BME groups on the development of an inclusive and accessible design; easy materials; translation and interpreting services, etc.

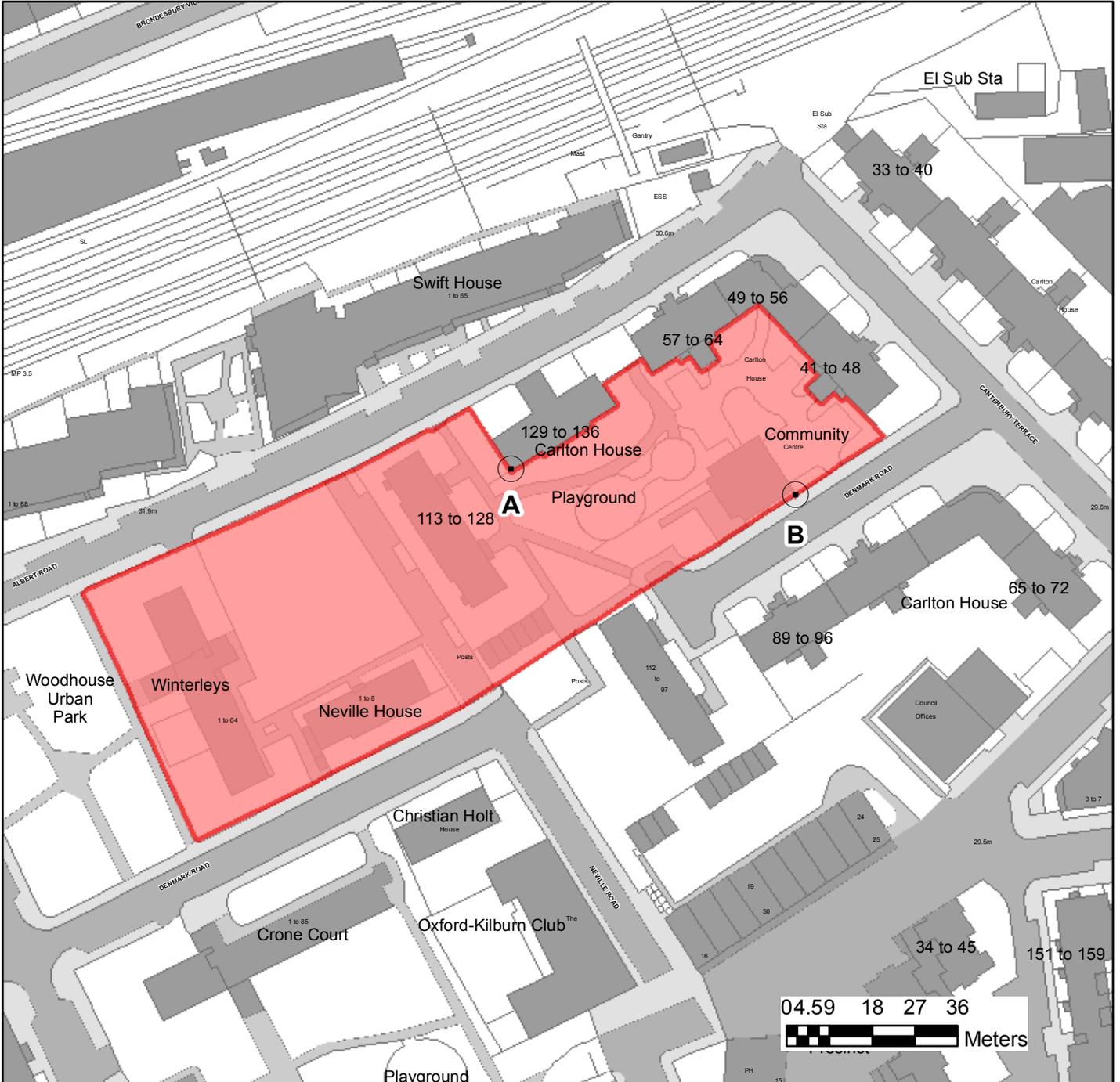
**Report sign off:**

**AMAR DAVE**

Strategic Director of Regeneration and Environment



**Winterleys, Albert Road, London, NW6 5DR;  
 Neville House, Neville Road, London, NW6 5BT,  
 Part Carlton House, Canterbury Terrace,  
 London, NW6 5DU and Carlton House Hall,  
 Carlton House, Canterbury Terrace, London, NW6 5DX**



**Site Extent**

**1:1,250**

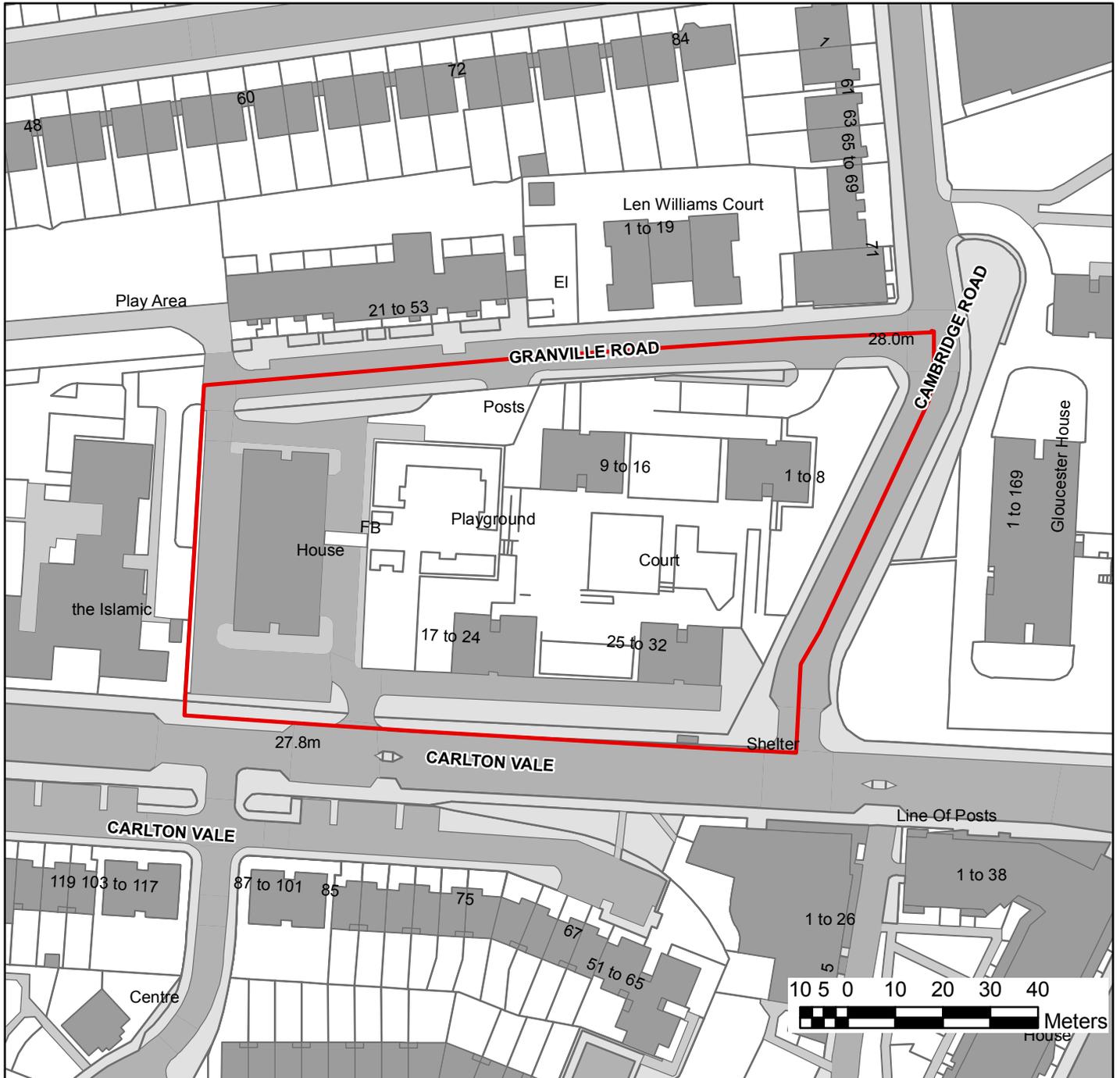
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# Hereford House and Exeter Court Red Line Boundary



Premises shown outlined red.



1:1,250

Plan to stated scale if printed at A4.

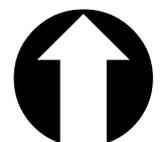
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NORTH



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**Cabinet**  
24 July 2017

**Report from the Strategic Director of  
Regeneration & Environment**

Wards affected: Kilburn

**Approval to procure a Multi-Disciplinary Design Team for Neville House, 1-64 Winterleys and 113-128 Carlton House and Carlton Hall, as part of Phase 4 of the South Kilburn Regeneration Programme**

## **1 Summary**

- 1.1 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.
- 1.2 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.
- 1.3 The South Kilburn Masterplan review took place in 2016, and the community are at the heart of our decision making process. We have taken an inclusive and participatory approach to consultation and engaged with residents and stakeholders of South Kilburn with extensive local consultation from July through to December, which directly fed into the drafting of a revised South Kilburn Supplementary Planning Document 2017 (SPD). The SPD was adopted by Cabinet on the 19 June 2017 and will be an important document in determining how this area continues to transform over the next 10-15 years.
- 1.4 The South Kilburn Regeneration Programme also includes the delivery of a new larger high quality urban park and an improved public realm, a new local primary school, new health facilities, new retail facilities, an Enterprise Hub and Community Space, improved environmental standards and a South Kilburn District Energy System. The South Kilburn Programme has been recognised for exemplar design for new build homes as well as landscape projects and has won a number of prestigious awards.

- 1.5 This report seeks Cabinet approval to a procurement strategy for the appointment of an architecturally led multidisciplinary design team for the comprehensive redevelopment of Neville House, 1-64 Winterelys and 113-128 Carlton House and Carlton Hall, being part of Phase 4 of the South Kilburn regeneration programme and together defined as the Existing Site. (See appendix 1 – Existing Site Plan) *please note the development boundary between points A and B on the plan is at present indicative only, and may be subject to adjustment following detailed design work.*

## **2 Recommendations**

That Members:

- 2.1 Approve the procurement of an architecturally led multidisciplinary design team to develop up to and including a RIBA Stage 3 detailed planning application and specification, with the option of taking the design to RIBA Stage 4, for comprehensive redevelopment of Neville House, 1-64 Winterelys and 113-128 Carlton House and Carlton Hall by either:
- i) Calling off an appropriate OJEU compliant framework; and evaluating those tenders in accordance with the relevant Framework; or alternatively;
  - ii) Inviting tenders using a restricted procedure under the Public Contracts Regulations 2015 on the basis of the pre-tender considerations set out in paragraph 5.4, of this report and evaluating the tenders on the basis of the evaluation criteria set out in Appendix 2;
- 2.2 Delegate to the Strategic Director of Regeneration and Environment in consultation with the Lead Member Regeneration, Growth, Employment and Skills, the decision as to the procurement options detailed in paragraph 2.1 above for the reasons detailed in paragraph 3.8.
- 2.3 Note the intention to report back to Cabinet to seek approval to award the proposed contract, once a preferred design team has been identified.

## **3 Detail**

### **Background**

- 3.1 South Kilburn Estate is an amalgam of Council residential blocks from the 1950's and 60's including a number of different post-war social housing typologies in poorly designed and low quality physical environment. The estate is located in the south of the borough and sits between Kilburn High Road to the east, Queen's Park to the north-west and extends towards Maida Vale in the south. It is the Southern-most part of Brent and shares a boundary with the City of Westminster. It is an area surrounded predominantly by privately-owned terraced Victorian and Edwardian housing that command high values. The over and underground facilities of Queen's Park and Kilburn Park stations and Kilburn High Road over ground station lie close to the estate's borders.
- 3.2 The estate is the largest concentration of social housing in Brent and amongst the largest in London. Much of the housing suffers from inherent internal design

problems and the relationships between buildings, streets and spaces are poor and indeterminate. The area is not amenable for maintenance or improvement and as a whole the estate presents significant management challenges. These physical conditions manifest themselves in some of the highest levels of social and economic exclusion in the borough (and are amongst the highest in the country).

- 3.3 Neville House, 1-64 Winterleys and 113-128 Carlton House are more of the traditional 1950's Council blocks. Winterleys is a 12 storey block which now faces on to Woodhouse Urban Park, but is currently separated from the park by surface car parking. Neville House is a four storey block. Carlton House is a four storey residential block. Much of the development has poor definition of public and shared space and presents inactive frontages to the street and surrounding areas; Carlton Hall is a one storey detached community space currently occupied by the South Kilburn Trust.
- 3.4 A key principle of the phasing strategy for the South Kilburn regeneration programme is that the new affordable homes developed on each site will, where the relevant needs are met, be made available to existing secure tenants within sites earmarked for development in the next phase.
- 3.5 The extent of the regeneration to date has transformed part of the estate; South Kilburn is changing for the better and this additional project will bring forward further improvements to the physical area that is South Kilburn. Officers intend to procure a design team to prepare a RIBA 3 detailed planning application and specification, with the option of taking this to RIBA Stage 4 (Technical Design), for the comprehensive redevelopment of Neville House, Winterleys and Carlton House, to deliver a high quality residential development and public realm. This would help to ensure that there continues to be a pipeline of developments in South Kilburn, so that the delivery of much needed new homes in South Kilburn can continue at pace so as to meet the programme decant requirements and Masterplan timelines, which are highlighted in the South Kilburn Supplementary Planning Document 2017 approved at June Cabinet.
- 3.6 Prior to appointing the design team, officers will carry out feasibility work to refine the scope of the brief.
- 3.7 The procurement of a design team to RIBA 3 to develop a detailed planning application and specification, with the option of taking the design to RIBA Stage 4 (Technical Design), for the comprehensive redevelopment of Neville House, 1-64 Winterleys and 113-128 Carlton House and Carlton Hall will be undertaken by either:
  - i) Calling off an appropriate OJEU compliant framework; or alternatively
  - ii) Inviting tenders using a restricted procedure under the Public Contract Regulations 2015 ("PCR 2015") on the basis of the pre-tender considerations set out in Appendix 2, commencing by placing a notice in the Official Journal of the European Union (OJEU).
- 3.8 The procurement may not be commenced immediately as the options to procurement will be reviewed by officers. However to allow the project to commence this year Member level authority is being sought at this stage to the strategic decision to initiate this procurement with the technical decision on which of the procurement options to select to be taken by the Strategic Director

of Regeneration and Environment in consultation with the Lead Member closer to the likely date for commencement of the procurement. Officers will carry out feasibility work to include reviewing all existing and new frameworks that are currently being let before deciding the best procurement route to take.

- 3.9 Should calling off an appropriate framework, be the preferred procurement route, officers will conduct a mini-competition and delegate authority to award a contract with the successful tenderer to the Strategic Director of Regeneration and Environment in consultation with the Portfolio Holder for Regeneration, Growth, Employment and Skills, once a preferred design team has been identified.
- 3.10 Should using a Restricted procedure under the PCR 2015 be the preferred procurement route, in accordance with Contract Standing Orders 88 and 89, pre-tender considerations have been set out at Appendix 2, for the approval of the Cabinet.
- 3.11 The Cabinet is asked to give its approval to these proposals as set out in the recommendations and in accordance with Standing Order 89 (Appendix 2).

#### **4 Financial Implication**

- 4.1 The financial model for the South Kilburn regeneration programme is to be self-financing within the funding envelope generated from on-going disposals. The capital receipts generated are reinvested back into the South Kilburn regeneration programme, to enable the rolling regeneration programme that delivers new homes.
- 4.2 The South Kilburn model has traditionally worked through a process of procuring delivery partners, who develop an existing site and generate high value properties. In return for this site, they build affordable and social housing, while also delivering capital receipts to support the capital programme. There is sufficient space in the budget to cover the cost of this contract in 2017/18.
- 4.3 Irrespective of the procurement process to be undertaken, it is anticipated that the value of the proposed contract will be in excess of £500k and thus classed as a High Value Contract under the Council's Standing Orders and Financial Regulations.
- 4.4 Therefore approval is being sought from Members to proceed with the procurement and award the proposed contract, once a preferred design team has been identified. The estimated cost to appoint a design team can be resourced from the South Kilburn programme budget. Depending on market conditions, it should be possible to recoup this cost when the redevelopment of Neville House, 1-64 Winterleys and 113-128 Carlton House and Carlton Hall site disposal takes place.

#### **5 Legal Implications**

- 5.1 As detailed in Recommendation 2.1, the options currently being considered by Officers for the procurement of a multi-disciplinary design team are either the use of a framework or procurement by way of a restricted procedure under the Public Contracts Regulations 2015 (PCR 2015).

- 5.2 The Council's Contract Standing Orders state that no formal tendering procedures apply where contracts are called off under a framework agreement established pursuant to PCR 2015 by another contracting authority and where call off under the framework agreement is recommended by the relevant Chief Officer (to include confirmation that there is sufficient budgetary provision for the proposed call-off). However, this is subject to the Chief Legal Officer advising that participation in the framework agreement is legally permissible and approval to participate in the framework being obtained from the Chief Legal Officer. Should calling off the an appropriate OJEU PCR 2015 compliant framework be the preferred procurement route, the Council would be required to operate a mini-competition in accordance with framework rules, to include evaluation using the criteria specified in the framework. Following the operation of a mini-competition the Council would be required to operate a mini-competition in accordance with framework rules, to include evaluation using the criteria specified in the framework. Following the operation of a mini-competition Cabinet approval is required for the award of a High Value Contract.
- 5.3 Should the use of the restricted procedure under the PCR 2015 be the preferred procurement route, the procurement will be subject to the Council's Contract Standing Orders applicable to High Value Contracts as the estimated value of the contract is over £500k. Accordingly, the Cabinet must approve the pre-tender considerations set out in Appendix 2 (Standing Order 89) and the inviting of tenders (Standing Order 88). Once the procurement process has been undertaken under the PCR 2015, officers will report back to the Cabinet in accordance with Contract Standing Orders, explaining the process undertaken in tendering the contracts and recommending award.
- 5.4 Given the value of this proposed procurement over its lifetime is higher than the EU threshold for Services, the procurement of the contract is governed in full by the PCR 2015. Should the use of the Restricted procedure under the PCR 2015 be the preferred procurement route, the Council must observe the requirements of the mandatory minimum ten calendar days standstill period imposed by the PCR 2015 before the contract can be awarded. The requirements include notifying all tenderers in writing of the Council's decision to award and providing the prescribed information which includes the reasons for the decision and the characteristics and relative advantages of the winning bid. The standstill period provides unsuccessful tenderers with an opportunity to challenge the Council's award decision if such challenge is justifiable. However if no challenge or successful challenge is brought during the period, at the end of the standstill period the Council can issue a letter of acceptance to the successful tenderer and the contract may commence.

## **6 Equality Implications**

- 6.1 The 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 within the neighbourhood. In regards to Neville House, 1-64 Winterleys and 113-128 Carlton House and Carlton Hall, secure tenants will be offered the opportunity to move into new affordable (social rent) units elsewhere within the South Kilburn Regeneration Programme area.
- 6.2 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.

- 6.3 As with all other schemes that are part of the South Kilburn regeneration programme, full consideration must be given to residents and leaseholders with protected characteristics, particularly people with disabilities and / or other types of vulnerabilities due to older age, childcare and/or caring responsibilities, socio-economic status (lone parents and large families).

### **Race / Ethnicity**

- 6.4 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 secure residents and leaseholders, so far as possible, provide reasonable and affordable alternatives that enable them to remain in the area and maintain their family and community ties, as per Article 1 of the First Protocol and Article 8 of the European Convention on Human Rights.

### **Age/Carers/Disability/Pregnancy and maternity**

- 6.5 The requirements for anyone who is older or with a disability, or those who are pregnant or on maternity to have to move from their current property (residential or commercial property) is likely to be more difficult and could suffer greater psychological effects, including stress. (This in turn has an impact on carers).
- 6.6 To mitigate this, for the secure tenants who are moving, the re-housing team provides help to secure tenants through the moving process, additional support and services to those who require it can be provided.
- 6.7 Resident leaseholders may be affected if they are seeking to acquire a similar sized property in the surrounding area as the value for a Local Authority property tends to be less than a non-Local Authority property. To counteract this resident leaseholders have been offered the option of shared-equity on the South Kilburn Estate. For those who move off the estate, they may have to increase/get a new mortgage agreement which could be difficult for older residents or those with caring/dependant children responsibilities. The Council is also in the process of recruiting an estate regeneration leaseholder liaison officer which will assist leaseholders by providing support and guidance as to the options available to relocate or sell their property

## **7 Staffing/Accommodation Implications**

- 7.1 There are no specific implications for Council staff or accommodation associated with the proposals contained within this report.

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

- 8.1 The Council is under duty pursuant to the Public Services (Social Value) Act 2012 ("the Social Value Act") to consider how 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.

- 8.2 It is considered that the services being procured will have the effect of improving the economic, social and environmental well-being of residents of South Kilburn through the development of this site. The new homes will improve living conditions of residents of South Kilburn.
- 8.3 Officers will also have regard to the Social Value Act in its procurement of a multi-disciplinary design team and seek to implement Social Value considerations where permitted an Equality Impact Assessment will be done and reported to Members when the Council is in a position to proceed with the procurement of a construction contract.

## **9 Background Papers**

Appendix 1 – Existing Site Plan  
Appendix 2 –Pre-tender considerations

## **10 Contact Officers**

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AMAR DAVE  
Strategic Director Regeneration & Environment

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**London Borough of Brent  
Summary of Decisions taken by the Cabinet  
on Monday 24 July 2017**

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

ALSO PRESENT: Councillors Chohan, Long, Mahmood, Maurice, Perrin, Shahzad, Stopp, Thomas and Warren

Agenda Item No	Item	Ward(s)	Decision
1.	Apologies for Absence		None.
2.	Declarations of Interest		None.
3.	Minutes of the Previous Meeting		RESOLVED:  That the minutes of the previous meeting, held on 19 June 2017, be approved as an accurate record of the meeting.
4.	Matters Arising		RESOLVED:  There were no matters arising.
5.	Petitions (if any)		The Cabinet received petitions from Mr Barry Wolahan, Mr Yasir Alam, and Mr Terry Connelly in relation to the On-Street Parking Management Review.
6.	Programme of Works to enhance Fire Safety in the Council's Housing Stock	All Wards	RESOLVED:  That the proposed process for developing a fully itemised and

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 24 July 2017 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			costed programme of fire safety work for Cabinet consideration and approval by October 2017 be noted.
7.	Small and Medium-Sized Enterprises in Brent Task Group	All Wards	<p>RESOLVED:</p> <p>7.1 The contents of the task group’s report be noted;</p> <p>7.2 The four recommendations made by the task group be approved; and</p> <p>7.3 The development of an action plan across the council and partner organisations to take these forward be endorsed.</p>
8.	Care and Support Contracts - Extra Care - Authority To Procure Additional Schemes	All Wards	<p>RESOLVED:</p> <p>8.1 Approval to procure from the existing Accommodation Plus Services DPS, Lot 4.1 Care and Support Services be given, with an estimated combined value of £54.1 million and the issue of the invitation of tenders for the care and support service within 8 Extra Care Schemes (ECS’s) be approved, leading to an award of approximately three contracts with winning providers;</p> <p>8.2 Approval for procurement via the DPS of contracts with a length of five years plus up to two years extension period for each contract be given; and</p> <p>8.3 Approval be given to officers to evaluate the tenders referred to in 8.1 above on the basis of the evaluation criteria set out in section</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 24 July 2017 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			7.6 of the Cabinet report.
9.	School Place Planning Strategy 2014-18 - update	All Wards	<p>RESOLVED:</p> <p>9.1 The refresh of the Brent Pupil Place Planning Strategy be approved as outlined in Appendix 1;</p> <p>9.2 The fact that demand for Reception places from September 2017 is expected to reduce over the next few years, before recovering to near 2017 levels, be noted. This reduced demand is underpinned by lower birth rates. As birth rates fluctuate and further housing developments are delivered, it is possible that projections may be revised upwards. It is likely that there will be growth and continued pressures in some areas of the Borough or in specific year groups;</p> <p>9.3 The fact that the demand for secondary places is forecast to increase and outstrip supply by 2020 be noted. The equivalent of two additional secondary schools will be needed by the 2023/24 academic year. This capacity could be provided through a combination of new schools and expanded provision;</p> <p>9.4 The fact that that the number of children and young people with Education. Health and Care (EHC) Plans is expected to increase be noted. Exclusions from schools are also on an upward trend and many of these pupils have complex needs; and</p> <p>9.5 The strategy for meeting additional SEND places be noted.</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 24 July 2017 (continued)**

Agenda Item No	Item	Ward(s)	Decision
10.	Contracts with Academies for Additionally Resourced Provisions and the Choice, Advice and Fair Access Service	All Wards	<p>RESOLVED:</p> <p>10.1 An exemption from the procurement requirements of the Council's Contract Standing Order No 96 be agreed in respect of contracts for the provision of:</p> <ul style="list-style-type: none"> <li>a) Additionally Resourced Provision (ARP) for the academic year 2017/18.</li> <li>b) The Choice, Advice and Fair Access Interview Service and specialist English as an Additional Language (EAL) provisions for the academic year 2017/18.</li> </ul> <p>10.2 The award of the contracts referred to in Recommendation 10.1 for the academic year 2017/18 above be approved to the schools listed in Tables 1 and 2 of this report; and</p> <p>10.3 The fact that the costs of the proposed contracts referred to in recommendation 10.2 would be fully met from the DSG be noted.</p>
11.	Draft Statement of Accounts 2016/17	All Wards	RESOLVED that the draft accounts be noted.
12.	2016/17 Treasury Management Outturn Report	All Wards	<p>RESOLVED:</p> <p>12.1 The 2016/17 Treasury Management outturn report be noted; and</p> <p>12.2 The 2016/17 Treasury Management outturn report be forwarded to Council, in compliance with CIPFA's Code of Practice</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 24 July 2017 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			on Treasury Management (the Code).
13.	July Finance Review	All Wards	<p>RESOLVED:</p> <p>13.1. The July Finance Review report be noted;</p> <p>13.2. The budget adjustments set out in Appendix A be agreed for service areas to enable spend to be contained within agreed budgets for 2017/18;</p> <p>13.3. The Capital budgets be noted and authority be delegated to the Chief Finance Officer to re-profile 2016/17 carry-forward budgets as required;</p> <p>13.4 The recent developments for Business Rates devolution from 2019/20 be noted and that further updates be brought to Cabinet as the legislative position becomes clearer;</p> <p>13.5. Cabinet delegated to the Chief Finance Officer, in consultation with the Leader of the Council, authority to enter into negotiations in respect of participating in a pilot business rates pool for London in 2018/19. Cabinet agreed that a report be presented in autumn 2017 to clarify the position regarding the pilot;</p> <p>13.6 The position on the School funding reform proposals be noted;</p> <p>13.7 The effects of further integration with NHS services be noted</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 24 July 2017 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			<p>and the use of the Improved Better Care Fund to increase the Adult Social Care base budget be agreed;</p> <p>13.8. The financial implications of the Homelessness Reduction Act be noted and the use of the new Flexible Homelessness Support Grant to increase the Community Wellbeing base budget be approved; and</p> <p>13.9. That Cabinet’s intention, as previously announced and subject to consultation and any other material changes to circumstances, to increase council tax by 3.99% in 2018/19 be confirmed, on the basis that this meant that no new savings proposals needed to be developed.</p>
14.	Financial Forecast 2017/18	All Wards	RESOLVED that the overall financial position and the actions being taken to manage the issues arising be noted.
15.	The Council's Policy and Procedures on RIPA	All Wards	<p>RESOLVED:</p> <p>15.1 The Council’s policy and procedures on RIPA be approved, as appended to this report, and the document be kept under review and updated by the Monitoring Officer as and when necessary; and</p> <p>15.2 The oversight role of the Monitoring Officer and the Audit Advisory Committee be noted.</p>
16.	Authority to Participate in the Joint Procurement of Solicitors' Services	All Wards	<p>RESOLVED:</p> <p>16.1 The Council’s participation in a collaborative procurement led</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 24 July 2017 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			<p>by the London Borough of Hackney to establish a framework for solicitors' services be approved;</p> <p>16.2 The collaborative procurement exercise detailed in 16.1 above be agreed to be exempt from the normal requirements of Brent Council's Contract Standing Orders and Financial Regulations for good operational and/or financial reasons in accordance with the Contract Standing Order 84(a) and 85(c); and</p> <p>16.3 The pre-tender considerations set out in paragraph 3.8.1 of the Cabinet report be noted.</p>
17.	National Non-Domestic Rates - Discretionary Discount Scheme	All Wards	<p>RESOLVED:</p> <p>17.1 The discretionary discount scheme (Revaluation Support) detailed in Appendix 1 of this report be approved pursuant to the Council's powers under section 47 of the Local Government Finance Act 1988;</p> <p>17.2 The scheme be agreed for this financial year only, i.e., from 1 April 2017 to 31 March 2018. A further report will be presented to Cabinet in 2018 detailing the proposed schemes for 2018/19, 2019/20 and 2020/21 once actual scheme take up and cost is known for 2017/18 and whether or not funding allocations for each year can be moved from one year to another;</p> <p>17.3 That the two schemes announced in the March budget (Support for Pubs and Supporting Small Businesses) and detailed in</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 24 July 2017 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			<p>sections 4.0 – 5.3 of the Cabinet report be approved pursuant to the Council’s powers under section 47 of the Local Government Finance Act 1988; and</p> <p>17.4 The Chief Finance Officer be authorised to implement the three schemes as detailed in Appendix 1 and sections 4.0 – 5.3 of the Cabinet report so that the agreed discretionary discounts for business rates can be awarded in compliance with the scheme criteria.</p>
18.	On- Street Parking Management Review	All Wards	<p>RESOLVED:</p> <p>18.1 The responses to the online survey and requests for changes to parking management in the borough be noted;</p> <p>18.2 The prioritisation methodology be noted and the 2017/18 – 2018/19 programme for reviewing on-street parking management be approved;</p> <p>18.3 The financial implications within this report be noted and a budget provision of £0.34m to deliver the programme be agreed;</p> <p>18.4 The programme for implementing changes to on-street parking arrangements in prioritised areas be approved, subject to public consultation and further approval by Highways Committee;</p> <p>18.5 The online information, guidance and application process for parking changes be agreed to remain in place, and that these</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 24 July 2017 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			<p>requests be considered when developing future programmes for Cabinet approval in January each year, with six monthly interim reports providing information on levels of demand and programme progress to Highways Committee;</p> <p>18.6 The lead officers be authorised to write to the lead petitioners to inform them of the decisions in relation to their petition, as set out in Appendix A of the Cabinet report; and</p> <p>18.7 Lead Officers’ responses to other requests be noted and approved, and comments related to policy decisions in paragraphs 4.22, 4.24 and in Appendix A to the Cabinet report, be considered outside of the scope of this review.</p>
19.	To update on progress since the original approvals were given in November 2013, January 2015 and June 2015 and seek approval and re-affirmation of the original decision to proceed with the CPO in the light of the changes which have occurred on the Land North of Chippenham Gardens	Kilburn	<p>RESOLVED:</p> <p>19.1 The updated information referred to in the Cabinet report be noted;</p> <p>19.2 The Council’s Statement of Case dated 16 December 2016 be noted and endorsed; and</p> <p>19.3 All steps to make, confirm and implement the London Borough of Brent (South Kilburn Regeneration– Land North of Chippenham Gardens) Compulsory Purchase Order be reaffirmed and authorised.</p>
20.	Approval to procure a Multi-	Kilburn	RESOLVED:

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 24 July 2017 (continued)**

Agenda Item No	Item	Ward(s)	Decision
<p align="center" style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 272</p>	<p>Disciplinary Design Team for Neville House, 1-64 Winterleys and 113-128 Carlton House and Carlton Hall, as part of Phase 4 of the South Kilburn Regeneration Programme</p>		<p>20.1 The procurement of an architecturally led multidisciplinary design team be approved to develop up to and including a RIBA Stage 3 detailed planning application and specification, with the option of taking the design to RIBA Stage 4, for comprehensive redevelopment of Neville House, 1-64 Winterelys and 113-128 Carlton House and Carlton Hall by either:</p> <ul style="list-style-type: none"> <li>• Calling off an appropriate OJEU compliant framework; and evaluating those tenders in accordance with the relevant Framework; or alternatively</li> <li>• Inviting tenders using a restricted procedure under the Public Contracts Regulations 2015 on the basis of the pre-tender considerations set out in paragraph 5.4, of the Cabinet report and evaluating the tenders on the basis of the evaluation criteria set out in Appendix 2;</li> </ul> <p>20.2 The Strategic Director of Regeneration and Environment, in consultation with the Lead Member Regeneration, Growth, Employment and Skills, be delegated the decision as to the procurement options detailed in paragraph 20.1 above for the reasons detailed in paragraph 3.8 of the Cabinet report; and</p> <p>20.3 The intention to report back to Cabinet to seek approval to award the proposed contract, once a preferred design team has been identified be noted.</p>
<p><b>21.</b></p>	<p>Article 4 Direction: Office, Light Industrial and Storage or</p>	<p>All Wards</p>	<p>RESOLVED:</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 24 July 2017 (continued)**

Agenda Item No	Item	Ward(s)	Decision
	Distribution Centre to Residential		<p>21.1 The issuing of an non-immediate Article 4 Direction removing permitted development rights for Office (B1(a)), Light Industrial (B1(b)) and Storage or Distribution Centre (B8) to Residential (C3) within Strategic Industrial Areas, Locally Significant Industrial Sites and the Alperton Growth Area be approved;</p> <p>21.2 The issuing of an non-immediate Article 4 Direction removing permitted development rights for Office (B1(a)) within the Wembley Growth Area be approved; and</p> <p>21.3 Consideration of the consultation responses and the decision on whether to confirm the Article 4 direction be delegated to the Director of Regeneration and Environment in association with the Lead Member for Regeneration, Growth, Employment and Skills.</p>
22.	Adoption of Statement of Community Involvement	All Wards	<p>RESOLVED:</p> <p>22.1 The consultation representations received on the draft Statement of Community Involvement, officer responses and recommended amendments to the document as set out in Appendix 1 of the Cabinet report, be considered;</p> <p>22.2 The adoption of the Statement of Community Involvement as set out in Appendix 2 of the Cabinet report be approved; and</p> <p>22.3 The Interim Statement of Community Involvement issued in 2006 be revoked.</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 24 July 2017 (continued)**

Agenda Item No	Item	Ward(s)	Decision
23.	LoHAC Lump Sum – Variation of Contract	All Wards	<p>RESOLVED:</p> <p>23.1 The 'in principle' negotiated agreement for a variation of the existing Lump Sum as set out in section 4 of the Cabinet report be approved; and</p> <p>23.2 Powers be delegated to the Strategic Director, Regeneration and Environment, in consultation with the Lead Member for Environment, to finalise negotiations, on agreement, on the terms for the Deed of Variation.</p>
24.	Strategic Community Infrastructure Levy contribution: proposal for enhancing public realm in Olympic Way (associated with Site NW04's Contribution to the Education Quarter)	Tokyngton; Wembley Central	<p>RESOLVED:</p> <p>24.1 A contribution of up to £17.8 million towards the delivery of the Olympic Way Zones B and C be approved;</p> <p>24.2 Such a contribution would be contingent on Quintain:</p> <ul style="list-style-type: none"> <li>a) Not pursuing development of site NW04 adjacent to the Civic Centre to the extent currently permitted in the parameters plans associated with outline planning permission 10/3032.</li> <li>b) Working with the Council to deliver a development that better complements the role and setting of the Civic Centre, in particular creating a significant new square outside the Civic Centre Library.</li> <li>c) Agreeing a business plan and heads of terms, between Quintain and the council, for the future sharing and reinvestment of net income generated through assets on</li> </ul>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 24 July 2017 (continued)**

<b>Agenda Item No</b>	<b>Item</b>	<b>Ward(s)</b>	<b>Decision</b>
			Olympic Way; and 24.3 A future report be bought to it in relation to designating Olympic Way as an “Area of Special Interest”.
25.	Reference of item considered by Scrutiny Committees (if any)		None.
26.	Exclusion of Press and Public		None.
27.	Any Other Urgent Business		None.

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**Cabinet**  
25 July 2016

**Report from the Strategic Director of  
Regeneration and Environment**

For Action

Wards affected:  
Kilburn

**South Kilburn Regeneration Programme – phase 3A**

**1 Summary**

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

**2 Recommendations**

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

**3 Detail**

***Hereford House and Exeter Court – Design Team Procurement***

- 3.1 A key principle of the phasing strategy for the South Kilburn regeneration programme is that the new affordable homes developed will, where the relevant needs are met, be made available to secure tenants within sites earmarked for development in the next phase. On this basis, the majority of secure tenants of Hereford House and Exeter Court are earmarked to move to the new affordable homes which are being developed on the site of the former Bronte House and Fielding House, Cambridge Road, London, NW6 (being part of 'Phase 2a') and 'Site 11b' (comprising the sites of the former Royal British Legion Clubhouse and of the Albert Road Day Centre, London, NW6, being part of "Phase 2a"), with the remainder of secure tenants earmarked to move to other identified sites. This in turn will ensure vacant possession of properties within Hereford House and Exeter Court, to enable further phases within the South Kilburn regeneration programme to be brought forward for redevelopment and move existing South Kilburn secure tenants to be re-housed in new high quality homes.
- 3.2 As these two developments (former Bronte and Fielding, and Site 11b sites) will be completed this year, officers are now seeking to appoint an architecturally led multidisciplinary design team (design team) for the comprehensive redevelopment of Hereford House and Exeter Court.
- 3.3 Officers intend to procure a design team to prepare a detailed planning application for the comprehensive redevelopment of Hereford House and Exeter Court to deliver a high quality residential development. This would ensure that there continues to be a pipeline of planning approved developments in South Kilburn, so the delivery of much needed new homes in South Kilburn can continue.
- 3.4 Prior to appointing the design team officers will carry out feasibility work to refine the scope of the brief.
- 3.5 The procurement of a design team to develop a detailed planning application for the comprehensive redevelopment of Hereford House and Exeter Court will be undertaken by either:
- i) calling off the GLA and TfL ADUP or such other appropriate OJEU compliant framework; or alternatively,
  - ii) inviting tenders using a Restricted procedure under the Public Contracts Regulations 2015 ("PCR 2015") on the basis of the pre-tender considerations set out in paragraph 3.7 below commencing by placing a notice in the Official Journal of the European Union (OJEU).
- 3.6 As the procurement is not being undertaken immediately, the decision on which of these options will be pursued will be taken by the Strategic Director of Regeneration and Environment before the procurement commences. Officers will carry out feasibility work first before deciding the best procurement route to take.
- 3.7 Should calling off the GLA and TfL ADUP be the preferred procurement route, officers will conduct a mini-competition under Lot 2 (Architecture) and report back to Cabinet to seek Member approval to award the proposed contract, once a preferred design team has been identified. A similar process will be adopted should the council select an alternative framework.
- 3.8 Should using a Restricted procedure under the PCR 2015 be the preferred procurement route, in accordance with Contract Standing Orders 88 and 89, pre-tender considerations have been set out below for the approval of the Cabinet.

Ref.	Requirement	Response
(i)	The nature of the service/ works.	To procure an architecturally led multidisciplinary design team to prepare a detailed planning application for the comprehensive redevelopment of the Hereford House and Exeter Court redevelopment site.
(ii)	The estimated value.	The value of this contract will be determined through the competitive tender process but it is anticipated the value will be approximately £850k.
(iii)	The contract term.	The contract period will be approximately twelve months.
(iv)	The tender procedure to be adopted including whether any part of the procedure will be conducted otherwise than by electronic means and whether there will be an e-auction.	PCR 2015 compliant restricted procedure procurement route, in which parts of the procedure may be conducted by electronic means but there will not be an e-auction.
v)	The procurement timetable.	<p>The procurement would be undertaken during autumn/winter 2016. Indicative milestones/timescales are:</p> <ul style="list-style-type: none"> <li>• Contract Notice placed</li> <li>• Expressions of interest/Pre Qualification Questionnaire (PQQ) period – 30 days</li> <li>• Evaluation of PQQ responses in accordance with the Council's approved criteria – 10 days</li> <li>• Invitation to tender period – 35 days</li> <li>• Panel evaluation, interviews and panel decision – 10 days</li> <li>• Seek Cabinet approval to award contract</li> <li>• Standstill period – 10 calendar days</li> </ul>
(vi)	The evaluation criteria and process.	<p>Shortlists are to be drawn up in accordance with the Council's Contract Procurement and Management Guidelines namely the PQQ and thereby meeting the Council's financial standing requirements, technical capacity and technical expertise.</p> <p>Officers will evaluate the tenders from the shortlisted bidders on the basis of "most economically advantageous tender criteria" (MEAT) on the basis of percentage quality and percentage price, with a weighting of 30% applied to price and 70% applied to quality criteria.</p> <p>The quality criteria will consider how submissions perform in respect of:</p>

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

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

#### **4 Financial Implications**

##### ***Hereford House and Exeter Court – Design Team Procurement***

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

#### **5 Legal Implications**

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

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

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

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

- 5.2 The value of this proposed procurement over its lifetime will be higher than the EU threshold for Services and the procurement of the contract is therefore governed in full by the PCR 2015. The estimated value of the procurement is in excess of £500k and therefore it will be classed as a High Value Contract under Contract Standing Orders and accordingly the Cabinet must approve the pre-tender considerations set out in paragraph 3.8 above (Standing Order 89) and the inviting of tenders (Standing Order 88).
- 5.3 Once the procurement process has been undertaken (whether the Council is using a framework or a Restricted procedure under the PCR 2015, officers will report back to the Cabinet in accordance with Contract Standing Orders, explaining the process undertaken in tendering the contracts and recommending award.
- 5.4 Should the use of the Restricted procedure under the PCR 2015 be the preferred procurement route, the Council must observe the requirements of the mandatory minimum ten calendar days standstill period imposed by the PCR 2015 before the contract can be awarded. The requirements include notifying all tenderers in writing of the Council's decision to award and providing the prescribed information which includes the reasons for the decision and the characteristics and relative advantages of the winning bid. The standstill period provides unsuccessful tenderers with an opportunity to challenge the Council's award decision if such challenge is justifiable. However if no challenge or successful challenge is brought during the period, at the end of the standstill period the Council can issue a letter of acceptance to the successful tenderer and the contract may commence.

## **6 Diversity Implications**

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

## **7 Staffing/Accommodation Implications**

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

## 8 Public Services (Social Value) Act 2012

- 8.1 The Council is under duty pursuant to the Public Services (Social Value) Act 2012 (**'the Social Value Act'**) to consider how the services being procured might improve the economic, social and environmental well-being of its area; how, in conducting the procurement process, the Council might act with a view to securing that improvement; and whether the Council should undertake consultation. This duty applies to the procurement of the architecturally led multidisciplinary design team for the proposed redevelopment of Hereford House and Exeter Court.
- 8.2 The services being procured aim to improve the economic, social and environmental well-being of residents of South Kilburn through the preparation of a detailed planning application for the comprehensive redevelopment of Hereford House and Exeter Court to deliver a high quality residential development and continue to deliver much needed new affordable homes to rehouse existing secure tenants of South Kilburn, hugely improving their living conditions and reconnecting the area to its surrounding neighbourhoods.
- 8.3 Where possible the contract will require that the Design Team:
- 8.3.1 provide opportunities for local people or prioritise local people for the employment opportunities that may arise during this contract (e.g. apprenticeships, work placements for disabled people or BAME groups, etc);
- 8.3.2 pay the London Living Wage as part of the Council's commitment to reduce socio-economic disadvantage;
- 8.4 Consultation will form part of the Design Teams' work and will form a scored element of the procurement process, including identifying how the Design Team will target engagement of disabled people, young people, older residents and BME groups on the development of an inclusive and accessible design; easy read communications materials; translation and interpreting services, etc

## 9 Background Papers

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

## 10 Contact Officers

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AMAR DAVE  
Strategic Director Regeneration and Environment

**London Borough of Brent  
Summary of Decisions taken by the Cabinet  
on Monday 25 July 2016**

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

ABSENT: Councillor Pavey

ALSO PRESENT: Councillor Chohan

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Agenda Item No	Item	Ward(s)	Decision
4.	Authority to Award a Contract for Accommodation Based Mental Health Support	All Wards	<p>(i) that approval be given to the award of Contract 1, an Accommodation Based Mental Health contract to support people with mental health needs as detailed in paragraph 3.2.a to Look Ahead Care and Support for a term of one year with option to extend by up to 2 successive one year periods;</p> <p>(ii) that approval be given to the award of Contract 2, an Accommodation Based Mental Health contract to support people with mental health needs as detailed in paragraph 3.2.b to Metropolitan Housing Trust for a term of one year with option to extend by up to 2 successive one year periods.</p>
5.	Charging for Adult Social Care Services	All Wards	<p>(i) that the responses received during the thirty days consultation from 25 April to 27 May 2016 be noted;</p> <p>(ii) that approval be given for officers to implement a single charging policy which combines the existing Fairer Charging Policy for housing related support and CRAG related to charging for residential care services;</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 25 July 2016 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			<p>(iii) that it be noted that the new charging policy includes residents supported through the Shared Lives scheme under Fairer Charging;</p> <p>(iv) that agreement be given to the use of Department Work and Pension (DWP) information to undertake financial assessment for all new customers;</p> <p>(v) that approval be given to an average charge of £29.07 for customers in receipt of services and where information cannot be obtained from the DWP, Housing Benefit or Council Tax systems. The charged will be made from the time that the service commences up until a financial assessment can be completed.</p>
6.	Wembley Housing Zone Programme – Property Acquisition	Barnhill; Tokyngton; Wembley Central	<p>(i) that approval be given to enter into a contract for the acquisition by the council of Ujima House and its car park on the terms set out in Appendix One to this report, with approval of the final terms to be delegated to the Strategic Director, Resources in consultation with the Strategic Director, Resources in consultation with the Cabinet Member for Housing;</p> <p>(ii) that approval be given to enter into a funding contract with the Greater London Authority to receive Housing Zone grant to fund the acquisition of Ujima House and car park, with approval of the final terms of the funding agreement to be delegated to the Strategic Director, Resources in consultation with the Cabinet Member for Housing.</p>
7.	Parking Annual Report 2015-2016	All Wards	<p>(i) that approval be given to the publication of the Parking Service's draft Annual Report 2015/16, set out as the Appendix to the report ;</p> <p>(ii) that responsibility for approval of Parking Annual Reports from 2016/17 onwards be delegated to the Highways Committee;</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 25 July 2016 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			<p>(iii) that it be noted that additional information on the outcome of appeals to the independent appeal service, Environment and Traffic Adjudicators (ETA), will be added to the published Annual Report in September 2016.</p>
8.	Carlton & Granville Centres, Granville Road, NW6 5RA - redevelopment and investment proposals	Kilburn	<p>(i) that approval be given to Option 2 for redeveloping the Carlton &amp; Granville Centres, Granville Road, London, NW6 5RA (the subject site) to deliver 95 new homes, an Enterprise Hub and 3274sqm of additional community use space;</p> <p>(ii) that a further update be provided to formally approve final scheme plans and the required capital investment to bring forward the phased redevelopment of the Carlton and Granville Centres and ensure continuity of occupation for the Enterprise Hub within the site;</p> <p>(iii) that the site be included within the scope of the South Kilburn Masterplan review to ensure wider place making considerations are incorporated;</p> <p>(iv) that the Strategic Director for Resources in consultation with the Strategic Director for Regeneration and Environment, Chief Legal Officer and Chief Finance Officer enter into a legal agreement with the South Kilburn Trust and the GLA to secure their funding contributions in return for project delivery of the Enterprise Hub by March 2018, and setting out Council commitment to underwrite the shortfall in project funds;</p> <p>(v) that authority be delegated to the Strategic Director for Resources in consultation with the Strategic Director for Regeneration and Environment, Chief Legal Officer and Chief Finance Officer to oversee scheme development through further viability testing, local consultation,</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 25 July 2016 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			<p>and planning consent;</p> <p>(vi) that authority be delegated to the Strategic Director for Resources in consultation with the Strategic Director for Regeneration and Environment, Chief Legal Officer and Chief Finance Officer in respect to any works and/or professional services contracts for scheme development to agree pre-tender considerations, invite tenders and thereafter award the contract.</p>
9.	South Kilburn Regeneration Programme - phase 3A	Kilburn	<p>(i) that approval be given to the procurement of an architecturally led multidisciplinary design team to develop a detailed planning application for comprehensive redevelopment of Hereford House and Exeter Court by either: calling off the Greater London Authority (GLA) and Transport for London (TfL) Architecture, Design and Urbanism Panel (ADUP) or such other appropriate OJEU compliant framework; and evaluating those tenders in accordance with the relevant Framework; or alternatively inviting tenders using a Restricted procedure under the Public Contracts Regulations 2015 on the basis of the pre-tender considerations set out in paragraph 3.7 of this report and evaluating the tenders on the basis of the evaluation criteria set out in that paragraph.</p> <p>(ii) that the decision as to the procurement options details in (i) above be delegated to the Strategic Director of Regeneration and Environment;</p> <p>(iii) that the intention to report back to Cabinet to seek approval to award the proposed contract for an architecturally led multidisciplinary design team, once a preferred design team has been identified be noted.</p>
10.	South Kilburn Regeneration Programme - Site 18	Kilburn	<p>(i) that consent to restart the proposed redevelopment of Site 18 be confirmed and also and that the recommendations made in July 2011, can</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 25 July 2016 (continued)**

Agenda Item No	Item	Ward(s)	Decision
	<p>encompassing Salusbury Road Car Park, Cullen House and adjoining land</p>		<p>be relied upon by officers to secure possession of Site 18 and where relevant, following the completion of the statutory consultation exercises as set out below:</p> <ul style="list-style-type: none"> <li>i) authorise the Strategic Director of Regeneration and Environment to seek the Secretary of State's Consent to the disposal and development of Cullen House for the purposes of Ground 10A of Schedule 2 to the Housing Act 1985 to enable the Council to apply for a court order to obtain vacant possession of residential dwellings let under secure tenancies, Section 32 Housing Act 1985 to dispose of housing land, Section 19 Housing Act 1985 for appropriation of land for planning purposes and under the necessary Act (if applicable) to dispose of non-housing land;</li> <li>ii) make a compulsory purchase order to acquire all interests and rights in Site 18 and any new rights in Site 18 which may be required under section 13 of the Local Government (Miscellaneous Provisions) Act 1976; and</li> <li>iii) authorise the submission of CPOs, once made, to the Secretary of State for confirmation whilst at the same time seeking to acquire the land by private negotiated treaty on such terms as may be agreed by the Director of Finance and Corporate Resources. The full extract from the 2011 decision is set out in Appendix 2.</li> </ul> <p>(ii) that approval be given and authority be delegated to the Operational Director of Regeneration to commence statutory consultation with the secure tenants residing in Cullen House on the following three matters: (i) statutory consultation in connection with seeking approval of the Secretary of State for use of Ground 10A of Schedule 2 to the Housing</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 25 July 2016 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			Act 1985; (ii) consultation on the Council's proposal to make a CPO on properties in Cullen House that are currently occupied by secure tenants; and (iii) consultation in connection with the draft allocation policy for allocating homes to secure tenants living within Cullen House. Following statutory consultation the draft Allocation Policy, will be brought back to the Cabinet for approval.
11.	London Road, Wembley, HA9 7ET - redevelopment proposals	Wembley Central	<p>(i) that approval be given to capital investment of £33m to bring forward the development of the London Road scheme, subject to further viability testing, local consultation and planning consent as detailed in paragraph 3.17 of the report from the Strategic Director of Resources;</p> <p>(ii) that the expenditure necessary to progress the project through to grant of planning permission, estimated to be in the region of £500,000 be noted;</p> <p>(iii) that it be noted that the land at Ark Elvin Academy, presently used as temporary parking, is surplus to requirements and approval be given to application to Secretary of State through a section 77 application, to secure agreement that the land is no longer required for educational purposes and can be used for residential.</p>
12.	National Non-Domestic Rates (NNDR) - Discretionary Discount Scheme for Businesses accredited to Living Wage Foundation	All Wards	<p>(i) that the discretionary discount scheme for businesses accredited to the London Living Wage Foundation be continued to 31 March 2019 on the basis that the Business Rates discount will continue to be five times the cost of accreditation and will be awarded to businesses in Brent which become accredited with the Living Wage Foundation and who meet the criteria detailed in Appendix 1 to the report from the Strategic Director, Resources;</p> <p>(ii) that it be noted that the approval and continuation of this scheme</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 25 July 2016 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			<p>are pursuant to the Council's powers under section 47 of the Local Government Finance Act 1988 and that the Cabinet is satisfied that that this proposal is reasonable having regard to the interests of those persons who are liable to pay council tax in the borough of Brent;</p> <p>(iii) that it be noted that officers in Employment, Skills and Enterprise and Customer Services monitor the scheme in terms of take up and costs and would report back to Cabinet at a later date should any changes to the scheme be required;</p> <p>(iv) that applications for such discounts in National Non-Domestic Rates that meet the criteria as set out in Appendix 1 be considered and approved jointly by the Head of Employment, Skills and Enterprise and the Operational Director Customer Services.</p>
13.	Voluntary Sector Initiative Fund - Local Grants 2016 - 2018	All Wards	<p>(i) that the grant funding allocations from the Voluntary Sector Initiative Fund – Local Grants scheme to the voluntary sector led projects set out in paragraph 3.12 of the report from the Director Performance, Policy and Partnerships, which would run between 1 October 2016 and 30 September 2018, be approved:</p> <p>(ii) that it be noted that all grant funding allocations referred to in (i) above would be made subject to the Council's Grant Conditions with the organisation required to sign an agreement with the Council, stating the purpose of the grant and expected outcomes before funding is released;</p> <p>(iii) that for the reasons detailed in paragraph 3.20 in cases where an organisation either declines the grant before or during the funding period or the grant is withdrawn for performance reasons or other breach of grant conditions, that the decision to reallocate the fund is delegated to the Director of Performance, Policy and Partnerships.</p>

London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 25 July 2016 (continued)

Agenda Item No	Item	Ward(s)	Decision
16.	School Building Project Costs	Dollis Hill	Report recommendations agreed.



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**Cabinet**  
19 June 2017

**Report from the Strategic Director of  
Regeneration and Environment**

For Action

Wards affected:  
Kilburn

**Chippenham Gardens, South Kilburn –  
To seek approval to use an appropriate Framework or  
OJEU process to procure a delivery partner together with  
an update on project issues and options**

**1 Summary**

- 1.1 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.
- 1.2 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.
- 1.3 The South Kilburn Masterplan review took place in 2016, and the community are at the heart of our decision making process. We have taken an inclusive and participatory approach to consultation and engaged with residents and stakeholders of South Kilburn with extensive local consultation from July through to December, which directly fed into the drafting of a revised South Kilburn Supplementary Planning Document 2017 (SPD). It is due to be considered for adoption at the June 2017 Cabinet and will be an important document in determining how this area continues to transform over the next 10-15 years.
- 1.4 The South Kilburn Regeneration Programme also includes the delivery of a new larger high quality urban park and an improved public realm, a new local primary school, new health facilities, new retail facilities, an Enterprise Hub and Community Space, improved environmental standards and a South Kilburn District Energy System. The South Kilburn Programme has been recognised for exemplar design for new build homes as well as landscape projects and has won a number of prestigious awards.

- 1.5 The report relates to Chippenham Gardens, which is a fundamental part of the South Kilburn Regeneration Programme. The Site comprises of 5-9 Chippenham Gardens, Kilburn Park Post Office and 4-26 Stuart Road (even numbers only) together defined as “**Chippenham Gardens**” (see appendix 1 – Existing Site Plan).
- 1.6 This report provides Cabinet with an update on the Chippenham Gardens project and seeks approval for the procurement of a delivery partner and to set rent levels at Homes and Communities Agency Target Rent.
- 1.7 Note the eventual intent to buy out the land owner of 5-9 Chippenham Gardens, Kilburn Park Post Office (see appendix 2).
- 1.8 This report also updates Cabinet on the current position of the negotiations with the remaining leaseholders and the possible need to rely on the exercise of Compulsory Purchase Order (CPO) powers in order to obtain vacant possession.

## **2 Recommendations**

That Members:

- 2.1 Approve the procurement of a delivery partner for the Chippenham Gardens 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 set out in Appendix 3 of this report and evaluating the tenders on the basis of the evaluation criteria set out in Appendix 3.
- 2.2 Delegate to the Strategic Director of Regeneration & Environment in consultation with the Lead Member of Regeneration, Growth, Employment and Skills, authority to select the appropriate procurement route outlined in 2.1 above for the reasons detailed in paragraph 3.8.
- 2.3 Approve the setting of rent levels for the affordable homes at the Chippenham Gardens site once complete, at a rent equivalent to the H.C.A. Target Rent levels.
- 2.4 Approve in principle the proposal to buy the out the landowner of 5-9 Chippenham Gardens, Kilburn Park Post Office.
- 2.5 To note the possible need to rely on the exercise of CPO powers to obtain vacant possession should an agreement not be reached with the remaining leaseholders and the continuing efforts by officers to reach an amicable agreement with the remaining leaseholders.

## **3 Detail**

### **Background**

- 3.1 The Council's Scheme for the redevelopment of the Chippenham Site has the benefit of full detailed planning permission granted by the Council on 14 July 2016.
- 3.2 The consented scheme will consist of 52 new high quality residential homes which will include 30 dwellings for sale on the open market and 22 social rented homes (for existing secure tenants of South Kilburn) comprising a range of 1 to 3 bedroom flats which consist of 24 x 1 bed, 19 x 2 bed and 9 x 3 bed, which could be subject to change. In addition, the development will provide new public realm, car park spaces, landscaped private and shared gardens and associated highway and other infrastructure.

- 3.3 The current site comprises of a Post Office and a Council residential block comprising of 12 flats. Of these 8 are social rented and 4 have been purchased under Right to Buy ("RTB") legislation. In regard to the social tenants, to date all have already been relocated to alternative accommodation elsewhere within South Kilburn.
- 3.4 Of the 4 leaseholders, one has been acquired by negotiated agreement leaving three leaseholders in occupation. Two are owner-occupiers and one is an investment-owner with the unit let on a private rented basis. The Council's Property team are negotiating to acquire these interests by agreement and these negotiations are ongoing, but the council may have to rely on CPO powers to acquire the interests and obtain possession if the negotiations by agreement are unsuccessful. All leaseholders have been offered a market value and compensation in line with that normally offered under compulsory purchase and for the owner-occupiers an alternative and affordable rehousing solution via a shared equity property or property swap on the South Kilburn Estate.
- 3.5 Woodville Properties Limited ("Woodville"), are the freehold owners of 5-9 Chippenham Gardens and the Kilburn Park Post Office site (together the "Woodville Land"). On 11 November 2013, the Executive delegated authority to the then Strategic Director of Regeneration and Growth in conjunction with the Borough Solicitor and the Chief Finance Officer to enter into a collaboration agreement with Woodville. That collaboration agreement was entered into by the Council and Woodville on 19 December 2014 (the "Collaboration Agreement").
- 3.6 The current tenant of the Kilburn Park Post Office confirmed that they did not want to return to the new development. Consequently he has entered into an agreement to surrender his lease and vacate the site with Woodville. Woodville has recently indicated that they may now be interested in simply disposing of their interest to the Council rather than participate in the Collaboration Agreement. Should the Cabinet approve the option to buy the Woodville Land, officers will seek to negotiate a valuation and terms to buy out their interest, subject to financial appraisal demonstrating that this proposal offers best value to the Council. If terms can be agreed a paper will be brought back to Cabinet at a later date to seek approval for the terms of the proposed buyout.
- 3.7 The Council is currently working through the CPO process for the Chippenham Site, however the Council, will continue and would prefer to seek to acquire the three residential units ahead of this process by mutual agreement.

### **Delivery Partner**

- 3.8 The Council is seeking to engage a Delivery Partner now ahead of the site being fully vacant in order to speed up delivery timescales for both delivering the new homes, but also to assist with the wider South Kilburn programme. It is hoped that by the time a delivery partner is on board the site will be fully vacant. The procurement options currently being considered are:
- Procurement using the Competitive Procedure with Negotiation under the Public Contracts Regulations 2015 (PCR 2015);
  - Procurement by way of a mini competition using a framework that has itself been procured under the PCR 2015.

The Council preferred procurement is by means of a mini-competition, using an appropriate framework. Should these frameworks prove not be suitable then the alternative procurement method by means of the Competitive Procedure with Negotiation under the PCR 2015 will be followed.

- 3.9 The current estimated target for a start on site is the First Quarter 2018. The Council's preferred procurement route for the selection of a delivery partner for the Chippenham site is by means of a mini competition using an appropriate framework. The Council is currently reviewing a range of possible frameworks. Should the frameworks prove to be unsuitable however, then Officers would wish to proceed with a procurement using the Competitive Procedure with Negotiation under the PCR 2015.
- 3.10 Given that Officers have not yet identified a suitable framework, Cabinet approval is sought to delegate authority to the Strategic Director of Regeneration & Environment in consultation with the Lead Member of Regeneration and Environment, authority to select the appropriate procurement route.
- 3.11 Should the Competitive Procedure with Negotiation procurement route be selected, Cabinet is asked to give its approval to the pre-tender considerations set out in Appendix 3 and in accordance with Standing Order 89.

### Target Rents

- 3.12 On 18 July 2011 the Executive adopted HCA Target Rent level equivalence for affordable developments in South Kilburn. HCA Target Rent level equivalence was considered the only realistic way of affording the South Kilburn regeneration programme and avoiding the requirement for large amounts of grant that would not in themselves be certain of being awarded and, if awarded, would require rents to be increased to the new higher 'affordable rent' levels of up to 80% market rents.
- 3.13 Target Rents are calculated by a formula, the basis of which is set out below. Target Rent increases are also pegged to inflation and subject to an overall cap:
- 30% of a property's Target Rent is based on relative property values compared to the national average
  - 70% of a property's Target Rent is based on relative local earnings compared to the national average
  - A bedroom factor is then applied so that, other things being equal, smaller properties have lower rents.
- 3.14 Between 2010/11 and 2014/15 increases in Target Rent levels and caps were linked to RPI as set out in the tables below:

Year	Guideline Limit	All Items RPI changes at Previous September	Guideline Limit for rent changes	Maximum increase to individual rent
1/4/2014 to 31/3/2015	RPI + 0.5%	+ 3.2%	+ 3.7%	+ 3.7% plus £2 per week
1/4/2013 to 31/3/2014	RPI + 0.5%	+ 2.6%	+ 3.1%	+ 3.1% plus £2 per week
1/4/2012 to 31/3/2013	RPI + 0.5%	+ 5.6%	+ 6.1%	+ 6.1% plus £2 per week
1/4/2011 to 31/3/2012	RPI + 0.5%	+ 4.6%	+ 5.1%	+ 5.1% plus £2 per week
1/4/2010 to 31/3/2011	RPI + 0.5%	- 1.4%	- 0.9%	- 0.9% plus £2 per week

Year	Rent Cap Change limit	All Items RPI change at the Previous September	Change in rent cap Levels
1/4/2014 to 31/3/2015	RPI + 1.0%	+ 3.2%	+ 4.2%
1/4/2013 to 31/3/2014	RPI + 1.0%	+ 2.6%	+ 3.6%
1/4/2012 to 31/3/2013	RPI + 1.0%	+ 5.6%	+ 6.6%
1/4/2011 to 31/3/2012	RPI + 1.0%	+ 4.6%	+ 5.6%
1/4/2010 to 31/3/2011	RPI + 1.0%	- 1.4%	- 0.4%

- 3.15 In 2015/16 however this policy was reversed with rents in the social sector reducing by 1% per annum for four years from 1<sup>st</sup> April 2016.

Target & Formula Rent Caps 2015-16 have now been published as below:

Number of Bedrooms	Rent Cap
0 or 1	£141.43
2	£149.74
3	£158.06
4	£166.37
5	£174.69
6 or more	£183.00

- 3.16 New social rented properties developed in South Kilburn are worth more than existing Council properties, so attract a higher Target Rent under the formula outlined. Any inflationary rent increases on these new properties, would therefore also be higher in monetary terms.
- 3.17 In line with the Council's commitment to maintaining current HCA Target Rent level equivalence in regeneration areas it is recommended that the Cabinet agree to set the rent levels for the affordable units at the Chippenham site once complete, at rents equivalent to the HCA Target Rent levels.

#### 4 Financial Implication

- 4.1 The financial model for the South Kilburn regeneration programme is to be self-financing within the funding envelope generated from on-going disposals. The capital receipts generated are reinvested back into the South Kilburn regeneration programme, to enable the rolling regeneration programme that delivers new homes.
- 4.2 The South Kilburn model has traditionally worked through a process of procuring delivery partners, who develop an existing site and generate high value properties. In return for this site, they build affordable and social housing, while also delivering capital receipts to support the capital programme.
- 4.3 The cost of the procurement process will be paid out of existing budgets.
- 4.4 This report refers to the continuation of the existing programme of leaseholder buybacks, however, this is an existing financial commitment. There are no new financial commitments made. This is because a report will still need to come back to Cabinet to approve a development partner if one has been found that meets the Council's requirements. Similarly, a decision to purchase 5-9 Chippenham Gardens, Kilburn Park Post Office will need to return to Cabinet.

## 5 Legal Implications

- 5.1 Officers consider that the development of the Chippenham site is best achieved through the use of a development agreement with a third party. As a result of rulings in the European Court of Justice, if the Council utilises a development agreement in respect of the land, it will need to undertake some form of procurement process which is compliant with EU law in order to identify a partner to carry out the development. The Court of Justice has ruled that development agreements cannot be viewed as merely part of a land transfer, because they impose detailed requirements as to the development to be constructed and are therefore a form of procurement of works.
- 5.2 As indicated in paragraph 3.9, Officers' preferred procurement approach is the use of a suitable framework that has been procured pursuant to the PCR 2015. The Council would be required to operate a mini-competition in accordance with framework rules, to include evaluation using the criteria specified in the framework. In accordance with Contract Standing Order 86 (e) no formal tendering procedures apply where contracts are called off under a Framework Agreement established by another contracting authority though there is a requirement for the Chief Legal Officer to confirm that participation in the Framework Agreement is legally permissible. Following the operation of a mini-competition Cabinet approval is required for the award of a High Value Contract.
- 5.3 Should it not be possible to identify a suitable framework to procure a delivery partner, the intention is to identify a delivery partner through inviting tenders using the Competitive Procedure with Negotiation under the PCR 2015.
- 5.4 When a Competitive Procedure with Negotiation under the PCR 2015 is used, the value of this proposed procurement over its lifetime will be higher than the EU threshold for Services and the procurement of the contract is therefore governed in full by the PCR 2015. The estimated value of the procurement is in excess of £500k and therefore it will be classed as a High Value Contract under Contract Standing Orders and accordingly the Cabinet must approve the pre-tender considerations set out in paragraph 3.18 above (Standing Order 89) and the inviting of tenders (Standing Order 88).
- 5.5 Once the procurement process has been undertaken under the PCR 2015, officers will report back to the Cabinet in accordance with Contract Standing Orders, explaining the process undertaken in tendering the contracts and recommending award.
- 5.6 Using the Competitive Procedure with Negotiation under the PCR 2015, the Council must observe the requirements of the mandatory minimum ten calendar days standstill period imposed by the PCR 2015 before the contract can be awarded. The requirements include notifying all tenderers in writing of the Council's decision to award and providing the prescribed information which includes the reasons for the decision and the characteristics and relative advantages of the winning bid. The standstill period provides unsuccessful tenderers with an opportunity to challenge the Council's award decision if such challenge is justifiable. However if no challenge or successful challenge is brought during the period, at the end of the standstill period the Council can issue a letter of acceptance to the successful tenderer and the contract may commence.
- 5.7 As indicated in paragraph 3.4, the Council is seeking to acquire the 3 remaining RTB leasehold properties by negotiation. Where this is not possible however, the intention is to utilise compulsory purchase powers. Section 226 (1) of the Town and Country Planning Act 1990 (TCPA 1990) provides a tool to enable the Council to acquire and assemble land for planning purposes.
- 5.8 The statutory power can be used if the Council believes that it will facilitate the carrying out of the development (as defined by Section 55 of the TCPA 1990) redevelopment or improvement on or in relation to the land being acquired.

- 5.9 The Compulsory purchase order must only be made where there is a compelling case in the public interest in addition the Council should be sure that the purposes for which the compulsory purchase order is made justify interfering with the human rights of those with an interest in the land affected. Particular consideration should be given 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.
- 5.10 Government policy provides that the Compulsory purchase powers must however be used as a last resort, the Council must demonstrate that it has taken steps to acquire the land and associated rights included in a compulsory purchase order.
- 5.11 The Council may seek to rely upon the Housing Act 1985 Schedule 2 which provides grounds upon which a Court may order possession of premises, provided that suitable alternative accommodation is available. Ground 10A can be utilised to obtain possession where an area which is subject of a redevelopment scheme approved by the Secretary of State and the Landlord intends within a reasonable time of obtaining possession to dispose of the dwelling house in accordance with that scheme.
- 5.12 It is noted that acquiring 5-9 Chippenham Gardens by way of mutual agreement is preferred. Section 227 of the Town and Country Planning Act 1990 provides that the Council may acquire by agreement any land which they require for any purpose for which a local authority would be authorised to acquire under section 226 of the Town and Country Planning Act 1990. This therefore extends to the acquisition of land by agreement for the purpose of development, redevelopment or improvement on or in relation to land.

## **6 Equality Implications**

- 6.1 The 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 within the neighbourhood. In regards to the Chippenham site, secure tenants within the South Kilburn Regeneration Programme will be offered the opportunity to move into the new affordable (social rent) 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.
- 6.2 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.
- 6.3 As with all other schemes that are part of the South Kilburn regeneration programme, full consideration must be given to residents and leaseholders with protected characteristics, particularly people with disabilities and / or other types of vulnerabilities due to older age, childcare and/or caring responsibilities, socio-economic status (lone parents and large families).

### **Race / Ethnicity**

- 6.4 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 secure residents and leaseholders, so far as possible, provide reasonable and affordable alternatives that enable them to remain in the area and maintain their family and community ties, as per Article 1 of the First Protocol and Article 8 of the European Convention on Human Rights.

## **Age/Carers/Disability/Pregnancy and maternity**

- 6.5 The requirements for anyone who is older or with a disability, or those who are pregnant or on maternity to have to move from their current property (residential or commercial property) is likely to be more difficult and could suffer greater psychological effects, including stress. (This in turn has an impact on carers).
- 6.6 To mitigate this, for the secure tenants who are moving, the re-housing team provides help to secure tenants through the moving process, additional support and services to those who require it can be provided.
- 6.7 Leaseholders may be affected if they are seeking to acquire a similar sized property in the surrounding area as the value for a Local Authority property tends to be less than a non-Local Authority property. To counteract this leaseholders have been offered the option of shared-equity on the South Kilburn Estate. For those who move off the estate, they may have to increase/get a new mortgage agreement which could be difficult for older residents or those with caring/dependant children responsibilities. The Council is also in the process of recruiting an estate regeneration leasehold liaison officer which will liaise with all leaseholders providing support and guidance as to the options available to relocate or sell their property
- 6.8 The new accommodation on the Chippenham Site has been designed (10%) have been designed to be wheelchair adaptable dwellings and meet the requirements set out in Part M4 (3) 'wheelchair user dwellings'. All other dwellings across the scheme have been designed to meet the requirements set out in Part M4 (2) 'accessible and adaptable dwellings'.

## **Socio-economic Disadvantage**

- 6.9 Target rents are proposed for secure tenants, but it should be noted that new social rented properties being developed in South Kilburn have a higher capital value than existing Council properties and therefore will attract a higher Target Rent under the target rent formula. In line with the Council's commitment to maintaining current HCA Target Rent levels in regeneration areas it is recommended that the Cabinet agree to set the rent levels for the affordable units at the Chippenham site once complete, at rents equivalent to the HCA Target Rent levels.

## **7 Staffing/Accommodation Implications**

- 7.1 There are no specific implications for Council staff or accommodation associated with the proposals contained within this report save as detailed elsewhere in Section 3..

## **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 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 does not strictly apply to the proposed contract as it is not a services contract. Nevertheless, Officers have had regard to considerations contained in the Social Value Act in relation to the proposed procurement.
- 8.2 The services being procured aim to improve the economic, social and environmental well-being of residents of South Kilburn through the disposal and development of this site. The new homes will improve living conditions of residents of South Kilburn. The delivery partner will be required prior to a material start (excluding demolition and piling) to inform in writing Brent Works of the projected number of construction jobs and

training opportunities to be generated through the development and provide a copy of the Schedule of Works, and, prior to a Material Start to prepare and submit for the Council's approval, an Employment Training Plan for the provision of training, skills and employment initiatives for residents of the Borough relating to the construction phase of the Development and also the operational phase of the Development.

- 8.3 Officers will also have regard to the Social Value Act in its procurement of a delivery partner and seek to implement Social Value considerations where permitted.

## **9 Background Papers**

Appendix 1 – Existing Site Plan

Appendix 2 - 5-9 Chippenham Gardens, Kilburn Park Post Office

Appendix 3 – Standing Order 88 & 89

## **10 Contact Officers**

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*AMAR DAVE*

Strategic Director of Regeneration and Environment

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**London Borough of Brent  
Summary of Decisions taken by the Cabinet  
on Monday 19 June 2017**

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

**ALSO PRESENT:** Councillor S Choudhary

Agenda Item No	Item	Ward(s)	Decision
3.	Minutes of the Previous Meeting		3.1 Cabinet approved the minutes of the previous meeting held on 22 May 2017 as an accurate record of the meeting.
6.	South Kilburn Supplementary Planning Document	Kilburn; Queens Park	<p>6.1 Cabinet noted the consultation responses, officer recommendations and proposed amendments to the draft South Kilburn Supplementary Planning Document as set out in Appendix 1 of the report from the Strategic Director of Regeneration &amp; Environment.</p> <p>6.2 Cabinet agreed to approve the adoption of the South Kilburn Supplementary Planning Document 2017 as set out in Appendix 2 of the report from the Strategic Director of Regeneration &amp; Environment.</p> <p>6.3 Cabinet agreed to revoke the existing South Kilburn Supplementary Planning Document 2005</p>
7.	Domestic Abuse IDVA Support Contract	All Wards	7.1 Cabinet agreed the proposed option, Option 1 detailed in 3.14, to commission IDVA, Family Support and MARAC coordinator services and for the contract spend to continue to deliver high level support services.

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 19 June 2017 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			<p>7.2 Cabinet agreed for the proposed Option 1 contract to be let for a term of three years, with a break option and the option to extend for a two year period after the initial term of three years.</p> <p>7.3 Cabinet agreed to delegate authority to the Strategic Director of Regeneration and Environment in consultation with the lead member and the Strategic Director of Children and Young People, to approve the award of the contract to the successful tenderer; following the procurement process to ensure timely service implementation.</p>
8.	Chippenham Gardens (Land North) South Kilburn	Kilburn	<p>8.1 Cabinet approved the procurement of a delivery partner for the Chippenham Gardens 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 set out in Appendix 3 of the report from the Strategic Director of Regeneration &amp; Environment and evaluating the tenders on the basis of the evaluation criteria set out in Appendix 3.</p> <p>8.2 Cabinet agreed to delegate to the Strategic Director of Regeneration &amp; Environment in consultation with the Lead Member of Regeneration, Growth, Employment and Skills, authority to select the appropriate procurement route outlined in 8.1 above for the reasons detailed in paragraph 3.8 of the report from the Strategic Director of Regeneration &amp; Environment.</p> <p>8.3 Cabinet approved the setting of rent levels for the affordable homes at the Chippenham Gardens site once complete, at a rent equivalent to the H.C.A. Target Rent levels.</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 19 June 2017 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			<p>8.4 Cabinet approved in principle the proposal to buy out the landowner of 5-9 Chippenham Gardens, Kilburn Park Post Office.</p> <p>8.5 Cabinet noted the possible need to rely on the exercise of CPO powers to obtain vacant possession should an agreement not be reached with the remaining leaseholders and the continuing efforts by officers to reach an amicable agreement with the remaining leaseholders.</p>
9.	Gloucester House and Durham Court – South Kilburn - Appropriation of Housing and Non Housing Land and Open Space	Kilburn	<p>9.1 Cabinet approved to commence the advertisement of the Council's intention to appropriate the open space in accordance with its powers set out in section 122 of the Local Government Act 1972 and dispose of open space at Gloucester House and Durham Court Site to a third party in accordance with the provisions of section 233 of the Town and Country Planning Act 1990.</p> <p>9.2 Cabinet agreed to delegate to the Strategic Director of Regeneration and Environment, in consultation with the Lead Member for Regeneration, Growth, Employment and Skills, authority to consider the representations made by the public in response to the advertisement to appropriate and dispose of the open space and thereafter to decide whether to appropriate and dispose of the open space.</p> <p>9.3 Cabinet agreed to delegate to the Strategic Director of Regeneration and Environment in consultation with the Lead Member for Regeneration, Growth, Employment and Skills, authority to appropriate the open space at the Gloucester House and Durham Court Site, and appropriate and dispose of the whole Site including open space for planning purposes (shown at</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 19 June 2017 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			<p>appendix 1) if the Strategic Director of Regeneration and Environment in consultation with the Lead Member for Regeneration, Growth, Employment and Skills decides to do so following the consultation.</p> <p>9.4 The Cabinet noted section 3.9 of the report from the Strategic Director of Regeneration &amp; Environment which outlines what the redevelopment of the Gloucester House and Durham Court site will consist of including the relocation and improvement of the public open space and play area at the north of the site.</p> <p>9.5 Cabinet agreed to delegate to the Strategic Director of Regeneration &amp; Environment and reconfirmed its approval to seeking the Secretary of State’s consent under section 19 Housing Act 1985 in order to appropriate any part of the land consisting of a house or part of a house.</p> <p>9.6 Cabinet noted that the whole Site including the open space was no longer required for the purpose for which it is currently used.</p>
10.	Brent Housing Zones – Programme Funding and Wembley Partnership Structure	Wembley Central and Alperton	<p>10.1 Cabinet endorsed the preferred development option of identified sites as set out in Appendix 1a of the report from the Strategic Director Regeneration and Environment, including the council’s surplus former Copland School land and Ujima House and car park, to be delivered through the Housing Zones programme;</p> <p>10.2 Cabinet approved the preferred delivery option of forming a Joint Venture Vehicle with developer HUB or vehicle managed by HUB, such as Chesterfield House Partners LLP, as approved by the council;</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 19 June 2017 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			<p>10.3 Cabinet noted that a future report to Cabinet will seek approval of the terms of:</p> <ul style="list-style-type: none"> <li>i) a Collaboration Agreement</li> <li>ii) a Joint Venture Agreement to create and enter into a Joint Venture Vehicle with developer HUB or vehicle managed by HUB, such as Chesterfield House Partners LLP, as approved by the council;</li> </ul> <p>10.4 Cabinet noted that in entering into a Collaboration Agreement, Joint Venture Agreement and forming the Joint Venture Vehicle, the council's financial liability shall be negotiated to be no greater than the costs incurred in preparing a planning application and developing the business plan and related strategies;</p> <p>10.5 Cabinet noted that a further Cabinet report will seek:</p> <ul style="list-style-type: none"> <li>i) Endorsement of the final business plan and detailed financial appraisal</li> <li>ii) Authority to transfer the council owned sites into the Joint Venture Vehicle</li> <li>iii) Authority for up to 50% of the development financing to be provided to the Joint Venture Vehicle.</li> </ul> <p>10.6 Cabinet agreed seed-funding of £1.615m to continue the council's work in both Wembley Housing Zone and Alperton Housing Zone;</p> <p>10.7 Cabinet endorsed completion on the purchase of Ujima House by 29th June 2017 with the council taking any potential business rates liabilities and other holding costs until demolition and redevelopment, in order to retain the council's stake on the north of Wembley High Road and control of the Wembley Housing Zone</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 19 June 2017 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			<p>programme;</p> <p>10.8 Cabinet agreed that, should the acquisition of Network Rail land not proceed, the council could continue with a smaller development programme including Ujima House, former Copland School land and other sites as agreed by the council.</p>
11.	Basements Supplementary Planning Document	Wards affected: All except parts of those wards in Tokyngton, Stonebridge, Harlesden, Kensal Green that fall within the Old Oak and Park Royal Development Corporation boundary	<p>11.1 Cabinet noted the consultation representations received on the draft Basement Supplementary Planning Document, officer responses and recommended amendments to the document as set out in Appendix 1 of this report</p> <p>11.2 Cabinet approved the adoption of the Basement Supplementary Planning Document as set out in Appendix 2 of this report.</p> <p>11.3 Cabinet agreed to revoke the Interim Guidance on Basements issued in 2013.</p>
12.	S106 Project Spend 17-18	All Wards	<p>12.1 Cabinet approved the allocation of funds to specific prioritised S106 projects asset out in Appendix 2 of the report from the Director of Regeneration &amp; Environment.</p> <p>12.2 Cabinet agreed to delegate to the Head of Planning, Transport and Licensing implementation of the Council's S106 obligations where there is no discretion on spend of funds received, subject to all other necessary signoffs/consultations</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 19 June 2017 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			<p>12.3 Cabinet agrees that where there is discretion on the Council's spend of S106 obligations funds received that wherever possible these would be allocated to projects in a manner consistent with the methodology to be adopted for Strategic Community Infrastructure Levy funds.</p>
13.	Extending Selective Licensing in the Private Rented Sector	All Wards	<p>13.1 Cabinet agreed that the legal requirements for introducing Selective Licensing on the grounds of anti-social behaviour (ASB) and/or migration and/or deprivation and/or poor housing conditions have been met with regard to the proposed selective licensing designation areas as summarised in table 6 in paragraph 10.10 of the report from the Strategic Director of Community Wellbeing, which cover the following Council wards:</p> <ul style="list-style-type: none"> <li>(i) Dudden Hill, Kensal Green, Kilburn, Mapesbury, Queens Park (designation area 1 - on grounds of anti-social behaviour, poor housing conditions, migration and high levels of crime);</li> <li>(ii) Brondesbury Park, Queensbury (designation 2 on grounds of migration, anti-social behaviour and high level of crime);</li> <li>(iii) Dollis Hill, Welsh Harp (designation 3 on grounds of poor housing conditions and anti-social behaviour);</li> <li>(iv) Alperton, Barnhill, Sudbury, Tokyngton (designation 4 on grounds of anti-social behaviour and poor housing conditions);</li> <li>(v) Stonebridge (designation 5 on grounds of anti-social behaviour, high levels of crime, deprivation and poor housing conditions);</li> <li>(vi) Fryent, Kenton, Northwick Park, Preston (designation 6 on grounds of anti-social behaviour and migration).</li> </ul> <p>13.2 Cabinet agreed to authorise the designation of six areas for</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 19 June 2017 (continued)**

Agenda Item No	Item	Ward(s)	Decision
Page 310			<p>selective licensing to last for five years from the date of designation which cover the following Council wards as delineated and edged red on the map(s) at Paragraph 10.10, Figure 16 of the report from the Strategic Director of Community Wellbeing:</p> <ul style="list-style-type: none"> <li>(i) Dudden Hill, Kensal Green, Kilburn, Mapesbury, Queens Park (designation area 1);</li> <li>(ii) Brondesbury Park, Queensbury (designation 2);</li> <li>(iii) Dollis Hill, Welsh Harp (designation 3);</li> <li>(iv) Alperton, Barnhill, Sudbury, Tokyngton (designation 4);</li> <li>(v) Stonebridge (designation 5);</li> <li>(vi) Fryent, Kenton, Northwick Park, Preston (designation 6)</li> </ul> <p>13.3 Cabinet agreed to seek consent from the Secretary of State for the designation for Selective Licensing of the six areas as set out in paragraphs 2.1 and 10.9 of the report from the Strategic Director of Community Wellbeing, which would last for five years from the date of designation, if approved by the Secretary of State.</p> <p>13.4 Cabinet agreed to delegate authority to the Strategic Director of Community Wellbeing, in consultation with the lead member for housing and welfare reform, to issue the required statutory notifications in relation to the Selective Licensing Scheme designations.</p> <p>13.5 Cabinet approved the licensing conditions for the proposed designation areas for selective licensing as set out in Appendix 4 of the report from the Strategic Director of Community Wellbeing and authorised the Strategic Director for Community Wellbeing, in consultation with the lead member for housing and welfare reform, to make any minor variations to such licensing conditions.</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 19 June 2017 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			<p>13.6 Cabinet agreed that, 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 six designated areas and the date on which the designations and the extended Selective Licensing scheme will come into effect.</p> <p>13.7 Cabinet agreed that the fees for Selective Licensing would be set at £540 in all proposed designated wards for the five year licensing period, including those three wards covered by the current scheme, as set out in paragraph 11.2. of the report from the Strategic Director of Community Wellbeing</p> <p>13.8 Cabinet agreed that authority should be delegated to the Strategic Director of Community Wellbeing, in consultation with the lead member for housing and welfare reform to agree the basis for and level of any discounts to be applied to these fees.</p> <p>13.9 Cabinet noted that the proposed Selective Licensing scheme will be kept under review annually. Any significant changes, including the withdrawal of a licensing designation or a proposal to introduce a new designation, would be subject to further consultation and a decision by Cabinet.</p>
14.	Brent Housing Partnership (BHP) Transition Update	All Wards	<p>14.1 Cabinet noted the update on progress with transition of the Council's housing management functions from BHP back to the Council.</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 19 June 2017 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			<p>14.2 Cabinet approved that moving forward in the short term, BHP is retained as a company that is wholly owned by the Council and as a registered provider of social housing which will include the properties that it owns in its own right. Any change of course that is proposed to deviate from this direction of travel would be put forward to the Cabinet for a decision.</p> <p>14.3 Cabinet approved on behalf of the Council to authorise the Strategic Director for Community Wellbeing, in consultation with the Cabinet Member for Housing and Welfare Reform to make the necessary amendments to the company name, the Articles and Memorandum of Association and changes to the Board Membership of BHP which they see fit, in consultation with the Chief Legal Officer and work with the current BHP Board to implement the necessary changes at BHP's next AGM at the end of September 2017.</p> <p>14.4 Cabinet agreed to delegate authority to the Strategic Director for Community Wellbeing, in consultation with the Cabinet Member for Housing and Welfare Reform to novate and assign relevant contracts from BHP to the Council for the reasons detailed in paragraph 3.8 of the report from the Strategic Director of Community and Wellbeing.</p>
15.	Dynamic Purchasing System (DPS) Cabinet Approval to Award Report	All Wards	15.1 Cabinet agreed to award the contract for Generic Floating Housing Related Support service to Thames Reach for a period of 4 years with an option to extend by a further year.

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 19 June 2017 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			<p>15.2 Cabinet agreed to award the contract for Learning Disabilities Care and Housing Related Support to Look Ahead Housing and Care for a period of 4 years with an option to extend by a further year.</p> <p>15.3 Cabinet agreed to award the contract for Mental Health Housing Related Support to Look Ahead Housing and Care for a period of 4 years with an option to extend by a further year.</p> <p>15.4 Cabinet agreed to award the contract for Older Persons and Handy Persons Housing Related Support to Elders Voice for a period of 4 years with an option to extend by a further year.</p> <p>15.5. Cabinet agreed to award the contract for Multiple Needs Housing Related Support to Look Ahead Housing and Care for a period of 4 years with an option to extend by a further year.</p> <p>15.6 Cabinet agreed to award the contract for Women, Families &amp; Young People Housing Related Support to Depaul UK for a period of 4 years with an option to extend by a further year.</p>
16.	Applications Support with Lewisham Council	All Wards	<p>16.1 Cabinet approved the addition of the joint service for Applications Support to the scope of services to be covered by the current Shared Service Agreement in respect of ICT services with the London Borough of Lewisham and the merger of the two separate applications support teams across Brent and the London Borough of Lewisham.</p> <p>16.2 Cabinet approved the delegation from the London Borough of</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 19 June 2017 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			<p>Lewisham to Brent (as the host authority) of the delivery of the Applications Support Service under the terms of the existing Shared Service Agreement in respect of ICT services.</p> <p>16.3 Cabinet agreed to delegate authority to the Strategic Director Resources in consultation with the Lead Member for Resources to agree the terms for variation to the existing Shared Service Agreement in respect of ICT services between Brent and the London Borough of Lewisham and to approve the final form of Variation to effect the addition of the Applications Support Service and the related transfer of staff.</p> <p>16.4 Cabinet approved the transfer of Applications Support staff from the London Borough of Lewisham to Brent pursuant to Transfer of Undertakings (Protection of Employment) Regulations 2006.</p>
17.	Joint ICT Work with London Borough of Southwark	All Wards	<p>17.1 Cabinet noted the work undertaken to: complete the identified due diligence activities, sign up to an Interim InterAuthority Agreement dated 30 March 2017 and ongoing work to develop the more detailed inter-authority agreement and to assure the viability of a three-way shared ICT service since approval in principle was given to work with the London Borough of Southwark to expand the shared service.</p> <p>17.2 Cabinet approved the establishment of a three-way shared ICT service with the London Borough of Lewisham and the London Borough of Southwark and the delegation from Southwark Council to Brent (as the primary host authority in the Shared Service with London Borough of Lewisham) of the delivery of ICT services within the agreed scope and with a planned service</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 19 June 2017 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			<p>commencement date of 1 November 2017.</p> <p>17.3 Cabinet agreed to delegate authority to the Strategic Director of Resources to agree the final terms of the inter-authority agreement for accession of Southwark into the existing Shared Service and for the operation of the 3-way Shared ICT Service.</p> <p>17.4 Cabinet noted that officers in Southwark and Lewisham are presenting reports to their respective cabinets in relation to this delegation and future shared ICT service. Cabinet further noted that a report will be brought to a future Cabinet meeting of Southwark Lewisham and Brent councils to give update on transition reporting with future reporting as required by the respective cabinets. The Southwark Cabinet Report will be published with the agenda for the 20<sup>th</sup> June Cabinet meeting on the London Borough of Southwark website here:  <a href="http://modern.gov.southwark.gov.uk/ieListMeetings.aspx?CommitteeId=302">http://modern.gov.southwark.gov.uk/ieListMeetings.aspx?CommitteeId=302</a></p> <p>17.5 Cabinet agreed to reconstitute the Joint Committee established by Cabinet decision on 26 November 2015 to include the London Borough of Southwark to support the governance arrangements of the shared ICT service as detailed in this report.</p> <p>17.6 Cabinet noted that the joint committee will consist of two elected members from each council and that Brent will be represented on that committee by two members.</p> <p>17.7 Cabinet agreed the draft governance arrangements as outlined in Appendix A of the report from the Strategic Director of Resources.</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 19 June 2017 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			17.8 Cabinet noted that Brent will manage ICT procurement for all three councils within the agreed scope and in accordance with agreed procurement protocols.
18.	Upgrade of ICT Network Infrastructure	All Wards	<p>18.1 Cabinet agreed to award the contract for Lot 1: Protective Monitoring to Logicalis Ltd;</p> <p>18.2 Cabinet agreed to award the contract for Lot 2: Network Performance and Diagnostics to Daisy Communications Ltd,</p> <p>18.3 Cabinet agreed to award the contract for Lot 3: Data Centre Switching, Firewall and other Network Services to Daisy Communications Ltd, and</p> <p>18.4 Cabinet agreed to award the contract for Lot 4: Office LANs and Network Security Devices to Daisy Communications Ltd.</p>
19.	Knowles House	Kensal Green	<p>19.1 That Cabinet approve further investment of £7.5m (total investment £31.5m), to deliver the Scheme.</p> <p>19.2 Cabinet agreed to delegate authority to the Strategic Director of Resources, in consultation with the Portfolio Lead Member for Property to award the works contract to the successful tenderer following a procurement process, for the reasons detailed in paragraph 3.5 of the report from the Strategic Director of Resources.</p> <p>19.3 Cabinet approved the procurement of the works contract through a framework as outlined in 3.5 of the report from the Strategic Director of Resources.</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 19 June 2017 (continued)**

Agenda Item No	Item	Ward(s)	Decision
20.	Q4 Integrated Finance and Performance Report	All Wards	20.1 Cabinet noted the overall position of the Council in terms of finance and performance and the measures in place to manage budget pressures and improve service delivery.
21.	Brent Advice Partnership Update	All Wards	<p>21.1 Cabinet noted the making of Round 3 Brent Advice Partnership's Advice Fund grants using delegated powers as set out in Figure 1 at paragraph 3.7 of the report from Director of Performance, Policy and Partnerships.</p> <p>21.2 Cabinet approved the making of a Brent Advice Partnership's Advice Fund grant of £19,657.77 to Brent Mencap for the period of 1 year for the reasons detailed in paragraphs 3.09 – 3.14 of the report from Director of Performance, Policy and Partnerships. The grant would provide an advice service to assist Brent residents aged 18-65 who have been assessed as having a learning disability but whom are not currently eligible for support from Brent Adult Social Care. This included people living with family carers, in their own tenancies or in supported housing. Some may present with multiple, complex issues such as debt, hate crime and depression which often only emerge once a simpler issue such as getting a Freedom pass has been resolved or another form filled in.</p>
22.	Digital Strategy	All Wards	<p>22.1 Cabinet approved the Digital Strategy as set out in Schedule 1 of the report from Director of Performance, Policy and Partnerships .</p> <p>22.2 Cabinet approved the Outline Business Case as set out in</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 19 June 2017 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			<p>Schedule 2 of the report from Director of Performance, Policy and Partnerships with the funding identified to establish the programme.</p> <p>22.3 Cabinet approved the procurement of Microsoft Dynamics 365 licences.</p> <p>22.4 Cabinet agreed to delegate to the Director of Performance, Policy and Partnerships, in consultation with the Deputy Leader, authority to award a contract or vary an existing Council contract for the procurement of Microsoft Dynamics 365 licences.</p> <p>22.5 Cabinet noted the intention to prioritise the deployment of CRM for Housing Operations to enable the Housing Operations Transformation Programme to be delivered by June 2018.</p> <p>22.6 Cabinet agreed to delegate authority to award the contract for the CRM Developer to the Director of Performance, Policy and Partnerships in consultation with the Deputy Leader.</p>