



Cabinet

Monday 18 June 2018 at 4.00 pm

Boardrooms 3-5 - Brent Civic Centre, Engineers Way,
Wembley, HA9 0FJ

Membership:

Lead Member Councillors:

Portfolio

M Butt (Chair)	Leader of the Council and Lead Member for Community Safety
McLennan (Vice-Chair)	Deputy Leader of the Council and Lead Member for Resources
Agha	Lead Member for Schools, Employment and Skills
Farah	Lead Member for Adult Social Care
Hirani	Lead Member for Public Health, Culture & Leisure
M Patel	Lead Member for Children's Safeguarding, Early Help and Social Care
Krupa Sheth	Lead Member for Environment
Southwood	Lead Member for Housing & Welfare Reform
Tatler	Lead Member for Regeneration, Highways & Planning

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

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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 significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then 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 of 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 or trade union).

(b) The interests 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 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 is the subject of a registrable personal interest.

Agenda

Introductions, if appropriate.

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

3	Minutes of the Previous Meeting	1 - 6
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To approve the minutes of the previous meeting, held on 21 May 2018, as a correct record.

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

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

Community Well-being reports

6	Private Housing Assistance Policy Amendments	7 - 34
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This report has two purposes, the first is to ask cabinet to allow amendment to be made to the Council's Private Housing Assistance Policy and the second is to give an explanation as to why we would like to make those changes.

Ward Affected:
All Wards

Lead Member: Lead Member for Housing and Welfare Reform (Councillor Eleanor Southwood)

Contact Officer: Neil Edwards
PHS Contract and Technical Manager
Email: neil.edwards@brent.gov.uk
Tel: 020 8937 2997

Regeneration and Environment reports

7	Shopfronts Supplementary Planning Document (SPD3) Adoption	35 - 74
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The paper outlines the consultation responses received between 1 February 2018 and 15 March 2018 on the draft Shopfronts Supplementary Planning Document (SPD3). The consultation responses received have resulted in some minor amendments, with revised text now providing clearer guidance. When adopted by Cabinet the document will

replace the existing Brent Shop fronts and shop signs (SPG7) adopted in 2003, which will need to be revoked.

Ward Affected:
All Wards

Lead Member: Lead Member for Regeneration,
Highways, Planning (Councillor Shama Tatler)

Contact Officer: Rob Krzyszowski
Spatial Planning Manager
Tel: 020 8937 2704
Email: rob.krzyszowski@brent.gov.uk

8 Air quality improvement measures: Electric vehicle charging infrastructure – Cabinet variation report 75 - 80

This report seeks approval to amend the procurement process as previously agreed by Cabinet on 15 January 2018 for a supplier of charge points in lamp columns which are to be installed in streets where residents do not have access to off-street parking to enable them to charge an electric vehicle overnight and close to home.

Ward Affected:
All Wards

Lead Member: Lead Member for Environment
(Councillor Krupa Sheth)

Contact Officer: Rachel Best
Transportation Planning Manager
Tel: 0208 937 5249
Email: rachel.best@brent.gov.uk

9 Exclusion of Press and Public

No items identified in advance of the meeting.

10 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 paragraph's 12 and 39 of the Council's Access to Information Rules (part 2 of the Constitution).

Date of the next meeting: Monday 16 July 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.



LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET Monday 21 May 2018 at 4.00 pm

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

Also present: Councillors S Choudhary and Kennelly

1. **Apologies for Absence**

Apologies for absence were received from Councillors Agha and Hirani.

2. **Declarations of Interest**

Councillor Harbi Farah, Cabinet Member for Adult Social Care, declared a personal interest in respect of item 8 as a Director of the Help Somalia Foundation.

3. **Minutes of the Previous Meeting**

RESOLVED:-

that the minutes of the previous meeting, held on 9 April 2018, be approved as an accurate record of the meeting.

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

There were no matters arising.

5. **Petitions (if any)**

There were no petitions submitted to be considered by Cabinet.

6. **Appointments to Committees and Other Bodies**

RESOLVED:-

Members received details of the Executive appointments to be made to Cabinet Committees, Joint Committees and Outside Bodies along with the appointment of any Chairs and Vice-Chairs where necessary.

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

None.

8. National Non Domestic Rates – Applications for Discretionary Rate Relief

Councillor Margaret McLennan, Deputy Leader of the Council, introduced the report informing Members that the Council has the discretion to award rate relief to charities or non-profit making bodies.

Councillor McLennan stated also that the Council also has the discretion to remit an individual National Non-Domestic Rate (NNDR) liability in whole or in part on the grounds of hardship. The award of discretionary rate relief is based on policy and criteria agreed by Cabinet on 15 November 2016.

RESOLVED:

- 8.1 That the applications for discretionary rate relief detailed in Appendix 2 to this report be approved.
- 8.2 That 100% rate relief be awarded to Meanwhile Space in respect of any empty rates they become liable for at Ujima House, 388 High Road, Wembley HA9 6AR whilst they are leaseholders of the property, the relief being awarded in accordance with section 49 of the Local Government Finance Act 1988. As detailed in sections 3.7 – 3.10 of the report
- 8.3 That 50% discretionary rate relief be awarded to Hackspace for 12 months commencing from their date of occupation in respect of business rates due at Ujima House, 388 High Road, Wembley HA9 6AR as detailed in sections 3.7 – 3.10 of the report.

9. Flexible Car Clubs

Councillor Krupa Sheth, Cabinet Member for Environment, introduced the report setting out how the introduction of a flexible car club could be beneficial for Brent with regards to providing an alternative to the private car, reducing private car ownership and congestion, and bringing about a change in travel behaviour.

Councillor Ellie Southwood, Cabinet Member for Housing, indicated her support for the initiative saying that it will be important to boost usage of Car Clubs.

RESOLVED:

- 9.1 That Cabinet notes the content of the report and agrees the recommendation to implement a flexible car club in the borough.
- 9.2 That Cabinet approves entering into a quarterly 3 year contract with DriveNow UK Limited for a three year duration on such terms as the Strategic Director of Regeneration & Environment in consultation with the Cabinet Member for Environment consider appropriate
- 9.3 That Cabinet approves an exemption from the usual tendering requirements of Contract Standing Orders in respect of the direct award of the contract(s) as detailed above for the good financial and/or operational reasons set out in the report.

10. **Re-examine the funding decision for Olympic Way Improvements following the announcements of the possible sale of Wembley Stadium to a private individual/company**

Councillor Shama Tatler, Cabinet Member for Regeneration, Highways and Planning, introduced the report informing Cabinet Members that in July 2017 Cabinet gave approval for allocating funds of up to £17.8 million to accelerate the delivery of the public realm for two of the three zones on Olympic Way.

Councillor Tatler stated that one zone is between Wembley Park underground station and the northern edge of Fulton Road (Zone B). The other zone is the area comprising the Wembley National Stadium 'pedway' with improvements being the replacement of the pedway with steps and public realm works from the foot of the pedway to the stadium (Zone C) to ensure delivery prior to Euro2020. The third zone is from Fulton Road to the foot of the pedway (Zone A) and public realm works for this Zone A have been entirely funded by Quintain.

Councillor Tatler stated that a "Statement of Common Ground" dating back to 2010 exists between the council and Quintain that allows for the application of CIL funds by London Borough of Brent (LBB) for the delivery of strategic infrastructure as identified in policy and the Infrastructure and Investment Framework (IIF). The above projects are within the IIF.

Councillor Tatler stated that Quintain has undertaken considerable design development for Zone C and are ready to instruct their design team to undertake detailed design for the steps and Zone C generally so that an order for the steps can be placed in September 2018.

Councillor Tatler informed Cabinet that the the purpose of this report is to re-examine the funding decision for Olympic Way Improvements following the announcements of the possible sale of Wembley Stadium to a private individual/company. She stated that this report also updates Members on the progress made in implementing the improvement works.

Councillor Muhammed Butt, Leader of the Council, indicated that a set of revised recommendations had been tabled.

RESOLVED:

Cabinet RESOLVED that, if Wembley Stadium is sold to a private entity:

10.1 Cabinet re-examines the funding decision for Olympic Way improvements in the light of the possible change in ownership of Wembley Stadium and confirm that funding from Quintain and the Stadium owners forms a three way funding stream for Zone C.

10.2 Cabinet confirms or otherwise the contribution of up to £12.1 million towards Zone C improvements, such contribution being contingent on Quintain:

- 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

- 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
- c) Agreeing a business plan and agreement, between Quintain and the council, for the future sharing and reinvestment of the net income generated through assets on Olympic Way in Zones A, B and C.
- d) Securing up to one third funding contribution from Wembley Stadium owners.

10.3 Cabinet notes that if confirmed the total contribution for Olympic Way improvements will be up to £17.8 million.

10.4 Cabinet, subject to the level of funding contribution from Wembley Stadium owners for Zone C improvements as detailed in recommendation (d) above, delegate to the Strategic Director Regeneration and Environment in consultation with the Cabinet Member of Regeneration, Highways & Planning authority to agree the adequacy of such contribution secured.

11. **Authority to Award Contracts for Targeted Mental Health Services in Schools (TaMHS) and Emotional Health Services for Children with Disabilities, Children in Care and Care Leavers**

Councillor Mili Patel, Cabinet Member for Children's Safeguarding, Early Help and Social Care, indicated that this report makes recommendations regarding the procurement of contracts for the provision of Emotional Health and Wellbeing services.

This report seeks approval to directly award a contract to Central and North West London NHS Trust for 12 months for Targeted Mental Health Services in schools (TaMHS) funded by DSG.

Councillor Patel stated that this report also seeks approval to directly award a contract to Central and North West London NHS Trust for Emotional Health and Wellbeing services for children with disabilities, Looked After Children and Care Leavers for 12 months.

She stated that there are opportunities to develop jointly commissioned emotional health and wellbeing services with Brent Clinical Commissioning Group. These direct contract awards will enable service alignment and continuity whilst further work is done to develop a joint commissioning strategy with Brent CCG.

RESOLVED:

- 11.1 That Cabinet approves an exemption pursuant to Contract Standing Order 84(a) of the requirement to tender a 12 month contract for Targeted Mental Health Services in schools for the operational reasons set out in paragraph 3.2 of the report.
- 11.2 That Cabinet approves the award of a 12 month contract for Targeted Mental Health Services in schools from 1st August 2018 to 31st July 2019 to Central and North West London NHS Foundation Trust for the value of £237,000.

11.3 That Cabinet approves an exemption pursuant to Contract Standing Order 84(a) of the requirement to tender a 12 month contract for Emotional Health and Wellbeing services for children with disabilities aged 0-18, Looked after Children and Care Leavers for the operational reasons set out in the report.

11.4 That Cabinet approves the award of a 12 month contract for Emotional Health and Wellbeing services for children with disabilities aged 0-18, Looked After Children and Care Leavers from 1st September 2018 to 31st August 2019 to Central and North West London NHS Foundation Trust for the value of £235,000.

12. Exclusion of Press and Public

None.


13. Any Other Urgent Business

None.

The meeting ended at 4.20 pm

COUNCILLOR MUHAMMED BUTT
Chair

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	Cabinet 18 June 2018
	Report from the Strategic Director of Community Wellbeing
Private Housing Assistance Policy Amendments	

Wards Affected:	All
Key or Non-Key Decision:	Key Decision due to effect on Communities
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	One: • Private Housing Assistance Policy
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Neil Edwards PHS Contract and Technical Manager Email: neil.edwards@brent.gov.uk Tel: 020 8937 2997

1.0 Purpose of the Report

- 1.1 This report has two purposes, the first is to ask cabinet to allow amendment to be made to the Council's Private Housing Assistance Policy and the second is to give an explanation as to why we would like to make those changes.
- 1.2 The Private Housing Assistance Policy gives the Council powers under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) to provide additional, more discretionary assistance grants rather than relying on Disabled Facilities Grants (DFG) for the provision of adaptations to the homes of disabled residents. A copy of the full amended RRO is in Appendix A
- 1.3 In essence, it is our intention to introduce additional and amend existing discretionary grants in order to improve independence and wellbeing for vulnerable and disabled Brent residents and prevent wider system demand on hospital, council and residential/community care services.
- 1.4 Whilst the customer has always been at the forefront when providing adaptations and other assistance, these proposed changes to the RRO allows for an even more customer centred approach to be taken. This will see

residents helped more quickly and with more bespoke services, irrespective of what tenure they live in.

- 1.5 The benefits of providing adaptation and housing assistance services are already well researched and documented but this report looks to explain how by amending the RRO and introducing more innovative assistance grants, we will be able to make a real difference in terms of residents being able to access support, as well as the Council and others such as the NHS achieve some significant cost avoidance.
- 1.6 The proposed changes to the assistance policy would complement the Borough Plan priorities of “Better Lives”, specifically;
 - Enabling people to live healthier lives and reducing health inequalities.
 - Supporting vulnerable people and families when they need it.
- 1.7 Additionally the proposals complement the Council’s overall Housing Strategy (4.6 Outcome D - Supported Housing Supply) by;
 - Widening housing options for vulnerable residents, better enabling independent living and providing alternatives to residential care.
 - Maximising the demonstrable savings to health and other budgets that can be achieved through assisting older, sick or disabled people to remain in their homes.
 - Generally improving the condition of housing within the borough for some of its most vulnerable residents.

2.0 Recommendations

- 2.1 That Cabinet approve the revisions to Brent’s Private Housing Assistance Policy attached as Appendix A in relation to the following new and improved services, these being;
 - (i) The introduction of the Discretionary Disability Adaptations Grant (DDAG);
 - (ii) The improvement of the current Small Works Grant (SWG);
 - (iii) The introduction of the Spend to Save Grant (SSG);
 - (iv) The introduction of the Hospital Discharge Assistance Service (HDAS);
 - (v) The introduction of the Acute Handyperson Service (AHAS).
- 2.2 That Cabinet grant delegated authority to the Strategic Director Community Wellbeing to make any necessary minor typographical/graphical amendments to the Private Sector Housing Assistance Policy prior to its publication.

3.0 Detail

- 3.1 Essentially, DFGs are governed by the Housing Grants, Construction and Regeneration Act 1996. However, the 2002 RRO provided a new wide-ranging power to provide assistance for housing renewal. In 2008-9 the government

further extended the scope of the RRO to include a greater flexibility for an authority to address issues on a wider preventative basis.

3.2 The adoption and publication of a policy for housing assistance is a requirement of the RRO before assistance can be offered. The scope of the order is very wide and allows the Council to decide whether it provides grants, loans, advice etc. for the purpose of repairing, improving, extending, converting or adapting housing accommodation. However local policies must:

- Not disadvantage any individual (so, for example, a scheme where they could have qualified for a grant under DFG, but can now only get a loan would not be allowed).
- Not fetter the discretion of the authority (so that each case is considered on its merits, even if it falls outside of the policy, and a clear mechanism for applying discretion in these cases is available).

3.3 An “Outcome Based Review (OBR) for Housing Vulnerable People” was commissioned and completed in October 2016. This set the initial parameters for a proposal of housing assistance service improvements, recommendations included;

- To more quickly facilitate essential adaptations, repairs and assistance services for vulnerable people. Streamlining applications more effectively from the point of initial assessment, reducing waiting times from referral to delivery. Tackling the consequences of financial means testing and diversifying the funding pathway to make greater use of non-means-assessed grants.
- To relieve hospital bed blocking and help prevent readmission by providing a wrap-around support package and achieving a seamless integration of services in relation to the Better Care Fund objectives.
- To increase engagement with residents in Brent to ensure they are fully informed about the full range of assistance and adaptations options available to them

3.4 Extensive work has been done in partnership with the Change Management Transformation team, to redesign housing assistance services, toward achieving improved outcomes. These ideas were tested through a series of workshops with relevant teams from the council and its NHS partners and from this process new and improved service models or products in the form of discretionary grants have evolved.

3.5 The workshops focused on delivering an oversight of the products and services to Operational Directors, Service Managers and Professionals working across a number of sectors to raise awareness of what will be different and to seek their buy-in to what’s being proposed. Workshop participants had an opportunity to contribute to the sessions by:-

- a) Gaining an understanding of the changes being made to Disabled Facilities Grants and the new products and services on offer.

- b) Identifying what other projects are being worked on across other organisations to determine what could support the delivery of the service and/or avoid duplication, the purpose of the identified project and key contacts to seek further project information.
 - c) Having an opportunity to comment on the products and services and identify what's missing.
- 3.6 As a consequence of those workshops and looking at the drivers for change across the sector in general, the following products and changes to existing grants were developed and are described in more detail in paragraphs 3.7 to 3.18. In addition and in accordance with the 2014 Care Act, the services and products being proposed will effectively incorporate proactive signposting, integration of care and health functions, earlier interventions and wrap around support to promote independence. The products and services are purposely designed to tackle ill health and early death, health inequalities, improve quality of life and support people when they most need it. Additionally services will be targeted to assist carers, working in collaboration with Brent Carers to best achieve this.
- 3.7 The first of the proposed products is what we will call the Discretionary Disability Adaptations Grant (DDAG). This is an alternative to the DFG, identical in every respect but without a requirement for means-testing. The DFG will still be offered but would be a very unlikely customer choice.
- 3.8 DFGs (apart from those for young disabled people and ex-Service personnel) have always been means-tested in order to target the then limited resources towards those in greatest financial need. The means test itself is complex and requires applicants to supply detailed information, which needs to then be checked and processed by local authority staff. The current test is set out in the Housing Renewal Grants Regulations 1996 (SI 1996/2890, as amended) and largely mirrors the system of calculating entitlement to Housing Benefit. Grant applicants may receive a full grant or may be required to make a contribution towards the cost of the works
- 3.9 We know from analysing cancellation data that concerns about financial means assessment appears to be a significant factor in approximately 5% of all post-referral DFG cancellations in 2014 – 2016. Occupational therapists and health workers in Brent suggest that a far greater number drop out of the process pre-referral, specifically due to fears and concerns about financial assessment. A reasonable assumption can be made that an additional group will be deterred from even contacting the council, either presuming they are not entitled to assistance or simply not wanting to disclose their financial information.
- 3.10 The OBR Report also presented evidence that the process of testing resources was a significant and expensive delaying factor. The result of which is to create a far higher risk of admission to secondary care due to falls and a wider demand on health and social care services. In relation to these risks the OBR Report concluded that a strategic case for greater use of preventative, non-means assessed grants is clear but also carries a risk of creating an excess demand.
- 3.11 In simple terms, we know that many elderly disabled residents are put off having adaptations because of the means test, even though it is likely that if they were to complete the means test their contribution towards a grant would be low or

zero. However, it is a mandatory requirement to complete the means test for a DFG and by not doing it, they then do not realize the benefits of having the adaptations carried out and the health sector has addition costs in providing other interventions.

- 3.12 We considered three general options for changing the means test requirement threshold, these being:
1. Removing means testing for the most common adaptations.
 2. Removing means testing up to a given value of adaptation.
 3. Removing means testing completely.
- 3.13 We concluded that option 3 would be the most non-discriminative and uncomplicated model and would completely remove any factor of deterrence for potential applicants. It would significantly speed up the process of delivery for adaptations and achieve immediate economies through the deletion of administrative resources. It reflects the accepted Better Care Fund premise that a targeted investment at an early stage to improve independence and wellbeing for vulnerable people will generally be returned through a reduction in wider system demand across services.
- 3.14 There is no real data upon which to accurately predict the effects of this change in relation to demand. Of course it is fundamentally restricted by its nature, there will only be a definitive number of disabled people living in Brent. An adventurous estimation would be that this policy alone would increase demand by no more than between 10% to 20%. Nevertheless, figures from the Office for National Statistics tell us that the average age of the UK population is expected to increase significantly over the coming decades. This change will bring both challenges and opportunities for central and local government, with impacts on a wide range of public services.
- 3.15 The second recommendation is the improvement of the current Small Works Grant (SWG); increasing the upper financial limit by £2,000.00, to a total of £7,000.00 in any three year period. SWGs have been offered in Brent since 2001, they are discretionary grants to cover the cost of works that will deliver significant health gains. They are generally available for vulnerable people on qualifying benefits or irrespective to any entitlement to benefits when used to install or maintain disabled facilities or assist hospital discharges. The current limit was set more than ten years ago and has fallen behind in relation to general rises in the costs of building services and materials. This is intended to fund the higher end of remedial work arising from home safety inspections, such as the installation of a new heating system or an electrical rewire.
- 3.16 The next new product is the Spend to Save Grant (SSG) which is a discretionary tool, to be utilised where a case can be made for the upper limit of a Small Works Grant to be exceeded in very special circumstances where this provides an overall financial advantage in relation to the combined care and health budgets of the council and its NHS partners. An example of this could be where a £15,000 investment is required to repair a property to enable somebody to return home from state funded residential care costing for example £30,000 per year. In this example, as the costs of the works are £15,000, the saving would be realised in a six month period and therefore a charge would be placed upon the property for that six months in order to safeguard the investment just in case the property was sold prior to this realisation of the saving. In this example any

period that the property was lived in by the applicant after the realisation of the grant spend would be an additional benefit of cost avoidance.

- 3.17 The fourth is the Hospital Discharge Assistance service (HDAS); a fast-track, prioritised route to housing services in circumstances where a vulnerable person is unable to be discharged from hospital due to housing safety risks within their home. A trial service has been in operation since December 2017, using a coordinated multi-agency approach to support the “Home 1st” initiative in Northwick Park and Willesden hospitals. When the revised Assistance Policy is adopted, the scheme would be rolled out further and would be coupled with the final product below.
- 3.18 The final product being the Acute Handyperson Assistance service (AHAS). This service will be available free of charge to remove risks within the home for vulnerable residents when referred by Care or Health Professionals. This is intended to directly support the work done by the HDAS, preventing hospital readmissions after discharge and for residents referred on by the Elders Voice Handyperson Service in need of more acute assistance. A service can also be provided in relation to achieving economies in formal care plans. This service will provide a wrap-around support that will be a link and referral route to all those products listed above. In essence the Handyperson will be able to make a quick decision on which combination of the above is the most appropriate bespoke solution for each client.
- 3.19 In summary we believe that by introducing these new or enhanced products, more disabled and vulnerable people will be helped. Our current offering is limited only to DFGs and SWGs which are restrictive both in relation to qualification criteria and assistance, they are also administered at the end of what can be a lengthy referral process. This new suite of grants and assistance will allow us to respond to a wider range of complex and simple needs, and situations, for more residents, far more quickly than we are able to now.

4.0 Financial Implications

- 4.1 There are no implications in relation to the General Fund, all services are to be funded through DFG monies which for the purpose joining up health and care services are now contained within the Better Care Fund (BCF). The BCF represents a unique collaboration between NHS England, the Ministry of Housing, Communities and Local Government (MHCLG), Department of Health and Social Care (DHSC) and the Local Government Association (LGA). One of the most ambitious programmes ever introduced across the NHS and local government, the BCF encourages integration by requiring CCGs and local authorities to enter into pooled budget arrangements and agree an integrated spending plan.
- 4.3 In acknowledgement of the overall cost benefits of disabled adaptations and housing support services the Government have significantly increased the amount of this funding given nationally to Local Authorities. Rising from £220m in 2012/13 to £394m in 2016/17, £431m in 2017/18 and it is set to reach £468m in 2018/19 and £505m in 2019/20. In 2017/18 Brent’s BCF allocation was increased by the Parliamentary Under Secretary of State (Minister for Local Government) to £3.971m. On the 1 December 2017 a further non-recurrent £421k DFG funding was allocated to Brent following the Chancellor’s Autumn Budget announcement of additional £42 million of capital funding for DFG in

2017-18 for local authorities in England. Brent's DFG allocation in 2018/19 is £4.343m, which equates to a 9% increase in recurrent funding.

- 4.4 The continued year-on-year increase in DFG funding from the Government will support the introduction of these new products. It is acknowledged that adaptations can be a useful way to help people stay in their own homes for longer and delay the need to move into residential care, helping the Council to avoid costs. An average residential home placement costs the Council £27k per year whereas an average DFG grant is only £11k.
- 4.5 Under this new policy if the demand for new products is greater than anticipated the Council could consider a range of options such as applying to MHCLG for additional funding, funding this additional demand through the Council's capital allocation or devising funding criteria to manage demand within the funding available.
- 4.6 Installing adaptations also benefits the NHS as it facilitates earlier discharges from hospitals and helps to prevent falls. There are also non-cash benefits through improved quality of life for both the individuals and their carers'.
- 4.7 The additional subsidies and the income generated from increased service provision have significantly reduced the need for council capital investment, traditionally required to meet the council's mandatory DFG responsibilities. The subsidies also bring new wider responsibilities for improving the health and wellbeing of the population they cover, helping to prevent delayed transfers of care and readmission to hospital, which are key health priorities. In relation to housing assistance, the expectation is that from the removal of any cost implications to council budgets, discretions given under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 are used far more innovatively to make better use of discretionary services, reducing bureaucracy and inflexibility.

5.0 Legal Implications

- 5.1 Mandatory Disabled Facilities Grants (DFGs) are available for essential adaptations to give disabled people better freedom of movement into and around their homes, and are issued subject to a means test. The provisions governing mandatory Disabled Facilities Grant (DFG) is set out the Housing Grants, Construction and Regeneration Act 1996 ("the 1996 Act").
- 5.2 Further sources of assistance can be made available to vulnerable and disabled people in Brent to improve their independence and well-being. Article 3 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 ("the RRO") has given powers to local authorities to give discretionary assistance in any form to any person for the purpose of acquiring or demolishing housing accommodation, repairing, improving, extending, converting or adapting housing accommodation. There is no restriction on the amount of the discretionary assistance that local authorities may provide. Discretionary assistance may be given in addition, or as an alternative to a mandatory Discretionary Facilities Grant. The Council may take any form of security, including a charge on any property, for the whole or part of the assistance given for housing adaptations or other forms of assistance.

- 5.3 As the mandatory DFG is unlikely to be sufficient to cover all likely requests for assistance in relation to adaptations for vulnerable and disabled people, it is lawful for the Housing Assistance Policy to include the proposed discretionary additional and improved help which the Council is able to offer subject to available resources. It is for the Council to decide whether to apply a means test to those whose adaptations are funded by means other than DFG.
- 5.4 The outcome of public consultation which has been carried out on the proposed changes to the Private Housing Assistance Policy must be considered before a decision is reached. Article 4 of the RRO provides that local authorities may not use the Article 3 power unless they have adopted and published a policy setting out how they intend to use the power; given public notice of the adoption of the policy; in addition that policy document must be available for inspection free of charge at reasonable times, at the council's principal office, also a summary of the policy must be able to be obtained by post for a reasonable charge. All applications for assistance must be considered in accordance with the policy. Local policies must:
- Not disadvantage any individual (so, for example, a scheme where they could have qualified for a grant under DFG, but can now only get a loan would not be allowed).
 - Not fetter the discretion of the authority (so that each case is considered on its merits, even if it falls outside of the policy, and a clear mechanism for applying discretion in these cases is available).
- 5.5 There are a number of areas of broader health and care related legislation, concerning adult social care and support needs. The Care Act 2014 ("the 2014 Act") Section 3(1) of the Act places a duty on local authorities to carry out their care and support services with the aim of integrating those services with local NHS and other health services. Section 6(1) of the 2014 Act requires local authorities and their relevant partners to co-operate in exercising their respective care and support functions. Section 7(1) of the 2014 Act supplements this general duty with a duty to co-operate in specific cases where an individual has care and support needs.
- 5.6 Under the Equality Act 2010, the Council has a duty to have due regard to the need to: eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Act; advance equality of opportunity between people who share a protected characteristic and people who do not share it; and foster good relations between people who share a protected characteristic and people who do not share it. The protected characteristics covered by the Equality Duty are as follows:
- Age, disability, gender reassignment, marriage and civil partnership (but only in respect of eliminating unlawful discrimination), pregnancy and maternity, race (including ethnic or national origins, colour or nationality), religion or belief (including lack of belief), sex and sexual orientation.
- 5.7 The public sector equality duty, as set out in section 149 of the Equalities Act 2010, requires the Council, when exercising its functions, to have "due regard" to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, and to advance equality of opportunity and

foster good relations between those who have a “protected characteristic” and those who do not share that protected characteristic.

5.8 Having “due regard” to the need to “advance equality of opportunity” between those who share a protected characteristic and those who do not includes having due regard to the need to remove or minimise disadvantages suffered by them. Due regard must also be had to the need to take steps to meet the needs of such persons where those needs are different from persons who do not have that characteristic, and to encourage those who have a protected characteristic to participate in public life. The steps involved in meeting the needs of disabled persons include steps to take account of the persons’ disabilities. Having due regard to “fostering good relations” involves having due regard to the need to tackle prejudice and promote understanding.

5.9 The public sector equality duty is not to achieve the objectives set out in section 149 of the Equality Act 2010. The duty on the Council is to bring these important objectives relating to discrimination into consideration when carrying out its public functions (in this case, revising and amending the Council’s Private Housing Assistance Scheme).

6.0 Equality Implications

6.1 The proposals in this report have been reviewed and found to have a neutral impact on equality in relation to all of the protected characteristics save to say that Disabled and vulnerable residents will be positively affected as the provisions within this report are directly targeted at them.

7.0 Consultation with Ward Members and Stakeholders

7.1 Workshop events on 12 and 14 September 2017 focused on delivering an oversight of the products and services to Operational Directors, Service Managers and Professionals working across a number of sectors to raise awareness of what will be different and to seek their buy-in to what’s being proposed.

7.2 A public consultation was undertaken on the Brent Consultation Portal between 15 December 2017 and 9 February 2018. The voluntary Consultation presented the new products and asked people to comment on them and state if they agreed or disagreed. This was publicised locally on the Brent online community directory and presentations were given at five local Brent Connects meetings on 17 and 30 January and 6, 8 and 19 February 2018. The Consultation returned 100% approval. The following local interest groups were specifically invited to comment:

- 134 voluntary sector groups.
- Local GP networks.
- Brent CCG.
- Brent Homecare Providers.
- Multi-Agency Hospital Discharge teams.
- NHS Acute and Step-Down ward managers.

7.3 Nationally the Consultation was publicised to all Home Improvement Agencies and Better Care Fund partners by inclusion in the January 2018 edition of the

“DFG Champions Newsletter”, published by Foundations, who are appointed by the Department of Communities and Local Government to oversee a national network of nearly 200 home improvement agencies (HIAs) and handyperson providers across England. This included Care & Repair England, who as a result have asked if Brent could be included in their upcoming Report to highlight “innovation and components of best practice” in relation to the use of the Better Care Fund.

- 7.4 In relation to the above a presentation was given at a national workshop event on 15 January 2018, jointly organised by NHS England Regional Commissioning Operations Directorate and Foundations. The presentation was one of three chosen to demonstrate “innovative and pragmatic uses of The Better Care Fund”.

8.0 Staffing implications

- 8.1 There are no negative implications for staff.

Report sign off:

PHIL PORTER

Strategic Director of Community and Wellbeing

PRIVATE HOUSING SERVICES

**PRIVATE HOUSING ASSISTANCE POLICY
TBC 2018**

HOUSING GRANTS, CONSTRUCTION AND REGENERATION
ACT 1996

REGULATORY REFORM (HOUSING ASSISTANCE) (ENGLAND
AND WALES) ORDER 2002

Revised and effective from TBC 2018

INTRODUCTION

This document provides details of the London Borough of Brent policy for the provision of assistance pursuant to the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. The Order provides local housing authorities with a general permissive power for the provision of assistance for the purpose of improving living conditions. In order to exercise this power a local authority must first adopt a policy for the provision of assistance. This document sets out the Council's policy for the approval of assistance commencing on the [Date to Be Confirmed]. It will remain in force until any amendments are approved.

GENERAL

Ø Applicants for assistance must:

- be aged 18 or over, although applications for grants can be made on behalf of children under the age of 18 by a parent or guardian, and
- be a UK citizen (have a UK National Insurance number),

or

- have the Registered Office in the UK (if a Limited Company)

Ø Grant calculations are based on what the Council considers to be a reasonable price for the work (known as the "eligible expense"). This may not be as much as the estimated expense. For grants, eligible expense will always exclude labour carried out by the applicant or a member of their family.

Ø Where the Council's agency is managing the works, payment will normally be made direct to the main contractor(s) not their sub-contractors or grant applicant(s).

Ø Payment will only be made if acceptable invoices are submitted upon completion.

Ø Grants labelled (Discretionary) may be revised, prioritised or withdrawn, without prior notice as they are subject to the Council having sufficient financial resources.

FINANCIAL ASSISTANCE CANNOT BE GIVEN RETROSPECTIVELY. APPLICANTS ARE STRONGLY ADVISED NOT TO START ANY ELIGIBLE WORK BEFORE THEIR APPLICATION FOR ASSISTANCE IS APPROVED.

OWNER OCCUPIERS

Disabled Facilities Grant (Mandatory)

For “mandatory” (prescribed by the Housing Grants etc Act 1996) purposes only. On completion the dwelling must be free from serious (HHSRS Category 1) hazards, except where insistence on remedying such problems would prevent completion of a DFG and therefore a disabled person’s ability to remain at home.

These grants are means tested according to detailed Government Regulations. The grant is the difference between the disabled person’s means tested contribution and the eligible expense.

Mandatory grant is up to £30,000. Discretionary grant is also paid for the shortfall between £30,000 max mandatory DFG plus the disabled person’s means tested contribution, and the eligible expense.

A “Self - Fund Option” is permitted whereby the grant applicant prepares a scheme of adaptations that is more elaborate than necessary, partly funding these works using the amount of grant that would have been paid towards a basic scheme, had that basic scheme been executed.

Disabled Facilities Grants are not normally repayable.

To be eligible you or someone living in your property must be disabled. Either you or the person you’re applying for must:

- own the property or be a tenant
- intend to live in the property during the grant period (which is currently 5 years)

You can also apply for a grant if you’re a landlord and have a disabled tenant.

The council needs to be happy that the work is:

- necessary and appropriate to meet the disabled person’s needs
- reasonable and can be done - depending on the age and condition of the property

Discretionary Disability Adaptations Grant (Discretionary)

Identical to the mandatory disabled facility grant in every way however these grants are NOT means tested.

On completion the dwelling must be free from serious (HHSRS Category 1) hazards, except where insistence on remedying such problems would prevent completion of DFG and therefore disabled person’s ability to remain at home.

Discretionary Adaptations Grants are not normally repayable.

A “Self - Fund Option” is permitted whereby the grant applicant prepares a scheme of adaptations that is more elaborate than necessary, partly funding these works using the amount of grant that would have been paid towards a basic scheme, had that basic scheme been executed.

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You can also apply for a grant if you’re a landlord and have a disabled tenant.

The council needs to be happy that the work is:

- necessary and appropriate to meet the disabled person’s needs
- reasonable and can be done - depending on the age and condition of the property

Relocation Grant

When a disabled person’s home cannot reasonably and practicably be adapted to the Occupational Therapist’s requirements and having regard to the age and condition of the property the Council will pay the necessary fees incurred, up to £5,000, if the household then decides to move to a suitably adapted, or adaptable, property.

These grants are not means tested and are not repayable.

Small Works Grant (Discretionary)

Only for vulnerable people, who don’t live with non-vulnerable joint owners. “Vulnerable” means:

- people in receipt of Pension Credit, or
 - people who have been in receipt of Income Support for over a year *and* receive Child Benefit for 1 or more children aged 16 or under. Or,
 - people who are in receipt of Income Support and are disabled.
- “Disabled” means either:

Ø Receiving Severe Disablement Allowance

Ø Receiving Disability Living Allowance of any sort

Ø Registered Disabled

Only for works that will deliver significant health gains.

The exception to this is for “adaptations” (or repairs to old adaptations) to benefit disabled people. These are eligible for SWG irrespective of any entitlement to benefits.

Grant(s) may total up to £7,000 in any 3 year period.

These grants are not repayable.

Spend to Save Grant (Discretionary)

These grants are for the provision of associated works that are not covered above but that are necessary in order to facilitate a disabled person to be able to continue to live at home rather than going into residential care. Applications for this Grant are only accepted by referral from Care or Health Professionals from either Brent Council or its NHS partners. Approval will be given only where a business case can be made to show that, in very special circumstances, an overall financial saving in relation to the combined care and health budgets of the council and it's NHS partners across the following three year period can be achieved.

A charge would be placed against the property. The duration of the charge would be dependent upon the Council's calculated cost benefit payback. Should the property be sold on during this time the grant is repayable.

To be eligible you or someone living in your property must be disabled. Either you or the person you're applying for must:

- own the property or be a tenant
- intend to live in the property during the grant period (which is currently 5 years)

You can also apply for a grant if you're a landlord and have a disabled tenant.

The council needs to be happy that the work is:

- necessary and appropriate to meet the disabled person's needs
- reasonable and can be done - depending on the age and condition of the property

Advice

People who are not entitled to any of the above assistance will be offered advice on how to organise works.

Brent Acute Handyperson Service

Available to those with a responsibility for the upkeep of their living area, who are without regular help and support from family and friends and are unable to carry out the work themselves. Applicants are not required to be in receipt of any benefits to qualify but must be referred by a care or health professional from Brent Council or its NHS partners.

Assistance is intended for vulnerable adults, who are elderly and prone to falls, have a disability, have a sensory impairment, or people with a long term health conditions which restrict their functioning on a day-to-day basis. Applicants must also be

- Able to confirm that assistance is not available from a partner or family member.
- In agreement to a brief survey being carried out by the Handyperson to identify other risks and hazards in their home.
- In possession of the legal power or duty to carry out the works.

The service is free of charge in relation to both labour and materials but is restricted to a maximum of 6 visits per year, each of which would be limited to a maximum of 90 minutes work on site. This would not include any time taken to carry out a home safety check.

Receipt of “NHS ongoing care provision” would not disqualify applications whilst a customer remains living at home.

Typical services include:

- Odd jobs (i.e. minor repairs, putting up grab rails), backed up by professional surveyors and tradesmen where appropriate.
- Falls and accident prevention checks and remedial action.
- Moving beds and furniture.
- Checks and improvements in relation to home safety, security and energy efficiency.
- Fire safety precautions such as installation of smoke alarms, electric blanket checks, chip pan/fat fryer exchange.
- Providing a targeted information and advice service which will engage on behalf of customers with other services and voluntary organisations.

Services would not be offered (but may qualify for referral for a small works grant) in relation to:

- Housework, decorating or gardening (except emergency clearance of an overgrown means of private disabled access).

- Personal care, such as washing, bathing or nail-clipping.
- Provision or repairs to appliances such as cookers, fridges
- Provision of floorcoverings, curtains, wardrobes or furniture.

Brent Hospital Discharge Assistance service

Offered in special circumstances where a vulnerable person is unable to be discharged from hospital due to issues relating to housing disrepair or safety. This is a prioritised route to a small works grant using the Brent Handyperson Service.

Applicants must be referred by a Care or Health Professional from either Brent Council or its NHS partners. Referrals should state what is broadly 'necessary and appropriate' to enable the patient to return home.

Only for vulnerable people, who don't live with non-vulnerable joint owners. "Vulnerable" means:

- people in receipt of Pension Credit, or
- people who have been in receipt of Income Support for over a year and receive Child Benefit for 1 or more children aged 16 or under. Or,
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Grant(s) (including any other small works grants) may total up to £7,000 in any 3 year period. These grants are not repayable.

PRIVATE (INC RSL) TENANTS

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Assistance is intended for vulnerable adults, who are elderly and prone to falls, have a disability, have a sensory impairment, or people with a long term health conditions which restrict their functioning on a day-to-day basis. Applicants must also be

- Able to confirm that assistance is not available from a partner or family member.
- In agreement to a brief survey being carried out by the Handyperson to identify other risks and hazards in their home.
- In possession of the legal power or duty to carry out the works.

The service is free of charge in relation to both labour and materials but is restricted to a maximum of 6 visits per year, each of which would be limited to a maximum of 90 minutes work on site. This would not include any time taken to carry out a home safety check.

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- Providing a targeted information and advice service which will engage on behalf of customers with other services and voluntary organisations.

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Grant(s) (including any other small works grants) may total up to £7,000 in any 3 year period. These grants are not repayable.

Enforcement Action against Uncooperative Landlords

The Councils overall objective is to remove category 1 hazards and achieve the Decent Homes Standard in accommodation where possible. This is particularly important in premises occupied by vulnerable groups.

The 2004 Housing Act places a duty on the Council to take action where a category 1 hazard has been identified. There is a discretionary power to deal with category 2 hazards. An improvement notice must be served where there are Cat 1 Hazards present. High Cat 2 Hazards (bands D and E) can also be included on the notice.

Where licensable properties are affected by high Cat 2 Hazards) an improvement notice shall be served and/or licensing enforcement action shall be taken to address any deficiencies.

LANDLORDS

Empty Property Grants

To convert a commercial property into one or more dwellings or to bring vacant dwellings back into residential use as one dwelling or convert to flats. The grant is to help fund all building works that are necessary to make the dwelling lettable.

Only available to landlords who:

- Do not owe the Council money
- Have no convictions (including formal cautions) for grant fraud, illegal eviction, harassment, or non-compliance with Notices in the last 10 years, or where a case for one of the above matters is pending.

Grant calculated as the first £3,000 plus 60% of the remainder of the eligible expense. Plus a further 5% for every year of Nomination Rights in excess of 5, (max 85% i.e. max 10 years Nomination Rights)

Grant conditions run for 5 years from the Certified Date of Completion of Works (or 1 year longer per extra 5% grant).

Grant is conditional upon:

- The Council having Tenant Nomination Rights during this period
- The dwelling(s) being adequately insured.
- Rent being charged at levels set by the Rent Officer.
- The dwelling(s) being free of serious (HHSRS Category 1) hazards.
- The dwelling(s) being continuously tenanted

Grant must be repaid in full if the grant conditions are breached, or the dwelling(s) is / are sold within the grant condition period.

Disabled Facilities Grant (Mandatory)

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- own the property or be a tenant
- intend to live in the property during the grant period (which is currently 5 years)

You can also apply for a grant if you're a landlord and have a disabled tenant.

The council needs to be happy that the work is:

- necessary and appropriate to meet the disabled person's needs
- reasonable and can be done - depending on the age and condition of the property

Advice

Landlords who are not entitled to any of the above grants will be offered advice on how to organise works.

AGENCY SERVICE

For a 16.5% fee the Council may, at their discretion, offer to provide clients (except landlords applying for Empty Property Grants or HMO Grants) with the necessary administrative and technical assistance, to ensure that the works are properly organised and executed.

Specifications for Empty Homes Grants schemes are issued, for a fee, where the applicant wants to engage their own architect / surveyor and builder.

ENQUIRIES

Disabled Adaptations – initial assessment by Brent Customer Services – 020 8937 4300, referrals may require an OT (Occupational Therapist) assessment.


Empty Property Grants – tel. Private Housing Services 8937 2536 or 8937 2539.

Enforcement – tel. Private Housing Services 8937 2976

Other assistance – tel. Private Housing Services 8937 2383 or 8937 2309

A full copy of the Council's Private Housing Strategy and Assistance Policy can be viewed at Brent Civic Centre, Engineers Way, Wembley Middx. HA9 0FJ

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 Brent	Cabinet 18 June 2018
	Report from the Strategic Director of Regeneration and Environment
Shopfronts Supplementary Planning Document (SPD3) Adoption	

Wards Affected:	All except parts of those wards in Tokyngton, Stonebridge, Harlesden and Kensal Green that fall within the Old Oak and Park Royal Development Corporation boundary
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	Three: <ul style="list-style-type: none"> • Shopfronts Supplementary Planning Document (SPD3) - Consultation Statement - June 2018 • Shopfronts Supplementary Planning Document • Draft Shopfronts Supplementary Planning Document (SPD3) Equality Analysis
Background Papers:	<ul style="list-style-type: none"> • Shop fronts and shop signs (SPG 7) • Draft Shopfronts Supplementary Planning Document (SPD3)
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Rob Krzyszowski Spatial Planning Manager Tel: 020 8937 2704 Email: rob.krzyszowski@brent.gov.uk Joris van der Starre Principal Urban Designer Tel: 020 8937 2303 Email: joris.vanderstarre@brent.gov.uk

1.0 Purpose of the Report

- 1.1 The paper outlines the consultation responses received between 1 February 2018 and 15 March 2018 on the draft Shopfronts Supplementary Planning Document (SPD3). The consultation responses received have resulted in some minor amendments, with revised text now providing clearer guidance. When adopted by Cabinet the document will replace the existing Brent Shop fronts and shop signs (SPG7) adopted in 2003, which will need to be revoked.

2.0 Recommendations

- 2.1 Cabinet approves the proposed amendments as set out in Appendix 1 and adopts the Shopfronts Supplementary Planning Document (SPD3) as set out in Appendix 2.
- 2.2 Cabinet revokes the existing Brent Shop fronts and shop signs ('SPG7') adopted in 2003.

3.0 Detail

- 3.1 Brent's existing Shopfronts and Shop Signs Supplementary Planning Guidance (SPG7), adopted in 2003, is outdated, referring to planning policies that are no longer part of the development plan. This means that its weight as a material consideration in the determination of planning applications is limited. In addition the new Shopfronts Supplementary Planning Document (SPD3) provides more extensive guidance and clarifies design expectations for applicants, planning officers and the community on what is likely to be granted planning permission.
- 3.2 It is now required by law for Local Planning Authorities to periodically review development plan policies to ensure that they are up to date. It is good practice to review associated supplementary guidance. This is likely to result in sustaining its elevated status as a material consideration in the determination of planning applications. The date of the existing SPG7 hinders the weight that can be attached to it with regards to parts of its content, even though it is still referred to in the determination of planning applications.
- 3.3 Its replacement with SPD3 seeks to provide up-to-date guidance. High quality shopfronts can radically improve the character and appearance of an area. This enhances the experience of the people visiting town centres. It is one strand of a number of initiatives that Brent Council is implementing to increase the vitality and viability of town centres, which is a key corporate priority. The document also addresses the likely increase in demand for changes of use of shop premises to residential. SPD3 will assist with both the determination of prior approvals for permitted development and planning applications.
- 3.4 On 12th January 2018 the Strategic Director Regeneration and Environment in consultation with the Cabinet Member for Regeneration, Growth, Employment and Skills approved the draft SPD3 for consultation. Authority for the Strategic Director to make this decision was delegated by Cabinet decision related to the paper 'Updating the Council's Planning Strategy' agreed 13th February 2017.
- 3.5 The existing SPG7 is out of date with diminishing weight as a material consideration in the determination of planning applications. Its replacement with a more up-to-date document will improve the quality of advice given to applicants, improving the efficiency of the application process and also the community's understanding of the changes to shopfronts that will be regarded as acceptable. Consultation feedback did not indicate any significant objections to the draft document. Appendix 1 takes account of representations received and proposes amendments to the document. It is recommended that SPD3 (amended) as set out in Appendix 2 is adopted by Cabinet. To provide clarity on the status of the existing SPG7, it is recommended that Cabinet formally

revoke this document so that it is no longer regarded as a material consideration in the determination of planning applications.

4.0 Financial Implications

- 4.1 There are not considered to be any significant financial implications. A notification of adoption will be sent to respondees and relevant organisations on the planning policy database. The adopted SPD3 will be available to download from the Council's website, which will reduce the requests for paper copies. Financial costs of meeting these commitments have been accounted for in the Spatial Planning budget.

5.0 Legal Implications

- 5.1 Regulations provide for Local Planning Authorities to adopt SPDs. These documents are to provide more detailed guidance on how a development plan policy will be interpreted in the determination of planning applications. Supplementary planning documents cannot introduce new policy or allocate sites for development. Regulations¹ set out a period of three months for those aggrieved by the decision to challenge the adoption of an SPD through judicial review. Given the non-contentious subject matter, the risk of this happening is considered negligible.

6.0 Equality Implications

- 6.1 The Equality Act 2010 introduced a new public sector equality duty under section 149. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Council must, in exercising its functions, have "due regard" to the need to:
1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 2. Advance equality of opportunity between people who share a protected characteristic and those who do not.
 3. Foster good relations between people who share a protected characteristic and those who do not.
- 6.2 An Equalities Impact Assessment screening opinion has been undertaken (Appendix 3). This identified that converting underused shops to ground floor residential use will provide for more convenient level access for disabled people and families with children in buggies and also for older people who might not be disabled but have issues related to accessibility currently. Improved level access to retail shopfronts will also have similar benefits. The borough and its town centres also have a high representation of BME groups. The regeneration of the area should be positive for these groups due to the improvements which will be made.

7.0 Consultation with Ward Members and Stakeholders

- 7.1 Public consultation was undertaken for six weeks between 1 February 2018 and 15 March 2018. Notice was provided on the Council's website. SPD3 was

¹ Regulation 11(2)(d) of The Town and Country Planning (Local Planning) (England) Regulations 2012

made available on the Council's website to download and hard copies were available at local libraries. In addition, relevant stakeholders on the Council's Planning Policy consultation database were notified (consistent with the regulations).

- 7.2 Eight responses were received to the consultation, including three 'no comment' responses. These are set out in more detail in Appendix 1, along with officer comments and where appropriate recommended amendments to SPD3.

8.0 Human Resources/Property Implications

- 8.1 None arising specifically from the draft Supplementary Planning Document.

Report sign off:

AMAR DAVE

Strategic Director of Regeneration and Environment

Appendix 1

Shopfronts Supplementary Planning Document (SPD3)

Consultation Statement

June 2018

This Consultation Statement has been prepared in accordance with Regulation 12(a) and (b) of the Town & Country Planning (Local Planning) (England) Regulations 2012 which states:

“Before a local planning authority adopt a supplementary planning document it must –

(a) Prepare a statement setting out –

(i) the persons the local authority consulted when preparing the supplementary planning document;

(ii) a summary of the main issues raised by those persons; and

(iii) how those issues have been addressed in the supplementary planning document; and

(b) for the purpose of seeking representations under regulation 13, make copies of that statement and the supplementary planning document available in accordance with regulation 35 together with details of –

(i) the date by which representations must be made (being not less than 4 weeks from the date the local planning authority complies with this paragraph), and

(ii) the address to which they must be sent.”

This statement sets out details of the consultation that has taken place to date which has informed and refined the draft Supplementary Planning Document (SPD). It sets out the details of how, when and with whom the initial consultation with interested parties and organisations took place and how this had informed the draft SPD.

Background

High quality shopfronts can radically improve the character and appearance of an area. This enhances the experience of the people visiting town centres. It is one strand of a number of initiatives that Brent will have to take in dealing comprehensively with increasing the vitality and viability of town centres, which is a key corporate priority.

The document also addresses the likely increase in demand for changes of use of shop premises to residential. The draft Supplementary Planning Document will assist with both the determination of prior approvals for permitted development and planning applications.

Brent's existing Shopfronts and Shop Signs Supplementary Planning Guidance (SPG7), adopted in 2003, is outdated, referring to planning policies that are no longer part of the development plan. This means that its weight as a material consideration in the determination of planning applications is limited. In addition the draft Shopfronts Supplementary Planning

Document provides more extensive guidance and clarifies design expectations for applicants, planning officers and the community on what is likely to be granted planning permission.

Area of coverage

The London Borough of Brent, with the exception of areas in which the Old Oak and Park Royal Mayoral Development Corporation are the local planning authority.

Drafting the SPD

The SPD has been informed by a review led by the Council's Spatial Planning team, with input from urban design, conservation, development management, town centre and planning policy colleagues.

Consultation

The SPD has undergone public consultation (Regulation 13) between 1st February 2018 and 15th March 2018. In accordance with the council's Statement of Community Involvement, during the consultation period:

- the SPD and consultation statement were available on a dedicated website www.brent.gov.uk/SPD and in Brent Libraries at the following addresses:
 - The Library at Willesden Green, 95 High Road, Willesden NW10 2SF
 - Ealing Road Library, Coronet Parade, Ealing Road, HA0 4BA
 - Harlesden Library, Craven Park Road, Harlesden, NW10 8SE
 - Kilburn Library, 42 Salusbury Road, Kilburn NW6 6NN
 - Kingsbury Library, 522 - 524 Kingsbury Road, Kingsbury NW9 9HE
 - Wembley Library, Brent Civic Centre, Engineer's Way, Wembley HA9 0FJ
- interested groups on the Local Plan consultation database were emailed and invited to comment
- the consultation has been publicised via social media

Consultation comments have been taken into consideration in the preparation of SPD3 and responses are identified below. These comments together with recommended changes to the Draft Shopfronts Supplementary Planning Document (SPD3) will be presented to Cabinet in June 2018 for its consideration. The document will become adopted when approved by Cabinet. At that time SPG7 will be revoked.

Summary of Responses and Recommended Changes

Consultation responses and proposed changes to the document are set out in the recommendations below. Additions to text are underlined whilst with deletions are highlighted with ~~strikethrough~~.

Respondent	Highways England
Response	No objection
Officer Response	Noted
Recommendation	None
Respondent	Willesden Green Town Team
Response	Willesden Green Conservation Zone

	<p>The Willesden Green Conservation Area designated in January 1993, is a shopping parade over one mile long occupying the High Road, Walm Lane and their tributary roads and stretching from St Andrews Church to Willesden Green Underground Station. It is predominantly a retail centre comprising of Victorian, Edwardian as well as Arts & Crafts era architecture, so the SPD will have a major impact on the future preservation of this heritage.</p> <p>This shopping parade is punctuated by a number of listed buildings by well-known architects including St Andrew's Church (1886-87), the original Willesden Green Library (1893-94) and Barclay's Bank (1902) premises, the Spotted Dog (1881) and the Metropolitan Railway Station (1924).</p> <p>The Willesden Green Conservation Zone is at particular risk of insensitive development due to the pressures of a growing population and the popularity of this well-connected neighbourhood. The sheer number of Shopfronts in the Conservation Zone means that there are always changes being made, which affect the character of buildings and over time the character of the whole area. The Shopfront design guide and its enforcement are key to preventing the erosion of the historic character of the area.</p> <p>a) The Conservation Zone</p> <p>i) For the reasons stated, we would like to see a Design Guide specifically for the Willesden Green Conservation Zone, as there are for others such as the Mapesbury Conservation Zone and Queens Park.</p> <p>ii) For the avoidance of ambiguity, the Shopfront Planning Document should also list all of the Conservation Zones across Brent.</p> <p>b) 1.0 Introduction / 1.2 Background to Document</p> <p>The Design Statements submitted with an application for any work to the shopfront should demonstrate not only how the proposal accords with the guidelines in the SPD3, but also the Conservation Zone.</p> <p>c) 2.2. Principle 2: Attractive Display Windows</p> <p>There are too many examples in our area where retailers (particularly newsagents) have cluttered window displays. It would be very helpful if this section of SPD3 provided greater clarity on the allowances and objections on such display windows.</p> <p>d) 2.3 Principle 3: Uncluttered Shop Signs and Advertisements</p> <p>i) A-boards – there should be greater restrictions on the use of A-boards. Generally the pavements along Walm Lane and the High Road are cluttered with shop A-boards. These serve very little purpose and should be removed completely.</p> <p>ii) Projecting or hanging signs – there should be great restrictions on such signs. Again, Walm Lane and the High Road contain many projecting or hanging signs, of different size and positioning. This creates a messy and overly busy high street, which contradicts the aims of SPD3. Also, in the digital age of Google Maps etc., the purpose of the projecting or hanging signs (to assist in people locating a shop) is largely redundant. It is hoped SPD3 can be updated to ensure such signs are prohibited.</p> <p>e) Estate Agent Boards</p> <p>Additional restrictions to be added alongside 'A-boards', to prevent the installation of Estate Agent 'for sale/let' boards on or above shopfronts. These boards in varying sizes become eyesores, often fixed to stick out over the pavement and eventually become permanent fixtures on buildings scattered along the entire high street. Such boards are sometimes left on properties indefinitely and attract vermin (i.e. pigeons). In the same way as projecting or hanging signs, these Estate Agent boards should not be permitted – particularly in a conservation zone.</p> <p>f) 2.8 Principle 8: Avoiding light pollution</p> <p>i) The SPD states that 'illuminated signs larger than 5 square meters will only be appropriate in exceptional circumstances'. This suggests that illuminated signs up to 5 square meters would be acceptable, however it is unclear whether 'illuminated' signs would include neon signs or fully lit background panels (e.g. similar to Foxtons or Lezziz Express on Station Parade) which can be excessively large and bright.</p> <p>ii) For clarity, to include an additional point that 'illuminated projecting or hanging</p>
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	<p>signs are not permitted' (often seen in the shape of green neon cross signs outside Pharmacies)</p> <p>g) 2.9 Checklist : Shopfront design Consider addition of an additional: 'Principle 9 – Do the proposed changes meet the restrictions and guidelines of the Conservation Zone?'</p> <p>h) 3.6 Checklist : Converting shops to residential Consider addition of another principle: 'Principle 6 – Do the proposed changes meet the restrictions and guidelines of the Conservation Zone?'</p> <p>i) Services : Shopfronts & Converting Shops to Residential Space i) Particular attention should be paid to create adequate and sanitary storage facilities for bins and waste outside the front or rear of Shopfronts and Residential properties. ii) Likewise clear guidance should be given for siting of services including Satellite dishes not just for Shopfronts, but also residential conversions. General – it would be very helpful for users of SPD3 to understand the enforcement and penalties of noncompliance. Such details should be included here, otherwise, there is little or no incentive to comply with the guidelines.</p>
Officer Response	<p>a) Willesden shopping district is mentioned in 2.1 however there are no immediate plans to update Willesden Green's CA Character Appraisal with a section on shopfronts at present.</p> <p>b) Re-write to include "and any other material consideration including conservation design guides".</p> <p>c) It is hard to quantify and often only happens in use, after planning applications are decided and is often outside the scope of planning control. The current wording is hoped to be sufficient to indicate the objectives and make judgements on a case by case basis.</p> <p>d) The document already states that A boards "should generally be avoided". We have removed the word "generally" to strengthen the language. Projecting signs – As these are a common feature of well-designed traditional shopfronts, it would go too far to ban these and it is felt sufficient limits are described within the document to sufficiently reduce negative effects.</p> <p>e) Temporary advertisements such as estate agent boards often benefit from 'deemed consent' under national regulations and so the Council cannot control such boards in these circumstances.</p> <p>f) Agreed. Backlight signs should be avoided in favour over up/down lights.</p> <p>g) and h) Agreed. (Conservation Area, not 'Zone')</p> <p>i) i) Servicing and waste is mentioned in 3.4 ii) Satellite dishes are a problem on the street scene and can be mentioned.</p> <p>General - agreed – include powers of enforcement in introduction.</p>
Recommendation	<p>a) Willesden shopping district is mentioned in 2.1 however there are no immediate plans to update Willesden Green's CA Character Appraisal with a section on shopfronts at present. No change</p> <p>b) 1.0 Introduction / 1.2 Background to Document - Proposals to create, alter, replace or restore a shopfront or to convert a shop unit to residential use should conform to the relevant design principles in this SPD <u>and any other material consideration including conservation design guides.</u></p> <p>c) No change</p> <p>d) The use of A-boards and similar type of on-street advertising can create visual clutter and obstruction to movement and should <u>generally</u> be avoided. It may only be acceptable within the <u>private</u> forecourt of the shop and where it does not hinder pedestrian movement. Modest designs, <u>sizes</u> and colours should be used, in keeping with the fascia designs</p> <p>e) <u>The installation of Estate Agent 'for sale/let' boards on or above shopfronts should be avoided over and above what is permitted as deemed consent in national regulations.</u></p>

	<p>f) Flashing or variably lit shop signs are not normally given consent. Illuminated signs larger than 5 square metres will only be appropriate in exceptional circumstances. Illuminated projecting or hanging signs are not permitted.</p> <p>g) 2.9 Checklist : Shopfront design <u>Principle 9 – Are there any other material considerations to consider such as conservation design guides?</u></p> <p>h) 3.6 Checklist : Converting shops to residential <u>General Policy – Are there any other material considerations to consider such as conservation design guides?</u></p> <p>i) ii) The storage of domestic waste should not dominate the frontage of the building <u>and satellite dishes should be avoided on building frontages where permission is required.</u></p> <p>General: Add in 1.3: It is advisable to contact the Development Management Team before carrying out any alterations or displaying advertising. <u>The Council's Planning Enforcement Team holds powers of enforcement to ensure compliance with legislation, policies and guidance.</u></p>
Respondent	Historic England
Response	<p>Historic England welcomes the production of this document. It contains clear and concise guidance, which should help applicants and decision makers preserve historic shopfronts and enhance modern ones; improving the management of the historic environment and promoting good design. To strengthen the document you may wish to include an appendix with images of particularly good shopfronts that the Council would resist the loss of. An example of where this has been done elsewhere is the Soho and Chinatown Conservation Area Audit in Westminster. Such an appendix might also allow you to include greater detail about different types of buildings that have developed particular styles of shopfronts such as banks and pubs.</p> <p>In relation to the SEA screening report, Historic England agrees with the Council's conclusion that the SPD is unlikely to have a significant effect on the environment. As this document provides guidance to support Council policies that have already been the subject to SEA, we also agree that a full SEA would not be required.</p>
Officer Response	Agreed and noted.
Recommendation	Appendix included
Respondent	Natural England
Response	The topic of the Supplementary Planning Document does not appear to relate to our interests to any significant extent. We therefore do not wish to comment.
Officer Response	Noted.
Recommendation	No change
Respondent	Cathy Munonyedi
Response	<p>I love the new draft Shopfront SPD it is a very attractive and informative document which I fully support and will be useful with regards the forthcoming revamp of Kingsbury Road town centre frontages where there are many poor examples of clutter and unsightly spillage onto the pavement area of goods. I have suggested some additional wording to Para.1.3 highlighted in blue.</p> <p>1.3 Permissions and consents Most alterations to a shop front will require planning permission. However, routine maintenance works generally do not. In the case of listed buildings, locally listed buildings and buildings within conservation areas there are further restrictions. This is to ensure that alterations and additions do not harm the appearance of the area and are sympathetic to the integrity of the original building. In addition, Advertisement Consent may also be required to display a shop sign. It is advisable to contact the Development Management Team before carrying out any alterations or displaying advertising and <u>in relation to the change of use.</u></p>
Officer Response	Overall positive support noted. Change in wording considered unnecessary as

	this sentence is in a paragraph only about shopfronts. Change of use is covered in the paragraph below.
Recommendation	No change
Respondent	Network Rail
Response	Network Rail has no comments on the above policy
Officer Response	Noted
Recommendation	No change
Respondent	Agnes Peyser
Response	I believe that recessed shopfronts (if not already existing) should not be permitted because of potential Anti-social behaviour use. Also rigid structures like wooden terraces/decks should not be permitted even on private land in front of a shop. A boards should be placed against the frontage of the shop inroaching a maximum of 80cm onto the pavement. Permissible sizes of a boards should be defined. A boards are a danger to pedestrians.
Officer Response	Noted. Recessed shops are in practice not proposed by land owners as they reduce shop size. A-boards are already covered in the text as to be avoided.
Recommendation	See Willesden Green Town Team section above for minor changes in text on A boards
Respondent	S. Helbig
Response	I am concerned that the council is imposing such detailed requirements from alignment of windows between floors to colours, materials or character/style of building fronts having to conform with neighbouring buildings. It takes away individuality and creates too much complexity for commercial or private owners. Basic aspects like preserving space for pedestrians, safety, privacy, historic and environmental considerations are obvious. But anything beyond should be limited to an absolute minimum. Any subjectivity or vagueness should also be avoided (cluttering, character, colours etc.). It is important to preserve individuality and opportunity over bureaucratisation and complexity of regulations.
Officer Response	Noted. The guidance is considered necessary to retain or improve shopfronts and high streets and allow sufficient opportunity for individuality. A level of unity and coherent character, building on existing positive character, are essential for a high quality environment.
Recommendation	No change



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Useful guidance & contacts

- [Outdoor Advertisements and Signs, DCLG](#)
- Development Management Team - 020 8937 5210 or planandbuild@brent.gov.uk
- Licencing Team - 020 8937 5359 or business.licence@brent.gov.uk

1.0 Introduction

1.1 The importance of shopfronts

Shopfronts play a key role in establishing and defining the character of Brent's town centres and neighbourhood shopping parades. Improvements to the physical appearance of individual shopfronts can have a cumulative benefit to a shopping area as a whole, contributing to vibrancy and attracting shoppers and visitors. Similarly, the design of residential units, converted from former shops, influences the quality of its surroundings.

1.2 Background to document

This document is a Supplementary Planning Document (SPD) to Brent Council's Local Plan, specifically policies DMP 2, DMP 4 and DMP 4A. Once adopted, this SPD will be a material consideration in the determination of planning applications.

Proposals to create, alter, replace or restore a shopfront or to convert a shop unit to residential use should conform to the relevant design principles in this SPD and any other material consideration including conservation design guides.

A *design statement* should be submitted alongside any application to demonstrate how the proposal accords with the guidance in this SPD. The design statement should include a plan, section and elevation and should include adjacent buildings and upper floors. Applications which aren't accompanied by a design statement are unlikely to be successful.

Policy DMP 4A: Shopfront design and forecourt trading

"Proposals for shopfronts and forecourts will be required to retain shopfronts of architectural or historic merit, demonstrate a high quality of design, complementing the building and adjoining properties."

Forecourt trading will be permitted where it does not cause an obstruction to pedestrians or nuisance to neighbouring residential occupiers."

1.3 Permissions and consents

Most alterations to a shop front will require planning permission. However, routine maintenance works generally do not. In the case of listed buildings, locally listed buildings and buildings within conservation areas there are further restrictions. This is to ensure that alterations and additions do not harm the appearance of the area and are sympathetic to the integrity of the original building. In addition, Advertisement Consent may also be required to display a shop sign. It is advisable to contact the Development Management Team before carrying out any alterations or displaying advertising. The Council's Planning Enforcement Team holds powers of enforcement to ensure compliance with legislation, policies and guidance.

A licence is required to undertake some activities, and is separate to planning permission. For example street trading from a forecourt and street cafés require a separate licence from the council's Licencing Team.

In some circumstances converting unviable shop units on the periphery of town centres to a residential unit may inject life into vacant buildings on underperforming streets. DMP 2 sets out where conversions through either a planning application or prior approval application will be acceptable in town centres, whilst policy DMP 4 sets out where this will be acceptable outside of town centres. The emerging new Brent Local Plan will also consider issues around shops and town centre uses.

Policy DMP 2: Supporting Strong Centres

"Unviable secondary frontage on the periphery of town centres will be acceptable for residential development"

Policy DMP 4: Neighbourhood Parades and Isolated Shop Units

"Loss of A1, A2, A3 uses or launderettes in neighbourhood parades or isolated shop units outside designated town centres will be permitted where the centre or unit is within 400 metres of equivalent alternative provision; and is unviable; or the proposal will provide a community facility for which there is a demonstrable need."

Where permitted sympathetic retention of any existing shop front will be required unless a high quality alternative more sympathetic to the building's qualities or street scene will be delivered"

2.0 Design Principles

2.1 Principle 1: Positive shopfront character

Before altering or replacing a shopfront, consider the quality of the existing shopfront. To help guide you information on typical shopfront elements and typologies in Brent is provided here. Shopfronts of architectural and historic merit must be retained and restored. Others should be restored to original designs wherever possible, especially on in streets with other traditional shopfronts. The age and type of the buildings will be a good indicator of the original shopfront type.

Traditional shopfronts: *Victorian*

The earliest shopfronts in the borough mainly date from the middle to late 19th Century and are predominately Victorian (c.1840-1900). Victorian shopping districts include: Cricklewood, Kensal Rise, Queen's Park and Willesden. They all follow the same overall format and are designed with classical details. Window details have a vertical emphasis with thicker mullions to support heavier glass.

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Traditional shopfronts: *Edwardian*

The Edwardian period introduced taller shopfronts with vertical emphasis. As time went by stallrisers were lowered, fasciae were enlarged and doorways recessed. Harlesden High Street was rebuilt in the Edwardian period (c.1900-1915).



The main surrounding frame to the shop, consisting of pilasters, corbel and fascia, should be respected. If it was removed previously, it should be replaced. Identify a local example that retains original details. Keep the fascia narrow, repair the corbels which separate the fasciae, repair the pilaster and its mouldings, avoid cladding it and seek to paint it in a single unifying colour.

20th Century shopfronts

There are limited surviving examples of early 20th Century shopfronts within the borough, although there are countless such shopping parades. These used extensive glazing elements and extended to the height of their shop fronts and were without mullions. Changes in glass production allowed larger, stronger plates of glass. These shops sometimes used curved glass. Thinner pilasters were also used, and lighting was usually incorporated into the design. New and experimental ideas and methods were introduced in the 1920s and 1930s including the use of chrome and Vitrolite.

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Contemporary shopfronts

Shops from this period will have modern shopfronts already integrated. Today, shopfronts tend to contain large expanses of glass that are undivided. Wider, level entrances have improved access to facilitate all shop users. Materials such as plastics, powder coated metal, stainless steel as well as branding are now common as contemporary retail construction lends itself to this type of design.



Architectural elements found in a traditional shopfront

Architrave A lintel or beam resting on the capitals of the columns.

Brickbond The style of laying bricks to create a pattern.

Capital Capitals top the pilaster. The height of the capitals will usually define the depth of the fascia sign.

Corbels (or console brackets) A decorative projecting feature marking the end of one shop and the beginning of another. Located above the capitals and at the end of the fascia.

Cornice Located above the fascia to serve as a separation and interface between the fascia and the rest of the building. It usually projects and may be decorated. It is often capped in lead to weather-proof the shopfront.

Fanlight A window directly above the doorway and of the same width. These are sometimes hinged for ventilation.

Fluting Shallow grooves running vertically along a surface. A pilaster shaft may have this detail but fluting is not restricted to pilasters alone.

Grille A ventilation grate usually decorated. In the labelled diagram the grille has been incorporated into the panelled stallriser.

Mullion A vertical glazing bar that subdivides the display window to reduce its scale.

Panelling A decorative feature usually found in shop doors and stallrisers.

Pilasters The vertical projecting elements that divide and frame the shopfront. They project slightly from the wall forming a half column and may be constructed in a different material or decorated. They usually have a plinth at the bottom and a capital at the top.

Plinth The base of the pilaster.

Sill The lowest part of the window frame. Window sills hold the mullions in place and slope outward to drain water.

Spandrels The triangular space between one side of the outer curve of an arch, and the ceiling or framework.

Stallriser A solid panel between the window sill and the ground. This reduces the size of the glazed surface and provides protection to the shopfront.

Transom A horizontal glazing bar or crossbar that subdivides the display window to reduce its scale.



Figure 1

2.2 Principle 2: Attractive display windows

Large expanses of undivided glass are usually inappropriate for shopfronts.

Vertical and horizontal subdivision of the building façade should be achieved by:

- Retaining or installing mullions (vertical glazing bars) and transoms (horizontal glazing bars).
- Retaining or installing a stallriser at the base of the shopfront display of at least 300mm in height. A stallriser can also be beneficial by preventing damage to the glazing and reducing dirt or staining.

Cluttered display windows, or closed panels within the shopfront, full of smaller advertising and posters should be avoided.



2.3 Principle 3: Uncluttered shop signage and advertisements

The display window is a shop's main visual link to the shopping street. Advertisements will need to be carefully considered and should not detract from the character and appearance of their setting, or impact on highway safety.

Fascia

A well designed fascia will give shopfronts individuality and will relate well to the scale, character and features of adjacent buildings. The fascia should complement rather than obscure or damage existing architectural features including windows.

As illustrated by the figure below the fascia should be located below the sills of the first floor windows (allowing 600mm where practicable) and not extend above the cornice. The fascia should be positioned between the corbels and above the highest part of the windows.

A shopfront should generally have only one fascia to avoid clutter. On double shopfronts, the dividing corbel and pilaster should be retained and the sign divided into two.

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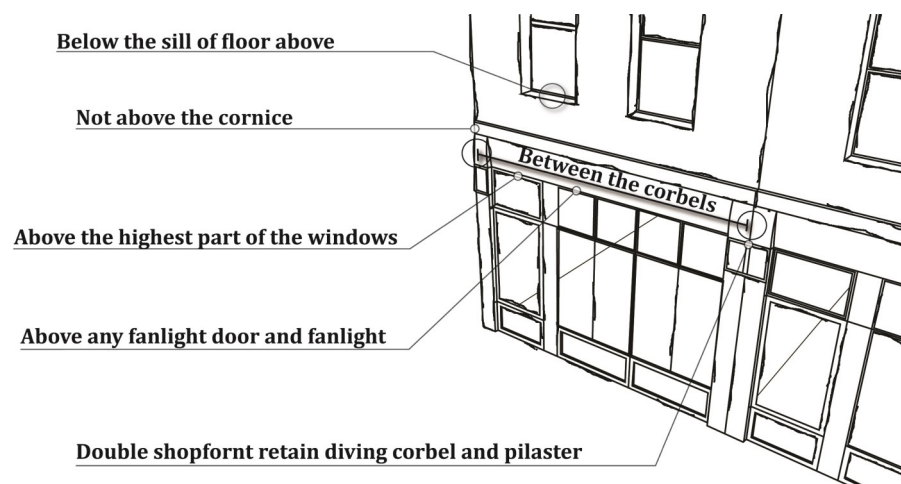


Figure 2



Modest fascia with limited text. The banners on the guard rails detract from the public realm and require advertisement consent



Fascia signage design

In order for the fascia signage to appear uncluttered, the text should take up only a modest part of the fascia. Generally text should cover no more than half the width and half the height of the fascia and the font should not be higher than 30cm (one foot).

Secondary text underneath the main text can be up to half the size of the main text and tertiary text, to the sides of the fascia can be up to a quarter of the main text. All text should be in English. A modest logo or small text can appear either side of the text. Figure 3 illustrates permissible options.

The fascia should be in a single colour. Pastel colours are preferred for fasciae. For traditional shopfronts and traditional buildings, bright coloured fasciae, signage and advertisements should be avoided. Extending fasciae with secondary fasciae/advertising underneath the fascia should be avoided.



Modest fascia with minimal text of limited size. The blank space around the text actually draws more attention to the shop name



Figure 3



A-boards

The use of A-boards and similar type of on-street advertising can create visual clutter and obstruction to movement and should be avoided.

It may only be acceptable within the private forecourt of the shop and where it does not hinder pedestrian movement. Modest designs, sizes and colours should be used, in keeping with the fascia designs.

Estate Agent boards

The installation of Estate Agent 'for sale/let' boards on or above shopfronts should be avoided over and above what is permitted as deemed consent in national regulations.



Positive shopfronts with modest fascia signage in pastel colours (and one poor exception)

High level signage

Signage or advertising displayed at a high level will rarely be acceptable, particularly if it is large, on flank walls, or visible from residential areas.

Projecting or hanging signs

Only one small, projecting sign will be allowed per frontage to avoid clutter. This will be modestly sized, slim-profile, non-illuminated and of a style that complements the fascia. Projecting signs should be positioned at fascia level and on the side that is commonly used by other shops on the street. Never fix projecting signs to corbels. The sign should not project too far from the fascia and be consistent with the dimensions shown in the figure below. Projecting signs should not be used on listed buildings and in conservation areas, unless it has been identified as an original characteristic of the building or the area.

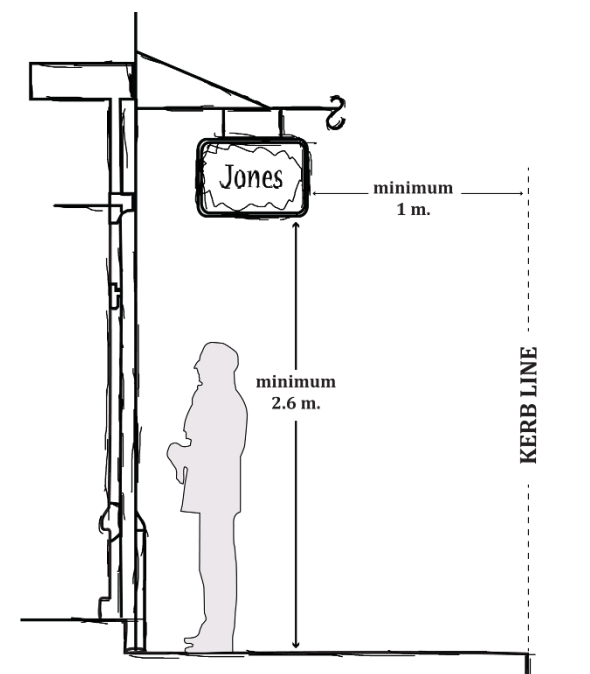


Figure 4

2.4 Principle 4: Relating to the building and streetscene

The shopfront should not be designed in isolation. The proposed design should relate in scale, proportion and architectural style to the host building and the wider streetscene.

A shopfront should continue the design language of the building and adjacent shops by acknowledging the common features that occur on the parade or terrace of shops.



2.5 Principle 5: Equal access for all users

New shopfronts should allow safe, easy and convenient access for all users of the building including disabled groups, elderly people and those with prams. A shopfront access point should be level and wide enough to allow entry for all users.

Forecourt trading and seating can enliven streets and is generally encouraged and will be permitted where it does not cause an obstruction to pedestrians or nuisance to neighbouring residential occupiers.

To prevent conflict, forecourts should be clearly delineated from the main pavement, allowing sufficient space for the free flow of pedestrians. This will require a clearance of:

- 3m for primary pedestrian routes, where there is heavy footfall (town centres, busy shopping areas and public transport nodes)
- 2m for all other pedestrian routes, where there is less footfall

The above clearance should be free of any obstructions, including lamp posts and street furniture. As mentioned in paragraph 2.3, the use of A-boards and similar type of on-street advertising should generally be avoided.



Positive seating area, fascia and canopy, but advertising obstructing the footways



2.6 Principle 6: High quality materials

In the case of original and traditional shopfronts, materials were usually wood, brick and stone and sometimes iron work. Restoration of these shopfronts should replicate the original materials of the host building and be as true to the original shop front as possible.

On modern shop fronts robust materials will be considered but plastics, bare metal and reflective materials should be avoided.



2.7 Principle 7: Integrating fixtures, services and entrances

Canopy

A canopy (blind or awning) should be at ground floor level only and should not span more than one structural bay. They should complement the design of the shopfront, and be in suitable colours and materials (i.e. canvas or rayon). Acrylic, glossy or plastic canopies will be discouraged, as will bright florescent colours.

The canopy should retract into a blind box that is integrated into the overall shopfront and it should be flush with the fascia level. Unretractable, bulky, curved, rigid framed or Dutch blinds should be avoided. Blinds and rigid canopies should project no more than 2 metres from the fascia and be consistent with the dimensions shown in the figure below.

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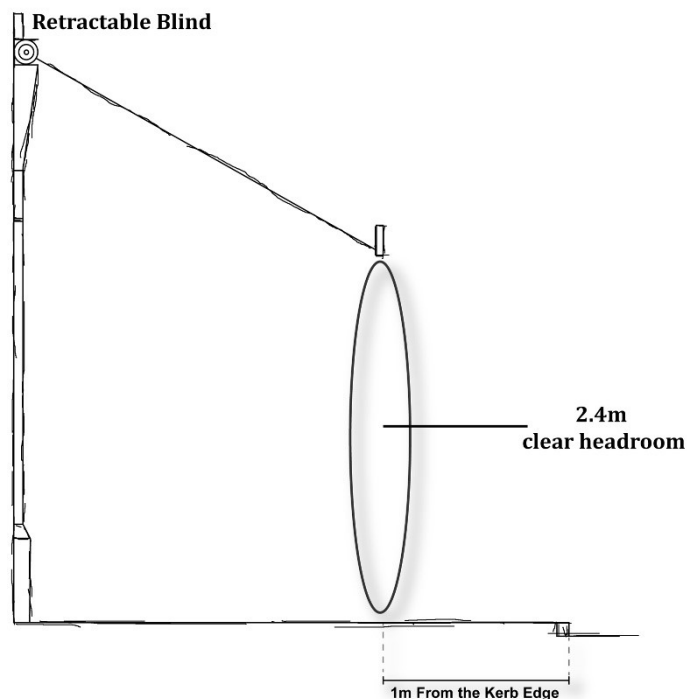


Figure 5

Shutters

Solid or pin-hole roller shutters fail to contribute positively to the character and appearance of the streetscene and can attract graffiti. The following alternative security measures should instead be used, in order of preference:

- 1) Laminated and toughened glass.
- 2) Internally fitted open type shutter, which can be retracted or stored out of sight during business hours. These do not require planning permission unless they are to be installed within a listed building, in which case Listed Building Consent will also be required.
- 3) Only where it can be demonstrated it is necessary for insurance purposes will external shutters be acceptable. In which cases they must be open type and powder coated to match the shop front.

The shutter box and guide rails are to be concealed, for example behind or incorporated with the fascia panel, to avoid obscuring architectural features.

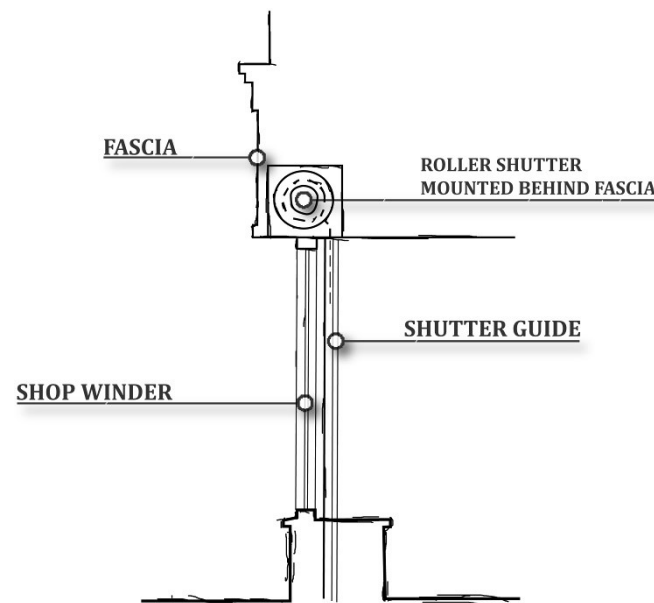


Figure 6



Secondary entrances

If a building has a secondary access door to serve upper floors, this should be considered with the design of the shopfront for uniformity.

Services

Careful consideration should be given to the siting of services, plant, machinery or equipment (including telecommunication equipment, satellites and food extractor fans). Services should be located at the rear of a building to remain out of view from the main street or screened from view.



An external shutter of this style will only be acceptable where it can be demonstrated it is necessary for insurance purposes.

Cash machines

An acceptable cash machine will be installed in a recess or within a window bay on the busiest elevation of the building. Architectural features should not be removed to install the machine. The machine should:

- Be treated as an integral part of the building's design and in keeping with the building
- Be accessible to all users
- Have minimal display material
- Not be located so as to cause problematic queuing
- Not dominate the shop display frontage



2.8 Principle 8: Avoiding light pollution

Lighting should be integrated into the shop sign. External illuminated signs are preferable in all circumstances and internally illuminated signs will not normally be permitted.

Illumination levels should be in keeping with the area in which they are located. The fascia should only be illuminated in a subtle way and should not cause disturbance to others due to its intensity or direction. The effect on traffic should be considered when positioning lighting to avoid driver distraction or glare. Flashing or variably lit shop signs are not normally given consent. Illuminated projecting or hanging signs are not permitted.

Permission for illuminated shop signs adjacent to residential properties will have conditions attached which restrict illumination to the hours when the premises are open. In the case of premises with long opening hours, a reduction in the overall level of illumination will be considered.



Modest external lighting on a traditional fascia



2.9 Checklist: Shopfront design

This checklist should be used to ensure the design principles have been met.

Principle 1 - *Positive shopfront character*

- What are the positive architectural features of the shopfront?
- Has the existing shopfront be retained and restored or an original shopfront reinstated?

Principle 2 - *Attractive display windows*

- Is the shopfront broken up by vertical and horizontal elements to avoid a large dimensions of glass?
- Are closed panels or inactive panels filled with advertising avoided?

Principle 3 - *Uncluttered shop signage and advertisements*

- Is all signage kept to a minimum, to avoid a cluttered appearance, and integrated into the shopfront?
- Is the fascia signage designed well, in accordance with figure 3?
- Is the fascia located so as not to obscure architectural features?
- Is the fascia positioned to be consistent with adjoining buildings?
- Does the shopfront have no more than one small projecting sign positioned at fascia level (see figure 4)?

Principle 4 - *Relating to the building and streetscene*

- Does the shopfront relate in scale, proportion and architectural style to the wider building?
- Does the shopfront relate in scale, proportion and architectural style to the wider parade of shops?

Principle 5 - *Equal access for all users*

- Does the shopfront allow equal access to all, including wheelchair users?
- Is the forecourt clearly delineated from the main pavement, allowing sufficient space for the free flow of pedestrians?

Principle 6 - *High quality materials*

- Have robust, high quality materials been used?
- Are the materials compatible or complementary in colour and texture to the existing building?
- In case of traditional shopfronts, have the original materials been replicated?

Principle 7 - *Integrating fixtures, services and entrances*

- Are canopies (blind or awning) integrated into the shopfront and consistent with the proportions in figure 5?
- Are roller shutters internally fitted, powder coated and either brick bond or open in style?
- Is the roller shutter box and guide rail concealed as illustrated by figure 6?
- Do fixtures, security features, services and secondary entrances integrate with and complement the building and shopfront?
- Are services located to the rear of a building to remain out of view from the main street or screened from view?

Principle 8 - *Avoiding light pollution*

- Has any externally illuminated shopfront been sited and designed so as not to cause disturbance to others, including residents and passing traffic?
- Have internally illuminated fasciae and signs been avoided?
- Are lighting levels in keeping with the character of the area?

Principle 9 - *Other considerations*

- Are there any other material considerations to consider such as conservation design guides?

3.0 Converting shops to residential - Design principles

3.1 Principle 1: Positive shopfront character

There will be a strong preference for retaining the existing shopfront. In cases where the shopfront cannot be retained or there is an absence of character or quality that would justify its retention, the applicant may wish to reinterpret the shop front. Only where all other options have been considered, the applicant may remove the shopfront and infill the void. Retention or recreation of a decorative fascia is essential to create an attractive façade that recognises the previous use of the building.



3.2 Principle 2: Relating to scale, proportion and style

In exceptional circumstances where removal of the shopfront is justified, the infill area will need to be of a scale and proportion that is in keeping with the character and appearance of the rest of the host building. A proposal should follow the shape, style and detailing of the upper floors above the shop front.

New windows should be arranged to either line up with the corner or centre line of the window above and match the style, proportions and subdivision of the original windows. The height and width of the new openings should create a balanced elevation. Corner buildings should maintain a dual aspect to respect the original dual aspect windows and features which will maintain the natural light, amenity and surveillance.



3.3 Principle 3: Ensuring privacy

All residential conversions are required to provide suitable amenity, and will need to achieve relevant design standards in the London Plan and Local Plan. In the case of retail to residential conversions, creating a living environment with an acceptable level of privacy presents challenges.

Buildings originally designed as homes usually use gardens to set the residential units back from the street to afford more privacy for residents. In contrast, shopfronts tend to front public pavements and busy roads with large display windows designed to attract attention.

The temptation to infill the shopfront with as little glazing as possible could adversely impact the character and appearance of the host building and the wider area as a whole, especially if the proposal is set amongst shops or conversions which retain shopfront features.

The following options can be used to create privacy:

- Opaque glass
- Glazing bars to break large display windows down into smaller panes
- Internal louvers, venetian blinds or wooden shutters
- The reinstatement of front gardens and a low boundary wall or fence to enclose any forecourt
- Separation through a raised planting bed to the height of a stall riser
- Materials that clearly delineate semi-private space
- Locating quieter rooms to the rear of the property



Key policies applying to residential conversions:

- *Brent Local Plan*
 - policy DMP 1: Development Management General Policy
 - policy DMP 12: Parking
 - policy DMP 18: Dwelling Size & Residential Outbuildings
 - policy DMP 19: Residential Amenity Space
- *London Plan, GLA*
 - policy 3.5: Quality and Design of Housing Developments
- *Housing SPG, GLA*
- *Brent Waste Planning Guide*

3.4 Principle 4: Suitable access and servicing

If the proposal is to convert the building into separate flats, consideration should be given as to how flats on upper floors will be accessed. Access is best provided from the main street. If the host building is too narrow, an arrangement whereby a single external door leading to individual internal doors for each flat is recommended. Rear and side access should be avoided.

Existing private or shared alleys to the rear or side of properties may be closed off by means of a gate to increase safety and reduce anti-social behaviour. Where suitable active frontage can be achieved it is preferable to maintain the alley as public space to form attractive environments with entrances to residential units.

It must be ensured that car parking and servicing, such as appropriate storage for domestic waste, has been integrated into the design in accordance with the council's adopted standards. The storage of waste should not dominate the frontage of the building and satellite dishes should be avoided on building frontages where permission is required.



3.5 Principle 5: High quality materials

The choice and quality of materials will play a pivotal part in determining the success of a retail to residential conversion. Materials should match or at least complement the floors above and neighbouring buildings.

Brickwork can prove particularly challenging to replicate. The brick should match and follow the same brick bond, mortar style and colour. UPVC doors and windows are generally inappropriate.



3.6 Checklist: converting shops to residential

This checklist should be used to ensure the design principles have been met.

General Policy

- Does the proposal conform with relevant Local Plan and London Plan policies and the Mayor's Housing SPG?
- Are there any other material considerations to consider such as conservation design guides?

Principle 1 - *Positive shopfront character*

- Has the original shopfront been retained?
- Where it is not possible to retain the shopfront in its entirety, have original features been retained or reinstated?

Principle 2 - *Relating to scale, proportion and style*

- Have the design features of the upper floors guided the design of the proposal?
- Do windows align with those on upper floors?
- Does the design demonstrate a positive impact on the host building and compatibility with the character and appearance of the local area?

Principle 3 - *Ensuring privacy*

- Is an acceptable size and quality of functional living accommodation and adequate external space provided?
- Has adequate privacy been achieved without adverse impacts on the character and appearance of the host building and the street scene?
- Has the positioning of quiet rooms such as bedrooms been considered?

Principle 4 - *Suitable access and servicing*

- Does the design consider how upper floors are to be accessed if the proposal is to subdivide the building?
- Is car parking required and if so can it be appropriately accommodated?
- Is there appropriate storage for domestic waste to avoid placing bins on the pavement?

Principle 5 - *High quality materials*

- Have robust, high quality materials been used?
- Are the materials compatible or complementary in colour and texture to the existing and neighbouring buildings?

Appendix - Examples of shopfronts that Brent would resist the loss of





Spatial Planning

Brent Civic Centre

Engineer's Way

Wembley HA9 0FJ

www.brent.gov.uk/spd3

Appendix 3

Draft Shopfronts Supplementary Planning Document (SPD3) Equality Analysis

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 Shopfronts Supplementary Planning Document (SPD3) will when adopted replace an existing Shopfronts and Shop Signs Supplementary Planning Guidance (SPG7) which was adopted in 2003. This document sets urban design principles and advice that will ensure that the quality of built development that comes forward in the Borough is improved. It is supplementary to planning policies in the 2010 Brent Core Strategy, plus other policies within the Brent Local Plan and the London Plan.

The overarching objectives of the SPD are:

- a) To support the re-development and re-use of shops, creating a good environment for new and existing residents and businesses; and
- b) The expectation that developers will demonstrate how their proposals make a positive design contribution to the Borough as a whole and relate well to the surrounding area.

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

The proposal will impact on local residents and local businesses. The SPD will be applicable across the whole Borough. As such the population characteristics are:

Roughly 50/50 male/female population split.

The population has a white British representation at 16.4%, Asian/Asian British (Indian Sub-continent) at 23.8% and a Black/African/Caribbean/African British population split at 18.8%.

In terms of disability 14.5% of the population have their day to day activities limited by health issues.

In terms of religion 41.5% are Christian, 18.6% are Muslim and 17.8% are Hindu in Brent.

In terms of the age of the population, Brent has 24.9% of the population as younger people (under 20) whilst over 60s represent 14.5% of the population.

It is estimated that the Lesbian, Gay and Bi-sexual (LGB) population in Brent is between 15,561–21,785; 3112 people experience gender variance and 62 are transgender people.

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

The SPD seeks to build on Local Plan policies that provide accessible development.

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 considered that the proposed developments will have a disproportionate adverse impact on groups with protected equality characteristics. More detail is set out below in Section 5.

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

No, neither directly or indirectly as a result of the SPD.

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

The guidance relates to the Borough as a whole although with some particular relevance to town centres, which have some areas of high levels of deprivation as measured by the Indices of Multiple Deprivation.

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

As set out above, the guidance will be sensitive or important for some people because of their equality characteristics.

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

The SPD relates to a multiplicity of strategic priorities and equality and human rights objectives as set out in the Equalities Action Plan 2015. These include:

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

This will be delivered through an emphasis on providing high quality shops with well-designed shopfronts.

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.

This does not relate to the content of the SPD.

Enabling people to live healthier lives and reducing health inequalities.

This does not relate to the content of the SPD.

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.

This one of the most significant elements of SPD, providing for a high quality, desirable place which people want to live in, work in and visit.

Continuing to reduce crime, especially violent crime, and making people feel safer.

The SPD will reduce the opportunities for crime by reducing empty properties and by providing places built along good urban design principles, including active frontage, providing the opportunity for increased passive surveillance of the public realm.

Increasing the supply of affordable, good quality housing.

The guide seeks to provide an efficient use of land, thus creating better opportunities for providing additional amounts of housing, including affordable housing.

Building community resilience and promoting citizenship.

This is being achieved through making the Borough a much more desirable place in which people want to live and stay, thus creating stable, rather than transient communities with little interest in their surroundings.

Making sure that everyone in the borough is able to participate in local democracy, has a fair say in the way that services are delivered, and is listened to and taken seriously.

The SPD was subject to a public consultation and this provided an opportunity for comment before it is adopted by Cabinet.

Recommend this EA for Full Analysis?

No

Analysis

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

5.1 Age (*select all that apply*)

- ☒ Positive
- ☐ Neutral
- ☐ Negative

Please give details: Providing safe, attractive and well-used buildings, especially within town centres and other places of congregation is important for community cohesion and provides the opportunity for various groups to use the same services, mingle and interact.

5.2 Disability (*select all that apply*)

- ☒ Positive
- ☐ Neutral
- ☐ Negative

Please give details:

Converting underused shops to ground floor residential use will provide for more convenient level access for disabled people and families with children in buggies and also for older people who might not be disabled but have issues related to accessibility currently. Improved level access to retail shopfronts will also have similar benefits.

5.3 Gender Identity (*select all that apply*)

- ☐ Positive
- ☒ Neutral
- ☐ Negative

Please give details:

There are not considered to be any specific gender identity issues related to the draft SPD.

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

- ☐ Positive
- ☒ Neutral
- ☐ Negative

Please give details:

There are not considered to be any specific marriage and civil partnership issues related to the draft SPD.

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

- ☒ Positive
- ☐ Neutral
- ☐ Negative

Please give details:

Converting underused shops to ground floor residential use will provide for more convenient level access for disabled people and families with children in buggies and also for older people who might not be disabled but have issues related to accessibility currently. Improved level access to retail shopfronts will also have similar benefits.

5.5 Race (select all that apply)

- ☒ Positive
- ☐ Neutral
- ☐ Negative

Please give details:

As identified the borough and its town centres have a high representation of BME groups. The regeneration of the area should be positive for these groups due to the improvements which will be made.

5.7 Religion or belief (select all that apply)

- ☐ Positive
- ☒ Neutral
- ☐ Negative

Please give details:

There are not considered to be any specific religion or belief issues related to the draft SPD.

5.8 Sex (select all that apply)

- ☐ Positive
- ☒ Neutral
- ☐ Negative

Please give details:

No significant differences has been identified in relation to sex aspects, other than those related to specific other characteristics, e.g. pregnancy and maternity.

5.9 Sexual orientation (select all that apply)

- ☐ Positive
- ☒ Neutral
- ☐ Negative

Please give details:

No significant impacts either negative or positive has been identified in relation to this characteristic.

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

- ☐ Yes
- ☒ No

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

The SPD has taken and identified best practice in relation urban design guidance at a national and regional level. Feedback from public consultation has informed the final SPD and this analysis is updated as relevant.

What did you find out from consultation or data analysis?

Only a handful of responses have been received as a result of the public consultation. These did not relate to the needs of particular equality groups. As such, the consultation suggests that there are no significant equality implications.

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

The consultation was public and open to all affected. As such the public consultation and its respondents are considered representative.

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

Officers have a high appreciation of the impacts that guidance and planning policies can have on impacting on equalities and have sought for the guidance to be as positive as it can about promoting inclusive design.

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

This will be followed through by planning officers in their consideration of planning applications and an attempt to ensure that equalities aspects are positively addressed through proposed developments.


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

Not applicable

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

Not applicable

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 Brent	Cabinet 18 June 2018
	Report from the Strategic Director Regeneration and Environment Amar Dave
Air quality improvement measures: Electric vehicle charging infrastructure – Cabinet variation report	

Wards Affected:	All wards
Key or Non-Key Decision:	Key decision (significant in terms of its effect on communities living or working in an area comprising two or more wards)
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	None
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Rachel Best Transportation Planning Manager Tel: 0208 937 5249 Email: rachel.best@brent.gov.uk

1.0 Purpose of the Report

- 1.1 This report seeks approval to amend the procurement process as previously agreed by Cabinet on 15 January 2018 for a supplier of charge points in lamp columns which are to be installed in streets where residents do not have access to off-street parking to enable them to charge an electric vehicle overnight and close to home.

2.0 Recommendations

That Cabinet:

- 2.1 Notes the reason as set out in paragraph 4.2 as to why the procurement process in respect of the supply, installation, maintenance and operation of charge points in lamp columns for electric vehicles on residential streets in Brent cannot proceed as agreed by Cabinet on 15 January 2018;
- 2.2 Approves the procurement of the supply, installation, maintenance and operation of charge points in lamp columns for electric vehicles on residential

streets in Brent from TfL's Electric Vehicle Charging Infrastructure Framework Agreement; and

- 2.3 Delegates authority to the Strategic Director Regeneration and Environment, in consultation with the Lead Member for Environment, to authorise an alternative procurement process for the supply, installation, maintenance and operation of charge points in lamp columns for electric vehicles should the TfL Electric Vehicle Charging Infrastructure Framework Agreement be delayed in its set up or fail to address Brent Council's needs for the reasons set out in paragraph 4.9.

3.0 Background

- 3.1 As detailed in the report to Cabinet on 15 January 2018, Officers are working on three separate electric vehicle charging infrastructure projects in order to provide a range of appropriate charging facilities to meet the demand for electric vehicle infrastructure by residents and businesses in Brent. These three projects are: 1) the lamp column charging project; 2) the Rapid Charging Infrastructure Project; and 3) the Source London project. The lamp column charging project is the subject matter of this Cabinet report.
- 3.2 Brent Council has received £150,000 of funding from London's Go Ultra Low Cities Scheme (GULCS) towards 75% of the capital costs of procuring and installing charge points for electric vehicles in lamp columns in streets where residents do not have access to off-street parking. These installations are necessary to allow residents the option of charging their electric vehicles overnight and close to home which is an important factor in encouraging more residents to purchase electric vehicles. To date, 50 requests from residents have been received for on-street charging facilities. The Council's £50,000 match funding for this project is being sourced from S106 developer contributions in specific wards, Neighbourhood CIL and TfL Local Implementation Plan Funding.

4.0 Detail

- 4.1 On 15 January 2018, Cabinet approved amongst other recommendations, Brent Council's participation in a collaborative procurement led by Transport for London (TfL) and London Councils using the Crown Commercial Services Traffic Management Technology 2 Framework Agreement (the "CCS Framework") in order to select a single supplier to install, manage and maintain electric vehicle charge points in lamp columns in Brent.
- 4.2 TfL and London Councils have now decided not to use the CCS Framework as they have concluded that it does not adequately meet the project's needs. It would not, for example, allow boroughs to issue concession contracts. As a result, it would not be possible for boroughs to pass on operational risks to the supplier so there would likely be ongoing costs to Brent Council, particularly in relation to reactive and preventative maintenance of charge points. London Councils also reported that there was a risk of challenge from suppliers who do not win the award.

- 4.3 In view of the above, London Councils and TfL have decided to themselves procure a new framework agreement for charge points – the Electric Vehicle Charging Infrastructure Framework Agreement (the “New TfL Framework”). The New TfL Framework is expected to:
- Allow the award of concession contracts; and
 - Incorporate greater flexibility to meet the needs of boroughs, such as Brent, who have Private Finance Initiative (PFI) street lighting contracts.
- 4.4 The New TfL Framework is due to be set up by July 2018 and then boroughs would have the option to either directly call-off from it or invite further competitions.
- 4.5 Given London Council’s and TfL’s decision not to use the CCS Framework, Officers evaluated using the CCS Framework independently and procuring a supplier from it. However, it is unclear if scrutiny proved that a concession contract could be awarded using the CCS Framework, which is the Council’s preferred option, and also it is not suited to meet all the specific and complex requirements of the project.
- 4.6 Officers also considered running a full tender exercise independently from London Councils / TfL. However, it was concluded that this would take considerable time and resources and also was likely to take longer than the timescales suggested by TfL for the setting up of the New TfL Framework. Additionally, this approach could risk missing the project deadlines resulting in the invalidation of the funding that Brent Council has already received.
- 4.7 Officers therefore recommend using the New TfL Framework in order to select a Concessionaire to supply, install, maintain and operate charge points in lamp columns for electric vehicles on residential streets in Brent.
- 4.8 Should Cabinet approve the use of the TfL Framework, Officers propose to run a mini-competition amongst suppliers of the New TfL Framework and select a suitable Concessionaire.
- 4.9 Officers also seek delegated authority to the Strategic Director Regeneration and Environment, in consultation with the Lead Member for Environment, to authorise an alternative procurement process for the supply, installation, maintenance and operation of charge points in lamp columns for electric vehicles should the New TfL Framework be delayed in its set up and/or fail to address all of Brent’s needs. This is necessary as Brent has been awaiting the setting-up of the New TfL Framework since March 2017. The delays to date in the set-up of the New TfL Framework leave some uncertainty as to whether it will be ready to use by July. Should there be further delays to this process, or the New TfL Framework prove not to cover all of Brent Council’s needs, then Officers may need to undertake an alternative procurement exercise to ensure that the funding received can be spent within the required timeframe. In the light of possible time pressures, delegated authority to the Strategic Director Regeneration and Environment, in consultation with the Lead Member for Environment, to authorise an alternative procurement process is sought.

5.0 Conclusion

- 5.1 London Councils/TfL are not using the CCS Framework to procure a supplier of lamp column charge points but setting up a New TfL Framework instead. Officers propose to use the New TfL Framework. As a result, Officers require Cabinet approval to this changed procurement route for the installation of charge points in lamp columns for residents without off-street parking.

6.0 Legal Implications

- 6.1 The recommendations in this report request Cabinet approval to use the New TfL Framework following TfL's decision to not use the CCS Framework for the supply, installation, maintenance and operation of charge points in lamp columns for electric vehicles on residential streets, as previously described in the report to Cabinet on 15 January 2018.
- 6.2 Officers have indicated their wish to award a concession contract using the New TfL Framework at paragraph 4.3. Concession contracts fall under the Concession Contracts Regulations 2016. The threshold for application of the Concession Contracts Regulations 2016 is £4,551,413. As the estimated value of the concession contract (based on the amount suggested in the January 2018 Cabinet report of £666k over the duration of the contract) is estimated to be less than this sum, the contract will not be subject to the full requirements of the Concession Contracts Regulations 2016. However, award of service concession contracts is subject to over-riding obligations of non-discrimination, fairness and transparency and also some form of advertised process which will be covered by TfL when setting up the New TfL Framework.
- 6.3 Following amendments to the Council's Constitution with regard to Contract Standing Orders, this contract will now fall within the definition of a Medium Value Contract. Officers are proposing to call-off contracts from the New TfL Framework to appoint a Concessionaire that will supply, install, maintain and operate charge points in lamp columns for electric vehicles, and to enter into a Call-Off Contract with the successful operator. In accordance with Standing Order 86(e)(ii), the Director of Legal and HR Services will need to advise that participation in the Framework Agreement is legally permissible but this can only be done once the New TfL Framework has been properly established.
- 6.4 Due to amendments to the Council's Constitution with regard to the levels of delegations as set out in Part 3 of the Constitution, the Strategic Director of Regeneration and Environment has delegated authority to award a call-off contract from the New TfL Framework based on its estimated value.
- 6.5 Delegated authority to the Strategic Director Regeneration and Environment, in consultation with the Lead Member for Environment, to authorise an alternative procurement process for the supply, installation, maintenance and operation of charge points in lamp columns for electric vehicles should the New TfL Framework be delayed or not considered suitable is sought. Given the estimated value of the contract is below delegated levels set out in Part 3 of the Constitution, Officers would not ordinarily seek such authority but choose to do so given the history to this matter.

7.0 Financial Implications

- 7.1 There are no new financial implications arising from the recommendation to vary the procurement process for a provider to supply, install, maintain and operate charge points in lamp columns for electric vehicles on residential streets in Brent.

8.0 Equality Implications

- 8.1 There are no new equality implications arising from the recommendation to vary the procurement process for a provider to supply, install, maintain and operate charge points in lamp columns for electric vehicles on residential streets in Brent.

Report sign off:

AMAR DAVE

Strategic Director of Regeneration and Environment

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