



SUMMONS TO ATTEND COUNCIL MEETING

Monday 25 November 2019 at 6.00 pm

Conference Hall - Brent Civic Centre, Engineers Way,
Wembley, HA9 0FJ

To the Mayor and Councillors of the London Borough of Brent and to each and every one of them.

I hereby summon you to attend the MEETING OF THE COUNCIL of this Borough.

CAROLYN DOWNS
Chief Executive

Dated: 15 November 2019

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

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

The press and public are welcome to attend this meeting.

Please note this meeting will be filmed for live broadcast on the Council's website. By entering the meeting room you will be deemed to have consented to the possibility of being filmed and to the possible use of those images and sound recordings for webcasting.

Notes for Members - Declarations of Interest:

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

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

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

***Disclosable Pecuniary Interests:**

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

****Personal Interests:**

The business relates to or affects:

- (a) Anybody of which you are a member or in a position of general control or management, and:
 - To which you are appointed by the council;
 - which exercises functions of a public nature;
 - which is directed is to charitable purposes;
 - whose principal purposes include the influence of public opinion or policy (including a political party of trade union).
- (b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

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

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

Agenda

Apologies for absence.

1 Apologies for Absence

2 Minutes of the Previous Meeting

1 - 24

To confirm as a correct record, the attached minutes of the previous meeting of the Council held on Monday 16 September 2019.

3 Declarations of Interest

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.

4 Mayor's Announcements (including any petitions received)

To receive any announcements from the Mayor.

5 Appointments to Committees and Outside Bodies and Appointment of Chairs/Vice Chairs (if any)

To agree any appointments to Committees, Joint Committees, Forums, Panels and Outside Bodies (if any); and the appointments of Chairs/Vice Chairs (if any) in accordance with Standing Order 30(g).

6 Deputations (if any)

To hear any deputations received from members of the public in accordance with Standing Order 32.

7 Questions from Members of the Public & Brent Youth Parliament

25 - 28

7.1 To receive questions submitted by the public to Cabinet Members, in accordance with Standing Order 33.

Two questions have been received under this item, which have been attached along with the written responses provided.

7.2 To receive questions submitted from members of Brent Youth Parliament to Cabinet Members, in accordance with Standing Order 33(d)

One question has been received under this item, which has been

attached along with the written response provided.

8 Petitions (if any)

For Members to refer to petitions received and debate any petition with more than 200 signatures, where such a request has been submitted in accordance with the Council's petition rules and Standing Order 66.

9 Reports from the Leader and Cabinet

To receive a verbal report from the Leader of the Council in accordance with Standing Order 31 providing an update on any key or significant issues arising from any matter within the responsibility of Cabinet.

10 Questions from the Opposition and other Non-Cabinet Members

For questions to be put to members of the Cabinet by opposition and non-Cabinet Members in accordance with Standing Order 35.

Members are asked to note that no advance notice questions have been submitted for response at this meeting of the Council.

11 Report from Chairs of Scrutiny Committees

To receive reports from the Chairs of the Council's Scrutiny Committees in accordance with Standing Order 36. The reports have been attached as follows:

11.1	Community and Wellbeing Scrutiny Committee	29 - 40
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11.2	Resources & Public Realm Scrutiny Committee	41 - 50
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12 Report from the Vice-Chair of the Audit Advisory Committee 51 - 54

To receive a report from the Vice-Chair of the Audit Advisory Committee in accordance with Standing Order 37.

13 Non Cabinet Members' Debate

To enable non Cabinet Members to debate an issue of relevance to Brent, for which notice has been provided in accordance with Standing Order 34 and to receive reports from Cabinet members, where required, on issues previously raised.

Members are asked to note that no item has been submitted for debate at this meeting of the Council.

14 Interim Report on Brent's Response to the Climate and Ecological Emergency 55 - 78

This report provides Council with a progress update on action taken in response to the Declaration of a Climate and Ecological Emergency agreed at the Full Council meeting on 8 July 2019.

Ward Affected: All Wards
Contact Officer: Oliver Myers, Head of Environmental Strategy & Commissioning
020 8937 5323
oliver.myers@brent.gov.uk

15 Local Council Tax Reduction Scheme 2020/21 79 - 204

This report seeks approval to formally adopt a new local Council Tax Reduction scheme (known as Council Tax Support) to be effective from 1 April 2020. The report sets out the reasons why a change of scheme is both necessary and desirable along with the design options and features considered in the design of the new scheme. In addition, details are provided on the findings and outcomes of the consultation arrangements for the proposed scheme carried out over a 12-week period between 19 July and 10 October 2019 and includes details of the financial and equalities impacts of the recommended scheme as well as a high level implementation plan.

Ward Affected: All Wards
Contact Officer: David Oates, Head of Customer Services Operations
Tel: 020 8937 1931
david.oates@brent.gov.uk

16 Inclusive Growth Strategy 2019-2040 205 - 258

This report sets out the Council's Inclusive Growth Strategy for 2019-2040 for Council to endorse prior to final approval and publication.

Ward Affected: All Wards
Contact Officer: Alice Lester,
Operational Director - Regeneration,
Growth and Employment
Tel: 020 8937 6441
alice.lester@brent.gov.uk

17 Revoking a Byelaw to Enable Cycling In Parks and Open Spaces 259 - 296

This report details the outcome of the consultation regarding the

revocation of byelaw 7ii of the Open Spaces and Pleasure Grounds that prohibits cycling in Brent's parks and open spaces and as a result seeks formal approval to the byelaw being revoked.

Ward Affected: All Wards

Contact Officer: Tony Kennedy, Head
of Highways and Infrastructure
Tel: 020 8937 5151
tony.kennedy@brent.gov.uk

18 Draft Statement of Licensing Policy

297 - 418

This report seeks approval to formally adopt the Statement of Licensing Policy and proposed Cumulative Impact Zones within Brent.

Ward Affected: All Wards

Contact Officer: Yogini Patel, Senior
Regulatory Service Manager
Tel: 020 8937 5262
yogini.patel@brent.gov.uk

19 Motions

Members are asked to note that no motions have been submitted for debate at this meeting of the Council.

20 Urgent Business

At the discretion of the Mayor to consider any urgent business, in accordance with Standing Order 30(s).



Please remember to switch 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 ORDINARY MEETING OF THE COUNCIL
held on Monday 16 September 2019 at 6.00 pm**

PRESENT:

The Worshipful the Mayor
Councillor Ernest Ezeajughi

The Deputy Mayor
Councillor Lia Colacicco

COUNCILLORS:

Abdi	Aden
Afzal	Agha
Ahmed	Allie
M Butt	S Butt
Chan	Chappell
Chohan	S Choudhary
A Choudry	Colwill
Conneely	Daly
Dar	Denselow
Dixon	Donnelly-Jackson
Ethapemi	Farah
Gbajumo	Hassan
Hector	Hirani
Hylton	Johnson
Kabir	Kansagra
Kelcher	Kennelly
Knight	Lo
Long	Maurice
McLeish	McLennan
Miller	J Mitchell Murray
W Mitchell Murray	Naheerathan
Nerva	M Patel
RS Patel	Patterson
Sangani	Shahzad
Ketan Sheth	Krupa Sheth
Southwood	Stephens
Tatler	Thakkar

1. Apologies for Absence

The Mayor advised that direct apologies for absence had been received from Councillors Crane, Gill, Mahmood, Marquis, Mashari, Pavey and Perrin.

2. Minutes of the Previous Meeting

RESOLVED that the minutes of the Council Meeting held on Monday 8 July 2019 be approved as a correct record.

3. Declarations of Interest

No interests were declared by Members at the meeting.

4. Mayor's Announcements (including any petitions received)

The Mayor made the following announcements:

(i) Pride of Brent Youth awards

The Mayor opened his announcements by expressing his delight in having attended the Pride of Brent Youth Awards in late July. He highlighted the importance of honouring young people across Brent who were making a difference in their communities, often putting others before themselves.

(ii) Harlesden Festival

The Mayor reported that he had attended the 4th Annual Harlesden Festival with Councillors Muhammed Butt and McLeish and was happy to see so many residents there. He congratulated those who had organised the day.

(iii) Civic Ceremony

The Mayor gave his thanks to those who had attended the service in July to mark and celebrate his Civic Year. He took the opportunity to remind Members of his Mayoral charities; the Jason Roberts Foundation and the Sickle Cell Society.

(iv) 125th Anniversary of Willesden Library

The Mayor advised that he had enjoyed attending the celebration for the 125th anniversary of the library at Willesden Green. He commemorated the fact that in 1894 the local community had voted to pay more tax in order to fund the building of a library for local people.

On the subject of Willesden, the Mayor advised that Willesden Green had recently received a visit from the judges of the Great British High Street Awards, a competition celebrating high streets across the UK. He added that Willesden Green was competing with 27 other UK high streets in the 'Rising Star' category for 2019 and urged Members to take part in the vote.

(v) Brent Hub Kilburn Opening

The Mayor said he was very proud to officiate at the opening of the Brent Hub, Kilburn, which followed on the heels of the successful Harlesden Hub. He advised that the centre was a facility for local residents to contact Brent Council and local community organisations.

(vi) Flag Raisings

The Mayor thanked everyone who had attended the flag raising events held during the summer to celebrate Jamaican Independence Day, Independence Day of Pakistan, Indian Independence Day and, most recently, Emergency Services Day.

(vii) Visits from Students from Abroad

The Mayor reported that during the summer, along with the Council Leader and Chief Executive, he had played host to groups of students visiting from the School for Ethics and Global Leadership in the USA and from E-associates Educational Consulting in Nigeria. He added that both visits were well received and gave the opportunity to showcase Brent's achievements in many areas.

(viii) Brent Summer Reading Challenge

The Mayor advised he was delighted to see children taking part in the Brent Libraries Summer Reading Challenge and congratulated those achieving gold medal success, along with everyone who participated in the challenge.

(ix) Student Success

The Mayor asked Council to join him in congratulating students across Brent on a brilliant set of GCSE, A Level and vocational results, which he said had bucked the national trend. He advised that Brent's overall A Level pass rate (grades A*- E) rose to 97.9%. This had been above the national average, which he felt should be a source of pride to all of Brent's students, parents and carers and teachers.

(x) Charity events

The Mayor took the opportunity to announce two forthcoming events in the mayoral calendar:

- The Mayoral charity football competition on 15 October in Stonebridge Ward, with Jason Roberts due to be in attendance to raise money for the Mayor's charities; and
- The traditional Christmas Gala at the Civic Centre on 6 December 2019.

(xi) Support for work on Biodiversity

The Mayor reported that he had enjoyed attending many community events over the summer months, including fetes, sports days and street parties. He advised he was particularly delighted to visit one of Brent's renowned 'bee corridors' and an urban meadow to witness at first hand the Council's work in the field of biodiversity.

(xii) Friendliest Borough

The Mayor was happy to note that that Brent had been named in an estate agent survey as the joint-friendliest borough in London, with more than seven out of ten of those surveyed in Brent describing their neighbourhood as friendly. This was the highest in London alongside Richmond upon Thames.

(xiii) Black History Month

The Mayor concluded his announcements by reminding members of Black History Month in October and drew their attention to the flyer detailing related events in Brent.

(xiv) Deaths of former Councillors Pat Harrison and John Detre

The opportunity was also taken by Members at the end of the Mayors Announcements, to pay tribute to former Councillors Pat Harrison and John Detre following their recent deaths.

As a mark of respect, the Mayor invited all present to stand in order to observe a minutes silence.

A minutes silence was observed.

(xv) Petitions

Finally, the Mayor drew members' attention to the list of current petitions, along with the action being taken to deal with them, which had been tabled at the meeting, in accordance with Standing Orders.

5. Appointments to Committees and Outside Bodies and Appointment of Chairs/Vice Chairs (if any)

The Mayor referred Members to the supplementary agenda circulated in advance of the meeting, which contained details of the changes to appointments on Council Committees, Sub Committees and other bodies.

It was **RESOLVED** to note that under the new London North West Regional Adoption arrangements the requirement for Brent to operate its own Adoption & Permanency Panel would cease after 30 September 2019, as the Council would join new regional arrangements.

6. Deputations (if any)

The Mayor advised that, in accordance with Standing Order 32, he had received requests for two deputations. The first had been received from Dawn Butler, MP for Brent Central, and related to the motion submitted for consideration later during the meeting on health services in Brent and the proposals to reduce the opening hours at the Urgent Care Centre, Central Middlesex Hospital. The second deputation had been received from Ms Fiona Mulaisho who had requested to speak about public health concerns regarding pollution.

The Mayor welcomed Dawn Butler MP to the meeting and invited her to introduce the deputation. Ms Butler began by paying her own tribute to the two Councillors who had been commemorated earlier in the meeting and particularly remembered Pat Harrison as a formidable campaigner. She introduced her deputation on the future of healthcare services in Brent, noting that it was the first time a sitting MP had addressed Full Council.

Ms Butler spoke about the strains on local healthcare services as a result of sustained cuts since 2010, including the closure of the A&E facility at the Central Middlesex hospital in 2014. She noted that the loss of the Sickle Cell Unit from Central Middlesex to Northwick Park Hospital had also affected many people in the Borough suffering from the disease, given the increased distance they needed to travel for treatment. Ms Butler continued that the Clinical Commissioning Group (CCG) was now proposing to reduce the opening hours of the Urgent Care Centre located at Central Middlesex Hospital between the hours of midnight and 8am, with the nearest alternative overnight facility being over an hour away. Highlighting strong concerns about the proposal, she felt there was a need for a full public consultation and for the CCG to be held to account in relation to the long-term strategy behind the reduction in resources.

The Mayor thanked Ms Butler for her comments and then invited Councillor Farah, as Cabinet Member for Adult Social Care to respond to the deputation.

Councillor Farah, took the opportunity to thank Ms Butler for her deputation highlighting his shared concerns about the continued reduction in local health services and important need to protect the NHS as one of the nations and Labours proudest achievements. In concluding, Councillor Farah pledged the ongoing support of the Council's Cabinet in campaigning to protect local health services for all residents.

The Mayor thanked Councillor Farah for his response and then moved on to invite Fiona Mulaisho to present the second deputation.

Ms Mulaisho introduced herself as a Kensal Rise resident and former Chair of Clean Air for Brent and went on to highlight a number of concerns regarding air pollution, particularly in Kensal Rise, where she felt traffic volumes were exacerbating the problem. Ms Mulaisho advised that Chamberlayne Road was one of the worst polluted streets in London and Ark Franklin Primary Academy, a school on Chamberlayne Road, was named as one of the 50 worst polluted schools in London, according to the Mayor of London's Air Quality Audit. Concerns were also raised regarding the significant number of deaths in London every year related to air pollution and poor air quality. Ms Mulaisho went on to inform Members that in Kensal Rise, nitrogen dioxide was found to critically exceed safe EU limits, particularly in Station Terrace, used exclusively for buses, where it was three times the legal limit and therefore exposing residents and passengers to dangerous levels of pollution. She felt that the main cause of the problem were the large number of diesel fuelled buses travelling through Kensal Rise, with more proposed as part of the Kensal Corridor Improvement Scheme. Ms Mulaisho noted that residents were very concerned and urged Members to take into consideration the health and wellbeing of residents, particularly children.

The Mayor thanked Ms Mulaisho for her comments and then invited Councillor Krupa Sheth, as Cabinet Member for Environment, to respond.

Councillor Krupa Sheth began by highlighting that air quality was a priority for the Council. Being aware of the issues in Kensal Rise and Queens Park, she advised that the Council was consulting on a scheme to reduce bus movement and congestion by promoting sustainable modes of travel such as walking and cycling and making public transport more accessible as well as including significant green areas to absorb pollutants. Councillor Krupa Sheth confirmed that local residents and businesses were working together with the Council to move the scheme forward and she emphasised the Council's commitment to improving air quality for children and young people. She outlined the monitoring that was in place at Ark Franklin school and other measures implemented to reduce pollution in the Borough such as the introduction of diesel surcharges, increased electric vehicle charging points and collaboration with schools to promote sustainable travel. In terms of other initiatives and with specific reference to bus vehicle pollution, Councillor Krupa Sheth concluded by advising that the Council was continuing to lobby TfL for the introduction of additional electric buses locally and in the meantime continued to issue fixed penalty fines, as part of an anti-idling policy, where buses were left idling at bus stands.

The Mayor thanked Councillor Krupa Sheth for her response and advised that this now concluded the item. Before moving on, he took the opportunity to thank Ms Butler and Ms Mulaisho for attending the meeting in order to present their deputations.

7. Questions from Members of the Public

The Mayor confirmed that no questions had been received from members of the public.

8. Petitions (if any)

The Mayor confirmed that no requests for debates on any petitions under the Council's petition rules and Standing Order 66 had been received.

9. Annual Report from the Leader

The Mayor invited Councillor Muhammed Butt, Leader of the Council, to present (in accordance with Standing Order 38) his Annual Report on the work of the Council and State of the Borough.

Councillor Muhammed Butt began by reflecting on last year's report in terms of the challenges and also untapped opportunities therein. He lamented that the challenges remained and focussed on the financial hardship that the Council continued to face, highlighting the current crises in Adult Social Care, Housing and the NHS brought about by a decade of central government cuts to public services.

The Leader expressed his views on the forthcoming Government Budget and stressed how he felt local authorities continued to be bypassed, while the current Government continued to waste money, particularly on Brexit. The Leader was happy to confirm that Brent had the highest number of European residents in

London and the largest number to gain pre-settled status in England and, as the local population continued to grow, he expressed his pride in so many people wanting to make Brent their home.

The Leader highlighted the many accolades the Borough had received throughout the year, including Friendliest Borough in London, the nomination for the Best High Street in England and the many celebrations of its culture.

In summing up, the Leader felt that the Council was taking radical steps towards delivering on its ambitious manifesto, with empathy, a shared vision of prosperity and with culture at its heart. He reaffirmed the declaration of a Climate Emergency, agreed at the last Full Council meeting, along with the pledge not to penalise tenants in debt as a result of delays in Universal Credit payments; to fight NHS cuts; to bring more Council services in-house; to build more affordable housing; invest in the boroughs highways and support the ongoing development of the transport infrastructure; create more Community Hubs and to foster community wealth building in Brent.

Concluding his annual report and commenting on the state of the borough, Councillor Muhammed Butt felt it was possible to highlight a huge amount as being achieved but also much more to do based on an ambitious, but at the same time pragmatic set of priorities and commitments with an enormous financial challenge to continue to manage and overcome.

The Mayor thanked Councillor Muhammed Butt for his annual report and then advised that he would open up the debate for contributions from other members, starting with a response from the Conservative Group. Councillor Colwill (as Leader of the Conservative Group) advised that he did not intend to respond, so the Mayor moved on to invite contributions from other members, with the following comments raised:

- Councillor Ethapemi sought clarification as to whether the additional spending review announced by the Government was based on national reserves or whether the Council was expected to make contingency plans.
- Councillor Kelcher commented that this was the second year that the Leader of the Opposition had not responded to the Leader's Annual Report and suggested there should be an obligation on him to do so.
- Councillor Shahzad congratulated the Leader on his speech and thanked Dawn Butler MP for lending her support to the campaign to oppose NHS cuts. He went on to highlight the concerns of residents in respect of the closure of the Cricklewood Walk-in Centre and urged the Leader and Cabinet to continue providing support on this matter.
- Councillor Naheerathan asked about the reduced access for local residents to local bank branches and whether the Council had any strategy in respect of helping to maintain a banking presence on the high street.
- Councillor Aslam Choudry congratulated the Leader on his report and also expressed surprise that the Opposition had not acknowledged the good work of the Council or offered any effective alternative outlook.

- Councillor Nerva acknowledged the reassurance that had been given to the Borough's 67,000 EU nationals but queried the impact planning for a "No Deal" Brexit had placed on the Council's resources. He was also keen to explore what more could be done to reaffirm the previously agreed policy to support a People's Vote to include an option to remain in the EU.

With no further issues raised, the Mayor invited Councillor Muhammed Butt to respond to the comments made on the Annual Report.

Councillor Muhammed Butt thanked Members for their contributions and began his response by highlighting the prudent approach taken by the Council in managing its finances over the last ten years, which had left it in a good position to help those in need, highlighting the example of the Council Tax Support Scheme. The Leader agreed that there was an opportunity to work with banks to ensure they could meet their social duties and, in respect of Brexit, he reiterated the pledge of support toward the EU nationals forming part of the Brent community and said the Council would continue to strive for a "right to remain" option.

The Mayor thanked Councillor Muhammed Butt for his response and advised that this concluded the debate. The Council **RESOLVED** to note the Annual Report.

10. **Reports from the Leader and Cabinet**

The Mayor referred Members to the written report which had been circulated with the agenda providing updates from the Leader and Cabinet Members related to their portfolios. He then invited Councillor Muhammed Butt, as Leader of the Council, to present the update report reminding Members that once completed he would move straight on to deal with questions from opposition and other non-cabinet members, which would include the opportunity to ask questions of relevant Cabinet Members.

Councillor Muhammed Butt thanked the Mayor for his introduction and advised that he would be asking Councillor Southwood, as Cabinet Member for Housing & Welfare Reform, to lead on the update with a focus on housing related issues.

Councillor Southwood began her update by advising that she was delighted to be able to report that the Council had now completed the process of bringing the estate caretaking service back in-house, enabling better conditions for staff and better services for tenants. She then moved on to highlight the progress being made with regard to consultation on the Council Tax Support Scheme with the Council committed to maintaining the current level of investment in recognition of the important assistance being provided through the scheme for many residents. Members were also advised of the celebrations being planned to mark the 100-year anniversary of the Addison Act before finally being informed about the delivery of new council homes in Queens Park as part of the Council's ongoing commitment to the provision of additional council and affordable social housing across the borough.

Having completed her update, the Mayor advised that the time available for this item had expired and it was therefore **RESOLVED** to formally note the updates

provided by the Leader and Cabinet prior to moving on to the councillor question session.

11. Questions from the Opposition and other Non-Cabinet Members

Before moving on to consider the questions submitted by non-Cabinet members, the Mayor reminded Members that a total of 30 minutes had been set aside to deal with this item, which would begin with consideration of the written questions submitted in advance of the meeting along with any supplementary question. Once these had been dealt with, the remaining time would then be available for any other non-Cabinet members to question Cabinet Members on matters relating to their portfolio.

The Mayor advised that three written questions had been submitted in advance for response by the relevant Cabinet Member. The written responses supplied had been circulated with the Council agenda. The Mayor invited supplementary questions from the Members who had submitted the written questions.

- 11.1 Councillor Thakkar thanked Councillor Southwood, as Cabinet Member for Housing & Welfare Reform, for reaffirming the Council's intention not to evict tenants falling into rent arrears due to delays in the payment of Universal Credit. As a supplementary question, she asked whether the Council, in the context of early intervention, would also be working with private and social housing providers in order to encourage them to adopt a similar arrangement and ensure monitoring of arrears and evictions.

Councillor Southwood responded by confirming that the Council met regularly with all social housing providers in the Borough and a major topic of discussion was around the difficulties encountered by those tenants in receipt of Universal Credit. Whilst the Council could not impose its own policies on other providers, Councillor Southwood advised that she would continue to work with them and to highlight emerging issues with the Department for Work & Pensions (DWP) in order mitigate the risks to those falling into arrears.

- 11.2 Councillor Ahmed thanked Councillor Tatler, as Cabinet Member for Regeneration, Property & Planning, for her written response in relation to the allocation of funding under the Neighbourhood Community Infrastructure Levy (NCIL) scheme for community infrastructure projects and confirmed that he did not have a supplementary question.

- 11.3 Councillor Chappell thanked Councillor McLennan, as Deputy Leader, for her written response on the impact and financial value of the policy adopted by the Council in relation to the application of its business rate relief scheme and confirmed that he also did not have any supplementary question.

The Mayor thanked Members for their written questions and Cabinet Members for the response provide to any supplementary questions. He then advised that the remainder of the time available would be used for an open question time session to the Leader and Cabinet. The following questions were raised and responses provided:

- (i) Councillor Kelcher raised a query regarding the Sunday Car Boot Sale at Newman Catholic College in Kensal Green and whether the current issues with related paperwork could be expedited to allow sales to resume and also whether action could be taken against the illegal street traders operating in the area at the same time.

In response, Councillor Miller, Cabinet Member for Community Safety and Engagement, confirmed that if the issue highlighted was related to a business licence he would ensure it received urgent attention.

- (ii) With reference to a review of the Council's Housing Allocation Policy, Councillor S Choudhary sought an update on whether the Council, in view of the additional housing now being delivered, would consider extending the offer of bidding rights to those households which had been categorised as Band B in relation to housing need back in 2014.

In response, Councillor Southwood, as Cabinet Member for Housing & Welfare Reform, clarified that Councillor Choudhary was referring to approx 19,000 households who had been moved into category B of housing need in 2014. Although these household had been recognised as being in housing need, they did not currently have bidding rights under the Council's Housing Allocations Policy. Whilst hoping that it would be possible to assist these households in the future, she pointed out that the position was made more difficult and would take time to address given the need to alleviate the chronic shortage of social housing, which the Council was seeking to tackle.

- (iii) Referring to Housing Key Performance Indicators, Councillor Long sought further details and assurance about the action being taken to secure a sustained turnaround in performance, with a particular focus around customer service.

Whilst acknowledging the current improvements in performance being sought, Councillor Southwood, as Cabinet Member for Housing & Welfare Reform, highlighted the recent housing transformation activity and investment being undertaken which she felt would assist in delivering improved systems and levels of performance particularly in relation to customer experience.

- (iv) Councillor S Choudhary raised a further question regarding the policy on use of materials for footway repairs and replacement in the Barnhill Conservation Area, which he felt was not in keeping with other areas.

Councillor Krupa Sheth, as Cabinet Member for Environment, responded by advising that the Barnhill Conservation Area was not being treated any differently to other areas, with asphalt being used for footway repairs and replacement due to economic and sustainability reasons.

- (v) Councillor Long, also raised a further question, seeking details on the action being taken through the West London Economic Prosperity Board to support and encourage the creation of Green Jobs in Brent.

In response, Councillor Tatler, as Cabinet Member for Regeneration, Property & Planning, advised that as a member of the West London Economic Prosperity Board the Council was continuing to work with other partners, Town Centre Managers and across its Regeneration function to encourage the creation of greener businesses and jobs.

- (vi) Councillor Chan in highlighting the ongoing lobbying of TfL regarding the upgrade of the Bakerloo line sought further details on the action being taken by the Council to support this process with a specific focus on the accessibility of station facilities within the borough and on the provision of step free access at Kensal Green.

Councillor Tatler, as Cabinet Member for Regeneration, Property & Planning, responded by confirming that the Council was lobbying TfL to improve accessibility at Bakerloo Lane stations within Brent and had also backed a campaign being led by Lewisham and Southwark Councils aimed at securing an upgrade of the entire line.

At this stage in proceedings, the Mayor advised that the time available for the open question session had now ended and thanked all Members for their contributions.

12. Report from Chairs of Scrutiny Committees

Before inviting the Chairs of each Scrutiny Committee to present their reports, the Mayor reminded Members that as part of the changes to the Constitution agreed in February 2019, a total of 12 minutes had been set aside for this item. He explained that the Chair of each Scrutiny Committee would have up to three minutes to present their report, highlighting any issues felt to be of significance to the Council. Once the updates had been provided, the remaining time available would then be opened up for any other non-Cabinet Members to question the Scrutiny Chairs on matters relating to the work of their Committees.

The following updates were provided by each of the Scrutiny Chairs:

Resources and Public Realm Scrutiny Committee

Councillor Kelcher introduced the update report from his Committee, highlighting the following issues, with the Mayor advising that he had also agreed for the update to include (within the time available) a report from Councillor Kabir on progress of the Knife Crime Scrutiny Task Group.

- Councillor Kelcher began his update by highlighting two pre-scrutiny exercises the Committee had recently undertaken, one of which involved consideration of the Draft Statement of Licensing Principles. Issues identified had included the potential use of unit pricing in driving good behaviour in off licences, and the Purple Flag scheme promoting the night-time economy in local high streets. The other pre-scrutiny opportunity had involved a review of proposals relating to the Council Tax Support Scheme, which the Committee had supported overall. He concluded by reporting on the progress update received in relation to the Carlton and Granville Centre, following on from a previous call-in, with a particular focus on the housing element and design of the scheme.

- Councillor Kabir was then invited to provide an update on progress of the Scrutiny Task Group she was chairing on Knife Crime. Referring to the final report of the Task Group, which she urged Members to read, Councillor Kabir advised that the recommendation was to take the Public Health approach which involved investigation of the causes of knife-crime and developing actions to prevent its increase through collaboration between relevant departments of the Council as well as with the external partners – schools, police, NHS, CCG, faith groups, the justice system, probationary services and the wider community. In conclusion, Councillor Kabir felt that too many lives had been lost or blighted by knife crime and, noting the increasingly young ages of both victims and perpetrators and the effect on families and communities, she asked members for their support in taking urgent action.

The Mayor thanked Councillors Kelcher and Kabir for their updates

Community and Wellbeing Scrutiny Committee

Councillor Ketan Sheth was then invited to introduce the update from his Committee:

- Councillor Ketan Sheth began his report by referring to the proposed closure of the Cricklewood Walk-in Centre brought to Scrutiny's attention by Councillor Dar, which had been discussed at the last Committee meeting. He thanked Councillor Colacicco for speaking at the meeting on behalf of her ward residents and reported that while the Brent and Barnet CCGs had made the case for closure, the evidence was that significant numbers of patients were using the Walk-in Centre every year and further investigation was needed regarding the proposal.
- The Committee had also considered the future recommissioning arrangements for homecare services with Councillor Ketan Sheth grateful to Councillor Farah, Cabinet Member for Adult Social Care, for answering the questions of the Scrutiny Committee and confirming that the proposed new homecare model would encompass the London Living Wage and the Unison Ethical Care Charter. The Committee had been keen to ensure that the recommissioning arrangements were focussed on meeting the needs of the Borough's most vulnerable residents.

The Mayor thanked each of the Scrutiny Chairs for their updates and it was **RESOLVED** that the content of each of their reports be noted.

Following the updates provided, the Mayor advised that the remainder of the allocated time would be available for questions from non-Cabinet members to the Scrutiny Chairs. In opening the item, the Mayor reminded Members of the need to ensure that questions were focussed on the work of each Scrutiny Committee. The following questions were raised and responses provided:

- (i) Councillor Nerva highlighted concerns about the approach towards scrutiny of the police and Safer Neighbourhood arrangements following introduction of the tri borough command structure and asked whether it would be

possible to examine the potential for introducing some form of joint scrutiny arrangements.

He followed this up by highlighting concerns regarding the funding position of North West London CCG and impact on patient care and waiting times, which he felt was an issue that required further scrutiny.

- (ii) Referring to forthcoming scrutiny reviews on tourism and parks on the Resources & Public Realm Scrutiny work programme, Councillor Long asked if these could also include consideration on the provision of public toilet facilities.

She followed this up by also highlighting her support for the need identified to undertake further scrutiny in relation to the financial position of the North West London CCG given the increase in demand for services and impact this was likely to have on residents within the borough.

- (iii) Following on from the comments raised, Councillor Dar took the opportunity to highlight the ongoing campaign to oppose the closure of the Cricklewood GP Walk-In Centre.

In response to the issues raised relating to the Resources & Public Realm Scrutiny Work Programme, Councillor Kelcher advised that he was in the process of setting up a meeting in late Autumn to review the Tri-Borough Police Borough Command arrangements and that Councillor Nerva would be welcome to attend. Regarding Councillor Long's question on public toilet provision, Councillor Kelcher confirmed that he would ensure this issue was included in the relevant scrutiny reviews.

Councillor Ketan Sheth, responding to the issues raised in relation to the Community and Wellbeing Scrutiny work programme felt it was important to recognise that a robust scrutiny process had already been undertaken in relation to the proposed closure of the Cricklewood Walk-in Centre. In terms of the concerns raised regarding the impact of the financial position and recovery plan for the North West London Collaboration of CCGs, Members were advised that this was due to be reviewed at the next meeting of the North West London Joint Health Overview & Scrutiny Committee. Councillor Sheth advised he would be attending this meeting as Brent's representative but invited any other Members with an interest to also attend as this would provide an opportunity to question and hold the North West London CCG to account.

At this stage in proceedings, the Mayor advised that the time available for questions had now expired and he would therefore be moving on to the next item with all members thanked for their contributions.

13. Report from the Vice-Chair of the Audit and Standards Advisory Committee

The Mayor invited Councillor Aslam Choudry, as the Vice Chair of the Audit and Standards Advisory Committee, to introduce his report updating Members on the work of the Committee.

Councillor Choudry reported that there had been one Committee meeting since his last update at which the Council's Statutory Accounts had been approved with

some minor amendments. He advised that a further update on the excellent investigation work being carried out by the internal audit team, would be provided for the next meeting. The Committee had also reviewed the Council's Treasury Management activity and noted the good management of the treasury and cash function. Councillor Choudry ended his update highlighting the work being undertaken by the Committee in relation to the valuation of the Council's Pension Fund and Investment Scheme, which he advised the Committee would keep under review.

The mayor thanked Councillor Aslam Choudry for his update and it was **RESOLVED** that the report be noted.

14. **Non Cabinet Members' Debate**

The Mayor advised that no subject had been identified for debate and therefore moved to the next item on the agenda.

15. **2018/19 Treasury Management Outturn Report**

Councillor McLennan introduced the report from the Director of Finance, which provided an update on Treasury Management activity and confirmed that the Council had complied with its Prudential Indicators for 2018/19. Members noted that the report had been approved and referred on to Council for consideration by Cabinet on 9 September 2019 in compliance with the CIPFA Code of Practice on Treasury Management.

The Mayor then opened the debate inviting other Members to speak on the report.

Councillor S Choudary welcomed what he felt was a good report. In spite of ongoing economic difficulties and the effects of Brexit he noted all the positive aspects highlighted in relation to the management of the Council's reserves and investment policy but felt there remained scope to consider the level of cash balances being held and how these was managed.

As no further issues were raised Councillor McLennan, in exercising her right of reply, felt it important to clarify that the majority of reserves held were capital rather than revenue in nature. Whilst recognising that the Council was in a relatively healthy financial position she pointed out this had only been achieved because of the prudent financial management approach adopted by the Administration.

The Mayor then put the recommendations to the vote by a show of hands and they were unanimously declared **CARRIED**.

It was therefore **RESOLVED** that Council note the 2018/19 Treasury Management Outturn Report in compliance with the CIPFA Code of Practice on Treasury Management.

16. **Motions**

Before moving on to consider the motions listed on the summons, the Mayor reminded members of the changes agreed last year to the way in which the debate

on motions would be undertaken. He advised that a total of 30 minutes would be set aside for the consideration of all three motions submitted for debate, based on an initial allocation of 10 minutes per motion. Should the time taken to consider the first motion be less than 10 minutes the remaining time available would be split between the other motions on a rolling basis.

16.1 Motion from the Conservative Group – Protecting and Raising the Quality of Adult Social Care in Brent

The Mayor invited Councillor Colwill, Leader of the Conservative Group, to move the Motion on behalf of the Conservative Group.

Councillor Colwill stated that the Conservative group recognised that there were unprecedented circumstances related to adult social care with over 2,470 Brent residents diagnosed with Dementia and Learning Difficulties. He welcomed and felt it important to recognise the additional Government funding that had been allocated to local authorities in respect of adult social care, which he would be seeking to ensure was ring-fenced in order to protect those most vulnerable and support carers. Councillor Colwill concluded that there were a great many people suffering from Dementia and resources should be encouraged toward early diagnosis.

Councillor Muhammed Butt advised he would be formally seconding the Motion.

The Mayor then invited other Members to speak on the motion, with the following contributions received.

Councillor Farah, responding on behalf of the Labour Group as Cabinet Member for Adult Social Care, advised that he welcomed the motion, which he felt represented a rejection of austerity and highlighted the issue of the national lack of funding for social care. He thanked Councillor Colwill for submitting the Motion and confirmed he would be willing to write to the Minister outlining the concerns raised and explore how best to take forward the other recommendations.

As no further Members had indicated they wished to speak, the Mayor invited Councillor Colwill to exercise his right of reply.

In summing up, Councillor Colwill thanked Councillor Farah for his support and reiterated the seriousness of the issue.

The Mayor then put the motion (as set out below) to a vote, by show of hands, which was unanimously declared **CARRIED**.

“This Council notes:

- The unprecedented times that the country is facing and the role local government has in providing local stability and leadership in these tumultuous times.
- The irreplaceable role that local council plays at the heart of communities, providing key public services that protect the most defenceless in society – children at risk, disabled adults and vulnerable older people and the services we all rely on, like clean streets, libraries and children’s centres.

- That councils up and down the UK are at breaking point, with disproportionate reductions in local council funding and comparison to the rest of the public sector.
- That councils had to spend an extra £800m in the last financial year to meet the demand on vital services to protect children and that, with an ageing population and growing demand, adult social care faces a gap of over £2bn in the next financial year.
- In Brent, as with all other council departments, adult social care has had to make significant budget savings in the past, and continues to need to make savings in the future, with a target of reducing the overall spend by £4.1m on adult social care by 2021. This is in the context of an aging population and increasing demand for services.
- Brent has an estimated prevalence of 2,470 patients living with dementia, of whom only 1,834 (74.2%) are diagnosed. This leaves an estimated 1034 undiagnosed patients living with dementia who could benefit from early diagnosis and follow up and support in the community. Brent seeks to address this gap in service with a view to providing early interventions to support people with dementia and their carers to live longer in their own homes.
- The extra £1.5bn for social care in the Government's recent spending round - £1 billion through a new grant and £500 million through the adult social care precept.
- To implement reform – which will involve difficult choices about how to raise money to pay for services – the Government must set up an independent, cross-party inquiry on social care funding, as the Institute for Government recommended last year. This would be the best mechanism to build the public and parliamentary support needed to deliver change, with the last major attempt to reform social care funding. Then, once political support is secured, legislation will have to be passed.
- This council also notes and commends the work done with partners progressing Brent as a Dementia Friendly Borough which has been recognised nationally. This will include GP practices, leisure services, libraries, the Alzheimer's Society, supermarkets such as Tesco, Central and North West London NHS Foundation Trust, London Ambulance Service, Metropolitan Police, London Fire Brigade, local cinemas and art venues.

The Council therefore resolves:

To write to the Health Secretary Matt Hancock MP and the Chancellor of the Exchequer, Sajid Javid MP.

The Council requests that the Leader of the Council:

- (1) Asks the Health Secretary for the Social Care Green Paper which includes a range of options for securing a sustainable funding solution for adult social care, financial protection and support for informal carers.
- (2) Asks the Health Secretary for increased accountability and regulatory powers for the Care Quality Commission.
- (3) Ensures the Council sign up to the Ethical Care Charter which establishes a minimum baseline for the safety, quality and dignity of care by ensuring employment conditions support a more stable workforce.
- (4) Improve access to care support through the Brent Dementia Steering Group in order to ensure that health professionals inform patients of the support available to them at the point of diagnosis.
- (5) Continue to work with our strategic and community partners to progress actions which provides leadership on being a Dementia Friendly Borough."

16.2 Motion by the Labour Group – Small Changes, Big Impacts – Community Wealth-Building in Brent

The Mayor invited Councillor Johnson to move the first motion submitted by the Labour Group.

Councillor Johnson opened by stating that Labour's values and principles were built on a borough of culture, empathy and shared prosperity and that Brent had been an accredited Living Wage employer since 2013, and had been the first to give a business rate discount to employers in the Borough who paid their staff the living wage. With austerity continuing, Councillor Johnson felt that local business needed to be supported. As a result, the motion was calling on the Council to adopt a community wealth builder approach to support revival of the local economy having already joined the Co-Operative Councils' Innovation Network (a collaboration of 25 authorities, collectively holding budgets of £8.75 billion) with a view to finding better ways of working with people to the benefit of their communities.

Councillor Johnson continued that the aim was to provide local businesses with training on the Council's procurement processes and to make in-house and Brent-based services the preferred option. As part of this approach, the motion was also calling on the Council to develop a social value and ethical procurement policy and to continue to make provision for in-house services.

The Mayor then invited other Members to speak on the motion, with the following contributions received.

Councillor Ethapemi, in seconding the motion, felt the approach outlined would improve employment in Brent and provide mutually beneficial opportunities with local businesses.

Councillor Miller also welcomed the motion and acknowledged Councillor Johnson's long-standing work with diverse organisations towards the aim of improving wealth in the Borough. He was also keen to ensure that Brent become a trailblazer in transforming the local economy and, while highlighting the many related initiatives

that were already in place, recognised the need for a single policy that brought all the current and future ventures together.

As no further Members had indicated they wished to speak the Mayor invited Councillor Johnson to exercise his right of reply.

In summing up, Councillor Johnson thanked those Members who had contributed to the debate and outlined the mutual opportunities that could be gained by getting more Brent residents into work. On this basis, he urged all Members to support the motion.

The Mayor then put the motion (as set out below) to a vote, by show of hands, which was declared **CARRIED**.

“This Council notes:

- The Public Services (Social Value) Act was introduced in 2012. It provides a legal basis for public authorities to look for wider social, economic and environmental benefits when undertaking procurement exercises.
- Last year, councils across London spent hundreds of millions of pounds buying in essential goods, services and expertise from the private and third sectors.
- Insourcing, can, involve lower costs, a public sector ethos, economies of scale and an enhanced level of democratic accountability to local residents.
- After years of strife, Preston Council took a different approach to how they operate, and this is now starting to bear fruit. Similarly, we want to see as much of Brent’s money invested, in every sense of the word, in this borough.
- This authority has joined the Co-Operative Councils’ Innovation Network, a collaboration of 25 like-minded authorities, collectively holding budgets of £8.75 billion – with a view to finding better ways of working for, and with, people to the benefit of their communities.
- Community wealth-building aims to revive local economies, renew trust in local services and deliver a renaissance of local government; by giving local businesses and local communities a bigger stake in the local economy.
- The Labour Party has published a report entitled “Democratising Local Public Services: A Plan for Twenty-First Century Insourcing” setting out its radical blueprint to support and rebuild public services under a future Labour Government.

This council further notes:

- In procuring services over the last two years we’ve created 164 jobs through contracts; 94 new apprenticeships and 277 training opportunities at BTEC and NVQ equivalent level.

- Over the next two years, through diligent contract management a further £26m will be spent in Brent's local supply chain.
- We have driven up social value, by connecting the widespread regeneration of Brent with the supply chain at our regular "Meet the Buyer" events; with contracts worth a cumulative total of £100m on offer to over 140 small and medium sized enterprises.
- We work with local anchor institutions, recently providing finance to the United Colleges Group for a new site, enhancing post-16 Education and potentially unlocking over one thousand desperately needed homes, at their site in Willesden Green.
- We are proud to have been an accredited a London Living Wage employer through the London Living Wage Foundation since 2013; and, we continue to offer the first business rates discount in the UK for accredited Living Wage Employers in the borough.
- We continue to make in-house and Brent-based options for the services we provide; with this Labour Council insourcing amongst a crowded field: the estate cleaning service, housing management, uniformed street litter patrols, council tax collection and crucially our procurement service.

This Council believes:

- That residents are 8 times more likely to trust local councillors to take decisions on their behalf over and above MPs and Ministers. Furthermore, 5 times more people trust their local councils over and above Government to take the best decisions on their behalf.
- That while residents support their local councils to run services and redistribute wealth, Local Government still requires the financial resources to catalyse new social contracts and make public services, local.

This Councils resolves to call on Cabinet:

- (1) To develop a Social Value and Ethical Procurement Policy setting out how this council can ensure that our local community is central to the way we purchase goods and services, setting out how our small changes can have big impacts across the local economy.
- (2) To demystify the Council's procurement process, through regular training sessions, upskilling more local businesses on the tendering process – to enable Brent based traders to compete on a level playing field with larger corporations and work with Brent Council to provide vital works, services and goods.
- (3) To continue to make provision for in-house services the default option, whilst setting out the strong standards for tendering, bid evaluation and contract management for any other alternative."

16.3 Motion by the Labour Group – Our Community, Our Health Care

The Mayor then invited Councillor Daly to move the final motion submitted by the Labour Group.

Councillor Daly began by recalling the 'Shaping a Healthier Future' initiative of 2012, which, she pointed out, had been declared a failure and abandoned by the Secretary of State for Health and Social Care. She spoke of the poor state of healthcare in Brent and particularly highlighted the chronic delays in diagnosing curable cancers due to cuts in services. She went on express concern about the plans recently announced by the North West London Collaboration of Clinical Commissioning Groups to redress their vast deficit, which, whilst difficult to identify the exact scale of given the sparse nature of the information currently available, she felt would result in more reductions and delays to accessing health services.

Councillor Daly felt that the ethos of the NHS was being eroded and urged Members to support the campaign against the cuts. In recognising the strength of feeling and level of opposition to any further reductions in local health services she felt that an additional meeting of the Community and Wellbeing Scrutiny Committee should be convened in order to fully scrutinise the CCGs financial recovery plan and impact on the residents of the Borough.

The Mayor then invited other Members to speak on the motion, with the following contributions received.

Councillor Kabir advised that she fully supported the opposition to any further reductions in local health services with specific concerns raised about the proposed termination of overnight services at the Central Middlesex Hospital Urgent Care Unit. She went on to detail other areas falling victim to the budget deficits including the closure of the Cricklewood Walk-in Centre, the reduced patient intake at Pembridge Palliative Care Unit and limited capacity at St Luke's Hospice, poor access to GP services and limitations in patient consultant referrals along with the reduction in social care. Councillor Kabir therefore felt it was important for the Council to oppose any further reductions in health provision and work to engage with the North West London Collaboration of CCGs to secure better services for residents and ensure that any risks were minimised.

Councillor Nerva spoke of the pride in the NHS and how it should be uniting the Country. He was concerned, however, that health care provision was becoming a two-tier system in terms of those who could and could not afford care and supported the ongoing challenge towards local reductions in health services. Recognising the challenging position in North West London compared to other areas, he felt there was also a need to explore why the North West London CCG had been so badly affected.

Councillor Kansagra advised that whilst not agreeing with some of the detail within the motion, he would be supporting the resolution.

Councillor Mitchell-Murray spoke about her own personal health issues and experiences in accessing health care and advised that as a result, she was fully supportive of the motion.

Councillor Maurice took the opportunity to praise Northwick Park Hospital for the personal treatment he had recently received. Whilst highlighting that the private sector was not always the best option he did feel there was a need to recognise the level of health funding wasted by successive governments in seeking to implement new systems.

Councillor Kelcher in referring to the comments raised in relation to waste and inefficiency felt it was important to recognise that the implementation of new systems and a more top down approach towards the management and delivery of health care had involved ideological and political decisions. Given the high approval rating for the NHS prior to the last coalition and subsequent Conservative Government, he felt this could have been avoided.

Councillor Farah, in concluding the debate as Cabinet Member for Adult Social Care, thanked Councillor Daly for moving the motion and highlighted the wide ranging and detrimental health outcomes being caused by funding reductions to local health care services. Acknowledging the cross party cooperation on this issue he advised that he looked forward to campaigning in opposing any further reductions and in support of local health services.

As the remaining time available for the debate on motions had expired, the Mayor then invited Councillor Daly to exercise her right of reply.

In summing up, Councillor Daly echoed that she also had excellent experience of using the NHS and wanted to pay tribute to the NHS workforce whom she said, at all levels, were keeping the service running. Given the impact on local residents, she urged all members to support the motion.

The Mayor then put the motion (as set out below) to a vote, by show of hands, which was unanimously declared **CARRIED**.

“This Council notes:

- The Government has presided over the longest funding squeeze in the NHS’ history; deepened by cuts to Public Health Services and Adult Social Care.
- There are currently over 100,000 staff vacancies in NHS England, including 41,000 nurses and nearly 10,000 doctors. This figure could easily rise to 350,000 by 2030 according to research conducted by The King’s Fund, the Health Foundation and the Nuffield Trust.
- There are similarly 17,000 fewer hospital beds now than in 2010.
- The impact of Conservative cuts to public services and rising poverty are evident in the new Long Term Plan, with NHS England calculating that socioeconomic inequality causes £4.8 billion a year in greater numbers of hospitalisations.
- Nine years of austerity, cuts and privatisation have resulted in nearly 2.8 million people waiting over 4 hours in A&E last year, over 540,000 patients

waiting over 18 weeks for treatment and NHS waiting lists growing to over 4.3 million.

- The underlying deficit of nearly half of the NHS trusts which provide secondary care to patients referred by a GP is close to £5 billion.

This Council further notes, the consequences of these swingeing cuts:

- North West London Clinical Commissioning Groups (CCGs) face a significant deficit in the forthcoming year, with a projected deficit of £112m. The clinical commissioning group for Brent represents £9m of this debt.
- While North West London's population has grown by 5%, funding is stagnant, and worsened by unplanned emergency care rising by 25%.
- In 2018, London North West Healthcare Trust received a second Requires Improvement report from the CQC.
- Proposals to merge eight CCGs in North West London into one CCG by April 2021 will lead to yet more re-organisation, change and ultimately disruption to residents.
- Public Health funding for Brent services such as smoking cessation and alcohol recovery treatment have again been cut by the Government, by £0.5m for the next year.
- Age UK states there is a "perfect storm" in the Adult Social Care sector with parts facing "total collapse"; with £8 billion needed to stabilise the system and tackle increasing complex care. The latest promised Government green paper on the sector has been delayed at least six times over the last 18 months.
- According to the Royal College of Psychiatrists, Mental Health Trusts have less money in real terms to spend on mental health now than in 2012 and the number of mental health nurses has fallen by 4,000.
- IFS analysis indicates that if we leave the EU, the public purse is likely to lose enough money each year to fund the whole of NHS England for 3 months.

This Council believes:

- The NHS belongs to the people; it is Labour's proudest achievement, designed for universal healthcare for all on the basis of need, free at the point of use - the NHS should always have the resource to provide a comprehensive system, where everyone counts.
- The NHS should work across organisational and geographical boundaries, to facilitate services for every resident.
- The Government has passed the buck with cuts to public services delegated to our local NHS, resulting in a hollowing out of services in Brent and the surrounding area.

- Residents and members of the Community and Wellbeing Scrutiny committee are concerned about the styling of access to GP services across the borough and upon its boundaries: with Cricklewood GP Centre under consultation to cease its walk-in provision; and Central Middlesex Urgent Care Centre consulting to curtail its hours of operation; and Pembridge Hospice in Ladbroke Grove closing its doors to new admissions.
- The reduction of services from Central Middlesex UCC will impact on our poorest residents, without access to their own vehicles, with alternative services involving lengthy journeys by public transport at night, upwards of an hour.
- These changes will be felt far and wide across the health economy, as more residents seek support through accident and emergency or via their general practitioner.
- The sustained reduction in the ability of the NHS to provide essential services affects everyone, young to old and certainly those most vulnerable.

The Council resolves:

To work with Brent's Members of Parliament, to voice our opposition to any future arrangements in which alterations to local NHS services threaten the safety of patients or residents alike, and re-affirm the need for health services to put people at the heart of any future plans."

17. **Urgent Business**

The Mayor advised Members there were no urgent items of business for consideration and the next Full Council Meeting would be on 25 November 2019.

The meeting was declared closed at 8:15pm

COUNCILLOR ERNEST EZEAJUGHI
Mayor

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Item 7.1: Questions from Members of the Public

Full Council – 25 November 2019

1. Question from Mr Macsen Brown to Councillor Krupa Sheth, Cabinet Member for Environment

The United Nations' Intergovernmental Panel on Climate Change states that at projected rates of greenhouse gas emissions we have fewer than 12 years to avert global warming beyond 1.5°C. The IPCC warns that warming of 2°C or more would cause irreversible and severe damage to human society and to the global ecosystem. Under the Climate Change Act 2008, the UK's current target is to reduce carbon dioxide emissions by 80% of the 1990 levels by 2050. The UN report shows that if current national targets remain unchanged until 2030, there is a risk of warming of over 3°C by 2100. According to a review of recycling in Brent carried out by the Resources and Public Realms Scrutiny Committee in 2018, Brent had a recycling rate of 36.4%. This is 16 percentage points behind the best performing borough in the city and lags far behind the best performing local authority in the country. The UK wide recycling rate is over 45%, showing that we in Brent have work to do.

The current company which holds the contract for waste collection, Veolia, has been accused of mixing recyclable and non-recyclable waste. This contaminates the entire batch, nullifying whatever efforts many of our schools and businesses make to reduce their environmental impact.

Brent council has declared a climate emergency but it must now take serious action. How can it claim to be taking this issue seriously if it continues to build up grey wastelands instead of green community spaces? How can it be taking this seriously if it approves the construction of a 650 student primary school next to one of the most polluted roads in the borough? The Campaign Against Climate Change has a multitude of resources that councils looking to make good on their commitments can use. Can the council show that it is taking the radical steps necessary to ensure that this borough is carbon neutral by 2030 at the very latest?

Response:

We disagree that Veolia mix general waste and recycling. The two materials are collected on separate vehicles and tonnages of both are monitored regularly. In addition, it is more cost effective to recycle waste than send materials to energy from waste, so it serves no economic benefit to send recyclable material to energy from waste facilities. Our environmental focus is to move further up the waste hierarchy and encourage waste minimisation or reduction as well as reuse.

Actions to achieve these objectives will be set out in the Reduction and Recycling Plan due to be submitted to the GLA at the end of this year.

Our current recycling figure is 38% and we are seeking to increase this as part of our drive for waste minimisation and improved education processes to reduce contamination of recycling bins at a household level. Brent has a large amount of flats which are nationally recognised by recycling bodies to be more difficult to achieve high quality recycling from. We are recognised by the GLA as being one of the leading boroughs in offering a wide range of materials that residents can recycle and also are one of the only London Boroughs who offer food waste collections to the majority of their residents; including those who live in flats.

On the issue of green spaces; we are working hard to preserve and improve our green spaces and have fed into the Green Space Commission in terms of providing ideas for linking green spaces across the entire borough as well as on a pan London basis.

Following Brent's "Declaration of a Climate & Ecological Emergency", the council has agreed to a corporate review of council activity on climate change and sustainability, including an independent analysis of Brent's carbon emissions and potential net zero carbon pathways, and to hold a citizen's assembly to seek ideas on how the council and the community in Brent can work together to address the climate emergency.

An 'Interim' Report on Brent's response to the Declaration is to be submitted to Full Council on 25th November, in order to meet the Declaration's requirement for a report to be considered within 6 months.

The 'Brent Climate Assembly' (BCA) is now also up and running.

The report will propose a process that would enable recommendations for action prior to the development of a ten-year borough-wide climate change and sustainability strategy, that would be issued for public consultation in the new year and adopted by Cabinet in May 2020.

2. Question from Ms Gihan Abdulgadir to Councillor Shama Tatler, Cabinet Member for Regeneration, Property & Planning

How many homes in the Wembley park development are for social housing; what are the tenancy types and what is the rent set at for the different bedrooms?

Response:

How many homes in the Wembley park development are for social housing?

Approximately 750 Affordable Rented homes have been built or are currently being constructed in the Wembley Park area. Although the definition allows these units to be rented at up to 80% market level, because we use the Registered Provider model with Council rights to nominate from the Council waiting list, rents are set considerably lower than the 80% level.

More have been consented but are not yet on site.

What are the tenancy types and what is the rent set at for the different bedrooms?

Other tenures that fall within the affordable homes definition that have been completed or currently being built within Wembley Park include:

- Approx 720 Shared Ownership homes; these homes are sold at between 25% and 75 % of market value with rent paid on the remaining proportion to the Registered Provider.
- Approx 117 discount rental homes at 65 % market rent and approx 502 discount rental homes at 80 % market rent (the homes are let at the specified percentage of market rent).
- Approx 32 discount rental homes at “London Living Rent” levels - calculated by the GLA at ward level and are based on one third of median household income.

This totals 2,121 homes which fall within the national definition of affordable housing completed or under construction.



Item 7.2: Questions from Brent Youth Parliament

Full Council – 25 November 2019

1. Question from Brent Youth Parliament to Councillor Krupa Sheth, Cabinet Member for Environment


Brent Youth Parliament were honoured to host the first Brent Council Climate Change Youth Summit on Saturday 26th October. How will we know if the recommendations given from the Youth Summit will be acted upon?

Response:

I was delighted to support and attend Brent Youth Parliament's first Youth Climate Summit.

Young people have the most to gain from climate action and it is vital that their ideas are not only heard, but acted upon. The recommendations from the Youth Climate Summit will be presented by the Brent Youth Parliament (BYP) to the Brent Climate Assembly on 23rd November.

The Assembly will consider these recommendations when preparing its own report to the Council in December. The BYP and Brent Climate Assembly reports will inform the development of Brent's new borough-wide climate emergency strategy, which we will issue for public consultation in the New Year and adopt next May. In the meantime, we will continue to work with the BYP, schools and young people in delivering the Interim Climate Action Plan this Winter.

 Brent	Full Council 25 November 2019
	Report from the Assistant Chief Executive
Chair's Report: Community and Wellbeing Scrutiny Committee	

Wards Affected:	All
Key or Non-Key Decision:	Non-Key Decision
Open or Part/Fully Exempt:	Open
No. of Appendices:	2 Appendix 1 Community & Wellbeing Scrutiny Work Programme Appendix 2 North West London Joint Health Overview and Scrutiny Committee Work Plan 2019-2020
Background Papers:	None
Contact Officers:	Pascoe Sawyers, Head of Strategy and Partnerships 020 8937 1045 pascoe.sawyers@brent.gov.uk James Diamond, Scrutiny Officer, Strategy and Partnerships 020 8937 1068 james.diamond@brent.gov.uk

1.0 Purpose of the Report

- 1.1 To inform Council about the updated 2019/2020 work programme for the Community and Wellbeing Scrutiny Committee, the outcomes of meetings, and other activities by the scrutiny committee since Council on 16 September.

2.0 Recommendation

- 2.1 To discuss the Community and Wellbeing Scrutiny Committee's work plan.

3.0 Detail

- 3.1 The scrutiny committee's work programme sets out which Key Decisions of the Cabinet the committee will scrutinise during the municipal year. It also sets out the task groups to be set up as in-depth reviews. A scrutiny committee's work plan may change during the municipal year as new issues arise and items are added. As set out in Appendix 1, there have been some changes to the scrutiny committee's work plan since the last Council meeting.
- 3.2 The work plan also sets out the policy areas and decision-making of external partner organisations to be scrutinised by the committee. As part of its remit, the Community and Wellbeing Scrutiny Committee can scrutinise, and make recommendations, to NHS organisations and can review the provision and operation of health services in the borough, and make recommendations. In accordance with this remit, on 24 October there was a special scrutiny committee meeting at which two reports were considered. Firstly, there was a report from Brent Clinical Commissioning Group (CCG) providing an update on the financial position of the North West London Collaboration of CCGs and the financial recovery programmes in place. Secondly, a report from Brent Clinical Commissioning Group and the North West London Collaboration of CCGs on progress with commissioning reform and the move to a single CCG in 2021, and a single operating structure for North West London.
- 3.3 A call-in committee took place on 2 October after a Key Decision by Cabinet on 9 September regarding the Formal Consultation on School Organisation Arrangements of Roe Green Infant School. The scrutiny committee referred the item back to the Cabinet meeting, which took place on 14 October.
- 3.4 The committee has also formally established a members' task group to review childhood obesity. The childhood obesity task group has completed all of its evidence sessions, which were held on July 16, July 23, and September 3. There was also a special open session on 10 September at which residents, parents and other stakeholders were able to give their views about the key issues. However, the task group would now like to consider more evidence. On this basis, the Task Group's report will be presented to committee on 16 March 2020.
- 3.5 For reference of Council, the work plan of North West London Joint Health Overview and Scrutiny Committee has also been included in Appendix 2. Councillor Ketan Sheth is the council's representative on the joint health scrutiny committee.

4.0 Financial Implications

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

5.0 Legal Implications

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

6.0 Equality Implications

- 6.1 There are no equality implications.

7.0 Consultation with Ward Members and Stakeholders

7.1 Non-executive members are involved in the committee and task groups.

Report sign off:

Peter Gadsdon
Assistant Chief Executive

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Appendix 1: Community and Wellbeing Scrutiny Committee Work Programme 2019-20

Tuesday 9 July 2019

Report	Cabinet Member/s	Strategic Director/s	External	Cabinet Forward Plan Item	School Education Item	Health/NHS Item **
1. Substance Misuse: Treatment, Recovery and Wellbeing Service	Cllr Krupesh Hirani, Lead Member for Public Health, Culture and Leisure	Dr Melanie Smith, Director of Public Health		No	No	No
2. Palliative and End of Life Care	Cllr Harbi Farah, Lead Member for Adult Social Care		Brent Clinical Commissioning Group	No	No	Yes
3. Urgent Care Centre, Central Middlesex Hospital	Cllr Harbi Farah, Lead Member for Adult Social Care		Brent Clinical Commissioning Group	No	No	Yes
4. Childhood Obesity: Members' Task Group Scoping Paper	Cllr Krupesh Hirani, Lead Member for Public Health, Culture and Leisure	Dr Melanie Smith, Director of Public Health		No	No	Yes

** Delegated health scrutiny under part 4 of the Local Authority Regulations 2013

Wednesday 4 September 2019

Report	Cabinet Member/s	Strategic Director/s	External	Cabinet Forward Plan Item	School Education Item	Health/NHS Item **
1.Home Care Recommissioning	Cllr Harbi Farah, Lead Member for Adult Social Care	Phil Porter, Strategic Director Community Wellbeing		Yes	No	No
2. Proposals for Cricklewood Health Centre	Cllr Harbi Farah, Lead Member for Adult Social Care		Brent Clinical Commissioning Group/Barnet Clinical Commissioning Group	No	No	Yes

** Delegated health scrutiny under part 4 of the Local Authority Regulations 2013

Tuesday 26 November 2019

Report	Cabinet Member/s	Strategic Director/s	External	Cabinet Forward Plan Item	School Education Item	Health/NHS Item **
1.Brent Safeguarding Adults' Board Annual Report	Cllr Harbi Farah, Lead Member for Adult Social Care	Phil Porter, Strategic Director Community Wellbeing	Independent Chair, Brent Safeguarding Adults' Board	No	No	No
2.Peer Review: Adult Safeguarding	Cllr Harbi Farah, Lead Member for Adult Social Care	Phil Porter, Strategic Director Community Wellbeing	Independent Chair, Brent Safeguarding Adults' Board	No	No	No
3. Brent Local Safeguarding Children Board Final Report	Cllr Mili Patel, Children's Safeguarding, Early Help and Social Care	Gail Tolley, Strategic Director Children and Young People	Independent Chair, Brent Local Safeguarding Children Board	No	No	No
4. New Multi-Agency Safeguarding Children Arrangements in Brent	Cllr Mili Patel, Children's Safeguarding, Early Help and Social Care	Gail Tolley, Strategic Director Children and Young People	CCG representative Police representative	No	No	No

** Delegated health scrutiny under part 4 of the Local Authority Regulations 2013

Tuesday 4 February 2020

Report	Cabinet Member/s	Strategic Director/s	External	Cabinet Forward Plan Item	School Education Item	Health/NHS Item **
1. Single Homeless Prevention Service	Cllr Eleanor Southwood, Lead Member for Housing and Welfare Reform	Phil Porter, Strategic Director Community Wellbeing		No	No	No
2. Brent Council Housing Management Services	Cllr Eleanor Southwood, Lead Member for Housing and Welfare Reform	Phil Porter, Strategic Director Community Wellbeing		No	No	No
3. Brent Council Housing Repairs	Cllr Eleanor Southwood, Lead Member for Housing and Welfare Reform	Phil Porter, Strategic Director Community Wellbeing		No	No	No

** Delegated health scrutiny under part 4 of the Local Authority Regulations 2013

Monday 16 March 2020

Report	Cabinet Member/s	Strategic Director/s	External	Cabinet Forward Plan Item	School Education Item	Health/NHS Item **
1. Early Intervention to Reduce Youth Crime	Cllr Mili Patel, Children's Safeguarding, Early Help and Social Care	Gail Tolley, Strategic Director Children and Young People		No	No	No
2.Contextual Safeguarding Task Group: One-Year Update	Cllr Mili Patel, Children's Safeguarding, Early Help and Social Care	Gail Tolley, Strategic Director Children and Young People		No	No	No
3. Overview and Scrutiny Task Group Report: Childhood Obesity	Cllr Krupesh Hirani, Public Health, Culture and Leisure	Dr Melanie Smith, Director of Public Health		No	No	Yes

** Delegated health scrutiny under part 4 of the Local Authority Regulations 2013

Wednesday 22 April 2020

Report	Cabinet Member/s	Strategic Director/s	External	Cabinet Forward Plan Item	School Education Item	Health/NHS Item **
1. School Standards and Achievement Report 2018-19, including Achievement of Boys of Black Caribbean Heritage	Cllr Amer Agha, Lead Member for Schools, Employment and Skills	Gail Tolley, Strategic Director Children and Young People		No	Yes	No


** Delegated health scrutiny under part 4 of the Local Authority Regulations 2013

APPENDIX 2:

North West London Joint Health Overview and Scrutiny Committee Work Plan 2019-2020

Date	Host Borough	Agenda Items
21 June	Hounslow	1. Case for a single CCG and borough arrangements 2. Development of NW London Integrated Care System
30 October	Hammersmith and Fulham	1. North West London Finance Committee, including GP at hand funding issues 2. North West London Financial recovery
10 December	Kensington and Chelsea	1. NHS Long-Term Plan submission 2. Estate Strategy for NHS London
February date TBC	Richmond	1. Patient Transport

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 Brent	Full Council 25 November 2019
	Report from the Assistant Chief Executive
Chair's Report: Resources and Public Realm Scrutiny Committee	

Wards Affected:	All
Key or Non-Key Decision:	Non-Key Decision
Open or Part/Fully Exempt:	Open
No. of Appendices:	Appendix A - Committee Work Programme
Background Papers:	None
Contact Officers:	Pascoe Sawyers, Head of Strategy and Partnerships, pascoe.sawyers@brent.gov.uk , 020 8937 1045 Michael Carr, Senior Policy and Scrutiny Officer, Strategy and Partnerships michael.carr@brent.gov.uk 020 8937 2855

1.0 Purpose of the Report

- 1.1 To update Council on the business of the Resources and Public Realm Scrutiny Committee.

2.0 Recommendation

- 2.1 That the business of the Resources and Public Realm Scrutiny Committee and the Committee's amended work programme for 2019-2020 be noted.

3.0 Detail

- 3.1 The Scrutiny Committee's work programme sets out the issues that the Committee will consider during the municipal year. It also states the Scrutiny Task Groups which it will set up to consider in-depth reviews. The Committee's work plan is set out in Appendix 1. A scrutiny committee work plan may change during the municipal year

as new issues arise and items are added. Council will be informed of any changes through a report of the scrutiny committee chair.

- 3.2 The work plan includes issues for consideration that may require the involvement or decisions by external partner organisations. As part of its remit set out in the constitution, the Resources and Public Realm Scrutiny Committee can scrutinise and make reports and recommendations to the authority on community safety partnership (the Safer Brent Partnership) crime and disorder issues.
- 3.3 There have been two meetings of the Committee so far this municipal year, one on 3 July 2019 and the other on 12 September 2019. At its last meeting on 12 September 2019, the committee considered the Brent's Statement of Licensing Policy; Brent's Council Tax Support and Local Welfare Assistance policy; the final report and recommendations of the Knife Crime Scrutiny Task Group along with an update on the Carlton and Granville Centre site (further to the consideration of a call-in earlier in 2019), with questions to the Cabinet Members and departmental officers for each topic. The committee also established a Scrutiny Task Group to consider the Council budget performance and budget proposals for 2020-2021 and 2021-2023.
- 3.4 The Knife Crime Scrutiny report agreed by the committee included 13 recommendations to the Cabinet, including a multi-agency, contextual safeguarding approach, joining up strategies across health and other children and young people's services, community projects that aim to prevent 'at risk' young people from being drawn into knife crime, and are set up with measureable evaluation outcomes, a hard-hitting media project and a Schools Safety Charter, more collaborative working between the voluntary and community sector (VCS) and religious organisations, to raise funds for projects and training to prevent knife crime. The report and recommendations were considered by Cabinet on Monday 14 October 2019 and Cabinet agreed all thirteen recommendations.
- 3.5 The Budget Scrutiny Task Group held its first meeting on 31 October 2019, when it considered the outturn expenditure for 2018/19, including consideration of key areas of overspend and underspend, as well as budget monitoring reports for quarters one and two for 2019-2020, with oral evidence from the Director of Finance and the Head of Finance. The next meeting of the Task Group is now scheduled for 18 December 2019, when it will consider the draft budget proposals and hear oral evidence from Cabinet Members and departmental officers on the proposals. The Task Group will produce a report for approval by the Resources and Public Realm Scrutiny Committee on 29 January 2020.
- 3.6 The Air Quality Scrutiny Task Group has been meeting regularly to receive evidence from a wide range of local and national stakeholders and expert witnesses, including Kings College London, The Director of Public Health, Transport for London, local campaign groups, including Clean Air for Brent and the Brent Cycling Campaign, local schools, local residents' associations, other local authorities, including Birmingham City Council, Waltham Forest and Camden and other local stakeholders and businesses, including Wembley Stadium and Wembley Arena.

- 3.7 The next meeting of the committee is scheduled to take place on 4 December 2019, when the committee is expected to consider Data Led Service Delivery, Tourism in Brent, the Annual Complaints Report and the final report from the Air Quality Scrutiny Task Group.

4.0 Financial Implications

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

5.0 Legal Implications

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

6.0 Equality Implications

- 6.1 There are no equality implications.

7.0 Consultation with Ward Members and Stakeholders

- 7.1 Non-executive members are involved in the scrutiny committee and task groups which are set up by the committee.

Report sign off:

Peter Gadsdon
Assistant Chief Executive

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Resources & Public Realm Scrutiny Committee Work Plan 2019-2020

Wednesday 03 July 2019

Report	Cabinet Member/s	Strategic Director/s	External	Cabinet Forward Plan Item	Community Safety Scrutiny*
1. Air Quality (Scrutiny Task Group)	Cllr Krupa Sheth - Cabinet Member for Environment	Amar Dave - Strategic Director Regeneration & Environment	Clean Air For Brent	No	No
2. The Safer Brent Partnership (including the Annual Report)	Cllr Tom Miller – Cabinet Member for Community Safety	Carolyn Downs Chief Executive Brent Council – Chair of the Safer Brent Partnership	MET Police - Sara Leach -NW BCU Commander (responsible for all 3 Boroughs). Inspector Lynne Forster	Yes	Yes
3. Police Tri-borough BCU Reconfiguration	Cllr Tom Miller – Cabinet Member for Community Safety	Carolyn Downs Chief Executive Brent Council – Chair of the Safer Brent Partnership Amar Dave - Strategic Director Regeneration & Environment	MET Police - Sara Leach -NW BCU Commander (responsible for all 3 Boroughs). Inspector Lynne Forster	No	Yes
4. Knife Crime Scrutiny Task Group Interim Report	Cllr Tom Miller – Cabinet Member for Community Safety	Carolyn Downs Chief Executive Brent Council – Chair of the Safer Brent Partnership Amar Dave - Strategic Director Regeneration & Environment	MET Police - Sara Leach -NW BCU Commander (responsible for all 3 Boroughs). Inspector Lynne Forster	Yes	Yes

*Section 19 of the Police and Justice Act 2006

Thursday 12 September 2019

Report	Cabinet Member/s	Strategic Director/s	External	Cabinet Forward Plan Item	Section 19 Police & Justice Act
1. Brent Statement of Licensing Policy	Cllr Tom Miller – Cabinet Member for Community Safety Cllr Shama Tatler - Cabinet Member for Regeneration, Highways, Planning	Amar Dave - Strategic Director Regeneration & Environment		Yes	No
2. Council Tax Support and Local Welfare Assistance	Cllr Eleanor Southwood - Cabinet Member for Housing and Welfare reform	Peter Gadsdon – Strategic Director Policy and Performance		No	No
3. Knife Crime Scrutiny Task Group Final Report	Cllr Tom Miller – Cabinet Member for Community Safety	Carolyn Downs Chief Executive Brent Council – Chair of the Safer Brent Partnership Amar Dave - Strategic Director Regeneration & Environment	MET Police - Sara Leach -NW BCU Commander (responsible for all 3 Boroughs). Inspector Lynne Forster	Yes	Yes
4. Carlton and Granville Centre Site	Cllr Shama Tatler - Cabinet Member for Regeneration, Highways, Planning	Peter Gadsdon – Strategic Director Policy and Performance		Yes	No
5. Budget Scrutiny (Scrutiny Task Group) Membership and Terms of Reference	Cllr Margaret McLennan - Deputy Leader of the Council	Minesh Patel - Director of Finance Peter Gadsdon – Strategic Director Policy and Performance		No	No

Wednesday 04 December 2019

Report	Cabinet Member/s	Strategic Director/s	External	Cabinet Forward Plan Item	Section 19 Police & Justice Act
1. Data Led Service Delivery	Cllr Muhammed Butt- Leader of the Council Cllr Tom Miller – Cabinet Member for Community Safety	Peter Gadsdon – Strategic Director Policy and Performance		No	No
2. Tourism in Brent	Cllr Shama Tatler - Cabinet Member for Regeneration, Highways, Planning	Amar Dave - Strategic Director Regeneration & Environment		No	No
4. Annual Complaints Report	Cllr Margaret McLennan - Deputy Leader of the Council	Peter Gadsdon – Strategic Director Policy and Performance		Yes	No
3. Air Quality Scrutiny Task Group Report	Chair of Task Group to present Cllr Krupa Sheth - Cabinet Member for Environment to respond	Amar Dave - Strategic Director Regeneration & Environment		Yes	No

Wednesday 29 January 2020


Report	Cabinet Member/s	Strategic Director/s	External	Cabinet Forward Plan Item	Section 19 Police & Justice Act
1. Budget Scrutiny Task Group Report	Cllr McLennan - Deputy Leader of the Council	Minesh Patel - Director of Finance		Yes	No
2. Property and Capital Strategy	Cllr Margaret McLennan - Deputy Leader of the Council	Minesh Patel - Director of Finance		No	No
3. Pensions Policy	Cllr Margaret McLennan - Deputy Leader of the Council	Minesh Patel - Director of Finance Amar Dave - Strategic Director Regeneration & Environment		No	No
4. Violence Against Women (Task Group) Membership and Terms of Reference	Cllr Tom Miller – Cabinet Member for Community Safety	Amar Dave - Strategic Director Regeneration & Environment		No	No

Thursday 12 March 2020

Report	Cabinet Member/s	Strategic Director/s	External	Cabinet Forward Plan Item	Section 19 Police & Justice Act
1. Brent Parks	Cllr Krupa Sheth - Cabinet Member for Environment	Amar Dave - Strategic Director Regeneration & Environment		No	No
2. Brent Cycling Strategy	Cllr Krupa Sheth - Cabinet Member for Environment	Amar Dave - Strategic Director Regeneration & Environment	The London Cycling Campaign	No	No

Tuesday 21 April 2020

Report	Cabinet Member/s	Strategic Director/s	External	Cabinet Forward Plan Item	Section 19 Police & Justice Act
1. Review of The Use of Food Banks in Brent Scrutiny Recommendations	Cllr Eleanor Southwood - Cabinet Member for Housing and Welfare reform	Peter Gadsdon – Strategic Director Policy and Performance			

	Full Council 25 November 2019
	Report from the Vice Chair of the Audit & Standards Advisory Committee
Update Report from the Vice-Chair of the Audit and Standards Advisory Committee	

Wards Affected:	All
Key or Non-Key Decision:	Non-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:	None
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Debra Norman, Director of Legal, HR, Audit and Investigations Tel:020 8937 1578 Email: debra.norman@brent.gov.uk

1. Purpose of the Report

- 1.1 This report provides a summary of the activities carried out by the Council's Audit and Standards Advisory Committee (ASAC) since the last update provided in September 2019. The ASAC is responsible for considering and advising the relevant council bodies on various governance matters relating to audit activity, the council's regulatory framework, and members' standards of conduct.
- 1.2 The report also summarises the activities of the Audit and Standards Committee which is responsible for various governance matters including reviewing and approving the Annual Statement of Accounts, adopting the council's Annual Governance Statement and promoting high standards of conduct by members and co-opted members

2. Recommendation

- 2.1 Council is asked to note the contents of the report.

3. Detail

- 3.1 The ASAC has met once since the last update was provided to Council on 16th September, 2019. This paper is a brief update on the areas covered in that meeting with some additional information on counter fraud activity and Internal Audit.

Audit and Standards Advisory Committee – September 2019

3.1.1 i4B and FWH accounts assurance-testing and the Council's audit process

The report provided an update to the Committee on:

- the progress of FWH and i4B company audits, and
- the proposed new tender and schedule for next year's audit.

3.1.2 Additional Audit Fees

The report provided a brief note on the additional audit fee for KPMG on previous objections to the Council's accounts.

3.1.3 Performance and management of i4B Holdings Ltd

The Committee was provided with a report from i4B Holdings Limited (i4B), with the Council as its shareholder.

3.1.4 Performance and management of First Wave Housing Ltd

The Committee was provided with an update report from First Wave Housing Limited (FWH), with the Council as its guarantor.

3.1.5 Internal Audit Progress Report

The report provided an update on the progress against the Internal Audit Plan between 1 April and 31 August 2019.

3.1.6 Counter Fraud Progress Report

The report provided an update on counter fraud work undertaken between 1 April and 31 August 2019.

3.1.7 Strategic Risk Register Update

This report provided an updated version of the Corporate Risk Register. In accordance with the terms of reference for the Committee, the report was presented to 'enable the Committee to monitor the effective development and operation of risk management and corporate governance in the Council.'

3.1.8 Treasury Management Mid-term Report

The report updated Members on recent treasury activity.

3.1.9 The Annual Audit Letter

The Council's external auditors, Grant Thornton, produced a report following completion of the audit of accounts and an Annual Audit Letter. The letter was intended to identify any changes to the accounts, unadjusted misstatements or material weaknesses in controls identified during the audit work. It also provided the findings from the value for money conclusion for the year.

3.1.10 External Audit Progress Report and Sector Update

The paper provided the Committee with a report on progress in delivering Grant Thornton's responsibilities as the Council's external auditors. It also included a summary of emerging national issues and developments that may be relevant to Brent as a local authority.

3.1.11 Update on review the performance of the Committee (self-assessment)

This report provided an update about the effectiveness of Committee following a training workshop held after the previous meeting facilitated by a CIPFA trainer.

3.2 **Additional Information:**

3.2.1 The Audit and Investigations team are moving forward on a number of initiatives outside of the reports summarised above. Key items are highlighted below:

- **Blue Badge Misuse**
New protocols have been in place since April 2019 with the parking contractor (Serco). Brent Parking have increased fraud referrals to the Investigations team significantly which is leading to more prosecutions, cautions and warnings.
- **Anti-Fraud Data Pilots**
We are running pilots with an anti-fraud company called Cifas on accessing data from the National Fraud Database (NFD) and Internal Fraud Database (IFD). These allow us to access information that will assist in preventing and detecting external and internal fraud.
- **ID checking**
The investigations team is leading on a pilot of a new anti-fraud tool called IDs can – this can enhance our ability to check the validity of people's ID when they apply for jobs or to access any of the council's services. If the pilot is successful, we believe that this will enhance control in key areas.
- **Staffing**
We now have a full complement of Internal Audit staff after three recent recruits- two of these are in post, one starting on 4/11. The Counter Fraud posts are also full. I am happy that we have a very strong team in place across both disciplines.

- Internal Audit Planning
The Internal Audit team is starting to do some early planning for the 2020/21 annual Internal Audit Plan and will be meeting with key stakeholders for initial discussions. As always, any proposals from members are most welcome.


4. **Summary**

- 4.1 I am very pleased with the progress being made. The Internal Audit Investigations team are working to full strength especially on various investigations matters. Over the coming months, budgets will be scrutinized and this will also be a challenging task. I, myself the Deputy Leader and Finance Director attended the 2019 Finance Conference allowing us the opportunity to network with other stakeholders on the challenging task in Audit generally.

Report sign off:

Councillor A. Choudry

Vice-Chair Audit & Standards
Advisory Committee

	Full Council 25 November 2019
	Report from the Strategic Director of Regeneration and Environment
Interim Report on Brent's Response to the Climate and Ecological Emergency	

Wards Affected:	All
Key or Non-Key Decision:	n/a
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:	Appendix A: Brent's Interim Climate & Ecological Emergency Action Plan (Winter 2019/20) Annexes 1. Brent Carbon Scenarios 2030 Study: Scenario Carbon Trajectories 2. Council Influence vs Emissions by Sector & Source
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Oliver Myers Head of Environmental Strategy & Commissioning Regeneration & Environment Oliver.myers@brent.gov.uk 020 8937 5323

1.0 Purpose of the Report

- 1.1 The London Borough of Brent passed a Council Motion to Declare a Climate & Ecological Emergency at the Full Council meeting on 8th July 2019. This Interim Report fulfils the commitment in the Motion to produce a report on this subject within six months. The report highlights the steps the Council has taken since making the declaration and the processes we have put in place to ensure that we follow through on our commitments.
- 1.2 The Council's Declaration of a Climate & Ecological Emergency included commitments to:
- Do all reasonable in the Council's gift to aim for carbon neutrality for 2030 and work with government to achieve the national 2050 target

- Empower a Lead Member to take responsibility for tackling climate change in Brent and produce a report on this subject within 6 months which also promotes the importance of local biodiversity
 - Develop a Carbon Offset Fund and Strategy
 - Redirect our investments into renewables and carbon free/neutral technologies
 - Continue to deliver reductions in emissions through support for district energy & renewables
 - Make representations to national government to urge them to provide the power and resources to the Mayor and local authorities
 - Explore the viability of there being an annual green summit for interested parties
 - Request that the appropriate scrutiny committee review the actions taken to reduce carbon emissions in Brent and the Council at the end of the municipal year
- 1.3 Since passing the motion, the Council has adopted a holistic, organisation-wide approach to addressing the climate emergency which is focusing on a range of inter-related environmental issues, from carbon reduction, waste and resources, air quality and ecology to climate change adaptation.
- 1.4 We have commissioned the Brent Carbon Scenarios 2030 Study, an independent assessment of the sources of carbon emissions produced in the borough and the potential pathways to achieve carbon neutrality.
- 1.5 We have established arrangements for the Brent Climate Assembly, taking place across three sessions in November and December, and we have supported a Youth Climate Summit hosted by the Brent Youth Parliament.
- 1.6 We have conducted a cross-cutting, internal sustainability review with input from officers from across the entire council, to take stock of what we are already doing to reduce carbon emissions and to consider what more needs to be done. This review has shown that whilst we are meeting good and best practice in some areas, there are some key areas where we need to do more.
- 1.7 The internal sustainability review, the Brent Carbon Scenarios Study and the Brent Climate Assembly recommendations will be considered together, alongside the report of the standing Air Quality Scrutiny Task Group, prior to the development of a ten-year borough-wide environmental sustainability strategy, that will be issued for public consultation in February and adopted by Cabinet in May 2020.
- 1.8 Whilst it is right that we allow time for these parallel processes to be concluded so that they can shape our new environmental sustainability strategy, the climate emergency requires immediate action. This is why we have developed an Interim Climate Action Plan (Winter 2019/20) – Appendix 1, so that we can get on with some important initiatives to help us lead by example as a council and to enable us to provide leadership and support to residents, schools, businesses and community groups so that they in turn can make their own contribution.

1.9 This report is structured as follows:

- Section 3: The climate & ecological emergency
- Section 4: Brent's holistic and systemic approach to tackling the climate emergency
- Section 5: The Brent Carbon Scenarios 2030 Study findings
- Section 6: The Brent Climate Assembly
- Section 7: Brent's Interim Climate & Ecological Action Plan (Winter 2019/20)
- Section 8: Overall process and timeline
- Section 9: Alternative options considered
- Section 10: Financial implications
- Section 11: Legal implications
- Section 12: Equality implications
- Section 13: Human resources/property implications
- Section 14: Environmental sustainability implications
- Section 15: Proposed consultation with ward members and stakeholders

Appendix A: Brent's Interim Climate & Ecological Emergency Action Plan (Winter 2019/20)

Annex 1: Brent Carbon Scenarios 2030 Study – Scenario carbon trajectories

Annex 2: Council Influence vs Emissions by Sector & Source

2.0 Recommendations

- 2.1 That the Full Council approves the Interim Climate & Ecological Emergency Action Plan (Winter 2019/20) – Appendix A.
- 2.2 That the Full Council approves the development of a borough-wide climate emergency strategy which will be issued for public consultation in the new year and adopted by Cabinet in May 2020.

3.0 Context - The Climate & Ecological Emergency

- 3.1 In October 2018, a Special Report from the Intergovernmental Panel on Climate Change, as required by the Paris Agreement, called for urgent action to limit global warming to 1.5°C, to avoid the risk of reaching 'tipping points' in our ecological and climatic systems that are likely to lead to runaway climate change.
- 3.2 That Intergovernmental Panel on Climate Change's Special Report, together with the growing grass roots movements such as the school climate strikes inspired by Greta Thunberg, community direct action and the Declare a Climate Emergency campaign, have since created a significant rise in media coverage and public sector commitments on this issue. The Mayor of London declared a climate emergency in December 2018, UK Parliament declared a national climate emergency in May 2019 and in June, the UK Government enshrined in law a net zero carbon reduction target by 2050.
- 3.3 Over half of 1st and 2nd tier local authorities (including most London boroughs) have since declared a Climate Emergency. It is being argued by organisations such as the Association for Public Service Excellence (APSE) that the environmental crisis can provide a positive, radical platform for change for local government for the next decade and beyond. The environmental crisis provides the opportunity for positive social,

economic and environmental transformation through a transition to a net zero carbon economy, a cleaner, greener environment and a fairer and healthier society.

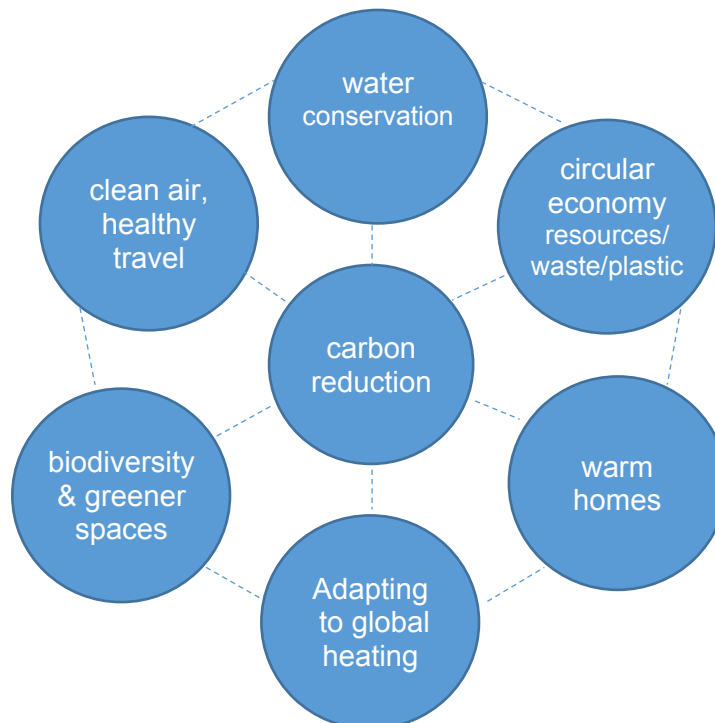
- 3.4 As well as reducing the risks from the warming climate, action to tackle climate change has the potential to bring positive change for the local community on many of the issues that matter most to people, such as cleaner air, greener spaces, warmer homes, healthier travel and a thriving economy.
- 3.5 Improving the health of all through climate action has the potential to bring significant savings to NHS budgets, while it is also widely accepted by economists that the costs of action now to avert the consequences of global heating will be far lower than the costs of inaction in the future.
- 3.6 In taking forward the Interim Climate Action Plan and developing our new borough-wide environmental sustainability strategy, the Council will ensure that no-one is left behind; vulnerable households and people on low incomes in Brent will be provided with opportunities to benefit from low carbon and green technologies without suffering financial hardship.

4.0 Brent's holistic and systemic approach to tackling the climate emergency

- 4.1 Since declaring the climate emergency, the Council has adopted a holistic, organisation-wide approach to tackling the following interwoven environmental issues:
 - **Carbon emissions reduction:** reducing carbon emissions (the principal greenhouse gas) from the fossil fuels which are used to heat and power our homes and businesses and to fuel road transport in Brent; as well as reducing imported emissions from goods and services produced outside Brent, and outside the UK, that we consume, such as food, clothes and other products.
 - **Warm homes:** ensuring that measures to reduce carbon emissions are affordable for vulnerable and low income households.
 - **Local resilience to the impacts of global heating:** Minimising the local risks from global heating; improving surface water flood risk management and our resilience to droughts and heatwaves, including adaptations to buildings.
 - **Clean air:** reducing emissions of Nitrogen Dioxide (NO₂) and Particulate Matter (PM₁₀, PM_{2.5}) from transport, buildings and construction.
 - **A circular economy:** moving from the throw away, “linear” economy to a circular economy where waste is avoided as far as possible, where waste created is used as a resource, with emissions from our waste collection processes minimised.
 - **Greener spaces:** enhancing green spaces, natural habitats and biodiversity and planting more trees.
 - **Water conservation:** water is a scarcer resource than people think and is predicted to get scarcer with global heating. Conserving water also saves energy.
- 4.2 The Council has completed a review of borough-level environmental data and mapped this on our Geographical Information System (GIS), to show the key environmental

impacts across the borough together with the locations of environmental infrastructure and facilities, so that in future solutions can be targeted in the right places. GIS maps have been created for sustainable travel, air quality, energy supply, energy efficiency, waste and recycling, green spaces, trees, ecology and surface water flood risk.

Figure 1: A holistic approach to environmental sustainability



4.3 The Council has also committed to fulfilling the following roles on the climate emergency:

Community leadership:	As the democratically accountable body, we will provide the necessary leadership on this issue to bring the community together to address this issue with a positive and collaborative agenda, ensuring that the carbon neutral transition is fair for all.
Leading by example as a council:	Reducing emissions from our own estate and operations (corporate properties, vehicle fleet, street lighting/signage), from council housing and from our construction programmes; improving the environmental sustainability of the Council's procurement of goods and services, reducing our dependence on damaging materials such as single use plastics.
Strategic planning and infrastructure:	Ensuring that environmental sustainability goals are fully integrated in strategic plans such as the Borough Plan, Local Plan, Inclusive Growth Strategy, Housing Strategy, Transport Strategy, Parking Strategy, Waste Strategy, Digital Strategy, Joint Strategic Needs Assessment. Creating better recycling, walking and cycling infrastructure; supporting green enterprise and reskilling the workforce; delivering

borough-wide decentralised energy schemes including community owned renewable generation.

Partnership:	Developing pan-London and cross-borough initiatives where these can improve our impact. Build on existing and create new partnerships with key sectors in Brent including public sector partners, business and industry, energy suppliers, schools, residents' fora and community groups.
Attracting investment:	Ensuring that Brent secures funding from existing and future national and regional programmes for carbon reduction, energy efficiency, waste reduction, air quality, sustainable urban drainage, biodiversity and tree planting.
Enabling:	Making it easier for people in Brent to reduce their own impacts, for instance, allocating the Carbon Offset Fund for household, business, school and community carbon reduction initiatives.
Community engagement:	Providing direct advice, for instance on recycling, and signposting residents to advice and support from other agencies such as the Energy Saving Trust.

5.0 Brent Carbon Scenarios 2030 findings

- 5.1 In August, the Council commissioned an independent Brent Carbon Scenarios 2030 Study. The Study has used Department for Business, Energy & Industrial Strategy (BEIS) Local Authority statistics as the baseline for Brent's territorial carbon emissions.
- 5.2 The BEIS statistics include emissions from domestic buildings (43% of all Brent's territorial emissions), commercial and industrial buildings (34%) and road transport (23%). They exclude emissions from the EU Emissions Trading Scheme industries, diesel rail and motorways. They also exclude emissions from aviation, shipping and agriculture, and emissions from off shored production of food and goods that are consumed in Brent.
- 5.3 The results of the Study are included in the Annexes to this report. The graph in Annex 1 (Brent Carbon Scenarios 2030 Study – Scenario carbon trajectories) shows:
- A 35% reduction in these carbon emissions in Brent between 2005 and 2017 (the latest available figures).
 - Scenario 1 - Governmental and Mayoral projections to 2030, based on Government predictions for decarbonisation of the national grid and ambitious Mayoral projections for the uptake of a range of building and transport related carbon reduction measures in Brent by 2030. This scenario is estimated to achieve a 55% carbon reduction by 2030, at a cost of £681 million.
 - Scenario 2 - An All Electric (cars and heating), Medium Insulation & Medium Solar PV Scenario, showing an 83% carbon reduction by 2030, at a cost of £4.2 billion.
 - Scenario 3 - An All Electric (cars and heating), High Insulation & High Solar PV Scenario, showing an 87% carbon reduction by 2030, at a cost of £5 billion.

- Scenario 4 - An All Electric (cars and heating), High Insulation & High Solar PV Scenario and Zero Carbon Grid, showing a 100% carbon reduction by 2030, at a cost of £5 billion (the additional costs of a zero carbon national grid in Scenario 4 have not been quantified).

- 5.4 The figure in Annex 2 shows the size of Brent's carbon emissions for different sectors and sources together with an assessment of the Council's influence over these sources. For example, while the carbon emissions from our own estate and fleet are relatively very small, we have absolute control over these emissions, whereas carbon emissions from private sector housing are far more substantial but we have less control over those.
- 5.5 Clearly, the scenarios that have been modelled to achieve net zero carbon – or to at least get very close - are hugely challenging. They require a dramatic scaling up of activity and expenditure (across society) that is way beyond the current level. In the next ten years achieving net zero would require the removal of all the gas boilers in Brent and replacement with heat pumps, and the replacement of gas hobs and ovens with electric equivalents. All vehicles would need to be electrified by 2030. Taken together the electrification of heat, cooking and transport would undoubtedly put strains on Brent's electricity distribution infrastructure.
- 5.6 Other challenges we face are the need to upscale industries quickly from a very low level. Many economists have made the comparison with war time conversion of industries to produce armaments. This is truer of manufacturing than installation as reskilling involved to fit heat pumps instead of boilers is not hugely significant, but it would require an increase in supply – assuming most councils follow a broadly similar route.
- 5.7 All other London boroughs will be faced with these same challenges. Officers are therefore working closely with colleagues from the GLA and other boroughs to explore pan-London approaches to addressing these technical and financial challenges to delivering carbon neutrality.

Offsetting Potential from Tree Planting

- 5.8 The Woodland Carbon Code gives a calculation of carbon absorbed by different tree species at different stages of their life. The best species for sequestration over a 10yr period is given by a combination of sycamore, ash and birch of 1.91tonnes/hectare/yr.
- 5.9 To absorb the residual carbon emissions in 2030 for scenario 3 would therefore require 92,827 hectares. This is an area 21.5 times the area of Brent. However, over a 40yr lifetime the average absorption rate of this species mix increases to 6tonnes/hectare/yr. This emphasises the need to reforest as soon as possible to maximise sequestration rates – the area required then falls to around seven times the area of Brent. Obviously the vast majority of this would need to take place outside of Brent.
- 5.10 The most obvious way to free up land for reforestation is to change our diets to more land efficient diets and a diet with less lamb, beef and dairy achieves that aim whilst having the added benefit of reducing methane from ruminant digestive processes.

Consumption Emissions

- 5.11 There are no official statistics for consumption-based emissions broken down by local authority area. We only have national consumption emissions published by the Department for Environment, Food and Rural Affairs.
- 5.12 The emissions used in Brent's Carbon Reduction Scenarios 2030 Study modelling for Brent's homes, industry and commerce and road transport are produced by BEIS and are available up to 2017. DEFRA has only published 2016 UK consumption emissions. Based on either an equal population share of UK consumption emissions, or a share based on typical household expenditure in Brent, we have estimated that Brent's consumption emissions are around 4 to 5 times the size of the BEIS emissions (between 4,140 and 4,984 kilotonnes, compared to 951 emissions, for the year 2016). The reason for this huge disparity is due to the following reasons:
- UK consumption emissions are for all greenhouse gases whereas BEIS's LA statistics are just carbon dioxide emissions
 - BEIS LA statistics do not cover all the territorial sectors (leaving out agriculture, large industrial, waste etc)
 - BEIS LA statistics omit air and sea travel
 - Imported emissions from abroad
 - Imported emissions from within the UK
- 5.13 The scale of emissions from consumption highlights the importance of ensuring that everyone is 'climate literate' and able to make informed choices about their own lifestyles and purchasing decisions.

6.0 The Brent Climate Assembly

- 6.1 The scale of the climate emergency challenge requires us to build consensus with all sections of the community on the radical changes that will be needed in the way we heat and power our homes, move about and make choices about what we eat and buy. A citizen's assembly is an innovative and proven way of bringing together a random, representative body of people to learn about, deliberate upon, and make recommendations on a complex issue.
- 6.2 A Brent Climate Assembly is therefore being held to explore with local residents the question, "How can we work together to limit climate change and its impact while protecting our environment, our health and our wellbeing? Consider the role of the council, businesses and organisations, and individuals". Three assembly sessions are being held on Saturday 9th November, 23rd November and 7th December in the Conference Hall at the Brent Civic Centre.
- 6.3 Assembly members will be representative of the borough in terms of age (16 and over), gender, ethnicity, socio-economic grade and where they live and are therefore likely to reflect a range of views and attitudes towards the environment. They will hear evidence from a number of academics and experts on topics such as climate science, transport, housing, energy and ecology.

- 6.4 The Brent Climate Assembly is being designed and run by an independent public engagement organisation called Traverse, while an independent, expert Advisory Board is overseeing the Assembly process to ensure that it meets best practice in terms of its design and the robustness of the science and information presented. The Advisory Board members are:
- Dr Joanne Wade OBE (Deputy Chief Executive of the Association for Decentralised Energy)
 - Richard Jackson (UCL Estates Director of Sustainability)
 - Keith Garrett from The Sortition Foundation, an organisation that helps ensure that Citizens' Assemblies are run to the highest possible standards
- 6.5 In addition to the Assembly proceedings, we want to hear from everyone. A Brent Climate Assembly website is now live and provides information on the Brent Climate Assembly and a platform for the general public in Brent to submit their ideas for consideration as part of the Assembly process. The council has promoted the Assembly website to a wide range of groups in Brent to seek as many ideas as possible.
- 6.6 The **Brent Youth Climate Summit**, hosted by the Brent Youth Parliament, took place on 24th October, attended by 20 young people. In addition, we have written to all schools to obtain further ideas, with all recommendations being presented to the middle Brent Climate Assembly session.
- 6.7 The Brent Climate Assembly final report and recommendations will be available before the end of this year. The report will be prepared by Traverse following the final Brent Climate Assembly session and will be a note of the proceedings and the recommendations, which will be forged from a consensus of views.
- 6.8 The Brent Climate Assembly recommendations will be advisory and therefore non-binding. It will inform the development of a draft borough-wide climate emergency strategy in the new year. The draft strategy will be issued for public consultation which will include a Green Summit open to everyone in Brent to come and share their ideas.

7.0 Interim Climate Action Plan (Winter 2019/20)

- 7.1 The Council has carried out a comprehensive, cross-cutting review of our activities that contribute to the climate emergency agenda, to assess areas where we are good at and areas where we need to go further. This review has helped the Council to develop a set of short term priorities which are included in the Interim Climate & Ecological Emergency Action Plan (Winter 2019/20), in Appendix 1. These actions are organised under the thematic headings listed below and are accompanied by an explanation of the key facts and a summary of what we are already doing for each theme.
- Leading by example
 - Strategic planning and infrastructure
 - Businesses and other institutions
 - Schools & young people
 - Homes & vulnerable residents
 - Supporting communities

8.0 Overall process and timeline

- 8.1 The table overleaf details the key events and stages taking place during Winter 2019/20, culminating in the adoption of a ten-year borough-wide climate change strategy by Cabinet in May 2020.

Table: Full process and timeline to May 2020

Date	Stage	Board/Audience
9 Nov – 7 Dec	Brent Climate Assembly (three sessions)	BCA
25 Nov	Interim Climate Emergency Report	Full Council
End Dec	Brent Climate Assembly final report produced	Assembly
10 Feb	Consideration of Brent Climate Assembly report and Draft Brent Climate Strategy for Public Consultation	Cabinet
Feb/Mar	Public consultation on Draft Brent Climate Strategy, including a Green Summit	General public
21 April	Resources and Public Realm Scrutiny Committee	Scrutiny
28 May	Adoption of a Brent Climate Strategy	Cabinet

9.0 Alternative Options Considered

- 9.1 A business as usual approach to Council action on environmental sustainability would not be sufficient to address the climate emergency and risks criticism of the Council, should it be considered by others to have fallen short of the commitments it has made in the Declaration.
- 9.2 An approach which solely focuses on the Council's own estate and operations is not supported, in view of the above but moreover, because the Council's own emissions only account for 1% of Brent's total territorial carbon emissions, with there being no other body in Brent that can play a leadership role for the borough.
- 9.3 Taking firmer action on the necessary environmental change without first building consensus on that change with the community carries the risk of alienating the community on this issue.

10.0 Financial Implications

- 10.1 There are currently no confirmed costs or savings identified at this stage, but it should be noted that any emerging costs, financial benefits or opportunities to access external funding arising from the progress with the actions in the Interim Climate Action Plan (Winter 2019/20) would be highlighted in subsequent reports.

11.0 Legal Implications

11.1 Under section 1(1) of the Climate Change Act 2008 (“the 2008 Act”), as amended by the Climate Change Act 2008 (2050 Target Amendment) Order 2019, it is the duty of the Secretary of State to ensure that the net UK carbon account for the year 2050 is 100% lower than the 1990 baseline. The “net UK carbon account” is the amount of net UK emissions of targeted greenhouse gases for a period adjusted by the amount of carbon units credited or debited to the account. The “1990 baseline” is the baseline of net UK emissions of targeted greenhouse gases against which the percentage amount in subsection 1(1) of the 2008 Act is applied. The percentage amount in section 1(1) of the 2008 Act was amended from 80% to 100% in June 2019.

11.2 The council is not under any legal obligations to set carbon reduction targets.

12.0 Equality Implications

12.1 The Brent Climate Assembly will be representative of the borough in terms of age, gender, ethnicity and socio-economic grade. Arrangements are being made so that people with disabilities are able to participate fully and translators will also be provided where required.

12.2 A full Equalities Impact Assessment will accompany the development of a borough-wide environmental sustainability strategy.

13.0 Human Resources/Property Implications (if appropriate)

13.1 There are no immediate staffing implications. If new arrangements need to be put in place to deliver the Council’s commitments on sustainability, some staff may be affected and the Council’s Managing Change process would then need to be instigated.

14.0 Environmental Sustainability Implications (where relevant)

14.1 Environmental sustainability considerations are integral to the purpose, content and recommendations in this report.

15.0 Proposed Consultation with Ward Members and Stakeholders

15.1 The Brent Climate Assembly takes place in November and December and the Brent Youth Parliament-led Youth Climate Summit and ideas posted on the Brent Climate Assembly microsite will be collated and submitted to the Brent Climate Assembly proceedings.

15.2 We are exploring convening the Brent Citizen’s Panel in January to consider the report of the Brent Climate Assembly.

15.3 The draft borough-wide environmental sustainability plan will be issued for public consultation in the new year, including a Green Summit open to everyone in Brent to share their ideas, with a report to Scrutiny Committee during its development.

Report sign off:

Amar Dave
Strategic Director of Regeneration & Environment

Appendix A: Brent's Interim Climate & Ecological Emergency Action Plan (Winter 2019/20)

1. The Council leading by example

The council's own estate and operations, including council buildings, street lighting and fleet, makes up 1% of overall borough carbon emissions. The Council is committed to playing its part and leading the way on the climate emergency. We will do everything we can to reduce carbon emissions from our own buildings and fleet. We will also work to reduce the environment impacts from the £400m per annum we spend on goods and services.

What we have done

- Between 2010/11 and 2018/19 we reduced our carbon footprint for our corporate buildings, street lighting and fleet by 56%.
- The Brent Civic Centre is one of the greenest public sector buildings in the UK and was awarded BREEAM Outstanding.
- We have installed 20,000 low-energy LED street lamps, reducing annual costs by £850,000 and emissions by 62%: the most energy-efficient in London.

Key actions going forward

	Action
1.	Develop a plan to achieve net zero carbon for the Council's own estate and operations by 2030.
2.	Undertake a BREEAM in use assessment to ensure that our Civic Centre continues to be as green as possible.
3.	Develop a sustainable procurement policy that requires sustainable practices through our procurement and contract management procedures.
4.	Remove single use plastics from the council's premises and services.
5.	Update our Corporate Travel Plan to further reduce transport carbon emissions from the Council's own activities and fleet and contribute to staff health by encouraging active travel.
6.	Review our fleet and fleet policies to see how we can introduce greener vehicles.
7.	Review the investments of the pension fund and consider new investments in low carbon, renewable and sustainable funds.
8.	Develop a staff engagement programme to enable all Council staff to contribute to tackling the climate emergency.

2. Strategic planning and infrastructure

As well as leading by example, the Council plays an important role in the borough through strategic planning and identifying and enabling infrastructure improvements. This role encompasses areas such as planning, development and regeneration, transport, energy supply, waste collection and disposal, and parks and green space. Our Local Plan enables a strategic approach to the delivery of environmentally sustainable development and infrastructure in accordance with National Planning Policies to accommodate a population increase without exacerbating existing localised environmental problems and ensuring good environmental quality.

Brent's Long Term Transport Strategy (LTTS) provides a strategic direction for investment in transport throughout the borough over the period of 2015 to 2035. This is supported by and reflected in a range of other strategies including the Cycling Strategy, Walking Strategy, Parking Strategy and Air Quality Strategy. The majority of Brent is within an Air Quality Management Area and there are ten Air Quality Focus Areas.

Road transport accounts for approximately 23% of borough carbon emissions. Promoting walking, cycling and public transport and low emission vehicles will help reduce these transport-related emissions and improve local air quality.

Brent has a lower percentage of green space at 21.9% of land area, compared to the London average of 38.2%. Over 50% of Brent households live further away from the nearest green space than the London Plan 400m maximum recommended distance.

What we are doing already

Planning and development

- Planning policies in the Local Plan require that all major commercial & residential developments mitigate and adapt to climate change, specifically by being Air Quality Positive or Neutral and managing flood risk, on-site water management & surface water attenuation; major non-residential developments must achieve a BREEAM standard of 'Excellent'. Major developments are encouraged to deliver high quality buildings that reduce the need to use natural resources in the longer term, and deliver spaces and green infrastructure to build a sustainable environment.
- We have secured delivery and plans for Combined Heat and Power Networks in new developments in Wembley and South Kilburn.

Sustainable travel and clean air

- Through the Local Implementation Plan (LIP) 3 and Local Plan, Major developments and Growth Areas are required to connect and contribute to cycling and walking routes; be located in areas with good public transport access; be car-free or car-lite; help to increase coverage of Electric Vehicle charging points; enable broadband access to encourage home working and assist independent living. The overarching aim of the LIP is for 80 per cent of all trips in London to be made on foot, by cycle or using public transport by 2041, compared to 63 per cent today.
- We have a long-standing policy of emission-based parking permits and introduced a £50 annual diesel surcharge to encourage motorists to switch to greener forms of transport and cut air pollution. Greater parking permit charges on high-emission vehicles have reduced the number of such vehicles by 16% from 2017/18 to 2018/19.
- Visitor permit prices are fixed to match price of public transport alternatives, leading to a reduction in car visits to CPZs of around 800 a day.

- 553 adults and 2,942 children received free cycle training in the last year.
- Eight roads were closed to polluting vehicles for London Car Free Day 2019.
- Brent was the first London borough to introduce Lime Bikes.
- Our anti-idling campaign continues to educate motorists about the harmful effect on local air pollution of idling in a car.
- We've installed 115 charging points for electric vehicles across the borough and aim to add 60 more charge points by March 2020.

Waste management and infrastructure

- The council's nine-year contract with Veolia involves comprehensive waste collection & recycling services and initiatives to encourage commercial & residential waste reduction. Brent recycles 37% of its household waste.
- The West London Waste Authority disposes of Brent's waste. All food and garden waste collected through Brent's Public Realm contract is composted in the UK. Around 96% of west London's residual rubbish is sent to generate energy at Energy Recovery Facilities, which use this waste instead of coal, oil or gas to produce energy.

Green space, biodiversity and ecology

- Brent's seven-mile bee corridor launched in time for summer 2019, the first of its kind in London. The corridor is made up of 22 wildflower meadows, designed to boost biodiversity and help pollinating insects to thrive.
- We received 11 awards for Brent's green spaces at the 2019 London in Bloom awards.
- Section 106, Community Infrastructure Levy and Neighbourhood Community Infrastructure Levy (NCIL) monies to contribute towards improving the quality and or accessibility of exiting open space provision.
- The Mayor's Greener City Fund continues to plant trees within the borough and the council will continue to support Community Tree Planting Grants through NCIL and Section 106.
- We have an effective maintenance regime for 18,500 trees and achieve a tree-planting target of 520 trees per year.
- We maintain a fully comprehensive register for all Tree Preservation Orders in the Borough.

Public health

- The Brent Joint Strategic Needs Assessment provides a comprehensive picture of the current and projected health needs of the local population, encapsulating the main health issues and inequalities which exist in different parts of the borough.

Key actions going forward

	Action
1.	Explore developing supplementary planning guidance on sustainability, which could include more specific advice to developers and householders on retrofitting existing properties, including those within Conservation Areas.
2.	Develop a policy and programme for allocating the Brent Carbon Offset Fund for local carbon reduction initiatives.
3.	Develop a borough-wide district energy & renewables strategy.
4.	Review how Brent could achieve a step change in sustainable travel through modal shift and electric vehicle infrastructure.
5.	Review how we can better use green space and the public realm to enhance biodiversity and enable us to adapt to the predicted warmer climate.
6.	Through the emerging Brent Local Plan, ensure that all new developments incorporate sufficient features and associated infrastructure to help reduce the potential for and the need to adapt to climate change.
7.	Include a chapter on Health Impact of Climate Change in the Joint Strategic Needs Assessment.

3. Business and other institutions

Non-domestic buildings including businesses, institutions and schools account for 34% of the borough's emissions. 61% is from electricity use, 30% from gas and 9% from other fuels. Local businesses and other institutions have a major role to play in reducing the borough's carbon emissions and influencing the behaviour and choices of their staff and customers.

Brent is home to a diverse and resilient economy, housing over 14,000 enterprises, employing over 130,000 people, and generating Gross Value Added of over £7.9 billion. Brent town centres comprise 3,376 commercial units supporting 25,400 jobs, which is over 20% of all employment in the borough. 92.2% of businesses in Brent are defined as 'micro' size (0-9 employees) and whilst business births have exceeded business deaths in Brent over the past decade, business death rates have increased, with 12.2% of businesses failing in 2016. Though Brent has a 1 year business survival rate equal to Outer London and higher than London and Great Britain, we have a lower 5 year survival rate than all those 3 other regions.

What we are doing already

- We hold a Small Business Saturday Environmental Awards.
- The Plastic Free Wembley campaign has saved 150 tonnes of plastic, including trialling biodegradable bags, made from potato peels and corn, in Wembley's litter bins.

Key actions going forward

	Action
1.	Research the potential to promote and support the green economy in Brent. Complete an analysis of business data to identify local businesses working in the green sector.
2.	Explore joint work with the Brent Business Board, High Street Business Associations, Park Royal Business Group and West London Business to address commercial carbon emissions, air quality, waste and plastic. Identify businesses which are low carbon champions.
3.	We will host a networking event for low carbon businesses at the 2020 Brent Business Expo.
4.	Include sustainability categories in the Brent Business Awards 2020 (and continue to promote the Small Business Saturday Environmental Awards (high street businesses)).
5.	Explore existing programmes of funding and support for the business sector (e.g. Cleaner Heat Cashback Scheme, Carbon Trust, Energy Saving Trust).
6.	Promote the sustainability agenda through our business newsletter and through the Brent for Business Events programme.
7.	Explore offering a business rate discount for organisations that achieve a significant reduction in their carbon footprint.

4. Schools & young people

The borough's population has continued to grow over the last three years, and the number of children and young people of statutory school age has increased by 5.5 per cent to 42,441. There are 86 state-funded schools in Brent of which 60 are primary, 13 are secondary, two are "all through" and five are special schools. The largest ethnic groups of statutory school age are: Asian Indian (16 per cent), Black Somali (eight per cent), Black Caribbean (seven per cent), White British (seven per cent); Asian Pakistani (six per cent), Iraqi (five per cent) and Asian Sri Lankan (four per cent).

Following the recent nationwide consultation involving 826,000 young people as part of the "Make Your Mark" campaign, climate change was declared the biggest priority for young people across the UK. Brent's young people's turnout (16,456 votes) was in the top three in London, with climate change the top issue voted for in Brent (2,756 votes).

Schools can promote sustainable ways of thinking & living, and this can be reflected in their curriculum, buildings & their relationship to the wider community.

What we are doing already

- Two School Streets pilots, where the roads around a school are closed to traffic during drop off and pick up times to limit toxic emissions. The scheme is designed to encourage parents and kids to walk, cycle and scoot into school.
- 43 schools currently have approved travel plans, of which 31 are rated gold, 5 silver and 7 bronze.
- We have held a Youth Climate Summit with the Brent Youth Parliament, with their ideas and recommendations to be presented to the Brent Climate Assembly.

Key actions going forward

	Action
1.	Engage with all Brent's schools seeking information on what they are doing.
2.	Promote the 'whole school approach' to sustainability, involving the curriculum, estates, teachers, governors, pupils and parents.
3.	Invite pupils from Brent secondary schools to the Civic Centre on the National Children's Commissioner Takeover Day, on 22 November 2019, to focus on the climate emergency agenda.
4.	Develop a scheme to help young people connect with nature through community food growing and gardening projects in their schools and local areas.

5. Homes & vulnerable residents

Brent's 121,250 homes account for 43% of Brent's carbon emissions, of which 72% comes from gas and 27% from electricity use. 41% of these homes are owner occupied, 37% are private rented and 22% are social rented. There are around 60 Registered Providers (Housing Associations) who own approximately 17,793 social rented and affordable rented homes. Brent Council's own housing stock consists of 11,378 homes comprised of 7,878 rented and 3,500 leasehold properties. 15% of Brent's homes are estimated to be in fuel poverty (BEIS, 2017).

The most effective way of reducing carbon emissions in the home is by reducing need for heating and to phase out gas. This can be most effectively achieved by installing insulation and switching from gas boilers to renewable systems such as solar water heating and heat pumps. We will ensure that, through our programmes, vulnerable residents have access to affordable warmth and do not end up paying unreasonable costs for energy efficiency and carbon reduction measures.

What we are doing already

- In council owned housing, 77% of cavity walls are insulated, 47% of homes with lofts are insulated and 87% of homes have double glazed windows.
- We are creating a low-carbon heat network in South Kilburn serving 700 homes initially, with plans to extend.
- 766 solar panels have been installed through the council-supported scheme Solar Together, saving 49 tonnes of carbon each year.
- 34,586 residents given tailored recycling advice by the Veolia education team.
- In October 2019, Brent worked with Veolia and the Small Change, Big Difference campaign to highlight how people can make their leftovers go further, rather than waste food.
- Grants of up to £7k for repairs are available to vulnerable owner-occupiers for works that will deliver significant health gains such as boiler replacement.
- We work with private sector landlords to ensure that their properties meet Government minimum energy efficiency standards.
- The Brent Acute Handyperson Service includes checks and improvements in relation to home safety, security and energy efficiency.

Key actions going forward

	Action
1.	Complete the programme of cavity wall and loft insulation in the Council housing stock, leveraging match funding from energy suppliers.
2.	Develop a programme of home energy advice for households to accelerate the take up of energy efficiency and affordable warmth measures.

3.	Commission a feasibility study to identify packages of measures that can reduce carbon for typical housing types in Brent, and identify funding that can pay for a pilot domestic retrofit exemplar scheme.
4.	Develop a forum with Housing Associations in Brent to share and promote best practice.
5.	Assess the feasibility of achieving net zero carbon for the Council's new build housing schemes and identify funding for a pilot low carbon new build exemplar project.
6.	Review how sustainability is being addressed in residential nursing homes.

6. Supporting communities

Brent is one of the most culturally diverse areas in England. The dynamic mix of communities continues to enrich and inform the social, economic and cultural make-up of the borough. The Council is keen to work together with any groups in Brent who have ideas for projects to green their local area. This may range from local gardening and food growing projects, to clean up days and crowdfunding for local energy projects such as renewable energy for community buildings.

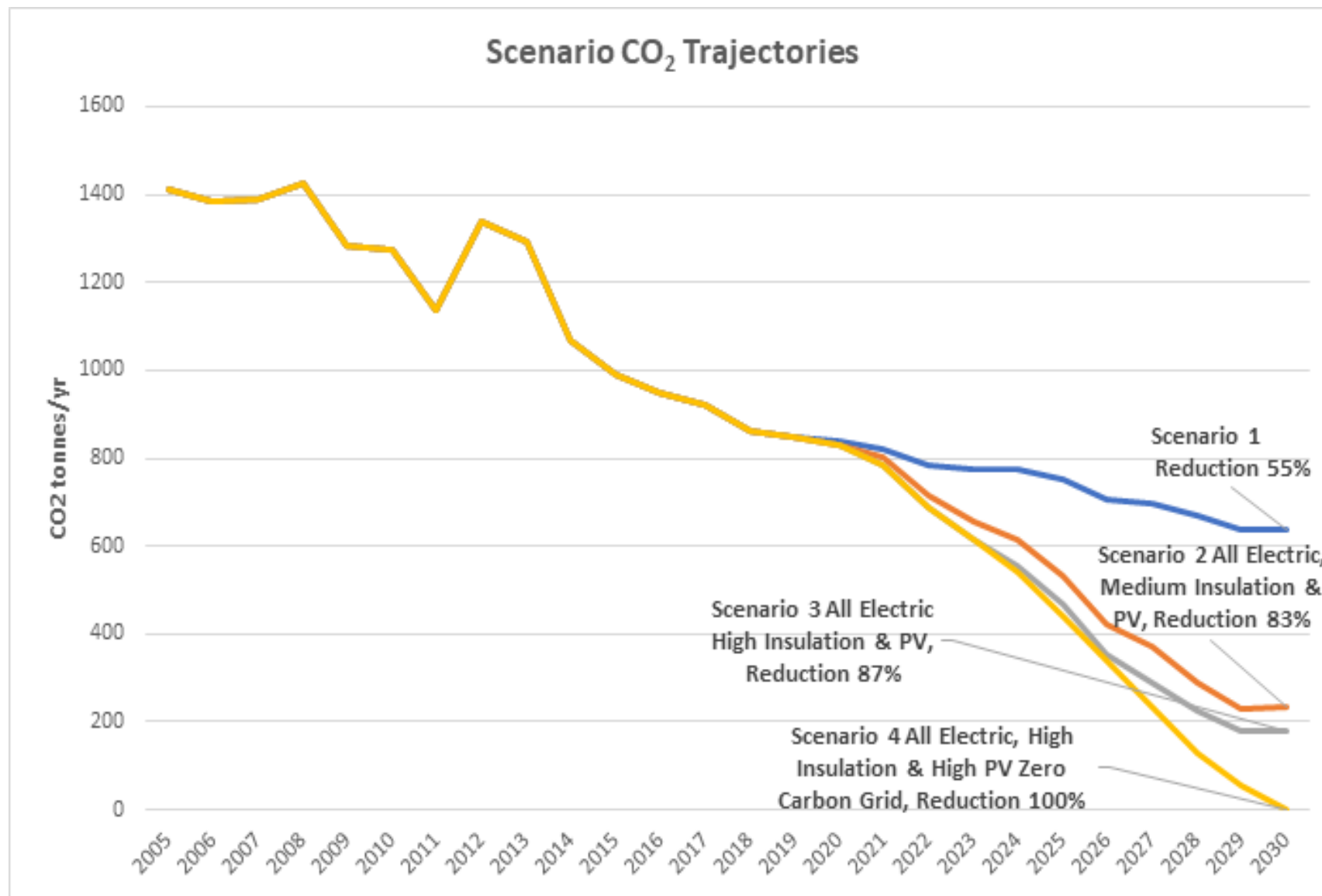
What we are doing already

- This year, the council helped residents to close eight roads for London Car Free Day. The celebrations meant that children could play in their streets without polluting vehicles and demonstrated that there are greener ways to get around.
- We are trialling a locality based approach which aims to address complex issues that exist at a local level through tailoring approaches to meet local needs and working with communities to make them more engaged, connected and resilient.

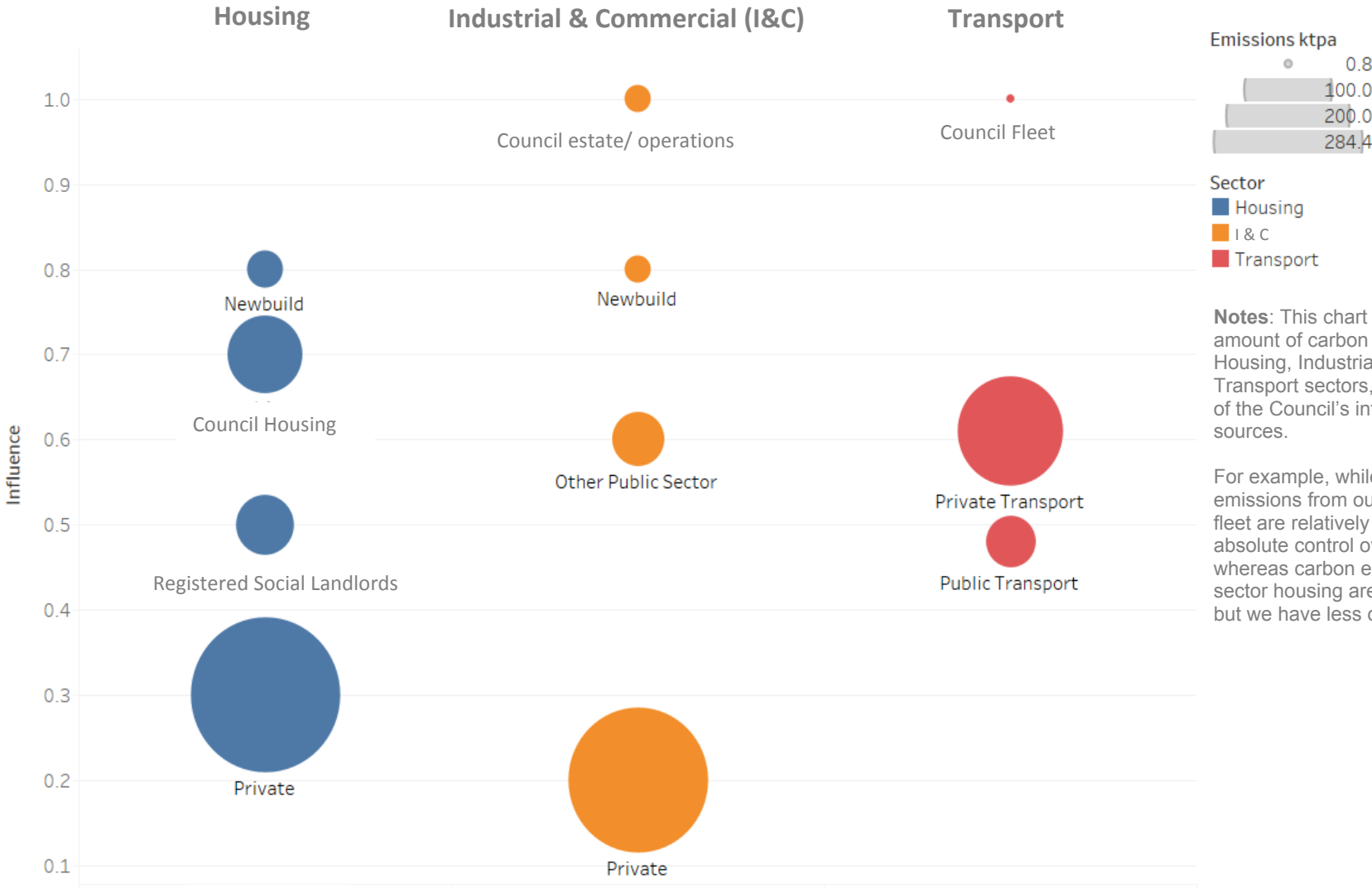
Key actions going forward

	Action
1.	Provide advice for the public to help them assess their own carbon impacts and make informed choices.
2.	Approach potential community partners and develop ideas for bids to environmental funding programmes.
3.	Engage and support local community groups to go green.
4.	Promote climate action as part of the Locality Based Approach this autumn.

Annex 1: Brent Carbon Scenarios 2030 Study – Scenario carbon trajectories (please refer to accompanying narrative in para 5.3)




Annex 2: Council Influence vs Emissions by Sector and Source



Influence for each Sector. Colour shows details about Sector as an attribute. Size shows sum of Emissions ktpa. The marks are labelled by Subsector.

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	Full Council 25 November 2019
	Report from the Strategic Director of Customer & Digital Services
Local Council Tax Reduction Scheme 2020/21	

Wards Affected:	All
Key or Non-Key Decision:	Yes
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:	<u>Ten:</u> Appendix A: Proposed Council Tax Reduction Scheme regulations for 2020/21 Appendix B: Other London Councils' current CTS schemes and plans for 2020 Appendix C: Principles governing new CTS scheme design, with pros and cons of the chosen design Appendix D: High-level design: options appraisal Appendix E: Proposed new CTS scheme (summary guide) Appendix F: Case studies (with amended non-dependant charges following consultation) Appendix G: Questions, comments and suggestions received during consultation – with responses Appendix H: Quantitative data from consultation responses Appendix I: Draft implementation plan Appendix J: Equalities Assessment (inc. Annexes A, B, C)
Background Papers:	N/A
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	David Oates Head of Customer Services Operations David.Oates@brent.gov.uk 0208 937 1931 Leigh Wood Benefits Subsidy & Policy Manager Leigh.Wood@brent.gov.uk 0208 937 1948

1.0 Purpose of the Report

1.1 This report sets out:

- 1.1.1 A recommended new local Council Tax Reduction scheme (known as Council Tax Support) to be effective from 1 April 2020;
- 1.1.2 The reasons why a change of scheme is both necessary and desirable;
- 1.1.3 The design options and features considered in the design of the new scheme;
- 1.1.4 The findings and outcomes of the consultation arrangements for the proposed scheme carried out over a 12-week period between 19 July and 10 October 2019;
- 1.1.5 The financial and equalities impacts of the recommended CTS scheme for Brent residents.
- 1.1.6 A high level implementation plan.

2.0 Recommendations

2.1 Members of the Council are asked to consider and approve the following recommendations:

- 2.1.1 To approve and authorise the making and implementation of the recommended Council Tax Support Scheme as set out in section 4 and Appendix A of this report, to be effective from 1 April 2020.
- 2.1.2 To note the outcome of the consultation on proposals to change the Local Council Tax Support scheme in section 6 and Appendices G and H of this report.
- 2.1.3 To consider and note the findings on equalities and other impacts arising from the proposed CTS scheme as set out in sections 5 and 10 of this report.
- 2.1.4 To consider and approve the decision not to offer Transitional Protection to existing claimants who are adversely affected by the change to the new scheme, for the reasons set out in section 5 of this report
- 2.1.5 To note alternative scheme options that existed and the reasons for these options being discarded
- 2.1.6 To note the draft plan of implementation activities scheduled between December 2019 and March 2020.

3.0 Detail

Background

- 3.1 Council Tax Support (CTS) is a local scheme providing eligible Council Tax Payers with support by way of a reduction to their Council Tax bill dependent upon their income and circumstances. The current Brent scheme became effective from 1st April 2013 and has remained broadly unchanged with only minor amendments over the past six years.
- 3.2 The Council has a statutory duty to provide a local Council Tax Reduction Scheme (CTRS) for working-age claimants within its area. Pension Credit-age claimants are subject to statutory provisions determined on a national basis that must be incorporated within each authority's local scheme¹. The authority's scheme must be reviewed each year and any revisions to the scheme made by Full Council by the 11th March immediately preceding the financial year in which it is to take effect.
- 3.3 Brent's current scheme is based on the former national Council Tax Benefit (CTB) scheme, which was in place prior to 1 April 2013, with a number of variations. The most significant variation to CTB is the requirement that all claimants are required to pay a minimum 20% of their Council Tax liability (unless they are protected due to being in receipt of certain qualifying benefits, mainly disability-related or payable to carers).
- 3.4 Currently, the amount of CTS awarded for 2019/20 totals £28.3M, paid to 15,996 working-age and 8,969 pension-age claimants. (Total caseload 24,965.)
- 3.5 The current CTS scheme is not financially sustainable against the long-term full rollout of Universal Credit (UC), which commenced in Brent in November 2018, and its main current advantage of similarity to Housing Benefit (HB) (reduced bureaucracy) is receding as more claims transfer from HB to UC, making it timely to review the current scheme. The impact of UC is explained in paragraphs 3.10 to 3.14 below.
- 3.6 It should be noted that any revised CTS scheme must also be capable of operating independently of UC, in the event that the latter scheme is changed or abolished by central government.

Drivers for review

- 3.7 The key factors driving the proposal to review the CTS scheme for 2020/21 are:
- To design a scheme which is fit for future needs (in particular how residents in receipt of UC are treated);
 - To streamline administrative processes, and reduce complexity for claimants, especially given the declining advantage of the current scheme being similar to the design of HB as 90% of the current working-age HB caseload (70% of the overall caseload) migrates to UC (by 2023/24).

¹ Since May 2019, a couple consisting of one partner of Pension Credit age and one of working age, is classed as working age in respect of entitlement to welfare benefits, including Council Tax Support.

- To address elements of the current scheme which are unsustainable or undesirable in the long-term, primarily relating to:-
 - the current criteria for exemption for claimants from making a minimum contribution towards their Council Tax liability. This exemption is currently awarded solely on the basis of the claimant's entitlement to certain benefits (e.g. disability benefits or Carer's Allowance) without reference to any of the other circumstances of the household;
 - the assessment of claimants on UC (see paragraphs 3.10 to 3.14 below)
- 3.8 The overriding objective of the new scheme is to ensure that the financial support available is going to those residents who are least able to pay their Council Tax because they have a low income.
- 3.9 At the outset of the CTS review, the scheme was identified as being a potential area from which spending cuts could be made. A number of options were modelled during the design phase in order to provide up to £3.3M net savings (£4.6M of gross expenditure), but were all rejected by Policy Co-Ordination Group (PCG), consisting of members of the Council's Cabinet, following examination of the impacts on residents that such cuts would produce. The Council has therefore committed to maintaining the current level of funding for CTS, so the proposed changes to the scheme are cost-neutral (i.e. equal to 2019/20 CTS expenditure plus any Council Tax increase in 2020/21)^{2,3}.

The effect of Universal Credit on CTS

- 3.10 There are two reasons why Brent's current CTS scheme needs to be changed due to the rollout of UC:
- 3.11 Firstly, as Brent's CTS scheme is currently comprised, all claimants in receipt of UC receive a "maximum" (i.e. in most cases 80%) discount regardless of whether they are receiving UC due to them being unemployed or being in work. (The scheme was designed in this way because when it was written in 2012, many of the details of how UC would work were unknown.)
- 3.12 The current Brent CTS scheme, therefore, is slightly more generous to working claimants on UC than similar working claimants on the corresponding "legacy benefit" (Working Tax Credit). This difference is relatively marginal in terms of impact on the individual, and the effect on the overall cost of the scheme has to date been outweighed by the savings from a reducing caseload, but with the full rollout of UC now under way in the borough, net expenditure from 2020/21 is likely to increase, due to the increasing number of claimants on UC, by approximately £250K per year. (A total additional cost of over £1M by the time UC is fully rolled out.)
- 3.13 Secondly, it is not sufficient to change the current approach to UC claimants just to mirror the means-test currently applied to Working Tax Credit (WTC)

² Within a small level of variance, modelled at £50K (0.2%) comparing the final model to the current scheme.

³ The wider economic situation (e.g. a future recession, the impact of Brexit for employers in the Borough, etc.) may impact upon caseload and expenditure, positively or negatively, and these are monitored as part of normal operations and financial planning. The "cost-neutral" modelling of the new scheme assumes there will be minimal change in caseload volume or composition.

recipients. This is because, unlike WTC, UC entitlement is recalculated every month based on the claimant's fluctuating earnings, therefore any CTS scheme directly linked to the amount of UC received, would potentially produce a change in the claimant's CTS entitlement each month, also prompting a recalculation of their net Council Tax liability, the issuing of a new bill, and revised monthly instalment amounts spread across the remaining months of the year.

- 3.14 Given the large number of changes in earnings caused by zero hours' contracts, overtime payments etc, it is clearly undesirable for both claimants and for Council Tax collection that the claimant is billed up to 12 times in the year for differing amounts.

Other Councils' CTS schemes

- 3.15 Almost all Councils' current CTS schemes are variations on the former CTB scheme, with the most widely adopted variation being the "minimum contribution". Contributory amounts currently range from 0% to 45% nationally (0% to 30% in London).
- 3.16 However, with the introduction of Universal Credit, and the corresponding removal of HB for most working-age claimants, a significant number of other authorities are also reviewing their CTS schemes, for reasons similar to Brent. Authorities are now starting to consider future models which much more resemble Council Tax discounts, with prescribed percentage discounts depending on broader income bands. Other options include considering the use of fixed award periods or allowing greater tolerance on the reporting of relatively small fluctuations in income.
- 3.17 Appendix B provides details of other London Councils' current CTS schemes and, where known, their proposed schemes for 2020/21.
- 3.18 Of these, two already have a banded income scheme, though these Councils are very dissimilar to Brent in terms of demographics (Bexley and Sutton).
- 3.19 Six other authorities (out of 23 who responded to our survey) have confirmed they are changing their scheme for 2020/21. Four of these are definitely moving to a banded scheme (Camden, Ealing, Harrow, Redbridge). There are also several examples of banded schemes around the country, and there is a distinct trend of authorities towards this model.

4.0 Review methodology

Initial considerations

- 4.1 The scheme review was approached from the perspective of designing a new scheme which will be fit for future needs, rather than simply tweaking the existing scheme.
- 4.2 In order to apply a structured approach, the review methodology was to develop the scheme in three main stages:-
1. Establish key principles which will underpin the scheme and guide its design and overall objectives.

2. Determine potential high-level designs and select preferred design
 3. Design detailed scheme features
- 4.3 Development of these elements was undertaken by the officer project team, reflecting the input of a Project Board, Lead Member and comments from CMT and PCG members, as well as considering the objectives of the administration's manifesto and the Borough Plan. An all-party Member-level Working Group was convened to help steer the project and provide a sounding board and discussion forum for issues identified as the project progressed.
- 4.4 There are also a number of statutory requirements that all local CTS schemes must be able to demonstrate (e.g. that they must demonstrate that they "incentivise work").
- 4.5 Consideration was given to the former Department of Communities & Local Government (DCLG)'s 2012/13 Statements of Intent, which addressed a range of issues including the following, which must be referred to in establishing a scheme:
- Vulnerable People and Key Local Authority Duties,
 - Information Sharing and Powers to Tackle Fraud.
- 4.6 The Council is also required to ensure that appropriate consideration has been given to support for other vulnerable groups, including those which may require protection under other statutory provisions including the Child Poverty Act 2010, the Disabled Persons Act 1986 and the Equality Act 2010, amongst others.

Scheme principles

- 4.7 12 key principles were established to underpin and evaluate any proposed scheme options. These are listed in Appendix C (along with an evaluation of the proposed scheme against each of the principles).

High-level design options

- 4.8 The following high-level scheme designs were considered:
1. Use the current CTS design based on the former CTB scheme with an increased personal contribution (currently 20%) either for non-vulnerable claimants or for all working age claimants
 2. A banded discount scheme based on income and / or circumstances
 3. An all-household income scheme
- 4.9 Most viable scheme designs considered by other Councils are variations of one of these options (indeed, Option 3 is itself a variation of Option 2).

Scheme design evaluation

- 4.10 The three main scheme designs were evaluated against the proposed scheme principles and other significant factors. The table in Appendix D indicates whether each option is capable of meeting the design principles and the RAG status indicates the extent of this.

- 4.11 As can be seen from the table in Appendix D, a simple comparison of the main factors – weighted to reflect the key design objectives of simplification, transparency, compatibility with UC and automation - and their relative abilities to meet the core principles of the new scheme shows Option 2 (“banded discount”) as the optimum scheme design to best meet requirements. Option 3 has some positive aspects, albeit it is more administratively complex and less transparent than Option 2.
- 4.12 Option 1 – modifications to the current means-tested scheme – is not *incapable* of being improved or simplified, but has less scope for meeting the key requirements moving forward. This is mainly due to its starting point as an already highly complex scheme, with the main current advantage being its similarity to HB, so that claimants can claim HB and CTB jointly providing the same information, and these can also be assessed at the same time, giving considerable economies of scale. As up to 90% of the working-age HB caseload moves to UC over the next few years – and the majority of remaining HB claimants are pensioners on the nationally prescribed CTS scheme - this major advantage is lost.
- 4.13 The only significant potential disadvantage to Option 2 is that simplification could lead to a cruder scheme which is less equitable or fair. The impacts of this design have been extensively modelled during the design phase.
- 4.14 Option 2 was therefore chosen as the basis of the proposed new scheme.

Design of the proposed scheme

- 4.15 The proposed new scheme is set out in full in the scheme regulations included as Appendix A to this report, and in a shorter guide in Appendix E. (A version of this latter document was also made available on the Council’s website as part of the public consultation.) The main features are as summarised in the section below.
- 4.16 The proposed scheme has two key elements:
- 4.16.1 The replacement of individual means tests by a discount award based on banded income levels, based on the claimant’s net earned income with DWP and HMRC benefits, and any foster carers’ allowance income⁴ from the local authority, disregarded);

and
 - 4.16.2 Deductions to entitlement in respect of other adults (non-dependants) living in the claimant’s property (particularly those non-dependants with significant earnings). This is a modification of a feature of the current CTS scheme.

- 4.17 The proposed income bands for claimant income are shown below:

⁴ Initial information provided in the consultation mentioned DWP income only. The policy intention to also exclude HMRC income was clarified at subsequent consultation events. Comments received during the consultation process suggested also exempting foster carers’ allowances; following consideration, this suggestion has been incorporated into the proposed scheme.

Table 1: Maximum potential CTS discount based on claimant & partner's income

Claimant and partner's net income per week?	CTS award (% of net liability)	Number of claimants in current caseload
On state benefits only or £0 - £80	100%	10,708
£81 - £110	80%	1,458
£111- £150	50%	2,150
£151 - £250	30%	1,680

- 4.18 Under the proposed scheme, the highest level of discount is 100%, compared to 80% for most claimants (or 100% for exempt / protected claimants) under the current scheme. Claimants facing the burden of additional challenging circumstances, such as disabled residents, carers and war widows, will continue to be supported by the scheme, with the majority receiving a 100% discount (unless they also have additional income, or non-dependant adults living in their property).

Non-dependant deductions

- 4.19 Following comments received during the public and stakeholder consultation, it is now proposed to have four bands of non-dependant deduction instead of the originally proposed three. (The current CTS scheme has five). This change is outlined in the table below and is cost-neutral to the original proposal.

Table 2: Original and revised non-dependant deductions

<u>Original proposal</u>		<u>Revised proposal</u>	
Gross income	Non-dep weekly contribution	Working Age – Non Dependant Income ⁵	Deduction per week
Not working	£4.00	Not working	£5.00
Working up to £182 per week	£8.00	Working - net income up to £150 pw	£10.00
Working £183 + per week	£20.00	Working – net income between £151 and £200 pw	£15.00
		Working – net income over £201 pw	£20.00

4.20 There are two key changes for non-dependant deductions (NDD) between the current and proposed schemes:-

4.20.1 The change from five current NDD bands to four, and the removal of the “nil” NDD band on the basis that a key aspect of the proposed scheme is that all household members are expected to contribute. (The highest deduction will increase from £19.80 to £20.00.);

4.20.2 There are a number of households where no deduction is currently made because the *claimant* is exempt from the minimum 20% Council Tax contribution (because the claimant is disabled or a carer), regardless of the income of the *non-dependant*. Again following the principle that every adult household member should be expected to contribute towards that household’s Council Tax, this exempt category has been removed, and these non-dependants will therefore now be subject to deductions from the claimant’s CTS entitlement, based upon *their* income, as all other non-dependants are.

4.21 The main implications of these changes for claimants and non-dependants are shown in paragraphs 5.1 and 5.2 below. A number of case studies, including the amended non-dependant proposals, are set out in Appendix F.

4.22 Other key features of the scheme which should be noted include: -

- All earnings from the claimant and any partner’s remunerative work are included in the calculation of the claimant’s CTS entitlement (see below for calculation).
- All income from DWP / HMRC benefits is ignored for the purpose of the CTS calculation. In addition, following consultation comments received, foster carers’ allowances from the local authority will also be disregarded.

⁵ In the original proposal, it was suggested that non-dependants’ gross earnings would be used, as is the case in the current CTS scheme. Following comments received, it is proposed to change this to net income, in line with the treatment of claimants’ income.

- Any capital or savings held by the claimant or partner will be disregarded if it totals less than £6000. Claimants and partners with more than £6000 capital will not be entitled to CTS. This feature is retained from the current scheme and this amount is also the capital limit within the UC scheme.
 - Claimants will only be required to provide evidence of their household composition (i.e. non-dependants) and any non-benefits-related income (excluding foster care allowances) - and in many cases not even these, as earnings and capital information will be obtained from their UC claim data where possible.
 - The UC claim date will be accepted as the date of claim for CTS; and / or claims will automatically be backdated to an earlier date within the same financial year if the claimant's circumstances are established to have not changed between the earlier date and the date of making their claim, to avoid claimants missing out on entitlement due to ignorance of the need to claim CTS separately from UC.
 - Small changes in income will in many cases not result in a change in CTS entitlement (due to there only being four, fairly broad, income bands). This in turn will mean fewer fluctuating Council Tax bills throughout the year and more clarity for claimants about what they have to pay.
 - Retrospective changes in circumstances will result in a debit or credit to the claimant's CTAX account in all circumstances, thereby increasing or reducing the amount of Council Tax due.
- 4.23 There is also scope to further reduce individual Council Tax liability on a case by case basis under Section 13A(1)(c) of the Local Government Finance Act (LGFA) 1992, if a Council Taxpayer is experiencing exceptional and extenuating circumstances. Each application is considered on its own merits.
- 4.24 Examples where applications may be considered for a further reduction could include properties affected by natural disasters such as fire, flood or storm that were beyond the control of the occupier, or where the Authority considers that a CTS claimant requires further assistance towards their Council Tax liability due to exceptional circumstances or financial hardship.
- 4.25 As will be appreciated, the proposed changes will result in the CTS application process being considerably simplified, hopefully providing increased understanding and clarity of the scheme for claimants.

Other considerations when changing the CTS scheme

- 4.26 Our software supplier (Northgate) has been consulted regarding the specific details of our proposals to ensure that they can be technically achieved; they have confirmed that there are no technical barriers to the proposals, and the system release containing the new parameters should be delivered by the end of November.
- 4.27 The cost of collecting and recovering Council Tax has to be considered when designing the CTS scheme, as collection is likely to increase if the CTS scheme

becomes less generous towards certain residents - and more officer action may be required to achieve collection of amounts owing; there will also be more accounts to collect from with relatively small amounts to pay. This in turn produces a corresponding increase in bad debt and thereby can become self-defeating from the perspective of generating savings. Brent's decision not to make savings from the scheme largely avoids this potential issue, though as the change is redistributive there will still clearly be some current claimants who will receive less help. However, a key aspect of the design has to direct reductions towards those more able to afford them, therefore it is felt that the impact on Council Tax collection will be, at worst, neutral, or possibly slightly advantageous.

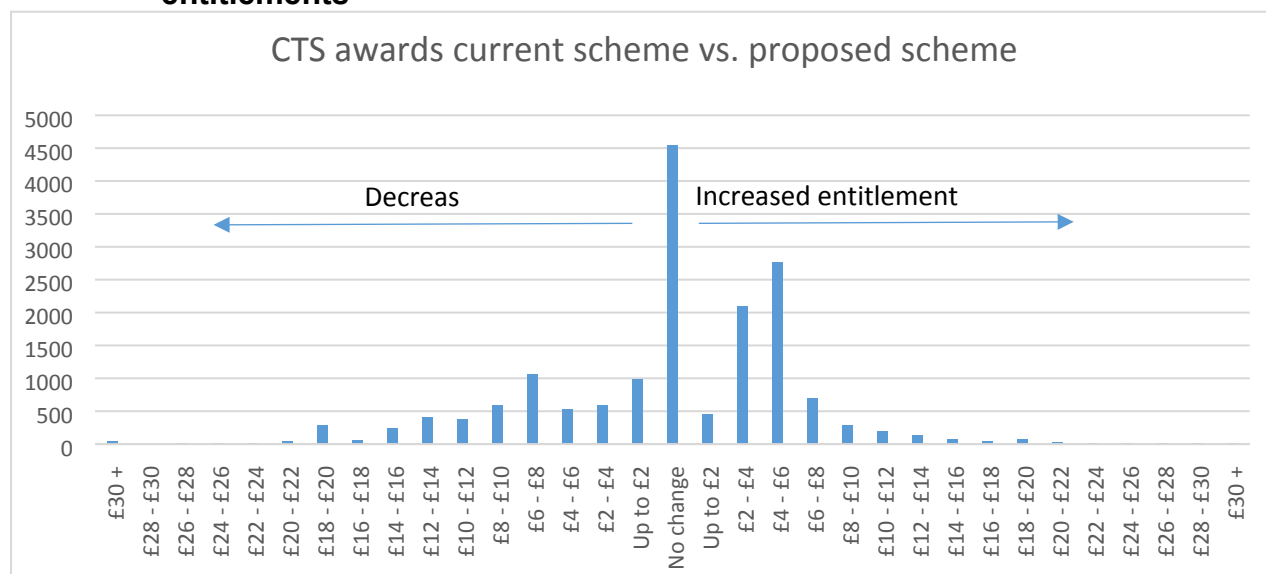
5.0 Impacts on claimants and non-dependants

5.1 Below is a summary of the main impacts of the proposed scheme.

- Claimants with larger incomes will still receive less entitlement and will be expected to pay more Council Tax than those on lower incomes.
- However, currently exempt claimants will retain their 100% discount under the new scheme (subject to any non-dependant charges or partner's income).
- Also, "passported" claimants (Income Support, Job Seekers Allowance (Income Based), etc), currently receiving 80% discount, will now receive 100% (subject to any non-dependant charges or partner's income).
- The highest changes in entitlement between the old and new schemes relate to claimants with working non-dependant adults in their household
- The lowest non-dependant charges will be £5.00 per week and the highest £20.00 (currently zero and £19.80 respectively)

5.2 The following graph shows the distribution of entitlement changes between the old and new schemes. (Increases on the right; decreases on the left.)

Chart 1: Distribution of changes from current scheme to new scheme entitlements



Transitional protection

- 5.3 When changing its scheme, the authority is required to consider whether to offer transitional protection to claimants who are adversely affected by the change from one scheme to another.
- 5.4 Transitional protection has been considered for those claimants negatively impacted by the change to the new scheme, but is not proposed to provide this because:
- The majority of changes in entitlement are relatively small;
 - The largest reductions relate to claimants with increased non-dependant charges. It is a policy intention that non-dependants should all contribute towards the household Council Tax liability, and therefore considered reasonable to implement this change without transitional protection;
 - In the event that a claimant experiences exceptional hardship, a discretionary payment can be considered.

6.0 Consultation

- 6.1 The Council is required to consult with the GLA, and then to conduct a consultation, with such persons as it may determine, regarding its proposed scheme.
- 6.2 The Council followed best practice guidelines by undertaking a 12-week public and stakeholder consultation, between 19 July and 10 October 2019. Consultation activities included:-
- Questionnaire on Council website promoted via email and letter to all claimants, and more generally to all other residents
 - Stakeholder forums to obtain feedback and input from voluntary sector and community organisations
 - Direct engagement by email and letter with partners with offer to attend dedicated meetings with each organisation
 - Mailbox set up for CTS-related comments and queries
 - Social media (Facebook and Twitter)
 - JCDecaux advertisement boards located in the borough
 - Press release – taken up by the Brent & Kilburn Times
 - Leaflets
 - Banners in Customer Service Centre and at events
 - Face to face engagement in the Customer Service Centre
 - Customer panel
 - Staff engagement sessions
- 6.3 The timing of the consultation fell between Brent Connects sessions but these will be utilised in publicising the final scheme as part of the implementation.
- 6.4 The questionnaire sought resident and stakeholder feedback in three areas, namely:-

1. Whether the key principles guiding the scheme are the right ones
2. Whether the proposed scheme meets the key principles
3. Any other comments (freeform responses)

6.5 The broad feedback from the consultation was as follows:-

- General approval for the scheme principles;
- General agreement that the proposed scheme will meet the principles via the approach of the banded discount scheme, and the disregarding of DWP / HMRC benefits; and that it will be more streamlined and simpler to understand;
- There were more mixed responses concerning –
 - Whether the balance between treatment of in-work and unemployed claimants is right
 - Whether the scheme can realistically “incentivise work”
 - Whether the non-dependant charges are reasonable (though the principle of other adults contributing was generally accepted and is already a feature of other national welfare benefits and the current CTS scheme)

6.6 At stakeholder events for voluntary sector partners on 28 August and 2 October 2019, the scheme principles and design met with broad approval, though a large number of comments were made, again concerning non-dependant deductions in particular. The proposals were also reviewed by the Council’s Resources & Public Realm Scrutiny Committee on 12 September 2019, as part of pre-scrutiny, at which similar queries were received relating to non-dependant deductions and the use of net or gross income in the CTS calculation.

6.7 All comments and feedback received during the consultation period have been logged and considered with details of these contained within Appendix G to this report. All potential policy or design changes have been discussed in detail with the Lead Member and the Member-level working group which has been involved in the design throughout.

Consultation feedback

6.8 The data below shows the full consultation responses following the close of the consultation on 10 October. In total there were 194 responses via the survey on the Council’s website, with some additional comments being received by via the email account set up for queries.

6.9 The full graphs and tables of the consultation responses are contained in Appendix H, and summarised here:-

Principles

6.10 There was strong support for the scheme principles:

Table 3: Consultation responses on scheme principles

	Agree or strongly agree	Disagree or strongly disagree
Scheme principles		
The scheme must provide assistance for the most financially vulnerable	75.25%	15.47%
To incentivise work	55.67%	18.56%
The scheme must be fair in its treatment of both in-work and unemployed residents	83.51%	10.31%
Scheme should include the means to require other adult members of the claimants' household to contribute towards Council Tax liability	53.61%	29.38%
New scheme must be streamlined and simpler to administer	79.38%	5.67%
New scheme must be easier to understand and transparent to customers	86.60%	4.13%

Design

6.11 Responses on the design of the proposed scheme were generally favourable, although there were significantly more people stating “don’t know” in response to these questions. However, there was still significant support for the treatment of income (and disregarding of DWP/HMRC income) in the scheme; the directing of support towards the most financially vulnerable; and the scheme’s simplicity and clarity.

Table 4: Consultation responses on scheme design

	Agree or strongly agree	Disagree or strongly disagree
Design		
In Brent’s new scheme, claimants will receive an award based on their income, in particular any earnings. DWP benefits will be disregarded, so if you only receive DWP benefits, you will receive 100% (unless you have any other adults living in your household apart from your partner). Please tell us to what extent do you agree or disagree with this proposal?	55.67%	27.31%
Do you think that the proposed scheme will provide assistance for the most financially vulnerable claimants?	43.81%	21.65%
Do you think that the proposed scheme will incentivise work?	17.53%	41.24%
Do you think the proposed scheme is fair in its treatment of both in-work and unemployed residents?	38.66%	36.08%
Do you think the proposed changes to “non-dependant” charges for other adult members of the claimant’s household are reasonable?	37.63%	34.54%
Do you think the proposed scheme will be streamlined and simpler to administer?	34.54%	21.65%
Do you think the proposed scheme will be easier to understand for residents?	44.33%	24.74%

- 6.12 Responses were more finely balanced (though still more favourable than not) regarding whether the proposed scheme is fair in its treatment of both in-work and out-of-work claimants, and whether or not the non-dependant deductions proposed in respect of other adults were reasonable. These responses may reflect the fact that these questions were more nuanced, or may be more likely to reflect a partisan position depending on the respondent's circumstances. The responses regarding non-dependent deductions are also echoed in comments received, and revisions to the new design are proposed in view of these (see paragraph 6.15 onwards).
- 6.13 The most contentious responses concerned whether or not the scheme "incentivises work", with only 17.53% agreeing that it does, against 41.24% disagreeing. The following observations are made concerning these responses:-
- Under statutory guidance, the authority is required to consider mechanisms in its scheme to "incentivise work" and to demonstrate how these are incorporated within the proposed scheme. It is arguable that this is an unreasonable expectation to set on any Council Tax Reduction Scheme which in most cases is going to provide a discount of up to approximately £25 per week, when there are far more significant considerations for claimants taking up work (or increasing their hours), particularly impacts on their Housing Benefit or Universal Credit, which can pay out up to approximately £500 per week. This has been previously noted by PCG, and was also a point raised by partners and stakeholders during the consultation, including the Citizens Advice Bureau and Zacchaeus 2000 Trust.
 - There is a balance to be struck between incentivising work and directing help to those who are in most need because of their financial position. Under the current scheme those who are out of work are required to pay a much larger proportion of their income to meet Council Tax liability (due to the 20% minimum contribution requirement) than those who are working. The new scheme addresses this issue but still leaves those in work better off financially than those not in work.
 - Whilst the proposed scheme increases the financial assistance available to those who are out of work, those who are in work are still better off financially and the level of assistance available to them takes account of their weekly income; it is demonstrable that the scheme – taken in conjunction with the claimant's overall financial position – does contribute to the claimant being better off by taking work or taking on more hours. This is demonstrated in the case study below.

Case study: “incentivising work”

Single Parent, 2 children, working 16 hours at National Living Wage
Full CTAX liability (with no CTS, but with SPD) is £22.70pw

Weekly income	
Wages	£131.16
Tax Credits	£195.02
Child Benefit	£34.40
Total	£360.58

CTS entitlement £11.35 (50% of liability)

Council Tax to pay: £11.35

The claimant is in the third income band, receiving a 50% discount. If they increase their hours by two hours a week, their wages will increase by £16.40, but they will remain within the 50% CTS band.

If they increased their hours by three hours a week, their wages would increase by £24.60, but their CTS award would reduce to the 30% band (£6.81 per week), a reduction of £4.54 per week. Their net position would still be £20.06 better off.

Even in the (relatively unlikely) situation that the claimant was already working 18 hours and considering taking a job which increased their hours to 19 per week, they would receive an additional £8.20 in earnings for a reduction of £4.54 in CTS.

- 6.14 For these reasons it is considered that the proposed scheme is as complementary to incentivising work as it can be, given that no claimant is likely to be influenced in their decision whether to take a job, or increase their hours, by the Council's CTS scheme alone.

Comments and counter-proposals

- 6.15 As might be expected, there were a wide range of comments regarding the proposals, from those thinking that the proposed scheme was too generous, to not generous enough. All individual comments, questions and other feedback received – via the questionnaire, emails or meetings and workshops - are contained in Appendix G, with full responses to all the points raised. The most significant issues raised are shown below with an associated commentary:-

Claimants

- 6.16 *Is there any particular group of claimants which should automatically get a full discount (e.g. foster carers)?***

- 6.16.1 This question was discussed at length by the Member Working Group and Senior Officers. The scheme is designed so that all income from the Department of Work and Pensions and Her Majesty's Revenue & Customs is ignored in the calculation, which means that those on the lowest incomes will receive the highest discounts in all cases; this

covers most situations would usually be considered to represent the vulnerable or those most in need of support.

- 6.16.2 It also permits claimants to use their state benefits on expenditure for the specific reasons for which they are awarded, as they will be ignored in calculating entitlement to CTS. For example, if a claimant is disabled they get a disability benefit or if they have children or a partner they get benefit awards in respect of these aspects of their family circumstances – none of which will be used in the CTS calculation.
- 6.16.3 It was raised during consultation – and following consideration, agreed - that the rule disregarding DWP and HMRC income should also be extended to foster carers' allowances received from the local authority.
- 6.16.4 Generally, then, foster carers *with no other income* and no other adults in their property will receive 100% discount
- 6.16.5 However, in line with the key principle of the proposed new scheme that it should provide help based on *each household's ability to pay the Council Tax*, those households which have other income or occupants will have this taken into account. In other words, a foster carer whose partner is employed will have their fostering allowance income disregarded, but their partner's earnings included in the calculation. Similarly, a foster carer with non-dependants living in the household, will have deductions to their benefit in respect of the contributions which the non-dependants are expected to make.
- 6.16.6 These design features present a fairer scheme than having categories of claimants who are completely exempted based on one facet of their circumstances, as the current scheme does.

Non-dependants

- 6.17 The greatest number of comments received related to different aspects of the treatment of non-dependants living in claimants' households. Again these points have been considered at length by the working group. The main points raised were as follows
- 6.18 *Should there be a class of non-dependants that have to pay no charge? In particular students, carers, people on Jobseekers Allowance etc.***
 - 6.18.1 It is a policy decision that every adult household member should contribute something, if they were able to. The working group considered this feedback again but felt that the principle should remain, and that the lowest non-dependant charge is affordable.
- 6.19 *Is the jump between the last two bands of non-dependant charges too big? Could there be an additional band to make the increase smoother? (This relates to the original proposal which had £4, £8 and £20 charges depending on income)***
 - 6.19.1 The proposed scheme was designed to be as simple as possible, while remaining fair. To this end, only three bands of non-dependant charge were suggested. However, following consultation comments and

consideration of these the working group felt that a further band should be introduced in response to this concern and the revised model reflects this. This proposed change was incorporated into subsequent information provided as part of the consultation events.

6.20 *What about non-dependants who refuse to pay the claimant their deduction and therefore place the claimant (on some occasions, who is also vulnerable) at risk of not meeting their liability and incurring summons costs?*

6.20.1 The concept of non-dependant deductions is long-established in the welfare system, and applies to many benefits including Housing Benefit, Universal Credit and the former national Council Tax Benefit scheme. The Council does not have any evidence as to whether or not non-dependants contribute towards a claimant's Council Tax, but Council Tax collection rates do not suggest that there is a widespread practice of non-dependants not contributing. However, there may be occasions where that scenario occurs.

Work incentives

6.21 This subject is covered in paragraphs 6.13 and 6.14 above.

Technical aspects

6.22 *"What about people on zero hours contract....how will you make it easier for them? My son is on zero hours contract and I keep repeatedly getting new council tax bills for the whole year (different amount each time) every few weeks and I am not able to successfully keep up with a payment plan and I am now being brought to court over the confusion about it all"*

6.22.1 Small fluctuations in earnings should not result in a new CTS award and new Council Tax bill, provided the earnings remain mostly within the same income band. For claimants where there is a significant issue caused by fluctuating income, we will consider taking an average of their earnings over a period of time.

6.23 *How will the discretionary aspect of the scheme work?*

6.23.1 This will be based on the existing provision in the Council Tax legislation (section 13A (1) (c) of the LGFA 1992), which affords the Local Authority the discretion to reduce a Council Tax liability without fettering its discretion. We do not propose to publish detailed criteria for a discretionary scheme, as this may tend to fetter the authority's discretion; all cases will be dealt with on their own merits.

6.24 *How will the appeal process work?*

6.24.1 This is an already established, statutory process that applies to Council Tax. Appeals must be made by the claimant in writing to the Council and if the claimant remains aggrieved by the outcome or no response is received within eight weeks, they may appeal to the Valuation Tribunal England.

6.25 Do claimants have to apply for this new scheme or is everything done automatically?

6.25.1 Anyone currently receiving CTS will have their award recalculated automatically. We anticipate sending indicative award letters in early 2020. New applicants will need to complete an application form which will be available online, or will be deemed to have made a claim for CTS from the date they are awarded Universal Credit.

7.0 Counter-proposals

7.1 The Zacchaeus 2000 Trust (Z2K) was founded by campaigners opposing the Community Charge or “Poll Tax” in the early-1990s, and more recently opposed the Coalition Government’s abolition of Council Tax Benefit (CTB) and its replacement by locally-designed and funded CTS schemes. In partnership with the Child Poverty Action Group (CPAG), Z2K has carried out research into the impact of this cut on the poorest Londoners, and lobbied many Councils regarding the design of their CTS schemes.

7.2 Officers engaged early with Z2K as well as other voluntary and charitable organisations and the Brent proposals have received a generally favourable response from the Trust. Z2K’s feedback is balanced, and complimentary to a large degree, but also raises some counter-proposals which have been considered and subjected to more detailed modelling.

7.3 All of Z2K’s comments are contained within Appendix G, with their main points summarised below, along with Officers’ responses:-

7.3.1 “Not only are all disabled CTS claimants protected, but those on the very lowest incomes, including Job Seekers Allowance (JSA) and the UC equivalent are too. This is undoubtedly the most positive feature of the proposals and the reason why, on balance, we support the package overall.”

7.3.2 “Z2K does not believe a CTS scheme delivers financial “work incentives” beyond those already in JSA/UC and their accompanying “conditionality” and shouldn’t seek these as an objective. Nevertheless, we don’t want to see households which include someone who is already working significantly worse off as a result of these changes.”

7.3.3 “Z2K therefore proposes that Brent should provide a more generous maximum level of support of 60 per cent instead of 50 per cent in the £111-150 Band and split the top Band so that those earning between £151-200 get 50 per cent and those earning between £201-250 are entitled to 30 per cent.”

- Officers have modelled this proposal and established that it would cost an additional £690K on top of the proposed scheme, as demonstrated in Table 5 below. There is no additional budget available for the scheme, so adopting this suggestion would mean the need to reduce expenditure elsewhere, specifically on non-

working claimants, including the disabled, or on non-dependants. Officers do not consider that any revised model which did this would be any fairer - and in fact would be likely to be less fair - than the current proposal. However, all aspects of the implemented scheme will be monitored during 2020/21 to see if improvements can be made the following year.

Table 5: Cost of counter proposal from Z2K regarding discount bands

Claimant and partner's net income	CTS award (% of net liability)	Z2K suggestion	Impact of Z2K suggestion (extra cost)
On state benefits only or £0 - £80	100%	100%	None
£81 - £110	80%	80%	None
£111 - £150	50%	60%	£326k
£151 - £250	30%	n/a	n/a
£151 – £200	30%	50%	£364k
£201 - £250	30%	30%	None
Total additional cost			£690k

7.3.4 ***“In its very welcome move to exempt households on JSA or UC equivalent, Brent has accepted that these households are essentially too poor to pay. However, non-dependents on JSA/UC are not being accorded the same recognition. We hope Brent will revisit this aspect of its proposal and exempt all those non-dependents who are out of work from this NDD regime. “***

- Again, this proposal has been modelled; the proposal would mean essentially that 1226 non-dependants would not have a deduction. This would cost £320K more than the current model which, as explained above, could only be achieved by reducing expenditure elsewhere in the scheme. Furthermore, the point has already previously been considered by the Member Working Group and senior officers, and the minimum non-dependant deduction is considered justifiable on the basis that non-dependants do not have some of the other expenses which tenants or homeowners have, and the amount proposed is affordable within the context of the non-dependants' income.

7.3.5 ***“We have concerns at the proposal to bring together the current three top Bands of NDD into a single one requiring a weekly contribution of £20. Essentially, this asks a non-dependent earning £9,000 a year to pay £1,000 of that towards their parents' Council Tax bill. Again, we hope Brent will revisit this aspect of***

its proposal and retain the existing £13.10 weekly deduction for those earning £183 to £300 a week.”

- As has already been explained, following this and similar comments, a revised proposal of four non-dependant income bands has been developed, along with the intention to use net rather than gross income (though the latter change may make only a small difference given the incomes in question). Under the revised proposal, a non-dependant earning £9000 a year would fall into the £15pw deduction category. This would be a payment towards Council Tax of £782, or in other words £15pw out of £172 weekly income, which is considered to be reasonable.

7.3.6 “Z2K agrees that, given these proposed changes result in more winners than losers, it is not necessary to include Transitional Protection within the scheme. Nonetheless, we would suggest a budget of £100,000 to £250,000 is set aside for this fund in 2020/21 and that any savings unexpectedly accruing as a result of the new scheme are recycled into this Hardship Fund to ease the burden on those facing higher bills.”

- Although this is a valid option, it is not felt that the Council necessarily needs to identify a specific budget for discretionary payments, but it does need to be prepared for discretionary payments to be used, if there are unexpected consequences of the new scheme design, which may increase overall expenditure (depending on other caseload trends). Obviously financial provision does need to be made for the overall cost of the scheme, including contingency for caseload increases, but provision for discretionary awards can be made within this. (For comparison, discretionary payments of £250K would be less of an additional burden than for example, a 1% increase in caseload, which would add an additional £280K expenditure in itself. Conversely, a 1% decrease in caseload would enable £250K of discretionary payments to be met within the same expenditure as the current year.)

7.3.7 “The somewhat disappointing aspect of this proposal is that this is paid for by providing a less generous scheme to those claimants who are in part-time work themselves or who have a non-dependent who is in work. While Z2K does not agree with the Government’s claim that austerity is over, we do note that the cuts to local government funding are less than was expected two or three years ago. In these circumstances, we believe Brent has some scope to provide for the increased generosity to those in Band 1 without increasing the burden so significantly on those in the other Bands and/or their dependents.”

- Approximately £0.5M of additional non-dependant deductions has been made in the proposed scheme compared to the current scheme (see paragraph 8.2, Table 6), on the basis that it is felt that

those households are more able to manage this financial burden. Also it is acknowledged that in keeping the scheme cost-neutral, there will necessarily be a re-distribution of entitlement. Brent is proposing to do this on the basis of income, and to protect the most financially vulnerable, and it is considered that the proposed redistribution of funding within the cost-neutral envelope is fair. Although some working claimants may receive less than they currently do, we have tried to minimise these reductions, and also ensured that when viewed in terms of their overall income, working claimants will still have more available income with which to pay their Council Tax.

- It has not been possible to increase the funding for CTS, regardless of changes in local government funding, because despite these changes (which will predominantly impact on budgets in 2021/22 and beyond), Brent has still been required to find significant savings in order to balance its budget. The Council cannot make the CTS scheme more generous without further, disproportionate cuts to other Council services and it has judged that its overall package of cuts balanced against protections for certain service areas, has been done in the fairest and most equitable way. This will be set out in the draft budget to be presented to Cabinet on 11 November 2019.

7.3.8 ***“Finally, we want to take this opportunity to congratulate Brent on a very open and constructive consultation process...We feel strongly that genuine transparency at this stage will lead to more informed response from stakeholders, including claimants themselves and ultimately a better-quality decision-making.”***

Equalities impacts

- 7.4 Detailed Equalities Assessments have been undertaken relating both to the new scheme itself, and the impact on groups with protected characteristics of moving from one scheme to another. A summary of the equalities assessment is set out in section 10 of this report below.

Implementation

- 7.5 Following formal agreement of the new scheme, the period between December 2019 and March 2020 will be spent undertaking implementation activities, including software testing, staff training, publicity and communication with affected residents. The draft implementation plan is included in Appendix I.

8.0 Financial Implications

- 8.1 It has been agreed via CMT and PCG that the scheme change shall be cost-neutral in terms of overall expenditure (i.e. equal to 2019/20 CTS expenditure plus any Council Tax increase in 2020/21) and assuming minimal changes in caseload volume and composition.

- 8.2 In line with the principles and the objectives of the scheme, which has reintroduced a 100% maximum discount as well as extending the principle of non dependant deductions to apply to all other adults in a claimants' household, the distribution of the funding and the deductions in the scheme has changed slightly to accommodate the policy intentions, as shown in the table below.

Table 6: Expenditure and deductions within the current and proposed schemes (*working age only)

	Current scheme	Proposed scheme	Saving / (increase)
Expenditure excluding non-deps	£14.5M	£15.0M	(£0.5M)
Non-dependant deductions	£0.5M	£1.0M	£0.5M
Net expenditure	£14M	£14M	£0.0M

9.0 Legal Implications

- 9.1 The Local Government Finance Act 2012 requires that for each financial year, the Council must consider whether to revise its Council Tax Reduction Scheme (CTRS) or replace it with another scheme. Only Full Council has the power to make or amend a CTRS. If the scheme is not revised or changed by Full Council by the statutory deadline (which from 2018 has changed from 31 January to 11 March before the following financial year), the current scheme will remain subject to any amendments to prescribed rates that are made by central Government. This report seeks Full Council's approval regarding the proposed Council Tax Reduction Scheme for 2020/21 which, if approved, will come into effect on 1 April 2020.

- 9.2 In addition to the Public Sector Equality Duty, which is discussed below, the then Department for Communities and Local Government has previously advised that the following should also be given consideration in deciding whether to amend a Council Tax Reduction Scheme:

- Child Poverty Duty under the Child Poverty Act 2010 (in particular sections 21 to 24 thereof);
- Homelessness Act 2002 (in particular sections 1(1) and 3(1) thereof);
- Armed Forces Covenant;
- Chronically Sick and Disabled Persons Act 1970 (in particular sections 1 and 2 thereof);
- Disabled Persons (Services, Consultation and Representation) Act 1996 (in particular sections 2 to 5 of thereof); and
- The Children Acts 1989 and 2004 (in particular section 17 of the 1989 Act and sections 10 and 11 of the 2004 Act).

Further details of this above-mentioned additional legislation are set out in the report entitled "*Local Council Tax Support Scheme and Changes to Council Tax Discounts and Exemptions to Full Council*" which was present to Full Council

on 10 December 2012. At that meeting, Full Council approved the Council's first Council Tax Reduction Scheme to start from April 2013.

Consultation

- 9.3 The Local Government Finance Act 2012 states that the Council must consult with the GLA, which is a precepting authority, when amending a Council Tax Reduction Scheme and that thereafter, the Council must publish a draft amended Council Tax Reduction Scheme and then consult with other such persons who are likely to have an interest in the operation of such a scheme.
- 9.4 The four basic requirements of consultation are set out in the case of *R v Brent LBC ex parte Gunning*:
- (i) consultation must be at a time when proposals are at a formative stage;
 - (ii) the proposer must give sufficient reasons for any proposal to permit intelligent consideration and response;
 - (iii) adequate time must be given for consideration and response;
 - (iv) the product of consultation must be taken conscientiously taken into account in finalising any proposals.
- 9.5 In the 2014 Supreme Court case of *R (on the application of Moseley) v London Borough of Haringey*, the Court confirmed in its judgment that the demands of fairness in the consultation process are likely to be greater when an authority proposes to deprive someone of an existing benefit than when considering a potential future benefit and that fairness may require that interested persons should be consulted not only on the preferred option but also on discarded options. In that specific case, the Supreme Court ruled that Haringey Council's consultation process regarding its Council Tax Reduction scheme was unlawful as it failed to outline alternative options and methods of dealing with the shortfall and cuts to funding.

Requirements for a Council Tax Reduction Scheme

- 9.6 In relation to the content that must be set out in a Council tax reduction scheme, that is currently set out in section 10 of the Local Government Finance Act 2012 and in clause 1 of Schedule 4 which inserts Schedule 1A to the Local Government Finance Act 1992 ("LGFA 1992") and paragraph of the new Schedule 1A of the LGFA 1992. Under these provisions, a Council Tax reduction scheme must state the following:
- (1) A scheme must state the classes of persons who are to be entitled to a reduction under the scheme;
 - (2) A scheme must set out the reduction to which persons in each class are to be entitled (and different reductions may be set out for different classes);
 - (3) A scheme must state the procedure by which a person may apply for a reduction under a scheme;
 - (4) A scheme must state the procedure by which a person can make an appeal under section 16 of the LGFA 1992 against any decision of the authority which affects (a) the person's entitlement to a reduction under the scheme, or (b) the amount of any reduction to which the person is entitled;
 - (5) A scheme must state the procedure by which a person can apply to the authority for a reduction under section 13A(1)(c) of the LGFA 1992.

- 9.7 As for stating the classes of people who are to be entitled to a reduction under a scheme, classes may be determined by reference to the following:
- (i) The income of any person liable to pay council tax on the authority in respect of a dwelling;
 - (ii) The capital of any such person;
 - (iii) The income and capital of any other person who is a resident of the dwelling;
 - (iv) The number of dependants of any person within paragraph (i) or (iii) above;
 - (v) Whether the person has made an application for the reduction.
- 9.8 As for stating the reduction to which persons in each class are to be entitled and if different reductions are set out for different classes, a reduction may include the following detail:
- (a) A discount calculated as a percentage of the amount which would be payable apart from the scheme;
 - (b) A discount of an amount set out in the scheme or to be calculated in accordance with the scheme;
 - (c) Expressed as an amount of council tax to be paid (lower than the amount which would be payable apart from the scheme) which is set out in the scheme or is to be calculated in accordance with it; or
 - (d) The whole amount of council tax (so that the amount payable is nil).
- 9.9 A Council Tax Reduction Scheme must comply with the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 (as amended) to ensure that certain prescribed regulations are complied with and included in a council tax reduction scheme. Those prescribed regulations include setting out the requirements for a council tax reduction scheme (as set out in the two previous paragraphs above) and the requirements regarding the eligibility and entitlements of persons of state pension credit eligible age in a council tax reduction scheme.
- 9.10 The DCLG's Guidance of December 2012 states that local authorities should design local tax reduction schemes that support incentives to work.

Public Sector Equality Duty

- 9.11 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.
- 9.12 The public sector equality duty ("PSED"), as set out in section 149 of the 2010 Act, 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. There is no prescribed manner in which the equality duty must be exercised, though producing an Equality Impact Assessment is the most usual method through which a Local Authority can demonstrate that due regard has been paid to the PSED.
- 9.13 The PSED is not to achieve the objectives or take the steps set out in section 149 of the Equality Act 2010. The duty on the Council is bring these important

objectives relating to discrimination into consideration when carrying out its public functions (in this case, approving a new Council Tax Reduction Scheme for designing a localised scheme for Council tax support within Brent). The phrase “due regard” means the regard that is appropriate in all the particular circumstances in which the Council is carrying out its functions. There must be a proper regard for the goals set out in section 149 of the 2010 Act. At the same time, when the Members of the Council make their decision on what scheme to adopt for localised council tax support, they must also pay regard to countervailing factors which it is proper and reasonable for them to consider. Budgetary pressures and economic and practical factors will often be important. The amount of weight to be placed on the countervailing factors in the decision making process will be for Members of the Cabinet to decide when it makes its final decision.

10.0 Equality Implications

10.1 The proposed Council Tax Support scheme has been reviewed for its effect on groups with protected characteristics under the Equality Act, and a detailed Equalities Assessment has been prepared and is included in Appendix J. The main findings from the assessment, and commentary on these, are shown below.

10.2 The main impacts of the proposed scheme are as follows:-

10.3 Age

10.3.1 The 26 – 45-year-old age group is less likely to receive a 100% discount than other age groups. This can be accounted for by fewer customers in that age group being solely reliant on state benefits, and not working, than older – or younger - claimants. They are also more likely to be established in a career or work pattern than those younger than them.

10.3.2 Claimants aged 56 or over are more likely to receive a 100% discount. Claimants in this age group are more likely to be out of work for longer, due to illness or otherwise finding it more difficult to gain employment. However, this age group also tend to have the most non-dependant adults living in their households, and therefore non-dependant deductions applied to their awards.

10.4 Disability

10.4.1 32% of the overall working age caseload is identified as disabled, as defined by being in receipt of Disability Living Allowance (Care or Mobility component), Personal Independent Payment or Employment & Support Allowance (Care component). 67% of these customers will receive a 100% award, much more than the corresponding proportion of non-disabled claimants.

10.4.2 Of the households with the claimant or partner recorded as having a disability, 1220 have one non-dependant or more living with them. Of these 817 will have a decreased award in comparison to their current entitlement, due to the introduction of non-dependant charges for the first time for this cohort.

10.5 Ethnicity

10.5.1 42% of current CTS claims hold an ethnic indicator (which is not a mandatory field when claiming benefit). Of these, White and Black claimant households are more likely to be on out-of-work benefits or working on a low wage than the overall claimant population. Arabic and Asian households are more likely to be working on a higher wage. As a result, White and Black claimant households are slightly more likely to receive 100% or 80% discounts, while Arabic and Asian claimant households are more likely to receive 50% or 30% discounts.

10.6 Gender

10.6.1 93% of single parents within the CTS caseload are female, and 7% male. These proportions are mirrored very closely across all four discount bands, with no disproportionate impacts.

10.6.2 An above average proportion of single women (whether without children or lone parents) and male single parents will see an award decrease of between £6-£8 per week. (On average 9.3% compared to the average of 4.1% of claimants falling outside these groups.) For single parents this is likely to be due to the increased likelihood of them working to avoid the Overall Benefit Cap (otherwise their family size would be likely to take their benefit entitlement over the cap) and thus have additional income which will be taken into account in their CTS calculation.

10.6.3 Single men without children are more likely to be in the 80% and 50% discount bands, and single women without children in the 30% band, indicating that, apart from claimants relying solely on state benefits or very low paid work (who will receive 100% discount), single women receiving CTS tend to be in slightly better paid work than single men.

10.7 These impacts are all related to the policy intentions behind the proposed scheme, in particular:-

- the scheme being based on *ability to pay* Council Tax;
- claimants on state benefits having the least amount of available income with which to pay their Council Tax;
- the requirement that a contribution should be expected from non-dependant adults living in all claimant households;
- the relative likelihoods of different ethnic groups to be on out-of-work benefits; and
- the impacts of other welfare reforms (especially the Overall Benefit Cap) on claimant behaviours in certain groups; i.e. requiring those claimants with larger families (and thus higher benefits income) to find work to avoid having their HB or UC capped.

10.8 Differences between the current and new schemes

10.9 With regard to the impact of moving from the current scheme to the new scheme, this should be viewed with caution because of the following factors:-

- any claimant currently receiving 100% entitlement cannot show an increase on moving to the new scheme, therefore a comparison of the two schemes will be skewed towards cases showing a decrease;
- any disproportionate impacts existing within the *current* scheme will impact on the respective changes in the new scheme, potentially producing an opposite impact (e.g. if the current scheme disproportionately favours one group, but the new scheme treats that group more “fairly”, the data will appear to show that this group is “penalised” by the change, whereas it may just be correcting an advantageous unfairness in the current scheme)

10.10 Nevertheless, the changes from current to new scheme are generally proportionate within each of the protected groups for which data is held.

10.11 Conclusion

10.12 Overall, the impacts of the proposed scheme are broadly proportionate across groups with protected characteristics, and / or reflect the higher relative incomes of certain demographic groups. The impacts of the scheme are therefore considered justifiable taking account of the policy intentions of the new scheme.

11.0 **Consultation with Ward Members and Stakeholders**

11.1 Details of the CTS scheme proposals were sent to all stakeholders and two stakeholder events were held during the consultation period, as well as engagement taking place in already established liaison forums. Additionally, all stakeholders were invited to request individual meetings with officers to discuss the proposals in more detail.

11.3 A Member Development session on the CTS proposals was held at the start of the consultation period and members invited to send in comments, queries, or requests for further meetings if desired. In addition, a cross-party Working Group of backbench Members was established which met approximately every four to five weeks during the consultation period. Officers also attended Brent Connects to publicise the proposals in October 2019.

12.0 **Human Resources / Property Implications**

12.1 None identified at this time.

Report sign off:

PETER GADSDON

Strategic Director of Customer &
Digital Services

Brent's Council Tax Reduction Scheme 2020/21

1. Summary and commencement

1.1 Brent's new Council Tax Reduction Scheme (CTRS) from 1st April 2020 will replace its Council Tax Support (CTS) scheme which was in place between 1st April 2013 and 31st March 2020.

2. Classes of person entitled to a reduction under this scheme

2.1 Classes of person entitled to a reduction under this scheme are;

2.2 Class A: Pensioners whose income is no greater than the applicable amount.

2.3 Class B: Pensioners whose income is greater than the applicable amount

2.4 Class C: Alternative maximum council tax reduction – pensioners

2.5 Class D: Working age claimants

2.6 Pensioners in Classes A – C will claim CTRS under the national scheme as set out in the The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 (hereafter referred to as “the 2012 Prescribed Regulations”).

2.7 Class D Working-age claimants will claim under the local Brent scheme (see below).

2.8 Couples who have one partner of pension age and one of working-age are classed as working-age as set out in Regulation 3 of the 2012 Prescribed Regulations.

Local scheme for working age claimants

3. Purpose of scheme

3.1 To provide financial assistance for Brent Council Tax (CTAX) Payers who are financially vulnerable and require assistance to meet their Council Tax liability.

4. Eligibility

4.1 Any person who is liable for Council Tax to Brent Council will be eligible to claim CTRS if they come within classes A to D as set out in section 2 above unless –

- (a) They do not have recourse to public funds (this includes persons who are subject to immigration control as set out in Regulation 13 of the 2012 Prescribed Regulations), or
- (b) They are not resident in the property (an award of CTRS during any period of absence from the property are to be decided based on paragraph 5 of Schedule 1 to the 2012 Prescribed regulations and persons treated as not being in Great Britain as defined in Regulation 12 of the 2012 Prescribed Regulations will not be eligible to claim CTRS), or
- (c) They are a student as defined in Regulation 2(1) of the 2012 Prescribed Regulations (with exceptions below), or
- (d) They possess capital of over £6000 (capital will be calculated and treated as set out in paragraphs 31 – 36 of Schedule 1 of the 2012 Prescribed regulations)

5. Council Tax liability and maximum Reductions

5.1 CTRS will be calculated on the claimant's net CTAX liability after the granting of any other Council Tax discounts (e.g. Single Person Discount).

5.2 If the claimant is jointly liable for CTAX with another person (other than their partner), their CTRS will be calculated based on their share of the liability.

For example, should three siblings be sharing a property and equally liable for their share of the Council Tax, the CTRS would be calculated to take 33.3% of the total liability onto account for each sibling.

6. Meaning of “family” and household

6.1 The people that live with together as an immediate family unit are deemed to be a household as set out in the definition of “family” in Regulation 6 of the 2012 Prescribed Regulations. This will usually consist of:

- The claimant.
- Another adult the claimant is part of a couple with
- Their immediate family and their children.
- Their grown up children or relatives, assuming the circumstances are non-commercial.

6.2 Regulation 7 of the 2012 Prescribed Regulations shall apply regarding circumstances in which a person is to be treated as responsible or not responsible for another.

6.3 Regulation 8 of the 2012 Prescribed Regulations shall apply regarding households.

6.4 A partner, in relation to a person, means—
(a) where that person is a member of a couple, the other member of that couple; or (b) where that person is polygamously married to two or more members of his household, any such member to whom he is married;

6.5 Couple means - (a) two people who are married to, or civil partners of, each other and are members of the same household; or (b) two people who are not married to, or civil partners of, each other but are living together as a married couple or living together as if in a civil partnership.

6.6 Polygamous marriage means any marriage to which regulation 5 of the 2012 Prescribed Regulations applies.

7. Non-dependants

7.1 Other adults living in the household but not part of the claimant's family unit (i.e. "non-dependants" as described in Regulation 9 of the 2012 Prescribed Regulations) will result in a deduction being made to the claimant's maximum possible CTRS entitlement, based on their employment status and net earned income –

- Not working
- Employed earning up to £150 per week
- Employed earning between £150 and £200 per week
- Employed earning over £200 per week

8. CTRS calculation and reductions

8.1 There are two parts to the calculation of CTRS entitlement:

- (1) The maximum level of discount which can be awarded is expressed as a percentage of the net CTAX liability (i.e. after any other discounts or exemptions are applied), based on the claimant and partner's total income;
- (2) The maximum discount is then reduced by any charges which are appropriate in respect of any non-dependants in the household.

(i) Calculation of maximum potential CTRS discount

Claimant and partner's income*	CTS award (% of net liability)
£0 - £80	100%
£81 - £110	80%
£111- £150	50%
£151 - £250	30%

*excluding any DWP or HMRC benefits

All income from DWP and HMRC benefits and payments in respect of caring for a Foster Child are ignored for the purpose of the CTRS calculation.

(ii) Non-dependant deductions

Non-dependant deductions are made to the maximum CTRS entitlement amount quoted in (1) above, as appropriate from the table below

Working Age – Non Dependant Income	Deduction per week
Not working	£5.00
Working - net income up to £150 per week	£10.00
Working – net income between £150 and £200 per week	£15.00
Working – net income over £200 per week	£20.00

9. Claimant and partner's income and capital

9.1 All income from DWP and HMRC benefits and payments in respect of a Foster Child are ignored for the purpose of the CTRS calculation.

9.2 Any other income including earnings from the claimant and / or partner's work is included in the calculation of the claimant's CTRS entitlement (see below for calculation). Regulation 10 of the 2012 Prescribed Regulations shall apply with regard to treating a claimant as being engaged in remunerative work.

9.3 Any capital or savings held by the claimant or partner will be disregarded if it totals less than £6000. Claimants and partners with more than £6000 capital will not be entitled to CTRS. As for what will be disregarded as capital, this is set out in Schedule 6 of the 2012 Prescribed Regulations. With regard to calculation of capital, this is set out in paragraphs 31 to 36 of Schedule 1 of the 2012 Prescribed Regulations.

9.4 Where a claimant is receiving Universal Credit (UC) and also working or has other income or capital, the Council will use the earnings, other income and capital figures from their UC assessment in the CTRS assessment unless there is satisfactory contradictory evidence available providing more accurate earnings and capital information.

9.5 Income from earnings calculation

(a) Net income is used in the CTRS calculation. (Net income is defined as gross income reduced by tax and National Insurance contributions, and 100% of contributions to any occupational pension scheme).

(b) Self-employed income will be treated in exactly the same way. Net income will be calculated either by the council or using information calculated by UC, whichever is the more accurate.

(c) Where possible, the CTRS calculation will use whatever earned income or self-employed income the Secretary of State uses for the claimant's UC calculation.

9.6 Capital

(a) There is no entitlement to CTRS if the claimant and their partner jointly hold capital of £6000 or more.

(b) Capital means the value at date of assessment of any of the following:

- Bank accounts including all types of savings account
- Building Society accounts including all types of savings account
- PEPs, TESSAs or ISAs
- Premium Bonds or National Savings Certificates
- Shares
- Property (other than the home for which Council Tax Support is being claimed for). This will be the value of the property minus any outstanding mortgage or secured loan attached to the property in question.

(c) Where possible, the Secretary of State's calculation of capital in the claimant's UC assessment will be used in the CTRS calculation.

(d) As for what will be disregarded as capital, this is set out in Schedule 6 of the 2012 Prescribed Regulations. With regard to calculation of capital, this is set out in paragraphs 31 to 36 of Schedule 1 of the 2012 Prescribed Regulations.

10. Non-dependant income

10.1 The non-dependant's net earned income is taken into account in deciding which non-dependant charge is made to the claimant's maximum possible entitlement.

Effective dates

11. Date on which entitlement begins

11.1 CTRS entitlement will begin from the earliest of the following dates –

- (a) The Monday following the date the claim was received via the Council website
- (b) The Monday following the date that a claim to UC was received by the DWP
- (c) The earliest date (within the financial year in which the claim was received) from which the claimant's circumstances were continuously the same as those applying at the time the claim was received. (i.e. the claim may be treated as made at any date back to 1st April of the current financial year, if the claimant's circumstances have not changed since this date)

11.2 If any of the above dates is before the date that CTAX liability commenced, then entitlement will commence from the date CTAX liability commences.

11.3 Paragraph 5 of Schedule 8 of the 2012 Prescribed Regulations shall apply regarding the date on which an application is made.

12. Date on which changes of circumstances (CIC's) take effect

12.1 CIC's are effective from the Monday following the date of change.

12.2 The only exception is where the change is a change in Council Tax Liability, in which case the change is effective from that same day.

13. Evidence and information

13.1 It is the claimant's responsibility to report any **relevant** changes of circumstances.

13.2 Relevant changes are **changes of income** or **changes in the occupation of the home** relating to:

- (a) Claimant or partner
- (b) Dependants (i.e. children within the family unit, dependant on the claimant)

- (c) Non-dependants (i.e. grown up children aged over 18 or other adults residing in the property)

13.3 Paragraph 7 of Part 2 of Schedule 8 of the 2012 Prescribed Regulations shall apply regarding the provision of information and evidence.

14. Evidence required for earned income

14.1 Where possible, the CTRS assessment will use the net income calculated by the Secretary of State (DWP) in determining the claimant's entitlement to UC.

14.2 Alternatively evidence of income may be accepted via wageslips, P60 or any other documentation deemed appropriate by the Council.

15. Evidence required for non-dependant's income

15.1 Evidence of non-dependants' earnings may be accepted via wageslips, P60 or any other documentation deemed appropriate by the Council.

15.2 Evidence is not required for non-dependants with gross income of over £250.00 per week.

15.3 If no evidence of a non-dependant's income is available to the decision maker after enquiries have been made, an income of a weekly net earned income in excess of £250 will be assumed.

16. Evidence of occupation of the home

16.1 The Council may require evidence to verify occupation of the home (or an alternative address, if an occupier has moved out). This may include official correspondence, utility bills or any other documentation deemed appropriate

17. How changes are to be reported

17.1 Changes in circumstance must be reported directly to the Benefit Department at Brent Council. The responsibility to report changes to the Benefit Department at Brent Council lies unequivocally with the Claimant.

17.2 In relation to the duty to notify the Council of change in circumstances, paragraph 9 of Schedule 8 of the Prescribed Regulations shall apply.

18. Amendment and withdrawal of application

18.1 The claimant can withdraw claim at any time in writing or via phone or online. Paragraph 8 of Part 2 of Schedule 8 of the 2012 Prescribed Regulations shall apply regarding amendment and withdrawal of applications.

19. Overpayments

19.1 Retrospective changes in circumstances will result in a debit or credit to the claimant's CTAX account in all circumstances, thereby increasing or reducing the amount of Council Tax due.

20. Discretionary payments

20.1 If a CTAX payer is experiencing exceptional and extenuating circumstances they may apply for a Council Tax reduction under Section 13A of the Local Government Finance Act (LGFA) 1992. Each application is considered on its own merits.

20.2 Examples where applications may be considered could include properties affected by natural disasters such as fire, flood or storm that were beyond the control of the occupier, or where the Authority considers that a CTRS claimant requires further assistance towards their CTAX liability and is facing exceptional hardship or extraordinary circumstances

20.3 Part 3 of Schedule 7 of the 2012 Prescribed Regulations regarding the procedure for an application to the Council for a discretionary reduction under section 13A(1)(c) of the Local Government Finance Act 1992 shall apply.

21. Appeals

21.1 CTRS claimants can dispute a decision concerning the assessment of their CTRS. In the first instance an internal review or reconsideration will be carried out; if the claimant still wishes to challenge the decision, an appeal must be lodged by the Claimant themselves with the independent Valuation Office. Part 2 of Schedule 7 of the 2012 Prescribed Regulations regarding the procedure by which a person may appeal against certain decisions of the Council in relation to the CTRS shall apply.

22. Transitional Protection (TP)

22.1 The Council has considered whether transitional protection (TP) should be given to CTRS claimants experiencing large reductions in their entitlement between the old (CTS) and the new (CTRS) schemes. It proposes not to provide a TP scheme for the following reasons:

- (a) The majority of changes in entitlement are in fact positive for the claimant (6,912) or of no financial impact (4,551), compared with 5,717 who will receive a reduced discount;
- (b) The largest reductions are those relating to claimants who have non-dependants in their household, where an increased charge will be applicable to the non-dependant. It is not considered appropriate to provide TP in these cases as it is a policy intention of the scheme that non-dependants in the household should all contribute towards the household CTAX liability, subject to their income;

- (c) In the event that a claimant experiences exceptional hardship as a result of the new CTRS scheme, a discretionary payment can be considered (as explained above). It is considered unnecessary to provide both a discretionary element and transitional protection within the scheme.

23. Other Matters

23.1 Part 1 of Schedule 7 of the 2012 Prescribed Regulations regarding the procedure by which a person may apply for a reduction under the Council's scheme shall apply.

23.2 Part 4 of Schedule 7 of the 2012 Prescribed Regulations regarding electronic communication shall apply.

23.3 Part 1 of Schedule 8 of the 2012 Prescribed Regulations regarding extended reductions for movers into the Council's area shall apply.

23.4 Part 2 of Schedule 8 of the 2012 Prescribed Regulations shall apply regarding further provisions regarding applications (including making an application, the date on which an application is made, backdating of applications for pensioners, information and evidence and amendment and withdrawal of application) and the duty to notify the Council regarding a change of circumstances.

23.5 Part 3 of Schedule 8 of the 2012 Prescribed Regulations regarding decisions by the Council and notification of decisions by the Council shall apply.

23.6 Part 4 of Schedule 8 of the 2012 Prescribed Regulations regarding circumstances in which a payment may be made where there is joint and several liability shall apply.

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2019/20 (current scheme)				2020/21					Date of update
Authority	Current CTRS scheme - minimum contribution or banded	Minimum claimant contribution	Annual expenditure under current scheme	Are you planning to change your scheme in 2020/21	If yes, will it be minimum contribution or banded discount?	Minimum claimant contribution	Is the change delivering savings? If so how much?	Any other comments	
Barking									
Barnet									
Bexley	Banded discount, with minimum contribution	20%	£12.2M	No				No plans to amend scheme for 2020 at this stage, however still early days of this scheme so will be kept under review (banded scheme only introduced from April 2019). Our new banded scheme is proving very slightly more expensive than the previous 20% minimum contribution. We don't appear to be getting any complaints about cliff edges or similar so far, although it's probably a bit too soon to judge whether it's helping in terms of overall collection. The rationale for introducing a banded scheme was the impact of Universal Credit on managing predictable payment plans for those affected.	Oct-19
Brent	Minimum contribution	20% unless "vulnerable" (mainly if receiving disability benefits - in which case up to 100% rebate)	£27.2M	Yes	Banded discount	No minimum contribution	Change to be cost-neutral to 2019/20 expenditure, plus CTAX increase	Scheme will be banded discounts with non-dep deductions	Oct-19
Bromley									
Camden	Taper scheme no minimum contribution	No Minimum contribution	£26m	Yes	Banded discount based on London Living Wage	No minimum contribution	Not from CTS expenditure but £500k Staff Savings	We have just completed our consultation showing 66% in favour.	Oct-19
City of London	Default	No minimum contribution	£175k	No major changes		No minimum contribution			Oct-19
Croydon	Minimum contribution	15% - unless vulnerable	£35m	No change	N/A	N/A	N/A	N/A	Oct-19
Ealing	minimum contributions	25% for non vulnerable and 0% for vulnerable	£24mln	yes	banded	25% for non vulnerable and 0% for vulnerable	no		Oct-19
Enfield	Minimum contribution and (old default scheme for non UC and (an Earned Income Threshold for UC)	26.50%	£32.5K	Yes	Minimum contribution and (a taper change for non passported including UC) and (an Earned Income Threshold for UC)	24.50%	No	Scheme change summarised as follows: - Reduce the Minimum Payment by 2% from 26.5% to 24.5% - Increase calculation Taper from 20% to 22.5% - Universal Credit Net Earned Income Threshold change from £1265/mth to £1100/mth. No CTS £1100/mth or more and full CTS up to minimum payment where less than £1100/mth	Oct-19
Greenwich	Minimum contribution	15%	£18.5M	Yes	Possibility of no minimum contribution		No	Currently modelling various options depending on costs. Looking to go out to consultation mid October	Oct-19
Hackney									
Hammersmith	Old Default	No	£11.5m	No				Considering changing following year possible banding	Oct-19
Haringey									

Harrow	Minimum contribution	30% unless "vulnerable" (mainly if receiving disability benefits - in which case up to 86% rebate)	£14m	Yes	Banded discount	30% unless "vulnerable" (mainly if receiving disability benefits - in which case up to 86% rebate)	No		Oct-19
Havering	Minimum Contribution	25% unless 'vulnerable' (mainly if receiving disability benefits- in which case min contribution is 20%)	£14m	No					Oct-19
Hillingdon									
Hounslow	Minimum Contribution	NO	£16	No				Looking at changing the scheme from 21/22	Oct-19
Islington	Minimum contribution	8.5% for all working age claimants	£26.1M	No					Oct-19
Kensington	Old default scheme	NO	11M	No					Oct-19
Kingston	Old default scheme with increased non dep deductions	NO	£10.3M	No indication				Awaiting steer from elected members	Oct-19
Lambeth				No				We have reduced the original CT spend- c10% by SFA % reduction each year	Oct-19
Lewisham	Minimum contribution	25%	£18m	No				all working age are liable for 25%, no exceptions or enhancements. No hardship fund but those in difficulty can apply for write off (£13a).	Oct-19
Merton									
Newham									
Redbridge	Minimum Contribution	25% and 15% when the claimant or partner is in receipt of PIP, DLA or AA	£14.6m	Yes	Banded	Ranges from 15% to 59% - 6 bands	Cost neutral		Oct-19
Richmond	Default	Minimum contribution removed from 19/20		No indication			No indication		Jun-19
Southwark	Minimum contribution	15%	Circa £20m	No				Hardship payments available as now	Oct-19
Sutton	Income Band	20% unless protected (vulnerable) in which case 0%	£11.2M	No				Sutton are in the midst of a consultation, but it is only to confirm that we wish to keep our scheme the same as last year, with the exception of rating the income band ranges in line with CPI (and then for each year after)	Oct-19
Tower Hamlets	100% scheme	0%	Circ £26 m	No	NA	NA	Na		Oct-19
Waltham Forest	Minimum contribution	24%	Circa £15.5m	No			No, we contribute to the scheme	Hardship pot remains in place	Oct-19
Wandsworth	Minimum contribution	Virtually, a minimum contribution of 30%, but we prefer to do a Band D comparison as due to the low CT our 30% is nearer 15 - 20% in other boroughs.		No fundamental changes			No	WBC also have a similar vulnerability scheme which means disabled household still receive 100% CTR. We made a tweak so there is one level of non-dep deduction but generally the default scheme.	Jun-19
Westminster	Old default scheme			No				Westminster has a fully funded scheme (i.e. a default type scheme that mirrors support that would have been available under CTB if it still existed).	Oct-19

Appendix C

Key principles (with pros and cons relating to the proposed scheme)

Principle	How does the proposed scheme meet the principle?	Possible disadvantages with the proposal
1. The scheme must take a broad view of “vulnerability”, in particular financial vulnerability and ability to pay Council Tax, rather than using receipt of welfare benefits (e.g. disability benefits) as a proxy for vulnerability (as the current scheme does).	The scheme is based on ability to pay; the more a claimant’s (or their household’s) income, the lower their CTS award and the more they have to pay.	There is no automatic exemption for any group, e.g. disabled or carers. However, the scheme design means that those groups will usually receive 100% discount, unless they have a partner who is earning or if there are other adults in the household.
2. The scheme must “incentivise work” (CLG requirement).	<ul style="list-style-type: none"> Earnings can increase within the bands before requirement to pay more CTAX. Any Working Tax Credits are disregarded completely, as is any additional Child Tax Credit for work related expenditure such as child care costs. 	<ul style="list-style-type: none"> Claimant could earn just a few pounds more a week, but fall into a new band meaning they would need to pay an additional amount of Council Tax per week For example, a Band D property has a £9.11 difference in rebate between the second and third income bands, so if a claimant’s income rose by one hour at minimum wage (£6.15 to £8.21 depending on age), the claimant <i>could</i> lose out (if they were already right at the top of the previous income band). However, it is unlikely that a claimant is going to take a new job for one hour’s extra work, and additional work of anything over one hour would give them a net benefit). Also, a discretionary award could mitigate this impact if it did occur
3. There should be equity between the treatment of employed and unemployed residents. i.e. cuts cannot just be loaded onto	<ul style="list-style-type: none"> It is based on an ability to pay so the unemployed in fact are winners, moving from 	<ul style="list-style-type: none"> May be viewed that the unemployed are being treated less harshly than

the unemployed, or disproportionately onto those on the very lowest incomes	an award based on a maximum of 80% liability to 100%.	employed claimants on the basis that they have less to pay.
4. Scheme design must consider Brent's claimant demographic, and ensure that it can reflect the circumstances of the various current cohorts (e.g. large numbers of self-employed, or claimants in insecure work, etc.); i.e. it will be geared to Brent's claimants' needs not to a generic set of rules.	<ul style="list-style-type: none"> Those on a low earned income (be it on a Self-Employed, CIS or PAYE basis) will have less to pay than those with a higher earned income. They will be able to keep 100% of any additional DWP or HMRC income and in fact many claimants currently receiving a maximum of 80% discount will increase to 100%. There is no known group within Brent (e.g. single parents; self-employed workers etc.) who are known to lose out due to this methodology. 	<ul style="list-style-type: none"> None evident
5. Scheme must deliver agreed savings (<i>principle subsequently not required following decision not to seek savings from the scheme</i>)	<ul style="list-style-type: none"> Not required 	<ul style="list-style-type: none"> Not required
6. Scheme should be capable of existing for up to three years without need for further fundamental review	<ul style="list-style-type: none"> No foreseen impacts which would prevent this but the situation will need to be reviewed year on year 	<ul style="list-style-type: none"> Although it is preferred not to change scheme design within three years, the scheme <u>must</u> be reviewed annually, and a formal decision made whether to retain the scheme or to revise it. There is therefore an annual opportunity to make changes if necessary.
7. Scheme should include the means to require other adult members of the claimant's household to contribute towards Council Tax liability	<ul style="list-style-type: none"> The well-established concept of non-dependant deductions is extended to all other adults in the claimant's household, under the proposed scheme. 	<ul style="list-style-type: none"> Although deductions are made in respect of any non-dependants, it is the claimant's CTS award which is actually reduced, and they that need to obtain the contribution from the non-dependant. We know that this isn't always straight-forward and achievable, however non-dependent charges have been a well-established feature of the welfare benefit system for over 30 years;

		<p>the proposed CTS scheme proposal only changes the amounts to be charged</p> <ul style="list-style-type: none"> • Could contribute to a decrease in collection, and increased summons / Court costs for liable persons if non-dependants did not contribute their share to the claimant • May result in increases in fraudulent claims in respect of non-dependants being reported as having moved out, although evidence will be required to support such declarations. Also the threat of reductions to the claimant's housing benefit due to the Bedroom Tax or a reduced Local Housing Allowance being applied will tend to disincentivise this behaviour within the CTS scheme.
<p>8. New scheme must be streamlined and simpler to administer</p> <p>Page 121</p>	<ul style="list-style-type: none"> • The proposed scheme is relatively simple, with potential to be fully automated in future. • CTS will be a discount like Single Person Discount, with simple criteria, not a means-tested benefit, like UC. • Fewer changes in circumstances to administer 	<ul style="list-style-type: none"> • Currently CTS reacts to every change in circumstance, every nuance. The new scheme ignores a lot of the movable parts, but in that may lose some of the nuance. While this is likely to be relatively marginal, a discretionary payment would potentially be available for any significant cases.
<p>9. New scheme must be easier to understand and transparent to customers</p>	<ul style="list-style-type: none"> • The main scheme details (i.e. the banded discount table and the non-dependant income table) could feasibly be included as a half-page summary on the back of a Council Tax bill (or attachment). 	<ul style="list-style-type: none"> • None apparent
<p>10. The scheme must be compatible with UC; i.e. it must provide a mechanism to fairly assess CTS for UC claimants and non-UC claimants alike, but must also be capable of functioning apart from UC - i.e. without tying validation of CTS entitlement <i>rigidly</i> to receipt of UC - so that any future major change to the UC</p>	<ul style="list-style-type: none"> • Awards will be managed by a UC xml input (electronically delivered to us by DWP, daily). • Most of the information we need to award CTRS would be on the UC xml, without the need to contact the claimant • In the event of issues around UC, or even major changes, the CTRS scheme can still 	<ul style="list-style-type: none"> • None apparent

scheme would not result in the need for immediate redesign of CTS.	<p>operate via claims and provision of earnings evidence made direct to the Council</p> <ul style="list-style-type: none"> CTAX bills will not bounce up and down as UC entitlement changes monthly; they will only change where there has been a significant change in the claimant's income 	
11. The scheme must be capable of being automated as far as is possible	<ul style="list-style-type: none"> The scheme is relatively simple, with potential to be fully automated in future. 	<ul style="list-style-type: none"> None apparent currently, other than that discretionary awards will not be capable of being automated
12. LA's must also ensure that appropriate consideration has been given to support for other vulnerable groups, including those which may require protection under other statutory provisions including the Child Poverty Act 2010, the Disabled Persons Act 1986 and the Equality Act 2010, amongst others.	<ul style="list-style-type: none"> See Equalities Assessment 	<ul style="list-style-type: none"> See Equalities Assessment

Appendix D - Option evaluation

Scheme design	Weighting	1. Current mean-test variation	2. Banded discount	3. Banded discount – all household income
Broad view of vulnerability possible?	1	Yes	Yes	Yes
Incentivises work?	1	Yes via disregarded income	Yes via disregarded income	Yes via disregarded income, but more incomes to verify / calculate
Doesn't load cuts disproportionately on those with least income	1	Yes, but at the expense of having to have different minimum contribution levels, which adds complexity	Yes, potentially lower income households make up a greater % of those eligible	Yes, potentially lower income households make up even greater % of those eligible
Respond to Brent's claimants' specific demographics?	1	Potentially	Potentially	Potentially
Deliver savings / affordable for up to 3 years?	1	Yes	Yes	Yes
Key impact of delivering savings	1	All or most current claimants pay more CTax; some excluded completely from CTS, but a larger number have smaller entitlements	Can more easily direct savings / cuts to households with more income, excluding the higher earners completely. Impacts on all remaining lower-income claimants can therefore be reduced	Spreads the burden further to those households with someone other than the claimant working. Easier to lessen burden on the lower income claimants
Other members of household should contribute?	1	Yes via non-dependant deductions	Yes via non-dependant deductions	Yes as part of overall income calculation - but increases administration
Opportunities for simpler administration	2	Potentially, but minor	Yes, potentially major	Potentially major, although requires more administration than option 2 due to requiring more information about other household members
Any negative implications of simpler administration?	2	Minor	Potentially more chance of "cliff edges" in entitlement due to the less nuanced assessment. (However cliff edges are relatively small scale given the amounts of weekly CTS entitlements.	Potentially more chance of "cliff edges" in entitlement due to the less nuanced assessment; also more administration than Option 2 due to counting other household members
Transparency for claimants?	2	Not significantly more than current scheme	Yes	Yes, but not as simple as option 2
Compatible with UC?	2	Yes but most difficult to incorporate without complexity	Yes	Yes
Capable of being automated?	2	Potentially, but minor	Potentially to a large degree	Potentially to a significant degree

Overall summary	<p>This option would be the easiest to deliver as it is a variation to the current scheme, which is tried and tested and carries little risk of legal challenge. The complexity of the scheme allows us to reflect almost all the nuances of claimants' individual circumstances, however this is not easy or transparent for claimants to understand, and does not represent a significant simplification. The main current advantage, that CTS mirrors the HB calculation (thus providing a "2 for 1" efficiency), will largely disappear as UC rolls out and up to 90% of the working age caseload migrates to UC, making the administrative costs disproportionate to the value of awards made – average CTS awards are currently £18.77 per week compared to £191.78 for HB. This system also does not as easily support the UC scheme.</p>	<p>This option is transparent and easy to understand for customers, has significantly simplified administration, and can more easily accommodate Universal Credit. It may will be a less nuanced system and may involve some 'cliff edge' decreases to support as claimants move from one band to another – though this should be viewed in the context of the relatively small level of weekly awards - and will require detailed preparation for safeguarding against the possibility of initial legal challenge, changing IT software, publicity and staff training. It is however a design which many authorities are considering for 2020/21 and so can benefit from shared experience and best practice in its development.</p>	<p>This option shares most of the pros and cons of Option 2, but has the added feature of explicitly sharing the financial burden to other adults in the claimant's household; this will enable the scheme to focus cuts in entitlement to households where there are other adults with the means to pay Council Tax and thus preserve greater entitlements for households with lower combined income, however this is achieved at the cost of added administration, including the need to obtain income evidence from residents who are not the liable Council Taxpayer. (It should be noted that a contribution from other adults is already built into Option 1 (current scheme) and can be built into Option 2, if desired.)</p>
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Scoring

Totals	Weighting	Option 1	Option 2	Option 3
Green (3 points)	1	4	4	4
	2	1	4	1
Amber (2 points)	1	1	3	3
	2	1	1	3
Red (1 point)	1	2	0	0
	2	3	0	1
Score		32	46	38

Appendix E

Brent's local Council Tax Reduction Scheme

Overview and main features of proposed scheme

Brent's new Council Tax Reduction Scheme (CTRS¹) from 1st April 2020 will replace its Council Tax Support (CTS) scheme which was in place between 1st April 2013 and 31st March 2020.

Distinction between pensioner and working-age schemes

Pensioner claimants will claim CTRS under the prescribed national scheme.

Working age claimants will claim under the local Brent scheme (see below).

Couples who have one partner of pension age and one of working-age are classed as working-age as per national legislation.

Local scheme for working age claimants

Purpose of scheme

To provide financial assistance for Brent Council Tax (CTAX) Payers who are financially vulnerable and require assistance to meet their Council Tax liability.

Eligibility

General

Any person who is liable for Council Tax to Brent Council will be eligible to claim CTRS unless –

- They do not have recourse to public funds
- They are not resident in the property
- They are a student (with exceptions below)
- They possess capital of over £6000

Council Tax liability and maximum Reductions

CTRS will be calculated on the claimant's net CTAX liability after the granting of any other Council Tax discounts (e.g. Single Person Discount).

¹ Known locally as Council Tax Support

If the claimant is jointly liable for CTAX with another person (other than their partner), their CTRS will be calculated based on their share of the liability.

Meaning of “family” and household

The people that live with together as an immediate family unit are deemed to be a household. This will usually consist of:

- The claimant.
- Their immediate family, their children, and partner(s).
- Their grown up children or relatives, assuming the circumstances are non-commercial.

A partner is defined as being the person that the claimant is connected to in one of the following ways:

- Married to.
- An unmarried couple who reside with each other and living as if married.
- Two people of the same sex who are in a civil partnership.
- Two people of the same sex who are residing with each other and are living as if in a civil relationship.

Non-dependants

Other adults living in the household but not part of the claimant’s family unit (“non-dependants”) will result in a deduction being made to the claimant’s maximum possible CTRS entitlement, based on their status and income² –

- Not working
- Employed with net income up to £150 per week
- Employed with net income between £151 and £200 per week
- Employed with net income over £201 per week

CTRS calculation

There are two stages to the calculation of CTRS entitlement.

- (1) The maximum level of discount which can be awarded is expressed as a percentage of the net CTAX liability (i.e. after any other discounts or exemptions are applied), based on the claimant and partner’s total income
- (2) The maximum discount is then reduced by any charges which are appropriate in respect of any non-dependants in the household.

² The original scheme proposal was for three non-dependant bands; this has been changed to four following comments received during consultation.

1. Calculation of maximum potential CTRS discount

Claimant and partner's net income	CTS award (% of net liability)
On state benefits only or £0 - £80	100%
£81 - £110	80%
£111- £150	50%
£151 - £250	30%

2. Non-dependant deductions

Non-dependant deductions are made to the maximum CTRS entitlement amount quoted in (1) above, as appropriate from the table below

Working Age – Non Dependant Income³	Deduction per week
Not working	£5.00
Working - net income up to £150 pw	£10.00
Working – net income between £151 and £200 pw	£15.00
Working – net income over £201 pw	£20.00

³ In the original proposal, it was suggested that non-dependants' gross earnings would be used, as is the case in the current CTS scheme). Following comments received, it is proposed to change this to net income, in line with the treatment of claimants' income.

Claimant's income and capital

All earnings from the claimant and any partner's work, and any other income, is included in the calculation of the claimant's CTRS entitlement (see below for calculation).

All income from DWP or HMRC benefits, or from foster carers' allowances paid by the local authority⁴, is ignored for the purpose of the CTRS calculation.

Any capital or savings held by the claimant or partner will be disregarded if it totals less than £6000. Claimants and partners with more than £6000 capital will not be entitled to CTRS.

Where a claimant is receiving Universal Credit (UC) and also working or has capital, the Council will use the earnings and capital figures from their UC assessment in the CTRS assessment unless there is satisfactory contradictory evidence available providing more accurate earnings and capital information.

Income from earnings

Net income is included in the calculation (i.e. gross income reduced by tax and National Insurance contributions, and 50% of contributions to any occupational pension scheme).

Self-employed income is derived from gross income less allowable expenses. Any resulting profit is then subject to tax, NI and pension deductions as with any other earnings.

Where possible, the CTRS calculation will use whatever earned income or self-employed income the Secretary of State uses for the claimant's UC calculation.

Capital

There is no entitlement to CTRS if the claimant and their partner jointly hold capital of £6000 or more

Capital means the value at date of assessment of any of the following:

- Bank accounts including all types of savings account
- Building Society accounts including all types of savings account
- PEPs, TESSAs or ISAs
- Premium Bonds or National Savings Certificates
- Shares
- Property (other than the home for which Council Tax Support is being claimed for). This will be the value of the property minus any outstanding mortgage or secured loan attached to the property in question.

⁴ Income for foster carers paid from a local authority has been added following public consultation.

Where possible, the Secretary of State's calculation of capital in the claimant's UC assessment will be used in the CTRS calculation.

Non-dependant income

Non-dependants will have their net income calculated similarly to the calculation for claimants (see above)⁵.

Effective dates

Date on which entitlement begins

CTRS entitlement will begin from the earliest of the following dates⁶ –

- The date the claim was received via the Council website
- The date that a claim to UC was received by the DWP
- The earliest date (within the financial year in which the claim was received) from which the claimant's circumstances were continuously the same as those applying at the time the claim was received. (i.e. the claim may be treated as made at any date back to 1st April of the current financial year, if the claimant's circumstances have not changed since this date)

If any of the above dates is before the date that CTAX liability commenced, then entitlement will commence from the date CTAX liability commences.

In exceptional circumstances claims may be backdated to earlier dates (i.e. in previous years) under the discretionary element of the CTRS scheme (see below).

Date on which changes of circumstances (CIC's) take effect

CIC's are effective from the date of change⁷.

Evidence and information

It is the claimant's responsibility to report any relevant changes of circumstances.

Relevant changes are changes of income or changes in the occupation of the home for:

- Claimant or partner
- Dependants (i.e. children within the family unit, dependant on the claimant)
- Non-dependants (i.e. grown up children aged over 18 or other adults residing in the property)

⁵ This is a change to the original proposal, following responses received during the consultation, which suggested that gross non-dependant income would be included, as the current CTS scheme does.

⁶ The original proposal was that entitlement would start from the Monday following the date of claim. This has been changed to the actual claim date, following responses received during the consultation.

⁷ Ditto footnote 6.

Evidence is required for earned income

Where possible, the CTRS assessment will use the net income calculated by the Secretary of State (DWP) in determining the claimant's entitlement to UC.

Alternatively evidence of income may be accepted via wageslips, P60 or any other documentation deemed appropriate by the Council.

Evidence of occupation of the home

The Council may require evidence to verify occupation of the home (or an alternative address, if an occupier has moved out). This may include official correspondence, utility bills or any other documentation deemed appropriate

Amendment and withdrawal of application

The claimant can withdraw claim at any time in writing or via phone or online.

Overpayments

Retrospective changes in circumstances will result in a debit or credit to the claimant's CTAX account in all circumstances, thereby increasing or reducing the amount of Council Tax due. However, if it is considered that the claimant should not have to repay an overpayment, given the particular circumstances of the case, a discretionary payment may be considered (see below).

Discretionary payments

If a CTAX payer is experiencing exceptional and extenuating circumstances they may apply for a Council Tax reduction under Section 13A of the Local Government Finance Act (LGFA) 1992. Each application is considered on its own merits. Examples where applications may be considered could include properties affected by natural disasters such as fire, flood or storm that were beyond the control of the occupier.

The Council may also consider a discretionary payment of Council Tax Reduction under S13A of LGFA 1992 in certain circumstances, including: -

- where the Authority considers that a CTRS claimant requires further assistance towards their CTAX costs and is facing exceptional hardship or extraordinary circumstances
- Where it is considered appropriate to back-date a CTRS application earlier than the date that the claim was made
- Where a retrospectively processed change of circumstances has resulted in excess CTRS being paid and subsequently debited to the claimant's Council Tax account, and it is considered inappropriate for the full or partial excess amount to be recovered from the claimant.

Appeals

CTRS claimants can dispute a decision concerning the assessment of their CTRS. In the first instance an internal review or reconsideration will be carried out; if the claimant still wishes to challenge the decision, an appeal must be lodged by the Claimant themselves with the independent Valuation Office.

Transitional Protection (TP)

Transitional protection has been considered for those claimants negatively impacted by the change to the new scheme but is not proposed because:

- The majority of changes in entitlement are relatively small;
- The largest reductions relate to claimants with increased non-dependant charges. It is a policy intention that non-dependants should all contribute towards the household CTAX liability, and therefore considered reasonable to implement this change without transitional protection;
- In the event that a claimant experiences exceptional hardship, a discretionary payment can be considered.

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Appendix F

Council Tax Support – case studies (cost-neutral model, amended non- dependant bands)

Revised proposal (following consultation)

Income Banded half of the calculation
Earned income of Claimant and Partner

Non-dependant contribution half of the
calculation

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Net income excluding DWP benefits	CTS award
£0 - £80	100%
£81 - £110	80%
£111- £150	50%
£151 - £250	30%

Working Age – Non Dependant net income	Deduction per week
Not working	£5.00
Working - net income up to £150 pw	£10.00
Working – net income between £151 and £200	£15.00
Working – net income over £201 pw	£20.00

Case Studies (1) (cost-neutral)

Single Parent, 2 children, working 16 hours at National Living Wage

Full CTAX liability (with no CTS, but with SPD) is £22.70

Income	
Wages	£131.16
Tax Credits	£195.02
Child Benefit	£34.40
Total	£360.58

Current CTS £11.63

New CTS £11.35

Current to pay £11.14

New to pay £11.35

Increase of £0.21 per week

Case Studies (2) (cost-neutral)

Single Parent, 2 children, not working
Full CTAX liability (with no CTS, but with SPD) is £22.70

Income	
Income Support	£73.10
Tax Credits	£114.22
Child Benefit	£34.40
Total	£221.72

Current CTS £18.21

New CTS £22.70

Current to pay £ 4.56

New to pay £ 0.00

Decrease of £4.56 per week

Comparison

	Household Income	Amount to pay now	% of income against CTS to pay (currently)	Amount to pay under new scheme	% of income against CTAX to pay (new scheme)
Single parent, working	£360.58	£11.14	3.1%	£11.35	3.1%
Single parent, not working	£221.72	£4.56	2.1%	£0.00	n/a

Case Studies (3 & 4) (cost-neutral)

Single Parent, 2 children, passported,
Non-dependant not working
(Full CTAX liability £30.27)

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Claimant Income	£221.72
Non-dep not working	£ 73.10
Household income	£294.82
Current to pay	£12.67
New scheme to pay	£5.00

In the current scheme, the non-dep deduction is £6.60.

This is £5.00 in the new scheme model.

Single Parent, 2 children, passported,
Non-dependant working (£300 pw)
(Full CTAX liability £30.27)

Claimant Income	£221.72
Non-dep working	£300.00
Household income	£521.72
Current to pay	£19.15
New scheme to pay	£20.00

In the current scheme, the non-dep deduction is £13.10.

This is £20.00 in the new scheme model.

Case studies (5 & 6) (cost-neutral)

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	Household Income	Amount to pay now	Weekly CTAX Liability (Band D)	% of income against CTAX to pay (currently)	Amount to pay under new scheme	% of income against CTAX to pay (new scheme)
Single, highest PIP, Passported. C/Protected	£221.95	£0.00	£22.70 (SPD)	0%	£0.00	n/a
Single, unemployed, passported C/Not-protected	£73.10	£4.56	£22.70 (SPD)	6.2%	£0.00	n/a

Case Study (7)

Couple, 2 children, Claimant working 16 hours at National Living Wage
Full CTAX liability (with no CTS) is £30.27

Income	
Wages	£131.16
Tax Credits	£192.45
Child Benefit	£34.40
Total	£358.01

Current CTS £ 7.70

New CTS £ 9.08

Current to pay £22.57

New to pay £21.19

Decrease to pay of £1.38 per week

Case Studies (8 & 9)

Single claimant, passported,
currently protected (Disabled),
Non-dependant working £400 pw
(Full CTAX liability £30.27)

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Claimant Income	£221.72
Non-dep not working	£400.00
Household income	£621.72
Current to pay	£ 0.00
New scheme to pay	£ 20.00

In the current scheme, there is no non-dep deduction.

There is a £20.00 deduction in the new scheme model.

Single claimant, passported, not
currently protected (unemployed),
Non-dependant working £400 pw
(Full CTAX liability £30.27)

Claimant Income	£73.10
Non-dep working	£400.00
Household income	£473.10
Current to pay	£25.86
New scheme to pay	£20.00

In the current scheme, the non-dep deduction is £19.80.

This is a £20.00 deduction in the new scheme model.

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Source	Theme	Comments	Response
Online Consultation	Too generous	No one or household should get 100% reduction. An allowance should be included in their DWP payments. The whole purpose of introducing CT was to help ensure people were more responsible for their local community and the costs That some get total exemption of council tax means this is a free hand out with no consequences. we need responsible residents who take care and aid our Borough. to have free bees using the system is 1950s era. An allowance should be included in the benefits even a amount deducted each week so that the claimant can see where is claimant monies is going and the total costs he is expecting others/the rest of the community to pay	The Council considers that there are some claimants who should receive a 100% discount, in particular those solely reliable on state benefits, which by definition pay the claimant the amount considered to be the minimum on which they can survive.
CAB Meeting	Too generous	"Principle of everyone need to pay is fabulous - why shouldn't they"	The scheme is designed on the principle that everyone in the claimant's household) that can afford to pay something, is required to do so.
Email	Simple, clear or Fair	I think the proposal is excellent and will benefit all of our customers (Metropolitan Housing Association)	n/a
CAB Meeting	Incentivising work	What is the actual 'incentivise work' requirement?	The legislation requires that Councils ensure that their scheme "incentivises work". Exactly how this is done is down to individual Councils' discretion. Some organisations have argued that it is not feasible for a CTS scheme to incentivise work, as it will rarely, if ever, be a prime consideration in a claimant's decision-making over whether to accept or job or increase their hours.
CAB Meeting	Technical details	Interested in the details such as how to claim, backdating. -Clarity needed on how to claim and instructions on backdating	These details are included in the draft scheme.
CAB Meeting	Technical details	Numerous examples of the confusion about having to claim CTS. 1.) Will the UC claim date be honoured for CTS? 2.) What about those CLs not on UC yet? How will they claim? 3.) How do we get UC information through.	The claim date will be the earliest of the date the claim is received; the start date for UC, or the earliest date in the financial year for which the claimant's current circumstances existed. New claimants will make their claim either via the Council's website or via their Universal Credit claim. Information will be received from the DWP via electronic data transfer.
CAB Meeting	Technical details	Will the claim form stay the same?	We are looking into ways to simply the claim form in line with the revised scheme.
CAB Meeting	Technical details	Is CTS going to be cancelled if HB is?	Not necessarily, If a change in circumstances (CIC) is declared leading to a HB cancellation, then the same CIC will be applied to the CTS claim. This may or may not lead to a cancellation. If the cancelling of HB is due to claimant moving to UC, CTS will be reassessed accordingly.
CAB Meeting	Technical details	Where unsatisfactory information / lack of evidence is provided by CLs what are the steps taken to respond to the claims? Will "adverse inference" be applied?	If claimants fail to provide required information, an "adverse inference" may be applied; e.g. assuming the non-dependant's income falls into the highest income band. This would however be revised upon provision of any counter evidence.
CAB Meeting	Technical details	Has the scheme been drafted incorrectly about the claim starting Monday after the claim date?	CTS is a daily discount so IT will be awarded from the date it is claimed, or the first day of Council Tax liability, if that is later. This will be clarified in the scheme regulations.
CAB Meeting	Discretionary awards	Would like to have a clear policy around what the discretionary criteria would be	A discretionary policy will be developed, indicating the broad areas that a discretionary award may cover, however there will not be a detailed procedure as this may fetter discretion. We also don't want to unintentionally exclude certain groups or circumstances by having rigid criteria.
CAB Meeting	Technical details	Concern that we'll have a different approach to pension contributions to UC.	We propose to adopt the same rules around Private Pension contributions as Universal Credit. This will make the scheme easier to understand, and make administration more straightforward.
CAB Meeting	Simple, clear or Fair	Make it clearer on notifications that the non-dep attracts a deduction (will help parents)	It may be possible to represent NDs name on the bill and the amount of their required contribution next to it in principle, we will have to look into it, but this would only have an indicative value, would not change anything in the legal aspect of the liability.
CAB Meeting	Other	What are the other LAs that have the schemes CAB have cited as being effective?	There are a number of existing schemes around the country, with more being proposed for 2020. The intentions of London Councils are set out in an appendix to the committee report.
CAB Meeting	Non-dependants	Non-dependants may not pay their deduction if their relationship with the claimant has broken down. This may be unfair on the claimant (liable person for Council Tax).	The concept of non-dependant deductions is long-established in the welfare system, and applies to many benefits including Housing Benefit, Universal Credit and the former national Council Tax benefit scheme. We do not have any evidence that non-dependants generally do not pay their deductions to the claimant, otherwise collection rates would be much lower.
CAB Meeting	Other	Appeals - During an appeal, bill is recalculated and payments. Could we delay recovery for a month, or suspend recovery while is disputed?	This matter will be considered as part of the review of the Council's recovery policy, though it is not strictly speaking within scope of the CTS scheme consultation.
CAB Meeting	Non-dependants	Should we use Gross or Net pay for non-deps?	We will use net pay to make this consistent with the way we treat claimants' income.
Brent Connects	Other	Will Universal Credit increase the amount of benefit fraud? I've seen a lot in the press about it.	Answered in person: Although this is outside of the scope of this consultation, we are aware of the press reports and have links with DWP to refer cases of potential fraud.
Brent Connects	Other	How will people on sick pay be affected?	A person's earned income - which might include company paid sick pay - would determine what level of support a person gets. However, should the income a person receives <i>not</i> be paid by their company - such as a disability benefit - this would not be counted.
Brent Connects	Other	How will pensioners be affected by this?	The proposed changes only affect residents of Working Age. There is some additional information that needs to be considered here, however, as there have been some national legislative change to the rules around Mixed Age Couples.
Brent Connects	Non-dependants	Maybe students shouldn't have to pay a non-dep deduction.	Under the proposed scheme, all non-dependants will be required to contribute towards the council tax. As a student, the lowest contribution will be required. This will be reviewed again at a later date.
Brent Connects	Simple, clear or Fair	"This is the best thing I've ever seen. I wanted to cheer when I saw it. It would be good if all benefits could be like this"	n/a
CAB Meeting	Incentivising work	2 hours extra work, would mean that you'd actually not have any extra money.	From the modelling we have done, two hours extra work at the minimum wage would provide additional income of £12.30, £15.40 or £16.42 (depending on age). The <i>only</i> scenarios where the amount of CTS lost would outweigh the additional wages earned would be for claimants aged under 21 and living in Council Tax Bands E,F or G; or aged over 22 and living in Council Tax Band H, and in these scenarios, working three extra hours work would provide a net benefit.

CAB Meeting	Disadvantages a group	Happy with principles, although some vulnerable groups and students then have some concerns on these narrow points. - consider and discuss consequences for vulnerable groups, notably students.	Awaiting CAB to elaborate
CAB Meeting	Non-dependants	What about vulnerable customers who can't get information from non-deps?	The concept of non-dependant deductions is long-established in the welfare system, and applies to many benefits including Housing Benefit, Universal Credit and the former national Council Tax benefit scheme. We do not have any evidence that non-dependants generally do not pay their deductions to the claimant, otherwise collection rates would be much lower.
CAB Meeting	Disadvantages a group	No issue with having the lowest band at £4 and there being no disregarded groups. However, students and SMI e.g. where the CTAX legislation would exempt them from paying CTAX then could we exempt them from a deduction as well?	Under the proposed scheme, all non-dependants will be required to contribute towards the council tax. As a student, the lowest contribution will be required. This will be reviewed again at a later date.
CAB Meeting	Disadvantages a group	Could we have a look at how SMI and Student non-deps may be affected.	Under the proposed scheme, all non-dependants will be required to contribute towards the council tax. As a student, the lowest contribution will be required. This will be reviewed again at a later date.
CAB Meeting	Non-dependants	Could another band be added between £8 - £20?	Yes, following comments received we have reviewed the non-dependant charges and introduced n extra band
Stakeholder Meeting 1	Disadvantages a group	Mark Francis (MF) – Zacchaeus 2000 – He does not feel that CTS should be used to incentivize claimants to work. - concern this incentivisation will create a particular harshness on vulnerable residents.	It is a requirement from central government imposed, although amounts may not be large enough for the incentive to be efficient.
Stakeholder Meeting 1	Simple, clear or Fair	Asked if NDD is created due to ND not earning, would CL be liable to pay the NDD?	The answer is yes, and this is also the status-quo. Potentially needs to be greater clarity here.
Stakeholder Meeting 1	Simple, clear or Fair	CAB – How do we know there is a ND in the household and what their income is?	It should clarified that, as it is in the current system, we will rely on CL declaring changes and carrying out checks on DWP/HMRC systems.
Stakeholder Meeting 1	Simple, clear or Fair	Is the £6000 capital cut-off in the proposal also the current practice?	Capital limit of £6000 will still apply to the proposed scheme in line with UC procedures.
Stakeholder Meeting 1	Non-dependants	It is not fair to compare NDs in a household where CL is disabled to those ND's where CL is not. Liability for claimant is an issue and they need to be protected from enforcement action as they may not be able to control ND. Also having ND move out is not always in the interest of CL.	It may be possible to represent NDs name on the bill and the amount of their required contribution next to it in principle, we will have to look into it, but this would only have an indicative value, would not change anything in the legal aspect of the liability.
Stakeholder Meeting 1	Too Complex	Will the UC application have a box that CL can tick to ask for CTS which would sent their application to Brent directly?	The feature does not exist currently but we are looking into ways of making the applications easier.
Stakeholder Meeting 1	Incentivising work	It seems like that CTS is in keeping with some practices of UC and not in some others. It is difficult to understand why the liability will have to be ultimately paid by CL and not by ND. Suggests NDDs do not incentivise work, but rather encourage people to avoid work so that NDD doesn't increase.	Non dependant deductions have been an established part of the welfare system for many years; furthermore, deductions (contributions to rent) are significantly higher in Housing Benefit. It is not credible that a non-dependant will avoid work to reduce a charge of (at most) £20 to (at least) £4.00.
Stakeholder Meeting 1	Non-dependants	Suggests we create leaflets aimed to NDs to explain NDD	We will include publicity for non-dependants when publicising the scheme
Stakeholder Meeting 1	Disadvantages a group	ND do not always share in the responsibility of paying bills, which is an inherent problem. Earned income banded schemes are found to be a bit steep, it does not consider London living wages and the proposed 30% contribution scheme does not seem affordable	When considering earned income, it is important to focus on what claimants are actually receiving, not what they would ideally receive under the London Living Wage (LLW). Many employers do not pay the LLW, so if the LLW were used in the calculation, CTS would be calculated on the basis of a higher income than that which the claimant was actually receiving, and their CTS entitlement would be lower as a result, which would clearly not be favourable for the claimant.
Stakeholder Meeting 1	Simple, clear or Fair	Since Brent's proposed CTS scheme does not strictly mirror UCs practices, why must we follow the rules on mixed age couples	The legislation on Mixed Age Couples is set out by the government and has come into force on the 15/05/2019. It would make it more difficult administratively, and it would also be problematic explaining to CLs that in terms of HB they are considered working age but in case of CTS they would be treated as pension age.
Stakeholder Meeting 1	Simple, clear or Fair	– Requested clarification if we treat CLs are individual applicant or as couples, as it would imply that CL could be pension age but traded as working age due to PT being working age.	Couple would be assessed under the mixed age couple rule.
Stakeholder Meeting 1	Non-dependants	Disabled NDs should be disregarded from NDD, could we allow for this?	We are taking a broader approach to who we consider vulnerable, not restricting it to those with disabled benefit awards. In the case of non-dependants, we are following the principle that everyone should pay something towards the Council Tax. Individual circumstances can also be looked at under the discretionary element.
Stakeholder Meeting 1	Disadvantages a group	JC – Will there still be people who are exempt, such as carers and students?	Carers will be exempt unless they are working (rare) and students are not normally liable. This is however an exemption to CT liability, not a feature of the CTS proposal
Stakeholder Meeting 1	Non-dependants	If a ND is a student, they will be exempt from CT but as a part of the household still need to pay a NDD?	Under the proposed scheme, all non-dependants will be required to contribute towards the council tax. As a student, the lowest contribution will be required. This will be reviewed again at a later date.
Stakeholder Meeting 1	Disadvantages a group	Will the disabled benefits of dependant be disregarded from income?	All income of dependants such as disability benefits and child benefits are disregarded.
Stakeholder Meeting 1	Simple, clear or Fair	AC – Could we have more details about the discretionary elements	Specifics on the discretionary decisions are still under way. More details will be circulated shortly and made public on our website.
Online Consultation	Too generous	Brent needs to gradually reduce all housing financial assistance, the level of benefits simply skews the market, creates an artificial floor and pushes up rent for everybody. In the end this only enriches landlords. Brent should be encouraging those who can't afford housing to move elsewhere. It will be unpopular with some who will try to call it ethnic or poverty cleansing but it is the fairest long term proposition. This single mum went from London to Halifax and now wouldn't come back https://www.bbc.co.uk/news/av/uk-49044886/how-far-would-you-move-to-get-social-housing	Comment appears to be about what residents get for their Council Tax, which is outside the remit of this consultation.
Online Consultation	Awards too low	Should be a bigger deduction if other adult members of the household are in employment and earning.	There are different deduction tiers depending on weekly earnings.
Online Consultation	Other	It would still not be fair as there are pockets of the borough who although residents pay council tax, they never really benefit from it	Comment appears to be about what residents get for their Council Tax, which is outside the remit of this consultation.
Online Consultation	Other	where is all the money going council is a waste off time	Comment appears to be about what residents get for their Council Tax, which is outside the remit of this consultation.

Online Consultation	Poll Tax	THIS SCHEME IS JUST ANOTHER WAY OF BRINGING BACK PRIMESTER THATCHER'S POLL TAX. JUST WHY IS THIS SCHEME BETTER? IN THE SURVEY THERE WAS NOT MENTION OF SENIOR CITIZENS. DOES THIS MEAN THAT BECAUSE WE WORKER ALL OUR LIVES AND MADE SURE WE JOINED A WORKPLACE PENSION THAT WE NOW PAY TAX ON WE ARE AGAIN BEING TOLD WE HAVE TO MORE. NO MENTION ALSO OF ANY REDUCTIONS FOR SOLE OCCUPANTS. WHAT ABOUT THE HMO'S. MAKING RENTS MORE EXPENSIVE. THIS IDEA NEED TO BE MADE ERY PUBLIC AND JUS AN ONLINE SURVEY.	The proposed Council Tax Support scheme is a discount scheme which reduces the amount of Council Tax which claimants on a low income are required to pay. It does not resemble the Poll Tax (Community Charge) from 1990-93 because that was a charge levied on all adults living in each borough.
Online Consultation	Too generous	Even if a person receives benefits this is an income and should be counted. Council tax is a struggle to pay for me even though both my husband and I work full time and have 2 young children. I do not see how others should be able to pay up to zero council tax - it's very unfair.	The disregarding of benefits acts as an incentive to those who work but have ow earnings - they will be able to claim in-work benefits such as Universal Credit and not have this included when calculating their CTS.
Online Consultation	Disadvantages a group	People who worked hard all there lives and are now close to retirement will be hit hard. This will only promote people who don't want to work and claim all they can it's unjust and I care.	There is no indication that the proposed scheme impacts more on older working age claimants, in fact these appear to be less impacted as a group. (See Equalities Impact assessment)
Online Consultation	Simple, clear or Fair	Anything that will make the discount more understandable is most welcome, and I look forward to being able to easily understand the council tax bill	n/a
Online Consultation	Too generous	I think those on State Benefits should make a small contribution of say 5% to remind them that Council Services do not come for free & a contribution is important to maintain services	Residents whose only income is state benefits have been assessed by Department of Work and Pensions, and awarded an amount of money pursuant with their basic needs, without consideration for Housing costs (which includes Council Tax). A principle of the proposed scheme is that those in employment are more able to pay Council tax than those, for instance, who are out of work. When a resident is in work, they receive a decreasing amount of CTS as their earnings increase.
Online Consultation	Cliff edges	It is far too crude & cliff edged. If you go £1 over your net income band, you suddenly pay another 20% of full council tax. Must be more finely graduated.	It should be borne in mind that non-pone's income will ever increase by just £1; it will increase by at least the minimum wage and in almost all cases the decrease in CTS will be less than the additional earnings from one extra hour's work at the minim wage.
Online Consultation	Simple, clear or Fair	This questionnaire is far too simplistic & slogan based.	n/a
Online Consultation	Other	It is really good move to help those who are in need. It's looks very simple and straightforward	The respondent is encouraged to submit a claim for CTS to see if they are entitled to a discount off their Council Tax.
Online Consultation	Council Tax	I currently pay £193.00 per month and it really hurts with having 3 kids to feed and my wife now only works part time. This cost reduction is needed as I CANNOT justify paying almost £2000 a year on just council tax - sorry!	Council Tax legislation was set in 1992 and property bands and values are based on market values in 1991. It is appreciated that these are therefore considerably out of date but to date central government has not introduced legislation to recalibrate the scheme or revalue properties.
Online Consultation	Non-dependants	Does Housing benefit includes gas and electricity bills cost? Because Gas and electricity bills for year in higher than Council tax at present. Charging from children 18+ and working, living in a house, this money must be deducted from the initial cost of council tax, this will help parents to manage paying council tax. In families employed adults do not willingly contribute to "family monthly expense pot". They may occupy a room without paying any contribution, this habbit always put parents in short of money to pay bills. Hence your idea of formally enforcing 18+ working people living in a house to contribute for rent and utility bills will be a good idea.	Housing Benefit covers housing rent, not utilities such as gas and electricity. This is outside the scope of this consultation. Within the proposed CTS scheme, it should be noted that the expected contributions of other adults in the property are achieved via reductions in the amount of CTS awarded to the liable tax payer. It should also be noted that the concept of "non-dependant deductions" has been part of the welfare benefits system, including Housing Benefit and CTS, for many years.
Online Consultation	Council Tax	Working residents should not keep on having their council tax bill raised by such a high percentage year after year, especially those on average to lower wages, when they could just as easily claim all sorts of benefits and not work. Also, here in Brent not only has the resident council tax bill gone up by approximately 10% since April 2018 (the increase in April 2018 followed my another huge hike in April 2019), we also have to pay for our green bin collections on top of our already huge council tax bill. And since April 2018, just over a year ago, that has gone up by a ridiculous and whopping 50%!!!!!! It was £40 (on top of our council tax bill), then in April 2018 it hiked up to £50 and then in April 2019 it hiked up even further to £60, which equates to a 50% rise in just over a year. So the Council needs to stop talking about just council tax when we have to pay all that money, per household, PLUS a load more for our green bin collection ON TOP OF OUR COUCIL TAX. It all needs to be taken into account for people that pay everything!	Comment is about level of Council Tax and other charges, which is outside the remit of this consultation.
Online Consultation	Council Tax	How do you charge and collect council tax on HMO properties with high turnover which often make high demands on environmental and other council services?	Landlords of HMO's are liable for the Council Tax on their properties. Comment is outside the remit of this consultation
Online Consultation	Non-dependants	What would be the situation if you had an adult son living with you and you were on ESA and PIP but they didn't work and didn't sign on and you were supporting them? would it still be £4 a week?	Yes, as a non-dependant living in the household who is currently not working, the minimum contribution would be required to be paid.
Online Consultation	Council Tax	Council should reduce council tax in general for every household, it does not matter whatever their status employee or not employee	Comment is about level of Council Tax, which is outside the remit of this consultation.
Online Consultation	Other	I am a pensioner with one child /adult with disability. One other who is working but due to high property price has to live with me. I do not know what my position will be.	Respondent is encouraged to contact the Benefits Section / Customer Services to discuss their specific circumstances
Online Consultation	Council Tax	Where houses have been extended and HMO's created. Council Tax bands should reflect those changes immediately.	Changes of this type to properties have revaluations implemented following the next material change to the property (e.g. sale of the property), under Council Tax legislation. Comment is outside the scope of this consultation.
Online Consultation	Other	With only 1 resident in a property the council tax payable should be 50%. 100% for 2 or more people but 75% for one seems very harsh.	The amount of Single Person Discount is laid down in central government legislation and is outside the scope of this consultation
Online Consultation	Too generous	I think the more benefit you give to people the less likely they will be looking. For jobs, less incentives to work, and this is why more and more people applying for benefits rather than jobs.	It is considered that the amounts awarded under CTS will not be a primary factor in whether someone works or not.

Online Consultation	Council Tax	I dont want to see more increases in the council tax as we are not getting any special services for the extra costs. I don't want to see council tax based on how many people living in a household. Let families in a household be responsible for making their own decisions on how they pay their council tax as they do with other utility bills. I think it's appalling that council tax is based on your post code.	Comment relates to Council Tax legislation which is outside the scope of this consultation.
Online Consultation	Simple, clear or Fair	There are some residents who are on benefits and who should contribute to payment of the Council Tax. It is only fair that every resident contributes to stop the system being abused. I'm not really sure how this will work, most people now a days have irregular incomes. I'm self employed and not sure what I'll be earning from week to week. How will this be dealt with? Not sure there is enough info here to decide if this scheme will be better or worse.	Residents whose only income is state benefits have been assessed by Department of Work and Pensions, and awarded an amount of money pursuant with their basic needs, without consideration for Housing costs (which includes Council Tax). A principle of the proposed scheme is that those in employment are more able to pay Council tax than those, for instance, who are out of work. When a resident is in work, they receive a decreasing amount of CTS as their earnings increase.
Online Consultation	Too Complex		It is anticipated that many minor fluctuations in income will not result in a change in CTS entitlement and therefore in Council Tax to pay (because the changes will be within the claimant's income band). However, I certain cases where fluctuating income is a particular issue, the Council will look to use an average income in the assessment.
Online Consultation	Other	no	n/a
Online Consultation	Incentivising work	The aim is to incentivise work, which is a good thing. However, looking at stage 1: people in work whose net earnings are £251 or more per week are expected to pay the full council tax bill, while those who already get state help (benefits, tax credits, housing support etc) - will get some reduction. This will not incentivise work. By introducing the 100% reduction to people on benefits (no income) and having such a low figure for the point at which people have to pay in full - this comes across as offering further help to those who already get state help and bleeding working people dry. No wonder there is such a high rate of poverty amongst working households. You can't assume that working people will be getting state support (eg tax credits/child benefit/housing benefit etc) - as lots of working people (not unreasonably) assume that if you work you get nothing. I am aware that there is the discretionary support - but how many working people in Brent will be aware of this or know how/where to apply? The benefits & other financial support can be a minefield for people who are unfamiliar with the systems and don't want to be a burden on the state or who feel they are probably not eligible. Some people are very good at getting support to claim every penny available to them - others are not and Brent should be more considerate of this. The £250 cut off applies to a single adult or a couple. Lets look at this realistically - for a couple to have a net take home pay of £251 per week = approx £1000 per month = £12,000 per year. This is between TWO people = £6000 annual income, per person. This is well below the national average salary - and yet Brent is proposing to NOT offer any assistance to people like this. If you want to incentivise work, you need to cut working people a break. I strongly suggest you change the proposed parameters. Eg increase the limit at which you stop providing CT support and continue with a maximum reduction of 80% for those on lowest incomes. For example, cut off support for a single person at around £350 per week and for a couple at £600 per week. Please bear in mind that private rents are rising hugely and if you are trying to provide for yourself/your family, you will be struggling. You could also move the other parameters - eg £81-150 pw = 80% reduction, £151-250pw = £50% reduction, £251 - £350pw =	A couple in the scenario suggested here would not qualify under the current CRS scheme (unless they were in Council Tax Bands F, G or H - approximately 300 claimants currently). Also, it is expected that claimants will maximise their income where possible by claiming tax credits and other entitlements which will bolster their income without being taken into account of in the Brent CTS scheme.
Online Consultation	Simple, clear or Fair	I think that it has been difficult to locate this consultation. It should be easier especially if you want the results. But the proposed scheme seems reasonable	n/a
Online Consultation	Too generous	Reduce overall tax and stop using taxes to fund other people's expense rather than services. Brent is insanely expensive already and the biggest chunk of money goes to to other people. Let people decide if they want to contribute or not with other people's benefit.	This comment is outside the remit of the consultation
Online Consultation	Other	Councils passing on the debt to bailiffs who terrorise families who have got into debt should not be allowed. Prison time for non payment of council tax should also be outlawed. A payment plan should be put in place above all other options and even if this is just £1 a week for those on universal credit etc.	The Council seeks to recover debts as sensitively as possible but will use bailiffs in the last extreme. Comment is outside the scope of this consultation
Online Consultation	Too generous	Everyone should pay the same council rates. All residents get to use Council services. Why should hard working people pay more. They already pay taxes. Also remember that the tax credit scheme is misused and many receivers of this benefit earn extra money which remains undeclared... the so called black economy.	This comment is outside the remit of the consultation
Online Consultation	Other	There is much justification for those with limited income for not being charged council tax assessment on the location valuation of their residence by banded system. Many elderly folk are entirely not responsible for the increase in property values for which they become helpless victims and suffer accordingly with stress related medical conditons for which the NHS has to pick up by the way of the provision of expensive medical treatment and care home when needed. It is now about time for this long term anomaly and injustice to be looked into and dealt with in the name Principal Truth and Justice.	Comment relates to Council Tax legislation which is outside the scope of this consultation.
Online Consultation	Simple, clear or Fair	I hope the scheme is fair to all especially working families on a low income.	The scheme is designed to achieve this outcome.

Online Consultation	Simple, clear or Fair	I think everyone whether employed, ill, disabled, retired or unemployed should pay a contribution (even 1pd pw or pm) to the services we receive from the Council. It helps us to value the service and stimulates us to read about what all our council tax pays for. If services are not up to scratch we will more likely feel free to complain about something wrong in services we pay for.	Residents whose only income is state benefits have been assessed by Department of Work and Pensions, and awarded an amount of money pursuant with their basic needs, without consideration for Housing costs (which includes Council Tax). A principle of the proposed scheme is that those in employment are more able to pay Council tax than those, for instance, who are out of work. When a resident is in work, they receive a decreasing amount of CTS as their earnings increase.
Online Consultation	Foster carers	I believe foster carers should be EXEMPT from paying council when will that be implemented	The Council does not want to assume a person's situation purely based on their income or occupation, therefore it is not exempting any group of residents from the scheme. However, because of the income rules (which disregard any income received from state benefits or from the Council), foster carers will receive a 100% discount, unless they have a partner who is working and whose earnings will therefore be taken into account.
Online Consultation	Other	Nonr	n/a
Online Consultation	Other	This is just another way for Brent Council to get more funding and make living in Brent alot more expensive. Taxes and taxes, thats all the councillors are intrested in.	
Online Consultation	Other	Time to change our councillors	The CTS scheme is concerned with reducing the amount of Council Tax to pay by low income families.
Online Consultation	Other	Any new proposal should be an addition, and work in conjunction with an already established Council Tax Scheme.	CTS does work in conjunction with the established Council Tax scheme.
Online Consultation	Other	It may be a good idea to implement the scheme with the current system to check its effectiveness, ease of use and whether it brings the proposed benefit to the council tax payers.	Unfortunately it is not practical to run two schemes simultaneously. However, significant modelling has been undertaken to make sure that the impacts of the proposed scheme are understood.
Online Consultation	Non-dependants	I think if you have adult children who are currently not working or studying at university the proposed percentage is a lot for them.	In this case the lowest non-dependant charge would apply but the principle being applied is that all adults ion the claimant's household should contribute.
Online Consultation	Awards too low	Having and income and a full time employment does not mean that the employee can afford to pay High rate taxes when their wages are not enough to cover household bills and raising a family. Taxes should take into account how much can an independent individual can really afford to pay. I know as an individual if I have an invome over £100000 I would want to contribute more than someone who earns under £25000 per year. There is no rational that the people who get paid so little pay huge taxes when it does not reflect the quality of life. With more capital individual borough can really provide real quality services and increment public staff wages. Better service equal healthier happier communities. More activities for young people and senior citizens. If councils invested in building health centres and centres of learning and leisure activities were promoted the quality of life of all people would significantly improve, it would change crime rate because people would be so busy taking care of themselves and without much life struggles family units would also improve. I believe our councils can change our nations. We have so many smart people who are over worked and not recognised. We have a great country I believe we can better serve our society. Yours faithfully	This comment is outside the remit of the consultation
Online Consultation	Other	Government has always introduced scheme disguised as benefitting the resident when in actuality it benefits the conservative government views of reducing social which has been the conservatives manifesto since the 1980s. So no just like universal credit, PIP this is just another ploy for government to increase taxes for the conservative government to squander elsewhere. What is needed is an audit of how government spends tax payers money? Or how much independent assessors are paid for falsifying PIP assessment that then go to mandatory consideration or tribunal. Fix existing floors in policy before introducing more policies to exploit residences. The corruption in British politics is disgusting and no different to third world countries. Politicians need to be held responsible what's happened to the lies told around Brexit?	Comment is outside the remit of this consultation
Online Consultation	Other	Stop resist to people how need more support.	Comment is outside the remit of this consultation
Online Consultation	Non-dependants	I agree that other non-dependant adults should pay, but the amounts are unreasonable. They need to be reduced - especially for workers. This is also true for the proposed cut off point at which there is no reduction. Please increase the weekly wage amount for when no support applies - such as £350 per week net pay. as otherwise you are really going to hit working people who will be expected to pay the full amount and many of whom do not claim benefits. So they could be on low incomes and have to pay full CT and be at risk of debt. A lot of working people don't claim benefits. Likewise pensioners whose state or private pension is thier only income and these are not discounted for CT purposes. It is curious that you are proposing to discount benefits (which are a type of income) and not wages/pension. This will not incentivise work - those on benefits will be looked after much more with CT support than those who work, even though they benefit from council/public services equally. You say it is based on ability to pay...you can't assume that workers/pensioners have greater means to pay than those on (out of work) benefits. Real life isn't like that. Workers experience more poverty these days than those out of work.	The proposed maximum non-dependant charge is only 20p per week higher than the highest non-dependant charge in the current CTS scheme. With regard to income limits, it is considered reasonable for a non-dependant with income of over £200 to pay £20 towards the household's Council Tax.
Online Consultation	Simple, clear or Fair	As a Brent resident I will always welcome new proposals and scheme as long as they are fair, easy to understand and transparent.	
Online Consultation	Simple, clear or Fair	I've always wonder why council tax bill was so expensive but I hope this new scheme will lower it so that it becomes affordable and avoid less people ending up in court for unpaid CT.	n/a
Online Consultation	Simple, clear or Fair	I wish this was proposed when I was out of work and I still have to pay my full council tax it would have helped a lot but this is a good scheme and I hope it does go through as now on working but on the low income and this would help a lot	n/a

Online Consultation	Technical details	Private pension is already deducted from benefit, so what happens then.	Private pensions will be taken into account as income.
Online Consultation	Technical details	If you are receiving ESA, this should also be discounted as it's not an income.	ESA payments will be disregarded as these are a DWP benefit.
Online Consultation	Other	no	n/a
Online Consultation	Other	I think Brent's new local council tax reduction scheme should be looked into properly, before being introduced in April 2020.	The scheme has been in development since January 2019 and has been modelled, and will have been tested intensively before implementation in April 2020
Online Consultation	Other	Any new changes is welcome, just as long each individual case is properly calculated. I am claiming Universal Credit at the moment and the standard allowance is £317.00 per month and out of that I have to pay £60.00 per month. I have a son who is working but only contribute occasional as he is always in overdraft and he has his bills to pay.	As the proposed scheme is simpler than the existing scheme, it is less likely have mistakes in calculation.
Online Consultation	Awards too low	I am all for those all but as someone who is a single parent and works full time and currently battling with universal credit, I highly doubt that this will help others in my situation. I assume it will help those who are not working and could potentially put young adults in jeopardy as they may not even be able to pay for your proposed contribution and could make matters worse for some households. The level of income part is also an issue for me because again, as a single parent, I have been noticing that my children's school fees or school holiday fees or miscellaneous fees that I have to do randomly pay to school contribution does not b The level of income part is also an issue for me because again, as a single parent, I have been noticing that my children's school fees all school holiday fees or miscellaneous fees that must be paid regarding my kids are always disregarded so when I'm left to pay everything with no benefits it will be horrid to then have to pay full fees for council tax depending on my wage.	The proposal has been extensively modelled and we believe it is fair. Unfortunately it is not feasible to test it in a live environment but the impacts in the first year will be closely monitored.
Online Consultation	Other	I see very little pros and much more cons for this proposal. I would suggest it only be tested and then taken off if it's generally not working for the claimants and not just the opinion of the council.	n/a
Online Consultation	Poll Tax	Nothing is clear in these days	The proposed Council Tax Support scheme is a discount scheme which reduces the amount of Council Tax which claimants on a low income are required to pay. It does not resemble the Poll Tax (Community Charge) from 1990-93 because that was a charge levied on all adults living in each borough.
Online Consultation	Too Complex	The problem with the new proposed scheme does not high-light the financial burden it would have on the people who have an illness or disability or are vulnerable let alone making things easier to understand. not everyone understands the rubbish sent in the post let alone the waste of money doing this. A simpler scheme is what you have now its easier to understand and easier for many to know what they are entitled to or not as some cases if not all are different individually.	It is necessary to change the current CTS scheme for a number of reasons to make it fit for purpose in the future. The new scheme is considerably simpler than the current scheme by any objective measure.
Online Consultation	Technical details	The saying if its not broken why fix it... in this case it seems Brent give in one hand and taketh away in another.	Disability benefits will be disregarded so the claimant will receive a 100% discount (unless they have other adults in the household).
Online Consultation	Technical details	Could be clearer if referring to NETT or GROSS income	The proposed scheme applies to working age claimants; pensioners are covered by a nationally prescribed scheme
Online Consultation	Technical details	As a retired person I would hope that my state pension would be disregarded too	n/a
Online Consultation	Other	No	
Online Consultation	Awards too low	Dear Sir / Madam , Sorry for that but it is not fair that , all family members pay council tax Thanks	Only other adults in the households of benefits claimants are expected to contribute to the Council Tax.
Online Consultation	Awards too low	This scheme appears to just another way of penalising people who are already struggling with the benefit cuts and on low earnings	The overall amount of financial support provided will not decrease.
Online Consultation	Technical details	For a disabled person who is not working but studying, would the student loan constitute as income? If it does then it would be very unfair	Most students are not eligible to claim CTS (see the draft scheme for details),but where they are, their loan will be taken into account as it is money available to them.
Online Consultation	Other	Give full explanation how it works and please post cts calculation on Brent council website please.	The website includes a full explanation of how CTS will be calculated under the proposed scheme.
Online Consultation	Technical details	The current system is really long winded and difficult to obtain the help that is needed. Especially for self employed people where proof of earnings are not easy.	The new scheme has been designed to be much simpler to understand than the current scheme. Also, we have kept other organisations like the CAB fully updated on the changes we are proposing, so they will be able to help people if necessary.
Online Consultation	Technical details	The disabled and vulnerable shouldn't be made to pay council tax.	In most cases, disabled c claimants will receive a 100% discount unless they have other income apart from their DWP benefits or if they have another adult living in their household.

Online Consultation	Incentivising work	There are so many comments I can make. Why would a child be incentivised to work when he knows he will never be able to afford their own home within brent. You are encouraging poor people to have children so they have a roof over their head. You should also incentivise couples who live together as many claim to be single mothers when in fact their partner lives with them. When refugees are prioritised you should make it transparent which countries are classed as unsafe to live. The allocation scheme needs to be made more rigid and not down to the housing officers discretion. Many live in substandard living conditions which should be addressed. You need to stop using greedy landlords who are charging more than the market average rent. My rent is twice what it should be compared to others on the market. All landlords should be non-profit. All rent should be paid straight to landlord to avoid rent arrears and homelessness. Properties should be found by postcode to avoid numerous people claiming benefits on the same address. My landlords company name has changed 3 times in less than 2 years which suggests fraud of some sort. Schools within brent should role out community work and reward with a good citizen qualification or material things such as iTunes vouchers, mobile phones etc. The more they look after their community the more they will respect it. This could include helping the elderly, litter picking, painting of public spaces, gardening etc they could wear T shirts emblazoned with "I'm a valuable member of my community " you could get a cool brand such as Trapstar to design these and other clothing. We need to make young people feel wanted and valuable members of the community. This could also breakdown postcode affiliation as you could include pupils from various schools throughout the borough. I have so many more ideas but not about council tax, so I'll stop.	This comment is outside the remit of the consultation
Online Consultation	Disadvantages a group	This scheme penalises those that have worked and saved to support those not willing to.	Although there is a savings limit, this is similar to the existing scheme. It is not considered appropriate to provide benefits or discounts to those with large amounts of savings.
Online Consultation	Incentivising work	The CTS scheme is devised to penalize the people who either work or have worked and saved towards their own personal pensions over and above the £183.00 pw ceiling . The CTS is designed to ensure the working electorate further subsidizes the benefits system council tax and income tax burden. We strongly object to CTS. Council tax bands are calculated based on the value of the property at a specific point in time and not on the persons living at the home.	The CTS scheme has been devised to provide the greatest help towards those on the lowest income, which generally is those receiving only state benefits. The setting of Council Tax bands is outside the remit of this consultation.
Online Consultation	Other	I disagree with the scheme as it is obviously about generating more revenue. The household maybe functioning whereby the income is tight but contributions are made towards CT by each family member or a particular family member pays the CT whilst another pays for the gas, electricity. This new system is not to benefit all. It is transparent that more money will be generated if each adult household is expected to pay. So if all of the household lets say 6 adults working full time exceeding £250 they are nos expected to pay at least £80 or £960 per calednder month. Brent has not taken into account what other contributions need to be paid by the household. This reminds me of the Poll tax anc the riot that caused.	The scheme has been designed to be cost neutral overall - i.e. the same amount of benefit will be paid out in 2020/21 as was in 2019/20, plus an increase equivalent to the increase in Council Tax.
Online Consultation	Other	It would be helpful to actually get help with CTAX as it is a major cost per month (£200) which I certainly find very difficult to pay, and I'm working but only receive HB which is barely a third of my due rent every month, so every month I have to beg friends and relatives to help with money. I'm 58 and married and have two dependent children.	The respondent is encouraged to submit a claim for CTS to see if they are entitled to a discount off their Council Tax.
Online Consultation	Technical details	What about people on zero hours contract....how will you make it easier for them? My son is on zero hours contract and I keep repeatedly getting new council tax bills for the whole year (different amount each time) every few weeks and I am not able to successfully keep up with a payment plan and I am now being brought to court over the confusion about it all	The scheme is designed with four broad income bands, with the intention that small fluctuations in earnings will not usually result in a new CTS award and new Council Tax bill, as long as the earnings remain within the income band. For claimants where there is a significant issue caused by fluctuating income, we will consider taking an average of their earnings over a period of time.
Online Consultation	Too Complex	The current system is adequate and very easy to understand. By adding tiers based on income is ludicrous, you are penalising the hard working in society. Furthermore, people will not be encouraged to work if they have to pay CT, although it's not 100% they'll still feel they are paying out of their wages and that won't wash with the vulnerable in society. If you implement this poor proposal, lots of people will leave Brent and the CT income will be reduced.	In almost all circumstances, claimants who start work (or work more hours) will be better off taking account of their earnings and their CTS) than if they did not do this.
Online Consultation	Other	Its a farce of a scheme and if implemented they'll be a mass exodus to another borough that can manage their finances better rather than consulting on a ludicrous scheme like this.	This comment is outside the remit of the consultation
Online Consultation	Incentivising work	I cannot see that this scheme will incentivise work for those who are poorly paid and moving into the job market.	
Online Consultation	Other	However I suspect that as ever decisions on this have been made already and this is Brent Councils pretence at consulting residents	In almost all circumstances, claimants who start work (or work more hours) will be better off taking account of their earnings and their CTS) than if they did not do this.
Online Consultation	Other	Not directly	n/a
Online Consultation	Technical details	Do we have to apply for this new scheme or is everything done automatically?	Existing CTS claimants will automatically be transferred to the new scheme. Residents not currently receiving CTS will have to apply; this can be done via the Council's website, or via a claim to Universal Credit, which the Council will automatically accept as a claim to CTS. There will be publicity prior to April 2020 about the change and how to make a claim.

Online Consultation	Non-dependants	Adult non dependents should not have to contribute to the council tax bill because this is still going to be the Parents responsibility to collect this payment from them and if they are not working or earning enough this will put pressure on the claimant to find this money. If Council Tax is based on the size of the property then having more bedrooms will make the property bigger. If 2 non dependents are sharing a bedroom when they are entitled to have a bedroom each. You should then only charge 1 price for a bedroom that is shared and this one price should be divided between the two non dependents sharing a room. You currently also have 25% single person discount for the claimant who is single. This should still stand when the claimants dependents become non dependents as her non dependents are not her partners but still her children or child. It should be based on what you earn and whether or not you can afford it. It should not be based on the fact that Brent Council wants money from each household	Where there is only one adult in the property, a Single Person Discount (25%) will be applied before the CTS is calculated. It is accepted that claimants will have to collect the non-dependant deduction from any other adult, however this is an established part of the welfare benefits system and does not represent a new proposal.
Online Consultation	Simple, clear or Fair	Something needs to be changed. I am currently struggling to pay my council tax, which is high in comparison to my low wage, so this new system, appears from what I have read so far, to be a fairer way to assess charges payable and hopefully help other individuals like myself. Council Tax is now extremely expensive in relation to other bills.	n/a
Online Consultation	Incentivising work	Council Tax liability can easily be much higher than all utilities bills combined each month. Ours is around £140 per month for a 1 bedroom flat. Utilities bills combined are £80. By using such low thresholds for earnings, couples (where at least one person is working) who are already struggling to make ends meet will be saddled with heavy Council Tax liability once again. Whilst those who are entirely on benefits will receive 100% discount. I do not see how this incentivises work. Vulnerable residents need supporting but it is unfair to heavily penalise those who are barely managing.	In almost all circumstances, households where one or both adult are earning will be better off, even taking account of the small decrease in CTS entitlement, than if they are not working.
Online Consultation	Other	To be honest It's just another way of getting more money out of residents We all know the councils spending budget has been cut This new proposal will leave residents in debt As we all know with council tax you have no choice but to pay it doesn't get backdated for ctb purposes council tax comes before rent apparently So let's see how this is going to work if it goes through	The scheme has been designed to be cost neutral overall - i.e. the same amount of benefit will be paid out in 2020/21 as was in 2019/20, plus an increase equivalent to the increase in Council Tax.
Online Consultation	Other	CT braced on someone's earning could be very problematic as people change their job all the time so added paperwork. I may have miss read it but is there going to be a cap on how much you pay or will you be panellised for earning a higher than average wage?	As wages increase, CTS entitlement will go down, but at a slower rate than the increasing earnings.
Online Consultation Stakeholder Meeting 2	Incentivising work	The proposed scheme does not incentivise people to work or people with children who may have more to pay out than those without children. Charges for other adults only work if they contribute towards the household which is unfair and could put the resident in a position of bullying	The disregarding of state benefits means that money received in respect of children (or disabilities, or other specific circumstances), is ignored in the calculation leaving that money to be spent on that reason, and the remaining income of the claimant or partner can be viewed on a level playing field with other working claimants.
Stakeholder Meeting 2	Simple, clear or Fair	The proposed scheme is 'clear and linear'	n/a
Stakeholder Meeting 2	Simple, clear or Fair	It's right that everyone should pay something	n/a
Customer Forum 1 Stakeholder Meeting 2	Simple, clear or Fair	"English isn't my first language, and I am not good with numbers but I can easily understand what you shown me"	n/a
Stakeholder Meeting 2	Other	It's impressive how much work as gone into this, and how seriously you (the council) are taking it	n/a
Stakeholder Meeting 2	Non-dependants	The proposed changes to the non-dep part of the scheme seem "much fairer" than the initial one we were shown during the first meeting	The approach to non-dependants has been modified since the initial proposal. (i.e. the proposal is now for four levels of deduction, with different income bands, as opposed to the original three)
Online Consultation	Non-dependants	My 20 years old son autistic nonverbal epileptic. He is going to college 4 days per week. Dr's assessment was he been not fit to work. How do you leave him out of this scenario.	Non-dependants in full time education are not liable for a deduction.
Online Consultation	Non-dependants	Scheme should not penalise non dependent adults in the household, such as student on full time education ie. University students!	Under the proposed scheme, all non-dependants will be required to contribute towards the council tax. As a student, the lowest contribution will be required. This will be reviewed again at a later date.
Online Consultation	Non-dependants	This is an appallin idea. People in receipt of PIP will now be forced to beg other adults who might live in the house to make a massive contribution to already extortionate council tax levels. You are penalising the sick and disabled.	The concept of non-dependant deductions is long-established in the welfare system, and applies to many benefits including Housing Benefit, Universal Credit and the former national Council Tax benefit scheme. We do not have any evidence that non-dependants generally do not pay their deductions to the claimant, otherwise collection rates would be much lower
Online Consultation	Too Complex	I didn't understand the scheme properly	There will be further publicity before the scheme is introduced.
Online Consultation	Technical details	Not sure how it will help those working but receiving disability benefits from the DWP	Disability benefits will be disregarded so the claimant will receive a 100% discount (unless they have other adults in the household).
Online Consultation	Other	No thanks	n/a
Online Consultation	Other	Pensioners receiving the basic state pension SHOULD AUTOMATICALLY GET a council tax discount reduction.	There is a prescribed national scheme for pensioners which is the same for all Councils. Pensioners do however have to make a claim in order to have a discount calculated.
Online Consultation	Poll Tax	This is just another poll tax!	The proposed Council Tax Support scheme is a discount scheme which reduces the amount of Council Tax which claimants on a low income are required to pay. It does not resemble the Poll Tax (Community Charge) from 1990-93 because that was a charge levied on all adults living in each borough.
Online Consultation	Other	No	n/a

Online Consultation	Incentivising work	The proposed scheme seems highly unfair to those in work. How will a couple earning £1000 pcm afford to pay 70% or more of the full council tax bill? This is barely enough to live on. Not all people on a low wage claim benefits, so it's highly likely there will be people who are on benefits not paying any council tax, whilst someone earning far less and with a lower income has to pay hundreds a year in council tax. You should consider the whole household income, including any benefits received, or not. Plus the thresholds are far too low, people shouldn't start paying council tax until they're earning at least £21,000 a year. The proposed scheme will unfairly hit employed people.	The scheme has been designed within the financial envelope of the current scheme (under which a couple with no children receiving £1000 per calendar month would be unlikely to receive any CTS)
Bheard meeting	Non-dependants	What if the non dependants don't pay their contribution?	The concept of non-dependant deductions is long-established in the welfare system, and applies to many benefits including Housing Benefit, Universal Credit and the former national Council Tax benefit scheme. We do not have any evidence that non-dependants generally do not pay their deductions to the claimant, otherwise collection rates would be much lower.
Bheard meeting	Implementation	Can the first year be monitored closely? In particular can an officer check all the incoming changes from the DWP and ensure clear correspondence is sent to claimants when UC changes will impact on their CTS award?	The impacts of the first year will be monitored closely and any learning applied to the scheme in the second year. The Council will keep under review the number of changes in entitlement generated by DWP changes and ensure that appropriate notification of these impacts is made to the claimants affected.
Bheard meeting	Other	What is the capital limit for pensioners?	The capital limit for pensioners remains the same as the current scheme
Bheard meeting	Technical details	How does the proposal affect Council Tax bands E, F, G and H?	The discounts awards is based on a percentage discount on whatever the weekly Council Tax charge is, therefore the same percentage discounts will be taken from liabilities in any of the eight Council Tax bands A - H.
Bheard meeting	Technical details	Getting payments from extra working residents will be difficult especially if they are outside the benefit system - will the council be checking other records?	The cost-neutrality of the scheme does not depend on the other adults paying their contribution (as the discount paid out has already been reduced in respect of this). However the potential impacts of the non-dependant not paying the liable person their share is that the liable person falls into Council Tax arrears - we will be keeping a close eye on this and if necessary this is an area where the discretionary part of the scheme may be used.
Bheard meeting	Technical details	Does the [cost-]neutrality of the scheme depend on these non-dependant payments?	We will be cross checking information with DWP and HMRC data to ensure correct discounts and deductions are awarded.
Online Consultation	Disadvantages a group	The charges are far too high I live on my own and don't get any help	Respondent is encouraged to contact the Benefits Section / Customer Services to discuss their specific circumstances. Respondent may not have previously been entitled to help but may now qualify under the proposed CTS scheme
Online Consultation	Disadvantages a group	There is the issue about the most financially vulnerable needing the most help I do agree... The thing is most of those vulnerable claimants are vulnerable because they don't want to work, and we working people have to struggle to cover for them.	The scheme also caters for working people on a low income
Online Consultation	Too generous	Yes all I know there are loads of people struggling to pay without help from the other members of their household as they claim to not be able to afford to give it and as a result people like me spend all their wages on rent and council tax and have nothing left to buy food or clothing and other things it's getting a total joke	The scheme also caters for working people on a low income
Online Consultation	Other	no	n/a
Online Consultation	Disadvantages a group	As an Apprentice living in Brent with another adult who is a full time student, i have found that i will be paying the majority of our council tax bill because my flatmate gets it heavily deducted because of his student status. However, he is on a placement year with his university earning a HIGHER wage then myself as an apprentice but because i earn slightly more then the £195 a week (like £30-40 more) i am not classed as being able to apply for the apprenticeship scheme for council tax, even though I earn very little. The system isn't fair that a student on an internship who gets paid more then me gets his share of council tax basically free whereas i struggle to pay my bills and carry the burden of paying nearly FULL price on council tax whilst on my small apprentice wage. Only because i earn such small amounts over your threshold. It isn't fair...	The rules concerning students and Council Tax are set by central government and we cannot change these. WE have tried within the proposed CTS scheme to ensure that those claimants with less income, receive more support; and also that non-dependants (other adults in the household) are expected to pay amounts in accordance with their income.
Online Consultation	Simple, clear or Fair	I can't see what is different to the existing scheme. I am unfortunately on Jobseekers Allowance (despite constant efforts to find work) and receive Housing Benefit. I have no other income and there is no one else resident in the flat. I don't see any benefit to be gained by the proposed change. As far as I am aware, it is simple to operate as I presume that the Council gets all the information it needs from the original application and from the government by way of confirmation of payment of Job Seekers Allowance. What is going to be the difference with the new proposal? Do we all have to complete a new form next year?	The main difference with the new scheme is that it is much simpler. In addition, claimants on Jobseeker's Allowance, who currently have to pay 20% of their Council Tax, will now receive a 100% discount and not have to pay anything.
Online Consultation	Other	It should be add council tax benefit to the people who already had housing benefit	CTS is a separate benefit to Housing Benefit (HB) and can be claimed by some people who can't get HB (e.g. owner occupiers on a low income). We do calculate CTS at the same time as HB for any claimants claiming both. However, the government has made the decision to include HB within Universal Credit - a nationwide scheme - and to make CTS a local scheme which is devised by each local authority.
Online Consultation	Simple, clear or Fair	it's a great idea	n/a
Online Consultation	Disadvantages a group	It doesn't work for most working people mostly part time.	People working part-time and /or on a low income can claim help using the CTS scheme.
Online Consultation	Other	I strongly believe any changes to Cts or else will never benefit us(working class people) but you (councils & government).	The scheme is designed to help people on low incomes, whether working or unemployed.
Online Consultation	Other	None	n/a

Online Consultation	Other	I'm 72 years old working living in my OWN house I wok to work taking me 30 minutes. I use only one recycling Rubbish Bin - kitchen wastes etc goes in the garden; but next door neighbour never ever worked in this Country the partner works 10 hours per week 4 children's 2 cars - school is 5minutes Woking distance , but the kids are taken by car. Doesn't feel right ... given so many social benefits to this kind the people's making them LAZY and Arrogant . Once said to her - now you can go to a job-kids all in the school - She's laughed at me and said - to busy.	This comment is outside the remit of the consultation
Online Consultation	Other	No	n/a
Online Consultation	Too Complex	Only that this is very difficult to make fair, and by making the scheme fairer it inevitably makes it more complicated.	The Council recognises that there is a balance to be struck between making the scheme simple, and making it fair. We think the proposed scheme balances these two aspects as well as possible.
Online Consultation	Non-dependants	I do not think that non dependent adult members of household should have to contribute towards council tax based on their earnings. I disagree with the proposals.	The concept of non-dependant deductions is long-established in the welfare system, and applies to many benefits including Housing Benefit, Universal Credit and the former national Council Tax benefit scheme. We do not have any evidence that non-dependants generally do not pay their deductions to the claimant, otherwise collection rates would be much lower.
Online Consultation	Non-dependants	I disagree with the proposals for adult members of the household to contribute towards council tax	The concept of non-dependant deductions is long-established in the welfare system, and applies to many benefits including Housing Benefit, Universal Credit and the former national Council Tax benefit scheme. We do not have any evidence that non-dependants generally do not pay their deductions to the claimant, otherwise collection rates would be much lower.
Online Consultation	Non-dependants	I disagree with the proposals, adult members of the household working should not have to contribute	The concept of non-dependant deductions is long-established in the welfare system, and applies to many benefits including Housing Benefit, Universal Credit and the former national Council Tax benefit scheme. We do not have any evidence that non-dependants generally do not pay their deductions to the claimant, otherwise collection rates would be much lower.
Online Consultation	Simple, clear or Fair	The proposed scheme seems much easier to understand for residents.	A simpler scheme is one of the key objectives of the new scheme.
Brent Connects	Simple, clear or Fair	I think the proposal is excellent and will benefit all of our customers	n/a
Brent Connects	Too Complex	I think the vulnerability scheme is vague; why don't you do more to help people that are struggling?	The scheme is based on financial ability to pay the Council Tax, therefore takes into account financial vulnerability. If people are vulnerable in other ways and receive specific income for this (e.g. a disability benefit) we will not include this in our assessment.
Brent Connects	Other	There are people that pretend to be single parents to get places in schools; although they have a partner living with them. What is the Council doing about this and do they still get discount with their Council Tax?	This comment is outside the remit of the consultation, however the Council takes allegations of this sort seriously and will follow up any specific allegations which are passed on to it.
Brent Connects	Other	Why does the Council do not sign-post people to receive more help as they are not always aware if they can receive any further assistance with their Council Tax?	We will be publicising the new scheme early in 2020 before it is introduced, to make sure as many people as possible can claim it.
Brent Connects	Other	With the new scheme; has anything changed in regards to helping customers with their Council Tax; when they have bailiffs knocking on their door?	Yes, the majority of CTS claimants will receive higher discounts under the new scheme. We do not use bailiffs in CTS cases.
Brent Connects	Other	Why are we not doing anything about single parents having more than 2 kids and still having more kids; then receiving more benefits and bigger place to live?	Although this comment is not specifically about there CTS scheme, the government has introduced caps to benefit entitlement for families with more than two children.
Brent Connects	Technical details	Do you mean if I get UC; I am still going to be receiving CTS?	Yes, and we will treat your UC claim as being a claim for CTS, so you will not have to claim separately.
Brent Connects	Other	Why does the Council does not represent the customers the same way the DWP does when being sickly or receiving sickness benefit?	Question is unclear.
Brent Connects	Technical details	Will capital be taken into consideration under the new scheme?	Yes. Capital limit of £6000 will still apply to the proposed scheme in line with UC procedures.
Brent Connects	Council Tax	Do we still get 25% off or does that affect the new scheme?	SPD will still apply where there are no other adults living in the property.
Brent Connects	Non-dependants	Why do you need to see income proof for others living in the household; that's their private matter as they are not the one claiming?	The scheme is designed on the principle that everyone in the claimant's household) that can afford to pay something, is required to do so.
Brent Connects	Other	Why am I being asked to participate in a consultation when the council have already made their mind up	The Council value the views of all residents living in Brent to ensure a simple, clear and fair scheme is in place for April 2020.
Brent Connects	Non-dependants	It is unfair to take non dependant deductions as they are my children	The concept of non-dependant deductions is long-established in the welfare system, and applies to many benefits including Housing Benefit, Universal Credit and the former national Council Tax benefit scheme. We do not have any evidence that non-dependants generally do not pay their deductions to the claimant, otherwise collection rates would be much lower.
Brent Connects	Technical details	I am in receipt of ESA will the new CTS affect me	If ESA is your only income, you will receive a 100% discount to your Council Tax bill unless you have a partner who is earning or another adult living in your household.
Brent Connects	Disadvantages a group	I don't feel this is fair on working age people	The Council's scheme only affects working-age people, as pensioners are covered by a prescribed government scheme. Our scheme attempts to be as fair as possible by making the CTS award relative to the amount of income which the household has coming in.
Greater London Authority	Implementation	It is important that the council communicates clearly, in advance of the changes, with those who will receive less support in the future than under the current system, to enable them to budget for these additional costs.	The Council will be contacting all affected residents in the period between January and March 2020
Greater London Authority	Implementation	It would be helpful for the GLA's planning purposes if the Council could provide the GLA with a forecast total cost for the proposed scheme in 2020-21, based on the forecast 2019-20 caseload– ideally apportioning all elements between the GLA and the council having regard to 2019-20 council tax shares. This would also allow the GLA to calculate its share of the cost of the scheme proposed by Brent.	Response to be provided by end of October 2019

Greater London Authority	Implementation	Information that may help potential claimants could include an online calculator, to identify whether potential claimants are likely to be entitled to support, as well as 'Frequently Asked Questions' and a summary document outlining concise details of the scheme.	All of these suggestions will be incorporated in the information provided to claimants (and potential claimants) in the period prior to the commencement of the scheme.
Greater London Authority	Technical details	For existing claimants, we would encourage boroughs to consider how the process for reporting changes in circumstances can be made as straightforward as possible.	It is one of the objectives of the scheme that it be as simple as possible to claim and report changes in circumstances; Brent will endeavour to make this as easy as possible for claimants.
Greater London Authority	Council Tax	The GLA would encourage the council to provide it with an indicative council tax base forecast as soon as options are presented to members for approval, in order that it can assess the potential implications for the Mayor's budget for police, fire and other services for 2020-21. This should ideally be accompanied by supporting calculations disclosing any assumptions around collection rates and discounts granted having regard to the final council tax support scheme design.	Response to be provided by end of October 2019
Greater London Authority	Council Tax	By 23 January 2020 the council is required to notify the GLA of its forecast collection fund surplus or deficit for 2019-20, which will reflect the cumulative impact of the localisation of council tax support since it was introduced in 2013-14. The GLA would encourage the council to provide it with this information as soon as it is available.	Response to be provided by end of October 2019
Zacchaeus 2000 Trust	Simple, clear or Fair	"Not only are all disabled CTS claimants protected, but those on the very lowest incomes, including Job Seekers Allowance (JSA) and the UC equivalent are too. This is undoubtedly the most positive feature of the proposals and the reason why, on balance, we support the package overall."	None required
Zacchaeus 2000 Trust	Other	Our understanding is that this proposal is revenue neutral. If that is right, the increased generosity towards Brent's very poorest residents is being paid for by an increase in the burden on those in part-time employment and Non-Dependents.	Approximately £0.5M of additional non-dependant deductions has been made in the new proposed scheme compared to the current scheme, on the basis that it is felt that those households are more able to manage this financial burden. Also it is acknowledged that in keeping the scheme cost-neutral, there will necessarily be a re-distribution of entitlement. Brent is proposing to do this in on the basis of income, and to protect the most financially vulnerable. Although some working claimants may receive less than currently, we have tried to minimise this reduction and also, as shown elsewhere, ensured that when viewed in terms of their overall income, working claimants will still have more available income with which to pay their Council Tax.
Zacchaeus 2000 Trust	Incentivising work	"Z2K does not believe a CTS scheme delivers financial "work incentives" beyond those already in JSA/UC and their accompanying "conditionality" and shouldn't seek these as an objective. Nevertheless, we don't want to see households which include someone who is already working significantly worse off as a result of these changes."	Brent agrees that no CTS scheme can in itself incentivise work, but the proposed scheme, but taken in the round with claimants' other financial circumstances, we have tried to ensure that claimants will be better off working than not.
Zacchaeus 2000 Trust	Technical details	"Z2K therefore proposes that Brent should provide a more generous maximum level of support of 60 per cent instead of 50 per cent in the £111-150 Band and split the top Band so that those earning between £151-200 get 50 per cent and those earning between £201-250 are entitled to 30 per cent."	Officers have modelled this proposal and established that it would cost an additional £690K on top of the proposed scheme. There is no additional budget available for the scheme, so adopting this suggestion would mean the need to reduce expenditure elsewhere, specifically on non-working claimants, including the disabled, or on non-dependants. Brent does not consider that any revised model which achieved this would be any fairer - and in fact would be more likely to be less fair - than the current proposal. However all aspects of the implemented scheme will be monitored during 2020/21 to see if improvements can be made the following year.
Zacchaeus 2000 Trust	Non-dependants	Z2K accepts the principle that adult children in a claimant household should contribute towards a Council Tax bill if they are working themselves.....In its very welcome move to exempt households on JSA or UC equivalent, Brent has accepted that these households are essentially too poor to pay. However, non-dependants on JSA/UC are not being accorded the same recognition. We hope Brent will revisit this aspect of its proposal and exempt all those non-dependants who are out of work from this NDD regime. "	Again, this proposal will be modelled, but it is thought it likely to prove prohibitively expensive without any further addition to scheme funding. However, the point has already previously been considered by the Member working Group and senior offices, and the minimum non-dependant deduction considered justifiable on the basis that non-dependants do not have some of the other expenses which tenants or homeowners have, and the amount proposed is affordable within the context of the non-dependant's income.
Zacchaeus 2000 Trust	Non-dependants	"We have concerns at the proposal to bring together the current three top Bands of NDD into a single one requiring a weekly contribution of £20. Essentially, this asks a non-dependent earning £9,000 a year to pay £1,000 of that towards their parents' Council Tax bill. Again, we hope Brent will revisit this aspect of its proposal and retain the existing £13.10 weekly deduction for those earning £183 to £300 a week."	Following this and other comments, a revised proposal of four non-dependant income bands has been developed, along with the intention to use net rather than gross income (though the latter may make only a small difference given the incomes in question). Under the revised proposal, a non-dependant earning £9000 a year would fall into the £15pw deduction category. This would be a payment towards Council Tax of £782, or in other words £15pw out of £172 income, which is felt reasonable.
Zacchaeus 2000 Trust	Discretionary awards	"Z2K agrees that, given these proposed changes result in more winners than losers, it is not necessary to include Transitional Protection within the scheme. Nonetheless, we would suggest a budget of £100,000 to £250,000 is set aside for this fund in 2020/21 and that any savings unexpectedly accruing as a result of the new scheme are recycled into this Hardship Fund to ease the burden on those facing higher bills."	This is a legitimate way to organise the discretionary aspect of the scheme, but the Council does not feel that it needs to identify a specific budget for discretionary payments, but instead will make financial provision for the overall cost of the scheme, including contingency for discretionary awards as well as other variable factors including caseload increases or decreases. This will not limit potential discretionary payments to an arbitrary limit within a "hardship fund" but allow decisions to be made purely on the merits of the case. AS with all aspects of the scheme, this will be kept under review during the first year of operation and improvements made if necessary in Year 2.
Zacchaeus 2000 Trust	Non-dependants	While the weekly contribution is now £4 instead of £6.60, it seems 120 non-dependants who were previously exempt from this NDD by virtue of being in receipt of Income Support or Income-Related Employment Support Allowance (ESA) are now being required to pay. This creates an inconsistency in approach. Individuals are being required to make what is effectively a Minimum Payment if they stay at home, but not if they move out. It must be also borne in mind that those JSA claimants under-25 only get the reduced sum of £57 in the first place. We hope Brent will revisit this aspect of its proposal and exempt all those non-dependants who are out of work from this NDD regime.	Under the revised proposal which introduces an additional band, the lowest deduction will now be £5 per week, however the principle remains the same. The Council acknowledges that a claimant solely in receipt of ESA would receive 100% discount, while a non-dependant on ESA would be subject to a £5 pw deduction, however officers have also taken into account the fact that liable tax-payers / tenants or home-owners also have other expenses such as water rates, service charges, fuel bills etc which non-dependants do not. In this context, it is considered that the lowest non-dependant deduction rate is fair. Regarding the under-25's, the contribution is considered reasonable but also provides a (small) work incentive in that the non-dependent will be able to achieve a greater income for a relatively small increase in non-dependant deduction.
Zacchaeus 2000 Trust	Non-dependants	Z2K notes the clearly stated intention in these proposals that a claimant's Social Security benefits will not be used in any calculation of earnings. However, no such statement has been made about non-dependants. We have seen in other Boroughs Personal Independence Payment being counted as income, which has resulted in very high NDDs being levied. PIP (and DLA) is designed to meet the extra costs of a disability, not pay Council Tax, and so it must not be counted. We would welcome a clear statement Brent will not do this.	We can confirm that we will not be including state benefits in the NDD calculation and will make this clear in the scheme documentation.

Zacchaeus 2000 Trust	Simple, clear or Fair	The really positive aspect of Brent's move is that it is combining it with the reinstatement of 100 per cent support to its poorest residents as happened previously under Council Tax Benefit. This effectively brings Brent into line with the nine London Boroughs who retain 100 per cent support – Camden, City of London, Hammersmith & Fulham, Hounslow, Kensington & Chelsea, Merton, Richmond, Tower Hamlets and Westminster.	None required
Zacchaeus 2000 Trust	Simple, clear or Fair	The somewhat disappointing aspect of this proposal is that this is paid for by providing a less generous scheme to those claimants who are in part-time work themselves or who have a non-dependent who is in work. While Z2K does not agree with the Government's claim that austerity is over, we do note that the cuts to local government funding are less than was expected two or three years ago. In these circumstances, we believe Brent has some scope to provide for the increased generosity to those in Band 1 without increasing the burden so significantly on those in the other Bands and/or their dependents. It should also earmark a budgeted Hardship Fund.	As detailed elsewhere, Brent believes that its proposed redistribution of funding within the cost-neutral envelope is fair. It has not been possible to <i>increase</i> the funding for CTS, regardless of changes in local government funding, because despite these changes (which will predominantly impact on budgets in 2021/22 and beyond), Brent has still been required to find significant savings in order to balance its budget, indeed it was originally agreed by the Council's Cabinet that savings of £4.6M be made from the 2020 CTS scheme as part of the range of savings necessary for 2020/21. It was subsequently decided that this saving should not be taken from the CTS budget, which has resulted in further cuts being required elsewhere. The Council cannot make the CTS scheme more generous without further, disproportionate cuts to other Council services and it has judged that its overall package of cuts balanced against protections for certain service areas, has been done in the fairest and most equitable way. This will be set out in the draft budget to be presented to Cabinet on 11 November 2019.
Zacchaeus 2000 Trust	Simple, clear or Fair	"Finally, we want to take this opportunity to congratulate Brent on a very open and constructive consultation process...We feel strongly that genuine transparency at this stage will lead to more informed response from stakeholders, including claimants themselves and ultimately a better-quality decision-making."	None required
Online Consultation	Non-dependants	disagree with the proposals for adult members of the household to contribute towards council tax	The concept of non-dependant deductions is long-established in the welfare system, and applies to many benefits including Housing Benefit, Universal Credit and the former national Council Tax benefit scheme. There is an expectation in all these schemes that other adults in the claimant's household will make a contribution to the rent or Council Tax.
Online Consultation	Simple, clear or Fair	The proposed scheme seems much easier to understand for residents.	None required

Brent's new local Council Tax Reduction Scheme: Summary report

This report was created on Monday 14 October 2019 at 09:33.

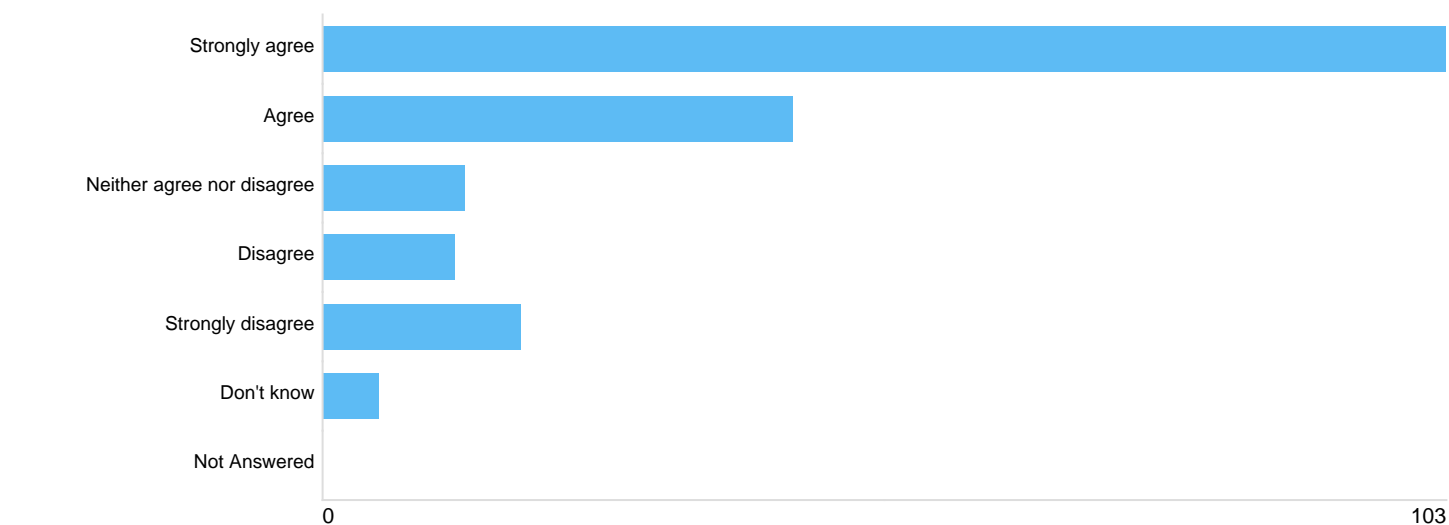
The consultation ran from 19/07/2019 to 10/10/2019.

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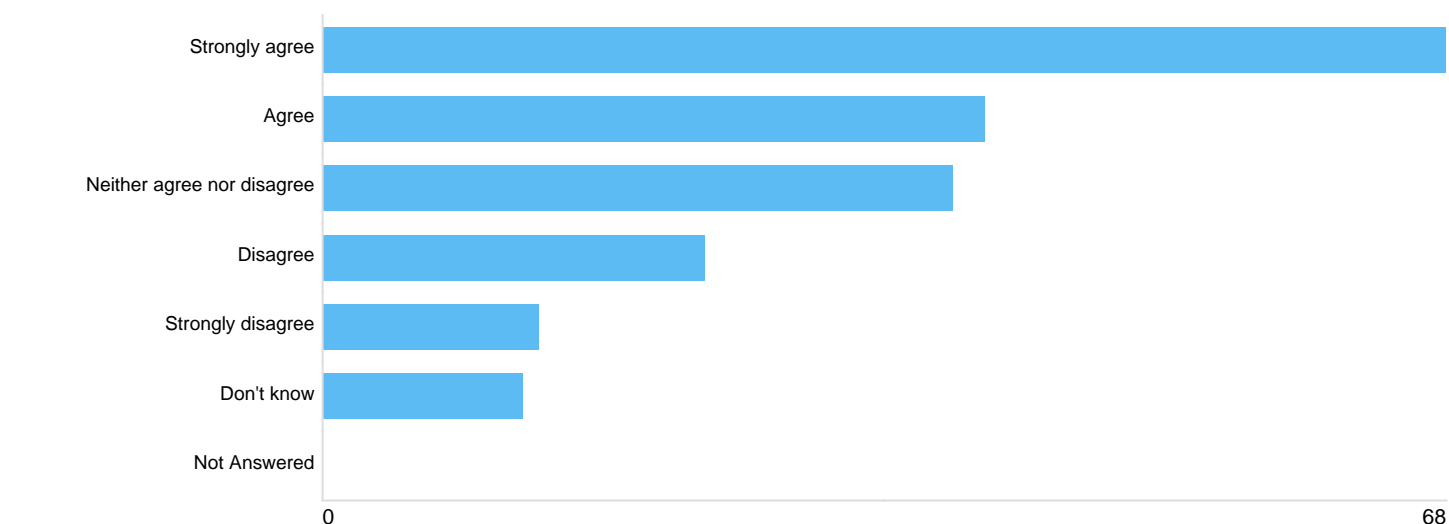
Question 1: To what extent do you agree or disagree with the following principles?

Q1 - The scheme must provide assistance for the most financially vulnerable



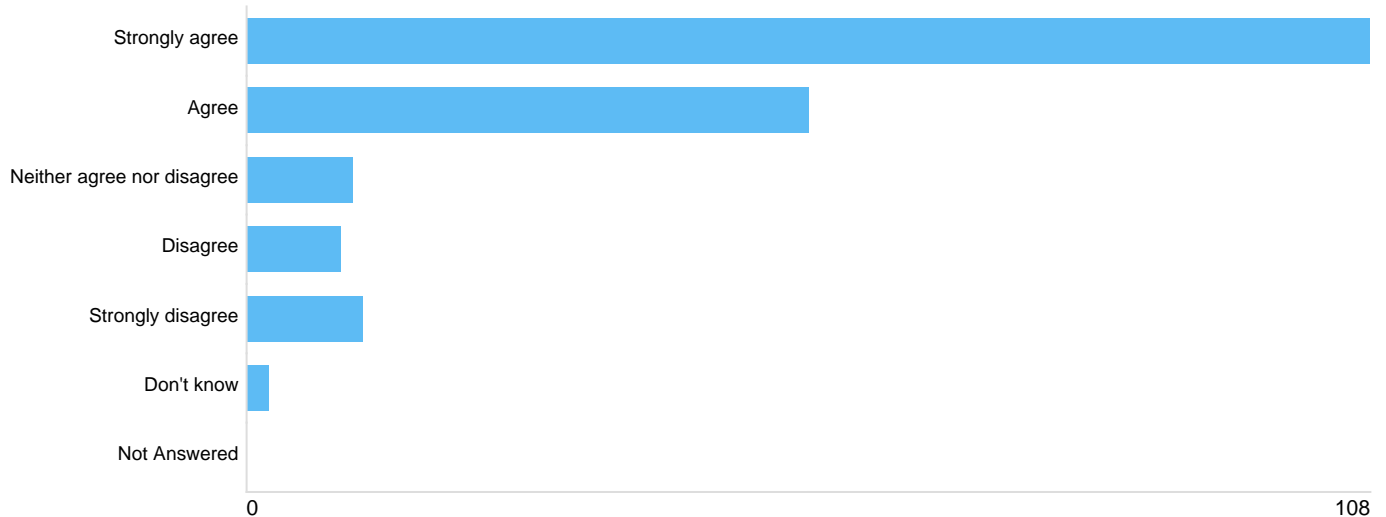
Option	Total	Percent
Strongly agree	103	53.09%
Agree	43	22.16%
Neither agree nor disagree	13	6.70%
Disagree	12	6.19%
Strongly disagree	18	9.28%
Don't know	5	2.58%
Not Answered	0	0%

Q1 - To incentivise work



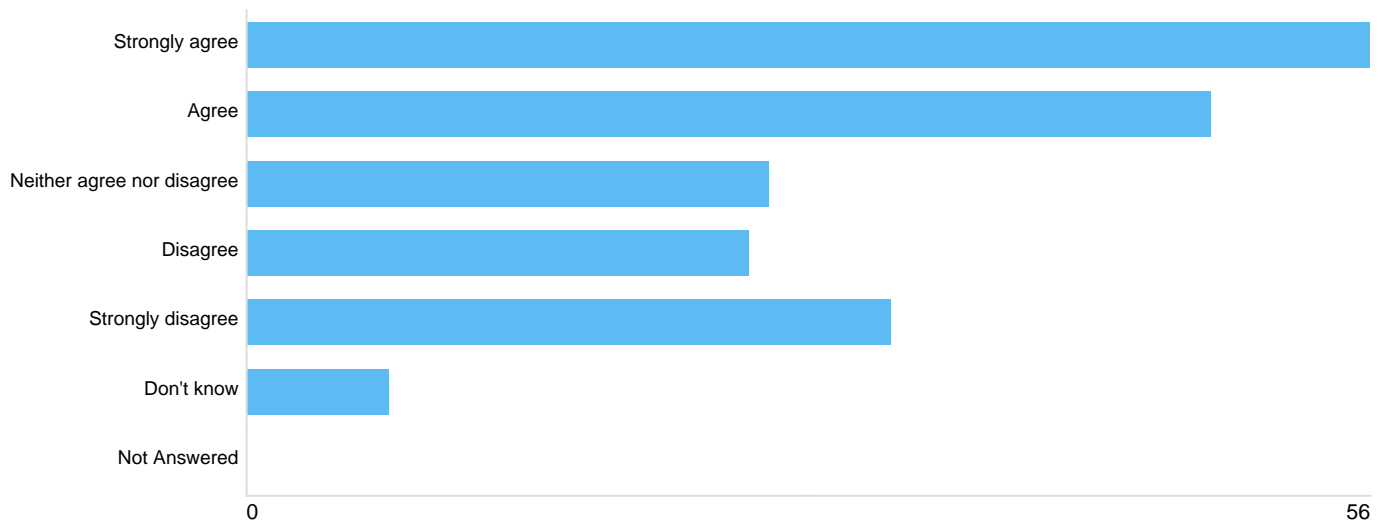
Option	Total	Percent
Strongly agree	68	35.05%
Agree	40	20.62%
Neither agree nor disagree	38	19.59%
Disagree	23	11.86%
Strongly disagree	13	6.70%
Don't know	12	6.19%
Not Answered	0	0%

Q1 - The scheme must be fair in its treatment of both in-work and unemployed residents



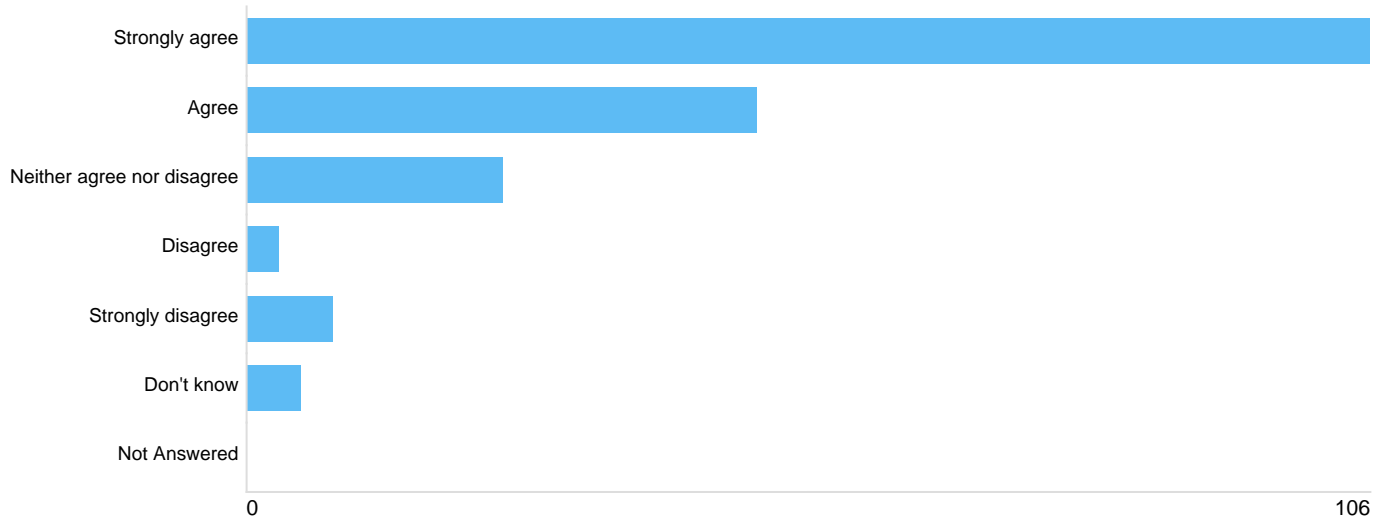
Option	Total	Percent
Strongly agree	108	55.67%
Agree	54	27.84%
Neither agree nor disagree	10	5.15%
Disagree	9	4.64%
Strongly disagree	11	5.67%
Don't know	2	1.03%
Not Answered	0	0%

Q1 - Scheme should include the means to require other adult members of the claimants' household to contribute towards Council Tax liability



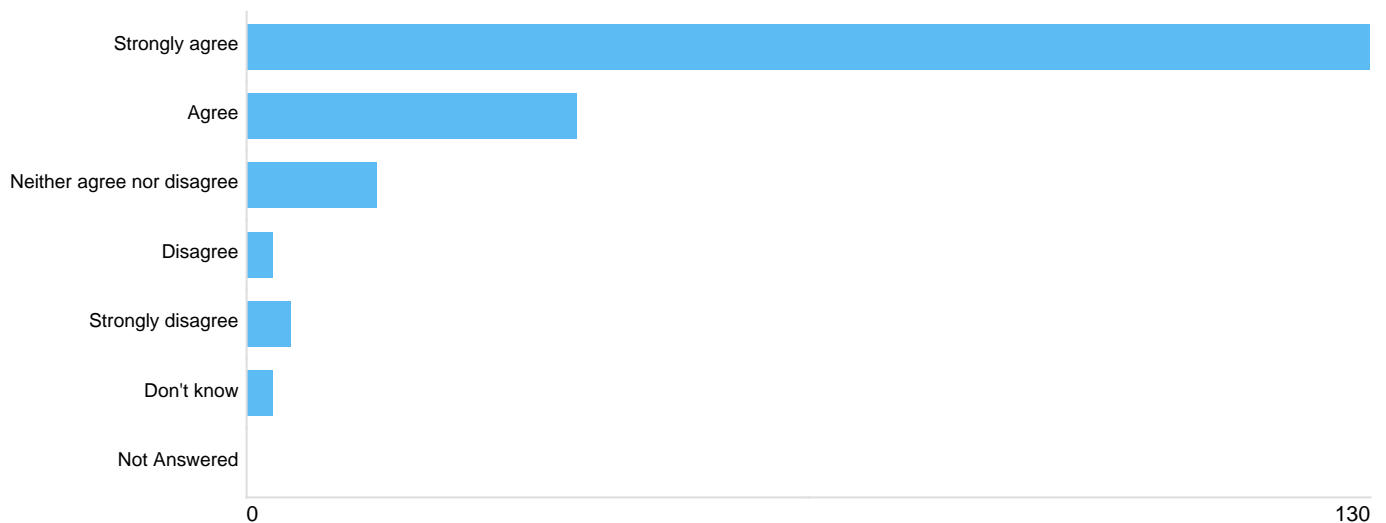
Option	Total	Percent
Strongly agree	56	28.87%
Agree	48	24.74%
Neither agree nor disagree	26	13.40%
Disagree	25	12.89%
Strongly disagree	32	16.49%
Don't know	7	3.61%
Not Answered	0	0%

Q1 - New scheme must be streamlined and simpler to administer



Option	Total	Percent
Strongly agree	106	54.64%
Agree	48	24.74%
Neither agree nor disagree	24	12.37%
Disagree	3	1.55%
Strongly disagree	8	4.12%
Don't know	5	2.58%
Not Answered	0	0%

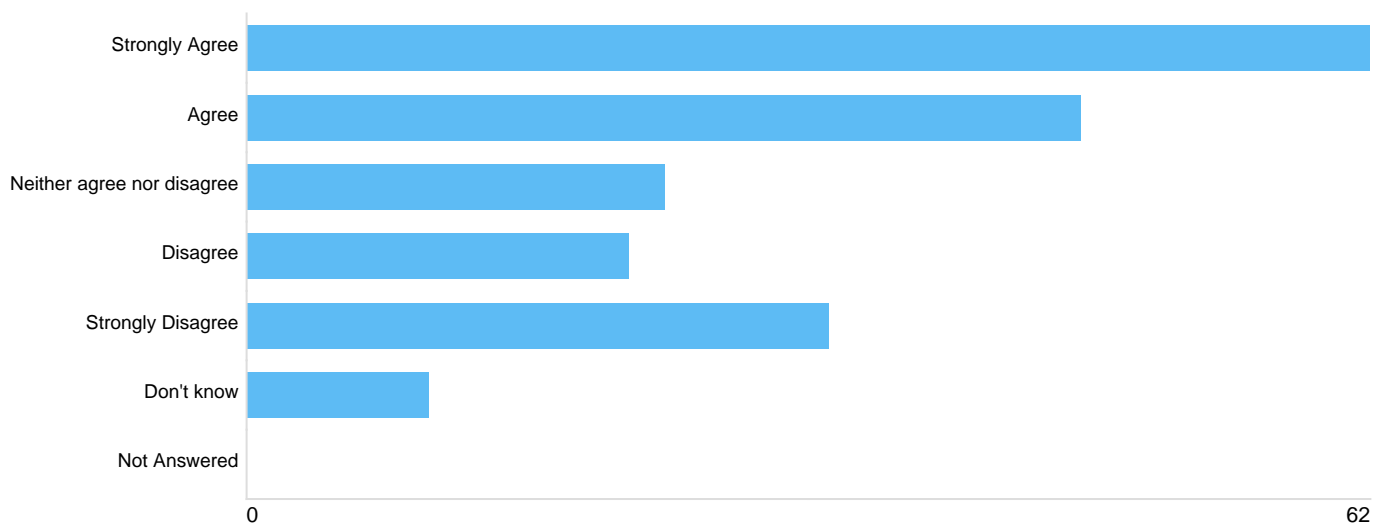
Q1 - New scheme must be easier to understand and transparent to customers



Option	Total	Percent
Strongly agree	130	67.01%
Agree	38	19.59%
Neither agree nor disagree	15	7.73%
Disagree	3	1.55%
Strongly disagree	5	2.58%
Don't know	3	1.55%
Not Answered	0	0%

Question 2: In Brent's new scheme, claimants will receive an award based on their income, in particular any earnings. DWP benefits will be disregarded, so if you only receive DWP benefits, you will receive 100% (unless you have any other adults living in your household apart from your partner). Please tell us to what extent do you agree or disagree with this proposal?

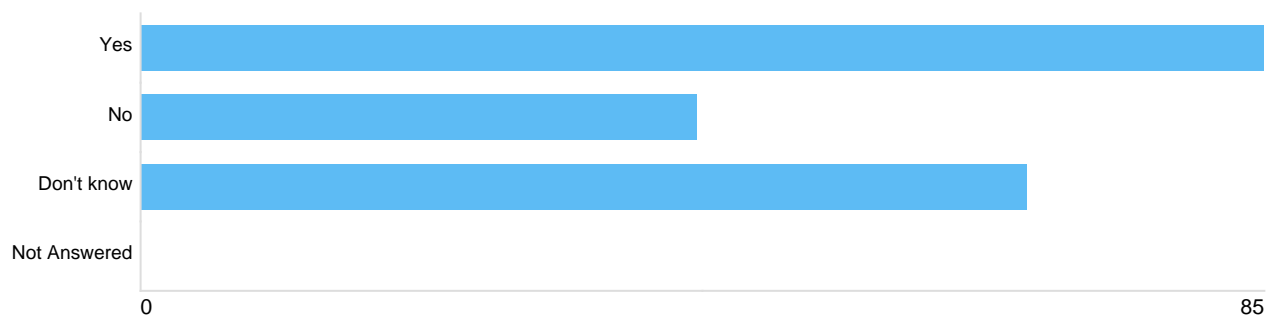
Q2



Option	Total	Percent
Strongly Agree	62	31.96%
Agree	46	23.71%
Neither agree nor disagree	23	11.86%
Disagree	21	10.82%
Strongly Disagree	32	16.49%
Don't know	10	5.15%
Not Answered	0	0%

Question 3: Do you think that the proposed scheme will provide assistance for the most financially vulnerable claimants?

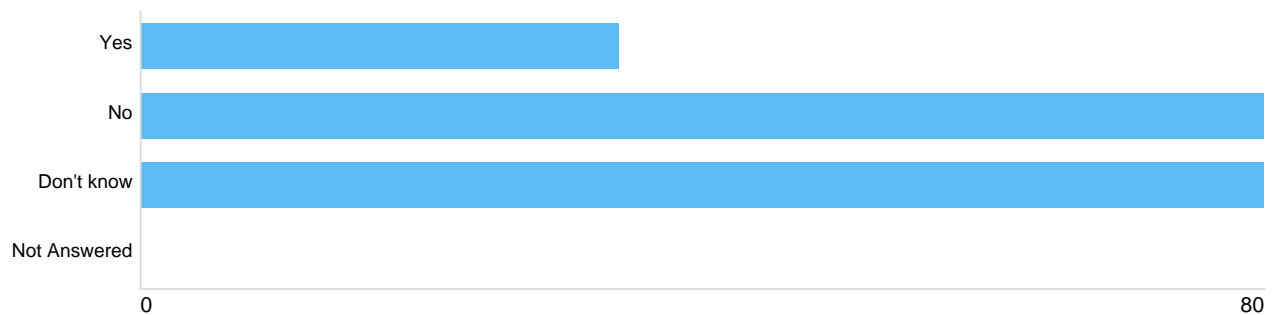
Q3



Option	Total	Percent
Yes	85	43.81%
No	42	21.65%
Don't know	67	34.54%
Not Answered	0	0%

Question 4: Do you think that the proposed scheme will incentivise work?

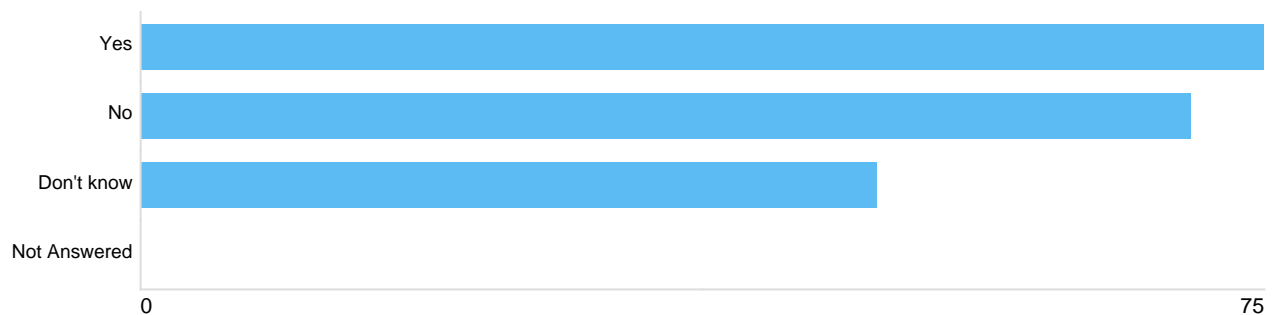
Q4



Option	Total	Percent
Yes	34	17.53%
No	80	41.24%
Don't know	80	41.24%
Not Answered	0	0%

Question 5: Do you think the proposed scheme is fair in its treatment of both in-work and unemployed residents?

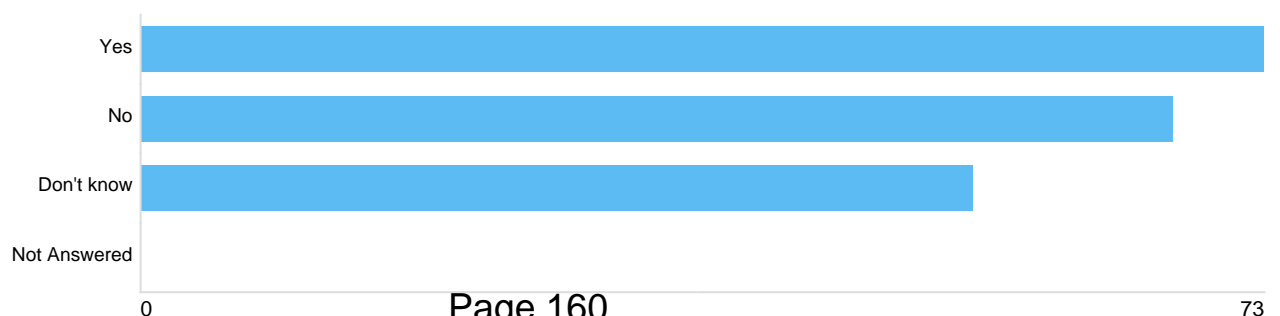
Q5



Option	Total	Percent
Yes	75	38.66%
No	70	36.08%
Don't know	49	25.26%
Not Answered	0	0%

Question 6: Do you think the proposed changes to “non-dependant” charges for other adult members of the claimant’s household are reasonable?

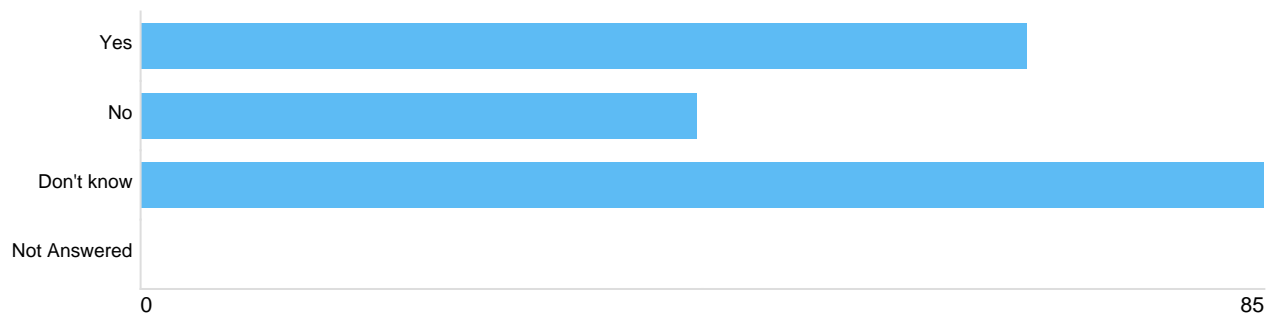
Q6



Option	Total	Percent
Yes	73	37.63%
No	67	34.54%
Don't know	54	27.84%
Not Answered	0	0%

Question 7: Do you think the proposed scheme will be streamlined and simpler to administer?

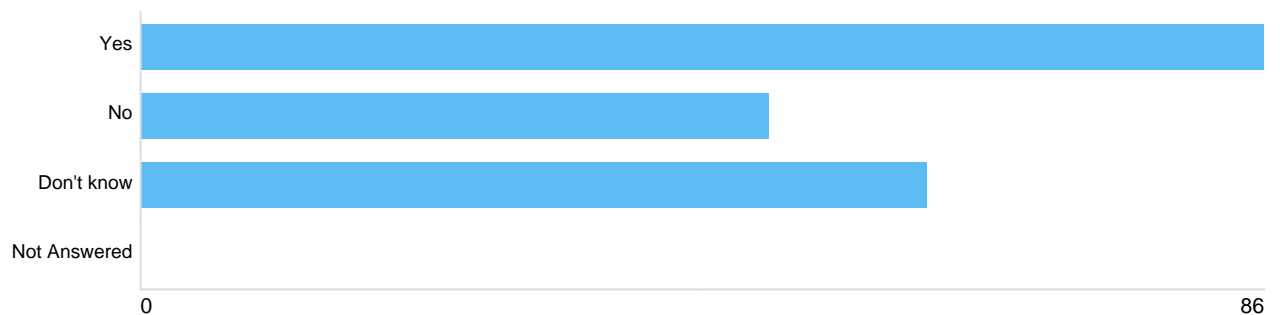
Q7



Option	Total	Percent
Yes	67	34.54%
No	42	21.65%
Don't know	85	43.81%
Not Answered	0	0%

Question 8: Do you think the proposed scheme will be easier to understand for residents?

Q8



Option	Total	Percent
Yes	86	44.33%
No	48	24.74%
Don't know	60	30.93%
Not Answered	0	0%

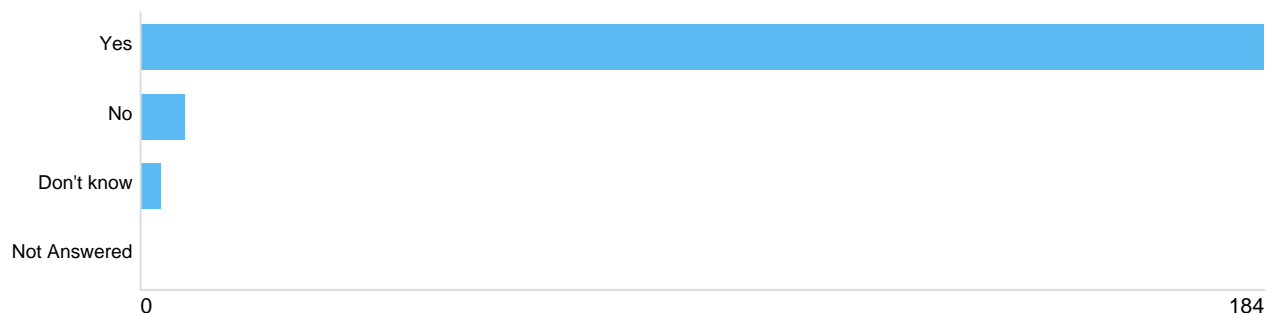
Question 9: Do you have any other comments?

Q9

There were **110** responses to this part of the question.

Question 10: Are you a Brent Resident?

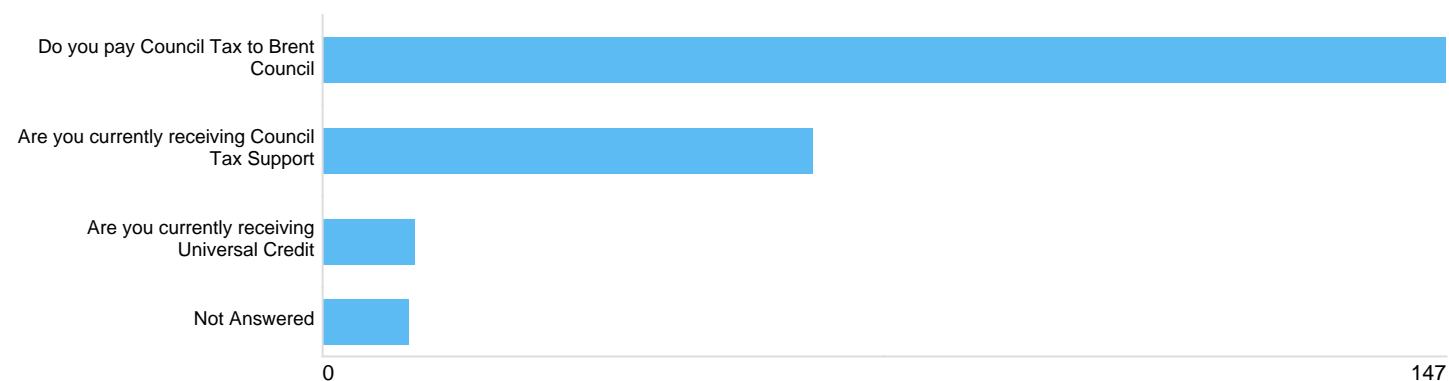
Q10



Option	Total	Percent
Yes	184	94.85%
No	7	3.61%
Don't know	3	1.55%
Not Answered	0	0%

Question 11: Please select the option(s) that applies to you:

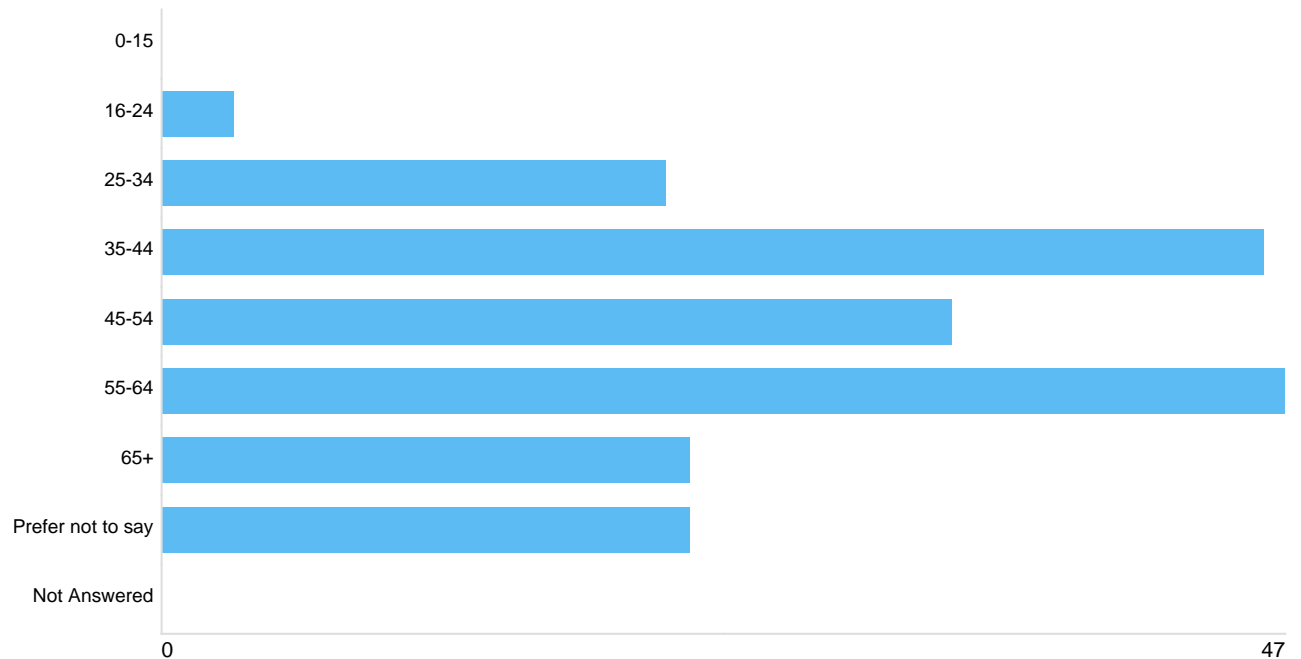
Q11



Option	Total	Percent
Do you pay Council Tax to Brent Council	147	75.77%
Are you currently receiving Council Tax Support	64	32.99%
Are you currently receiving Universal Credit	12	6.19%
Not Answered	11	5.67%

Question 12: What is your age?

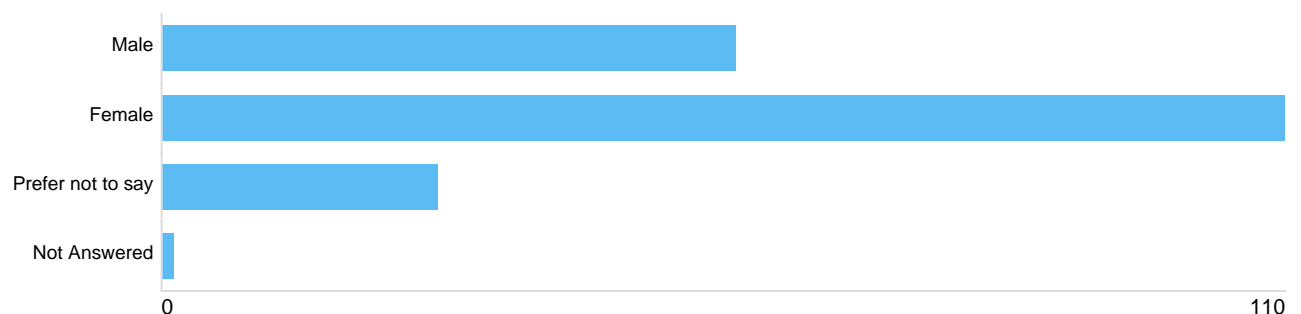
Q12



Option	Total	Percent
0-15	0	0%
16-24	3	1.55%
25-34	21	10.82%
35-44	46	23.71%
45-54	33	17.01%
55-64	47	24.23%
65+	22	11.34%
Prefer not to say	22	11.34%
Not Answered	0	0%

Question 13: Please indicate your sex:

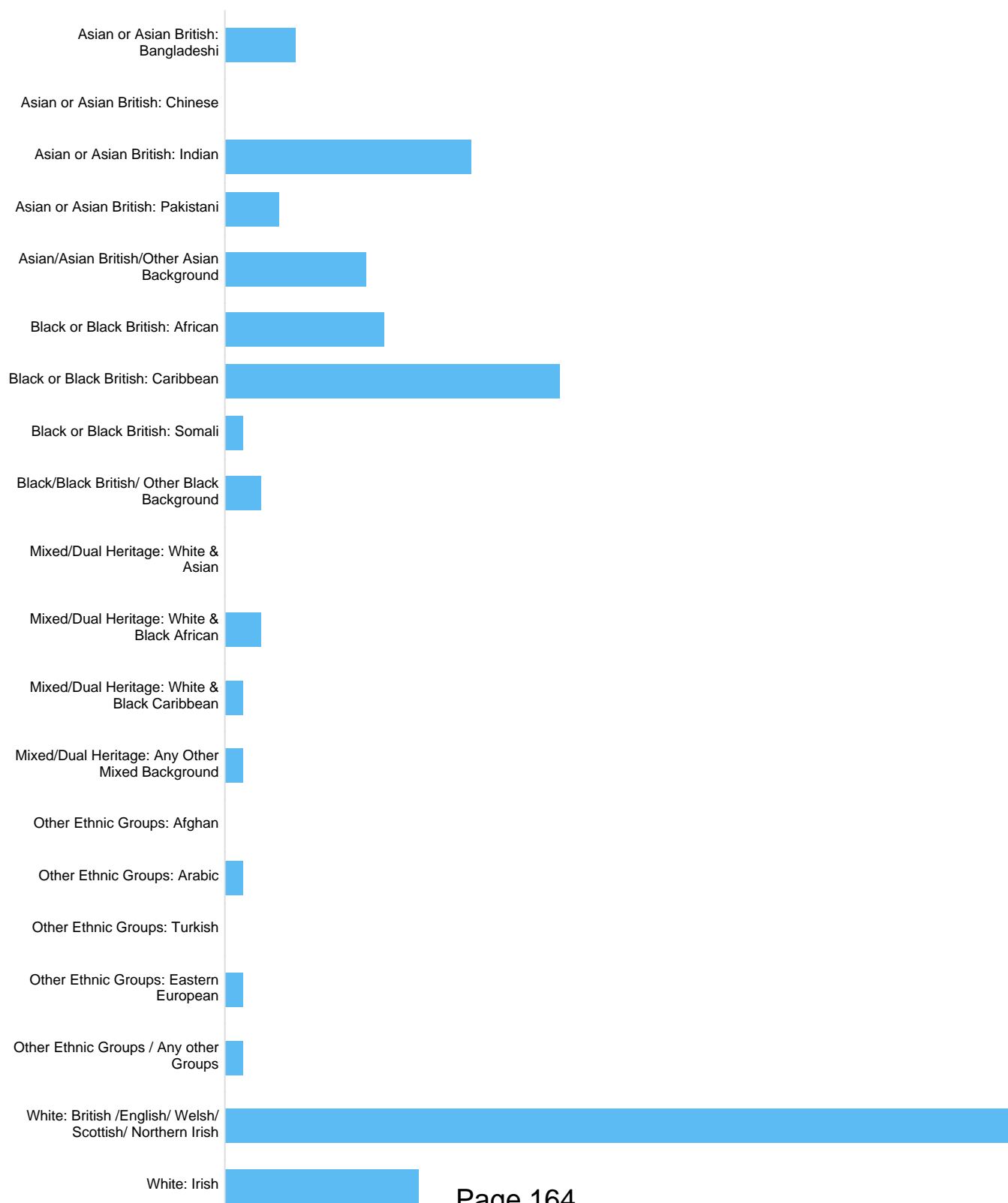
Q13

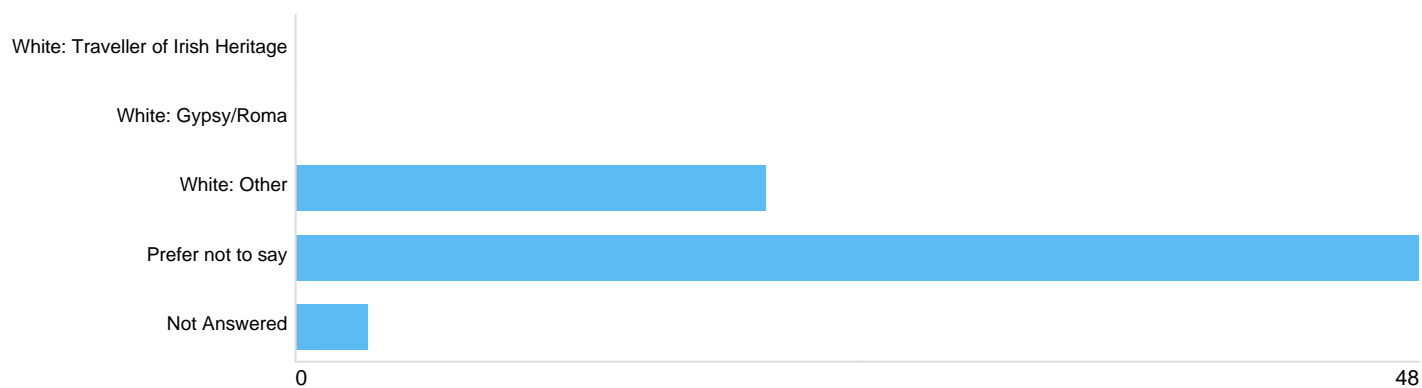


Option	Total	Percent
Male	56	28.87%
Female	110	56.70%
Prefer not to say	27	13.92%
Not Answered	1	0.52%

Question 14: Please state your ethnicity:

Ethnicity

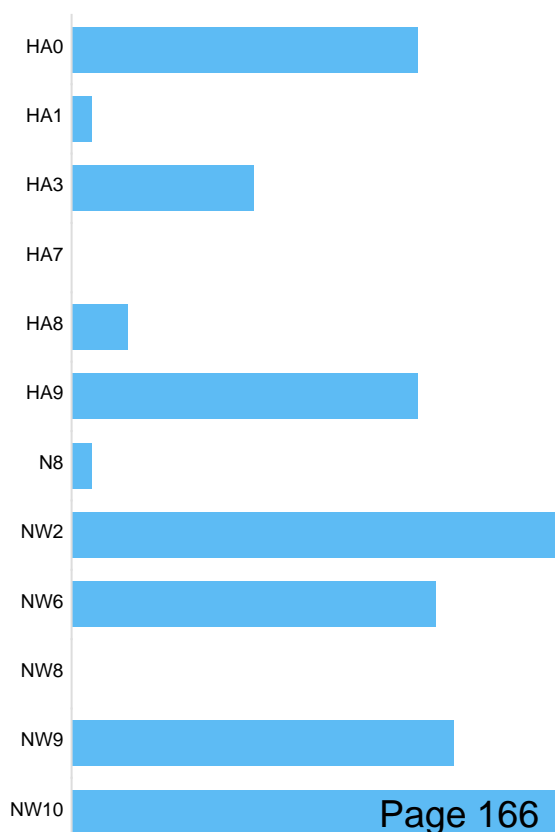


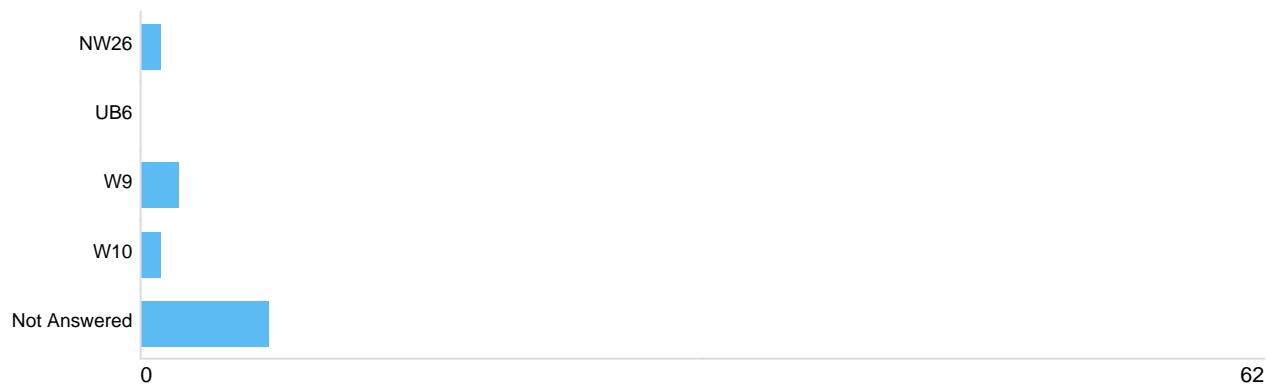


Option	Total	Percent
Asian or Asian British: Bangladeshi	4	2.06%
Asian or Asian British: Chinese	0	0%
Asian or Asian British: Indian	14	7.22%
Asian or Asian British: Pakistani	3	1.55%
Asian/Asian British/Other Asian Background	8	4.12%
Black or Black British: African	9	4.64%
Black or Black British: Caribbean	19	9.79%
Black or Black British: Somali	1	0.52%
Black/Black British/ Other Black Background	2	1.03%
Mixed/Dual Heritage: White & Asian	0	0%
Mixed/Dual Heritage: White & Black African	2	1.03%
Mixed/Dual Heritage: White & Black Caribbean	1	0.52%
Mixed/Dual Heritage: Any Other Mixed Background	1	0.52%
Other Ethnic Groups: Afghan	0	0%
Other Ethnic Groups: Arabic	1	0.52%
Other Ethnic Groups: Turkish	0	0%
Other Ethnic Groups: Eastern European	1	0.52%
Other Ethnic Groups / Any other Groups	1	0.52%
White: British /English/ Welsh/ Scottish/ Northern Irish	45	23.20%
White: Irish	11	5.67%
White: Traveller of Irish Heritage	0	0%
White: Gypsy/Roma	0	0%
White: Other	20	10.31%
Prefer not to say	48	24.74%
Not Answered	3	1.55%

Question 15: Please select your post code area:

q8





Option	Total	Percent
HA0	19	9.79%
HA1	1	0.52%
HA3	10	5.15%
HA7	0	0%
HA8	3	1.55%
HA9	19	9.79%
N8	1	0.52%
NW2	27	13.92%
NW6	20	10.31%
NW8	0	0%
NW9	21	10.82%
NW10	62	31.96%
NW26	1	0.52%
UB6	0	0%
W9	2	1.03%
W10	1	0.52%
Not Answered	7	3.61%

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Nov-19	Regs drafted for inclusion in Full Council report. To be signed off by Legal beforehand.
	Engage with IEG4 about shortened form
	Full Council
	Comms plan drafted
	Northgate release including CTS functionality delivered and in TEST system
	Draft test plan
Dec-19	New scheme built in Northgate TEST system
	Comms plan agreed
	Testing of new scheme in Northgate
	Agree what indicative information will be sent to customers
	New notification letters drafted and format of flatfile for printers agreed
Jan-20	First full caseload TEST for the CTS scheme
	Business Objects to be upgraded (TBC)
	Test IEG4 solution for shortened form
	Public Events
	First batch of communications to customers about new scheme (additional resource for phones, CSC etc)
Feb-20	Full system YEAR END test
	Public Events
	Second batch of communications to customers about new scheme (additional resource for phones, CSC etc)
Mar-20	Annual billing
	Public Events
Apr-20	Scheme live

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EQUALITY ANALYSIS (EA)

POLICY/PROPOSAL:	New Council Tax Support scheme
DEPARTMENT:	Resources
TEAM:	Benefits (Customer Services Operations)
LEAD OFFICER:	David Oates
DATE:	09/10/2019

NB: Please ensure you have read the accompanying EA guidance and instructions in full.

SECTION A – INITIAL SCREENING

1. Please provide a description of the policy, proposal, change or initiative, and a summary its objectives and the intended results.

The current local Council Tax Support scheme has been in place since April 2013. It is proposed to introduce a new scheme from 2020/21.

Council Tax Support (CTS) is a local scheme determined by the Council which provides assistance with Council Tax liabilities to residents on low incomes. The objectives of the review are: -

- To design a scheme which is fair and simple to understand
- To design a scheme which is fit for future needs (in particular how residents in receipt of Universal Credit (UC) are treated)
- To address any elements of the current scheme which are unsustainable or undesirable
- To streamline administrative processes and reduce complexity for claimants

The scheme change is to be cost neutral in overall expenditure

2. Who may be affected by this policy or proposal?

Other than pensioners (who are protected by a prescribed national scheme) this proposal will affect those residents of working age who are currently eligible for Council Tax Support (approximately 17,000 current claimants).

3. Is there relevance to equality and the council's public sector equality duty? Please explain why. If your answer is no, you must still provide an explanation.

Yes. This proposal may have negative impacts on some groups with protected characteristics. A disproportionate impact cannot be ruled out.

The exact nature of the impacts will depend on the final design of the scheme, to be decided after the public consultation ends. This draft EA examines the impacts on claimants arising from the proposed scheme which is being put to public consultation.

4. Please indicate with an "X" the potential impact of the policy or proposal on groups with each protected characteristic. Carefully consider if the proposal will impact on people in different ways as a result of their characteristics.

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age	X	X	X
Sex	X	X	X
Race	X	X	X
Disability	X	X	X
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity		x	
Marriage		X	

5. Please complete **each row** of the checklist with an "X".

SCREENING CHECKLIST		
	YES	NO
Have you established that the policy or proposal <i>is</i> relevant to the council's public sector equality duty?	X	
Does the policy or proposal relate to an area with known inequalities?		X
Would the policy or proposal change or remove services used by vulnerable groups of people?	X potentially	
Has the potential for negative or positive equality impacts been identified with this policy or proposal?	X	
<p>If you have answered YES to ANY of the above, then proceed to section B. If you have answered NO to ALL of the above, then proceed straight to section D.</p>		

SECTION B – IMPACTS ANALYSIS

1. Outline what information and evidence have you gathered and considered for this analysis. If there is little, then explain your judgements in detail and your plans to validate them with evidence. If you have monitoring information available, include it here.

The current scheme pays CTS entitlement based on a range of factors including age, disability, whether a claimant has dependent children or non-dependant adults in their household; level of income; size of property etc. It is a means-tested benefit, with a complex calculation. Detailed equalities analyses have previously been made for the current scheme and found that the scheme impacts are in general spread evenly across protected and non-protected groups.

The design of the new scheme requires similar factors to be considered in its design, and the intention once again is that impacts are not disproportionately felt by any particular group. This analysis considers the impacts of the proposed new scheme on groups of claimants with protected characteristics, and discusses the policy intentions behind the scheme design which may have resulted in these impacts, within the main part of the report and in its Conclusion.

There are two key aspects of the proposed new scheme:-

1. A discount is made to the claimant's Council Tax bill based on the net income of the claimant and the partner, set by where this falls within four income bands. (DWP, HMRC and Foster Carer's Allowance incomes are all disregarded); and
2. The discount payable (from stage (1) above) is reduced by a set amount of between £5 and £20 per week, for every other "non-dependant" adult living in the household.

There is also a discretionary element to the proposed scheme, whereby the Council Taxpayer's liability may be reduced further if they are experiencing exceptional hardship or are impacted by extraordinary circumstances.

The Benefits Service possess a range of data regarding Benefit claimants and partners including several protected characteristics, as detailed in the list below: -

- Age
- Sex
- Disability
- Ethnicity (optional declaration by claimant)

Data is not collected on the following characteristics which therefore makes it impossible to undertake an EA on these grounds: -

- Sexual orientation
- Gender reassignment
- Religion or belief
- Pregnancy or maternity
- Marriage or civil partnership

In addition, the Service holds limited information (primarily concerning income) relating to other adults in the claimant's household (known as "non-dependants"), which is relevant to the proposed scheme.

2. For each "protected characteristic" provide details of all the potential or known impacts identified, both positive and negative, and explain how you have reached these conclusions based on the information and evidence listed above. Where appropriate state "not applicable".

The relevant data for this EA is attached in the Annexes to this report.

In Annex A, the working age caseload is divided into the four discount bands in the proposed scheme, and subdivided by each of the protected characteristics where this data exists. This impact assessment has been undertaken by reviewing the distribution of the protected characteristic across the discount bands, and identifying and explaining any outliers.

At Annex B, the impact on the whole working age caseload is set out, at increments of £2 for both increases and decreases to the award, comparing the current and proposed schemes, and displays the distribution of changes graphically.

Annex C sets out the impact in increases and decreases between old and new schemes, subdivided by each of the protected characteristics under the Equalities Act.

Comparing the current and new schemes against each other should be treated with some caution, as the results will potentially be skewed due to:-

- Many claimants receive 100% discount under the current scheme; as it is impossible to increase this award, only decreases and "no changes" will be recorded, perhaps giving the impression that the new scheme is less generous;
- Comparing the two schemes will naturally mean that any anomalies in the current scheme are magnified (and apparently reversed) in the change to the new scheme. (For example, if a particular group is disproportionately over-represented in the current scheme, but the new scheme treats this group more equitably in comparison with the rest of the caseload, it could appear that this group is a "loser" under the change, when in fact its treatment under the new scheme may actually be fairer than previously.

Despite these caveats, the comparison between old and new schemes has been undertaken as it is likely that this will be most claimants' focus in the first instance, regardless of whether the new scheme is more or less fair than the current one.

From Annex C, it can be seen that over half (52%) of claimants have either no change or a change in entitlement of less than +/- £4.00 per week, and over 80% of claimants have a change of + / - £8.00 per week.

AGE

Details of impacts identified

Pensioners (those at state pension age)

Pensioners are a protected group (prescribed by central government) for the purposes of the council tax support scheme so will not be financially affected; all changes in CTS entitlement affect only working age claimants.

Working age

Annex A gives the full detail of how ages are reflected across the different discount bands, summarised below:

Equalities: Age

	Overall	100% Award	80% Award	50% Award	30% Award
18 – 25	3%	3%	2%	2%	1%
26 – 35	15%	13%	15%	21%	21%
36 – 45	29%	23%	35%	39%	44%
46 – 55	31%	31%	35%	30%	27%
56+	22%	29%	13%	9%	6%

Broadly speaking, the age of claimants in each of the four income bands matches the profile of that age group across the whole caseload.

So, 3% of the caseload are aged 18 -25. The range of claimants in each of the four income bands in 1 – 3%. As such, this age group is represented consistently across the income bands.

15% of the caseload are aged 26 – 35. The range of claimants in each of the four income bands is 13% - 21%. Although the range is wider here, the representation is within 8 percentage points and therefore it is not of significant concern.

29% of the caseload are aged 36 – 45. The range is 23% - 44%. However, the outlier here is those 23% of 26 – 45-year-old customers who fall into the 100% award category, as without this group the range would be 35% to 44%. In other words, 31% of the caseload are aged 46 -55, and the reasonable range across the income bands is 27% to 35%.

The 26 – 45-year-old age group is less likely to receive a 100% discount than other age groups. This can be accounted for by fewer

	<p>customers in that age group being solely reliant on state benefits, and not working, than older – or younger - claimants. They are also more likely to be established in a career or work pattern than those younger than them.</p> <p>22% of the caseload are aged 56 or over. The range is 6% - 29%, showing the most uneven spread of any of the age groups. The inconsistent instance here is those in the 100% award group at 29%. Without this outlier the range is 6% - 13%. A suggested reason for this is those in the highest age group are more likely to be out of work for longer, due to illness or otherwise finding it more difficult to gain employment. It is a positive, however, that these claimants, who are more financially vulnerable, are more generously supported in the proposed scheme – as per the policy intention.</p> <p><u>Comparison – current to new scheme:</u></p> <p>In Annex C, it can be seen that 27% of the caseload see no change in entitlement, 31% see a decrease and 41% see an increase in entitlement.</p> <p>Annex C sets out the increases and decreases in entitlement, at £2 intervals, by protected equalities categories (where data for these is held).</p> <p>It can be seen from Annex C that all the £2.00 divisions of increases and decreases, the distribution between the age group categories is generally consistent and within narrow ranges, indicating that there are few disproportionate impacts for any particular cohort, in terms of the change in entitlement between the old and the new schemes.</p> <p>There are some outliers to this, though these are few and relatively small differences. Most significant are:</p> <ul style="list-style-type: none"> • 37% of the 56+ age group see no change in entitlement, compared to a range between 20% and 29% for other categories. This is chiefly because the largest number of current 100% discount cases fall into this category, as they do under the new scheme – as one might expect, there being more likelihood of sole dependency on state benefits, including disability, and less likelihood of higher paid work, within this group • The occurrence of 18-25 year olds seeing an increase in award of £2-£4 or £4-£6 is disproportionately high (as is the proportion of 26-35 year olds seeing an increase of £4-£6). This is due to the volume of single non-working claimants in these categories (i.e. on Job Seekers Allowance or Universal Credit), and therefore on the lowest possible state income (£73.10 for living costs). These claimants currently have to
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	<p>pay a minimum contribution of 20% towards their Council Tax out of their JSA or UC, but under the new scheme will receive a 100% discount.</p> <p><u>Non-dependants (new charges)</u></p> <p>In the 1829 households where one or more non-dependant members of the household live there is a broadly consistent split between instances where the award increases and decreases in comparison to the current scheme:</p> <table><tr><th></th><th>Number</th><th>Increased Award</th><th>Decreased Award</th><th>Increased award %</th><th>Decreased award %</th></tr><tr><td>Over all</td><td>1829</td><td>772</td><td>1057</td><td>42%</td><td>58%</td></tr><tr><td>18-24</td><td>4</td><td>1</td><td>3</td><td>25%</td><td>75%</td></tr><tr><td>25-34</td><td>46</td><td>24</td><td>22</td><td>52%</td><td>48%</td></tr><tr><td>35-44</td><td>235</td><td>126</td><td>109</td><td>54%</td><td>46%</td></tr><tr><td>45-54</td><td>690</td><td>299</td><td>391</td><td>43%</td><td>57%</td></tr><tr><td>55+</td><td>854</td><td>322</td><td>532</td><td>38%</td><td>62%</td></tr></table> <p>As one might expect, the data indicates that households in which the claimant is over 45 are far more likely to have non-dependant adults in them, and due to the design of the scheme, more likely to see an increase in non-dependant deductions between the old and the new schemes.</p> <p>Particularly worthy of note is the 55+ age group, in which there is shown to be a higher amount of cases in which the award decreases where there is one or more non-dependants present.</p> <p>This is in line with a design principle of the proposed scheme – that any protection against non-dependant deductions will not be carried over into the new scheme. As such, the 55+ age group which has the most non-dependants relatively, and which would more likely have had a protection against a deduction due to (the claimant's) disability previously, will now have a deduction made (the amount of deduction depending on the non-dependant's income).</p>		Number	Increased Award	Decreased Award	Increased award %	Decreased award %	Over all	1829	772	1057	42%	58%	18-24	4	1	3	25%	75%	25-34	46	24	22	52%	48%	35-44	235	126	109	54%	46%	45-54	690	299	391	43%	57%	55+	854	322	532	38%	62%
	Number	Increased Award	Decreased Award	Increased award %	Decreased award %																																						
Over all	1829	772	1057	42%	58%																																						
18-24	4	1	3	25%	75%																																						
25-34	46	24	22	52%	48%																																						
35-44	235	126	109	54%	46%																																						
45-54	690	299	391	43%	57%																																						
55+	854	322	532	38%	62%																																						
DISABILITY																																											
Details of impacts identified	<p>The caseload has been analysed to identify all those claimants (or their partners) in receipt of at least one of the following benefits:</p> <ul style="list-style-type: none">Disability Living Allowance (Care or Mobility component)Personal Independent PaymentEmployment & Support Allowance (Care component)																																										

It is feasible that there are other disabled claimants not in receipt of these particular benefits within the caseload, although these cannot be separately identified. Nevertheless, the cohort selected by the above method identifies a substantial sample size of 5647 claimants with a disability (32% of the working age claimant caseload).

From the Disability summary, it can be seen that 32% of the overall working age caseload is identified as disabled.

Annex A shows profile of customers with / without a disability across the income bands (summarised below).

	Overall	£0-80	£81- £110	£111 - £150	£151 - £250
		100% award	80% award	50% award	30% award
Disabled	32%	46%	4%	5%	4%
Not	68%	54%	96%	96%	96%

As can be seen, although 32% of the caseload is classed as disabled, disproportionately more disabled people (46%) will receive the maximum 100% award, with only small numbers in the other award categories – due to the latter claimants having additional income to their state benefits, or non-dependants in their household.

A design principle of the scheme was that protections for claimants with disabilities should be removed as an absolute criterion for receiving a higher award, and rather the resident's ability to pay would be used as a condition. However, it was also a design principle that those disabled claimants on the lowest incomes would retain their 100% award.

Comparison of current vs. new scheme

Annex C sets out the increases and decreases in entitlement, at £2 intervals, by disability. It can be seen that all the £2.00 divisions of increases and decreases, the distribution between disabled and non-disabled claimants / partners is generally consistent and within a narrow range, in terms of the change in entitlement between the old and the new schemes.

The main differences are that 65% of disabled claimants' entitlement will stay the same, compared to 15% of non-disabled claimants. This is in line with the policy intention that those claimants relying solely on state benefits receive the highest (100%) discount. The majority of disabled claimants fall into this category.

	<p>This large majority disproportionately remaining on 100% discount is offset by the relatively few disabled claimants (198) who will see an increase of up to £6.00 per week; obviously those already on 100% discount cannot see an increase. Viewing the “no change” and “<£6pw increases” together shows 68% of disabled claimants in this cohort as opposed to 57% of non-disabled, which puts this data in a more meaningful context.</p> <p>However, there are a number of disabled claimants who either have additional income other than state benefits, or have non-dependants in their household, and as a result may see an increase or decrease in their entitlement; these increases and decreases are broadly similar to those of non-disabled claimants, with no significant variances.</p> <p><u>Non-dependants</u></p> <p>Of the households with the claimant or partner recorded as having a disability, 754 have one non-dependant or more living with them. Of these 643 will have a decreased award in comparison to their current entitlement. This is because the proposed scheme asks every non-dependant household member to pay some contribution regardless of the claimant’s circumstances. As such, some households which have been ‘protected’ against non-dependant deductions in the past (due to the claimant or partner being exempt through disability, even though the non-dependant was not), will no longer be protected in this way.</p> <table><tr><td></td><td>Number</td><td>Increased Award</td><td>Decreased Award</td><td>Increased Award %</td><td>Decreased Award %</td></tr><tr><td>Disabled</td><td>754</td><td>111</td><td>643</td><td>15%</td><td>85%</td></tr><tr><td>Not disabled</td><td>1075</td><td>661</td><td>414</td><td>61%</td><td>39%</td></tr></table>		Number	Increased Award	Decreased Award	Increased Award %	Decreased Award %	Disabled	754	111	643	15%	85%	Not disabled	1075	661	414	61%	39%
	Number	Increased Award	Decreased Award	Increased Award %	Decreased Award %														
Disabled	754	111	643	15%	85%														
Not disabled	1075	661	414	61%	39%														
RACE																			
Details of impacts identified	<p>All claimants are asked to declare their ethnicity when they claim Council Tax Support, however this is not mandatory and therefore at present only 42% of cases hold an ethnic indicator. However, this is still a substantial enough sample to provide a statistically significant analysis. The caseload has been analysed by the following broad ethnicity indicators: -</p> <ul style="list-style-type: none">• Arabic• Asian• Black• White• Mixed ethnicity• Other																		

A further breakdown of ethnicity by 22 sub-divisions is also available if required but is less helpful for comparative purposes as this makes some of the categories very small and not statistically significant.

For the purpose of this analysis the above categories have been compared to the overall impacts on the cohort of claimants where ethnicity has been declared (as opposed to the total claimant population). Also any impacts on the “other” group have been disregarded as the sample (5 cases) is not statistically significant.

At Annex A, the comparison of the spread across the income / discount bands is for the most part consistent.

	Overall	£0-80	£81-£110	£111 - £150	£151 - £250
		100% award	80% award	50% award	30% award
White	35%	39%	30%	26%	28%
Black	30%	32%	33%	29%	19%
Asian	19%	16%	23%	23%	31%
Mixed	7%	7%	6%	6%	7%
Arab	9%	6%	8%	16%	16%
Other	0%	0%	0%	0%	0%

There are however some anomalies to highlight.

- White claimants are slightly more over-represented in the 100% discount band
- Black claimants appear in a lesser proportion in the 30% award category. In the first three income bands, the spread is between 29% - 33%. However, only 19% appear in the highest income band, attracting a 30% CTS award.
- Asian claimants appear in a higher proportion in the 30% award category, with 31% of Asian claimants; and at a slightly lower proportion (16%) in the 100% award category. The middle two income bands both represent 23% of the Asian claimants.

- Arabic claimants are more disproportionately weighted towards the 50% and 30% bands, compared to their overall representation in the caseload (of those declaring their ethnicity)

It will also be noted that ethnic indicators are not held for 58% of the caseload.

The reasons for these apparent anomalies lie in the distribution of in-work and out-of-work claimants across the overall benefits caseload. In other words, white and black households are more likely to be on out-of-work benefits or working on a low wage. Arabic and Asian households are more likely to be working on a (relatively) higher wage. As the proposed scheme is based on ability to pay, it is therefore an outcome of the policy intention that the higher awards are directed slightly more disproportionately towards white and black households.

Comparison of current to new scheme

Annex C sets out the increases and decreases in entitlement, at £2 intervals, by ethnic indicator (where this exists). (It will be noted that claimants of declared Arabic background, and mixed heritage, make up only 9% and 6% of the declared ethnic origins, and the “other” category less than 1%, so the figures should be treated with some caution.)

Nevertheless, it can be seen from Annex C that all the £2.00 divisions of increases and decreases, the distribution between broad ethnic categories is consistent and within a narrow range, indicating that there are no disproportionate impacts for any particular cohort, in terms of the change in entitlement between the old and the new schemes.

Non-dependants

Of the 653 cases where a claimant’s ethnicity is recorded for those households with one or more non-dependant adults also resident, an overall 52% will receive an increased award in the new proposed scheme, with 48% receiving a lesser award. Although there is a slight variance across the ethnic groups, these are not significant:

	Total	Increased Award	Decreased Award	Increased Award %	Decreased Award %
Overall	652	337	315	52%	48%
Asian	159	71	88	45%	55%
Arab	24	12	12	50%	50%
Mixed	32	16	16	50%	50%
Black	225	122	103	54%	46%
White	212	98	114	46%	54%

SEX																									
Details of impacts identified	<p>Although it is not possible to identify same-sex couples from the Benefits database, anecdotally this is thought to be very low. It is a reasonable assumption that the majority of couples will be male / female and therefore the impacts on most couples will impact on males and females equally. For the purposes of this analysis, therefore, claimant couples have been disregarded and the impacts on single males and females analysed.</p> <p>Of these, single female claimants are far more likely to be single parents (93% of single parents are women), whereas single men are more likely not to have dependent children in their household. (57% of single claimants with no dependants are male).</p> <p>Single parents are also far more likely to be working than single people with no dependants. This may be because single parents have a higher weekly income from state benefits than childless single people, and therefore are more likely to have their HB or UC capped by the overall benefit cap if they do not work at least 16 hours per week.</p> <p>These factors are relevant when viewing the scheme’s impact on both groups.</p> <p>93% of single parents within the CTS caseload are female. The single parent analysis in Annex A shows a very consistent and narrow range across all four discount bands – 92-95% for female and 5-8% for male across the four discount bands.</p> <p>However, the picture for single claimants without children is more variable (see summary below).</p>																								
	<table><tr><th>Single without dependants</th><th>Overall</th><th>£0-80</th><th>£81-£110</th><th>£111 - £150</th><th>£151 - £250</th></tr><tr><td></td><td></td><td>100% award</td><td>80% award</td><td>50% award</td><td>30% award</td></tr><tr><td>Male</td><td>63%</td><td>61%</td><td>70%</td><td>70%</td><td>41%</td></tr><tr><td>Female</td><td>37%</td><td>39%</td><td>30%</td><td>30%</td><td>59%</td></tr></table>	Single without dependants	Overall	£0-80	£81-£110	£111 - £150	£151 - £250			100% award	80% award	50% award	30% award	Male	63%	61%	70%	70%	41%	Female	37%	39%	30%	30%	59%
	Single without dependants	Overall	£0-80	£81-£110	£111 - £150	£151 - £250																			
			100% award	80% award	50% award	30% award																			
	Male	63%	61%	70%	70%	41%																			
	Female	37%	39%	30%	30%	59%																			
<p>Here, two thirds of single claimants without children are male, with one third being female. Other than the maximum 100% band, which reflects the overall split, the distribution across the discount bands shows that males are disproportionately highly represented in the 80% and 50% bands, with females disproportionately highly represented in the 30% band. This reflects the fact that, within the Brent caseload, single women are more likely to be in (slightly) better paid work than men</p>																									

	<p><u>Current vs new scheme comparison</u></p> <p>Overall, 27% of the overall caseload sees no change in entitlement in the change to the new scheme, but from the gender summary in Annex C, but the percentage is disproportionately high for single women without children (39%), single men without children (42%) and couples without children (53%, albeit on a small cohort), and low for lone parents and couples with children (17% and 20% respectively).</p> <p>Regarding increases and decreases in entitlement, these are far more proportionately spread between males and females, with only a couple of anomalies:-</p> <ul style="list-style-type: none"> • An above average proportion of single men without children (23%) will see an increase of between £2-£4 per week, due to more of this cohort being solely in receipt of state benefits, and therefore moving from an 80% to a 100% discount under the new scheme • A below average proportion of couples with dependent children (9%) will see an increase of between £4-£6 per week. • An above average proportion of single women (without children or lone parents) and male single parents will see an award decrease of between £6-£8 per week. (Between 9-11% compared to 3-5% for other groups). For single parents this is likely to be due to the increased likelihood of them working to avoid the Overall Benefit Cap (otherwise their family size would be likely to take their benefit entitlement over the cap) and thus have additional income which will be taken into account in their CTS calculation. <p>The reasons for these impacts are that the new scheme is specifically focused on each household's <i>ability to pay</i> Council Tax. Generally speaking, claimants with dependants living with them (whether the claimant has a partner or is a single parent) have a higher income than single people with no dependants, therefore the change to the new scheme is more likely to be beneficial to claimants without dependent children living with them than to families.</p> <p>However, this difference is in reality marginal, and indeed within the policy intent of the scheme (that those households with more income pay more Council Tax); and, even allowing for a slightly less generous CTS award, households consisting of a family, especially one where the claimant or partner is working, still have considerably more income than single claimants or non-working households.</p>
SEXUAL ORIENTATION	

Details of impacts identified	There is no evidence at this stage of an impact.
PREGANCY AND MATERNITY	
Details of impacts identified	There is no evidence at this stage of an impact.
RELIGION OR BELIEF	
Details of impacts identified	There is no evidence at this stage of an impact
GENDER REASSIGNMENT	
Details of impacts identified	There is no evidence at this stage of an impact
MARRIAGE & CIVIL PARTNERSHIP	
Details of impacts identified	There is no evidence at this stage of an impact

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

No, because any apparent disproportionate impacts on particular groups with protected characteristics are appropriate and reasonably necessary in order to realise policy intentions (i.e. that the scheme is based on the relative income levels of claimants with different circumstances and that the income of the whole household is taken into account in determining the final award).

4. Were the participants in any engagement initiatives representative of the people who will be affected by your proposal and is further engagement required?

Yes, directly as part of the overall consultation exercise on the council's budget proposals. Secondly as part of a 12-week public consultation which includes contact with all current benefit claimants as well as other residents, voluntary groups and stakeholders.

The feedback and findings from the consultation exercise will be published in a report to Full Council on 25 November 2019.

5. Please detail any areas identified as requiring further data or detailed analysis.

Prior to Full Council determining the final scheme design in November 2019, the EA will be reviewed and updated if appropriate.

6. If, following your action plan, negative impacts will or may remain, please explain how these can be justified?

As detailed above, any negative impacts are relate to key policy intentions; specifically, making the scheme proportionate to the income available to the claimant (having disregarded income specifically intended for their basic needs, or for any specific additional costs such as dependent children or a disability), and taking into account the income of all adults in the household when making the award.

This might mean, for example, that older working-age claimants are more likely to have other adults (i.e. grown-up children) living in their household because older people are less likely to still have dependent children – and this will mean that those non-dependent adults are expected to contribute towards the Council Tax by means of a deduction to the claimant's CTS entitlement. This is considered to be justified, because it is a policy intention of the scheme that those households that are better able to pay the Council Tax, do so in order that the available funding can help those claimants with less ability to pay.

In addition, it should be noted that the proposed scheme includes a discretionary element which can be utilised over and above the prescribed award calculation to assist claimants who find themselves in hardship or having exceptional difficulties in paying their Council Tax. Impacts will be particularly closely monitored in the first year of the new scheme to make sure that claimants do not suffer unforeseen consequences from the change to the new scheme.

7. Outline how you will monitor the actual, ongoing impact of the policy or proposal?

CTS caseload and expenditure will be monitored monthly during 2020/21.

Impacts on groups with protected characteristics will be monitored quarterly.

The Council is required to review its CTS scheme each year and to agree its scheme for the following year by 11 March of the preceding financial year. The scheme review for 2021/22 will include a full refresh of the EA to establish whether there have been any unforeseen impacts which require addressing for 2021/22.

SECTION C - CONCLUSIONS

Based on the analysis above, please detail your overall conclusions. State if any mitigating actions are required to alleviate negative impacts, what these are and what the desired outcomes will be. If positive equality impacts have been identified, consider what actions you

can take to enhance them. If you have decided to justify and continue with the policy despite negative equality impacts, provide your justification. If you are to stop the policy, explain why.

The main impacts of the proposed scheme are as follows:-

Age

- The 26 – 45-year-old age group is less likely to receive a 100% discount than other age groups. This can be accounted for by fewer customers in that age group being solely reliant on state benefits, and not working, than older – or younger - claimants. They are also more likely to be established in a career or work pattern than those younger than them.
- Claimants aged 56 or over are more likely to receive a 100% discount. Claimants in this age group are more likely to be out of work for longer, due to illness or otherwise finding it more difficult to gain employment. However, this age group also tend to have the most non-dependant adults living in their households, and therefore non-dependant deductions applied to their awards.

Disability

- 32% of the overall working age caseload is identified as disabled, as defined by being in receipt of Disability Living Allowance (Care or Mobility component), Personal Independent Payment or Employment & Support Allowance (Care component). 67% of these customers will receive a 100% award, much more than the corresponding proportion of non-disabled claimants.
- Of the households with the claimant or partner recorded as having a disability, 1220 have one non-dependant or more living with them. Of these 817 will have a decreased award in comparison to their current entitlement, due to the introduction of non-dependant charges for the first time for this cohort.

Ethnicity

- 42% of current CTS claims hold an ethnic indicator (which is not a mandatory field when claiming benefit). Of these, White and Black claimant households are more likely to be on out-of-work benefits or working on a low wage than the overall claimant population. Arabic and Asian households are more likely to be working on a higher wage. As a result, White and Black claimant households are slightly more likely to receive 100% or 80% discounts, while Arabic and Asian claimant households are more likely to receive 50% or 30% discounts.

Gender

- 93% of single parents within the CTS caseload are female, and 7% male. These proportions are mirrored very closely across all four discount bands, with no disproportionate impacts.
- An above average proportion of single women (without children or lone parents) and male single parents will see an award decrease of between £6-£8 per week. (On average 9.3% compared to the average of 4.1% of claimants falling outside these

groups.) For single parents this is likely to be due to the increased likelihood of them working to avoid the Overall Benefit Cap (otherwise their family size would be likely to take their benefit entitlement over the cap) and thus have additional income which will be taken into account in their CTS calculation. Also, as examined earlier, single female claimants without children are more likely to be working in slightly better paid jobs than their male counterparts.

- Single men without children are more likely to be in the 80% and 50% discount bands, and single women without children in the 30% band, indicating that, apart from claimants relying solely on state benefits or very low paid work (who will receive 100% discount), single women receiving CTS tend to be in slightly better paid work than single men.

These impacts are all related to the policy intentions behind the proposed scheme, in particular:-

- the scheme being based on *ability to pay* Council Tax;
- claimants on state benefits having the least amount of available income with which to pay their Council Tax;
- the requirement that a contribution should be expected from non-dependant adults living in all claimant households;
- the relative likelihoods of different ethnic groups to be on out-of-work benefits; and
- the impacts of other welfare reforms (especially the Overall Benefit Cap) on claimant behaviours in certain groups; i.e. requiring those claimants with larger families (and thus higher benefits income) to find work to avoid having their Housing Benefit (HB) or Universal Credit capped.

Differences between the current and new schemes

With regard to the impact of moving from the current scheme to the new scheme, this should be viewed with caution because of the following factors:-

- any claimant currently receiving 100% entitlement cannot show an increase on moving to the new scheme, therefore a comparison of the two schemes will be skewed towards cases showing a decrease;
- any disproportionate impacts existing within the *current* scheme will impact on the respective changes in the new scheme, potentially producing an opposite impact (e.g. if the current scheme disproportionately favours one group, but the new scheme treats that group more “fairly”, the data will appear to show that this group is “penalised” by the change, whereas it may just be correcting an advantageous unfairness in the current scheme)

Nevertheless, the changes from current to new scheme are generally proportionate within each of the protected groups for which data is held.

Conclusion

Overall, the impacts of the proposed scheme are broadly proportionate across groups with protected characteristics, and / or reflect the higher relative incomes of certain demographic groups. The impacts of the scheme are therefore considered justifiable taking account of the policy intentions of the new scheme.

SECTION D – RESULT

<i>Please select one of the following options. Mark with an "X".</i>		
A	CONTINUE WITH THE POLICY/PROPOSAL UNCHANGED	X
B	JUSTIFY AND CONTINUE THE POLICY/PROPOSAL	
C	CHANGE / ADJUST THE POLICY/PROPOSAL	
D	STOP OR ABANDON THE POLICY/PROPOSAL	

SECTION E - ACTION PLAN

This will help you monitor the steps you have identified to reduce the negative impacts (or increase the positive); monitor actual or ongoing impacts; plan reviews and any further engagement or analysis required.

Action	Expected outcome	Officer	Completion Date
Public and stakeholder consultation	Better understand potential impacts and incorporate mitigating actions for negative impacts (e.g. a number of changes have been made to the proposals as a result of comments received.)	David Oates / Leigh Wood	June – September 2019
Ensuring that changes to the scheme are communicated in an accessible way to claimants with an information or communication need e.g. caused by a disability or language barrier.	That claimants with information or communication needs are assisted where necessary so that they fully understand the change and any potentially potential impacts; and that they are less likely to fall into Council Tax arrears as a result	Leigh Wood	January – March 2020

Ensure that the discretionary aspect of the new scheme is utilised where appropriate to prevent hardship. This includes ensuring that staff training equips officers with the awareness to identify where a discretionary payment may be appropriate, and how such requests should be assessed.	<p>Officers identify and promote the discretionary aspect where appropriate.</p> <p>Claimants in hardship are given additional assistance where appropriate.</p> <p>Claimants are less likely to fall into Council Tax arrears and have action taken against them through no fault of their own.</p> <p>Claimants do not suffer from unforeseen consequences arising from the change to the new scheme.</p>	Leigh Wood	April 2020 – March 2021
To investigate opportunities to improve equality monitoring data in the future and to use this to inform decisions about scheme design in future years	To further improve the design of any future scheme based on additional data and impact analysis	Leigh Wood / Asha Vyas	January 2020 ongoing
To closely monitor the impacts of the new scheme on claimants; expenditure; Council Tax collection and other indicators, particularly during the first year of operation	To further improve the design of the scheme in future years based on additional data and impact analysis.	Leigh Wood / Asha Vyas	April 2020 – March 2021 and ongoing

SECTION F – SIGN OFF

Please ensure this section is signed and dated.

OFFICER:	Leigh Wood
REVIEWING OFFICER:	Natalie Gordon
HEAD OF SERVICE:	David Oates

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Annex A

Equalities analysis – proposed scheme

Age

				18-25		26-35		36-45		46-55		56+	
Net income excluding DWP benefits	CTS award	Total claimants	% of total	Total claimants	% of total	Total claimants	% of total	Total claimants	% of total	Total claimants	% of total	Total claimants	% of total
£0 - £80	100%	11125	67%	370	3%	1486	13%	2542	23%	3497	31%	3219	29%
£81 - £110	80%	1489	9%	23	2%	218	15%	528	35%	527	35%	195	13%
£111- £150	50%	2234	13%	51	2%	466	21%	863	39%	660	30%	196	9%
£151 - £250	30%	1769	11%	23	1%	375	21%	784	44%	485	27%	103	6%
Total		16617	100%	467	3%	2545	15%	4717	28%	5169	31%	3713	22%

Summary: age

	Overall	£0-80	£81-£110	£111 - £150	£151 - £250
		100% award	80% award	50% award	30% award
18 – 25	3%	3%	2%	2%	1%
26 – 35	15%	13%	15%	21%	21%
36 – 45	28%	23%	35%	39%	44%
46 – 55	31%	31%	35%	30%	27%
56+	22%	29%	13%	9%	6%

Disability

				Disabled		Not disabled	
Net income excluding DWP benefits	CTS award	Total claimants	% of total	Total claimants	% of total	Total claimants	% of total
£0 - £80	100%	11118		5074	46%	6044	54%
£81 - £110	80%	1521		58	4%	1463	96%
£111 - £150	50%	2234		102	5%	2132	95%
£151 - £250	30%	1769		74	4%	1695	96%
Total		16642		5308	32%	11334	68%

Summary: disability

	Overall	£0-80	£81-£110	£111 - £150	£151 - £250
		100% award	80% award	50% award	30% award
Disabled	32%	46%	4%	5%	4%
Not	68%	54%	96%	96%	96%

Ethnicity

				White		Black		Asian		Mixed		Arab		Other	
Net income excluding DWP benefits	CTS award	Total claimants	% of total	Total claimants	% of total	Total claimants	% of total	Total claimants	% of total	Total claimants	% of total	Total claimants	% of total	Total claimants	% of total
£0 - £80	100%	4463	64%	1754	39%	1417	32%	711	16%	299	7%	285	6%	1	0%
£81 - £110	80%	682	10%	207	30%	222	33%	157	23%	44	6%	56	8%	0	0%
£111- £150	50%	1023	15%	270	26%	299	29%	231	23%	58	6%	166	16%	3	0%
£151 - £250	30%	823	12%	233	28%	157	19%	252	31%	54	7%	130	16%	0	0%
Total		6991	100%	2464	35%	2095	30%	1351	19%	455	7%	637	9%	4	0%

Summary: ethnicity

	Overall	£0-80	£81-£110	£111 - £150	£151 - £250
		100% award	80% award	50% award	30% award
White	35%	39%	30%	26%	28%
Black	30%	32%	33%	29%	19%
Asian	19%	16%	23%	23%	31%
Mixed	7%	7%	6%	6%	7%
Arab	9%	6%	8%	16%	16%
Other	0%	0%	0%	0%	0%

Gender

Single parents				Male		Female	
Net income excluding DWP benefits	CTS award	Total claimants	% of total	Total claimants	% of total	Total claimants	% of total
£0 - £80	100%	2953	63%	237	8%	2716	92%
£81 - £110	80%	588	13%	29	5%	559	95%
£111- £150	50%	797	17%	55	7%	742	93%
£151 - £250	30%	351	7%	25	7%	326	93%
Total		4689	100%	346	7%	4343	93%

Single claimants no dependants				Male		Female	
Net income excluding DWP benefits	CTS award	Total claimants	% of total	Total claimants	% of total	Total claimants	% of total
£0 - £80	100%	5827	84%	3579	61%	2248	39%
£81 - £110	80%	559	8%	391	70%	168	30%
£111- £150	50%	481	7%	337	70%	144	30%
£151 - £250	30%	37	1%	15	41%	22	59%
Total		6904	100%	4322	63%	2582	37%

Summary – gender

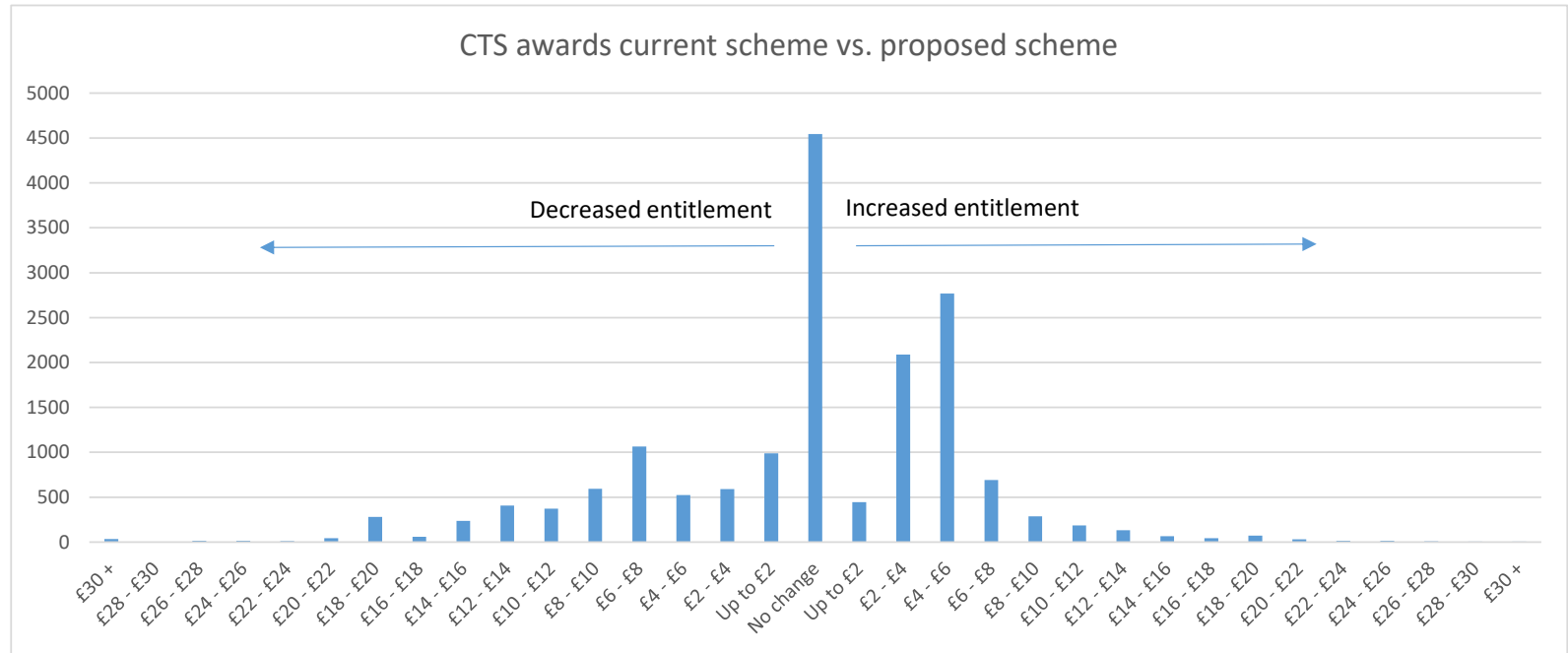
Single claimants no dependants

	Overall	£0-80	£81- £110	£111 - £150	£151 - £250
		100% award	80% award	50% award	30% award
Male	63%	61%	70	70%	41%
Female	37%	39%	30%	30%	59%

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Decrease	
£30 +	34
£28 - £30	1
£26 - £28	16
£24 - £26	15
£22 - £24	12
£20 - £22	43
£18 - £20	282
£16 - £18	59
£14 - £16	237
£12 - £14	408
£10 - £12	373
£8 - £10	595
£6 - £8	1063
£4 - £6	523
£2 - £4	589
Up to £2	990
No change	4543
Up to £2	445
£2 - £4	2089
£4 - £6	2768
£6 - £8	690
£8 - £10	287
£10 - £12	186
£12 - £14	131
£14 - £16	66
£16 - £18	45
£18 - £20	71
£20 - £22	31
£22 - £24	16
£24 - £26	14
£26 - £28	10
£28 - £30	7
£30 +	6
Increase	

ANNEX B



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16645						
		Whole	Cumulative		Cumulative	
Award Increase	Up to £2	Number 445		No change	27%	27%
		Proportion 3%	3%	Changes + / -		
	£2 - £4	Number 2089		Up to £2	9%	36%
		Proportion 13%	15%			
	£4 - £6	Number 2768		£2 - £4	16%	52%
		Proportion 17%	32%			
	£6 - £8	Number 690		£4 - £6	20%	72%
		Proportion 4%	36%			
	£8 - £10	Number 287		£6 - £8	11%	82%
		Proportion 2%	38%			
	£10 - £12	Number 186		£8 - £10	5%	88%
		Proportion 1%	39%			
	£12 - £14	Number 131		£10 - £12	3%	91%
		Proportion 1%	40%			
	£14 - £16	Number 66		£12 - £14	3%	94%
		Proportion 0%	40%			
	£16 - £18	Number 45		£14 - £16	2%	96%
		Proportion 0%	40%			
	£18 - £20	Number 71		£16 - £18	1%	97%
		Proportion 0%	41%			
	£20 - £22	Number 31		£18 - £20	2%	99%
		Proportion 0%	41%			
	£22 - £24	Number 16		£20 - £22	0%	99%
		Proportion 0%	41%			
	£24 - £26	Number 14		£22 - £24	0%	99%
		Proportion 0%	41%			
	£26 - £28	Number 10		£24 - £26	0%	99%
		Proportion 0%	41%			
	£28 - £30	Number 7		£26 - £28	0%	100%
		Proportion 0%	41%			
	£30 +	Number 6		£28 - £30	0%	100%
		Proportion 0%	41%			
Award Decrease	No change	Number 4543		£30 +	0%	100%
		Proportion 27%	27%			
	Up to £2	Number 990				
		Proportion 6%	6%			
	£2 - £4	Number 589				
		Proportion 4%	9%			
	£4 - £6	Number 523				
		Proportion 3%	13%			
	£6 - £8	Number 1063				
		Proportion 6%	19%			
	£8 - £10	Number 595				
		Proportion 4%	23%			
	£10 - £12	Number 373				
		Proportion 2%	25%			
	£12 - £14	Number 408				
		Proportion 2%	27%			
	£14 - £16	Number 237				
		Proportion 1%	29%			
	£16 - £18	Number 59				
		Proportion 0%	29%			
	£18 - £20	Number 282				
		Proportion 2%	31%			
	£20 - £22	Number 43				
		Proportion 0%	31%			
	£22 - £24	Number 12				
		Proportion 0%	31%			
	£24 - £26	Number 15				
		Proportion 0%	31%			
	£26 - £28	Number 16				
		Proportion 0%	31%			
	£28 - £30	Number 1				
		Proportion 0%	31%			
	£30 +	Number 34				
		Proportion 0%	31%			

			29.91%	19.32%	6.45%	9.08%	35.17%	0.07%
Overall caseload:			16645	2095	1353	452	636	2463
		Whole	Black	Asian	Mixed Bac	Arab	White	Other
	No change	Number	4543	475	320	120	109	693
		Proportion	27%	23%	24%	27%	17%	28%
	Up to £2	Number	445	56	43	22	23	63
		Proportion	3%	3%	3%	5%	4%	3%
	£2 - £4	Number	2089	358	128	51	61	358
		Proportion	13%	17%	9%	11%	10%	15%
	£4 - £6	Number	2768	393	200	90	121	439
		Proportion	17%	19%	15%	20%	19%	18%
	£6 - £8	Number	690	75	77	23	38	99
		Proportion	4%	4%	6%	5%	6%	4%
	£8 - £10	Number	287	31	28	6	10	40
		Proportion	2%	1%	2%	1%	2%	2%
	£10 - £12	Number	186	22	25	3	6	29
		Proportion	1%	1%	2%	1%	1%	1%
	£12 - £14	Number	131	12	9	5	5	24
		Proportion	1%	1%	1%	1%	1%	1%
	£14 - £16	Number	66	10	5	2	3	7
		Proportion	0%	0%	0%	0%	0%	0%
	£16 - £18	Number	45	6	2	0	4	5
		Proportion	0%	0%	0%	0%	1%	0%
	£18 - £20	Number	71	8	5	2	5	10
		Proportion	0%	0%	0%	0%	1%	0%
	£20 - £22	Number	31	3	3	0	1	7
		Proportion	0%	0%	0%	0%	0%	0%
	£22 - £24	Number	16	2	2	0	1	6
		Proportion	0%	0%	0%	0%	0%	0%
	£24 - £26	Number	14	0	3	0	0	3
		Proportion	0%	0%	0%	0%	0%	0%
	£26 - £28	Number	10	0	1	0	0	1
		Proportion	0%	0%	0%	0%	0%	0%
	£28 - £30	Number	7	0	2	0	1	1
		Proportion	0%	0%	0%	0%	0%	0%
	£30 +	Number	6	2	0	0	1	0
		Proportion	0%	0%	0%	0%	0%	0%
	Up to £2	Number	990	127	83	26	32	162
		Proportion	6%	6%	6%	6%	5%	7%
	£2 - £4	Number	589	62	51	11	28	80
		Proportion	4%	3%	4%	2%	4%	3%
	£4 - £6	Number	523	79	55	16	14	69
		Proportion	3%	4%	4%	4%	2%	3%
	£6 - £8	Number	1063	164	81	24	43	125
		Proportion	6%	8%	6%	5%	7%	5%
	£8 - £10	Number	595	64	66	19	39	53
		Proportion	4%	3%	5%	4%	6%	2%
	£10 - £12	Number	373	44	36	14	24	59
		Proportion	2%	2%	3%	3%	4%	2%
	£12 - £14	Number	408	30	53	7	37	47
		Proportion	2%	1%	4%	2%	6%	2%
	£14 - £16	Number	237	25	26	1	15	27
		Proportion	1%	1%	2%	0%	2%	1%
	£16 - £18	Number	59	7	4	3	3	11
		Proportion	0%	0%	0%	1%	0%	0%
	£18 - £20	Number	282	28	32	6	9	30
		Proportion	2%	1%	2%	1%	1%	1%
	£20 - £22	Number	43	4	3	0	2	7
		Proportion	0%	0%	0%	0%	0%	0%
	£22 - £24	Number	12	2	1	0	0	2
		Proportion	0%	0%	0%	0%	0%	0%
	£24 - £26	Number	15	2	1	0	1	3
		Proportion	0%	0%	0%	0%	0%	0%
	£26 - £28	Number	16	1	5	0	0	1
		Proportion	0%	0%	0%	0%	0%	0%
	£28 - £30	Number	1	0	0	0	0	0
		Proportion	0%	0%	0%	0%	0%	0%
	£30 +	Number	34	3	3	1	0	2
		Proportion	0%	0%	0%	0%	0%	0%

Known:

7004

ANNEX C

Overall caseload:		2582	4322	472	767	160	4343	346	3481	
		Single Women (no dep/no ND)	Single Men (no dep/no ND)	Couples (no DP/no ND)	Single Women (with ND only)	Single Men (with ND only)	Single Women (with dep)	Single Men (with dep)	Couples (with dep)	
Award Increase	No change	Number	1002	1801	250	0	0	747	60	683
		Proportion	39%	42%	53%	0%	0%	17%	17%	20%
	Up to £2	Number	38	91	1	44	13	118	4	131
		Proportion	1%	2%	0%	6%	8%	3%	1%	4%
	£2 - £4	Number	354	992	9	85	24	422	38	155
		Proportion	14%	23%	2%	11%	15%	10%	11%	4%
	£4 - £6	Number	452	707	65	59	11	1064	99	309
		Proportion	18%	16%	14%	8%	7%	24%	29%	9%
	£6 - £8	Number	86	149	21	55	18	141	5	210
		Proportion	3%	3%	4%	7%	11%	3%	1%	6%
	£8 - £10	Number	28	36	4	33	2	132	6	43
		Proportion	1%	1%	1%	4%	1%	3%	2%	1%
	£10 - £12	Number	15	34	5	7	2	76	3	42
		Proportion	1%	1%	1%	1%	1%	2%	1%	1%
	£12 - £14	Number	19	13	3	7	0	64	2	22
		Proportion	1%	0%	1%	1%	0%	1%	1%	1%
	£14 - £16	Number	6	13	3	0	1	25	2	16
		Proportion	0%	0%	1%	0%	1%	1%	1%	0%
	£16 - £18	Number	11	4	2	3	0	17	0	8
		Proportion	0%	0%	0%	0%	0%	0%	0%	0%
	£18 - £20	Number	11	3	2	2	2	24	2	25
		Proportion	0%	0%	0%	0%	1%	1%	1%	1%
	£20 - £22	Number	5	2	1	7	2	6	0	8
		Proportion	0%	0%	0%	1%	1%	0%	0%	0%
	£22 - £24	Number	1	0	2	3	0	4	1	5
		Proportion	0%	0%	0%	0%	0%	0%	0%	0%
	£24 - £26	Number	0	0	5	0	0	1	1	7
		Proportion	0%	0%	1%	0%	0%	0%	0%	0%
	£26 - £28	Number	1	0	1	0	0	1	0	7
		Proportion	0%	0%	0%	0%	0%	0%	0%	0%
	£28 - £30	Number	0	0	1	1	0	0	0	5
		Proportion	0%	0%	0%	0%	0%	0%	0%	0%
	£30 +	Number	1	0	0	1	0	1	0	2
		Proportion	0%	0%	0%	0%	0%	0%	0%	0%
Award Decrease	Up to £2	Number	171	176	11	61	13	370	25	146
		Proportion	7%	4%	2%	8%	8%	9%	7%	4%
	£2 - £4	Number	22	24	11	152	42	102	9	189
		Proportion	1%	1%	2%	20%	26%	2%	3%	5%
	£4 - £6	Number	68	131	13	13	4	133	16	140
		Proportion	3%	3%	3%	2%	3%	3%	5%	4%
	£6 - £8	Number	221	114	20	50	4	417	37	185
		Proportion	9%	3%	4%	7%	3%	10%	11%	5%
	£8 - £10	Number	48	19	22	22	2	119	5	350
		Proportion	2%	0%	5%	3%	1%	3%	1%	10%
	£10 - £12	Number	17	9	8	6	0	166	16	151
		Proportion	1%	0%	2%	1%	0%	4%	5%	4%
	£12 - £14	Number	2	2	3	32	2	73	5	280
		Proportion	0%	0%	1%	4%	1%	2%	1%	8%
	£14 - £16	Number	2	0	2	5	4	42	6	169
		Proportion	0%	0%	0%	1%	3%	1%	2%	5%
	£16 - £18	Number	0	1	1	4	2	23	1	23
		Proportion	0%	0%	0%	1%	1%	1%	0%	1%
	£18 - £20	Number	1	0	5	89	10	34	2	115
		Proportion	0%	0%	1%	12%	6%	1%	1%	3%
	£20 - £22	Number	0	0	0	1	0	9	1	29
		Proportion	0%	0%	0%	0%	0%	0%	0%	1%
	£22 - £24	Number	0	1	0	1	0	5	0	5
		Proportion	0%	0%	0%	0%	0%	0%	0%	0%
	£24 - £26	Number	0	0	1	2	0	0	0	11
		Proportion	0%	0%	0%	0%	0%	0%	0%	0%
	£26 - £28	Number	0	0	0	6	0	3	0	2
		Proportion	0%	0%	0%	1%	0%	0%	0%	0%
	£28 - £30	Number	0	0	0	0	0	0	0	1
		Proportion	0%	0%	0%	0%	0%	0%	0%	0%
	£30 +	Number	0	0	0	16	2	4	0	7
		Proportion	0%	0%	0%	2%	1%	0%	0%	0%


(single men with dep - relatively low volumes so not statistically significant)

(single men with dep - relatively low volumes so not statistically significant)

Overall caseload:		468	2550	4723	5178	3726	
		18-25	26-35	36-45	46-55	56+	
	No change	Number	48	520	1094	1491	1390
Award Increase		Proportion	10%	20%	23%	29%	37%
	Up to £2	Number	2	68	146	153	76
		Proportion	0%	3%	3%	3%	2%
	£2 - £4	Number	94	323	588	635	449
		Proportion	20%	13%	12%	12%	12%
	£4 - £6	Number	162	612	794	714	486
		Proportion	35%	24%	17%	14%	13%
	£6 - £8	Number	8	98	205	246	133
		Proportion	2%	4%	4%	5%	4%
	£8 - £10	Number	10	48	100	84	45
		Proportion	2%	2%	2%	2%	1%
	£10 - £12	Number	13	25	67	58	23
		Proportion	3%	1%	1%	1%	1%
	£12 - £14	Number	7	26	35	43	20
		Proportion	1%	1%	1%	1%	1%
	£14 - £16	Number	4	9	26	17	10
		Proportion	1%	0%	1%	0%	0%
	£16 - £18	Number	2	8	13	13	9
		Proportion	0%	0%	0%	0%	0%
	£18 - £20	Number	1	13	21	24	12
		Proportion	0%	1%	0%	0%	0%
	£20 - £22	Number	1	6	8	8	8
		Proportion	0%	0%	0%	0%	0%
	£22 - £24	Number	0	0	8	6	2
		Proportion	0%	0%	0%	0%	0%
	£24 - £26	Number	0	1	4	3	6
		Proportion	0%	0%	0%	0%	0%
	£26 - £28	Number	0	4	2	3	1
		Proportion	0%	0%	0%	0%	0%
	£28 - £30	Number	0	0	1	4	2
		Proportion	0%	0%	0%	0%	0%
	£30 +	Number	0	2	0	1	3
		Proportion	0%	0%	0%	0%	0%
Award Decrease	Up to £2	Number	45	139	281	338	187
		Proportion	10%	5%	6%	7%	5%
	£2 - £4	Number	7	69	124	192	197
		Proportion	1%	3%	3%	4%	5%
	£4 - £6	Number	15	75	185	164	84
		Proportion	3%	3%	4%	3%	2%
	£6 - £8	Number	15	157	295	346	250
		Proportion	3%	6%	6%	7%	7%
	£8 - £10	Number	19	106	208	171	91
		Proportion	4%	4%	4%	3%	2%
	£10 - £12	Number	10	90	158	85	30
		Proportion	2%	4%	3%	2%	1%
	£12 - £14	Number	4	85	149	128	42
		Proportion	1%	3%	3%	2%	1%
	£14 - £16	Number	0	35	108	73	21
		Proportion	0%	1%	2%	1%	1%
	£16 - £18	Number	0	7	17	25	10
		Proportion	0%	0%	0%	0%	0%
	£18 - £20	Number	0	19	61	105	97
		Proportion	0%	1%	1%	2%	3%
	£20 - £22	Number	1	3	15	19	5
		Proportion	0%	0%	0%	0%	0%
	£22 - £24	Number	0	1	5	3	3
		Proportion	0%	0%	0%	0%	0%
	£24 - £26	Number	0	1	1	8	5
		Proportion	0%	0%	0%	0%	0%
	£26 - £28	Number	0	0	0	8	8
		Proportion	0%	0%	0%	0%	0%
	£28 - £30	Number	0	0	1	0	0
		Proportion	0%	0%	0%	0%	0%
	£30 +	Number	0	0	3	10	21
		Proportion	0%	0%	0%	0%	1%

		14816	1591	226	12
		No ND	1 ND	2 ND	3+ ND
	No change	Number	4543	0	0
Award Increase		Proportion	31%	0%	0%
	Up to £2	Number	340	94	9
		Proportion	2%	6%	4%
	£2 - £4	Number	1873	200	16
		Proportion	13%	13%	7%
	£4 - £6	Number	2647	112	8
		Proportion	18%	7%	4%
	£6 - £8	Number	579	110	1
		Proportion	4%	7%	0%
	£8 - £10	Number	211	62	13
		Proportion	1%	4%	6%
	£10 - £12	Number	155	26	5
		Proportion	1%	2%	2%
	£12 - £14	Number	109	22	0
		Proportion	1%	1%	0%
	£14 - £16	Number	55	10	1
		Proportion	0%	1%	0%
	£16 - £18	Number	39	6	0
		Proportion	0%	0%	0%
	£18 - £20	Number	66	4	1
		Proportion	0%	0%	0%
	£20 - £22	Number	17	14	0
		Proportion	0%	1%	0%
	£22 - £24	Number	10	5	1
		Proportion	0%	0%	0%
	£24 - £26	Number	13	1	0
		Proportion	0%	0%	0%
	£26 - £28	Number	10	0	0
		Proportion	0%	0%	0%
	£28 - £30	Number	6	1	0
		Proportion	0%	0%	0%
	£30 +	Number	3	3	0
		Proportion	0%	0%	0%
Award Decrease	Up to £2	Number	855	129	6
		Proportion	6%	8%	3%
	£2 - £4	Number	264	310	14
		Proportion	2%	19%	6%
	£4 - £6	Number	481	31	10
		Proportion	3%	2%	4%
	£6 - £8	Number	933	120	9
		Proportion	6%	8%	4%
	£8 - £10	Number	535	21	39
		Proportion	4%	1%	17%
	£10 - £12	Number	354	13	6
		Proportion	2%	1%	3%
	£12 - £14	Number	325	79	4
		Proportion	2%	5%	2%
	£14 - £16	Number	197	29	7
		Proportion	1%	2%	3%
	£16 - £18	Number	40	15	4
		Proportion	0%	1%	2%
	£18 - £20	Number	109	152	20
		Proportion	1%	10%	9%
	£20 - £22	Number	30	10	3
		Proportion	0%	1%	1%
	£22 - £24	Number	5	5	2
		Proportion	0%	0%	1%
	£24 - £26	Number	9	3	3
		Proportion	0%	0%	0%
	£26 - £28	Number	0	2	14
		Proportion	0%	0%	6%
	£28 - £30	Number	0	0	1
		Proportion	0%	0%	0%
	£30 +	Number	3	2	29
		Proportion	0%	0%	13%

			12298	4017	313	17	1303
			Not disabled- no DLA care/mob	In receipt of DLA (care) / PIP	CL in receipt of DLA Mobility	PT in receipt of DLA Mobility	In receipt of ESA (SC)
Award Increase	No change	Number	1837	2491	205	10	943
		Proportion	15%	62%	65%	59%	72%
	Up to £2	Number	435	10	0	0	5
		Proportion	4%	0%	0%	0%	0%
	£2 - £4	Number	2030	52	7	0	63
		Proportion	17%	1%	2%	0%	5%
	£4 - £6	Number	2727	37	4	0	20
		Proportion	22%	1%	1%	0%	2%
	£6 - £8	Number	642	46	2	0	21
		Proportion	5%	1%	1%	0%	2%
	£8 - £10	Number	267	19	1	0	7
		Proportion	2%	0%	0%	0%	1%
	£10 - £12	Number	169	14	3	0	6
		Proportion	1%	0%	1%	0%	0%
	£12 - £14	Number	118	12	1	0	7
		Proportion	1%	0%	0%	0%	1%
	£14 - £16	Number	57	8	1	0	4
		Proportion	0%	0%	0%	0%	0%
	£16 - £18	Number	42	3	0	0	0
		Proportion	0%	0%	0%	0%	0%
	£18 - £20	Number	63	5	2	1	4
		Proportion	1%	0%	1%	6%	0%
	£20 - £22	Number	27	4	0	0	2
		Proportion	0%	0%	0%	0%	0%
	£22 - £24	Number	14	2	0	0	0
		Proportion	0%	0%	0%	0%	0%
	£24 - £26	Number	12	2	0	0	0
		Proportion	0%	0%	0%	0%	0%
	£26 - £28	Number	9	1	0	0	0
		Proportion	0%	0%	0%	0%	0%
	£28 - £30	Number	7	0	0	0	0
		Proportion	0%	0%	0%	0%	0%
	£30 +	Number	5	0	0	1	0
		Proportion	0%	0%	0%	6%	0%
Award Decrease	Up to £2	Number	957	29	4	0	38
		Proportion	8%	1%	1%	0%	3%
	£2 - £4	Number	344	231	14	0	24
		Proportion	3%	6%	4%	0%	2%
	£4 - £6	Number	354	155	13	1	43
		Proportion	3%	4%	4%	6%	3%
	£6 - £8	Number	637	393	32	1	92
		Proportion	5%	10%	10%	6%	7%
	£8 - £10	Number	464	120	11	0	13
		Proportion	4%	3%	4%	0%	1%
	£10 - £12	Number	338	34	0	0	3
		Proportion	3%	1%	0%	0%	0%
	£12 - £14	Number	332	73	3	1	1
		Proportion	3%	2%	1%	6%	0%
	£14 - £16	Number	210	27	0	0	0
		Proportion	2%	1%	0%	0%	0%
	£16 - £18	Number	43	14	2	0	0
		Proportion	0%	0%	1%	0%	0%
	£18 - £20	Number	111	165	4	2	4
		Proportion	1%	4%	1%	12%	0%
	£20 - £22	Number	25	17	1	0	0
		Proportion	0%	0%	0%	0%	0%
	£22 - £24	Number	7	3	2	0	0
		Proportion	0%	0%	1%	0%	0%
	£24 - £26	Number	6	8	1	0	2
		Proportion	0%	0%	0%	0%	0%
	£26 - £28	Number	5	11	0	0	0
		Proportion	0%	0%	0%	0%	0%
	£28 - £30	Number	0	1	0	0	0
		Proportion	0%	0%	0%	0%	0%
	£30 +	Number	4	30	0	0	1
		Proportion	0%	1%	0%	0%	0%

 Brent	Full Council 25 th November 2019
	Report from the Strategic Director of Regeneration & Environment
Inclusive Growth Strategy 2019-2040	

Wards Affected:	All
Key or Non-Key Decision:	Key Decision
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:	3 Appendix 1 – IGS documents (can be viewed by clicking here) Appendix 2 – IGS Partners for Brent Appendix 3 – Equality Impact Assessment
Background Papers:	0
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Jonathan Kay, Senior Regeneration Manager 020 8937 2348 Jonathan.Kay@brent.gov.uk Alice Lester, Operational Director Regeneration, Growth & Employment 020 8937 6441 Alice.Lester@brent.gov.uk

1.0 Purpose of the Report

- 1.1 To present to Full Council the Inclusive Growth Strategy for endorsement and publication.

2.0 Recommendation(s)

- 2.1 To note the Inclusive Growth Strategy 2019-2040
- 2.2 To note that the Inclusive Growth Strategy research base, strategy documents and video will be presented to Cabinet for approval prior to publishing the strategy documents on the Council's website, and disseminating the same to key partners and stakeholders.

3.0 Detail

Inclusive Growth Strategy

- 3.1 The proposal for an Inclusive Growth Strategy to accompany forecast change, over the next 20 years, including significant population growth, demographic change and resource pressures, was first mooted in 2017, developed by officers over the past 2 years, and reported to PCG in April and October 2019.
- 3.2 Brent's Regeneration Strategy 2010-2030 was drawn up in 2009 and is in need of significant improvements. Since then, the Census 2011 identified a larger population in Brent, and much new growth projection data is now available. The London Plan has been revised twice, and the current Mayor of London has had a new London Plan examined, with adoption due Spring/Summer 2020. Brent has published its new Borough Plan 2019-23, and consulted on its new Local Plan, with examination due Spring/Summer 2020. Brent is the London Borough of Culture 2020. Much has changed and is expected to continue to change.
- 3.3 The Inclusive Growth Strategy (IGS) is a long term strategy that identifies choices available to meet the challenges and seize the opportunities of growth over the next 20 years. Broader in scope than a Regeneration Strategy, the IGS is supported by a detailed evidence base drawn up in-house by officers across all the council service areas, with early support provided by the LSE Cities programme. The IGS builds on the medium term Borough Plan and takes a longer term scan of the horizon of different futures. Headline growth trends and impacts considered in the IGS include:
- Brent's population projected to grow 17% and reach 400,000 people by 2040
 - Brent's population over 80 years old projected to double by 2040
 - Automation placing a third of jobs in Brent at higher risk
 - Employment growth in creative and circular economies
 - Rise of older workers driving demand for retraining and flexible employment
 - Increasing housing unaffordability, as house prices outstrip wage growth
 - Private renters increasing to be 40% of London's households by 2025
 - Growing water demand and widening deficit versus available water supply
 - Sewer capacity at critical levels by 2050 in north and west parts of Brent
 - Transformation of Brent's energy mix to reach zero carbon by 2050 – requiring fossil fuel use reduction of 80% and increased renewable energy use of 500%
 - Ageing population, obesity levels and increased risks for black and minority ethnic groups, driving even higher levels of diabetes in Brent's population

- Continued decline in traditional retail and greater high street diversification
- 3.4 Inclusive growth is proposed to be facilitated through evidence based actions, with an eye to wider societal changes: population and demographics, technology and lifestyle choices, and equality of opportunity and access to the benefits of growth. An annexed action plan details initiatives and actions, some of which are in train, some which can be considered in future years, to make the policy objectives and options happen.
- The IGS therefore provides an invaluable body of forward-looking research and evidence. High level applications include:
- Joining up thinking and promoting longer-term and pre-emptive planning around the challenges and opportunities that stem from growth
 - Reference document and evidence base for policy and decision makers to draw upon when reviewing and formulating policy across a number of areas
 - Action plan provides a menu of options and initiatives to complement policy development and council service area planning
 - Establishes framework and evidence base for data capture and long term projections and impact analysis, with potential for future updates
- 3.5 In April 2019, Members of the Cabinet reviewed the IGS and officers took on three main actions:
- 1) Review data sources and improve document design and presentation
 - 2) Produce an accessible synopsis to sit on top of the fuller documents
 - 3) Engage and consult with external partners
- 3.6 Subsequently an extensive review of all data references in the IGS Research Base was undertaken. One third of quantitative data sets were updated with newer data, and qualitative analysis subsequently updated to reflect the new data. The IGS Full Strategy document was then refreshed in light of the new data.
- 3.7 To make the IGS more accessible to people a synopsis and video were created. The 25-page IGS Synopsis compliments the longer and more detailed IGS Full Strategy and Research Base. All IGS documents are available for download via the link below, and recommended to be published on the Council's website:
- <https://www.dropbox.com/sh/3tje529702osdc5/AADATe90-ZhyY-CrCMH59g-Ga?dl=0>
- 3.8 A video production company was appointed to produce a short 5-minute video (with subtitles). The video provides a quick and easy to understand snapshot of the IGS for partners, businesses and residents of the borough, and is available to view via the link below.
- <https://youtu.be/13vCXlqkzfl>
- 3.9 The IGS was presented to Partners for Brent on 10th October 2019. The event

was well attended and workshops held on Housing and Infrastructure, in response to partner requests to hold sessions on those specific themes. Discussion and feedback received from partners was captured at the session, and the IGS documents reviewed in light of that feedback. A copy of the Partners for Brent attendance list, presentation slide pack, notes recorded at the event, feedback analysis and subsequent amendments made to the IGS documents is appended to this report, as is feedback from Brent's Senior Managers Group, 7th October 2019 (Appendix 2).

- 3.10 The IGS documents were sent to all partners post the event and feedback requested. Follow ups for detailed feedback from the West London Alliance, Environment Agency and Crisis were made after offers for such by those organisations at the event. No additional feedback has been received to date.

4.0 Financial Implications

- 4.1 Costs of development of the Inclusive Growth Strategy (IGS) have been met from within existing budgets.

5.0 Legal Implications

- 5.1 Legal have reviewed the Annexed Action Plan and identified areas that if fully implemented may be expected to require Strategic Environmental Assessment as part of the statutory planning process under the Local Plan.

6.0 Equality Implications

- 6.1 An Equality Impact Assessment is attached at Appendix 3.
- 6.2 The IGS is viewed as having the potential to advance equality of opportunity, with the potential of positive impacts for people with the following protected characteristics: Age, Sex, Race, Disability, Pregnancy and Maternity.

7.0 Consultation with Ward Members and Stakeholders

- 7.1 The IGS was considered by Members of the Cabinet on 11th April 2019 and 24th October 2019. The IGS was presented at Partners for Brent 10th October 2019, with a wide range of partners in attendance, and discussion at the event used to develop the IGS (see Appendix 2). The Lead Member for Regeneration, Property & Planning has been regularly briefed throughout the development of the IGS.

8.0 Human Resources/Property Implications

- 8.1 Regeneration has project managed production of the IGS in consultation with service areas across the Council.

Report sign off:

AMAR DAVE

Strategic Director of Regeneration & Environment.

Appendix 2 – IGS Partners for Brent

Name	Organisation	Attended
Cllr Butt	LBB	Y
Cllr Tatler	LBB	Y
Carolyn Downs	LBB	Y
Amar Dave	LBB	Y
Alice Lester	LBB	Y
Hakeem Osinaike	LBB	Y
Chris Whyte	LBB	Y
David Gooch	Network Homes	Y
Mark Davidson	London Fire	Y
Jacqueline Carr	Citizens Advice Brent	Y
Adio Garbadeen	Citizens Advice Brent	Y
Matt Pearce	Environment Agency	Y
Andrew Reidy	Veolia	Y
Luke Ward	WLA	Y
Atara Fridler	Crisis	Y
Angus Dodd	Quintain	Y
Alison Bradshaw	TfL	Y
Ami Ibitson	TfL	Y
Fred Raphael	TfL	Y
Rachel Ormerod	WLA	Y
Andrew Barry-Purssell	WLA	N
Agnieszka Gabriel	Brent Business Board/The Polish Bakery	Y
Stephen Davis	United Colleges Group	Y

PARTNERS FOR BRENT INCLUSIVE GROWTH STRATEGY

10th October 2019



Agenda		
Welcome	Cllr Muhammed Butt, Leader of Brent Council	5 mins
Video	Cllr Shama Tatler, Lead Member Regeneration, Property & Planning	5 mins
Overview	Amar Dave, Strategic Director Regeneration & Environment	10 mins
Workshop Roundtable 1	Housing – Hakeem Osinaike, Operational Director Housing & Atara Fridler, Director Crisis Skylight Brent Infrastructure – Alice Lester, Operational Director Regeneration & Luke Ward, Head of Growth, West London Alliance	30 mins
Break		10 mins
Workshop Roundtable 1	Housing – Hakeem Osinaike, Operational Director Housing & Atara Fridler, Director Crisis Skylight Brent Infrastructure – Alice Lester, Operational Director Regeneration & Luke Ward, Head of Growth, West London Alliance	30 mins
Feedback		10 mins
Trends Quiz		10 mins
Towards 2040	Carolyn Downs, Chief Executive, Brent Council	5 mins

INCLUSIVE GROWTH STRATEGY 2019-2040

Purpose of Today's Session

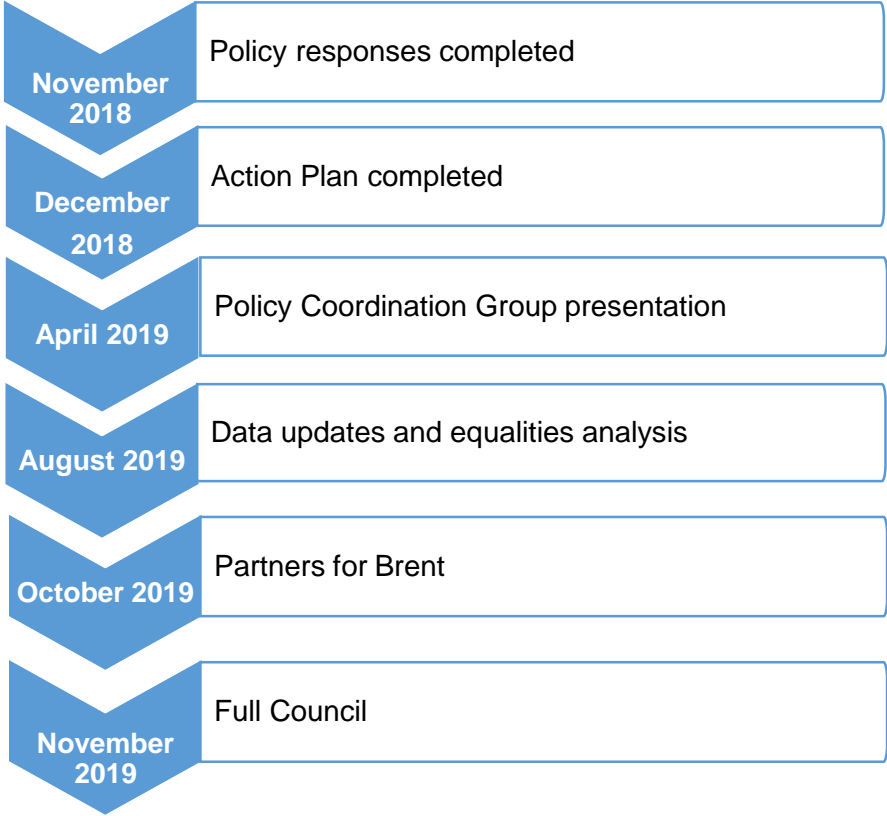
- **Provide an overview of the Inclusive Growth Strategy**
- **Discuss key growth trends in Housing and Infrastructure to 2040 and potential impacts on businesses and residents**
- **Consider responses to change, and how we can work in partnership we can work together to achieve more**

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What is Brent's Inclusive Growth Strategy (IGS)?

- Long term strategy 2019-2040
- Aim is to ensure growth is inclusive: everyone can share in the benefits
- **Evidenced based methodology 1) Baseline 2) Trends 3) Policy Responses**
- Developed corporately across themes that affect everyone's life
- Reference document and evidence base for policy and decision makers
- Annexed Action plan only deliverable in partnership with stakeholders

IGS Development



7 IGS Themes



Culture



Economy



Education and Skills



Environment



Health



Housing



Infrastructure

7 IGS Theme Leads

Housing

Infrastructure

Culture

Economy

Education & Skills

Environment

Health

Hakeem Osinaike

Alice Lester

Phil Porter

Aktar Choudhury

Brian Grady

Chris Whyte

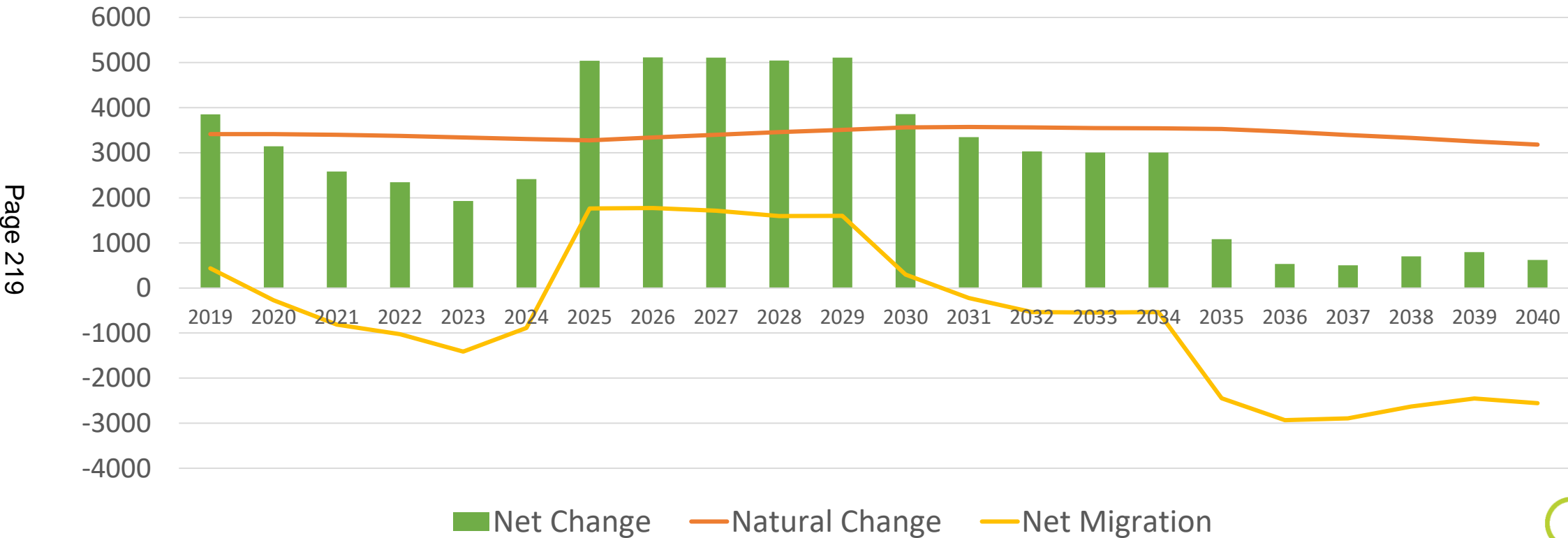
Melanie Smith



KEY GROWTH TRENDS

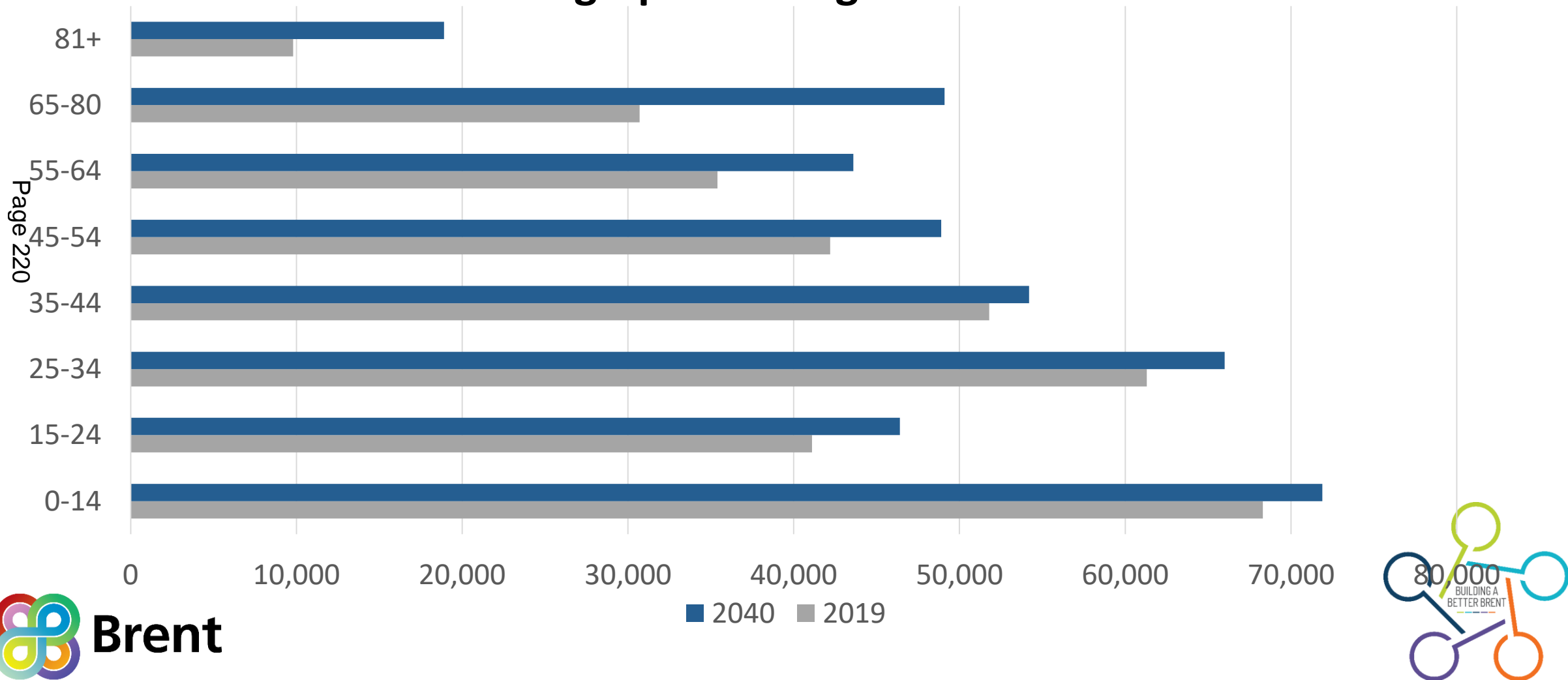
Brent's population to increase 20% to 400,000 by 2040

Drivers of Population Change 2019-2040



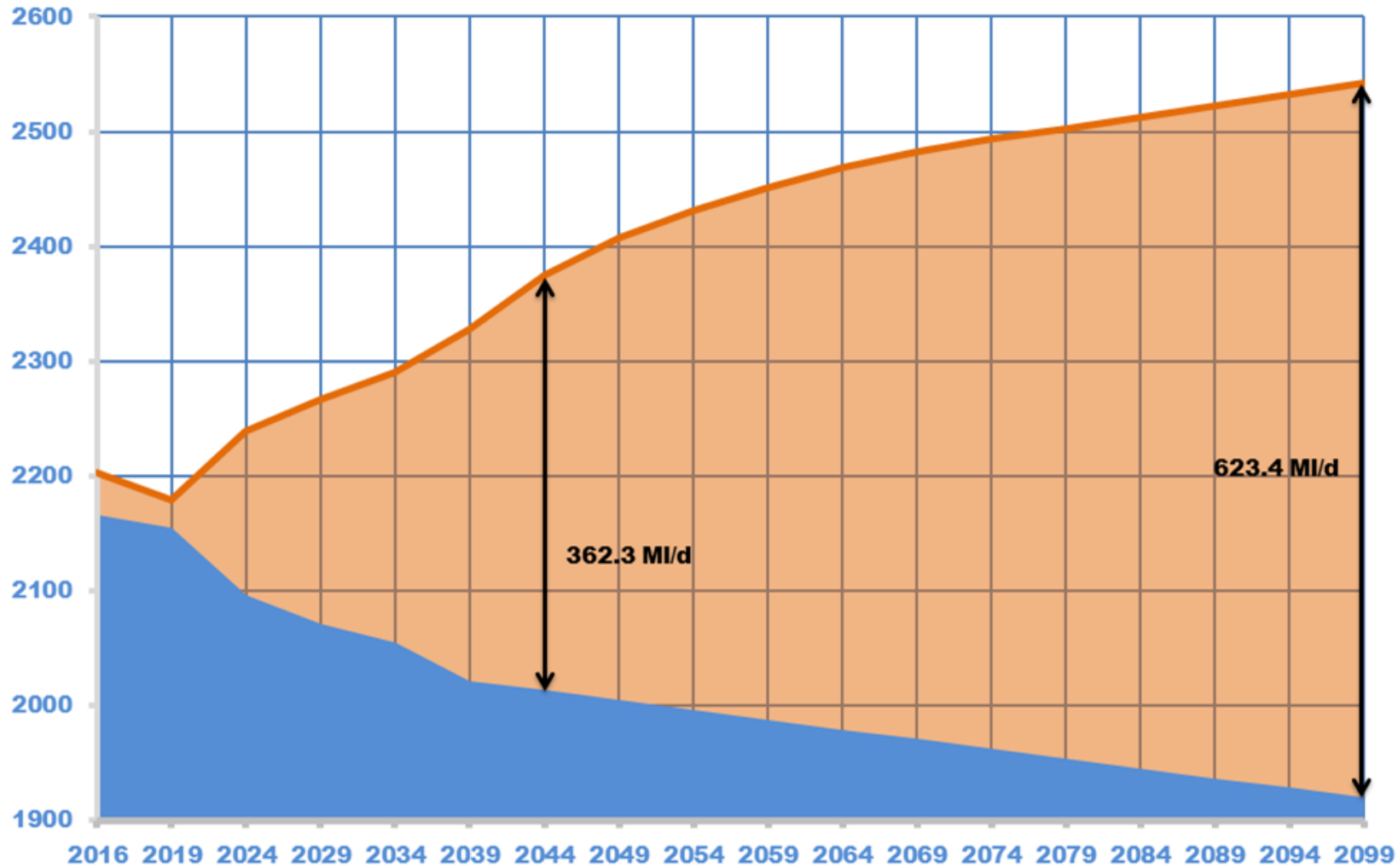
Ageing population – 81+ population set to double by 2040

Demographic Change 2019-2040



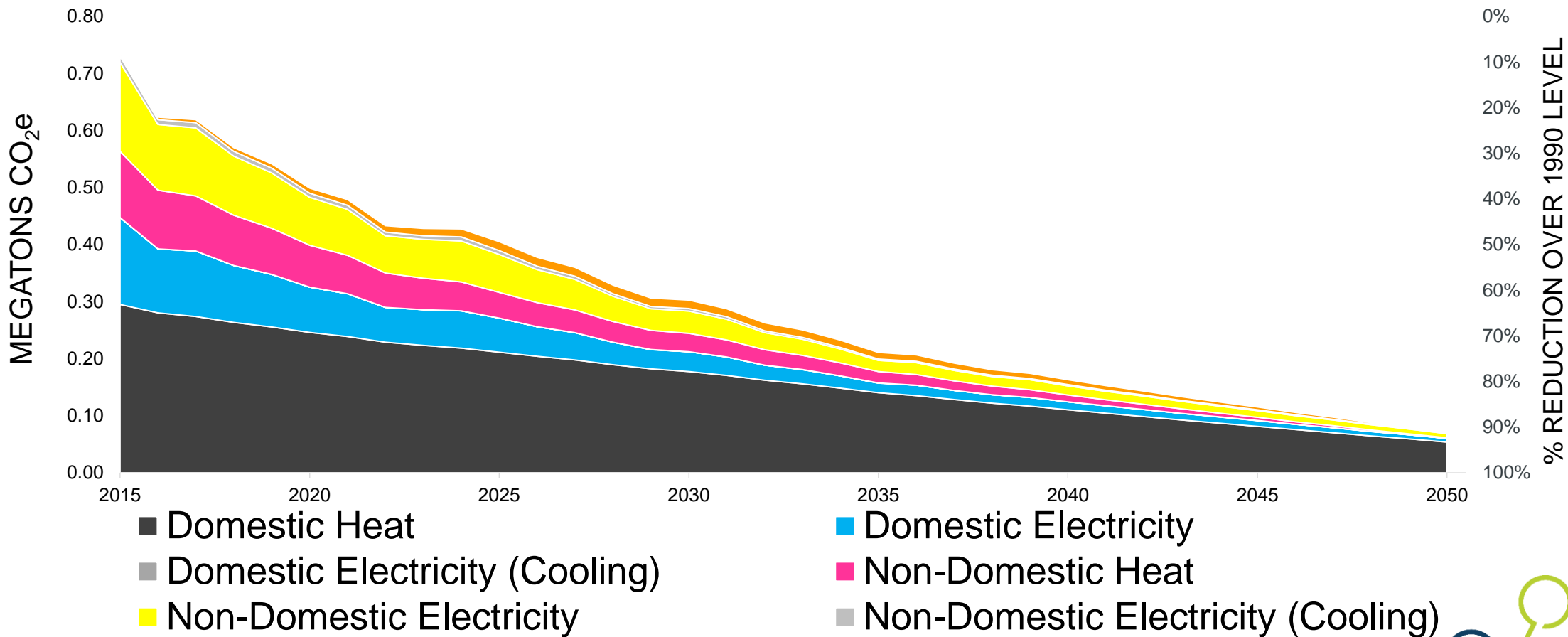
Water Deficit Projection to 2099

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Carbon Reduction Projection to 2050

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Workshop Roundtables

30 minute roundtables

Facilitators:

- **Hakeem Osinaike & Atara Fridler**
 - **Alice Lester & Luke Ward**
- **Housing**
 - **Infrastructure**

FEEDBACK

PARTNERS FOR BRENT – HOUSING FEEDBACK	OFFICER RESPONSE	IGS AMENDMENT
Bigger presence in IGS for Council Homebuilding scheme	<p>The IGS identifies Council-led housing delivery as a direct Policy Response to an undersupplied local housing market, with a proposed objective to identify and acquire land for 5,000 new Council homes by 2025 (Full Strategy p.56) and a detailed set of actions is set out to realise greater Council-led housing delivery (Full Strategy p.91).</p> <p>Council-led housing delivery is in the list of 4 headline responses in the IGS Synopsis (p.11).</p>	<p>Council led Housing Delivery to be moved to top of list of 4 headline responses in IGS Synopsis.</p> <p>Expand on Council Housing building and Estate Regeneration in the IGS Research Base.</p>
No reference in IGS to community led development	The IGS recognises resident self-build as a means to encourage diversification of the housebuilding industry (Full Strategy p.56 and Research Base p.168).	No amendment
Homelessness Reduction Act introduced which places added responsibility to the Local Authority	<p>The IGS notes the importance of the Homelessness Reduction Act 2017 and the London Borough of Southwark pilot of new approaches to tackling homelessness (Research Base p.169).</p> <p>The IGS proposes Brent Council continue to take action to substantially reduce the number of households in Temporary Accommodation and tackle the problem of homelessness, with a series of stretching targets (Full Strategy p.55-6) backed by actions (p.90-1).</p>	No amendment
Brexit – uncertainty of government, of Brexit, impacts the housing market	The IGS identifies Brexit – and the uncertainty surrounding it – as a key issue for Brent. Brexit is a top trend in the Full Strategy and Synopsis. The Research Base analyses potential impacts on Brent and London’s economy, including in relation to Brent’s higher population of EU workers, falls in house prices and employment in the construction market (Research Base p.35-38, 128).	No amendment
Cost of living has not changed since 1970s according to some analysis – housing has gone up but the cost of amenities, food, etc. has gone down. How does this impact on the analysis?	The IGS highlights the stark difference in the growth between wages and housing costs. (Research Base 152-7 and Full Strategy p.15). Whether wages have outstripped inflation for other goods and services does not change the fact that it is increasingly difficult for people to either buy their own homes or access decent quality rented accommodation in London, that this trend is projected to continue, and that the number of homeless households are projected to significantly increase London.	No amendment
Check the increase of house prices comparatively across Brent (is there a disparity between south of the borough and north of the borough?)	<p>The IGS includes information about the difference in price of renting in different wards (Research Base p.144) and the difference in housing density across the wards (Research Base p.171).</p> <p>Further research indicates disparity in historical house price growth between the wards, with a 63% difference between the highest and the lowest average property price increase from 2009 to 2019. There is no noticeable distinction between the north and the south of the borough.</p>	Add analysis into the Research Base showing historical house price growth across wards.
Knock on effect for private renters when they reach retirement age; not an issue in Europe but there are rent controls and longer tenancies which support renters.	<p>This IGS recognises the potential risks of increased dependence on the private rented sector and an ageing population, including the projected rise of the proportion of pension income spent on housing rental payments, and explicitly states that greater access to affordable homes, routes into homes ownership, and mobility between tenures, is required to counterbalance these risks (Research Base p165-6)</p> <p>The Full Strategy policy and action plan is to diversify housing supply including new pathways into home ownership, and sets out initiatives to encourage home ownership through rent to buy, intermediate, and Naked House products (Full Strategy p.55, 90)</p> <p>Specialist housing provision including NAIL and intergenerational schemes to support older people’s housing and care needs is also a recognised priority. (Full Strategy p.57-8, 93-4).</p>	No amendment
Local authority must consider implications of the Hackitt Review; including increased fire safety moving forward, changes to building regulations, and implications on landlords and builders.	The Local Authority is actively considering the implications of the Hackitt Review, including on fire safety and housing http://democracy.brent.gov.uk/mgConvert2PDF.aspx?ID=85836 and building regulations and controls, and will continue to do so moving forward.	No amendment
More should be done to make residents feel able to report – the website is only one place, could reporting be anonymised? Can housing report back to tenants about rogue landlords? There is a currently a gap between reporting and enforcement.	<p>The IGS recognises the importance of the Private Rented Sector (PRS), variability in the quality of accommodation, and the Council’s introduction of additional and selective licensing in the borough in order to drive up standards in the PRS (Research Base p142-5).</p> <p>IGS policy and actions focus on building relationships with landlords in the borough, expanding and developing licensing schemes, improving information and data sharing, and increasing inspections and enforcement (Full Strategy p.59-60, 95-6)</p>	No amendment
Communities can develop buy in (as has happened in South Kilburn)	<p>The IGS recognises the importance of Brent’s diverse communities throughout. The IGS is underpinned by the principle that growth should be inclusive, benefit all, and reduce inequality (Synopsis p.2, Full Strategy p.2) and promotes the principle of community wealth building to strengthen the local economy (Synopsis p.4, Full Strategy p.18).</p> <p>More specific initiatives for estate regeneration include new technologies for more effective consultation and to encourage greater resident and community involvement moving forward, such as Apps and Virtual Reality (Full Strategy p.96-7).</p>	Expand on Council Housing building and Estate Regeneration in the IGS Research Base.
Utilise communities to support solutions i.e. so there is less contention over council housing	As above	As above
Setting up an independent advisory/organisation to support small builders through the procurement process. Independent advisory/organisation could be funded by the builders (a set fee of the procurement) and be self-sustaining	The IGS recognises the important part that smaller builders have to play in the diversification of development and to enable a step change in housebuilding delivery. Support and guidance for smaller builders to navigate procurement process and contracts is explicitly proposed under the IGS, as is the allocation of a proportion of small sites to smaller builders (Research Base p.142, 167, Full Strategy p.57, 92).	No amendment.
Ageing population will increase demand for smaller 1 bedroom homes. Focus should be placed on encouraging older under-occupiers to downsize into new accommodation to free up existing family housing, rather than building more new family homes.	<p>The IGS identifies Brent’s population will age significantly moving towards 2040, with the number of people aged over 80 years doubling from what it is today (Synopsis p.5).</p> <p>The IGS outlines Brent’s existing programme to support the reduction of residential care placements in favour of independent living (Research Base p.141). The IGS promotes specialist housing provision that will support an ageing population, with more inter and multi-generational options, and better incorporation of the requirements of an ageing population into public realm design (Full Strategy p.65).</p> <p>Brent does have an issue with overcrowding particularly within the private rented sector and evidence suggests the need for larger 3-bedroom market and affordable housing (Research Base p.138, 148). The IGS uses the Brent Strategic Housing Market Assessment as evidence of demand for housing and identifies the worsening supply and demand imbalance (Full Strategy p.34). The IGS proposes to increase supply of homes in the borough, including larger family homes to satisfy demand however also includes policy that could increase incentives for conversions or extensions (Full Strategy p.106).</p>	No amendment
LHA is not accepted by a lot of private landlords which is an issue for Brent.	The IGS highlights that landlords would prefer not to let to LHA claimants’ (Research Base p.154). The IGS proposes to reduce barriers for LHA claimants through building relationships with landlords in the PRS to improve awareness of welfare policy and reform (Research Base p.170; Full Strategy p. 67; Synopsis p.14) as well as develop options for insurance alternatives (Full Strategy p.105).	No amendment

PARTNERS FOR BRENT – INFRASTRUCTURE FEEDBACK	OFFICER RESPONSE	IGS AMENDMENTS
Building carbon neutrally is a difficult challenge particularly in London where we must build at higher densities	<p>The IGS highlights the construction industry as a large contributor to poor air quality in the borough and generator of half of the waste generated in the borough. (Research Base p.259, 277-9).</p> <p>The IGS policy response is to work with partners to reduce pollution and promote the circular economy (Full Strategy p.55) with actions to reduce construction waste and improve construction practices and technologies, including offsite manufacture (Full Strategy p.119). Equally important will be to ensure good environmental performance, renewable energy use and energy efficiency in both existing and new buildings (Full Strategy p.122).</p>	No amendment
20% of current recycling is contaminated and potentially being redirected to landfill	The IGS reviews the recycling levels in London, West London and in Brent (Research Base p.278-9, 291). Whilst recycling rates have generally improved, the IGS recommends reviewing waste collection facilities, frequencies and policies; and proposes improving alignment of policies and adoption of consistent standards across waste authorities, to improve recycling rates and reduce waste (Full Strategy p.121).	No amendment
Thames Water does not have a strong relationship with partners, including the Council.	The IGS recognises the growing demand for water and the important role the Thames Water Corporation plays as the main authority in charge of public water supply and waste water treatment in London (Research Base p.206-11). The IGS specifically recommends closer Council working with Thames Water to both better understand local water demand and consumption patterns and save water (Full Strategy p.69, 111; Synopsis p.15-6).	No amendment
Accessibility means people need to drive. Lack of public transport connectivity make cars the only option in some areas.	The IGS highlights the importance of increasing accessibility to public transport and encouraging more active modes of transport if car dependency is to be reduced. (Research Base p.172, 188-98, 215-25, 227-9, 262-6, 292-3). To facilitate a modal shift away from car use (with exceptions, including disabled and older people) the IGS recognises the need to increase safety and accessibility to public transport and active travel, including the Healthy Streets agenda, and sets out a series of priorities and initiatives to realise this objective (ISG Full Strategy p.74, 78, 109-111, 118; Synopsis p.15-6)	Reference the importance of the West London Orbital Railway and better links to HS2, Crossrail and Thameslink Networks in the IGS Synopsis.
Water infrastructure is crumbling and existing water pressure is low	As above, the IGS recognises the growing demand for water and need for closer working with Thames Water as the main authority in charge of water infrastructure in London.	No amendment
Biodegradable could be the new organic.	As above, the IGS plans for reducing waste and improving recycling rates – including the need to contribute to the Mayor’s Environmental Strategy target that no biodegradable or recyclable waste be sent to landfill by 2026. The IGS also targets promotion of responsible plastic use in the borough, including reduced plastic use in Council-owned buildings and operations (p.121)	Add Council exploration of use of biodegradable alternatives to plastic in IGS Full Strategy Action Plan EN3.5.
Anchor institutions could demonstrate how things could work and look at how they could scale up	The IGS highlights the leadership role the Council and other key organisations should take in innovation and the piloting and early adoption of new infrastructure technologies (Full Strategy p.108, 113-4, 116; Synopsis p.16).	No amendment
Create a consistent message across partners, including at a West London sub-regional level, and make people more aware about infrastructure.	As above, the IGS recognises the important leadership and influencing role the Council and other key organisations, including at a West London sub-regional level. (Full Strategy p.113, 118).	No amendment
Central government will have more policy to ensure that there is more regulation to mandate change, such as previously with seat belts and the smoking ban. Local authorities can legislate using byelaws.	The IGS highlights a number of ways the Local Authority could use its powers to encourage and deliver change through using business rates relief, licensing, building control, planning powers, fines and byelaws (Full Strategy p.85, 98, 104, 105, 111, 119, 133-134, 141).	No amendment

Partners for Brent – Notes – 10/10/2019

Partners for Brent – Housing

Omissions

- Bigger presence for Council Homebuilding scheme
- Community led development
- Homelessness Reduction Act introduced which places added responsibilities for the Local Authority
- Brexit – uncertainty of government, of Brexit, of housing market
- Cost of living has not changed since 1970s according to some analysis – housing has gone up but the cost of amenities, food, etc. has actually gone down. How does this impact on the analysis?

Trends

Older population

- Building larger homes in Brent but is that short term when in 20 years there is a significant increase in older people (more likely to need 1 bed homes)
- NAIL is building lifetime homes – would want to create cyclical process where under occupiers move into NAIL and then these homes become available for families

Increasing Unaffordability

- Most pressing issue which is causing homelessness; many Private Rented Accommodation is unaffordable to most residents
- Major reason for eviction is PRS but that stems from affordability
- Affordability for Brent is much lower than other boroughs
- Check the increase of prices comparatively across Brent (is there a disparity between south of the borough and north of the borough)
- Help to Buy schemes are aiding developers but not necessarily supporting the housing market
- LHA is not accepted by a lot of private landlords which is an issue for Brent

Private Rented Sector

- Wembley Park has been removed from selected licencing scheme in Brent but to be included in the additional licencing scheme. Licencing schemes have to be approved by the Secretary of State even though Local Authorities may be better placed to authorise and implement.
- Lessons learnt from rented accommodation in Willesden High Road; even though Wembley Park is currently owned by one organisation, moving forward it may be increasingly private landlords (even though there are agreements to avoid this for a set period of time).
- Knock on effect for private renters when they reach retirement age; not an issue in Europe but there are rent controls and longer tenancies which support renters

Responses

Regulation

- LA must consider the implications of the Hackett Review; there will be more fire safety moving forward (as well as other build regulations, landlords and builders)
- It is likely/may go back to a time when the Local Authority have to sign off building works rather than someone independent

Landlords

- Brent does enforcement well; more to be done about educating residents and finding out where the rogue landlords are.
- There is an issue around residents feeling unable to report as they are concerned causing a fuss will risk eviction.
- More could be done to make residents feel able to report – the website is only one place, could reporting be anonymised? Can housing report back to tenants about rogue landlords? There is a currently a gap between reporting and enforcement.
- Could the licencing scheme be incentivised – more money made by rogue landlords

Build to Rent

- Encourage larger build to rent
- BTR is small in the UK

Policy & Leadership

- Important to do more around policy and leadership; lobbying for legislation change – particularly on changing the secretary of state position on approving licencing schemes

Voluntary Sector/Community Groups

- Collaborate with the voluntary sector
- Communities can develop buy in (as has happened in SK)
- Utilise communities to support solutions i.e. so there is less contention over council housing

Small Builders

- Develop economy through small builders but small builders are unable to navigate the procurement route
- Setting up an independent advisory/organisation to support small builders through the procurement process. Independent advisory/organisation could be funded by the builders (a set fee of the procurement) and be self-sustaining
- Small builders would also need support in navigating the planning system – could the planning department support this?
- Allocations of land to small builders, dividing the parcels to be able to be handled by Small-medium sized builders i.e. could it be 10%. TfL currently have a small sites/small builders programme.
- Traditionally Housing Associations would be infill sites but times have moved along to larger sites

Partners for Brent – Notes – 10/10/2019

Partners for Brent – Infrastructure

Omissions

- It is extremely difficult to build carbon neutrally. There is a recent example of a building which was built carbon neutral but this was low rise and outside of London, both of which helped support the carbon neutral initiative. In London it is much more difficult because we need high rise to meet demand.
- Future of Recycling; Companies demanding higher quality an increasing the quality threshold month on month. 20% of current recycling is contaminated and therefore potentially being redirected to landfill. More national legislation is needed. People's behaviour when it comes to recycling needs to change. Including less use of materials in the first place. Within Park Royal food manufacturers are looking into packaging that is compostable but it's not available yet.
- Thames Water didn't have a strong relationship with partners. Council doesn't have a relationship with not really other than in planning where they have a statutory consultation with them but they are reluctant and there's a lack of engagement. TFL has no strategic relationship other permitting for road work but other than that not much. Environment agency don't have good partnership. Fire- no strategic relationship, just when they need them. **Action:** Getting Thames Water to the table.
- Young people aren't learning to drive.

Trends

Need for A Modal Shift

- A lot of driving in the borough; suburban issue and generational divide.
- Costs are a barrier to choice for many people because they are so expensive to run.
- Accessibility means people need to drive. For example, Northwick park hospital the nearest tube station is not accessible – so people have to drive. Public transport not cutting across to areas close – buses – takes an hour to get to Ealing. Make cars the only option.
- Bike safety is an important issue.
- Public transport - if there nearest bus and transport is too far to walk people drive. It's very difficult to changes bus routes.
- Radical change requires money and infrastructure. Manchester installed a temporary bike lane creating the option makes people more open and it became permanent.
- Wembley is more accessible by public transport than other areas.
- When the fuel strikes happened and there were less cars and more people cycled.

Growing Water Demand

- People's behaviour around water is not changing because it doesn't impact people directly, yet.
- If leaks are fixed, then trees don't get enough water.
- Fire can't trust the existing water pressure to they are working out ways to transport their own water – crumbling system.
- The water stat really shocked the group interested in why is our water consumption so high.
- Separating water charges from rent has happened in council properties. Motivation was to increase water charges.
- Water Meters are a Council requirement for new builds.
- Less rain in London than in Florence.
- Thames Water turn the pressure down at 2 am across London, infrastructure can't take that. This is a response – to lack of capacity. They need to find solutions by writing plans for supply.

Increase Demand for Sustainable Energy

- Building Industry; The historical building regulations hadn't considered environmental concerns.
- Need to support from partnerships and working together. It's hard to retrofit older buildings. New build is only 1% of homes.
- Behaviour changes for waste. Less use will create less waste with more options choosing available to change things. Providing education biodegradable could be the new organic.

Responses

Sustainable Travel & Modal Shift

- Park Royal Bakery; 50% of staff at the factory use public transport and 50% drive. For those on the night shift they don't have much choice other than to drive. This is also an issue for people travelling further to reach work. They have found that in the summer there's more cycling.
- Veolia; Currently they are experimenting with Electric Vehicles but this is at an early stage and would not be suitable for use. Currently when vehicles come to the end of their lives they replace with hybrids.
- Car Clubs – EV however, TFL say Electric vehicles are not the answer
- Sustainable transport – Healthy Street agenda, focus on health benefits of walking.
- Close links- North End of the borough.
- Modal emphasise cycle infrastructure.
- Build up Town Centres.
- Electric Bikes – road safety
- Electric scooters legalised on roads in Germany funding model by state costs.
- Electrical vehicles reduce air impact and increase electric charging points
- Refreshing contracts and fuel types
- Personally increase use of public transport
- Pedestrianisation

Influence & Leadership

- Anchor institutions could be demonstrating how things could work and look at how they could scale up. Showcasing good model, for example the ENVAC system is an easy example not domestic but in big schemes. Model for scaling? Having a number of units one ownership allows ability to do more.
- Create a consistent message across partners and make people more aware. This could be by working sub-regionally – procure things together West London joining together. They found when letters are written by all West London Boroughs then there was more of a response.
- *Regulation*; Central government will have more policy to ensure that happens more. Culture vs mandate if we legislate you have to make it a necessity and more action is taken like the smoking ban, seat belts. Lots of support for Legislation.
- More awareness to workforce about these issues
- Speaking to counter parts in other boroughs and lobbying.
- Building mange – recycling – putting stats out there and then setting targets to reduce them.
- Working together with West London if Brent lead the way.

Water Demand:

- Smaller scale working with schools similar to the way recycling was tackled, start young and persistent.
- Knowledge Campaign, working in partnership with water companies by installing water meters. Ensure people are aware they are a way of saving money with change culture through better communications. Encourage responsible water use being careful and changing behaviour. I.e. Kids turn the taps off when brushing their teeth.
- Council could Legislate using by-laws – mandating e.g. 5% discount for metered properties.

- Barrier to metering; worried about cost – could go up or go down. In overcrowded homes cost will likely go up.
- In Cape Town – water meters have time limits for showering.
- Rolling out of smart meters. Things need to be ready to go and well tested.
- Once meters are in it's hard to get them out.
- Metering as a council – saves money?

Water Capacity:

- Grey Water – does have an impact is a good solution but not a lever.
- Focusing on stopping leaks
- Green infrastructure

Energy Efficiency:

- Industrial estates compactors.
- Building; New build having more recycling's
- Veolia – looking at water and circular economy.
- Ensure people are recycling in the right place.

Renewable Energy & Energy Infrastructure:

- Waste – more regulations Signing up to commitments for waste collections.
- Having less waste bins didn't negative impact.
- A central drop off point for waste is the case in Spain and France for commercial.
- Change Material in food packaging.
- Battery powered trains
- Future buildings reducing carbon – NW10/19 – concrete flown in 6,400 carbon in flights to Hong Kong.

SENIOR MANAGERS GROUP 07/10/19 – IGS FEEDBACK	OFFICER RESPONSE	IGS AMENDMENTS
Promotion of Park runs/walks in Brent	<p>The IGS outlines physical activity amongst young people (16-34) has decreased whilst physical activity amongst older people (55+) has increased slightly, albeit levels are still generally low (Research Base p.347).</p> <p>The IGS proposes promoting environments that facilitate healthier lifestyles including signposting organisations that offer programmes; using Green and Blue infrastructure to maximise social and health benefits; as well as supporting GPs to refer to social prescribing opportunities (Full Strategy p.125, 128, 131).</p> <p>The Council website currently hosts a sport activity finder which includes information about Park Runs. https://www.brent.gov.uk/services-for-residents/culture-leisure-and-parks/sports-and-wellbeing/sport-activity-finder/</p>	No amendment
Offer subsidy to promote gym access	The IGS outlines the higher use of private gyms, however the council does provide sports centres, open spaces, outdoor gyms etc. for exercise (Research Base p.386, 388).	No amendment
Use of Supplementary School to avoid negative stereotypes	<p>Information about supplementary schools can be found on the Council website (https://www.brent.gov.uk/services-for-residents/education-and-schools/student-and-school-information/supplementary-schools/).</p> <p>The IGS does not include future plans for schools within Brent, this is included in the emerging Local Plan and the School Place Planning Strategy 2019-2023.</p> <p>The IGS is, however, underpinned by the principle that growth should be inclusive, benefit all, and reduce inequality (Synopsis p.2, Full Strategy p.2). The IGS puts forwards proposals that aim to reduce inequality and the educational and employment gap for priority underperforming groups (Research Base p. 71; Full Strategy p.59; Synopsis p.12) and references initiatives for disadvantaged groups (Full Strategy p.92).</p>	No amendment
SIBI – Social Isolation Brent Initiative	<p>The IGS highlights the negative impacts of isolation on individuals’ mental health, particularly on older people and single-person households (Full Strategy p. 46).</p> <p>The IGS proposes to reduce social isolation through social prescribing, targeting interventions and specialist housing solutions (Full Strategy p. 77, 78, 102, 131, 133) and references initiatives undertaken by other Local Authorities (Research Base p.316, 353, 355, 411).</p> <p>SIBI signposts people aged 18+ who are isolated to clubs, groups, classes and activities in Brent (https://www.cvsbrent.org.uk/services/social-involvement-in-brent-initiative/). Reference could be made to the Brent based initiative.</p>	Include reference to SIBI in IGS Research Base and IGS Full Strategy Action Plan HE3.4.
Key Worker Housing	<p>The IGS identifies one outcome of increased housing unaffordability is that public sector key workers are unable to afford decent local accommodation in London (Full Strategy p.19).</p> <p>The IGS proposes a number of responses to improve affordability and increase housing supply in the borough, including promotion of intermediate and discounted market rent products for local people, including keyworkers (Full Strategy p.98, 99-106).</p> <p>The Council has secured priority for keyworkers in over 1,000 such new discounted rent homes in the Quintain Wembley Park development.</p>	No amendment
Disabled Facilities Grant (DFG)	<p>The IGS details Specialist Housing Provision currently in the borough (Research Base p.140). The IGS proposes to promote greater awareness and development of specialist housing provision and promoting independent living (Full Strategy p.65, 77, 102, 130).</p> <p>The Disabled Facilities Grant is available to residents in Brent and has recently expanded to include a discretionary Disability Adaptation Grant.</p>	Include reference to the DFG and other Council initiatives in the IGS Research Base.
Downsizing incentives	<p>Brent suffers from overcrowding, particularly within the private rented sector. Evidence suggests demand for larger 3-bedroom market and affordable housing (Research Base p.138, 148).</p> <p>The IGS uses the Brent Strategic Housing Market Assessment as evidence of housing demand and identifies the worsening supply and demand imbalance (Full Strategy p.34). The IGS proposes to increase supply of housing in the borough, including larger family homes to satisfy demand, however also includes policy to increase incentives for conversions or extensions to make better use of the existing housing stock (Full Strategy p.106).</p> <p>Brent Council also has an under-occupation scheme for Council tenants that includes financial incentives.</p>	Include reference to the Council under-occupation scheme in the IGS Research Base.
Brent Schools Partnership funding for improving education attainment in Black Caribbean Boys.	<p>The IGS includes underperforming groups as one of the key trends for Education & Skills (Synopsis p.11; Full Strategy p.29). The IGS details the attainment gap for boys of Black Caribbean heritage in education and employment (Research Base p.66, 71).</p> <p>Brent Schools Forum allocated funding in 2018 to support the attainment of boys with Black Caribbean heritage.</p>	Include detail on additional programmes targeted at improving the attainment of young black men in Brent.

EQUALITY ANALYSIS GUIDANCE

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INTRODUCTION

Brent is committed to equality, diversity and inclusion; the council is determined to be an exemplar of good practice in equality, diversity and human rights and it is our policy to treat everyone fairly and with respect.

We aim to ensure that all our current and future residents, staff and stakeholders are treated fairly and receive appropriate, accessible services, and fair and equal opportunities.

This commitment requires that equality considerations play a key role in our decision-making processes and that our policies are fully compliant with the duties placed on us as a public sector body by the Equality Act 2010.

Equality Analyses (EAs) ensure that we follow through on our commitment to equality and they provide a method for clearly demonstrating the necessary legal compliance.

PURPOSE

This document provides detailed guidance for officers planning or carrying out EAs.

When carrying out an EA you should read this guidance in full and use it in conjunction with the accompanying EA template, for which it provides explanations and step-by-step instructions.

LEGAL CONTEXT

1. The Equality Act 2010

The Equality Act 2010 replaced the pre-existing anti-discrimination laws with a single Act. The legislation covers the exercise of public functions, employment and work, goods and services, premises, associations, transport and education.

The act prohibits victimisation and harassment, and all of the following forms of discrimination: direct; indirect; by association; by perception; or discrimination arising from disability.

2. Protected Characteristics

The Equality Act 2010 introduced the concept of “protected characteristics”, of which there are nine, as follows:

Characteristic	Description
Age	Older people, younger people etc.
Sex	A man or a woman.
Race	Race as a protected characteristic refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.
Disability	A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.
Sexual orientation	Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.
Gender reassignment	The process of transitioning from one gender to another.
Religion or belief	Religion has the meaning usually given to it, but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.
Pregnancy or maternity	Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.
Marriage and civil partnership	These have the standard legal meanings, but are only to be considered in respect of the need to eliminate discrimination (see section on public sector equality duty).

3. Public Sector Equality Duty

Under section 149 of the Equality Act 2010, public bodies such as councils must, in the exercise of their functions, have “**due regard**” to the need to:

- **Eliminate unlawful discrimination**, harassment and victimisation
- **Advance equality of opportunity** between people who share a “protected characteristic” and those who do not
- **Foster good relations** between people who share a protected characteristic and those who do not

These are generally referred to as the needs, or the three aims of the duty. This “**general equality duty**” must be fulfilled **before, and at the time of**, the exercise of a council function and each aim must be considered in turn: for example, the obligation to have due regard to advancing equality is quite separate from the obligation to have due regard to eliminating discrimination.

To meet the duty when exercising its functions, the council should integrate equality considerations into its mainstream policy development and decision-making. It needs to be aware of and consider the effects of its activity by considering all of the following:

1. The need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic. In other words, the **indirect discriminatory** effects of a proposed decision.
2. **Equality of opportunity** is expanded by placing a duty on the council to have due regard to the need to remove or minimize disadvantages connected to a characteristic of a protected group; take steps to meet the needs of protected groups; and to encourage participation of protected groups in public life where participation is proportionately low.
3. In relation to **fostering good relations**, there is a duty to have due regard to the need to tackle prejudice and promote understanding.
4. There is also a specific requirement that councils must take steps to take account of a person's disability and there is a duty to make **reasonable adjustments to remove barriers for disabled people**. What matters is how disabled persons are affected and not just whether a proposal affects a greater number of persons with disabilities than without. The duty is ‘anticipatory’. For example, Brent cannot wait until a disabled person wants to use its services but must think in advance (and on an ongoing basis) about what people with a range of impairments might reasonably need.

Definition of ‘due regard’

The Equality and Human Rights Commission advise that case law has established some key principles that explain what having ‘**due regard**’ means in practice:

- Decision-makers place equality considerations at the centre of policy formulation, side by side with other considerations.
- Decision-makers consciously consider the general equality duty as an integral part of the decision-making process, not just a matter of ‘box ticking’.

- Decision-makers have sufficient information to understand the effects of the policy, or of the particular decision, on the aims set out in the general equality duty.
- Decision-makers review policies or decisions if circumstances change (e.g. if the make-up of service users alters). This is vital as the duty is a continuing one.
- Responsibility cannot be delegated to external organisations that are carrying out public functions on their behalf.
- Decision-makers consciously consider the aims of the general equality duty not only when a policy is developed and decided upon, but when it is being implemented.

WHAT EAs ARE FOR AND WHEN THEY ARE USED

1. What is the purpose of an Equality Analysis?

Equality Analyses (EAs) are a practical way of demonstrating compliance with the important statutory obligations described above. They provide a systematic method for accurately recording and evidencing that we have properly considered these obligations.

EAs help to ensure our decisions are made in a fair, transparent and accountable way considering the needs and rights of different individuals and communities, and they are designed to help identify, analyse, record and plan mitigation for any unintended consequences for particular groups or sections of the community arising from our decisions and proposals. They also help to identify where there are positive equality impacts, or indeed demonstrate that there will be no equality impacts at all.

An EA is a versatile tool. For example, consideration should be given to carrying out an EA before making decisions about changes to services, especially proposed service reconfigurations, reductions or closures. However, you can also use an EA to review the impact of existing policies, strategies and other arrangements from time to time.

2. When is an Equality Analysis required?

EAs should be used in support of decision-making, policy formulation, change initiatives, projects, service reviews and in the development of budget proposals.

If needed, an EA should be carried out at the earliest possible stage and should inform and shape policies and decisions as they develop and progress, and they should draw on relevant equality information and the results of any engagement activity. This provides the opportunity to address issues of inequality.

Equality considerations must inform the decision-making process itself and not be retrofitted to the decision after the fact as a box-ticking exercise. EAs should be living documents; as projects progress and further evidence of impacts become available, and unforeseen impacts emerge, they should be reviewed and updated to reflect any changes.

When there are complex and/or protracted decision-making processes, a separate EA may be needed at each key stage of the process.

Having ‘due regard’ to equality considerations across multiple functions may also involve assessing the impact on equality of decisions that are made together, such as a major review of services or when setting overall budgets. This means ensuring that you have sufficient information to understand the cumulative (or combined) impact of these decisions.

It is important to be clear that fulfilling the public sector equality duty is a separate legal process from consultation. A good consultation does not discharge the duty. An EA is concerned with what will be the actual impact of a measure, whereas a consultation is concerned with people’s views about it.

The following questions will help you to determine when an EA is required (but this is by no means an exhaustive list):

- Does the change or initiative have a significant effect in terms of equality on service users, employees or the wider community? (Remember that the relevance of a change or initiative will depend not only on the number of those affected, but also by the significance of the effect on them).
- Is it a major change or initiative, significantly affecting how functions are delivered in terms of equality?
- Will it have a significant effect on how other organisations operate in terms of equality?
- Does the change or initiative relate to functions that previous engagement has identified as being important to particular protected groups?
- Does or could the change or initiative affect different protected groups differently?
- Would the policy or proposal change or remove services used by vulnerable groups of people?
- Does it relate to an area with known inequalities (for example, access to public transport for disabled people, racist/homophobic bullying in schools)?
- Does it relate to an area where equality objectives have been set by the council in its Equality Strategy?

If the answer to any of the above is “yes”, you will need to carry out an EA.

3. When are equality impacts justified?

Not all policies can be expected to benefit all groups equally, particularly if they are targeted at addressing particular problems affecting one protected group. Policies like this, that are specifically designed to advance equality and demonstrate positive impact(s), will, however, also need to be assessed for their effect on equality across all the protected groups.

Assessing impact on equality is not simply about identifying, and mitigating or removing, negative effects or discrimination. It is also an opportunity to identify ways to advance equality of opportunity and foster good relations, and this can involve building positive action measures into the delivery of services. When decisions are likely to result in detrimental impacts on any group with a protected characteristic, they must be carefully considered and justified objectively. Adverse impacts must be explained as part of the formal decision-making process and attempts to mitigate any harm must always be explored, but it may not always be feasible to mitigate all negative equality impacts.

N.B. The quality of the EA is what matters, not how long it is. Make sure you write it so that people who are not experts in your area can understand it.

BRENT PROCEDURES

1. EAs at Brent

All EAs at Brent must now be done using the Brent EA template (Appendix 1). Full instructions for carrying out an EA using the template are given in the next chapter of this guidance.

2. Support with EAs

If you have any questions about EAs or would like further advice and guidance, the Policy and Scrutiny Team offers support. Please contact the team on equality@brent.gov.uk and they will reply within 5 working days.

Please note that wherever you are unclear you should consult the Policy and Scrutiny Team for advice. Please also note that Legal Services may need to be involved where discrimination or a clear risk of other non-compliance with the Act is identified. The above should all be factored into your timescales and adequate time should be always be allowed for potential amendments to be made.

Once completed, an EA should be sent to the Policy & Scrutiny Team for it to be reviewed. Once again, timescales should allow for any changes that may be required following advice.

3. Responsibility and sign-off

The role of the Policy & Scrutiny Team is advisory only and responsibility for EAs ultimately lies with the service making the relevant decision or carrying out the council function. An EA should therefore always be signed-off by the appropriate head of service or higher.

It is for the services themselves to demonstrate compliance with the Act and they must therefore ensure that EAs are properly carried out, signed-off, recorded, stored for future reference and published where appropriate. Where reports are published, it is usually expected that an associated EA would be published alongside it.

4. Human rights and socio-economic equality implications

While not specifically covered by the Equality Act 2010, at Brent it is considered a matter of good practice that, where relevant, an EA should also cover human rights and socio-economic equality implications, as these are priorities in Brent's Equality Strategy.

5. EAs for restructuring exercises

There is a separate process for assessing the equality impacts of restructuring exercises. Please contact your Senior HR Advisor for more information.

THE EA TEMPLATE INSTRUCTIONS

Section A – Initial Screening

Carrying out an initial screening will help to establish the relevance of the decision/policy/proposal to the council's equalities duties and whether or not a full EA is required. This stage is important because the need to meet with our equalities duties must be balanced with the need to streamline processes and avoid wasting resources.

A full EA **will not** generally be required if, through the initial screening, it is clearly demonstrated that:

- there will not be any negative equality impacts;
- the policy or proposal is not relevant to the council's equality duty;
- it does not relate to an area with known inequalities; and
- it will not change or remove services used by vulnerable groups of people

The screening provides a means of showing that equality has still been properly considered in respect of a policy or proposal for which a full EA is not deemed necessary.

When a full EA **is** considered necessary, the screening provides a means of summarising why this is the case.

A1 - Description

Use this box to provide a clear and detailed description of the policy, proposal, change or initiative. Clearly set out what it is planned to achieve, why it is required and what the key objectives and expected outcomes are.

A2 - Affected parties

Carefully consider who may be affected by this policy or proposal. Ensure that you consider service users, the general public, staff and external stakeholders. Use the box provided to give details.

A3 – Relevance to equality

This section is especially important. Carefully think about whether there is relevance to equality and the council's public sector equality duty. Consider which aspects of the policy are most relevant to equality; which of the three aims of the general equality duty are relevant, and which protected characteristics.

Think about the purpose of the policy, the context in which it will operate, who it should benefit, and what results are intended. At this stage you can start to think about potential impacts on people with different protected characteristics.

If it is clear at this point that you will be completing the full EA, a brief statement as the relevance of equality should suffice in this section.

If, however, you decide that a policy does not impact on any of the equality aims contained in the public sector equality duty, you will need to explain why here, including the reasons and the evidence and information that you used to reach this conclusion.

This information should also be included in the “Equalities Implications” section of any covering reports.

A simple statement of no relevance to equality without any supporting information is not sufficient, nor is a statement that no information is available. This could leave the council vulnerable to legal challenge, so obtaining early advice from the Policy and Scrutiny Team is essential.

If the Policy and Scrutiny Team advise that the policy is in fact relevant to equality, then you will need to continue and complete the full EA process. Therefore, review should be sought early, in case an EA is in fact necessary.

A4 - Potential or known impacts

Based on what is known, probable or possible from the available evidence at the time of the screening, consider each “protected characteristic” in turn and indicate with an “X” the potential or known impact of the policy or proposal. It is vital to carefully consider if the proposal will impact on people ***in different ways as a result of their characteristics***.

It is possible for negative and positive impacts to be identified against the same characteristic. Details of the particular impacts identified can be provided later in the template.

A5 – Checklist

Complete each row of the checklist to identify whether a full EA is required. If you answer **yes to any** of the checklist questions, you **will** need to complete the EA.

NB: Where there is a lack of certainty in respect of any of the checklist questions, or where there is insufficient evidence available to identify what impacts there will be, you should err on the side of caution and complete the full EA.

Section B – Impacts Analysis

B1 – Evidence and Data

In this section outline the research, information, data and engagement used for the analysis. Consider what information will give you a full picture of how well the proposal will work for different groups of people and how you will gather this information. How might engagement initiatives, research and equality monitoring data assist your analysis? Make sure that your work is proportionate to the initiative, don’t over-consult on a small change or under-consult on an important issue.

It is important that you have appropriate and reliable information about the different groups sharing protected characteristics that are likely to be affected. Understanding the impact on different groups is a key step in identifying whether a policy might unlawfully discriminate. The information that will be most useful will depend on the nature of the policy.

If you don’t yet have evidence, this does not prevent you carrying out a provisional EA, for instance, at the start of a project. The EA will need to be based on your considered judgement. As the project develops, you will need to source information and update the EA. Your plans should always be proportionate to the matter in hand.

However, in order to identify important impacts on people with different protected characteristics, it may be useful to look at:

- Any equality monitoring data available
- Comparisons with similar policies in other departments or authorities to help you identify relevant equality issues.
- Analysis of enquiries or complaints from the public to help you understand the needs or experiences of different groups of people.
- Recommendations from inspections or audits to help you identify any concerns about equality matters from regulators.
- Information about the local community, including census findings to help you establish the numbers of people with different protected characteristics.
- Recent research from national, regional and local sources that includes information on relevant equality issues.
- Results of engagement activities or surveys to help you understand the needs or experiences of people with different protected characteristics.
- Information from the public, and from voluntary organisations to help you understand the needs or experiences of people with different protected characteristics.

When analysing the evidence, you have gathered, consider the following questions:

- Do policy outcomes and service take-up differ between people with different protected characteristics?
- What are the key findings of any engagement you have undertaken?
- If there is a greater impact on one group, is that consistent with the policy aims?
- If the policy has negative impacts on people sharing particular characteristics, what steps can be taken to mitigate these effects?
- Is any part of the policy unlawful under the Equality Act 2010?
- Will the policy deliver practical benefits for certain groups?
- Does the policy miss opportunities to advance equality of opportunity and foster good relations?
- Do other policies need to change to enable this policy to be effective?

B2 – Impact details

For each “protected characteristic” provide details of all the potential or known impacts identified, both positive and negative, and explain how you have reached these conclusions based on the information and evidence listed above. Where appropriate, state “not applicable”.

B3 – Unlawful impacts

It is vital to consider if any of the impacts you have identified may be unlawful under the Equality Act 2010? Prohibited acts include direct discrimination, harassment, victimisation and failure to make a reasonable adjustment. If such impacts are identified, notify the Policy and Scrutiny, and Legal teams.

B4 – Engagement

Consider if the right people were targeted in any engagement work. If you do not have equality information about people who may be affected with particular protected characteristics, consider whether you need to fill information gaps.

This could mean undertaking short surveys, or some other engagement work. If it is not possible to collect this in time to inform your analysis, consider how you can increase your understanding in the short term before undertaking more robust research at a later date. This could mean, for example, meeting with stakeholders.

B5 – Future analysis

Further to question B4 above, note here what future analysis you plan to undertake. It is vital that information about the actual impact of the policy should be used to review the policy in future, where necessary.

B6 – Remaining impacts

The council must have due regard to the Equality Duty when taking decisions, but it also has a range of other responsibilities, including a duty to set a balanced budget.

Decision makers must balance any potential for detrimental impacts against the strength of legitimate need for the policy or service change to deliver savings or other justifiable reason.

The more serious the potential for any detrimental equality impacts, the greater the financial or other reason must be.

B7 – Monitoring and review

Assessing the impact on equality is an ongoing process that does not end once a policy has been agreed or implemented.

An EA will help anticipate and address the policy's potential impact, but the actual impact of the policy will only be known once it has been introduced, so it is important to carefully monitor actual, ongoing impacts.

This means it is also good practice to periodically review policies in respect of their equality impacts. Changing circumstances should also be considered when planning reviews. These might include a change in the area demographics, the availability of alternative services or the emergence of new ways to reduce adverse impact.

Section C - Conclusions

This section provides an opportunity to detail your overall conclusions based on your analysis, including whether mitigating actions are required to alleviate any negative equality impacts identified, and if so, what they are and what the expected outcomes should be.

Generally, where the policy is likely to have an adverse impact on large numbers of people who share a protected characteristic, greater weight should be given to the aims of the general equality duty. However, when the number of people affected is small, the weight given to equality considerations is not necessarily less if the policy would have a serious impact on the individuals concerned.

If positive equality impacts have been identified, consider what actions you can take to enhance them. Consider whether there are positive lessons here for policy development elsewhere and whether the approach could be promoted as an exemplar policy or best practice.

If you have decided that you must continue with the policy and justify it despite its adverse equality impacts, ensure that you detail your justification fully in this section.

Section D - Result

Select one of the 4 options provided, as follows:

a) Continue

Where analysis had demonstrated no negative equality impacts, you may wish to continue with the policy unchanged.

b) Justify and continue

Ultimately, there may be other factors (such as other policy aims or financial constraints) which make it reasonable for you to decide to adopt the policy despite its adverse equality impact. You can choose this option where your policy does not unlawfully discriminate, or where any potential discrimination is indirect and can be objectively justified. You need to take into account the possibility that your decision could be challenged and consider whether you would be able to satisfy a court that you had “due regard” to the aims of the general equality duty when you reached this decision. It is vitally important that you document the reasons for your decision and the evidence that supported these reasons when you note your conclusions.

c) Change

This involves making changes to the policy to ensure it does not adversely affect certain groups of people or miss opportunities to affect them positively. This can involve taking steps to mitigate adverse impacts, or to bolster or tailor positive ones. It is lawful under the Act to treat people differently in some circumstances (such as putting in place single-sex provision where there is a need for it or adopting proportionate positive action measures that benefit people sharing protected characteristics). Document in your conclusions the reasons for the steps you are adopting and the information you used to make this decision.

d) Stop

If you find that the policy unlawfully discriminates, or the policy will carry extensive negative equality impacts, which it is not possible to mitigate, you may choose to abandon the policy or proposal altogether.

Section E - Action Plan

List all the steps you have identified to reduce the negative impacts; outline what a successful outcome will be; the officer(s) responsible for the action; and the expected date of completion for each.

You should also list how you will address any gaps in knowledge; any monitoring arrangements; plans for further engagement and analysis, and when the policy will be reviewed.

You can also list any actions you will take to advance opportunities for improvement where positive impacts have been identified.

Section F – Sign-off

Once the completed EA has been reviewed by the Policy & Scrutiny Team, it should be signed off by the relevant head of service, recorded and stored for future reference.

Appendix 1
EQUALITY ANALYSIS (EA)

POLICY/PROPOSAL:	Inclusive Growth Strategy (IGS)
DEPARTMENT:	Regeneration & Environment
TEAM:	Regeneration
LEAD OFFICER:	Jonathan Kay
DATE:	14 th October 2019

NB: Please ensure you have read the accompanying EA guidance and instructions

SECTION A – INITIAL SCREENING

1. Please provide a description of the policy, proposal, change or initiative, and a summary its objectives and the intended results.

The Inclusive Growth Strategy (IGS) is a long term strategy to accompany forecast change, including population growth, demographic change and resource pressures, across the borough to 2040. If growth is to be inclusive, then the IGS proposes that everyone must participate and share fairly in the increased prosperity it brings.

The IGS examines baseline evidence and key growth trend data across demographic and socioeconomic factors that make up and affect the borough, and is divided into 7 themes: Culture, Economy, Education & Skills, Environment, Health, Housing and Infrastructure over the next 20-years.

IGS policy responses frame objectives and are underpinned by an annexed action plan that sets out concrete initiatives to address the challenges and seize the opportunities of growth as we move towards 2040.

2. Who may be affected by this policy or proposal?

In theory, were the IGS and annexed action plan to be fully implemented, then everyone living or working in the borough may be affected.

Analysis is that IGS policy responses and initiatives could positively benefit various groups that may be affected by forecast change in the borough. Specifically, the IGS identifies responses that could benefit both young and old people, women (including women returning to work following maternity leave) and BAME groups in the borough.

3. Is there relevance to equality and the council's public sector equality duty? If your answer is no, you must provide an explanation.

Yes, there is relevance to the council's public sector equality duty, and due regard to such is paid in drawing up this equality analysis.

The underlying principle of the IGS is that if growth is to be inclusive, then everyone must participate and share fairly in the increased prosperity it brings.

Examining the baseline evidence and key growth trend data, circumstances are identified where people with protected characteristics are observed to be disadvantaged, and where they might reasonably be expected to be disadvantaged by change moving forward to 2040, including in such fundamental areas of society and human life as the economy, education and skills, and health. The IGS proposes policies and an annexed action plan which seek to respond to the evidence, and to address inequality through objectives and interventions designed to reduce disadvantage and improve people's quality of life and life chances.

The IGS therefore chiefly helps the council meet its Public Sector Equality Duty by aiming to ensure that growth does not only not discriminate against people living and working in the borough, but rather advances equality of opportunity for all, including disadvantaged groups.

4. Please indicate with an "X" the potential impact of the policy or proposal on groups with each protected characteristic. Carefully consider if the proposal will impact on people in different ways as a result of their characteristics.

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age	X		
Sex	X		
Race	X		
Disability	X		
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity	X		
Marriage		X	

5. Please complete **each row** of the checklist with an "X".

SCREENING CHECKLIST		
	YES	NO
Have you established that the policy or proposal <i>is</i> relevant to the council's public sector equality duty?	X	

Does the policy or proposal relate to an area with known inequalities?	X	
Would the policy or proposal change or remove services used by vulnerable groups of people?	X	
Has the potential for negative equality impacts been identified with this policy or proposal?		X
If you have answered YES to ANY of the above, then proceed to section B. If you have answered NO to ALL of the above, then proceed straight to section D.		

SECTION B – IMPACTS ANALYSIS

1. Outline what information and evidence have you gathered and considered for this analysis. If there is little, then explain your judgements in detail and your plans to validate them with evidence. If you have monitoring information available, include it here.

The IGS examines baseline evidence and key growth trend data across the broad sweep of demographic and socioeconomic factors that make up and affect the borough. Evidence has been drawn from external sources including Census data 2011, ONS, NOMIS, GLA Datastore, Public Health England and the Office of Budget Responsibility, and internally from Council directorates. Policy responses underpinned by an annexed action plan have then been set out for each of the 7 themes.

Growth trends which will affect the borough moving forward over the next 20 years include:

- Growing population
- Ageing population
- Demand for infrastructure, housing and resources
- Increasing self-employment
- Changing work and consumption patterns
- Increasingly high skilled labour market
- Automation and technological advances
- Climate change

In drawing up the IGS and policy responses, we have consulted with the Policy Coordination Group, Council Management Team, Departmental Management Team, and departments across the Council. Consideration has been given to the potential impacts growth trends may have upon the borough, including on currently disadvantaged groups. Each theme also has a corresponding Senior Officer theme lead, who has assessed the proposed policy responses, providing commentary, specialist input and a direct steer to the IGS.

Focus for this equality analysis is upon the IGS policy responses and annexed action plan, as it is their implementation which would potentially impact people with protected characteristics. Analysis is high level as the policy responses and actions have not yet been implemented. Given the wide scope of the IGS, emphasis is placed upon policy responses and actions which would most obviously have an impact on people with protected characteristics. Specifically, policy responses and actions that name people with protected characteristics, and which if implemented propose monitoring and evaluation, promotion and awareness raising, programmes and partnerships, allocation of resources, and other activities, that would involve or have the potential to involve those named groups.

2. For each “protected characteristic” provide details of all the potential or known impacts identified, both positive and negative, and explain how you have reached these conclusions based on the information and evidence listed above. Where appropriate state “not applicable”.

AGE	
Details of impacts identified	<ul style="list-style-type: none"> IGS Economy Policy Response 5: Adult Skills Strategy: Develop an adult skills strategy which aims to equip the population with skills needed for the future economy and is accessible at all stages of life. Action Plan EC5.2 proposes regularly monitoring priority age and ethnicity groups to inform the design of Skills Escalator programmes. POSITIVE IGS Education & Skills Response 3: Support Older Workers: Support older workers to have fulfilling working lives. Policy ES3 responds to the ageing population and expected increase in older workers. Action Plan ES3.1, 3.2, 3.3 and 3.4 all set out initiatives to support older workers. POSITIVE IGS Housing Response 6: Specialist Housing Provision: Brent Council will promote awareness and secure greater development of specialist housing provision, including inter and multi-generational housing, as well as housing for those with additional and complex needs. Policy H6 and Action Plan promotes housing solutions to benefit, and foster good relations between, young and old people. POSITIVE IGS Environment Response 1: Modal Shift: Deliver a modal shift away from car use (with exceptions) and increase safety and accessibility to public transport and active travel. Policy EN1 recognises exceptions when seeking to deliver a modal shift away from car use. Any initiatives moving forward must pay due regard to potential impacts on, for example, older people or people with disabilities. NEUTRAL IGS Health Response 1: Targeted Prevention & Interventions: Brent will encourage healthier lifestyles and support partner delivery of tailored approaches to specific health issues to take a preventative approach to health problems, better manage the cost and impact they have in the borough, and provide a better service. Policy HE1 references diabetes, obesity and dementia. Any targeted preventions and interventions for dementia would be expected to benefit older people. POSITIVE. IGS Health Response 2: Independent Living & Self Care: Brent will work to ensure that older people and those with additional needs have the opportunity to live independently for as long as possible. Policy HE2 and Action Plan sets out a number of initiatives (in housing, the wider environment, and through design and technology) to promote independent living and self care amongst Brent's ageing population. POSITIVE. IGS Health Response 3: Social Prescribing for Wider Determinates of Health: Brent will support the use of preventative and community based non-medical responses to create the conditions to support people in adopting healthier lifestyles. Policy HE3 and Action Plan promote social prescribing support and activities targeted at older people and young people in more deprived areas. POSITIVE.

	<ul style="list-style-type: none"> IGS Health Response 4: Creating Healthy Environments: Brent will support restaurants, workplaces, schools and other places where residents are spending time to ensure they are designed and run in a way which promotes good health outcomes. Action Plan HE4.1 and 4.2 focus on actions to create healthy environments which would benefit children. POSITIVE. IGS Culture Response 1: Growth in the Creative Economy: Brent will support growth of the creative and cultural industries and the creative economy. Action Plan C1.1 specifically targets increased involvement in the arts for children and young people. POSITIVE. IGS Culture Response 5: London Borough of Culture 2020 Legacy: Create a legacy from the London Borough of Culture 2020 award, building on successes and driving forward the cultural life of the borough. Action Plan C5.3 focuses on developing creativity in young people from diverse backgrounds. POSITIVE. IGS Culture Response 7: Facilitate Tourism Growth: To promote tourism in Brent relevant partners should work together to formulate a strategic vision for tourism in the borough. Action Plan C7.2. identifies opportunities for younger and older people to get involved in local tours. POSITIVE.
DISABILITY	
Details of impacts identified	<ul style="list-style-type: none"> IGS Housing Response 6: Specialist Housing Provision: Brent Council will promote awareness and secure greater development of specialist housing provision, including inter and multi-generational housing, as well as housing for those with additional and complex needs. Policy H6 and Action Plan H6.2 promote housing solutions to benefit people with specialist mental health needs and physical disabilities. POSITIVE IGS Environment Response 1: Modal Shift: Deliver a modal shift away from car use (with exceptions) and increase safety and accessibility to public transport and active travel. Policy EN1 recognises exceptions when seeking to deliver a modal shift away from car use. Any initiatives moving forward must pay due regard to potential impacts on, for example, older people or people with disabilities. NEUTRAL IGS Infrastructure Response 5: Influence and Leadership: Brent Council will raise its profile and influence in lobbying for changes in vital infrastructure for the borough. Action Plan I5.4 proposes to lobby TfL to implement step free access in all Brent growth areas. POSITIVE IGS Health Response 2: Independent Living & Self Care: Brent will work to ensure that older people and those with additional needs have the opportunity to live independently for as long as possible. Action Plan proposal HE2.2 to expand the NAIL programme, 2.3 for a more accessible built environment and 2.6 for technology to manage health conditions would all benefit people with physical or mental impairments. POSITIVE.

	<ul style="list-style-type: none"> IGS Culture Response 4: Culture on the High Streets: Brent will make high streets a gathering place for social interaction and cultural exchange, Action Plan C4.5 has the potential to improved access to the arts for people with physical or mental impairments. POSITIVE.
RACE	
Details of impacts identified	<ul style="list-style-type: none"> IGS Economy Policy Response 5: Adult Skills Strategy: Develop an adult skills strategy which aims to equip the population with skills needed for the future economy and is accessible at all stages of life. Action Plan EC5.2 proposes regularly monitoring priority age and ethnicity groups to inform the design of Skills Escalator programmes. POSITIVE IGS Economy Policy Response 9: Fairness Agenda: Promote the Fairness agenda in the borough by getting businesses to sign up to fair practices. Action Plan EC9.2 proposes Council services and advice to people in less secure employment, evidenced to be disproportionately represented by black workers. POSITIVE IGS Education & Skills Response 1: Support Underperforming Groups: Reduce inequality and the educational and employment gap between different demographic groups in the borough by targeting priority underperforming groups. Policy ES1 aims to reduce inequality and the educational and employment gap for priority underperforming groups. Action Plan ES1.1 and 1.3 reference successful initiatives for young BAME men. POSITIVE IGS Health Response 1: Targeted Prevention & Interventions: Brent will encourage healthier lifestyles and support partner delivery of tailored approaches to specific health issues to take a preventative approach to health problems, better manage the cost and impact they have in the borough, and provide a better service. Policy HE1 references diabetes, obesity and dementia and Action Plan HE1.2 proposes the Council raise awareness of diabetes. The BAME population would expect to benefit from any targeted prevention and interventions for diabetes, given their predisposition to diabetes. POSITIVE. IGS Health Response 2: Independent Living & Self Care: Brent will work to ensure that older people and those with additional needs have the opportunity to live independently for as long as possible. Action Plan HE2.4 promotes partnership working to ensure diverse communities are considered when supporting older and vulnerable residents with independent living. POSITIVE. IGS Culture Response 5: London Borough of Culture 2020 Legacy: Create a legacy from the London Borough of Culture 2020 award, building on successes and driving forward the cultural life of the borough.

	Action Plan C5.3 focuses on empowerment and creativity in young people from diverse backgrounds. POSITIVE.
SEX	
Details of impacts identified	<ul style="list-style-type: none"> IGS Economy Policy Response 8: Support Women into Work: Increase female participation in education, employment or training within Brent. Policy EC8 and Action Plan responds to observed lower female economic activity rates in Brent. POSITIVE IGS Education & Skills Response 2: Improve Skills Levels for Women: Raise skills and employment for women in the borough Policy ES2 and Action Plan responds to observed lower female economic activity rates in Brent. POSITIVE
SEXUAL ORIENTATION	
Details of impacts identified	<ul style="list-style-type: none"> No obvious impact upon groups with the protected characteristics of Sexual Orientation is identified in this equality analysis. Were the IGS policy responses and annexed action plan to be implemented, further equalities analysis is advised.
PREGANCY AND MATERNITY	
Details of impacts identified	<ul style="list-style-type: none"> IGS Economy Policy Response 8: Support Women into Work: Increase female participation in education, employment or training within Brent. Policy EC8 responds to lower female economic activity rates in Brent. through return to work apprenticeships. Action Plan EC8.1 and 8.3. promote childcare options and return to work apprenticeships which would help support women into work after giving birth. POSITIVE. IGS Economy Policy Response 9: Fairness Agenda: Promote the Fairness agenda in the borough by getting businesses to sign up to fair practices. Policy EC9 and Action Plan EC9.1 and 9.2 seek to respond to the increase in the temporary work which can often not protect key employment rights, including maternity leave. POSITIVE. IGS Education & Skills Response 2: Improve Skills Levels for Women: Raise skills and employment for women in the borough. Policy ES2 responds to lower female economic activity rates. Action Plan ES2.1, 2.3 and 2.4 reference initiatives to co-locate skills services, promote childcare and encourage flexible workplaces. POSITIVE. IGS Education & Skills Response 4: Supporting People into Work: Brent will build on and facilitate training opportunities,

	careers advice and guidance for those getting into the job market. Action Plan ES4.3 aims to increase maternal employment in Brent through targeted apprenticeship programmes. POSITIVE.
RELIGION OR BELIEF	
Details of impacts identified	<ul style="list-style-type: none"> No obvious impact upon groups with the protected characteristics of Religion or Belief is identified in this equality analysis. Were the IGS policy responses and annexed action plan to be implemented, further equalities analysis is advised
GENDER REASSIGNMENT	
Details of impacts identified	<ul style="list-style-type: none"> No obvious impact upon groups with the protected characteristics of Gender Reassignment is identified in this equality analysis. Were the IGS policy responses and annexed action plan to be implemented, further equalities analysis is advised
MARRIAGE & CIVIL PARTNERSHIP	
Details of impacts identified	<ul style="list-style-type: none"> No obvious impact upon groups with the protected characteristics of Marriage & Civil Partnership is identified in this equality analysis. Were the IGS policy responses and annexed action plan to be implemented, further equalities analysis is advised

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

No

4. Were the participants in any engagement initiatives representative of the people who will be affected by your proposal and is further engagement required?

N/A

5. Please detail any areas identified as requiring further data or detailed analysis.

N/A

6. If, following your action plan, negative impacts will or may remain, please explain how these can be justified?

N/A

7. Outline how you will monitor the actual, ongoing impact of the policy or proposal?

Were the IGS policy responses and annexed action plan to be implemented, further equalities analysis is advised, including whether a proportionate equalities monitoring regime to measure the scale of impacts on groups with protected characteristics is appropriate for each particular action or initiative to be implemented.

SECTION C - CONCLUSIONS

Based on the analysis above, please detail your overall conclusions. State if any mitigating actions are required to alleviate negative impacts, what these are and what the desired outcomes will be. If positive equality impacts have been identified, consider what actions you can take to enhance them. If you have decided to justify and continue with the policy despite negative equality impacts, provide your justification. If you are to stop the policy, explain why.

The IGS has been drawn up with the overarching aim that everyone should participate and share in the benefit of growth.

Implementation of the IGS policy responses and annexed action plan is assessed as likely to advance equality of opportunity in the borough, with a number of positive impacts identified for the younger and older population, people with physical and mental disabilities, people from diverse backgrounds, including from BAME groups, and women, as well as for pregnancy and maternity.

A neutral impact is identified with respect to proposed policy to deliver a modal shift away from car use (with exceptions). Implementation of any initiatives to that effect would need to pay due regard to potential impacts on, for example, older people or people with disabilities.

SECTION D – RESULT

<i>Please select one of the following options. Mark with an "X".</i>		
A	CONTINUE WITH THE POLICY/PROPOSAL UNCHANGED	X
B	JUSTIFY AND CONTINUE THE POLICY/PROPOSAL	
C	CHANGE / ADJUST THE POLICY/PROPOSAL	
D	STOP OR ABANDON THE POLICY/PROPOSAL	

SECTION E - ACTION PLAN

This will help you monitor the steps you have identified to reduce the negative impacts (or increase the positive); monitor actual or ongoing impacts; plan reviews and any further engagement or analysis required.


Action	Expected outcome	Officer	Completion Date

SECTION F – SIGN OFF

Please ensure this section is signed and dated.

OFFICER:	Jonathan Kay, Senior Regeneration Manager
REVIEWING OFFICER:	Meenara Islam, Strategic Partnerships Manager
HEAD OF SERVICE:	Alice Lester, Operational Director, Regeneration, Growth & Employment

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 Brent	<p align="center">Full Council 25 November 2019</p>
	<p align="center">Report from the Strategic Director of Regeneration and Environment</p>
<p>Revoking a Byelaw to Enable Cycling In Parks and Open Spaces</p>	

Wards Affected:	All
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:	Appendix A: Brent Parks and Open Spaces covered by byelaw 7 (ii) Appendix B: Draft Revocation Byelaw Appendix C: Safety assessment summary Appendix D: Consultation document Appendix E: Equality impact assessment
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Tony Kennedy, Head of Highways and Infrastructure, 020 8937 5600 Tony.Kennedy@brent.gov.uk Sandor Fazekas, Project Development Service Manager, Highways and Infrastructure 020 8937 5600 Sandor.Fazekas@brent.gov.uk

1.0 Summary

- 1.1 This report informs Council of the steps taken to revoke byelaw 7ii of the Open Spaces and Pleasure Grounds that prohibits cycling in Brent's parks and open spaces and of the results of the public consultation.

2.0 Recommendation

That Full Council:

- 2.1 Agree and make the revocation of byelaw 7ii, in the terms set out in Appendix B.

- 2.2 Notes the process followed by officers to revoke the byelaw following approval from the General Purposes Committee on 19th March 2019.
- 2.3 Notes the outcome of the public consultation conducted from 7 June and 19 July 2019 for revoking byelaw 7 (ii).

3.0 Detail

- 3.1 The Mayor's Transport Strategy 2017, the Council's Long Term Transport Strategy 2015-2035 and the Brent Cycle Strategy 2016-2021 aim to increase the uptake of cycling within the borough.

- 3.2 The Brent Cycle Strategy 2016-2021 sets out the vision for cycling in Brent and aims to:

- make Brent a borough where everyone can cycle safely, in comfort and with confidence;
- enable people of all ages and abilities from every section of Brent's diverse society so see cycling as a good option for everyday travel;
- develop a coherent network of direct, comfortable and attractive cycle routes;
- explore opportunities to improve permeability for cyclists through opening existing paths through Brent's parks and open spaces for shared use by pedestrians and cyclists.

- 3.3 The current byelaws for pleasure grounds, public walks and open spaces were made in 1977 under the 1906 Open Spaces Act and the Public Health Act 1875. Byelaw 7ii currently states:

“a person shall not except in the exercise of any lawful right or privilege ride any bicycle, tricycle or similar machinery in any part of the Pleasure Ground.

Provided this byelaw shall not be deemed to prohibit the riding of bicycles, tricycles, and other similar machinery on any path in the Pleasure Ground known as Gladstone Park between the hours of 7am and 8:30am”.

This byelaw applies to 55 of our 90 parks and open spaces (see appendix A). Within the last few years, no complaints have been recorded relating to cycling in parks with both those covered by the byelaw and those that are not.

- 3.4 The current byelaws for pleasure grounds, public walks and open spaces were made in 1977 under the 1906 Open Spaces Act and the Public Health Act 1875. Byelaw 7(ii) of the existing byelaws does not generally allow cycling except in Gladstone Park between the hours of 7:00am – 8:30am. This byelaw applies to 55 of our 90 parks and open spaces (see appendix A). A review of data indicates

that no complaints have been recorded relating to cycling in parks, within both those covered by the byelaw and those that are not.

- 3.5 The Council already has some dedicated cycle routes / shared use paths in some parks and, although prohibited, cycling does take place in other parks for a number of different reasons. Transport for London (TfL) support the use of cycle routes through parks to help develop a coherent network of direct, comfortable and attractive cycle routes. There are therefore some inconsistencies in our current byelaw regulation and Brent transport policies that need to be addressed
- 3.6 Officers are of the view that only permitting cycling in specific parks does not meet our policy objectives and therefore that a general prohibition is appropriate. It is for this reason that it is proposed that byelaw 7 (ii) be revoked so that cycling is generally permitted in our parks and open spaces.
- 3.7 The health benefits of cycling, to both physical as well as mental health, are now well documented. In addition to delivering our Cycling Strategy, enabling residents to cycle in parks is fully aligned with the Council's policies on promoting physical activity and improving air quality.
- 3.8 There is a mixed approach to cycling across London with some local authorities implementing changes allowing cycling in their parks and open spaces; whilst others have retained restrictions and only granting permission for cycling in specific parks.
- 3.9 On 19 March 2019, the General Purposes Committee approved the regulatory impact assessment for making a byelaw to revoke byelaw 7 (ii) and the proposal for the making of a draft revocation byelaw (see appendix B).
- 3.10 The General Purposes Committee also authorised the Strategic Director of Regeneration and Environment to proceed with the process to conduct a public consultation for revoking byelaw 7 (ii) and for the results to be presented to Full Council for a final decision to be made.

Climate Emergency and Air Quality

- 3.11 The development of future schemes and initiatives will include a strong focus on removing barriers to walking and cycling in the borough, and considering new initiatives to encourage modal shift and supporting emerging strategies. This approach is reinforced by, and underpins, the motion passed by Full Council on the 8th July 2019 declaring a climate and ecological emergency.
- 3.12 Removing this Byelaw and permitting cycling in our parks and open spaces would support this agenda.

Surveys of parks and open spaces

- 3.13 Prior to the consultation, detailed surveys of all parks and open spaces covered by the Byelaw were completed to identify any potential areas of conflict between cyclists and other park users, these areas included:
- Entrances
 - play areas
 - outdoor gyms
 - cafes and picnic areas
 - paths that may be too narrow to allow safe sharing of the space, or
 - places with a steep topography that may affect cycling speeds as hills can encourage faster and slower paces.
- 3.14 The surveys enabled us to collate information on park facilities (such as sports areas, playgrounds etc.), accessibility (type of entrance gates, bollards etc.), key routes, path widths, materials, conditions for pedestrian and cycle usage and risk assessments. They also provided the opportunity to observe park users activity for both pedestrian and cyclists in terms of volumes and movements.
- 3.15 Where potential conflicts and risks have been identified, mitigation measures are recommended which include; '5mph' signs and surface markings to reduce speed and encourage safe cycling and 'no cycling' signs in areas where the paths are too narrow or close to park facilities.

Examples of the types of signs to be installed are as follows:



- 3.16 Of the 55 parks and open spaces, surveyed 32 will be required to have remedial measures introduced before the byelaw is revoked. This includes providing 184 new signs and footway markings. Attached to this report as Appendix C is the Safety Assessment Summary. It provides details of the parks and open spaces where safety measures have been identified, the risks and associated mitigation measures to be put in place.

Consultation and results

- 3.17 The consultation was carried out between 7 June and 19 July 2019 (6 weeks). It was open to all park users and was not restricted to Brent residents. Attached at Appendix D is the consultation document that was published on the Council's website. Notices were also placed in the Brent and Kilburn Times and the London Gazette. Notices were also displayed on noticeboards at the entrances to parks to encourage park users to respond.
- 3.18 Additionally, residents' associations, friends of parks groups and organisers of parks related activities (e.g. healthy walks and outdoor gym sessions) were contacted to encourage local communities to participate.
- 3.19 Officers received 190 responses, of these 125 (66%) agreed with the proposal to revoke the Byelaw to enable cycling in our parks and open spaces and 65 (34%) disagreed.
- 3.20 Responses were received from all these groups as well as from members of the public, responses were received from Councillors, schools, Brent Cycling Campaign, The Girl Guide Association, NHS, residents' associations, friends of parks groups, dog walkers and Brent Council Officers.
- 3.21 Of the 190 responses 83 provided comments to support their decision.

Those in favour of the proposal said:

- It's a great place for children and adults to learn to ride and have lessons
- Compensate for poor cycling infrastructure, lack of cycle lanes and potholes, avoid congested roads as they are too dangerous
- Good to promote sustainable modes of travel to improve air quality and reduce congestion. Promote climate change
- Cycling helps with obesity levels and aids physical and mental health
- Shared paths are a good idea and cycling in paths is a good way to keep fit

Those against the proposal said:

- Parks are areas where children should be able to feel safe and run free
- People visit parks to enjoy a car free environment, they are for all ages including the elderly and those in wheelchairs
- Lots of dog walkers use the parks and cyclists could run into the dogs and also disturb the wildlife

- Cyclists can be very aggressive, they do not give way to pedestrians and the paths are too narrow
- Who will enforce this? People currently cycle in Brent's parks and nothing is done to stop this
- How will the Council deal with speeding cyclists if you are proposing a 5mph speed limit?

3.22 In response to the comments received from the consultation:

- Officers have identified areas that have a higher risk of conflict between park users and mitigation measures including signs and markings will be provided.
- To help address the safety concerns officers propose to run a publicity campaign to publicise the changes and to promote courteous behaviour between park users. This will include an article in the Brent Magazine, posters on the park notice boards and information on our website; this will also include contact details for reporting any problems/concerns. Considerate behaviour between cyclists and pedestrians is also included in our Road Safety Education programme delivered to schools and cycle training activities.
- Promotional materials/activities will be targeted towards providing information to groups identified by the consultation as being vulnerable and set out in further detail in Appendix E – Equality impact assessment, and will include schools, community groups, help the aged/age concern and disability groups.
- In relation to enforcement, even in the absence of byelaw 7 (ii), the Council can still restrict cycling in specific areas where it is considered unsuitable. For example, Byelaw 18 addresses general nuisance, antisocial behaviour/inconsiderate behaviour, and accordingly inconsiderate cycling/cyclist's behaviour in Brent's parks could amount to be a breach of this byelaw. Byelaws 19 to 20 allow for enforcement of any breach through the Council's Environmental Enforcement Officers.
- It is envisaged that the majority of cyclists will use the pathways and that there should not be any significant increase to the disturbance of wildlife.
- The situation will be monitored on a regular basis. Complaints received will be investigated and where appropriate additional measures introduced which may include prohibitions, additional signage and, or other low cost measures.

Key Milestones

Steps	Date
Surveys	December 2018 – February 2019
General Purposes Committee Decision	19 th March 2019
Public Consultation on Revocation Byelaw	7 th June to 19 th July 2019
Analysis and Report of Consultation Responses	September 2019
Full Council Decision	25 th November 2019
Implement mitigation measures, signs and markings in parks	December to February 2020
If approved, the Revocation Byelaw is made under the Common Seal of the Council	December 2019
Deposit a copy of the Revocation Byelaw at Brent Civic Centre for public inspection Install new Signage where necessary	January/February 2020
Publicise Revocation of Byelaw	January/February 2020
Revocation Byelaw Comes into Force	The Byelaw comes into force on the 30 th day after which it is made.

4.0 Financial Implications

- 4.1 The cost of the mitigating measures identified in the surveys will be approximately £20,000, which will be fully funded from S106 developer funding.

5.0 Legal Implications

- 5.1 In accordance with the Council's Constitution Part 4, Table 6 only Full Council has the "power to make, amend, revoke or re-enact byelaws.
- 5.2 S236A of the Local Government Act 1972 provides an alternative, simplified, procedure for the revocation of byelaws that fall within the responsibility of the Department of Housing, Communities and Local Government (DCLG), as specified under Regulation 3 and Schedule 1 to the Byelaws (Alternative Procedure) (England) Regulations 2016.
- 5.3 In accordance with the process set out in Regulation 2016/165, there is a statutory requirement to consult for a minimum of 28 days. Once the consultation period has expired, the Council has six months to decide:
- a) to make the proposed byelaw without modification;
 - b) to make the proposed byelaw with minor modifications; or
 - c) not to make the proposed byelaw.

- 5.4 If Full Council decides to make the Revocation Byelaw, it must then have the common seal of the Council applied and comes into force on the 30th day after it has been made by Full Council (25th December).
- 5.5 Council should note that following the making of the Byelaw, and not less than seven days before it comes into force, the Council must:
- a) deposit a copy of the Revocation Byelaw at its principal office, for inspection and copies (the latter on subject of a reasonable charge);
 - b) where practicable, remove all signs which summarise the effect of the byelaw that has been revoked;
 - c) publish on its website a notice, stating that the Byelaw has been made and the date it comes into force;
 - d) specify the place at which it may be inspected and copies obtained;
 - e) publicise the Byelaw in such a manner as it considers fit.
- 5.6 The Revocation of Byelaw 7 (ii) will leave the remaining set of byelaws intact. The revocation will only remove the prohibition of riding any bicycle, tricycle or similar machine in any part of the Council's parks and open spaces covered by the 1977 Byelaws.

6.0 Equality Implications

- 6.1 S149 of the Equality Act 2010 provides that the Council must have *due regard* to the need to eliminate discrimination harassment and victimisation and other conduct prohibited under the Act, to advance equality of opportunity and foster good relations between those who share a protected characteristic, and those who do not. The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation
- 6.2 The proposals in this report have been subject to equality screening and as it identified diversity implications a full Equality Impact Assessment has been completed, a copy is attached as Appendix E
- 6.3 The Equality Assessment indicates that the proposal could potentially have a negative impact upon blind and partially sighted people, some older people and young children, who could be deterred from using parks by the presence of cyclists due to speed and the fear of conflict. This can be mitigated by the actions included in the Equality Impact Assessment (Appendix E). However, the Equality Impact Assessment also identified positive benefits for protected including people with disabilities, younger people learning to ride and women who are less likely to ride on roads with traffic. It concludes that the publicity campaign, reporting system, speed limitations and regular reviewing positively addressed the potential impacts highlighted in the assessment.

7.0 Consultation with Ward Members and Stakeholders

- 7.1 The General Purposes Committee approved the regulatory impact assessment for making a byelaw to revoke byelaw 7 (ii) and the proposal for the making of a draft revocation byelaw on 19 March 2019.
- 7.2 Details of the statutory consultation process for the revocation byelaw are provided in paragraph 3.14 of this report.
- 7.3 Members that attend the Brent Active Travel Forum are aware of the proposal to allow cycling in Brent parks and open spaces.

8.0 Human Resources/Property Implications (if appropriate)

- 8.1 Not applicable.

Related Documents:

General Purposes Committee (GPC) Report 19/03/2019

Report sign off:

AMAR DAVE

Strategic Director of Regeneration and Environment

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Appendix A - Brent Parks and Open Spaces covered by byelaw 7 (ii)

REPEAL OF BYELAWS

21. The byelaws relating to Pleasure Grounds which were made by the Wembley Borough Council on the sixteenth day of February, 1961 and confirmed by the Secretary of State on the thirteenth day of April, 1961 and those which were made by the Willesden Borough Council on the twenty-fourth day of November 1959 and confirmed by the Secretary of State on the twenty-sixth day of January, 1960 are hereby repealed.

Schedule A

Part I

Grounds in respect of which byelaws are made under Section 12 and 15 of Open Spaces Act 1906 –

Belvedere Way
Chalkhill Open Space
Church End Open Space
Crouch Road Open Space and Playground
Evefield Open Space
Gladstone Park Playing Fields
Granville Road Open Space
Pilgrims Way Open Space
Springfield Childrens Playground
South Kilburn Open Space
Stonebridge New Open Space
St. Raphael's Way Open Space
Wyborne Way Open Space

Part II

Grounds in respect of which byelaws are made under Section 164 Public Health Act 1875 —

Abbey Estate Open Space
Alperton Sports Ground
Barham Park
Barham Park: Queen Elizabeth II Silver Jubilee Gardens
Barnhill Open Space
Basing Hill Open Space
Brampton Grove Open Space
Butlers Green Open Space
Caffrey Gardens
Church Lane Recreation Ground
Elmwood Park
Eton Grove Open Space
Fryent Way Open Space
Gibbons Recreation Ground
Gladstone Park
Gladstone Park Open Space
Heather Park
High Meadow Crescent
King Edward VII Park
Kingsbury Green
Longstone Avenue Recreation Ground
Maybank Open Space
Mount Pleasant Open Space
Neasden Recreation Ground
Northwick Park
One Tree Hill Open Space
Preston Park
Roe Green Park
Roe Green Village Green
Roundwood Park
Sherrens Farm Open Space
Silver Jubilee Park
Stonebridge Recreation Ground
Sudbury Court Open Space
Sudbury Heights Open Space
Tenterden Sports Ground
Tokyngton Sports Ground
Vale Farm Sports Ground
Village Way Open Space
Welsh Harp Open Space
Willesden Sports Centre
Woodcock Park

Appendix B - Draft Revocation Byelaw

LONDON BOROUGH OF BRENT

REVOCATION BYELAW

Byelaw made under sections 12 and 15 of the Open Spaces Act 1906 and section 164 of the Public Health Act 1875 with respect to open spaces and pleasure grounds in the London Borough of Brent.

Revocation

Byelaw 7 (ii) of the byelaws made by the Mayor, Aldermen and Burgesses of the London Borough of Brent on 22nd August 1977 and confirmed by the Secretary of State on 24th October 1977 is revoked.

THE COMMON SEAL of)
THE MAYOR)
AND BURGESSES OF)
THE LONDON BOROUGH OF BRENT)

Was affixed hereto on the day of 201 in the presence
of:

Solicitor/Authorised Signatory

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Appendix C - Safety Assessment Summary

	Parks & Open Spaces	5mph signs	Shared path sign	No cycling signs	Cycle responsibly plate	Remove existing 'end of cycle route' sign	SLOW footway marking	Ward
1	Abbey Estate Open Space	N/A	N/A	1	N/A	N/A	N/A	Alperton
2	Alperton Sports Ground	N/A	N/A	3	N/A	N/A	N/A	Alperton
3	Barham Park	5	N/A	9	N/A	N/A	N/A	Sudbury
4	Barnhill Open Space	N/A	N/A	N/A	N/A	N/A	N/A	Barnhill
5	Basing Hill	N/A	N/A	N/A	N/A	N/A	N/A	Barnhill
6	Belverdere Way	N/A	N/A	N/A	N/A	N/A	N/A	Kenton
7	Brampton Grove	N/A	N/A	N/A	N/A	N/A	N/A	Barnhill
8	Butlers Green	N/A	N/A	1	N/A	N/A	N/A	Sudbury
9	Caffrey Gardens	N/A	N/A	N/A	N/A	N/A	N/A	Fryent
10	Chalkhill Open Space	N/A	N/A	N/A	N/A	N/A	N/A	Barnhill
11	Church End	3	N/A	N/A	N/A	N/A	N/A	Dudden Hill
12	Church Lane Recreation Ground	3	N/A	1	N/A	N/A	N/A	Fryent
13	Crouch Road	4	N/A	1	N/A	N/A	N/A	Stonebridge
14	Elmwood Park	N/A	N/A	N/A	N/A	N/A	2	Northwick Park
15	Eton Grove	4	N/A	1	N/A	N/A	N/A	Queensbury
16	Evefield Open Space	N/A	N/A	N/A	N/A	N/A	N/A	Stonebridge
17	Fryent Country Park	N/A	N/A	N/A	N/A	N/A	N/A	Fryent
18	Gibbons Recreation Ground	5	N/A	4	N/A	N/A	N/A	Stonebridge
19	Gladstone Park	11	N/A	N/A	5	N/A	1	Dollis Hill
20	Gladstone Park Playing Fields	N/A	N/A	2	N/A	N/A	N/A	Dollis Hill
22	Heather Park	6	N/A	N/A	N/A	N/A	N/A	Alperton

23	High Meadow Crescent	N/A	N/A	N/A	N/A	N/A	N/A	Fryent
24	King Edward VII Park, Wembley	7	N/A	3	N/A	N/A	N/A	Preston
25	Kingsbury Green	N/A	N/A	N/A	N/A	N/A	N/A	Fryent
26	Longstone Avenue	N/A	N/A	N/A	N/A	N/A	N/A	Harlesden
27	Maybank	6	N/A	2	N/A	N/A	N/A	Sudbury
28	Mount Pleasant	3	N/A	1	N/A	N/A	N/A	Alpertton
29	Neasden Recreation Ground	5	N/A	3	N/A	4	N/A	Welsh Harp
30	Northwick Park	N/A	2	3	N/A	N/A	N/A	Northwick Park
31	One Tree Hill Recreation Ground	2	N/A	2	N/A	N/A	N/A	Wembley Central
32	Pilgrim Way Open Space	N/A	N/A	N/A	N/A	N/A	N/A	Barnhill
33	Pleasant Open Space	N/A	N/A	N/A	N/A	N/A	N/A	Alpertton
34	Preston Park	3	N/A	3	N/A	N/A	N/A	Preston
35	Queen Elizabeth II Silver Jubilee Gardens	N/A	N/A	N/A	N/A	N/A	N/A	Sudbury
36	Roe Green Park	8	N/A	3	N/A	N/A	N/A	Fryent
37	Roe Green Village Green	N/A	N/A	N/A	N/A	N/A	N/A	Queensbury
38	Roundwood Park	5	N/A	5	N/A	N/A	N/A	Willesden Green
39	Sherrin's Farm	N/A	N/A	2	N/A	N/A	N/A	Tokington
40	Silver Jubilee Park	N/A	N/A	2	N/A	N/A	N/A	Fryent
41	South Kilburn Open Space	5	N/A	N/A	N/A	N/A	N/A	Kilburn
42	Springfield Park	N/A	N/A	N/A	N/A	N/A	N/A	Fryent
43	St Raphael's Way Open Space	N/A	N/A	N/A	N/A	N/A	N/A	Stonebridge
44	Stonebridge New Open Space	4	N/A	N/A	N/A	N/A	N/A	Stonebridge
45	Stonebridge Recreation Ground	4	N/A	1	N/A	N/A	N/A	Stonebridge

46	Sudbury Court Open Space	2	N/A	N/A	N/A	N/A	N/A	Northwick Park
47	Sudbury Heights Open Space	N/A	N/A	N/A	N/A	N/A	N/A	Northwick Park
48	Tenterden Recreation Ground	4	N/A	2	N/A	N/A	N/A	Kenton
49	Tokyngton Recreation Ground	N/A	N/A	2	N/A	N/A	N/A	Tokyngton
50	Vale Farm Sports Ground	N/A	N/A	N/A	N/A	N/A	N/A	Sudbury
51	Village Way	N/A	N/A	N/A	N/A	N/A	N/A	Welsh Harp
52	Welsh Harp Open Space	N/A	N/A	N/A	N/A	N/A	N/A	Welsh Harp
53	Willesden Sports Ground (King Edward VII Recreation Ground)	N/A	N/A	N/A	N/A	N/A	N/A	Willesden Green
54	Woodcock Park	5	N/A	2	N/A	N/A	N/A	Kenton
55	Wyborne Way	2	N/A	1	N/A	N/A	N/A	Stonebridge
	TOTAL SIGNS REQUIRED	109	2	61	5	4	3	

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 Brent	<h2 style="margin: 0;">Public Consultation</h2> <h3 style="margin: 0;">Proposed Revocation of Byelaw (restriction) Against Cycling in Brent Parks</h3>
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This document outlines our proposals for the revocation of Byelaws prohibiting cycling in over 50 parks across the Borough. Please read through the information in this document and then complete the online questionnaire. The closing date for this consultation is: **5 July 2019**

Background

Brent Council is currently looking to promote cycling across its parks in the borough and is reviewing the 1977 Byelaw prohibiting people from cycling. The 1977 Byelaw which is a local law made by Brent Council. The aim is to improve cycle accessibility across the borough and promote active and sustainable travel. This is in line with the vision set out in our Cycle Strategy 2016-2021, which aims to make Brent a borough where everyone can cycle safely, in comfort and with confidence and to enable people of all ages and abilities from every section of Brent's diverse community to see cycling as a good option for everyday travel.

This will also improve air quality by reducing pollution, helping to make the borough a cleaner place to live and work, and to support healthier lifestyles. This is in line with the priorities set in the Mayor of London's Transport Strategy (as well as Brent's Cycling Strategy, Air Quality Action Plan and Long Term Transport Strategy), to ensure that London meets its legal pollution limits as soon as possible.

The Council has already undertaken safety assessments on all the parks covered by the Byelaw and has been able to identify areas, where these restrictions would need to remain, and to introduce new signs to tackle safety concerns.

The map shows the parks that are affected by the Byelaw.

What is being proposed?

All the parks included in the 1977 Byelaw have been assessed, identifying potential areas where it is necessary to retain the restrictions. You can view the Byelaw we are proposing to revoke and associated assessments [here](#) (add hyperlink)

The assessment has been carried out on a park by park basis to tackle any safety issues.

A 5mph speed limit has been proposed for cycling in parks and where conflict with other park users may occur, signs will be installed in areas where cycling will still be prohibited, such as where paths may be too narrow to allow safe sharing of the space at entrances or in playgrounds or outdoor gyms. The Council will enforce the byelaw preventing general nuisance and antisocial behaviour.

What will happen next?

You can view a hardcopy of the Byelaw at Brent Civic Centre, Engineers Way Wembley HA9 0FJ, please email Highways&Infrastructure@brent.gov.uk or call 020 8937 5600 to arrange this

At this stage of the process, we are seeking your views and would like to hear from all park users, please note this is open to all and not restricted to Brent residents. To give us your feedback, please complete the online questionnaire by **5 July 2019**

Debbie Huckle, Safety & Travel Planning Team Leader, Highways and Infrastructure

This consultation is borough-wide.

Your Views are important to us.

<p>This document is available for completion online at www.brent.gov.uk/consultation, and all responses will be considered.</p>		<p>As it is a borough-wide consultation, Local groups, Statutory Authorities, the Emergency Services and Ward Councillors are also being consulted.</p>
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Your response is protected as required by the Data Protection Act and will not be identified.

If you would like further information, then please contact:

<p>Debbie Huckle Team Leader Safety & Travel Planning Highways & Infrastructure Service London Borough of Brent Tel: 020 8937 5600 Highways&Infrastructure@brent.gov.uk</p>	<p>Paulette Weekes Consultation Officer Project Development Highways & Infrastructure Service London Borough of Brent Tel: 020 8937 5600 Highways&Infrastructure@brent.gov.uk</p>
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Brent Building a better borough



EQUALITY ANALYSIS (EA)

POLICY/PROPOSAL:	Revoking the Byelaw to enable cycling in parks
DEPARTMENT:	Regeneration and Environment
TEAM:	Highways and Infrastructure
LEAD OFFICER:	Debbie Huckle
DATE:	24/10/2019

NB: Please ensure you have read the accompanying EA guidance and instructions in full.

SECTION A – INITIAL SCREENING

1. Please provide a description of the policy, proposal, change or initiative, and a summary its objectives and the intended results.

To revoke the Byelaw 7ii in order to enable cycling in Brent's parks and open spaces. The current byelaws for pleasure grounds, public walks and open spaces were made in 1977 and it does not generally allow cycling except in Gladstone Park between the hours of 7:00am – 8:30am.

The Council already has some dedicated cycle routes / shared use paths in some parks and, although prohibited, cycling does take place in other parks for a number of different reasons. Transport for London (TfL) support the use of cycle routes through parks to help develop a coherent network of direct, comfortable and attractive cycle routes. There are therefore some inconsistencies in byelaw regulation and transport policies that need to be addressed. The health benefits of cycling, to both physical as well as mental health, are now well documented. In addition to delivering our Cycling Strategy, enabling residents to cycle in parks is fully aligned with the Council's policies on promoting physical activity, and support the climate emergency activities to help improve air quality.

2. Who may be affected by this policy or proposal?

Brent has approximately 90 parks and open spaces of which 55 are covered by the byelaw which prohibits cycling. Allowing cycling is not envisaged to have any detrimental impact upon other park users in the majority of our parks and open spaces.

Our parks are used by people from all different back grounds and ages for a variety of reasons. Most park related activities are free and the Council encourages local people to make use of them.

Young people use them to play and have fun whilst others use them for exercise purposes. The elderly can often be seen in parks together with people walking their dogs. Cyclists already use some of our parks, even where there are no defined cycle tracks, and we receive very few complaints.

3. Is there relevance to equality and the council's public sector equality duty? Please explain why. If your answer is no, you must still provide an explanation.

Whilst people are generally not aware of the byelaw prohibiting cycling in some of our parks and this activity already happens the proposal to remove the byelaw will impact all park users. This will impact people in different ways and to a different extent because of their equality characteristics.

4. Please indicate with an "X" the potential impact of the policy or proposal on groups with each protected characteristic. Carefully consider if the proposal will impact on people in different ways as a result of their characteristics.

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age	X		X
Sex	X		
Race	X		
Disability	X		X
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity	X		X
Marriage		X	

5. Please complete **each row** of the checklist with an "X".

SCREENING CHECKLIST		
	YES	NO
Have you established that the policy or proposal <i>is</i> relevant to the council's public sector equality duty?	✓	
Does the policy or proposal relate to an area with known inequalities?		✓
Would the policy or proposal change or remove services used by vulnerable groups of people?		✓
Has the potential for negative or positive equality impacts been identified with this policy or proposal?	✓	

If you have answered YES to ANY of the above, then proceed to section B.
If you have answered NO to ALL of the above, then proceed straight to section D.

SECTION B – IMPACTS ANALYSIS

1. Outline what information and evidence have you gathered and considered for this analysis. If there is little, then explain your judgements in detail and your plans to validate them with evidence. If you have monitoring information available, include it here.

A 6 week consultation was carried out which was available to all park users (not restricted to Brent residents) to gather peoples views on the proposal to remove the byelaw. In addition to asking if they support the proposal it also included a section for comments/concerns.

Of the 190 people that responded 65% supported the proposal. Full details are attached in Appendix 1

Comments received included the following, only a few related to individual parks or open spaces:

Those in favour of the proposal said:

- It's a great place for children and adults to learn to ride and have lessons
- Compensate for poor cycling infrastructure, lack of cycle lanes and potholes, avoid congested roads as they are too dangerous
- Good to promote sustainable modes of travel to improve air quality and reduce congestion. Promote climate change
- Cycling helps with obesity levels and aids physical and mental health
- Shared paths are a good idea and cycling in paths is a good way to keep fit

Those against the proposal said:

- Parks are areas where children should be able to feel safe and run free
- People visit parks to enjoy a car free environment, they are for all ages including the elderly and those in wheelchairs
- Lots of dog walkers use the parks and cyclists could run into the dogs and also disturb the wildlife
- Cyclists can be very aggressive, they do not give way to pedestrians and the paths are too narrow
- Who will enforce this? People currently cycle in Brent's parks and nothing is done to stop this
- How will the Council deal with speeding cyclists if you are proposing a 5mph speed limit

Prior to the consultation surveys were conducted at all parks and open spaces covered by the byelaw to identify any areas of potential conflict between cyclists and other park users such as near entrances, play areas, cafes and picnic areas.

Observations of all parks and open spaces were also conducted to establish current park user activity including pedestrian and cyclist volumes and movements. Where potential conflicts and risks have been identified mitigation measures have been recommended which includes signs, surface markings and cycle free areas.

2. For each “protected characteristic” provide details of all the potential or known impacts identified, both positive and negative, and explain how you have reached these conclusions based on the information and evidence listed above. Where appropriate state “not applicable”.

AGE	
Details of impacts identified	<p>Allowing people to cycle in parks will assist the less confident cyclists who tend to younger and older people and it will also benefit families with younger children that wish to cycle together. The cycle free areas will benefit the younger and older park users as they will be able to walk and play without the risk of coming into conflict with a cyclist.</p> <p>Consultation responses highest group 45-54 years 25% 14% 65+ years 0% 0-15 years</p>
DISABILITY	
Details of impacts identified	<p>By allowing cycling in parks this will provide opportunities for disabled people to participate in cycling activities as it will provide a safer environment for cycling rather than on the roads. Our cycle training provider will be able to arrange sessions for disabled people using adapted bikes to encourage participation amongst this group. It has been identified that cycling can help to improve physical and mental wellbeing.</p> <p>The proposal could also have a negative impact on people with a disability, wheel chairs users could come into conflict with cyclists on narrower paths, the blind/partially sighted or those with a hearing impairment maybe discouraged from using the parks as they feel uncomfortable sharing the space with cyclists.</p> <p>Consultation responses 8% have a disability</p>

RACE	
Details of impacts identified	<p>The proposal could have a positive impact on racial groups where there isn't currently a strong culture of cycling, particularly for women as parks provide a potential safe environment in which to learn.</p> <p>Consultation responses highest groups 42% British/English, 6% Asian/Indian</p>
SEX	
Details of impacts identified	<p>The proposal could have a positive impact on women as studies show that women tend to prefer to cycle on traffic free routes or on quieter side streets.</p> <p>Allowing cycling in parks will benefit men and women who are less willing and confident to ride on the roads.</p> <p>In Brent more women attend our cycle training sessions as opposed to men.</p> <p>Consultation responses 48% female, 37% male</p>
SEXUAL ORIENTATION	
Details of impacts identified	<p>It is envisaged that there will not be any impact however if any issues are identified during the review stage they will be addressed.</p> <p>Consultation results 63% heterosexual 1.58% Gay man, 1.58% Gay woman / Lesbian</p>
PREGANCY AND MATERNITY	
Details of impacts identified	<p>Pregnant women may experience both positive and negative impacts as cycling in parks provides an opportunity for physical activity away from roads however pregnant women may be unable to respond as quickly if they come into conflict with a cyclist.</p> <p>Families with young children could benefit from this as it provides the ideal environment for children to learn to cycle although they can be unpredictable in their movements which could increase the possibility of conflict with other park users.</p>
RELIGION OR BELIEF	
Details of impacts identified	<p>It is envisaged that there will not be any impact however if any issues are identified during the review stage they will be addressed</p> <p>Consultation results highest groups no religious belief 34%, Christian 18%</p>

GENDER REASSIGNMENT	
Details of impacts identified	It is envisaged that there will not be any impact however if any issues are identified during the review stage they will be addressed
MARRIAGE & CIVIL PARTNERSHIP	
Details of impacts identified	It is envisaged that there will not be any impact however if any issues are identified during the review stage they will be addressed

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

No

4. Were the participants in any engagement initiatives representative of the people who will be affected by your proposal and is further engagement required?

Yes, the consultation to revoke the byelaw was open to all park users (not restricted to Brent residents) to say if they support this and provide comments either for or against. The documents were available on the Council's website and it was published in the Brent and Kilburn Times and the London Gazette. Posters were displayed on noticeboards at the entrances to parks to encourage park users to respond with their views. In addition, residents associations, friends of parks groups and organisers of parks related activities (e.g. led walks and outdoor gym sessions) were contacted and asked to promote this. We received 190 responses from members of the public, Councillors, schools, Brent Cycling Campaign, The Girl Guide Association, NHS, residents' associations, friends of parks groups, dog walkers and Brent Council Officers. Full details of the consultation responses are attached in Appendix 1

5. Please detail any areas identified as requiring further data or detailed analysis.

None identified

6. If, following your action plan, negative impacts will or may remain, please explain how these can be justified?

Once the steps in the action plan have been completed it is not expected that any negative impacts will remain however as detailed in point 7 below we will monitor the situation on a regular basis.

Through our publicity campaign we plan to change the culture/preconception around cycling and promote considerate behaviour.

By introducing speed limit signs and publicity aimed at cyclists we can address the speeding concerns identified in the consultation. We will respond to any complaints received relating to speed by conducting observations and introducing more cycle free zones if required.

7. Outline how you will monitor the actual, ongoing impact of the policy or proposal?

The situation will be monitored on a regular basis, any complaints received will be addressed, and concerns investigated. Where required additional measures will be introduced which may include prohibitions, additional signage and other low cost measures

SECTION C - CONCLUSIONS

Based on the analysis above, please detail your overall conclusions. State if any mitigating actions are required to alleviate negative impacts, what these are and what the desired outcomes will be. If positive equality impacts have been identified, consider what actions you can take to enhance them. If you have decided to justify and continue with the policy despite negative equality impacts, provide your justification. If you are to stop the policy, explain why.

Taking into account the steps detailed in the action plan officers are confident that allowing cycling in our parks will have a positive impact for most park users. The proposal will enable people to enjoy the benefits of cycling in a safe environment which in turn could lead to reduced car use and congestion and improved air quality.

The results of the consultation identified that the main reason for objection was the fear that cyclists would speed through the parks and have no respect for other park users.

Our publicity campaign to promote courteous behaviour should help alleviate this together with the physical measures we plan to introduce (signs, markings and cycle free areas).

By providing a mechanism to report problems/concerns this will enable us to review the situation on a regular basis and where required introduce additional safety measures.

SECTION D – RESULT

<i>Please select one of the following options. Mark with an "X".</i>		
A	CONTINUE WITH THE POLICY/PROPOSAL UNCHANGED	X
B	JUSTIFY AND CONTINUE THE POLICY/PROPOSAL	
C	CHANGE / ADJUST THE POLICY/PROPOSAL	
D	STOP OR ABANDON THE POLICY/PROPOSAL	

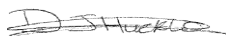

SECTION E - ACTION PLAN

This will help you monitor the steps you have identified to reduce the negative impacts (or increase the positive); monitor actual or ongoing impacts; plan reviews and any further engagement or analysis required.

Action	Expected outcome	Officer	Completion Date
As identified in the surveys physical measures will be introduced including signs, road markings and cycle free areas.	To make it clear to cyclists where they can and can't cycle and to remind them of the speed they must travel. Reduce the risk of conflict between park users.	Debbie Huckle	Feb 2020
Set up a reporting system for park users to provide details of areas of concern/problems	This will help us to identify hot spots, issues with infrastructure, visibility problems or behavioural issues. Additional measures can then be introduced to address these problems.	Debbie Huckle	March 2020
To help address the safety concerns officers propose to run a publicity campaign to publicise the changes and to promote courteous behaviour between park users. This will include an article in the Brent Magazine, posters on the park notice boards and information on our website;	Improved awareness of the changes to activities in our parks. All park users respect each other and the fear of being hit by a speeding cyclist is reduced.	Debbie Huckle	March 2020
In addition to the publicity campaign promotional materials will be targeted towards the young, elderly and people with a disability via: <ul style="list-style-type: none"> Schools and cycle training activities Pensioners forum Disability forum 	Increased confidence for these groups and awareness of the procedure to report any areas of concern	Debbie Huckle	March 2020

SECTION F – SIGN OFF

Please ensure this section is signed and dated.

OFFICER:	Debbie Huckle 04/11/2019 
REVIEWING OFFICER:	Natalie Gordon 07/11/2019
HEAD OF SERVICE:	Tony Kennedy 07/11/2019 

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Proposed Revocation of Byelaw (restriction) Against Cycling in Brent Parks: Summary report

This report was created on Tuesday 13 August 2019 at 14:03.

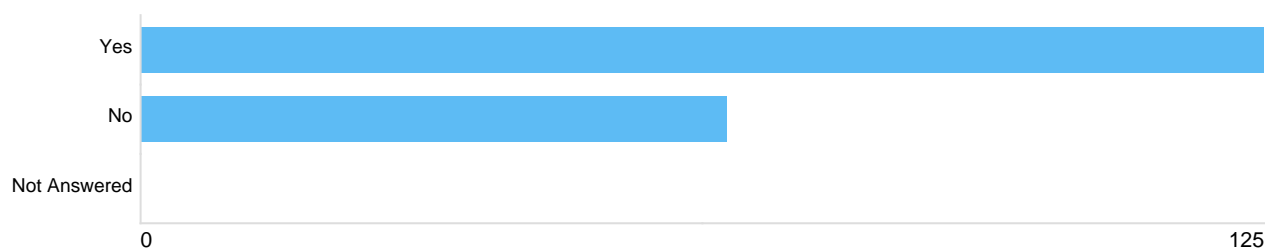
The consultation ran from 18/06/2019 to 31/07/2019.

Contents

Question 1: Do you agree with the proposal?	1
Q1	1
Question 2: Please leave comments below.....	1
Comment	1
Question 3: What is your name?	1
Name	1
Question 4: What is your address?	2
Address	2
Question 5: What is your email address?	2
Email	2
Question 6: What is your organisation?	2
Organisation	2
Question 7: Please state your ethnicity:	3
Ethnicity	3
Question 8: Do you consider yourself to have a disability?	4
Disability	4
Question 9: Please indicate your sex:	5
Gender	5
Question 10: What is your age?	5
Age	5
Question 11: What is your religion/belief?	6
Religion	6
Question 12: What is your sexual orientation?	7
Sexuality	7

Question 1: Do you agree with the proposal?

Q1



Option	Total	Percent
Yes	125	65.79%
No	65	34.21%
Not Answered	0	0%

Question 2: Please leave comments below.....

Comment

There were **83** responses to this part of the question.

Question 3: What is your name?

Name

There were **179** responses to this part of the question.

Question 4: What is your address?***Address***

There were **170** responses to this part of the question.

Question 5: What is your email address?***Email***

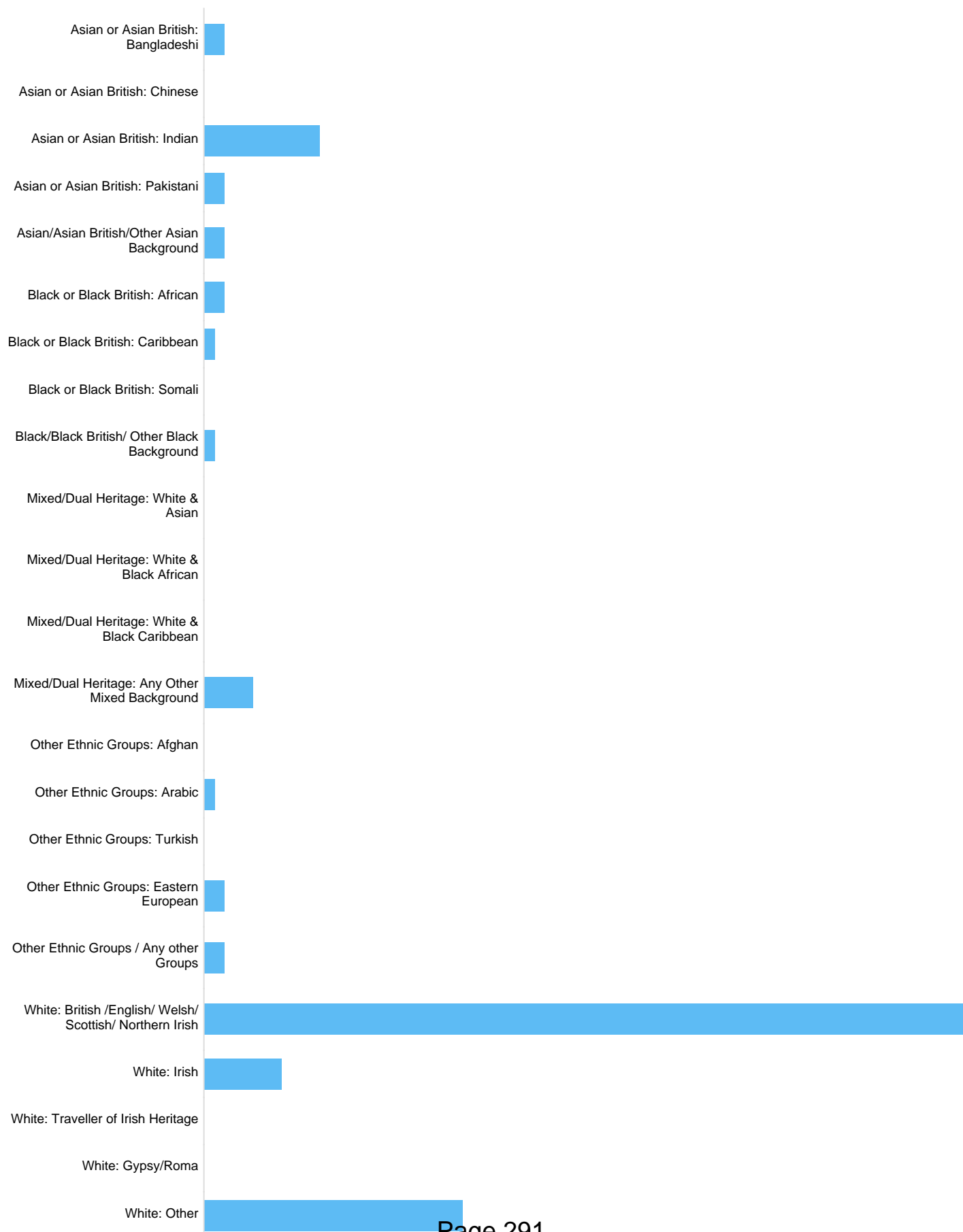
There were **160** responses to this part of the question.

Question 6: What is your organisation?***Organisation***

There were **91** responses to this part of the question.

Question 7: Please state your ethnicity:

Ethnicity





Option	Total	Percent
Asian or Asian British: Bangladeshi	2	1.05%
Asian or Asian British: Chinese	0	0%
Asian or Asian British: Indian	12	6.32%
Asian or Asian British: Pakistani	2	1.05%
Asian/Asian British/Other Asian Background	2	1.05%
Black or Black British: African	2	1.05%
Black or Black British: Caribbean	1	0.53%
Black or Black British: Somali	0	0%
Black/Black British/ Other Black Background	1	0.53%
Mixed/Dual Heritage: White & Asian	0	0%
Mixed/Dual Heritage: White & Black African	0	0%
Mixed/Dual Heritage: White & Black Caribbean	0	0%
Mixed/Dual Heritage: Any Other Mixed Background	5	2.63%
Other Ethnic Groups: Afghan	0	0%
Other Ethnic Groups: Arabic	1	0.53%
Other Ethnic Groups: Turkish	0	0%
Other Ethnic Groups: Eastern European	2	1.05%
Other Ethnic Groups / Any other Groups	2	1.05%
White: British /English/ Welsh/ Scottish/ Northern Irish	80	42.11%
White: Irish	8	4.21%
White: Traveller of Irish Heritage	0	0%
White: Gypsy/Roma	0	0%
White: Other	27	14.21%
Prefer not to say	32	16.84%
Not Answered	11	5.79%

Question 8: Do you consider yourself to have a disability?

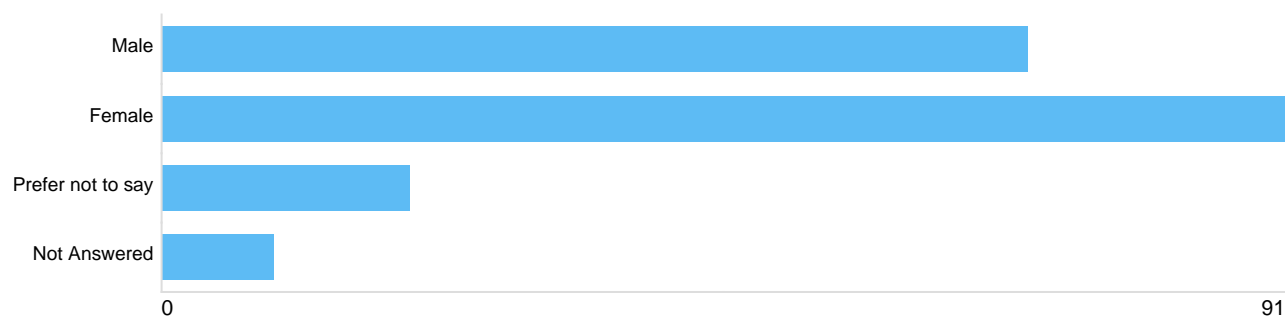
Disability



Option	Total	Percent
Yes	15	7.89%
No	154	81.05%
Prefer not to say	14	7.37%
Not Answered	7	3.68%

Question 9: Please indicate your sex:

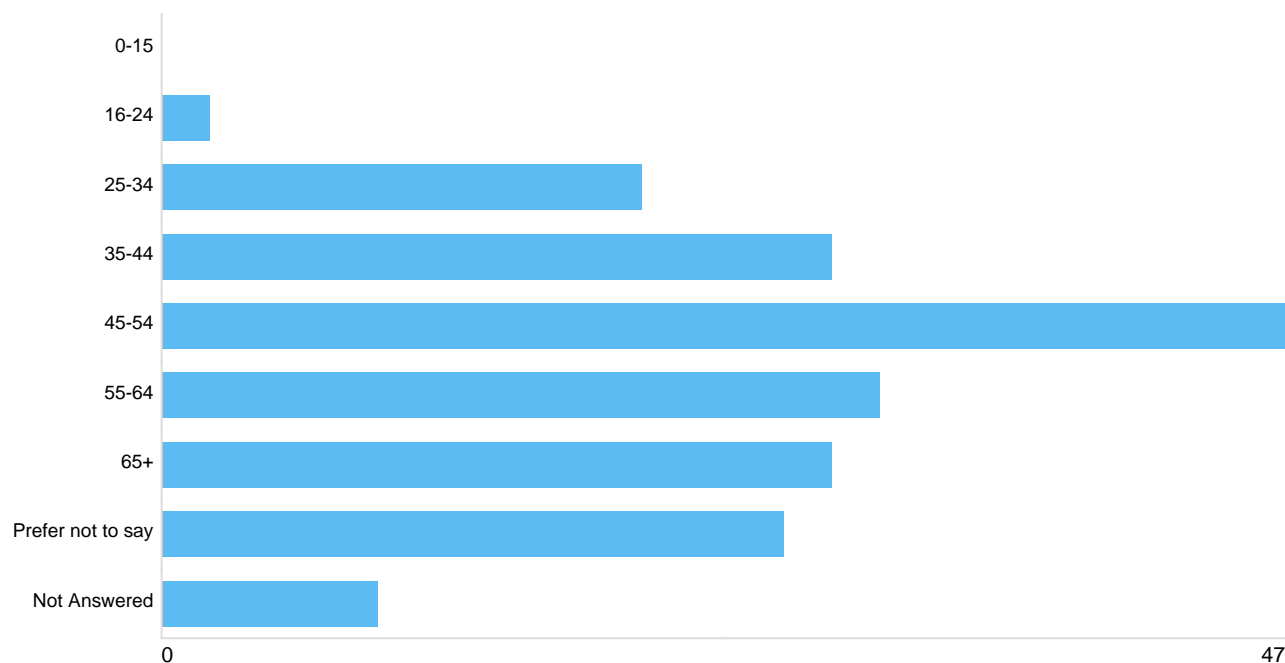
Gender



Option	Total	Percent
Male	70	36.84%
Female	91	47.89%
Prefer not to say	20	10.53%
Not Answered	9	4.74%

Question 10: What is your age?

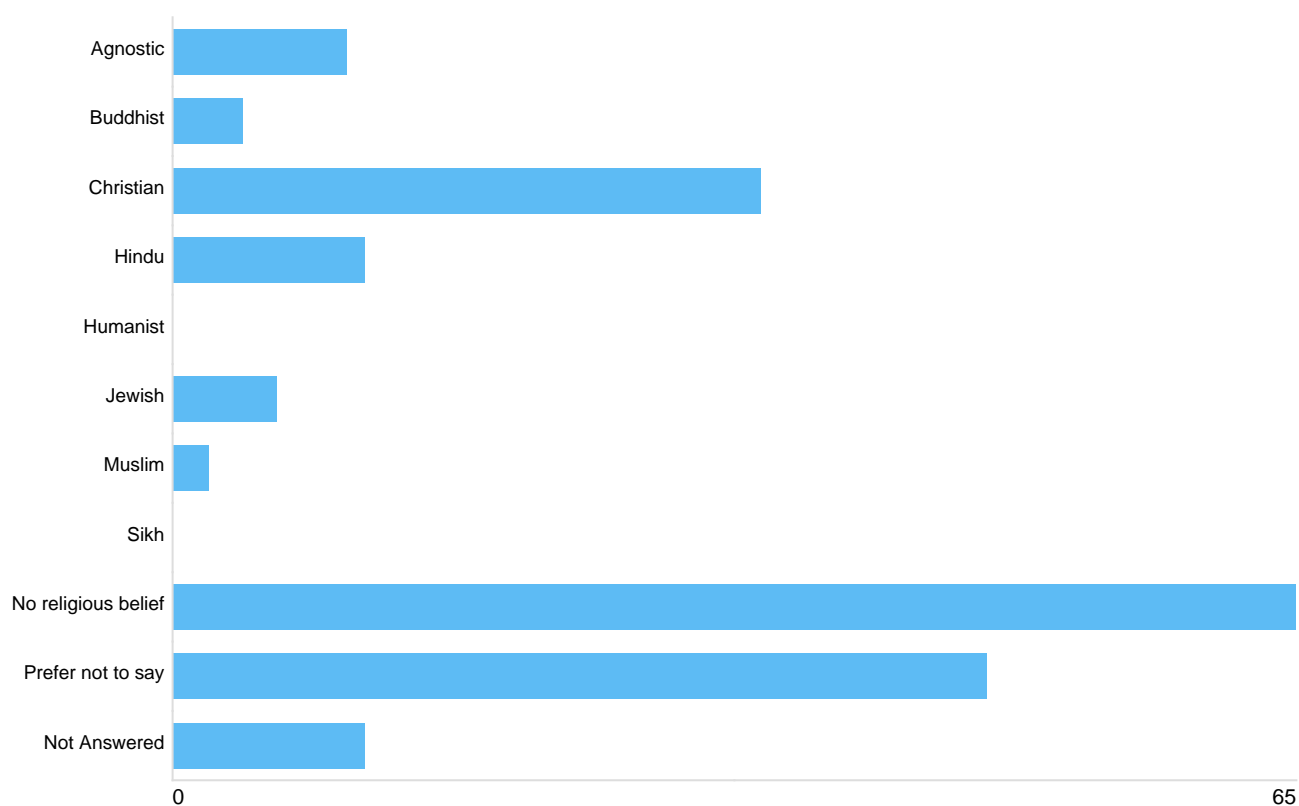
Age



Option	Total	Percent
0-15	0	0%
16-24	2	1.05%
25-34	20	10.53%
35-44	28	14.74%
45-54	47	24.74%
55-64	30	15.79%
65+	28	14.74%
Prefer not to say	26	13.68%
Not Answered	9	4.74%

Question 11: What is your religion/belief?

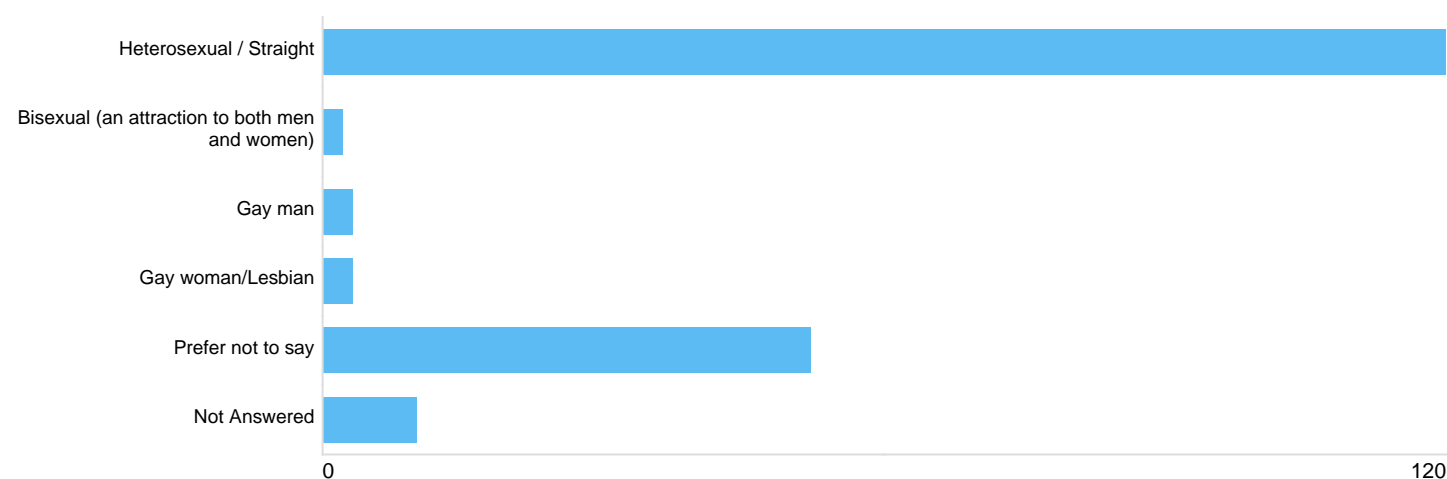
Religion



Option	Total	Percent
Agnostic	10	5.26%
Buddhist	4	2.11%
Christian	34	17.89%
Hindu	11	5.79%
Humanist	0	0%
Jewish	6	3.16%
Muslim	2	1.05%
Sikh	0	0%
No religious belief	65	34.21%
Prefer not to say	47	24.74%
Not Answered	11	5.79%


Question 12: What is your sexual orientation?

Sexuality



Option	Total	Percent
Heterosexual / Straight	120	63.16%
Bisexual (an attraction to both men and women)	2	1.05%
Gay man	3	1.58%
Gay woman/Lesbian	3	1.58%
Prefer not to say	52	27.37%
Not Answered	10	5.26%

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	Full Council 25 November 2019
	Report from the Strategic Director of Regeneration & Environment
Draft Statement of Licensing Policy	

Wards Affected:	All
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:	Appendix A: Draft Statement of Licensing Policy Appendix B: Proposed Cumulative Impact Zones Appendix C: Consultation Report Appendix D: Equality Impact Assessment
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Yogini Patel – Senior Regulatory Service Manager 020 8937 5262 Yogini.patel@brent.gov.uk Simon Legg – Head of Regulatory Services 020 8937 5522 Simon.legg@brent.gov.uk

1.0 Purpose of the Report

- 1.1 The Council in its role as a Licensing Authority under the Licensing Act 2003 has a duty to determine, publish and keep under review its Statement of Licensing Policy ('Policy') which has a five-year shelf-life but can be replaced at any time during that five-year period.
- 1.2 The current Policy is due to expire on 6th January 2021. The review of the current Policy has been brought forward due to increase in alcohol fuelled crime and anti-social behaviour since the Policy was last reviewed in 2015. It also takes account of revisions to the Home Office Guidance issued under S.182 of the Licensing Act 2003.
- 1.3 The proposed draft Policy introduces 29 specific policies including ten cumulative impact zones where street drinking and alcohol related crime exist to prevent growth of more off-licences, encourages applicants to include a voluntary condition that the applicants will not sell alcohol at a price under 70 pence per unit of alcohol. The Policy also supports a 24-hour night time

economy in Wembley and Kilburn to facilitate enhancement of leisure and entertainment functions with appropriate safeguards.

2.0 Recommendation(s)

- 2.1 That the Full Council approve the draft Statement of Licensing Policy in Appendix A and Cumulative Impact Zones proposed in Appendix B.
- 2.2 That the Full Council note that the Cumulative Impact zones proposed will have to be reviewed within 3 years.

3.0 Detail

- 3.1 The Licensing Act 2003 (“the Act”) requires that the Council determine and publish a Statement of Licensing Policy (‘Policy’) at least once every five years, setting out its policies in order to exercise its licensing functions.
- 3.2 The Council’s current Policy came into effect on 7 January 2016 and is due to expire on 6th January 2021.
- 3.3 The review of the current Policy has been brought forward because of increase in alcohol fuelled crime and anti-social behaviour as well as to take account of the revisions to the Home Office Guidance issued under section 182 of the Act, since the Policy was last reviewed in 2015. The source of alcohol is from off-licences across the Borough. The majority of the small grocers and newsagents survive through the sale of alcohol.
- 3.4 An evidence-based approach was adopted during the review of the current Policy, which included analysis of the following datasets:
- crime reports (all crime, alcohol related crime, violent crime & sexual offences);
 - health (alcohol flagged data)
 - licensed premises (licences held, reviewed, refused and revoked).

Furthermore, views from responsible authorities such as the Police, Nuisance Control Team etc. were sought prior to formulating the Policy.

- 3.5 The draft Policy introduces 29 specific policies as well as measures that promote the four licensing objectives; namely prevention of crime & disorder, prevention of public nuisance, public safety and protection of children from harm. The policies would inform decision making in a meaningful way as well as provide useful and practical guidance to applicants, local residents, responsible authorities and magistrates (who decide cases on appeal).
- 3.6 Proposed policies include introduction of ten cumulative impact zones where street drinking and alcohol related crime exist to prevent growth of more off-licences. It encourages applicants to include a voluntary condition that the applicants will not sell alcohol at a price under 70 pence per unit of alcohol as well as policies that encourages culture, arts and tourism.

- 3.7 In addition, since the publication of the last Statement of Licensing Policy the Mayor of London has outlined his vision for London as a 24-hour City and has also appointed a Night Czar and a Night Time Commission to encourage the development of London as a vibrant, diverse, cultural city with a Night Time Economy that is of global significance. The Policy supports 24-hour night time economy in Wembley and Kilburn in order to facilitate an enhancement of leisure and entertainment functions and the night time economy, with appropriate safeguards.
- 3.8 The Policy sets out the Council's standards that operators are expected to achieve and address issues that licensable activities may cause in relation to location of premises, hours of operation etc.

Consultation

- 3.9 To assist in formulating the draft Policy informal consultation was undertaken with all the following responsible authorities designated by the Act:
- Metropolitan Police
 - Community Safety
 - Public Safety
 - Public Health
 - London Fire Brigade
 - Children Safeguarding team
 - Nuisance Control
 - Trading Standards
 - Planning

As a consequence, a number of comments and suggestions have been incorporated into the draft policy.

- 3.10 Before determining the Policy, the licensing authority must consult the persons listed in section 5(3) of the Licensing Act 2003. As is good practice, the licensing authority has consulted widely and not limiting the consultation to the persons listed in section 5(3) of the Act.
- 3.11 In line with the Constitution, the Strategic Director for Regeneration & Environment gave approval for consultation on Draft Statement of Licensing Policy and the proposed cumulative impact zones after briefing the lead member for Community Safety & Engagement on 23 August 2019.
- 3.12 A six week public on-line consultation was undertaken between 23 August 2019 and 4 October 2019. The consultation consisted of a full version of the draft Licensing Policy, summary document for cumulative impact zones and a survey with a range of questions to encourage responses as well as questions covering

demographic information. Further approximately 900 letters were sent to licensed premise operators and agents.

- 3.13 The consultation with those listed in section 5 (3) of the Act and the public commenced on 23rd August 2019 and ended on 4th October 2019. Brent Forums were consulted and their comments and views taken into account.
- 3.14 Persons consulted included, Chief Police Officer, London Fire Brigade, Director of Public Health, local premises licence holders, club premises licence certificate holders as well as bodies representative of businesses, residents, Planning, Trading Standards, Children Safeguarding, Public Safety, Noise Team, Licensing Authority and the Home Office.
- 3.15 Consultation with members of the Licensing Sub-committee has been undertaken together with members in areas where proposed cumulative impact zones are proposed as well as with Town Centre Managers.
- 3.16 Thirty-five (35) submissions were received via the on-line survey on the website.
- 3.17 There were no concerns raised regarding cumulative impact policies for 10 different areas from local residents or businesses.
- 3.18 However, there were concerns expressed by Wine & Spirit Trade and Association of Convenience Stores regarding Policy 24 in relation to minimum unit price. Legal opinion from Counsel was sought and the Policy has been amended accordingly.
- 3.19 The policy seeks a voluntary condition. Every licence application will be determined on its own merit in accordance with section 182 guidance issued by the Home Office, however applicants are encouraged to decide whether they wish to include a minimum price in their operating schedule. The Policy states that if there are relevant representations on an application or if on a review it is shown that the pricing used at the premises is harming the licensing objectives, the licensing authority may decide to impose a minimum price of 70p, although each case will be judged on its merits.
- 3.20 Other minor amendments to the Policy have been undertaken following consultation responses.
- 3.21 The consultation report is attached in Appendix C
- 3.22 The work aimed at developing and improving the Council's Policy will continue even after this draft Policy has been adopted. The cumulative impact zones will need to be reviewed and re-evaluated within 3 years. In line with this Policy, all the key stakeholders and members will be given the opportunity to inform the review of any future Policy and its outcomes.

4.0 Financial Implications

- 4.1 There are none arising from this report, any cost associated with publishing this policy would be contained within existing budgets

5.0 Legal Implications

- 5.1 As set out in the report, the Licensing Act 2003 places a statutory duty on the Council as the Licensing Authority to determine, publish and keep under review a Statement of Licensing Policy, reviewed at least every five years.
- 5.2 Before determining the Policy, the licensing authority must consult the persons listed in section 5(3) of the Licensing Act 2003.
- 5.3 Cumulative impact assessments were introduced into the Licensing Act 2003 by the Policing and Crime Act 2017. The relevant provisions came into effect on 6th April 2018. They are introduced as a tool for licensing authorities to limit the growth of licensed premises in problem areas.
- 5.4 The legislation stipulates that every licensing authority has the discretion to publish a cumulative impact assessment stating that it considers that the number of premises licences in one or more parts of its area is such that it is likely it would be inconsistent with the promotion of the licensing objectives to grant any further relevant licenses in respect of more premises in the identified parts of its borough.
- 5.5 The cumulative impact assessment must set out the evidence that is being relied upon. Before publishing the cumulative impact assessment, the licensing authority must consult all the people affected by the assessment including those specifically mentioned in the legislation (section 5(3) Licensing Act 2003). These include responsible authorities, businesses and the public.
- 5.6 The licensing authority is also required to review the cumulative impact assessment every three years to consider whether it remains of the opinion stated in the assessment. This review must be consulted upon before a decision is made as to whether the assessment remains or not. Any revision of a cumulative impact assessment must be published and supported with the requisite evidence.
- 5.7 Once approved, the Statement of Licensing Policy will play a key role in the determination of any future applications made to the Council under the Licensing Act 2003.

6.0 Equality Implications

- 6.1 An equality impact assessment has been conducted and is attached in Appendix D.
- 6.2 There are no specific diversity implications for the purposes of this report.

7.0 Consultation with Ward Members and Stakeholders

- 7.1 All members and stakeholders have been consulted (please see details in section 3 above).

8.0 Human Resources/Property Implications (if appropriate)

- 8.1 None

Report sign off:

STRATEGIC DIRECTOR: Amar Dave Page 301
Strategic Director of Regeneration & Environment.



London Borough of Brent

Statement of Licensing Policy (as amended)

2020 - 2025

APPENDIX A

Brent Statement of Licensing Policy

Part 1: Introduction, principles and context

1. Purpose of the Statement of Licensing Policy

The London Borough of Brent ("the Council") is the licensing authority under the Licensing Act 2003 ("the Act") and is responsible for granting premises licences, club premises certificates, temporary event notices and personal licences in the London Borough of Brent.

The purpose of this licensing policy is to outline the approach that the Council will take to implementing the Licensing Act 2003. The policy will act as a guide for applicants, residents and Responsible Authorities under the Act.

This policy, along with current national guidance issued by the Home Secretary and primary legislation, forms the basis on which all licensing decisions are made.

The Council is required by primary legislation to promote through its actions the four licensing objectives. The four licensing objectives outlined in the Licensing Act 2003 are:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and,
- the protection of children from harm.

Each of these objectives is of equal importance in terms of licensing actions and decision making.

The Licensing Act 2003 also outlines five other key aims that are important for all those involved in licensing to support and promote through good practice. These are:

- Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
- Giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;
- Recognising the important role which pubs and other licensed premises play in our local communities, and minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
- Providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and,
- Encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may impact upon them.

This policy:

- Outlines the legal framework and responsibilities under the Licensing Act 2003 and the associated Section 182 Guidance issued by the Home Secretary.
- Makes clear the expectations the Licensing Authority has for those engaging with the licensing system in Brent: including; licence holders, licence applicants, residents and Responsible Authorities.
- Makes clear the expectations to those engaging in the licensing system in Brent, may have of the Licensing Authority and other licensing partners.

The aim is to make the Licensing system in Brent clear, simple and as effective as possible. The policy is set out as follows:

- A clear statement of the legal framework and linkages to other legal frameworks and strategies;
- The Brent context and the aspirations and intent of the policy within that context;
- The Licensing Objectives and the measures expected to promote them as required by the Licensing Act 2003;
- 26 specific policies that will provide more detailed guidance on the approach the Licensing Authority will take to specific issues and circumstances; and,
- Appendices that will provide further information.

If a new licence application or application for the variation of an existing licence receives no representations, the licence will be granted subject to the conditions in the operating schedule and the mandatory conditions.

Where representations are received, it will be considered on its own merits – this is further explained in Policy 1. This will include the proposed venue and its operation, or proposed change to an existing venue and/or its operation, as well as the context in which it operates. Section 5 of the Licensing Act 2003 requires each licensing authority to prepare and publish a statement of its licensing policy every five years. The previous Brent Statement of Licensing Policy was published on 7 January 2016.

In drafting this Policy, the Council has had regard for the Home Office Guidance issued under S.182 of the Licensing Act and has given appropriate weight to the views of consultees. When revisions of the guidance are published the Council will determine if revisions of this policy are appropriate.

Review of the Statement of Licensing Policy

Under the Act, the Licensing Authority must carry out a review of its Licensing Policy every five years. Prior to publishing the revised version, the Licensing Authority must consult fully with those individuals and organisations outlined under section 5 of the Act.

In addition, within the five-year period of the Licensing Policy the Licensing Authority will review the Licensing Policy whenever it feels that relevant issues have arisen or significant changes to the s. 182 Guidance or the Act have occurred.

2. Scope of the policy

A Statement of Licensing Policy must be published before the authority carries out any function in respect of individual applications and notices made under the terms of The Act.

The Act regulates the following licensable activities:

- Retail sale of alcohol;
- Supply of alcohol to club members;
- Supply of hot food and drink between 23:00 and 05:00
- Provision of regulated entertainment to the public or club members or with a view to profit;
- Film exhibitions;
- Performances of a play;
- Indoor sporting events;
- A boxing or wrestling entertainment;
- Live music performances (see Appendix 11 relating to the Live Music Act);
- Playing of recorded music;
- Dance performances; and,
- Provision of dancing facilities.

There are a number of exemptions and details of these are set out in full in Part 2 of Schedule 1 of the Act.

The Statement of Licensing Policy must be published before the authority carries out any function in respect to individual applications and notices made under the terms of 2003 Act. The scope of these licensable activities are covered by making an application to the Council for a licence to undertake these activities. These applications include applications for new premises licences, club premises certificates, variations to these, reviews of licence/certificates and temporary event notices.

The scope of the policy will be subject to revisions to the guidance issued by the Secretary of State. When revisions are issued, the licensing authority will determine whether revisions to the Licensing Policy are appropriate. Therefore, there may be periods of time where the Brent policy is inconsistent with the guidance. During such periods this Council will have regard, and give appropriate weight, to the revised guidance.

In the drafting of this policy the Council has had regard to Home Office Guidance issued under S.182 of the Licensing Act and has given appropriate weight to the views of consultees.

Planning

It goes without saying that the Planning regime has an impact on the Licensing regime. It is also noted that each of these regimes is covered by a separate legislative framework and administered through separate parts of the Council, with separate Committees overseeing the processes. However, the Council commits to working in alignment with the Planning regime as closely as is possible.

The use of premises for the sale or provision of alcohol, provision of entertainment or late-night refreshment or indoor sports is subject to planning control. Such use will require planning permission or must otherwise be lawful under planning legislation. Planning permission is generally required for the establishment of new premises or the change of use of premises.

In general, all premises which are the subject of an application, should have the benefit of planning permission, or be deemed permitted development. Although, Licensing and Planning are separate regimes, consents from both must be in place to operate legally. If there is variance between the hours given under a licence and those permitted by the planning permission, the earlier hours granted will apply.

Commercial premises need to have provision for collection of waste etc. Care should be taken to ensure that collection of rubbish and glass does not occur at unsocial hours.

The Mayor's Vision for London as a 24-hour City

Since the publication of the last Statement of Licensing Policy the Mayor of London has outlined his vision for London as a 24-hour City and has also appointed a Night Czar and a Night Time Commission to encourage the development of London as a vibrant, diverse, cultural city with a Night Time Economy that is of global significance.

The Council is focussing support for a 24 hour night time economy in two main areas. Wembley is designated by the Mayor as a night time economy area of international or national significance, and Kilburn as an area of more than local significance. The Council supports the Mayor's vision for these areas and will support applications which facilitate an enhancement of leisure and entertainment functions and the night time economy, with appropriate safeguards.

Brent has eight (8) priority town centres and wants to support businesses with a commercial food, drink, and entertainment offer, but with appropriate safeguards to maintain primary retail frontages and residential amenity.

Responsibilities under the Immigration Act 2016 and the Modern Slavery Act 2015

The Council has responsibilities that relate to the prevention of immigration crime, specifically the prevention of illegal working in licensed premises. These responsibilities are outlined in Section 5: Licensing Objectives, and the subsection on the Prevention of Crime and Disorder. The London Borough of Brent has a duty under the Modern Slavery Act 2015 to co-operate with the Independent Anti-Slavery Commissioner, the Council is also under this duty as part of the London Borough of Brent.

Health Act 2006

It is expected that all licence holders will be compliant with the Health Act 2006 and all sundry Smoke- free Regulations that govern smoking in licensed premises.

Public Sector Equality Duty

Brent Council has a duty under the Equality Act 2010 to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity between different groups
- Foster good relations between different groups

To support delivering this duty the Licensing Authority will at all times have regard to the Equality Act 2010 and Brent's Equality policy and guidance.

Brent Council will implement the Statement of Licensing Policy in line with Brent Council's Public Sector Equalities Duty.

The Licensing Act 2003 restricts the sale of alcohol to those 18 years of age and above, as such this effects a differential impact of the legislation underlying the Licensing Policy on those under the age of 18 years old. Research outlines specific additional health and social harms and levels of harm that those under the age of 18 years old are exposed to as a result of the purchase and consumption

of alcohol. As such the Licensing Policy is likely to support a positive outcome for those under the age of 18.

When applications are received the Licensing Authority will consider these on their individual merits and will also ensure that the Public Sector Equalities Duty is applied where appropriate.

Furthermore, the Licensing Authority will apply the Public Sector Equalities Duty in the implementation of the 28 specific policies outlined in the Licensing Policy.

3. Principles of the policy

This policy sets out the general approach the Council will take when considering applications for licences.

When determining applications and reviewing licences, the Council will have regard to:

- the Act and related regulations; and
- Government guidance issued under section 182 of the Act and this Policy.

When determining an application under these considerations, the overriding principle adopted by the Council will be that each application will be determined on its merits.

Similarly, this Policy shall not override the right of any person to make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the 2003 Act.

Applicants will be expected to address the licensing objectives in their operating schedule with particular regard to the nature of the location, type of premises, entertainment/licensable activities to be provided, and operational procedures. It is important that all operating schedules should be precise and clear on the measures proposed to promote each of the licensing objectives.

Only conditions appropriate and proportionate to the promotion of the licensing objectives will be attached to any licence, and the Council will have regard to the individual style and characteristics of the particular premises and events concerned. Licence conditions will not be imposed where other regulations or legislation exists to provide sufficient protection.

Licensees will be expected to comply with the Code of Practice of the Portman Group or equivalent. If a valid complaint is received, the stocking or supplying of products featured in the Portman Group's "Retailer Alert Bulletin" could lead to review of the premises licence, and ultimately a suspension or revocation of that licence if the Council considers that such action would undermine one or more of the licensing objectives.

Where there is a notification to hold a temporary event the Council will expect, where applicable, the holder of the event to comply with the relevant conditions attached to the premises licence where the event is to be held.

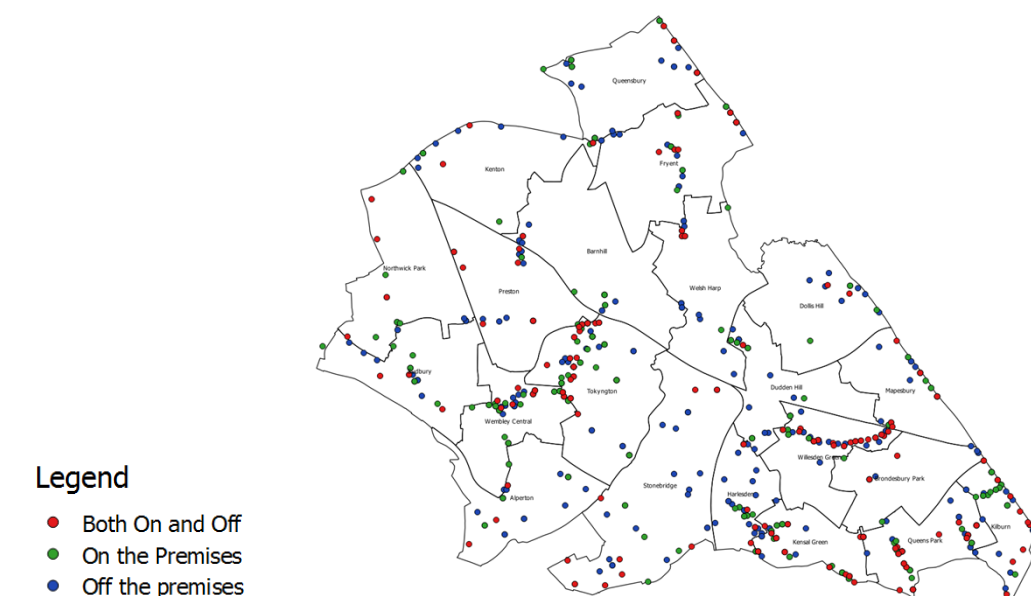
A notification of a temporary event should not be used to cover multiple events. The Council expects each notification to be for a single event, and the date and times that the event is to be held. One notification for 168 hours should not be used to cover more than one event.

The Council recognises that, in addition to the licensing objectives, it also has a duty under section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough.

The Council will not take “need” (commercial demand) into account when determining an application. This is not a matter for a licensing authority in discharging its licensing functions.

4. The local Brent context

Brent Licensed premises



Geography

Brent is a north west Outer London borough. The major areas are Kilburn, Wembley and Harlesden. Brent borders many Inner and Outer London boroughs including Harrow to the north-west, Barnet to the north-east, Camden to the east and Ealing, Hammersmith and Fulham, and Kensington and Chelsea to the south, and Westminster to the south-east. Brent is notably home to Wembley Stadium, one of the country's biggest landmarks, as well as Wembley Arena. These present challenges for the borough as both the Stadium and Arena are integral parts of the Brent and greater London night-time and entertainment economy. Brent's geographic position and historic connections to central London has made the area one of distinct contrasts combining urban and suburban features common to both inner and outer London.

The eight (8) priority town centres in Brent include:

- Kilburn
- Wembley
- Burnt Oak
- Colindale
- Ealing Road
- Harlesden
- Neasden
- Willesden Green

Diversity and demographics

Brent is the second most culturally diverse local authority in the UK and has a long history of ethnic and cultural diversity. Brent was the first local authority in the UK to have a majority black, Asian and minority ethnic (BAME) population. In the 2011 Census, 63.7% of the population were BAME. By

contrast, 14% of people in England and Wales and 40% of people in London were BAME. Different ethnic groups are concentrated in distinct parts of the borough:

- Stonebridge and Harlesden wards have the highest concentration of black residents;
- Asian residents tend to live in the west of the borough; and,
- The white population is more concentrated towards the east of the borough - Kilburn, Mapesbury and Dollis Hill wards have the highest numbers of white Irish residents.

People belonging to the different ethnic groups in Brent vary in age. Among younger people (particularly those aged 5-15) the white population is lower and the black population is higher than for the borough as a whole. Minority language households or households unable to speak English are primarily concentrated in the far west and south of Brent.

Children and young people under the age of 18 constitute 25% of the population of Brent. The early years of a child's life are particularly important in shaping future health outcomes. Key factors, such as income, housing, education and other socioeconomic issues can particularly affect young people during their earliest years of life. The 2011 census showed that Brent has a young population as Brent's median age is 32 compared to the London average of 33. The underlying growth of the child population in Brent is a key factor which needs to be considered when designing and providing services to improve the health and wellbeing of children and tackling health inequalities.

Brent's resident population is estimated to be 338,760 in 2019 and is continues to grow. The borough population is dynamic and increasingly transient with significant numbers of people moving into the borough.

Certain groups and geographic areas in Brent may be more vulnerable to the effects of alcohol than others. These vulnerabilities and different ethnicities should be considered when reviewing licence applications. The Council encourages the collection of evidence of the negative effects of alcohol on vulnerable groups within Brent to determine suitable prevention and treatment measures consistent with existing Council and NHS health objectives. A vulnerable adult is a person aged 18 years or over who is or may be in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to take care of or protect him or herself against significant harm or exploitation. Brent has a multi-agency procedure for responding to suspected abuse of vulnerable adults wherein Adult and Community Services coordinate the policy with the Police and NHS.

Town centres

Brent contains 16 defined town centres that vary in size and density. The different town centres within the borough are classified as Major, District, and Local Centres. These typologies are outlined in the Brent Core Strategy. Town Centres which share boundaries with neighbouring London Boroughs are indicated by an asterisk (*).

Major Centres	District Centres	Local Centres
Kilburn*	Burnt Oak*	Kensal Rise
Wembley	Colindale*	Kenton*
	Cricklewood*	Queen's Park
	Ealing Road	Sudbury
	Kingsbury	
	Harlesden	
	Neasden	
	Preston Road	
	Wembley Park	
	Willesden Green	

There are significant differences between different town centres and other areas of the borough. The evidence shows that the borough's town centres accounted for approximately 15% of all alcohol-related crime and 7.5% of all alcohol-related ambulance callouts. This suggests that the large majority of alcohol-related crime and ambulance callouts is dispersed throughout the borough and not restricted to certain boundaries or town centres. This provides a challenge for licensing in the borough.

There are significant differences in the patterns of alcohol use and alcohol related harm between the north of Brent and the south of Brent. Town centres in north Brent have fewer licensed premises and experience less alcohol-related crime compared with town centres in south Brent.

North Brent: Areas in the north of the borough generally show lower concentrations of anti-social behaviour (ASB), alcohol-related crime, and activities that violate the four licensing objectives relative to the south of the borough. This area stretches in a curve from north of Sudbury Town Centre along north of Wembley Central and to the north of Kilburn High Road (approximately following the Metropolitan Line tracks. The key characteristics, relative to the south of the borough, are:

- Light foot-traffic
- Fewer licensed premises
- Lower concentration of licensed premises
- Fewer crime and anti-social behavior incidents recorded.

5. Brent as a London Borough of Culture in 2020

Brent has been selected as a London Borough of Culture for 2020. During 2020, Brent will establish a new trust for delivering culture in the area with 50 per cent of the trust's board being both from the local community and under the age of 30. Rather than adopting a top-down approach, Brent is working with young people to explore what culture means to them in the 21st century and allowing them to directly influence the design of their London Borough of Culture programme.

The Council is keen to support and encourage a diverse and lively night time economy that supports the 2020 London Borough of Culture programme and encourages the licensed trade to build on this to create an ongoing legacy of culture, particularly culture that is embedded in the local community and is driven by young people in the borough.

DRAFT

Part 2: Licensing objectives

The Act underpins the four statutory licensing objectives which the Council must seek to promote when determining an application. These objectives are the prevention of crime and disorder, public safety, prevention of public nuisance, and protection of children from harm. Due to the wide variety of premises and activities to which this policy applies, applications will be expected to address all aspects relevant to the individual style, character of the premises and events that would take place. These objectives are set out in more detail in this section.

Those making representations to any licence application must base them on the four objectives. Therefore, how applicants communicate the promotion of the licensing objectives in their operating schedule and their application is essential for the full consideration of the application by the Council.

Applicants are encouraged to provide a detailed operating schedule which demonstrates how they will promote the licensing objectives. Applicants are encouraged to:

- demonstrate knowledge of the local area when describing the steps, they propose to take in order to promote the licensing objectives;
- undertake enquiries about the area in which the premises are situated to inform the content of the application;
- obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:
 - a) the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;
 - b) any risks posed to the local area by the applicants' proposed licensable activities;
 - c) any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) they propose to put in place which might help to mitigate any potential risks.

Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to:

- demonstrate an understanding of how such a policy impacts on their application;
- any measures they will take to mitigate the impact; and
- why they consider their application should be an exception to the policy.

Demonstrated knowledge about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises within close proximity to residential premises should consider how this will impact on patrons smoking, noise management and dispersal policies, to ensure the promotion of the public nuisance objective. Applicants are expected to consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, to acknowledge this in their application.

Applicants may consider canvassing the views of their neighbours and local residents as this can clear up any ambiguities and develop a relationship based on mutual cooperation before an application is made. This will assist the applicant by giving an understanding at the outset of what the community believe is acceptable in their area.

Lists of matters which should be addressed in operating schedules are included in the Appendices to this document. Whilst applicants are encouraged to consider these they should not be regarded as standard conditions and should be used and modified according to the individual application and location and to inform the operating schedule. By setting out a carefully considered operating schedule applicants can demonstrate that they have given thought to their application and its impact on the local environment.

An operating schedule should contain details relating to the promotion of the licensing objectives that are capable of being translated into enforceable conditions as, if there are no representations against the grant of the licence these will form the basis of the conditions that will be placed on the licence.

Failure by an applicant to clearly and fully demonstrate in their operating schedule that they have properly considered the promotion of the four licensing objectives may be a legitimate concern, following receipt of relevant representations should the application come before the Licensing Sub-Committee.

6. Measures for the prevention of Crime and Disorder

The prevention of crime and disorder is a licensing objective due to the link between alcohol and a range of problems, including:

- anti-social behaviour;
- violence, including sexual assault;
- crime and criminal damage;
- domestic violence and abuse;
- street drinking;
- public disorder and misadventure; and
- Resulting ambulance call-outs and A&E attendances.

The consumption of alcohol can increase the likelihood of an individual becoming a perpetrator or a victim of crime. A significant level of violence is linked to alcohol consumption, and the likelihood of being both a victim or perpetrator of property crime or criminal damage increase as a result of alcohol consumption. A compliant, well-regulated licensed premises with effective measures in place to reduce crime and disorder can make a difference. The Council expects existing licence holders and new applicants to be able to demonstrate the measures they use, or propose to adopt, to prevent and actively discourage the sale/supply of alcohol to children and to individuals who are already intoxicated and thus potentially pose a risk to themselves or others.

Applicants are advised that they should, in their operating schedules, focus on measures that will ensure that their proposals will not add to any existing problems with crime and disorder.

It is recommended that applicants undertake an assessment of the likely risks and causes for crime and disorder and include measures in the operating schedule that they will take to address these concerns.

These may include:

- Completion of a risk assessment;
- Use of facial recognition CCTV with appropriate storage of footage;
- Use of appropriate Security Industry Association (SIA) trained door supervisors;
- Membership of the Business Crime Reduction Partnership;
- Being aware of the potential for drug misuse within the premises and, where this is a risk, to introduce measures that can mitigate this risk;
- Consideration of schemes that may provide additional support for addressing crime and disorder, for example, Business Improvement Districts, Pub Watch, Best Bar None etc.

The Council would expect premises to co-operate with reasonable requests from Police following incidents, such as requests for CCTV footage or statements from staff members and have provisions in place to provide those without undue delay.

Licence holders are recommended to put measures in place to reduce gender-based violence, intimidation and harassment for all staff and customers. This may include 'Ask for Angela', WAVE and specific training for staff. Further details are available at the following links:

- Ask for Angela: <https://www.met.police.uk/AskforAngela>
- WAVE: <https://nbcc.police.uk/article/?id=b2cd2a7d17d92c915996003a0473a4b8>
- Safer Nightlife: http://newip.safernightlife.org/pdfs/digital_library/uk_safer_nightlife_guideline.pdf

Licence holders are recommended to put in place measures to address hate violence, intimidation and harassment for all staff and customers. This shall include zero-tolerance approaches to race, faith, or LGBTQI+ focused violence, intimidation or harassment.

The Council recognises that the Metropolitan Police are the main source of advice about crime and disorder, and that the Community Safety Partnership can also make a contribution. The Council will accept all reasonable, relevant and proportionate representations made by the Police unless there is evidence that suggests to do so would not be appropriate for the promotion of the licensing objectives.

The prevention of crime includes the prevention of immigration crime including illegal working in licensed premises. The Council will work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. In addition, the Home Office Immigration Enforcement may instigate a review of a premises licence if appropriate. Where appropriate, the Council will consider imposing conditions directed at ensuring the prevention of illegal working in licensed premises, such as licence holders being required to undertake right to work checks on all staff and the retention of a copy of any document(s) checked as part of a right to work check on the premises for these purposes of inspection.

Events and risk assessment

Where an event that is promoted by the licensee or an outside promoter, at the premise, premises operators are advised to undertake a risk assessment. Where this identifies a potential crime and disorder and/or a public safety risk linked to those providing the entertainment or to those attending the event, advice may be sought from the Council and Police on the following email addresses: NWMailbox.licensingbrent@met.police.uk, Business.licence@brent.gov.uk Where risk assessments are required, they should be submitted at least 14 calendar days before any proposed event and debrief forms submitted within 14 calendar days of the conclusion of the event.

Major events at Wembley Stadium

During major events at Wembley Stadium the following recommended conditions will be considered where there is/are relevant representation(s):

- No sale of alcohol one hour before the event.
- Customers shall not be allowed to congregate outside the premises.
- No glass bottles shall be handed over the bar but shall be decanted into plastic vessels.
- The DPS shall work in partnership with the Police and comply with any direction given by the most senior Police Office on duty at the event.
- No alcohol of 'alcopop' type drinks shall be displayed or sold in glass containers with the exception of wines and spirits.
- No more than 4 cans of alcohol shall be sold per customer.

7. Measures to ensure Public Safety

The public safety objective is concerned with the physical safety of people using the premises. To ensure the safety of customers, applicants should be prepared to demonstrate that the premises comply with all health and safety regulations and that risk assessments, where required, are current.

The Act covers a wide range of premises and activities and each of these present a mixture of risks. Some of these risks will be common to most premises and others unique to specific operations. It is essential that premises are constructed or adapted and managed so as to safeguard occupants against these risks. The Council will expect operating plans to satisfactorily address the objective of public safety in their operating schedule.

Applicants should note that the public safety objective is concerned with the physical safety of the people using the premises and not with public health which is covered by other legislation. Applicants may consider seeking seek advice from Licensing Officers, Health and Safety Officers, Environmental Health Officers and Fire Safety Officers before preparing their operating schedules. All new applications and variations should be accompanied by a Fire Safety risk assessment as required under the Regulatory Reform (Fire Safety) Order 2005. This will reduce the likelihood of the Fire Authority making a representation against the application.

Premises or activities that present a risk to the public either because of the way they are designed as well as the large numbers expected to attend in comparison to the size of the venue will be required to provide a capacity specific risk assessment for those premises or activities. This assessment will include holding capacity, exit capacity and calculations to demonstrate how the capacity was reached, the lower of the two numbers shall be the final capacity. Examples of this are discos and other entertainment venues (which may include dance), music etc. which attract large numbers of people, public houses close to Wembley National Stadium where large numbers of people may attend on event days, and activities that involve entertainments such as novelty acts involving pyrotechnics and other special effects. Whilst the character and nature of the premises will determine capacity limits, the Council recommends that occupancy figures should be set at one person for every 0.3m² of available floor space for standing areas, one person for every 0.5m² for dance areas and one person for every 1m² for a seated area (although the final capacity may be curtailed by the number of fire exits).

A venue that intends to use special effects such as pyrotechnics, strobe lighting, haze or lasers is expected keep on record a site-specific risk assessment completed by a competent person. The use

of such special effects are expected to be conducted by a suitably professionally qualified competent person or company.

Where there is relevant representation and the Council considers that public safety has not been fully addressed in the operating schedule, it will consider attaching conditions to licences in order to promote this licensing objective.

Special considerations will apply to night clubs and similar venues. Applicants should consider the Safer Clubbing Guide published by the Home Office and London Drug Policy Forum, which gives advice on these issues. Specific guidance on ensuring a safer nightlife is available at http://newip.safernightlife.org/pdfs/digital_library/uk_safer_nightlife_guideline.pdf

8. Measures to prevent public nuisance

The Council recognises that licensed premises, especially those operating late at night or in the early hours of the morning, can cause a range of nuisances that impact on people living, working or sleeping in the vicinity of the premises.

Public nuisance is the most common reason for complaints and representations made about applications. It is also the most common cause of complaints about existing premises. It can range from low-level nuisance affecting a few people to a major disturbance.

The potential for nuisance varies according to the nature of the premises. The Council will interpret nuisance in its widest sense and takes it to include such issues as noise (from patrons and music, both inside and outside the premises), light, litter, human waste (such as vomit and urine), fly-posting and anti-social behaviour.

Noise nuisance is the most common problem. It is particularly intrusive at night when ambient noise levels are lower, and residents are trying to sleep, and so it is essential that applicants demonstrate how they will effectively manage these issues. It can include issues such as:

- the exit and dispersal of patrons including patrons loitering;
- noise from patrons standing in queues or in smoking areas;
- patrons returning to cars parked in surrounding streets
- access to taxi marshals, ranks or services; and
- general noise of people arriving and leaving.

Applicants for licences which are proposed to run after midnight and for variations to extend existing hours are expected to prepare a detailed dispersal policy and submit it with the application.

Where applicants are completing operating schedules, they are expected to have regard to the location of the proposed or actual premises. In particular, consideration should be given to whether proposals may have a disproportionate impact in residential areas or near to sensitive premises such as nursing homes, older people's accommodation, hospitals, hospices, schools, childcare facilities or places of worship.

The use and management of outside spaces within the direct and to a degree in-direct control of the licensee and the associated behaviour of people using outside areas can be problematic. Applicants are expected to take all reasonable steps to prevent public nuisance outside their premises where these matters are within their reasonable control. Policy 5 outlines the Council's policy for the management of outside spaces.

Proximity to residential accommodation is a general consideration with regard to the prevention of public nuisance. The Council will treat each case on its individual merit; however, stricter conditions may be considered being applied on premises licences in areas which have denser levels of

residential accommodation or residential accommodation in close proximity to the premises. This may include the Council considering an earlier terminal hour than that proposed by the applicant

9. Measures to protect children from harm

The Council takes the protection of children from harm seriously and expects all licence holders and staff employed on licensed premises to do so as well. Applicants for new licences and variations are expected to address this in detail in their operating schedules. Existing licensees are advised to review their policies regularly to ensure that they are still relevant for the nature of the premises.

The wide range of premises that require licensing means that children can be expected to visit many of these, often on their own, for food and/or entertainment. Generally, the Council will not seek to limit the access of children to licensed premises unless it is appropriate to protect children from harm.

The Council will judge the merits of each application before deciding whether to impose conditions limiting access of children to individual premises. While the Council wishes to see the development of family friendly environments, it may consider imposing conditions in the following circumstances:

- Where adult entertainment is provided
- Where there have been convictions of current management for serving alcohol or with a reputation for allowing under-age drinking
- Where there is a strong element of gambling on the premises
- Where the exclusive or primary purpose of the service provided is the consumption of alcohol.

The Council will consider all or any of the following options when dealing with a licence application where limiting the access to children is considered appropriate to promote the protection of children from harm:

- Limitations on the hours when children may be present
- Limitations on ages below 18 years
- Limitations of exclusions when certain activities are taking place
- Presence of sufficient adults to control the access and egress of children and to ensure their safety
- Full exclusion of people under 18 years when any licensable activities are taking place
- Limitations to parts of the premises to which children may have access.

Where a significant number of children are likely to be present, a licensee should ensure that adequate number of staff are present to control their access, egress and safety. The number of staff required should be assessed by the licensee taking in to account the number of children to be present, the type of event, characteristics of the premises and any other relevant factor(s). The Council recommends that, while the aforementioned factors will determine the number of staff required, the sufficient number of adults present should be calculated at a rate of one adult for every 50 children or part thereof. Where there is a balcony the rate shall be one adult for every 30 children or part thereof.

Nothing in this policy shall seek to override or duplicate child supervision requirements contained in other legislation. However, the Council will take into consideration (where appropriate) the measures taken by applicants to ensure that staff who have any contact with children are appropriately checked to ensure that they pose no risk to children. It may be appropriate to obtain enhanced disclosure checks from the Criminal Records Bureau in some cases.

Brent Council supports the Challenge 25 Scheme, Brent's Age Restricted Goods Responsible Trader Scheme and similar proof of age schemes and will expect applicants to address this within their risk assessment in respect of determining access to premises or sale of alcohol to young persons.

Where entertainment includes the showing of any film the Council will impose conditions requiring licensees to restrict children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classifications or by the Licensing Authority itself.

Where there is relevant representation and the responsible authorities considers that the licensing objective regarding protection of children has not been fully addressed in the operating schedule they may consider attaching conditions to licences and temporary event notices to protect children from harm.

Where licensees require identification to verify age, acceptable forms of ID include:

- Valid passport
- Proof of age card (with PASS hologram)
- Photo driver's licence card
- Armed Forces ID card.

The Council's Trading Standards Team work closely with the Police. They carry out regular operations using children aged under 18 to undertake test purchases for underage sales. Following any such sale, action will be taken. This may be a review of the licence, or a request to include additional conditions on the licence designed to assist the management to counter attempts by children wanting to buy alcohol. Any additional conditions felt appropriate will be subject to discussion with licence holders. It should be noted that Trading Standards may also take enforcement action where any underage sale takes place which may lead to prosecution for which the penalty is a fine. Evidence of any other sales of age restricted goods or any other illegal activity will be considered relevant. If a review of a licence does follow and the committee considers that the necessary safeguards, training or commitment to the protection of children are inadequate, then additional conditions, restrictions or, in appropriate cases, revocation of the licence may follow.

The Council recommends that staff in licensed premises are made aware of information, training and the appropriate contact points to help them identify any issues of child exploitation which they may note in the licensed premises and raise concerns with appropriate authorities.

The Council recommends licensees and their staff consider approaches to support safeguarding, including:

- Reporting when they see a young person in danger/at risk in your shop / event / immediate area;
- Reporting when they have concerns about safety issues to young people in the immediate area;
- Sharing ideas around improvements needed in the local area to make it safer for young people; and,
- Supporting with interventions to disrupt and change harmful social and community contexts.

It may also be useful for applicants and licensees to make themselves aware of Brent's Contextual Safeguarding approach

(<http://democracy.brent.gov.uk/documents/s79785/Task%20Group%20Report%20Contextual%20Safeguarding.pdf>)

The Council recommends applicants and existing licence holders take into account the Safeguarding Children Policy for Licensed Premises available at

http://www.londoncp.co.uk/chapters/sg_licensed.html.

Licensees and licence applicants are also required to be aware of matters and warning signs related to Child Sexual Exploitation and to take these matters seriously. The Metropolitan Police Service's Make Safe website, has useful information and materials which all prospective and existing licence holders are expected to familiarise themselves with at <https://www.met.police.uk/police-forces/metropolitan-police/areas/about-us/about-the-met/campaigns/operation-makesafe/>,

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Specific matters relating to licensing are dealt with through individual policies in this section.

Policy 1: Process for applications

- **Policy:** The process for applications is set out in this section which should be followed in all cases of applications for licences.

Applicants may wish to consider submitting a provisional application prior to submitting a full application. This allows early engagement and discussion and can improve the quality of the subsequent application.

Applications will be progressed in accordance with procedures laid down by the Act. Prospective applicants should refer to the separate relevant guidance documents for further details. Where reference is made to applications in this policy this should be taken as referring to applications for new premises licences, club registration certificates, variations to any of these and reviews of licence/certificates.

Once an application is made and received electronically by the Brent Licensing Authority, it will be provided to all Responsible Authorities by the Licensing Authority. The public will be notified via the Brent Council website.

Applications for all licences and consents available under the 2003 Act must be made on the relevant form prescribed under secondary regulations. Applications will not be progressed until the form has been completed in full, together with the relevant fee and all other required information, including a detailed premises plan,

In accordance with the Provision of Services Regulations 2009, electronic application facilities are available. Electronic application facilities for premises licences can be found on Council's web site. Electronic applications for other categories of licence and consent are also available on this web site. Where electronic applications are made, the application will be taken to 'be given' when the applicant has submitted a completed application form together with all other relevant documentation and fees.

The Metropolitan Police Service provide up to date crime data for postcode areas in Brent through both www.mps.police.uk and www.police.uk. Both of these websites can provide applicants with a better understanding of the crime and disorder characteristics for the area in which they are applying for a licence. This information may assist applicants when considering measures to prevent crime & disorder when completing their operating schedules.

The Responsible Authorities are:

Responsible Authority	Contact
Licensing Authority	business.licence@brent.gov.uk
Environmental Health Authority	ens.noiseteam@brent.gov.uk
Trading Standards	TradingStandardsBrent&Harrow@brent.gov.uk
Child Protection Authority	brent.lscb@brent.gov.uk
Planning Authority	planningnorth@brent.gov.uk ; planningsouth@brent.gov.uk
Health and Safety	ens.publicsafety@brent.gov.uk
Metropolitan Police	NWMailbox.LicensingBrent@met.police.uk
London Fire Brigade	FSR-AdminSupport@london-fire.gov.uk
Director of Public Health	publichealthlicensing@brent.gov.uk
Home Office (Immigration Enforcement)	Alcohol Licensing Team Lunar House 40 Wellesley Road Croydon CR9 2BY • Email: Alcohol@homeoffice.gsi.gov.uk

The steps for consideration of a licence application are:

- a) If no representations are made to an application, the Council must grant the licence in full.
- b) When an application is made, and relevant representations are received by the Council which remain unresolved it must hold a hearing of the licensing sub-committee (unless those who have made representations agree this is unnecessary)
- c) The sub-committee will then consider the evidence provided by applicants and those making representations. The sub-committee will have regard to the Guidance, this Statement of Licensing Policy and any other relevant data/information.
- d) The sub-committee will determine the application and will take any steps it considers appropriate for the promotion of the licensing objectives. The steps undertaken will be fair, relevant and proportionate.
- e) Conditions on the licence, additional to those voluntarily sought/agreed by the applicant, may be considered. Conditions will focus on matters which are within the control of individual licensee and which relate to the premises or areas being used for licensable activities, the potential impact of the resulting activities in the vicinity. If situations arise where the licensing objectives may be undermined but cannot be dealt with by the use of appropriate conditions the Licensing Authority will consider whether it is appropriate for a licence to be granted or continue to operate.

Individuals applying for a personal licence must be entitled to work in the UK. The Immigration Act 2016 amended the Licensing Act 2003 with effect from 6 April 2017 so that an application made on or after that date by someone who is not entitled to work in the UK must be rejected. Licences will

not be issued to people who are illegally present in the UK, who are not permitted to work, or who are permitted to work but are subject to a condition that prohibits them from doing work relating to the carrying on of a licensable activity. In order to discharge this duty, the Council will have to be satisfied that an applicant has the right to work in the UK and will require applicants to submit one of the documents listed at Appendix 10, to demonstrate that the applicant has permission to be in the UK and to undertake work.. This also applies to individuals who apply for premises licences. The purpose of this is to prevent illegal working in the UK.

A person is disqualified from holding a licence if they are subject to a condition on their permission to be in the UK preventing them from holding a licence, for example they may be subject to an immigration restriction that does not permit them to work.

Policy 2: Licensing fees

- **Policy:** Licensing fees are set nationally. The annual fees are due for payment on the anniversary of the licence. If the annual fee is not paid on time the licence will be suspended until fees are paid.

Licence fees are set in alignment with business rates (rateable value) and the Council expects licence holders to pay the required licence fee when it is due..

If annual fees are not paid at the time they are due, suspension for non-payment of fees will be in force two days after the Council notifies the Licence holder. The Council will notify the Licence holder the day after the payment is due if it is not received.

The suspension will cease to be in place when the payment is received.

It is the Licence holder's responsibility to pay their fees, the Council will not issue a reminder of fees when they are due. This is a matter for Licence holders and the Council expects Licence holders to take responsibility for ensuring their fees are paid when they are due.

There are some exemptions to this policy. Where late payment or non-payment is due to administrative error or if the fee is disputed prior to the date it is due for payment the licence will not be suspended.

Licensing fees can be found on the Brent Council website here:
<https://www.brent.gov.uk/business/licences/licence-fees/>.

Policy 3: Partnership Working

- **Policy:** The Council aims to work in partnership where and when it is possible and reasonable to do so. This includes aiming to work with: other Responsible Authorities, enforcement agencies within Brent; regional or national authorities, bodies outside of Brent; the trade, trade representative organisations, and schemes such as PubWatch and Best Bar None.

Partnership with responsible authorities and enforcement agencies

The Council is committed to working collaboratively and as seamlessly as possible with all the Responsible Authorities, enforcement agencies within Brent and more widely as appropriate.

In particular, this will include:

- **Tasking meetings:** Tasking meetings forms the basis for partnership working within the wider Council and local partnership.
- **Joint enforcement approaches:** The Council will work closely with the local police, licensing Police and the Fire Authority on enforcement issues to avoid duplication and to provide for the most efficient deployment of Council, Police and Fire Authority officers in respect of inspection of licensed premises and the enforcement of licensing legislation. Contact is also maintained with the Security Industry Authority (SIA) in relation to checks on door supervisors. Multi agency announced and unannounced inspections and visits are and will be undertaken.
- **Joint approach to representations:** The Council will communicate with the Responsible Authorities to ensure that a partnership approach is taken in consideration for applications and any representation to be made to them where appropriate.
- **Information sharing:** Brent is committed to open data principles. Subject to the provisions of the Data Protection Act 1998 and General Data Protection Regulation the Council will share information about licensees, licensed premises and activities associated with them with all partners. Operating schedules, results of compliance checks, and details of enforcement action may also be shared.

Partnership working with licensees, trade and residents

The promotion of the licensing objectives and achieving common aims relies on a partnership between licence holders, authorised persons, interested parties, responsible authorities and the Council. The Council is keen to work in partnership with licensees and with bodies such as licensee forums, pub watches, business groups, tenants and resident's groups and those representing such groups to develop a prosperous and well managed economy whilst promoting the licensing objectives.

By working closely with trade and resident's groups the Council aims to develop a preventative or early intervention approach to problems that may arise. To do this the Council will:

- Be accessible to these groups.
- Regularly consider and/or canvas the views of Brent business and resident's groups as and when appropriate.

Policy 4: Enforcement approach

- **Policy:** The Council supports compliant, well-regulated businesses, and as such will operate a clear two step enforcement approach within the circumstances and context of each individual requirement for enforcement action.

The Council prefers a targeted approach to enforcement, where compliant, well-regulated licensed businesses are not generally a focus of enforcement. Where licensed businesses do not meet this standard they will be supported to become a compliant, well-regulated business. Where this is not possible or successful, they will be subject to appropriate and proportionate enforcement measures.

The Council will aim to give licence holders early warning of any concerns/ problems identified at any licensed premises and identify the need for improvement. Repeated or cumulative breaches of licence conditions will potentially lead to a review where the full history of the venue will be examined.

Where a test purchasing exercise is undertaken by the Police and/or Trading Standards for age restricted goods, all licensed premises will be targeted equally.

An intelligence led approach will be adopted and information regarding incidents of violent crime, disorder, and nuisance in and around licensed premises will be collated to provide a risk-based approach for inspection and, where appropriate, surveillance.

Enforcement action will be taken in accordance with the principles of the Regulatory Compliance Code, requirements of the Licensing Act and the associated section 182 Guidance.

The Council will consider the fundamental principles recommended by the Better Regulation Task Force for good enforcement and the Hampton report:

- **Targeting:** for example, focusing on activities that give rise to the most serious risks or where hazards are least well controlled;
- **Consistency:** for example, similar approaches in similar circumstances to achieve similar ends;
- **Transparency:** for example, helping duty holders to understand what is expected and distinguishing between statutory requirements and guidance;
- **Proportionality:** for example, action taken should be proportional to the risk presented;
- **Necessity:** for example, no inspection to take place without a reason.

For more information on the Council's Enforcement Strategies please go to the following Council web page: <https://www.brent.gov.uk/enforcement>.

Policy 5: Opening hours

- **Policy:** The Council expects and encourages applicants applying to operate between the hours of midnight and 10:00 am to consider and assess the potential risks in the locality and how the premises operation can promote the licensing objectives as part of their application.

International evidence shows that in the case of alcohol the hours and days of sale is related to the harm that can be caused by excessive and risky consumption of alcohol. Evidence also indicates that certain hours of sale impacts on certain types of alcohol related harm.

Accordingly, venues which seek to open between midnight and 10:00 am are expected to risk assess their proposals, having regard to risks in the locality and those arising from their operation itself, and propose measures to promote each of the licensing objectives. Applicants will be encouraged (but are not legally bound) to supply such risk assessments alongside their operating schedule to demonstrate compliance with this policy. If they do not do so, it is likely that representations will be received, and that the application may be refused or stringent conditions placed on any licence granted.

Venues operating within these hours will also be expected to consider public nuisance caused by potential noise, anti-social behavior, crime, particularly in relation to the use of outside spaces, and during entry, exit and dispersal from the premises.

Policy 6: Temporary Events

- **Policy:** The Council expects that all Temporary Events Notices (TENs) be submitted at least 10 days prior to the event and provide sufficient accompanying information to allow due consideration, including evidence of permission to use space if it is public or council land/venue. It is expected that any existing conditions on a licence will be maintained for the purposes of a TEN. It is also recommended that TENs are submitted as early as possible prior to the event to allow relevant responsible authorities to have appropriate time to consider the TENs.

Temporary Events Notices are intended to allow licensable activities without a premises licence or to extend or add a licensable activity for a very short time. Only the Police or Environmental Health can object to a TEN. The Licensing Authority will intervene if the statutory limits on the number of TENs are exceeded.

It is recommended that TENs are submitted as early as possible prior to the event to allow for the relevant responsible authorities to have sufficient time to consider the notice.

If an objection to a late TEN (given with between 5 and 10 working days' notice) is received and conditions are agreed with the responsible authorities a counter notice will be served with the agreed conditions. The event will be allowed to go ahead.

If an objection to a late TEN (given with between 5 and 10 working days' notice) is received and conditions cannot be agreed a counter notice will be served and the event cannot go ahead.

When a TEN is submitted the Council expects that the following information will be provided:

- Evidence of permission to use outside space for an event, specifically where the outside space is Council or public land;
- A risk assessment and capacity determination;
- Evidence of consultation with the Brent Safety Advisory Group if necessary.
- Any other information that is relevant or pertinent to the TENs.

If this information is not provided it is more likely that an objection will be forthcoming.

Risk Assessments

Where an event involves live performers (for example, musicians, DJs, MCs and other artists) at a licensed premise that is promoted by the licence holder or an outside promoter the Police may require that a risk assessment be completed and submitted in advance to the satisfaction of the Police. This may also include the completion of an after event debrief form. This is to ensure that any crime and disorder, public safety matters or concerns are identified and addressed satisfactorily. Where risk assessments are required, they should be submitted at least 14 days before any proposed event.

The Safer Sounds programme run by the Safer Business Network and supported by the Mayor of London can provide more information around running safe events. The website, which will go live in 2019 is www.saferounds.org.uk.

Policy 7: Reviews

- **Policy:** Where a valid and reasonable request for a review of a licence is made to the Council, the Council will initiate a process to consider the review application

Responsible Authorities, residents, businesses or a representative of these may ask the Council to review a premises licence because of concern(s) about the premises in connection with any of the four licensing objectives.

Any request for a review of a premises licence will need to be accompanied by evidence to substantiate the allegations.

When a request for a review is initiated by other persons, the Council will first consider whether the representation made is relevant to the any of the four licensing objectives and that is not vexatious or frivolous. Where a Responsible Authority requests a review it is expected that licensing objectives are considered prior to the review application.

Representations must relate to particular premises for which a premises licence is already held and must be relevant to the promotion of the licensing objectives. The review process is not an opportunity to revisit earlier representations made when the original application for a premises licence was determined, unless these relate to different circumstances.

Where the Council receives a request for an expedited review in accordance with the closure procedures described in Part 8 of the Act, the Council will arrange a hearing in accordance with the regulations set out by the Secretary of State.

The licensing committee, in determining a review application, may exercise the range of powers given to them to promote the licensing objectives.

These include:

- modify conditions of the premises licence (which includes adding new condition(s) or any alteration or omission of an existing condition temporarily or permanently);
- exclude a licensable activity from the scope of the licence;
- remove the designated supervisor;
- suspending the licence for a period not exceeding three months;
- revoke the licence; or,
- to take no action.

The Council will seek to establish the cause(s) of concerns/issues and any action will be targeted at such causes. Any action taken will be proportionate to the problems involved.

Where a Magistrates Court makes a Closure Order under part 8 of the Licensing Act 2003 (on grounds of disorder) the Council must carry out a review of the licence.

Where a Magistrates Court makes a Closure Order under part 4 of the Anti-Social Behaviour, Policing and Crime Act 2014 (on grounds of the use, supply or production of Class A drugs associated with disorder or serious nuisance) the police will request a review or ask the Council to carry out a review of the licence.

Where a closure order has been made under part 4 of the Anti-Social Behaviour Act 2003 (on grounds of noise) the Council's Environmental Health section will normally request a review of the licence.

The consumption of alcohol by minors impacts on the health, educational attainment, employment prospects and propensity for crime of young people. Offences under the Licensing Act 2003 include the serving of alcohol to unaccompanied persons under 18. The sale of alcohol to persons who are intoxicated is also an offence under the Licensing Act 2003. The Council will treat representations where these offences have occurred seriously when they arise in connection with the granting or review of a premises licence. It will also have regard to other criminal activities which may take place in some types of licensed premises such as:

- sale or distribution of drugs;
- sale or distribution of stolen or counterfeit goods or weapons sale of smuggled tobacco and alcohol;
- prostitution, pimping or procuring;
- use as a base for criminal activity, particularly gangs, organisation of racist activity, unlawful gaming and gambling; and,
- employment of those who do not have the right to work in the UK.

Where reviews arise and the Council determines that the crime prevention objective is being undermined, where the licensed premises is being used to further crimes, it is expected that the revocation of the licence- even in the first instance - will be seriously considered (s182 Guidance, paragraph 11.26). Revocation also remains an option if other licensing objectives are being undermined.

Comments about applications and reviews are made by way of representations. These can be from a Responsible Authority (such as the Police) or other persons (such as a local resident or residents' group). A representation can be an objection to an application or part of an application or can be in support of an application. Guidance on making representations and applying for a review is available on the Council's website.

The review process is integral to the operation of the Licensing Act 2003.

The Government's intention is for a light touch regulatory regime with regard to the granting of new licences and variations. If problems arise in connection with a premises licence, it is for the responsible authorities and the other persons to apply for a review of the licence. Without such representations, the Council cannot review a licence. Proceedings under the Licensing Act 2003 for reviewing a premises licence are provided as a key protection for the community where problems associated with crime and disorder, public safety, public nuisance or the protection of children from harm are occurring.

Policy 8: Impact of major entertainment venues

- **Policy:** The Council will continue the policy of imposing special conditions in Wembley for dealing with alcohol-related issues during major events.

Brent hosts two large-scale entertainment venues of international and national importance. Wembley Stadium and Wembley Arena are major sources of tourism and regeneration within the Wembley area. Thousands of people enter Wembley on event days and people consume alcohol as a part of their entertainment.

The Council will continue the policy of imposing special conditions in Wembley for dealing with alcohol-related issues during major event days. The conditions acknowledge the unique role alcohol plays in the overall enjoyment, social and economic activity associated with Wembley Stadium and Wembley Arena whilst balancing the four licensing objectives and the safety and concerns of local residents. These are included earlier in the Policy and include:

- No sale of alcohol one hour before the event.
- Customers shall not be allowed to congregate outside the premises.
- No glass bottles shall be handed over the bar but shall be decanted into plastic vessels.
- The DPS shall work in partnership with the Police and comply with any direction given by the most senior Police Office on duty at the event.
- No alcohol of 'alcopop' type drinks shall be displayed or sold in glass containers with the exception of wines and spirits.
- No more than 4 cans of alcohol can be sold to a customer.

Policy 9: Cumulative Impact Policy

- **Policy:** The Council has adopted a Cumulative Impact Policy to establish Cumulative Impact Zones for the following areas: Harlesden; Wembley Central; Ealing Road; Kilburn High Road; Willesden High Road; Neasden Town Centre; East Lane; Kingsbury, Queensbury Station Parade, Sudbury Town – Harrow Road and Watford Road. The Cumulative Impact Policy for these areas applies only to Off-Licences. Where an application for a new off-licence or for variations to off-licences is received (which would increase the sale of alcohol, including through longer hours), the presumption is that the application will be refused

The Council has established ten (10) new Cumulative Impact Zones (CIZs) in Brent. The purpose of these CIZs is to address levels of crime and disorder, and anti-social behaviour, particular that associated with street drinking. Therefore, the CIZs will specifically relate to applications and variations for off-licences.

The Cumulative Impact Policy will be reviewed every three years in line with requirements under the Licensing Act 2003.

It is important to note that the CIZs adopted will not cause any existing licences to be changed. It can only apply to new applications and variations of existing licences. It is also not an absolute policy and where an applicant can satisfactorily evidence that their application or variation will not negatively impact on the licensing objectives the Licensing Authority will determine the application on its own merit.

The CIZs do not address the matter of the need for a premises. The need for premises is a commercial matter and is not a consideration for the Council in the discharge of its functions and this policy. Need is a matter for the planning authority and market forces.

It is also important to note that Policy 11: Voluntary ban on high strength sales is a separate policy and adoption of the voluntary condition(s) supported and encouraged in Policy 11 will not necessarily address the requirements under a Cumulative Impact Zone. Any licence application in a CIZ area will need to demonstrate with evidence that its operation will not add to any cumulative impacts that the CIZ is seeking to address.

See Appendix 6 for further details.

Cumulative impact outside of Cumulative Impact Policy areas

The Council recognises that the cumulative impact of licensed premises can be experienced by residents in areas where there is no current cumulative impact policy in place. Cumulative impact is not defined in the Licensing Act 2003 but is addressed in national guidance which defines it as “the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area”. The guidance goes on to state that the cumulative impact of licensed premises on the promotion of the licensing objectives is a proper matter for a licensing authority to consider in developing its licensing policy statement.

The Council will consider any representation that refers to the impact of a number of premises in an area. The absence of a special policy in an area will not prevent any Responsible Authority or other person from making representations on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives in the area in question. Representations referencing cumulative impact need to be evidence based and show how the present number of licensed premises are impacting on the objectives and demonstrate how a specific licensed premises in a particular area will add to those problems.

Policy 10: Public Space Protection Orders

- Policy: Brent has a Public Space Protection Order for street drinking covering the whole borough and therefore it is an offence to drink alcohol in any public place.

The Public Space Protection Order for street drinking was applied Borough wide in October 2017. This means that it is an offence for any person to drink alcohol in a public place within the borough. If a police officer reasonably believes that a person is, or has been, consuming intoxicating liquor within these areas, the officer may require the person concerned:

- a) not to consume in that place anything which is, or which the officer reasonably believes to be, intoxicating liquor
- b) to surrender anything in his/her possession which is, or which the officer reasonably believes to be, intoxicating liquor or a container for such liquor (other than a sealed container)
- c) An officer may dispose of anything surrendered to him/her as above.

- d) Issue fixed penalty notices on offenders
- e) Prosecute persistent offenders

Policy 11: Voluntary ban on high strength sales

- **Policy:** The Council encourages applicants to implement a voluntary ban on the sale of high strength alcohol.

The Council supports and encourages licensees implementing a voluntary ban on high strength alcohol sales. These voluntary bans are aimed to tackle the problems associated with street drinking by removing from sale low price, high-strength alcohol products through voluntary bans implemented by local retailers. Street drinkers often consume high strength alcohol. The scheme follows increasing evidence of the harm caused by this type of alcohol to vulnerable drinkers, and also the crime, disorder and nuisance caused by street drinkers. The models used vary from place-to-place but tend to target alcohol products above 6% alcohol by volume (ABV) as well as sale of miniatures, although some have focused on a slightly lower ABV or lower cost products.

The Council encourages and supports applicants to outline any voluntary ban in their operating schedule or voluntary conditions offered as part of their licence application.

Policy 12: Street drinking

- **Policy:** In areas where street drinking has been identified as a problem by the Council new applicants and those applying for variations are required to demonstrate how their premises will not contribute to street drinking in those areas.

Applicants may wish to seek guidance from Licensing, Community Safety and Police as to specific measures that may be appropriate for their specific location. However, some general examples of good practice include:

- Reducing availability of high strength alcohol.
- Beers, lagers and ciders above 6.0 %ABV shall not be sold save for speciality products
- Visible labels on cans and bottles identifying the premises.
- Use of different coloured or labelled bags for sales of alcohol.
- Ensuring street drinkers do not congregate outside the premises.
- Ensuring drinkers do not consume alcohol on the premises, including not having the paraphernalia to allow that (e.g. Single plastic drinking vessels or bottle openers near the till area).
- No sale of miniatures.
- No sale of single cans
- Keeping the premises locality clear of litter.
- Alcohol should not be placed at or near the entrance to a store
- Facial recognition CCTV should be placed at the entrance, servery till and the premises as a whole shall be covered by CCTV
- Alcohol should be located so as to be directly supervised by counter staff.
- End of aisle promotions should not be undertaken
- Multi-buy discounts should be avoided
- An electronic till prompt should be used
- A refusals book (paper or electronic) should be maintained
- Challenge 25 notices should be prominently displayed at the entrance, where alcohol is displayed and at the counter.
- All staff selling alcohol should receive induction and refresher training in the responsible retailing of alcohol.

- Where appropriate the Licensing Authority may take a firm stance on 'A' boards on the public highway particularly where these are used to market cheap alcohol.

Policy 13: Culture, arts and tourism

- **Policy:** The Council encourages the development of culture, the arts and tourism in the borough and will consider applications that promotes culture, arts and tourism in the borough.

In 2020 Brent will be a London Borough of Culture. The Council supports and encourages culture, arts and tourism in the borough and is supportive of a licensed trade that promotes and provides these in Brent. Culture, arts and tourism play an important economic role in Brent and are integral to the identity of the area. Area attractions such as Wembley Stadium and Wembley Arena are nationally and internationally renowned and encourage locals and tourists to come and visit Brent. Similarly, Kilburn High Road and southern areas of the borough are starting to experience growth as part of London's overall entertainment and night time economy.

There is a strong relationship between alcohol consumption and tourism (particularly around major events). The Council wants to encourage tourism to the borough and consumption of alcohol when done so safely and with appropriate safeguards. The Council believes any licence application should look to acknowledge the economic importance and attraction of local culture, arts, and tourism with safe and appropriate alcohol consumption.

The Council recognises the need to encourage and promote live music, dance and theatre for the wider cultural benefit of the community, particularly for children. Live performance is central to the development of cultural diversity and vibrant, exciting communities, particularly traditional entertainment such street arts.

When reviewing applications for such events and the imposition of conditions on licences or certificates, the Council will carefully consider the cultural benefit to the community when seeking to promote the licensing objectives.

Consideration will be given to the particular characteristics of any event including the type, scale, duration and regularity of the proposed entertainment, especially where there is little likelihood of nuisance being caused.

The Council also supports premises that promote a 'taste' and appreciation approach to the consumption of alcohol, such as micro-brewery tap-rooms, tasting offers and other approaches that promote the responsible appreciation of alcoholic beverages for their taste and quality, rather than for volume and intoxication.

Policy 14: Late Night Refreshment

- **Policy:** The sale of hot food and refreshments between 11 pm and 5 am are licensable activities under the Act and will require a licence.

Under the Licensing Act 2003, the sale of hot food and non-alcoholic drink for consumption on or off the premises to the public between the hours of 11pm and 5am is a licensable activity. This includes premises that provide equipment for food and non-alcoholic drink sold to the public to be heated up prior to being consumed.

The Council advises any applicants for a premises licence who provide hot food and non-alcoholic drink after 11 pm to give a detailed account of how they will promote the four licensing objectives and, in particular, the prevention of crime and disorder and the prevention of public nuisance. This Council will have due regard to any representations from Responsible Authorities and “other persons” to the grant or variation of a licence to provide hot food and non-alcoholic drink to the public. It will also look particularly closely at any measures proposed by the applicant to promote the licensing objectives.

Policy 15: Shisha

- **Policy:** Conditions to promote the licensing objectives will be considered for Late Night Refreshment Licences specifically where shisha is also sold.

A number of shisha premises have Late Night Refreshment Licences which permit the sale of hot food and hot drinks between the hours of 11pm and 5am. Currently, there is no strong evidence to support limiting LNRL's in shisha premises however evidence is being collected to determine the suitability of licence conditions on such places in the future.

Where an applicant, for either Late Night Refreshment and/or the sale of alcohol, is also planning to sell shisha for consumption on the premises the Council expects that the application will evidence how they will address any potential public nuisance caused by shisha smoking and also to demonstrate compliance with other regulatory regimes (e.g. Smokefree Regulations).

The licensing objectives still apply in these circumstances and the Council expects applicants to provide clarity on the measures that they will take to ensure that the licensing objectives are promoted.

Policy 16: Venue capacity limitations

- **Policy:** Venue capacity will be considered as part of wider consideration for licence applications

When determining applications for a licence, consideration of venue capacity will be taken into account. This is to help the Council limit the potential for large venues becoming problem hot spots. This will apply to those venues that fit or likely to fit within the description of high-volume vertical drinking establishments where applicable. Applicants are required to submit robust crime & disorder proposals in their operating schedules as well as noise dispersal policies.

The Council accepts that a lot of the problems that may occur in large premises may be controlled by good management practices. However, controlling the numbers of customers allowed into the premises may also assist in promoting all of the licensing objectives, primarily crime & disorder and public nuisance.

The Council will consider capacity conditions where this may be beneficial in promoting the licensing objectives.

Policy 17: Voluntary schemes

- **Policy:** The Licensing Authority encourages applicants to consider the range of voluntary schemes available which are appropriate for their premises and operation.

The Drink Wise Self-Assessment Framework suggests voluntary agreements with licensed premises helps to reduce alcohol related harm.

However, this requires willing participation on the part of premises owners and operators. As such, the availability and sale of high-strength beer and cider can be inconsistent and sporadic.

Voluntary measures include setting a minimum unit price, code of good conduct schemes run by local industry, local authority, and policy partnerships has been adopted by over 100 towns and cities across the UK and has the support of the Home Office.

Pubwatch is a voluntary scheme with the aim of achieving a safer drinking environment in all licensed premises. Pubwatch can be an invaluable resource for licensees. It enables them to share information, intelligence and advice about crime, disorder and ASB in the area with each other, the Council and the Police. This includes sharing information such as photographs of offenders and the “Barred from One, Barred from All” scheme. This can in turn assist with dispersal because known troublemakers cannot gain access to licensed premises in the first instance.

Policy 18: Health

- **Policy:** The Council will consider the impact on the health of Brent residents as part of its considerations and duties relating to the sale and supply of alcohol by consulting with the Director of Public Health.

Health is not a licensing objective, but the Council is aware that there is a significant negative impact on the health of our residents caused by alcohol, reflected in hospital admissions and deaths from alcohol related illnesses, alcohol induced violence and domestic violence. Significant alcohol related hospital accident and emergency admissions and ambulance pick-ups are indicative of problems and may result in reviews of premises licences where these can be related to specific premises.

The evidence base for the impact alcohol has on the health and wellbeing of local areas is strong. Public Health England evidence review is available here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/583047/alcohol_public_health_burden_evidence_review.pdf

Since 2012 the Brent Director of Public Health has been a Responsible Authority and is able to make representations on applications and initiate reviews. The Brent Director of Public Health has access to data and evidence that is useful and informative for the, development of policy, the consideration of applications and the conduct of reviews. This includes:

- evidence on the impact of alcohol on the physical and mental health of residents, particularly children;
- data on hospital admissions for alcohol related illness and injury;
- data from London Ambulance Service on alcohol related ambulance attendances; and,
- data and evidence from local alcohol services, such as out-reach and treatment services.

When such evidence and data is presented it will be considered and where links are made to any of the four licensing objectives it will be taken into consideration by the Licensing Sub-Committee during its decision making if applicable.

Policy 19: Outside spaces

- **Policy:** Beer gardens, roof terraces, pavements and other outdoor areas in licensed premises are expected to comply with appropriate conditions to ensure there is minimal disruption to residents in proximity to the licenced premises.

Outside spaces are an increasingly popular part of licensed premises, particularly in summer where there is more demand for outside drinking and eating. The outside spaces that are also used by patrons who smoke are expected to comply with Smokefree regulations. However, these outside spaces at premises need robust management to reduce the potential nuisance being caused to others located in proximity to the venue.

Where smoking, eating and drinking takes place outside, the Council expects applicants to provide comprehensive details in their operating schedule on:

- the location of outside areas to be used;
- how the outside areas will be managed to prevent:
 - a) noise;
 - b) smell; and,
 - c) pavement obstructions.
- the arrangements for clearing, tables and chairs; and,
- preventing nuisance from smoke fumes to residents living in close proximity to smoking areas.

Where outside spaces are used for eating, and where children may be present, the Council expects applicants to provide detail on how smoking areas will be segregated from the general use areas.

Where the use of outside spaces by the patrons of a licensed premises is unplanned and makes use of the pavement there is need for specific consideration. Members of the public can sometimes feel intimidated and crowds of drinkers spilling out onto the street may cause obstruction. Safety issues can arise with drinkers and members of the public being forced to use the road. Wherever, possible drinking should be contained within areas that are part of licensed premises, such as beer gardens, terraces or, where a street trading licence has been granted by the Council for tables and chairs, on the public highway.

Applications for the use of tables and chairs on the highway are not within the remit of this policy. In the event that the hours under any such licence do not match those on a licence issued under the Licensing Act 2003 the earlier hours will apply.

Where applicants wish to place tables and chairs on a public highway, they will require to be licensed for such an activity by the Council.

Where applicants intend to use private land for alfresco meals or refreshments, they will be required to explain how possible nuisance or crime and disorder from late night use of table and chairs will be controlled. This may include such matters as restricting music or other forms of entertainment, providing additional supervision and/or installing CCTV. Police recommend in general that outside areas (e.g. beer gardens) should not be used after 23:00 hours.

Policy 20: Dispersal and entry

- **Policy:** Licensed premises should take all reasonable measures to ensure that dispersal of patrons from the premises, and entry of patrons into the premises uphold the licensing objectives.

Section 182 guidance makes it clear that licensing should not be seen as the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from licensed premises and therefore beyond the direct control of those with responsibility for managing and controlling licensed premises. However, licensees should take all reasonable steps to prevent the occurrence of crime and disorder and public nuisance immediately outside their premises, for example on the pavement, in a beer garden or in a smoking shelter to the extent that these matters are within their control.

Licence holders should also consider the impact that patrons or others congregating around entry points to their premises have on the licensing objectives, particularly in relation to the general public and residents. Licence holders should take all reasonable measures to ensure that both dispersal from their premises and entry into the premises uphold the licensing objectives.

The Council recognises that it is difficult for licence holders to have influence over their patrons once they have left the immediate vicinity of their premises, however, disturbance caused by patrons, if linked to the operation of the premises, where contrary to the licensing objectives, can be a reason for the Council to take action.

Policy 21: Delivery Services

- **Policy:** The Council expects licence applications for delivery services that include the delivery of alcohol to take into account issues relating to reducing public nuisance related to delivery vehicles, ensuring the security of premises, delivery drivers, and protecting children by applying rigorous age checks at both purchase and delivery points.

Since the last Statement of Licensing Policy there have been an increasing number of applications for licences relating to delivery services, these tend to fall into three groups:

- Premium specialist product mail-order type services;
- Food delivery services (both meal and grocery) that include alcohol delivery but are primarily food lead; and,
- Convenience type alcohol delivery services that are targeted at convenience for those drinking at home.

Although these types of services are not provided for in the Licensing Act 2003 or in the s182 guidance in any way differently from other licensed premises they do provide their own unique circumstances that need to be addressed. In particular, the Council has concerns with the potential for the following:

- Age verification at both purchase point and delivery point;
- The safety of delivery drivers at point of delivery;

- Safety of the premises from which orders are taken and sent out for delivery; and,
- Possible public nuisance caused by delivery drivers collecting deliveries from the licensed premises.

The Council is likely to place the following conditions on to a premises licence for delivery services where it is appropriate and relevant to the individual licence application:

- A standard age verification check shall be undertaken on entering the website.
- A signature at the point of delivery **should** be obtained. No delivery shall be left without a signature.
- Alcohol shall only be delivered to a residential or business address and **not** to a public place.
- Every third-party courier delivery box shall be labelled with the words “Age Restricted Product”.
- Any delivery driver or third-party courier will be required to have appropriate age verification training, particularly they will be required to have training on refusal of supply where age verification is not provided. This will need to be demonstrated by the applicant at application stage, and at any point where the delivery driver or courier service is changed.
- A refusals log will be maintained for deliveries and be available to the Council on request.
- A log of all deliveries shall be maintained and be available to the Council on request.
- Appropriate security will be in place at the premises as agreed with Police.
- Measures for minimising noise and disturbance caused by the dispatch of deliveries to be identified in the operating schedule.

Each of these measures will need to be demonstrated to the Council as part of the application.

Policy 22: Age verification and test purchasing

- **Policy:** The Council expects all licensed premises to have the specific age verification measures (outlined below) in place and will conduct test purchasing operations to test and assure compliance with the minimum purchase age requirements. If sales to children are made action will be taken by the Council.

Age-verification measures, and test purchasing to assure these are robust and well-operated by licenced premises are the core measure to ensuring the licensing objective for the protection of children is met.

To support the age-verification process the Council strongly recommended that premises have the following measures in place to ensure age verification for sales:

- That “Challenge 25” is supported as part of the age verification scheme established. The scheme requires the production of evidence of age (comprising any PASS accredited card or passport or driving licence) from any person appearing to staff engaged in selling or supplying alcohol to be under the age of 25 and who is attempting to buy alcohol.
- That evidence of the scheme (in the form of documented procedures) is maintained and made available for inspection by authorised officers.
- That all staff involved in the sale of alcohol shall be trained in the age verification scheme and records of such training shall be retained on the premises and made available for inspection by authorised officers.

- That an incident log shall be maintained, and details of all age-related refusals recorded. This book shall be reviewed monthly by the DPS and any actions taken recorded in the book and signed off by the DPS. This log shall be retained on the premises and made available for inspection by authorized officers.
- That a personal licence holder shall be on the premises at all times that alcohol is supplied.
- That the DPS shall ensure that, as far as is reasonably practical, alcohol is displayed in an area which can be constantly monitored or supervised by staff, separate from goods likely to be purchased by persons under 18.

Brent Trading Standards operate a policy of carrying out test purchasing for under age sales of alcohol. If sales are made to children action will be taken. This may be a review of the licence, or a request to include additional conditions on the licence designed to assist the management to counter attempts by children to buy alcohol. Any additional conditions felt appropriate will be subject to discussion with licence holders. The Council may also, as a Responsible Authority, apply for reviews of premises licences if appropriate. If deficiencies in operating schedules of current licences become apparent the Council will initially ask the licence holder to remedy this by way of an application for a minor variation. If this is not undertaken, then a review may be necessary to impose conditions on the licence. This process does not preclude prosecutions for offences under the Licensing Act.

Policy 23: Authority and Designated Premises Supervisor

- **Policy:** Every supply of alcohol under a premises licence must be made or authorised in writing by someone holding a personal licence. Every premises with a licence to sell alcohol must have one person holding a personal licence specified as the Designated Premises Supervisor (DPS).

Any premises where alcohol is sold under a premises licence must have a designated premises supervisor (DPS). The DPS will be named in the premises licence, a summary of which must be displayed on the premises. A DPS must be a personal licence holder. Every sale of alcohol must be made or authorised by a person who holds a personal licence (or must be made or authorised by the management committee in the case of community premises).

The Licensing Act 2003 does not require a DPS or any other personal licence holder to be present on the premises at all times when alcohol is sold. However, the DPS and the premises licence holder remain responsible for the premises at all times.

The Licensing Authority will normally expect the DPS to have been given the day-to-day responsibility for running the premises and as such it is expected that the DPS would usually be present at the licensed premises on a regular basis. The Authority expects that this will be in excess of 50% of a 7-day week.

The Council expects that a DPS will be able to demonstrate knowledge of both the local geographic area and the patrons the premises attracts. The DPS should be sufficiently conversant in English to be able to properly communicate with patrons.

The premises licence holder will be expected to ensure that the DPS has experience commensurate with the size, capacity, nature and style of the premises and licensable activities to be provided.

Within all licensed premises, whether or not alcohol is to be sold, the Licensing Authority will expect there to be proper management arrangements in place which will ensure that there is an appropriate number of responsible, trained/instructed persons at the premises to ensure the proper management of the premises and of the activities taking place, as well as adherence to all statutory duties and the terms and conditions of the premises licence.

The Council recommends that all persons employed on licensed premises who are engaged in the sale and supply of alcohol be encouraged to attend regular training programmes to raise awareness of their responsibility and particularly of the offences contained within the Act. Training programmes that raise awareness of the issues relating to drugs and violence in licensed premises are necessary. Suitable training should be extended to all staff involved in managing or supervising the premises. All training undertaken should be recorded and signed by the designated Premises supervisor.

It is recommended that persons employed on premises providing entertainment for children shall be trained in basic child protection and safety, and if appropriate have the necessary CRB checks.

Every supply of alcohol under a premises licence must be made or authorised by a person who holds a personal licence. The Licensing Act does not require the presence of a personal licence holder at all material times but if any sales are made when a personal licence holder is not present, then they must have been authorised by somebody who holds a personal licence.

The Council expects that when the DPS is not present on the premises written authorisation will have been given to other members of staff, and that one of these members of staff will be on the premises. Such authorisation should be in writing and be displayed with the premises licence.

It is considered good management practice to ensure that a personal licence holder/DPS is available at all hours that the premise is open to the public. It is regarded as good management practice that a personal licence holder/DPS be physically on the premises from 23:00 onwards.

Policy 24: Irresponsible Drinks Promotions

- **Policy:** The Licensing Authority would like to encourage all licensed premises to apply a minimum unit price of 70p to all alcoholic products sold at their premises licence

Mandatory Irresponsible Promotions Conditions

This is additional to the current legal minimum price for the sale of alcohol. A ban on selling alcohol below a “permitted price” has been in place since 28 May 2014. This was introduced through the Licensing Act 2003 (Mandatory Conditions) Order 2014. The permitted price is defined as the level of alcohol duty plus VAT. All premises are required on request by the Licensing Authority to demonstrate that any alcohol is being sold at a price not less than the permitted price: i.e. the level of alcohol duty plus VAT. Premises are expected not to offer or publicise irresponsible promotions which encourage irresponsible drinking.

Where any relevant representations which demonstrate a clear causal link between sales promotions or price discounting and levels of crime and disorder on or near the premises, it will be

appropriate for the Licensing Authority to consider the imposition of a new condition prohibiting irresponsible sales promotions or the discounting of prices of alcoholic beverages at those premises. Each case will be considered on its own merits. Any future legislation or legislative guidance on minimum unit pricing per unit of alcohol sold will apply.

We know that low cost alcohol sold in on and off trade premises increases alcohol consumption which can lead to crime and disorder issues. The Licensing Authority through this policy would like to encourage the responsible consumption of alcohol and where there is evidence that the licensing objectives are being compromised or are likely to be compromised, the Licensing Authority will consider imposing controls on drinks promotions to deal with localised problems. These controls could include restricting the sale of super strength beer, lager and cider, or the requirement to charge a minimum cost per drink as part of a package of measures to deal with problems.

There is strong evidence that setting a minimum unit price will have an impact on reducing alcohol consumption. The Licensing Authority would therefore like to encourage all licensed premises to apply a minimum unit price of 70p to all alcohol products sold under their premises licence. Where the premises are found to be selling alcohol below this price and there are problems associated with the premises that are negatively impacting on the licensing objectives, a responsible authority may bring review proceedings. Following the review, the Licensing Committee may decide to impose a condition in relation to the pricing of alcohol in order to uphold the licensing objectives.

Rather than having to resort to controls of this kind, the Licensing Authority would like to encourage a voluntary code of good practice in relation to drinks promotions including pricing, and to encourage licence holders and others working at the premises to familiarise themselves with the mandatory conditions relating to drinks promotions. These conditions prevent drinking games, provision of unlimited or unspecified quantities of alcohol for free or for a fixed or discounted price. Examples of irresponsible drinks promotions are provided below.

Binge drinking is defined by the NHS and National Office of Statistics as drinking more than double the daily unit guidelines for alcohol in one session. Binge drinking for men therefore, is drinking more than 8 units of alcohol – or about three pints of strong beer, and for women, it's drinking more than 6 units of alcohol, equivalent to two large glasses of wine. Binge drinking can lead to drunkenness on the premises or in the vicinity and can be encouraged through irresponsible drinks promotions such as encouraging people to consume more alcohol than planned or to consume more alcohol in a short space of time.

A responsible approach to drinks promotions and compliance with the spirit of the mandatory conditions on irresponsible drinks promotions can prevent customers from getting drunk. In addition to the mandatory conditions which prevent drinking games and large quantities of alcohol for free or at a fixed or discounted price, the Licensing Authority would like to encourage a voluntary code of good practice in relation to drinks promotions.

Licence holders and others working at the premises should familiarise themselves with the mandatory conditions relating to drinks promotions.

Examples of irresponsible drinks promotions may include:

In the “on trade”

- women drink for free;
- half price drinks for under 25s;
- discount nights for students

- cheap drinks for fans of a specific sporting team;
- half price drinks when England scores a goal;
- free drink if your team wins;
- all you can drink for £10;
- pay £5 entry and then drink up to 12 shots;
- 10 pints for £10;
- pay your entry fee then drink free until 10pm.
- drink 4 pints get the 5th for free
- promotions that make a customer drink a certain amount of alcohol in order to get a prize or reward
- materials or signs on or near to premises to advertise promotions which condone, encourage or glamorise anti-social behaviour or refer to the effects of drunkenness in any positive way.
- drinks promotions that encourage customers to purchase enough alcohol in one sitting to constitute “binge drinking”.
- drinks offers that are not promoted and organised in a responsible way.
- Selling alcohol and a mixer cheaper than soft drink on its own eg selling diet coke for £1.80 but diet coke and vodka for £1.50
- Not encouraging people to drink soft drinks by setting inflated prices
- Communal drinking vessels e.g. Gold Fish bowls
- 3 trebles for £3.99
- Pricing structures that make alcohol cheaper the more you buy.
- Happy Hours, half price or 2 for 1 offers.
- Pub crawls and student nights.
- Mobile sales e.g. shots girls selling alcohol or dispensing at the table.
- Drinks promotions which encourage a person to ‘binge drink’ in one serving/sitting.

In the “off trade”

- Multi buy alcohol promotions that offer a discount for buying multiple items. E.g. 3 bottles of wine for £12.00.

If you are in any doubt please speak with the Licensing Authority before you organise a specific promotion.

National research shows that the introduction of a minimum unit price of 50 pence or more would reduce harmful and hazardous drinking which would lead to a reduction in occurrences of alcohol related crimes, hospital admissions and sickness absences and reduce the financial burden on the NHS, the criminal justice system and social care.

Research including modelling research and real-life research examples, show that a Minimum Unit Price can have a significant positive benefit for the health, safety and wellbeing of the population and that of our communities. These positive benefits have an impact on promoting each of the licensing objectives. Research evidence indicates an MUP is likely to reduce alcohol related criminal offences¹, promote public safety by reducing traffic accidents and falls², and is likely to promote the protection of children³. It is also likely that it will impact on public nuisance, with a particular impact through reduced levels of nuisance caused by street drinking and related anti-social behaviour.

¹ Page 56 of the linked document outlines the modelled impact that an MUP will have on reductions in crime: <https://gwedhill.gov.wales/docs/caecd/research/2018/180222-comparative-impact-minimum-unit-pricing-taxation-policies-en.pdf>

² This study concluded that MUP’s applied in Canada had a beneficial impact on Public Safety: <http://bit.ly/2OiYSs5> ; Furthermore the Welsh Government analysis of the impact of MUP documents a reduction in deaths and injuries from alcohol related traffic accidents and falls: <https://gwedhill.gov.wales/docs/caecd/research/2018/180222-comparative-impact-minimum-unit-pricing-taxation-policies-en.pdf>

³ This document outlines the benefits to protect children from harm related to the implementation of an MUP: <https://gov.wales/sites/default/files/publications/2019-04/minimum-unit-pricing-childrens-rights-impact-assessment.pdf>

As such, the Council encourages applicants to consider the benefits to Brent and their premises of including a voluntary condition of a 70p Minimum Unit Price in their application. Where representations are made on an application the Council will consider applications that a voluntary condition of a Minimum Unit Price for all sales of alcohol to be more in alignment with the policy. This is NOT a mandatory condition and all applications will be considered on their own merits.

These conditions prevent drinking games, provision of unlimited or unspecified quantities of alcohol for free or for a fixed or discounted price. Conditions that may be considered to curb irresponsible drinks promotions which do not promote the licensing objectives may include measures such as:

- a. A licensee may consider not using or limiting the use of 'A' boards on the public highway, particularly where these are to be used to market cheap alcohol.
- b. Not placing or displaying alcohol at or near the entrance to a store.
- c. Installing facial recognition CCTV at the entrance of the premises and covering the whole of the premises with CCTV.
- d. Locating alcohol so as to be directly supervised by counter staff.
- e. Not undertaking end of aisle promotions.
- f. Prominently displaying Challenge 25 notices at the entrance, where alcohol is displayed and at the counter.
- g. Using an electronic till prompt.
- h. Maintaining a refusals log (paper or electronic).
- i. Providing all staff selling alcohol with induction and refresher training in the responsible retailing of alcohol.
- j. Exploring involvement with a community alcohol partnership.
- k. MUP of 70p

Policy 25: Provision of licences at schools, community halls and other venues that are used for child-care purposes

- **Policy:** Where schools and other child related facilities seek licences, additional conditions will be considered to uphold the licensing objective to protect children from harm.

An increasing number of applications are being received for premises that are primarily places of education, community or child-care. The Council understands that schools, community centres and child care facilities may wish to allow the use of halls or venues on their property for outside licenced events. Where schools, community centres and child care facilities seek licences, it is important for the applicants to consider a wider range of potential impacts in terms of the protection of children. In particular, it is important to consider the impacts that come from sharing facilities and to ensure that the use of the facilities for licensable activities have no impact on their purpose for child care and education. As such, the Council expects that that these applicants consider the following matters and address them in their operating schedule:

- Ensuring appropriate time for cleaning and making good of the venue by not having licensable activities taking place on a day or evening when there are school or child care activities taking place the next day.
- Setting a cleaning and tidying protocol that ensures that no materials or waste are left behind in the venue that could be exposed to children at the school or child care facility at a later point. This would include drugs, drug use paraphernalia, alcoholic beverages or empty containers, and adult materials etc.
- Making clear areas that are part of the venue and areas that are not open or accessible to patrons and ensuring staff and security staff enforce this.

The Council expects that applicants give specific consideration to reducing public nuisance, as many of these premises are in residential areas. The Council also expects that these are for occasional events for the community or for fundraising. As such applications for these types of premises need to consider including submitting an events schedule every six months.

Policy 26: No provision of credit for alcohol sales

- **Policy:** The Council expects that credit should not be offered to clients by licence-holders for alcohol sales.

The provision of credit for clients on alcohol sales is related and significantly contributes to specific harms in relation to alcohol misuse and dependence. Not offering credit on alcohol sales will have a benefit to reducing some types of alcohol related harm and is unlikely to impact adversely on the business. The Council encourages applicants to consider this as a voluntary condition.

Policy 27: Compliance with existing regulatory regimes

- **Policy:** The Council expects all applicants to be able to evidence, upon application, lawful compliance with all other relevant regulatory regimes.

It is expected that any licensee will be operating in full compliance with all relevant regulatory regimes. To avoid any overlap between regulatory regimes the Council expect that all applicants can evidence that they are in full compliance with other relevant regulatory regimes and to undertake that they will remain so as responsible operators.

Policy 28: Gaming machines

- **Policy:** An automatic entitlement of two (2) gaming machines is available to all licensed premises, where the licensed premises meets certain conditions and the Council is notified. More than two (2) gaming machines will require a separate licensed premises gaming machine permit.

Certain premises which are subject to premises licences with a licence to supply alcohol are entitled to have one or two gaming machines available for use within their premises. To do this the licence-holder needs to notify the Licensing Authority.

The automatic entitlement is only available to licensed premises if they satisfy all of the following requirements:

- the premises are licensed to supply alcohol, for consumption on those premises
- the premises contain a bar
- the premises are not subject to any licence conditions limiting the supply of alcohol to people having meals on the premises.

Gaming machines are categorised according to how much they can gamble and the maximum prize available.

The automatic entitlement allows a maximum of two gaming machines from categories C and D available for use.

If more than two gaming machines are required at a premises, an Alcohol Licensed Premises Gaming Machine Permit must be obtained. The licensee is expected to ensure they have adequate space within the premises and the machines should be located in clear site of staff.

Applicants may wish to view the codes of practice for more information.

<https://www.gamblingcommission.gov.uk/PDF/LCCP/Licence-conditions-and-codes-of-practice.pdf>

Policy 29: Scheme of delegation

Delegations of functions under Licensing Act 2003

The Council's Licensing Committee is responsible for discharging the majority of the Council's licensing functions under the Licensing Act 2003. The notable exceptions are the final approval of the Council's Statement of Licensing Policy which is reserved for Full Council.

In practice, and in accordance with relevant statutory provisions, all those decisions which can be, have been delegated to officers. Further, the Alcohol and Entertainment Licensing Sub-Committee is responsible for considering and determining applications and other matters which cannot be determined by officers. That Sub-Committee can also consider and determine any other matters referred to it for determination by officers (e.g. matters which can be considered by officers but which is considered more appropriate for the Sub-Committee to do so).

Part 4: Appendices

Appendix 1: Measures to promote the prevention of crime and disorder

Appendix 2: Measures to promote public safety

Appendix 3: Measures to prevent public nuisance

Appendix 4: Measures to promote the protection of children from harm

Appendix 5: What to expect from a Licensing Sub-Committee hearing

Appendix 6: Cumulative Impact Zones

Appendix 7: Pool of model conditions

Appendix 8: Documents which demonstrate entitlement to work in the UK

Appendix 9: Women's Night Safety Charter

Appendix 10: Glossary of Licensing terms

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Appendix 1: Measures to promote the prevention of crime and disorder

The following lists suggestions that should be considered, although they will vary according to the use of each premise. The list is not exhaustive and is intended to act as a prompt for matters to consider. Licensees/applicants should use their own experience and knowledge of their customers and location to add or amend these and formulate them into an operating schedule.

The content of an operating schedule subsequently becomes the basis of conditions on the licence and should be in a form that can be expressed as an enforceable condition. Failure to do this may lead to a representation from a Responsible Authority or other person.

- Is there CCTV, and, if so, what are the areas covered, does it have the ability to see clear full-face recording of patrons entering, does it record the patron search area at the entrance as well as the till or server area;
- What is the retention period for recordings and the provision of instant access to Police and Authorised officers. Does it have an ability to produce copies or download images;
- Are SIA door staff employed, numbers of door supervisors, use of search arches/wands, location of such searches, all such staff to have their details recorded and checks made with SIA website to ensure that licences are current, staff to sign in when commencing work and sign out when they leave. Any induction/training given to new door staff;
- Do door staff receive any venue specific training to enable them to deal effectively with the clientele of the venue;
- Is there use of ID scanning and recording systems, if so, what are the hours during which such systems will be in place, that all patrons will be required to use the system;
- Will there be a "No ID No entry" policy, or use of Clubscan;
- Any measures proposed to prevent possession, supply or consumption of illegal drugs and possession of weapons. For example, designing out areas or surfaces where there is a likelihood of drug use;
- Is there a clear written policy regarding persons caught using/supplying, provision of safe storage for any seized drugs;
- Has the use of plastic or toughened glass for the serving of alcohol been considered, will glass bottles be handed across the bar;
- Any restrictions on patrons taking drinks outside the premises;
- Any restrictions on numbers of patrons using outside smoking areas;
- Are patrons searched on re-entering from smoking areas if there is the potential for patrons to have contact with non-patrons;
- Location of lighting inside/outside the premises;
- Is there a proof of age scheme to be used, if so what? Is there any dress code used at the premises;

- How are the numbers of patrons in the premises managed, including reference to any capacity restriction;
- The means by which the capacity is counted if appropriate;
- What is the frequency of staff training, what training is given. Will training records be available for Police and Authorised officers. Will the content of training be made available?
- What measures will be used to manage queuing;
- Detailed, achievable dispersal policy;
- Is there a drinking up time or quieter music before the terminal time of the licence?
- Are staff aware of how to respond to and record incidents of crime on their premises? Are incidents logged and reviewed in order to identify recurring issues?

For premises selling alcohol for consumption off the premises the following should be considered:

- Should beers, ales, lagers and ciders and anything similar that are sold/ supplied in a can only be sold in multiple packs in order to discourage street drinkers?
- Will there be a restriction on the sales/supplies of beers, ales, lagers or ciders or anything similar of 6% ABV or above, excluding the sale of specialist branded alcoholic beverages?
- Will there be a restriction on the sale/supply of miniature bottles of spirits of 50ml or less at any time?
- Will ales, lagers and cider be supplied only in bottles of 2 litres and above?

Appendix 2: Measures to promote public safety

The following suggestions should be considered but will vary according to type of premise. The list is not exhaustive and is intended to act as A prompt for matters to consider.

Licensees/applicants should use their own experience and knowledge of their customers and location to add or amend these and form them into an operating schedule. The content of an operating schedule subsequently becomes the basis of conditions on the licence and should be in a form that can be expressed as an enforceable condition. Failure to do this may lead to a representation from a Responsible Authority or other person.

- What staff training is going to be provided? Will it include an awareness of selling alcohol to those already drunk?
- The potential impact of drunkenness on levels of violence;
- For premises operating until later hours what is the availability of taxis and public transport?
- Is a scheme such as 'TfL Cabwise' promoted?
- Is a telephone available inside the premises for patrons to call taxis?
- Are staff given training to recognise and deal with any harassment experienced by customers and is there a written policy?
- Does publicity material both inside the venue and on any website exist in relation to combating harassment?
- Any measures to combat drink spiking?
- Is there a dispersal policy to reduce queuing for taxis and transport?
- Is relevant and regular training provided to staff (e.g. 'Ask for Angela') in relation to safety, and in particular the safety of women patrons and staff?
- Has the premises and its staff (including door security staff) signed up to any relevant voluntary Charters in relation to keeping staff and patrons safe?
- Are all staff including door staff trained to recognise and assist vulnerable patrons, such as those who are leaving alone and/or appear to be under the influence of alcohol or drugs?

Appendix 3: Measures to promote the prevention of public nuisance

The following suggestions should be considered but will vary according to the type of premise. The following list is not exhaustive and is intended to act as prompt for matters to consider. Licensees/applicants should use their own experience and knowledge of their customers and location to add or amend to these and form them into an operating schedule. Applicants will be expected to demonstrate in their operating schedule, that nuisance arising from noise, light, smoke odour, litter, anti-social behaviour, human waste, fly posting, highway/footway disruption, can be minimised. The content of an operating schedule subsequently becomes the basis of conditions on the licence and should be in a form that can be expressed as an enforceable condition. Failure to do this may lead to a representation from a Responsible Authority or other person.

- Is an acoustic report needed where an application involves live or recorded music and later hours?
- Can details of the location and types of any schemes designed to attenuate noise from the premises be provided?
- Can details of any measures to minimise the noise caused by patrons outside the premises be provided?
- The location and availability of any taxi ranks, bus stops, train or tube stations in relation to the premises which are operational at or just after the terminal hour of the licence; Provide details of the location and management of any outdoor areas within the property boundary for use by patrons drinking, eating, smoking, queuing or congregating outside, and the hours of use of such areas. The hours of use should also be included;
- Include details of dispersal policies, and consider the role of door supervision and winding down periods;
- Will you reduce music sound levels and tempo towards the end of the evening? Will lighting be increased towards the end of the evening?
- Will there be an area for patrons to use whilst waiting for taxis? Any wind down/chill out areas?
- Any use of outside areas such tables and chairs on the highway or smoking areas?
- If the operation of the venue will attract additional litter such as food cartons or publicity flyers what measures will be put in place to deal with this?
- Will there be litter patrols for takeaways?

Appendix 4: Measures to promote the protection of children from harm

The following suggestions should be considered but will vary according to the use of each premise. The following list is not exhaustive and is intended to act as prompt for matters to consider.

- Adoption of a proof of age scheme, details of which should be provided; Details of which proofs of age will be accepted;
- Any regular training of all staff, details of which should be recorded; Will new staff be trained on induction?
- Will on-line training be used, if so, provide details of the training and who has completed this? Is further or refresher training required - If so, how often is it scheduled?
- Who ensures that training takes place and proper records are kept and regularly updated?
- Will a refusals register be kept on the premises and used to record instances when sales have been refused?
- The frequency with which the refusals register will be checked to see if it is consistently used;
- Are there any restrictions on the hours that children may be present in the premises?
- Are there any requirements for accompanying adults to be present?
- If applicable, how will compliance with the British Board of Film Censorship (BBFC) film classification system be ensured?

Licensees/applicants should use their own experience and knowledge of their customers and location to add or amend to these and form them into an operating schedule.

The content of an operating schedule subsequently becomes the basis of conditions on the licence and should be in a form that can be expressed as an enforceable condition. Failure to do this may lead to a representation against the application from a Responsible Authority or other person.

We recommend that off-licences consider the Guidance from the Association of Convenience Stores on their obligations in relation to underage sales. This guidance can be found at <https://www.acs.org.uk/advice/age-restrictions>.

Venues that are family friendly are particularly welcome, applicants are encouraged to make this clear in their application, and to make this explicit in the operating schedule.

Appendix 5: What to expect from a Licensing Sub-Committee Hearing

Hearing procedure for Licensing Sub-Committee

Full information on the procedure is sent to all parties prior to the hearing. The information below is a summary of that information.

Parties to the hearing must notify the Council's Licensing team within prescribed timescales (these vary according to the type of hearing) that they intend to attend and/or be represented at the hearing and whether any witnesses will be attending on their behalf.

The hearing will operate as follows (subject to the discretion of the Chair of the Licensing Sub-Committee)

1. A total of 5-10 minutes speaking time is normally allowed for each party. Any preliminary points will be treated separately.
2. In the form of a discussion led by the Committee; cross examination will not normally be permitted.
3. Where there is more than one representation raising the same or similar grounds, those parties should consider nominating a single representative to address the Sub-Committee on their behalf at the hearing.
4. Parties to the hearing may be permitted to ask questions of any other party or witness.
5. Parties to the hearing may be required to answer specific questions from members of the committee, objectors and responsible authorities seeking clarification of information.

The typical order of the hearing is as follows:

1. Chair will ask all parties and witnesses to introduce themselves and this should include a brief explanation of the purpose of their attendance.
2. Officers present the report.
3. Committee members ask questions of officers.
4. Applicant speaks.
5. Applicant's witnesses speak (with permission of Chair).
6. Committee members ask questions of applicants and their witnesses (only applies to witnesses who have been given permission to speak).
7. Other parties speak.
8. Other parties' witnesses speak (with permission of Chair).
9. Committee members ask questions of the other parties to the hearing and their witnesses (only applies to witnesses who have been given permission to speak).
10. Applicant (with exception and with permission of Chair) asks questions of the other parties to the hearing and their witnesses.
11. Other parties to the hearing (with exception and with permission of Chair) ask questions of the applicant/other parties to the hearing and their witnesses.
12. Closing remarks from all parties.
13. Committee retires to make their decision.

14. Legal adviser informs the hearing of any advice that they have given to the committee during the decision-making process.
15. Committee announces decision and gives reasons.
16. After the hearing, officers will write to all parties to confirm the committee's decision.

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Appendix 6: Cumulative Impact Zones

The Council has determined that issues relating to the sale of alcohol from off-licences, specifically relating to crime and anti-social behaviour linked with street drinking, necessitate the introduction of Cumulative Impact Zones (CIZs). The areas in which these specific issues have been identified are:

- Harlesden;
- Wembley Central;
- Ealing Road;
- Kilburn High Road;
- Willesden High Road;
- Neasden Town Centre;
- Kingsbury Road and Queensbury Station Parade
- East Lane; and,
- Sudbury Town – Harrow Road and Watford Road.

What is a CIZ?

Cumulative Impact Zones are a tool outlined in the Licensing Act 2003 to address specific issues where the authorising of further licences in a specific area may be inconsistent as well as undermine the promotion of the licensing objectives.

A CIZ creates circumstances in which any new licence or variation to an existing licence that increases the scope for the sale of alcohol within the specified area will not be granted unless the applicant can evidence that the operation of the licence or licence variation will not contribute to the issues identified to be addressed by the CIZ.

The effect of adopting a CIZ is to “create a rebuttable presumption” that applications for licences which are likely to add to the existing cumulative impact will normally be refused (or subject to certain limitations) unless the applicant can demonstrate that there will be no negative cumulative impact on the licensing objectives. CIZs have proved to be a useful tool for tackling alcohol related crime and anti-social behaviour for other licensing authorities. In May 2017, Parliament noted that there are now over 200 Cumulative Impact Zones (CIZs) in England and Wales.

Why have CIZs in Brent?

The Council's current Licensing Policy came into effect 10 January 2016 at this time no CIZs were identified. Since 2016 there has been a significant and notable increase in alcohol related crime and anti-social behaviour which is having an adverse impact in some areas and neighbourhoods generating complaints from residents, councillors and the Police. This is undermining the licensing objectives and also has potential to undermine the vitality of Brent's town centres and neighbourhoods.

Data captured from various sources including alcohol related police and ambulance call outs have been mapped and have shown suitable evidence to implement CIZs in the specified areas. In particular crime data and evidence shows a correlation between concentrations of off-licences and alcohol related anti-social behaviour, particularly that associated with street drinking.

In areas which benefit from 24-hour tube service the Council not only has to ensure a safe environment that also supports a vibrant, diverse and successful night time economy in Kilburn and Wembley. This involves promotion of on-licences for restaurants, music venues etc that support the culture and economy of these areas, whilst tackling the negative impacts created by too many off-licences in any given area.

Which types of licences will this effect?

The proposed CIZs will only effect applications that relate to off-licences or variations to existing off-licences. This is specifically to address the public nuisance and crime and disorder (violence crimes in particular) that are caused through activities such as street drinking.

The proposed CIZ areas

Harlesden

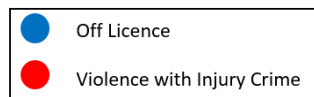
Harlesden town centre consists of a series of parades of shops that run along Craven Park, Craven Park Road, Park Parade and High Street Harlesden. The town centre falls between, Harlesden and Kensal Green ward and is one of the most deprived areas in the borough.

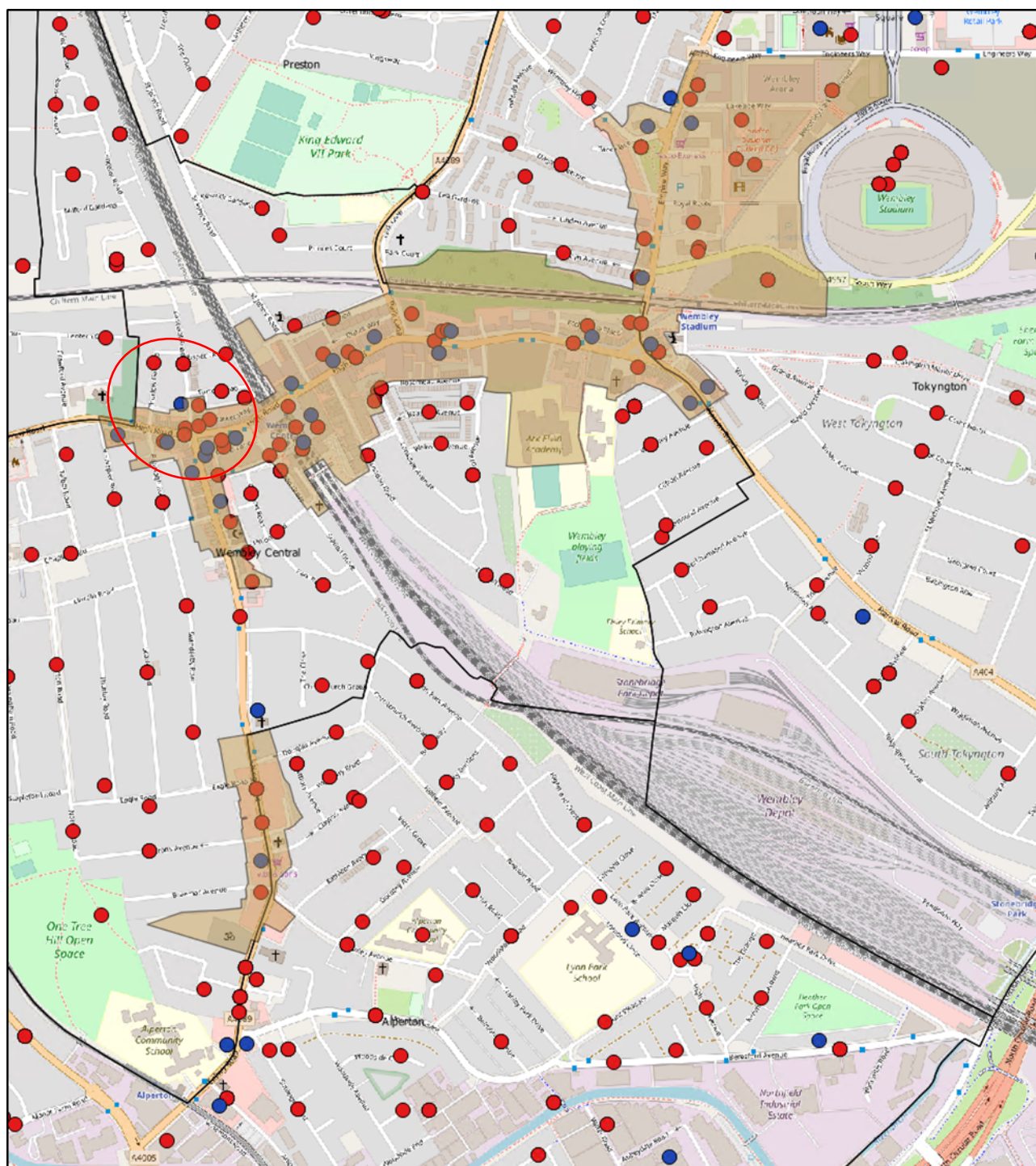
Harlesden Town Centre is a hotspot for alcohol flagged calls to the Police for crime and anti-social behaviour. It is also a hotspot for ambulance calls where the victim has sustained an injury. The data shows the whole of the town centre suffers from high levels of alcohol related issues, including residential streets off the main town centre such as Rucklidge Avenue, Wendover Road, Buckingham Road and St Albans Road.

In the last 2 years there have been 156 violence with injury crimes in Harlesden Town Centre at an average of 6.5 crimes per month. This number counts only the incidents within the town centre as illustrated below. There are many more crimes around the perimeter of this area.

Harlesden Town Centre is also the primary hotspot for reports of street drinking to police. All other town centres in Brent suffers from street drinking; however, in parts of Harlesden such as Craven Park Road and High Street, the street drinking interrelates with street prostitution, drug misuse and violent crime.

The below map shows violence with injury crimes, and off licences in Harlesden (01/06/2017 to 31/05/2019):





The area highlighted in red shows clusters of violent crimes around off licences around the junction of Wembley High Road and Ealing Road. This is an area known for problematic street drinkers. It also has a high concentration of off licences.

Neasden Town Centre

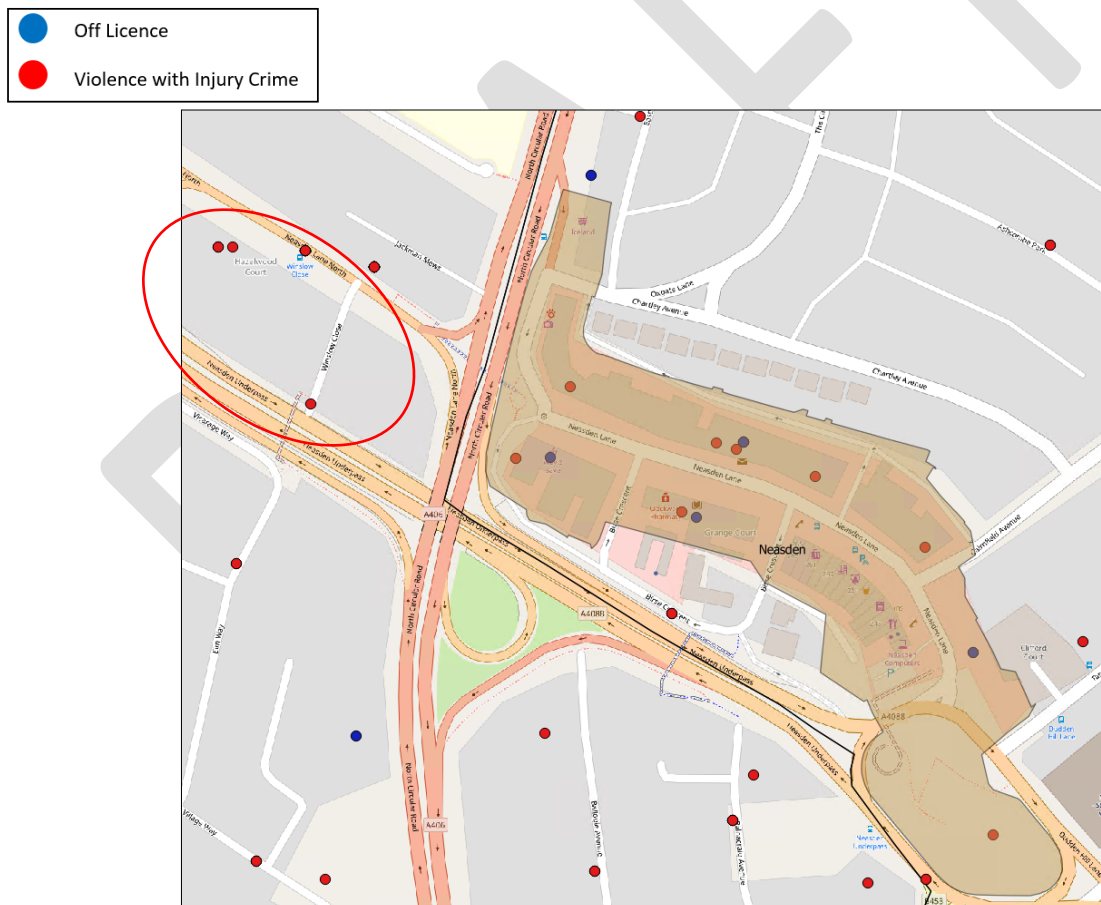
Neasden town centre consists of a medium sized parade of shops that run along Neasden Lane which is just off the North Circular Road. The town centre is primarily in Dudden Hill ward and in an area of medium to high levels of deprivation.

Neasden Town Centre is a hotspot for alcohol flagged calls to the Police but not for crime and anti-social behaviour. However, Neasden Lane North, just outside the town centre, is a hotspot for both.

In the last 2 years there have only been 9 violence with injury crimes in Neasden Town Centre at an average of less than 1 crime per month. However, there have been many more violent crimes in the areas surrounding the town centre such as Neasden Lane North.

Changes in demographics in Neasden have seen a change in the street drinking profile, which ranges from social to problematic street drinking.

The below map shows violence with injury crimes, and off licences in Neasden (01/06/2017 to 31/05/2019)



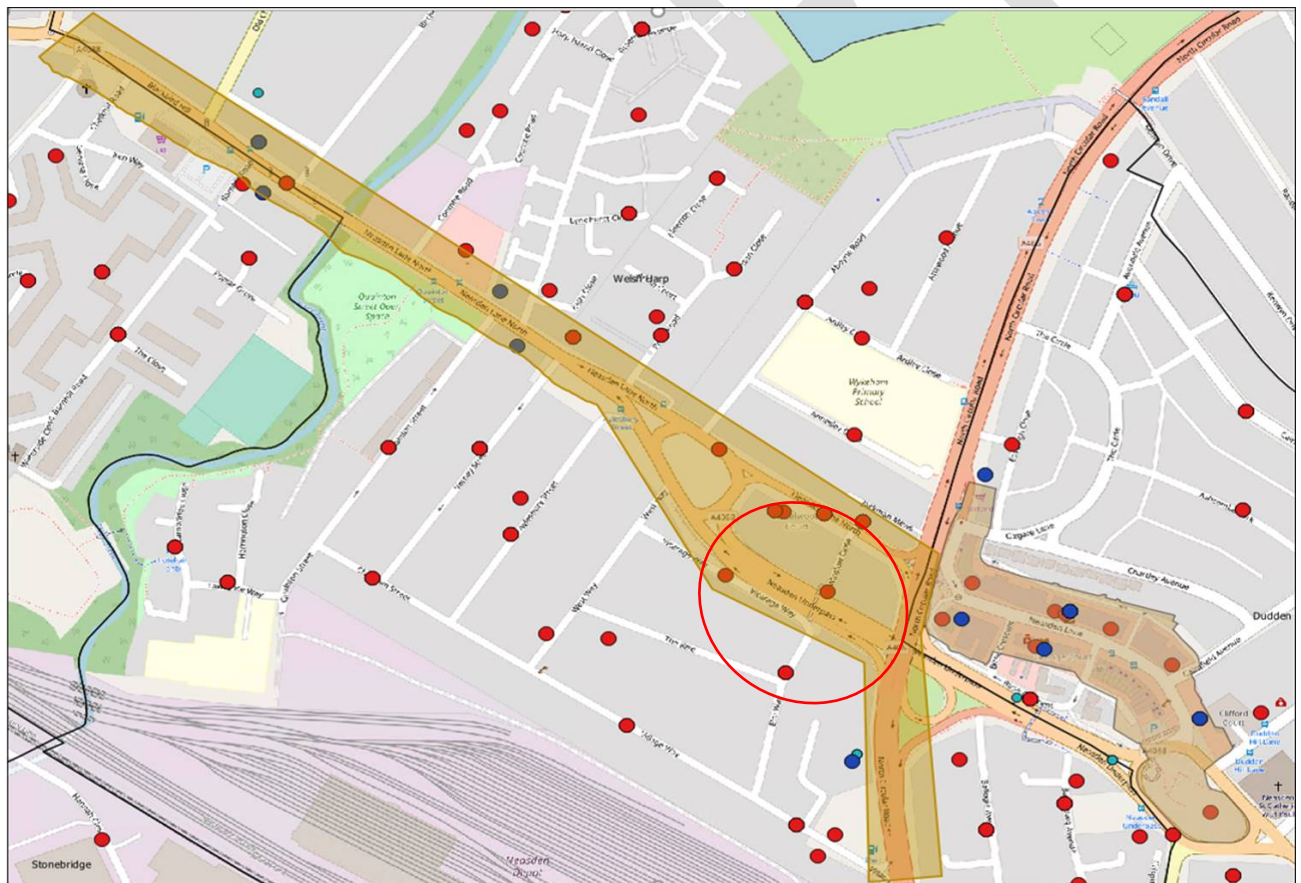
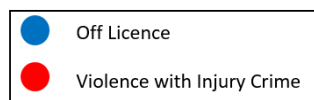
Kilburn High Road

Kilburn High Road is a busy large shopping parade, which runs along the border of Brent and Camden. Kilburn High Road is predominately in an area of medium levels of deprivation apart from South Kilburn Estate, which has high levels of deprivation

Kilburn High Road is a hotspot for alcohol flagged calls to the Police for crime and anti-social behaviour, and to the ambulance service for call outs. The data shows the alcohol related issues are primarily between the junctions of Willesden Lane and Victoria Road with Kilburn High Road and where high numbers of Police and ambulance calls are present.

In the last 2 years there have been 36 violence with injury crimes in Kilburn High Road at an average of 1.5 crimes per month.

The below map shows violence with injury crimes, and off licences in Kilburn (01/06/2017 to 31/05/2019)



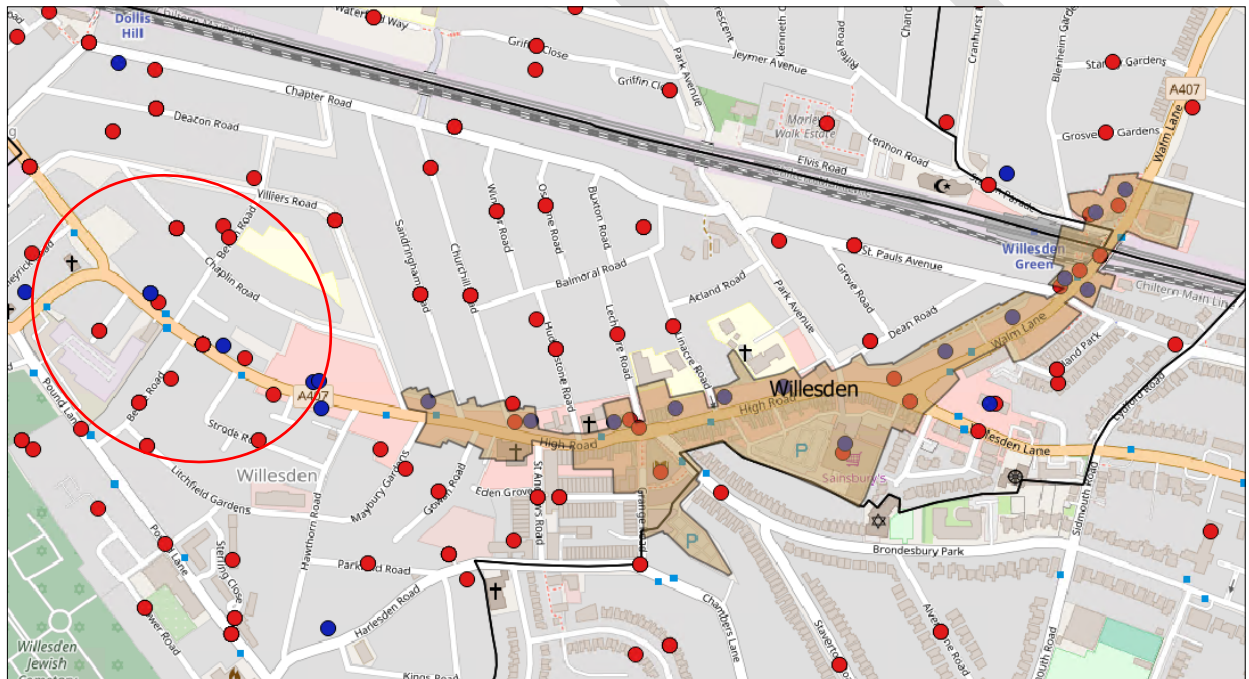
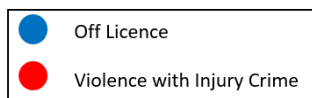
High Road, Willesden

High Road, Willesden is busy large parade of shops in Willesden Green Ward. High Road, Willesden is in an area of medium to high levels of deprivation.

High Road, Willesden is a hotspot for alcohol flagged calls to the Police for crime and anti-social behaviour, and to the ambulance service for call outs. The data shows the alcohol related issues are primarily just outside the town centre around the junction of High Road, Willesden and Pound Lane where high numbers of alcohol related police calls are present.

In the last 2 years there have been 37 violent crimes in High Road, Willesden at an average of 1.5 crimes per month.

The below map shows violence with injury crimes, and off licences in Willesden (01/06/2017 to 31/05/2019)

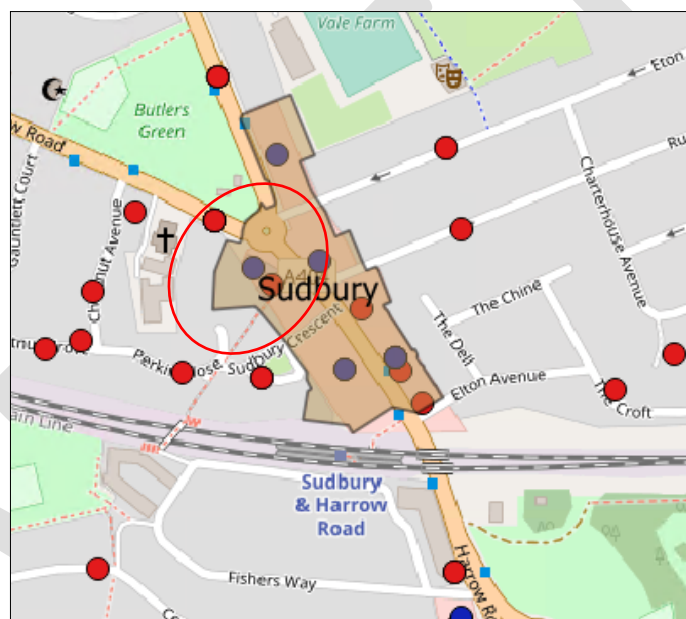
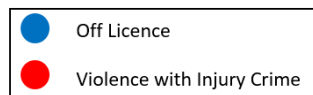


Sudbury Town Centre

Sudbury Town Centre is a medium sized shopping parade in an area of low levels of deprivation. Sudbury Town Centre is a minor hotspot for alcohol related police calls within Brent. Calls are generally related to the area from the roundabout at Butler's Green to the junction of Sudbury Crescent and Harrow Road.

High harm crime is low, in the last 2 years there have been 4 violence with injury crimes in Sudbury Town Centre.

The below map shows violence with injury crimes, and off licences in Sudbury (01/06/2017 to 31/05/2019)



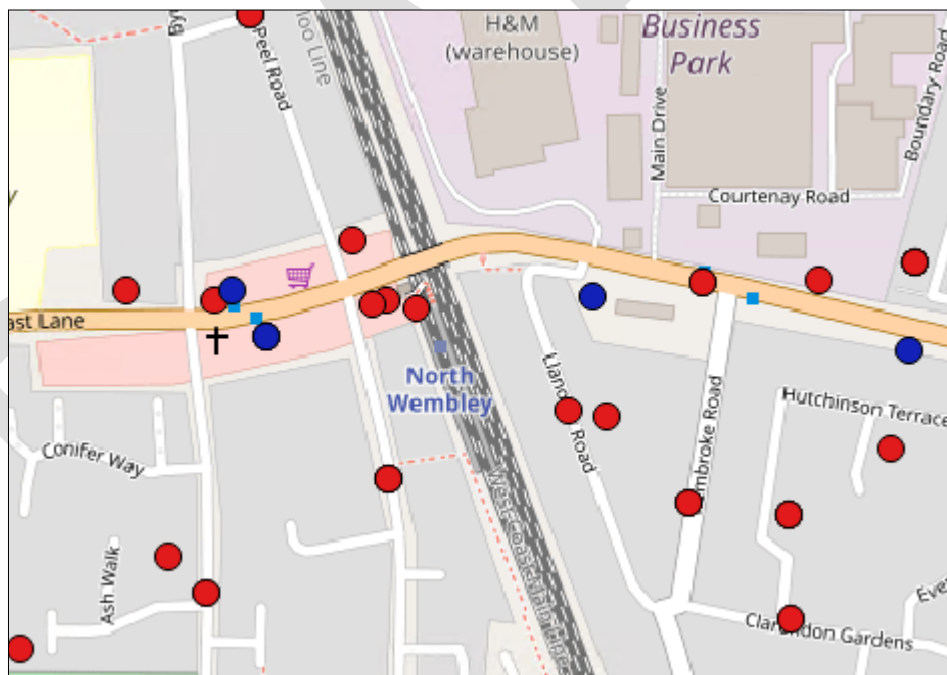
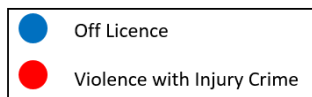
East Lane

East Lane in North Wembley is a small sized shopping parade in an area of Medium levels of deprivation.

East Lane is not a hotspot for alcohol flagged calls to the Police for crime and anti-social behaviour or alcohol related ambulance call outs within Brent.

The area has seen an increase in groups socially drinking in the area, particularly in the summer months.

The below map shows violence with injury crimes, and off licences in East Lane (01/06/2017 to 31/05/2019):



Kingsbury

Kingsbury town centre is busy shopping parade on both sides of a main road in an area of low to medium levels of deprivation.

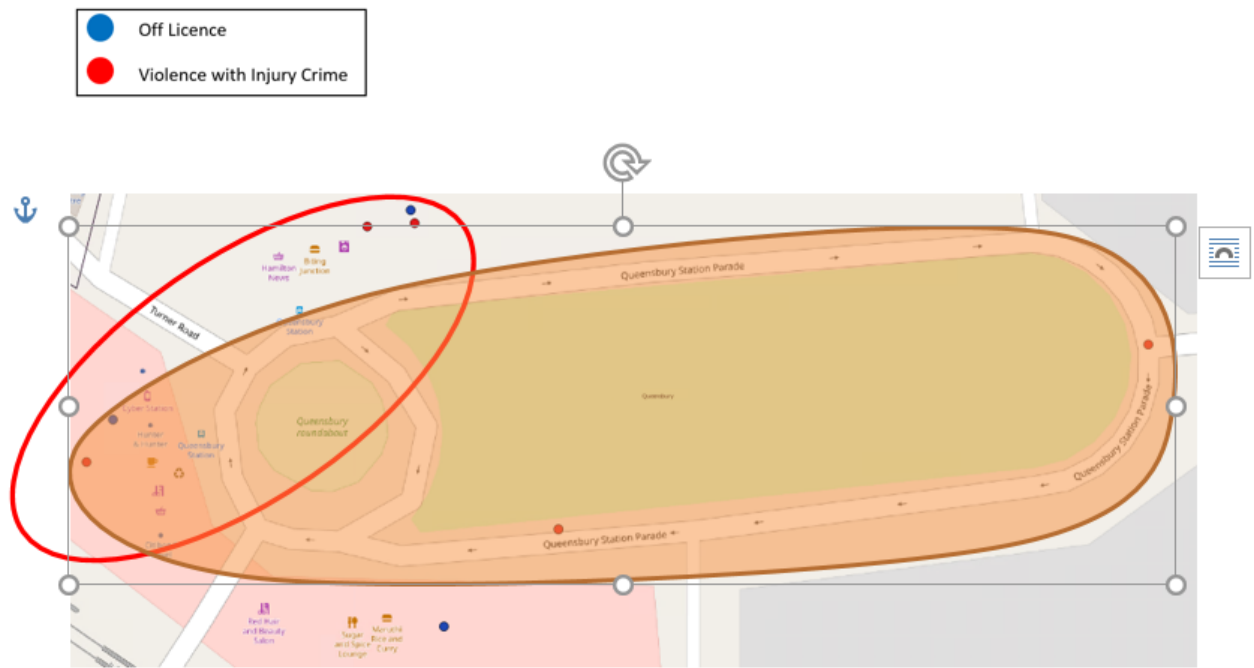
Kingsbury is a hotspot for alcohol flagged calls to the Police for crime and anti-social behaviour and alcohol related ambulance call outs within Brent. The hotspot area circled is around the London Underground station.

The below map shows violence with injury crimes, and off licences in Kingsbury Town Centre (01/06/2017 to 31/05/2019):



Queensbury

Queensbury Station Parade is a parade of shops, businesses and restaurants surrounding the green in an area of Medium levels of deprivation (Index of Multiple Deprivation 2015 Map 1). There are 10 licensed premises in this small parade. Residents, commuters and those using the area are confronted by large numbers of individuals drinking on the green for long periods resulting in individuals, shouting, littering and urinating in front of young children attending the local nursery etc. A large number of people looking for day labouring work congregate on Honeypot Lane. Those individuals who are not successful in securing work for the day buy drinks from off-licences and drink on the green throughout the day. Reports of street drinking and unpleasant environment created by large number of individuals has had an impact on the vitality of this small area which is surrounded by residential premises. Anecdotally, incidents of street drinking are high but this is not reflected in calls to police. The area is not a hotspot for violent offences but there was a murder in the reporting period. The area highlighted contains Queensbury and most offences have happened in and around this location.



Appendix 7: Pool of model conditions

Please see www.brent.gov.uk/modelconditions

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Appendix 8: Documents which demonstrate entitlement to work in the UK

Applicants may be asked to demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They can do this by providing with their application, copies or scanned copies of the documents listed below (which do not need to be certified). The documents that demonstrate an entitlement to work in the licensing regime are based on existing prescribed document lists for checks undertaken by employers. They are set out in the following regulations: The Immigration (Restrictions on Employment) Order 2007 and the Immigration (Restrictions on Employment) (Codes of Practice and Amendment) Order 2014.

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK. See note below about which sections of the passport must be provided].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A full birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relating to the carrying on of a licensable activity.
- A current Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity. when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 17(3) or 18A(2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of an European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office, such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including: -
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - a) working e.g. employment contract, wage slips, letter from the employer,
 - b) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - c) studying e.g. letter from the school, college or university and evidence of sufficient funds, or
 - a) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

- any page containing the holder's personal details including nationality;
- any page containing the holder's photograph;
- any page containing the holder's signature;
- any page containing the date of expiry; and
- any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Appendix 9: Women's Night Safety Charter

Women have the right to socialise and work in safety in our borough. That means they should be able to enjoy a night out or be able to work in a venue without danger, fear or harassment. Sexual comments from a stranger and uninvited touching or contact are never acceptable.

The Council takes the safety of women at night extremely seriously and therefore it is essential that measures are taken to provide a safe environment for women. The Council is one of the first signatories of the Mayor's Women's Night Safety Charter and we are committed to delivering these important pledges to make Brent's even more welcoming at night.

More information is available at the following link: <https://www.london.gov.uk/press-releases/mayoral/pledge-to-improve-womens-safety-at-night>

Appendix 10: Glossary of Licensing terms

DPS	The Designated Premises Supervisor (DPS) is the personal licence holder specified in the premises licence. All premises licensed to sell alcohol will have an identified personal licence holder, known as the DPS. The purpose of the DPS is to ensure there is always one specified individual who can be identified as a person in a position of authority at a licenced premises. The DPS does not have to be on the premises at all times.
Late TENs	Late Temporary Event Notices. These refer to TENs applications received less than 10 full working days of the proposed event. If there is an objection to a late TEN, the event will be immediately vetoed. There is no option for a hearing, nor to appeal against the decision.
Licensable activities	Licensable activities are the sale of alcohol, the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club, the provision of regulated entertainment and the provision of late night refreshment. Any of these activities is likely to require prior authorisation (a premises licence, a club premises certificate or a temporary event notice).
Licensing authority	Licensing authorities are usually local authorities and are responsible for licensing functions under the Licensing Act 2003.
Licensing Committee	Licensing Committees are appointed to carry out the functions of licensing authorities. They are made up of Local Authority Councillors. The Committees delegate a number of their functions to sub-committees and to Licensing Authority officers.
Licensing objectives	The Licensing Act 2003 sets out four licensing objectives which must be taken into account when a Local Authority carries out its functions. They are: <ol style="list-style-type: none">1. the prevention of crime and disorder,2. public safety,3. prevention of public nuisance, and4. the protection of children from harm
Live Music Act	The Live Music Act 2012 regulates live performances, not recorded music. According to the Licensing Act 2003 (Descriptions of Entertainment) (Amendment)_Order 2013)

	<p>A licence is not required for the following:</p> <ul style="list-style-type: none"> • activities provided they take place between 08:00-23:00 on any day; • performance of a play in the presence of any audience of no more than 500 people; • an indoor sporting event in the presence of any audience of no more than 1,000 people; • most performances of dance where the audience comprises no more than 500 people
Statement of Licensing Policy	<p>Section 5 of the Licensing Act 2003 requires each Licensing Authority to prepare and publish a Statement of its Licensing Policy every five years. The Policy has full regard to the Act, secondary regulations made under the Act and section 182 Guidance issued under S182 of the Licensing Act 2003, as issued from time to time by the Home Office.</p> <p>A Licensing Authority may depart from its own policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives.</p>
Operating schedule	<p>An Operating Schedule is required as part of an application for a Premises Licence or Club Premises certificate. The Operating Schedule sets out:</p> <ul style="list-style-type: none"> • What licensable activities will take place • Days of the week and hours when these will take place • The steps undertaken to promote the licensable activities <p>If the license is granted, the information in the Operating Schedule becomes the conditions of the licence.</p>
Review	<p>The Licensing Act 2003 offers the ability to bring a premises to review where they are operating in a manner which is in contravention of one or more of the licensing objectives.</p> <p>The application for the review may be made by 'responsible authorities' such as the Police, Fire Authority, or the Council's Noise team, or 'other persons', for example people who live or work near a venue and are affected by it. The individual or organisation applying for the review must demonstrate how the operation of the individual premises is in contravention of one or more of the Licensing objectives.</p> <p>The application for the review will trigger a Hearing of the Licensing Committee, unless an agreement is reached by all parties on the future operation of the premises, and the Licensing Authority agrees to waive the requirement for the Hearing as a result.</p>
Section 182 Guidance	<p>Section 182 of the Licensing Act 2003 provides that the Secretary of State must issue and, from time to time, may revise guidance to Licensing Authorities on the discharge of their functions under the Act.</p>

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APPENDIX B

Brent Cumulative Impact Zone proposals

Purpose of the paper

This paper outlines proposals for Cumulative Impact Zones (CIZs) in Brent. It consists of two sections

- Section 1 outlines the proposals, rationale and the process that is required for the implementation of the CIZs;
- Section 2 provides the background and summary document to be used as part of the proposed public consultation (which will take place as part of the public consultation for the Statement of Licensing Policy).

Section 1: Outline for implementing Cumulative Impact Policies in Brent

Cumulative Impact Zones are a tool outlined in the Licensing Act 2003 to address specific issues where authorising of further licences in a specific area may undermine the promotion of the licensing objectives. As part of the review of the current Licensing Policy the Council is proposing to introduce ten (10) CIZs to address anti-social behaviour related to the sale of alcohol through off-licences.

To implement a CIZ the proposal must contain the purpose of the CIZ, the evidence to support this purpose, and clarity as to which forms of licence it relates to. There also must be a consultation with stakeholders outlined in the Licensing Act 2003 covering the following:

- (a) the reasons why it is considering publishing a cumulative impact assessment;
- (b) a general indication of the part or parts of its area which it is considering describing in the assessment;
- (c) whether it considers that the assessment will relate to all relevant authorisations or only to relevant authorisations of a particular kind.

Proposal

It is proposed that the Council implements CIZs in the following areas (more detail for these areas and maps outlining the specific areas are in Section 2 of this paper):

- Harlesden;
- Wembley Central;
- Ealing Road;
- Kilburn High Road;
- Willesden High Road;
- Neasden Town Centre;
- Kingsbury
- Queensbury Station Parade
- East Lane; and,
- Sudbury Town – Harrow Road and Watford Road.

The Council will implement CIZs that covers:

- New applications for off-licences; and,
- Applications for variations for off-licences that lead to increased availability of alcohol (e.g. longer hours of operation, or larger premises, amongst other matters to be determined by the Council on a case by case basis).

Rationale

The Council's current Policy came into effect 7th January 2016 at this time no Cumulative Impact Zones were identified. Since publishing the Policy there has been a significant and notable increase in alcohol related crime and anti-social behaviour which is having an adverse impact in some areas/neighbourhoods generating complaints from residents, councillors and the Police. This is undermining the licensing objectives. In addition, it has potential to undermine the vitality of Brent's town centres.

Data captured from various sources including alcohol related police and ambulance call outs has been mapped and shown sufficient evidence to implement CIZs in the specified areas.

In particular crime data and evidence shows a correlation between concentrations of off-licences and alcohol related anti-social behaviour.

The Licensing Policy is now being reviewed to help address the increase in alcohol related crime and harms. This provides an opportunity to implement and consult on new CIZs. Therefore, the proposal for the areas affected is to implement CIZs specifically covering the application for new off-licences or variations to existing off-licences.

Summary of each proposed CIZ

Harlesden

Data shows that this area has high levels of alcohol related crime and disorder and ambulance call outs. Therefore, it is proposed that a CIZ be introduced for off-licences for the following streets; Craven Park, Craven Park Road, Park Parade and High Street Harlesden.

Wembley Central

Data highlights the level of alcohol related issues associated with street drinking and anti-social behaviour in this area. The presence of large capacity major events and venues can exacerbate these issues and also make the need to address them more important for the benefit of visitors and residents in this area. It is proposed that a CIZ be introduced for off-licences on Harrow Road and Wembley High Road from Waverley Ave junction of Harrow Road up the junction of Napier Road.

Ealing Road

There are low level anti-social behaviour issues related to street drinking such as urination, defaecation etc. in this area. It is one of the areas where highest number of warning letters and fixed penalty notices have been issued to street drinkers. Further evidence has been provided by residents in the form of petition received during one of the licensing hearings. Therefore, it is proposed that a CIZ be introduced for off-licences on Ealing Road from the junction of High Road Wembley up to the junction of Bridgewater Road. The CIZ area includes Atlip Road, Mount Pleasant Road up to the junction of Orchard Close, Montrose crescent, Union Road and Coronet Parade.

Kilburn High Road

This area is a hot spot for alcohol flagged Police call outs and high levels of alcohol related crime. Therefore, it is proposed a CIZ for off-licences be introduced along Kilburn High Road & Cricklewood Broadway from the junction of Temple Road to the junction of Cambridge Avenue.

Willesden High Road

This area has high levels of alcohol related ambulance call outs as well as associated crime along its entire length. Therefore, it is proposed that a CIZ be introduced for off-licences on High Road, Willesden, NW10 from the junction of Church Road up to the junction of Walm Lane and Willesden Lane.

Neasden Town Centre

There is a suitable level of evidence and justifies introducing a CIZ for off-licences. It is an area of high harm crime. It is proposed that a CIZ be introduced for the whole of the Neasden Town Centre, including Neasden Lane North, Neasden Lane, Blackbird Hill and Birse Crescent.

East Lane

This area generates a large volume of complaints from residents and ward members regarding street drinking and the associated litter. In addition, there are 5/6 off-licences in a relatively small parade of shops adding to the concentration of issues. The introduction of a Public Space Protection Order for street drinking has not addressed the street drinking issues experienced by local residents. Therefore, a CIZ for off-licences is proposed for East Lane from the junction of Watford Road to the junction of Preston Road.

Sudbury Town – Harrow Road and Watford Road

This relatively small town centre has a relatively high number of alcohol related ambulance call outs and anti-social behaviour. The Licensing service also receives high volumes of calls regarding street drinking. It is proposed that a CIZ be introduced for off-licences on Harrow Road from the junction of Sudbury Roundabout (adjacent to District Road) up to the junction of Chestnut Avenue, along Watford Road up to the junction of Homefield Avenue

Kingsbury

Kingsbury town centre is a busy shopping parade on both sides of a main road.

Kingsbury is a hotspot for alcohol flagged calls to the Police for crime and anti-social behaviour and alcohol related ambulance call outs within Brent. Recently, there has been an increase in criminality in the area where groups of people drink on the street, resulting in threatening and intimidating behaviour. This has resulted in high volumes of complaints from local residents and businesses. Therefore, it is proposed that CIZ be introduced for Kingsbury Road from Kingsbury Roundabout (including small stretch of Fryent Way) to the junction with Church Lane.

Queensbury Station Parade

Queensbury Station Parade is a parade of shops, businesses and restaurants surrounding the green in an area of Medium levels of deprivation (Index of Multiple Deprivation 2015 Map 1). There are 10 licensed premises in this small parade. Residents, commuters and those using the area are confronted by large numbers of individuals drinking on the green for long periods resulting in individuals shouting, littering and urinating in front of the public (including young children attending the local nursery) etc. A large number of people looking for casual labouring work congregate on Honeypot Lane. Those individuals who are not successful in securing work for the day buy drinks from off-licences and drink on the green throughout the day. Complaints of street drinking and an unpleasant environment created by a large number of individuals has had an impact on the vitality of this small area which is surrounded by residential premises. Complaints of street drinking are high but this is not reflected in calls to police. The area is not a hotspot for violent offences but there was a murder in the reporting period.

Next Steps

The next step is for the following section to be included as part of the public consultation on the Statement of Licensing Policy. The next section is also included in the Statement of Licensing Policy as Appendix 6.

Section 2: Proposed Cumulative Impact Policies for Brent (Consultation document)

Introduction

The Council has determined that issues relating to the sale of alcohol from off-licences, specifically relating to crime and anti-social behaviour linked with street drinking, necessitate the introduction of Cumulative Impact Zones (CIZs). The areas in which these specific issues have been identified are:

- Harlesden;
- Wembley Central;
- Ealing Road;
- Kilburn High Road;
- Willesden High Road;
- Neasden Town Centre;
- Kingsbury
- Queensbury Station Parade
- East Lane; and,
- Sudbury Town – Harrow Road and Watford Road.

What is a CIZ?

Cumulative Impact Zones are a tool outlined in the Licensing Act 2003 to address specific issues where the authorising further licences in a specific area may undermine the promotion of the licensing objectives.

A CIZ is an area in which any new licence or variation to an existing licence that increases the scope for the sale of alcohol within the specified area will not be granted unless the applicant can evidence that the operation of the licence or licence variation will not contribute to the issues identified in the CIZ.

The effect of adopting a CIZ is to “create a rebuttable presumption” that applications for licences which are likely to add to the existing cumulative impact will normally be refused (or subject to certain limitations) unless the applicant can demonstrate that there will be no negative cumulative impact on the licensing objectives. CIZs have proved to be a useful tool for tackling alcohol related crime and anti-social behaviour for other licensing authorities. In May 2017, Parliament noted that there are now over 200 cumulative impact policies in England and Wales.

Why have CIZs in Brent?

The Council's current Licensing Policy came into effect 7th January 2016. Crime and complaints assessments in 2015, did not identify any requirement for a CIZs. However, since 2016 there has been a significant and notable increase in alcohol related crime and anti-social behaviour which is having an adverse impact in some areas and neighbourhoods generating complaints from residents, councillors and the Police. This is undermining the licensing objectives and also has potential to undermine the vitality of Brent's town centres.

Data captured from various sources including alcohol related police and ambulance call outs have been mapped and have shown suitable evidence to implement CIZs in the specified areas. In particular crime data and evidence shows a correlation between concentrations of off-licences and alcohol related anti-social behaviour, particularly that associated with street drinking.

Which types of licences will this effect?

The proposed CIZs will only affect applications that relate to off-licences or variations to existing off-licences. This is specifically to address the public nuisance and crime and disorder objectives that are caused through activities such as street drinking

The proposed CIZ areas

Harlesden

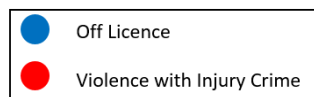
Harlesden town centre consists of a series of parades of shops that run along Craven Park, Craven Park Road, Park Parade and High Street Harlesden. The town centre falls between, Harlesden and Kensal Green ward and is one of the most deprived areas in the borough.

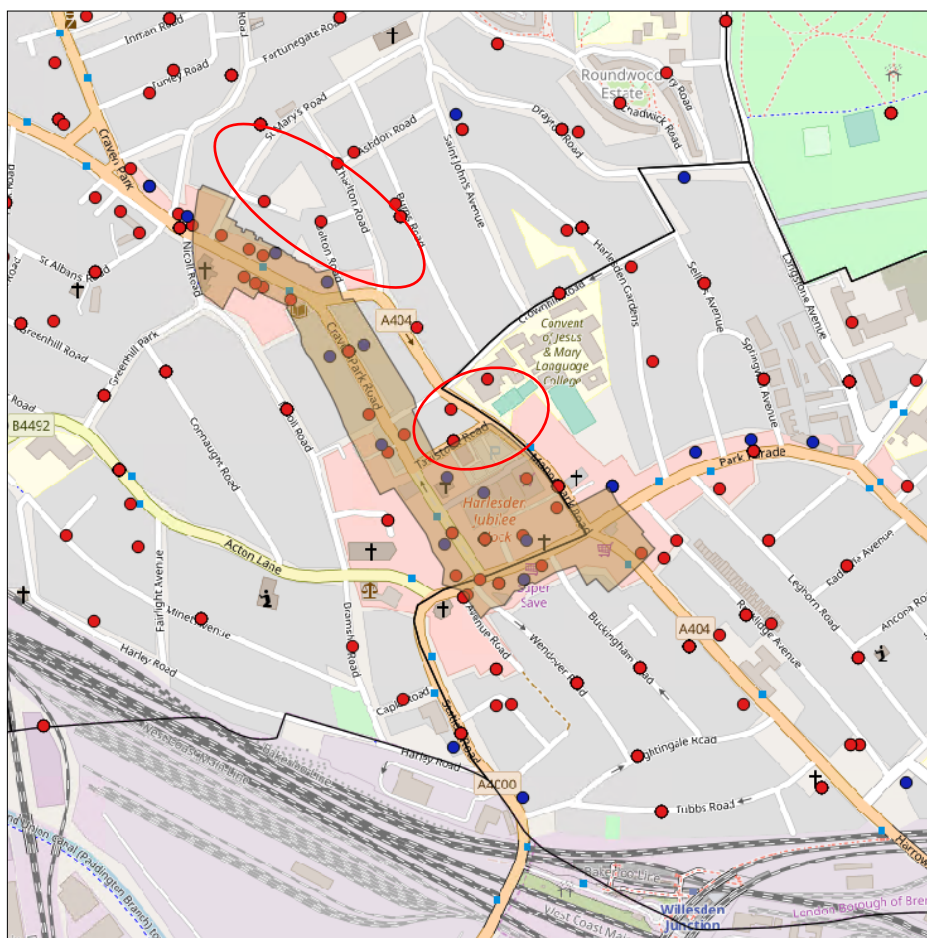
Harlesden Town Centre is a hotspot for alcohol flagged calls to the Police for crime and anti-social behaviour. It is also a hotspot for ambulance calls where the victim has sustained an injury. The data shows the whole of the town centre suffers from high levels of alcohol related issues, including residential street off the main town centre such as Rucklidge Avenue, Wendover Road, Buckingham Road and St Albans Road.

In the last 2 years there have been 156 violence with injury crimes in Harlesden Town Centre at an average of 6.5 crimes per month. This number counts only the incidents within the town centre as illustrated below. There are many more crimes around the perimeter of this area.

Harlesden Town Centre is also the primary hotspot for reports of street drinking to police. All other town centres in Brent suffers from street drinking; however, in parts of Harlesden such as Craven Park Road and High Street, the street drinking interrelates with street prostitution, drug misuse and violent crime.

The below map shows violence with injury crimes, and off licences in Harlesden (01/06/2017 to 31/05/2019):





The upper area highlighted in red show clusters of violent crimes around off licences on Craven Park, Craven Park Road, Park Parade, Station Road, Manor Park Road, Harlesden High Street, Harrow Road up to the junction of Kilburn Lane. The lower highlighted area shows a high concentration of off licences in the High Street area and violent crimes around them.

The streets to be included in Harlesden are:

- Craven Park Road
- Craven Park
- Nicoll Road
- High Street
- Park Parade
- Manor Park Road

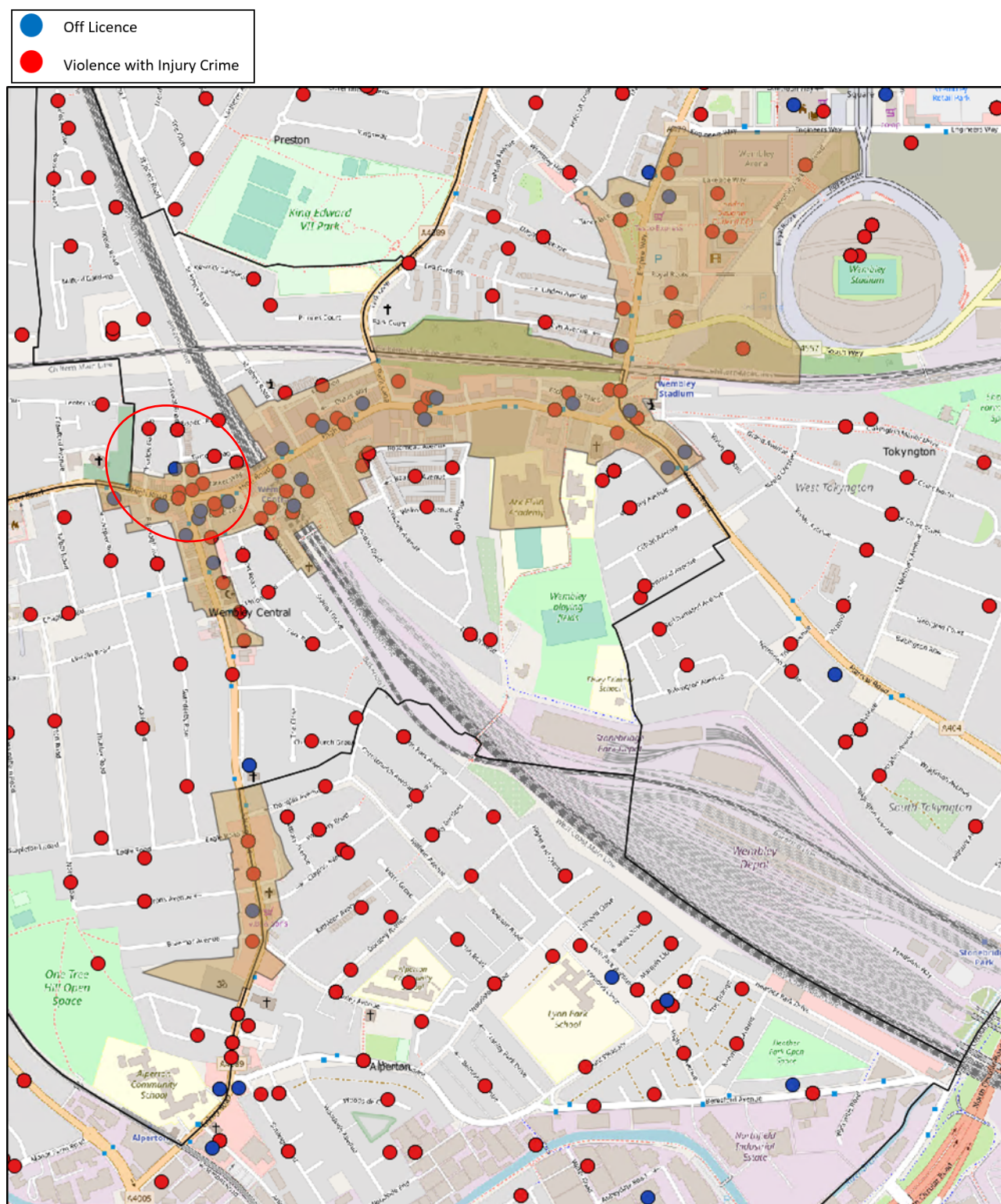
Wembley Central (Wembley High Road/North End of Ealing Road)

Wembley Central is a ward which includes two busy shopping parades on Wembley High Road and the north end of Ealing Road. Wembley central has areas of low to medium levels of deprivation.

Wembley Central is a hotspot for alcohol flagged calls to the Police for crime and anti-social behaviour, and to the ambulance service for call outs. The data shows the whole of the High Road from Ealing Road to Wembley Triangle experiencing high levels of alcohol related issues.

In the last 2 years there have been 267 violent crimes in Wembley Central at an average of 11 crimes per month.

The below map shows violence with injury crimes, and off licences in Wembley (01/06/2017 to 31/05/2019)



The area highlighted in red shows clusters of violent crimes around off licences around the junction of Wembley High Road and Ealing Road. This is an area known for problematic street drinkers. It also has a high concentration of off licences.

The streets to be included in Wembley Central are:

- High Road
- Lancelot Road
- Harrow Road
- Empire Way
- St John's Avenue
- Park Lane
- London Road
- Central Square

Neasden Town Centre

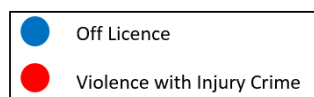
Neasden town centre consists of a medium sized parade of shops that run along Neasden Lane which is just off the North Circular Road. The town centre is primarily in Dudden Hill ward and in an area of medium to high levels of deprivation.

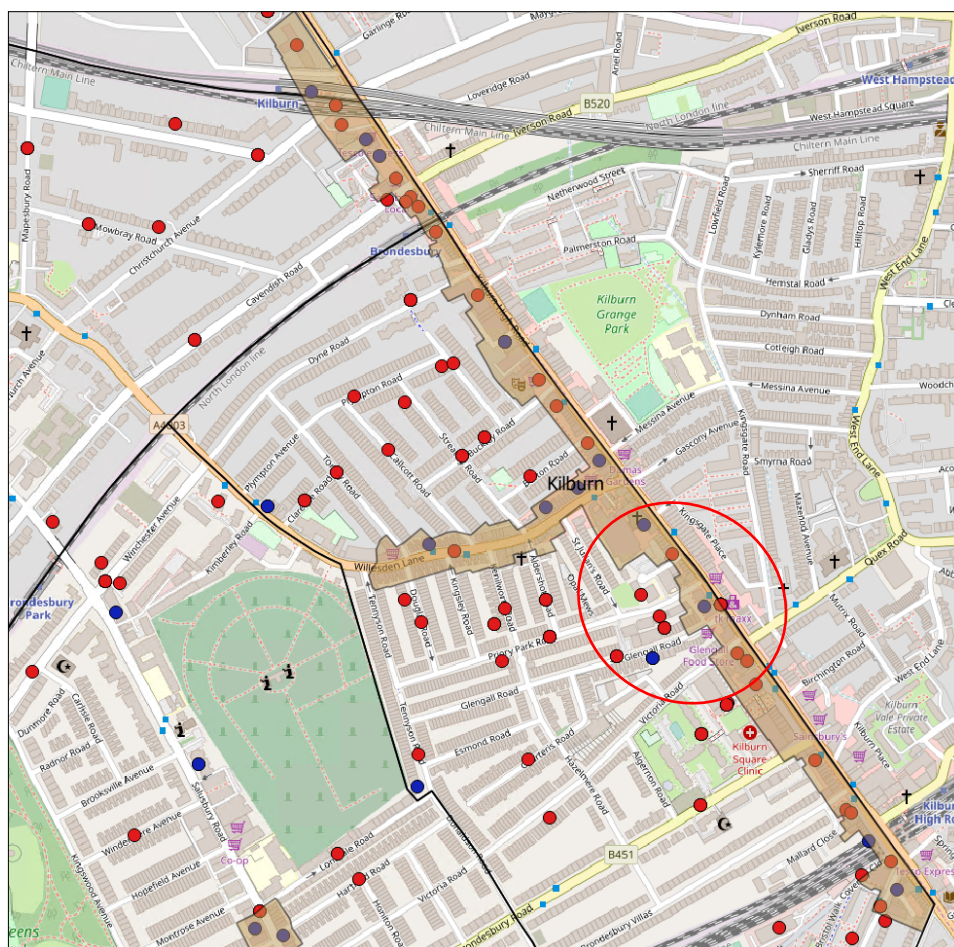
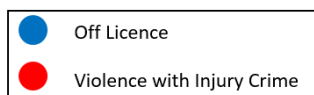
Neasden Town Centre is a hotspot for alcohol flagged calls to the Police but not for crime and anti-social behaviour. However, Neasden Lane North, just outside the town centre, is a hotspot for both.

In the last 2 years there have only been 9 violence with injury crimes in Neasden Town Centre at an average of less than 1 crime per month. However, there have been many more violent crimes in the areas surrounding the town centre such as Neasden Lane North.

Changes in demographics in Neasden have seen a change in the street drinking profile, which ranges from social to problematic street drinking.

The below map shows violence with injury crimes, and off licences in Neasden (01/06/2017 to 31/05/2019)





The streets to be included in Kilburn are:

- Kilburn High Road
- Glengall Road
- Willesden Lane
- Cambridge Avenue
- Priory Park Road

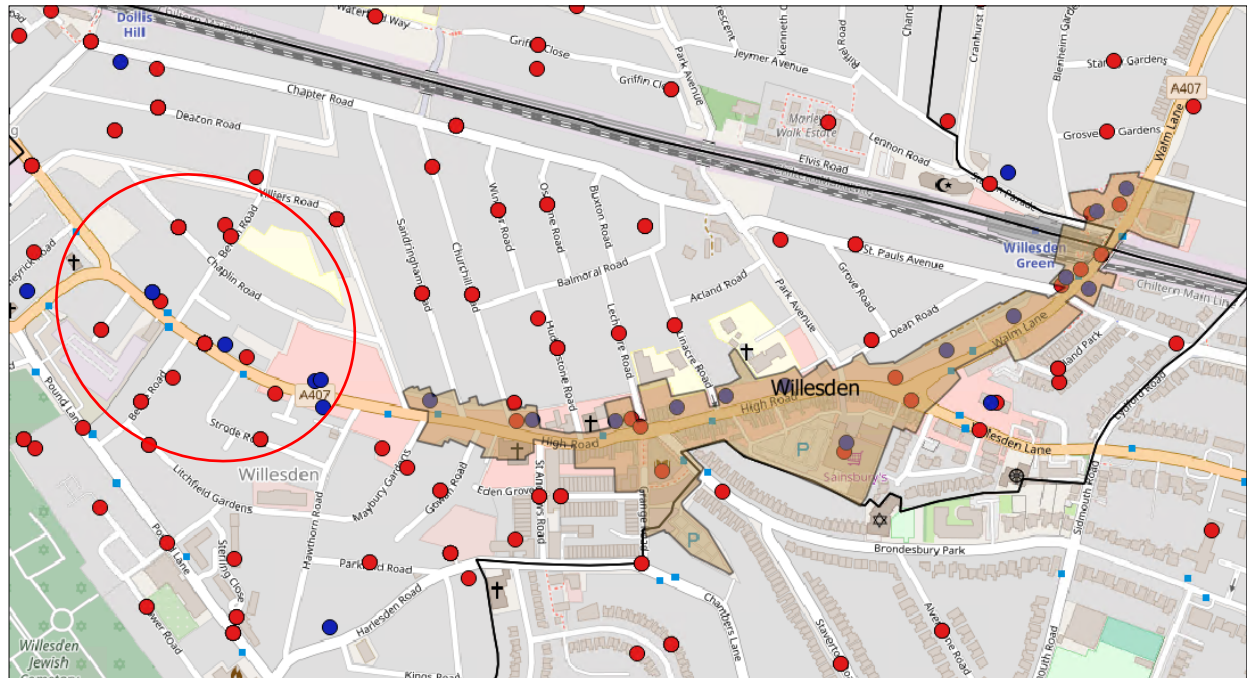
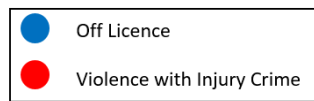
High Road, Willesden

High Road, Willesden is busy large parade of shops in Willesden Green Ward. High Road, Willesden is in an area of medium to high levels of deprivation.

High Road, Willesden is a hotspot for alcohol flagged calls to the Police for crime and anti-social behaviour, and to the ambulance service for call outs. The data shows the alcohol related issues are primarily just outside the town centre around the junction of High Road, Willesden and Pound Lane where high numbers of alcohol related police calls are present.

In the last 2 years there have been 37 violent crimes in High Road, Willesden at an average of 1.5 crimes per month.

The below map shows violence with injury crimes, and off licences in Willesden (01/06/2017 to 31/05/2019)



The streets to be included in High Road, Willesden are:

- High Road
- Chapter Road
- Dudden Hill Lane
- Walm Lane
- Station Parade
- Willesden Lane

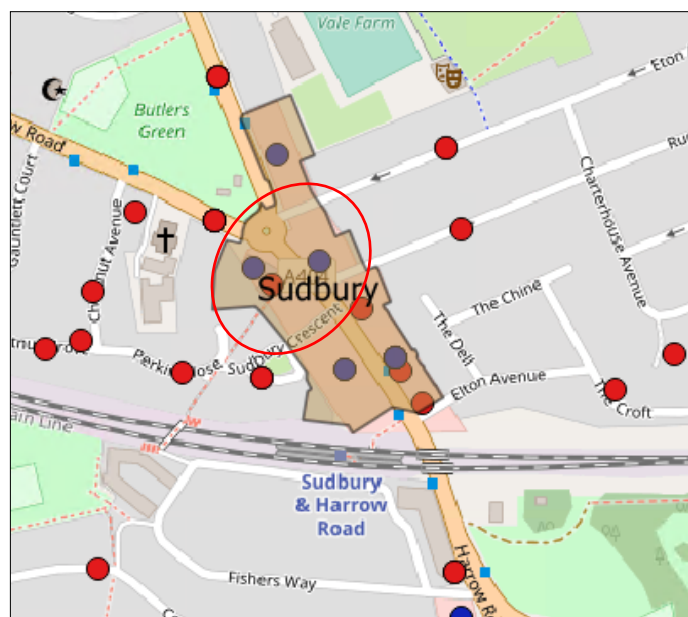
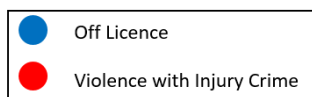
Sudbury Town Centre

Sudbury Town Centre is a medium sized shopping parade in an area of low levels of deprivation.

Sudbury Town Centre is a minor hotspot for alcohol related police calls within Brent. Calls are generally related to the area from the roundabout at Butler's Green to the junction of Sudbury Crescent and Harrow Road.

High harm crime is low, in the last 2 years there have been 4 violence with injury crimes in Sudbury Town Centre.

The below map shows violence with injury crimes, and off licences in Sudbury (01/06/2017 to 31/05/2019)



The streets to be included in Sudbury Town Centre are:

- Harrow Road
- Watford Road
- District Road

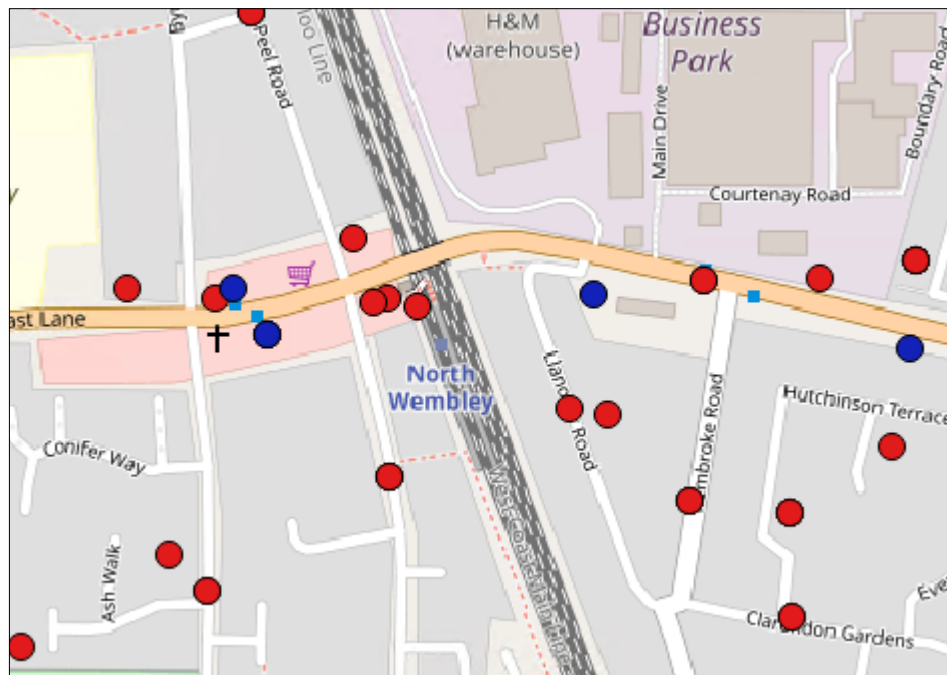
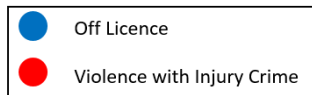
East Lane

East Lane in North Wembley is a small sized shopping parade in an area of Medium levels of deprivation.

East Lane is not a hotspot for alcohol flagged calls to the Police for crime and anti-social behaviour or alcohol related ambulance call outs within Brent.

However, the area has seen an increase in groups drinking in the area, particularly in the summer months causing anti-social behaviour.

The below map shows violence with injury crimes, and off licences in East Lane (01/06/2017 to 31/05/2019):



The streets to be included in East Lane are:

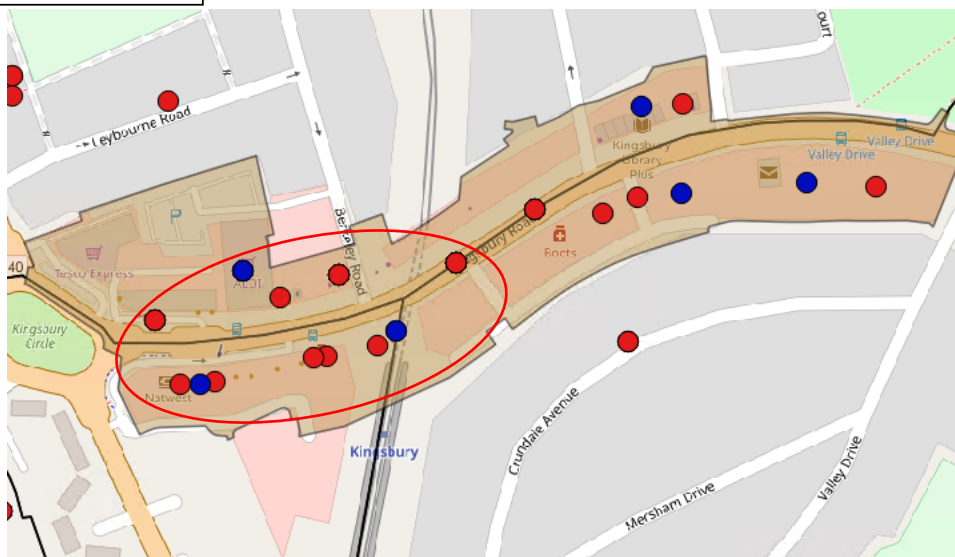
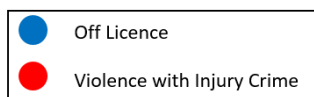
- East Lane
- Sudbury Avenue

Kingsbury

Kingsbury town centre is busy shopping parade on both sides of a main road in an area of low to medium levels of deprivation.

Kingsbury is a hotspot for alcohol flagged calls to the Police for crime and anti-social behaviour and alcohol related ambulance call outs within Brent. The hotspot area circled is around the London Underground station.

The below map shows violence with injury crimes, and off licences in Kingsbury Town Centre (01/06/2017 to 31/05/2019):



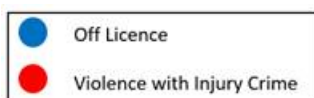
The streets to be included in Kingsbury are:

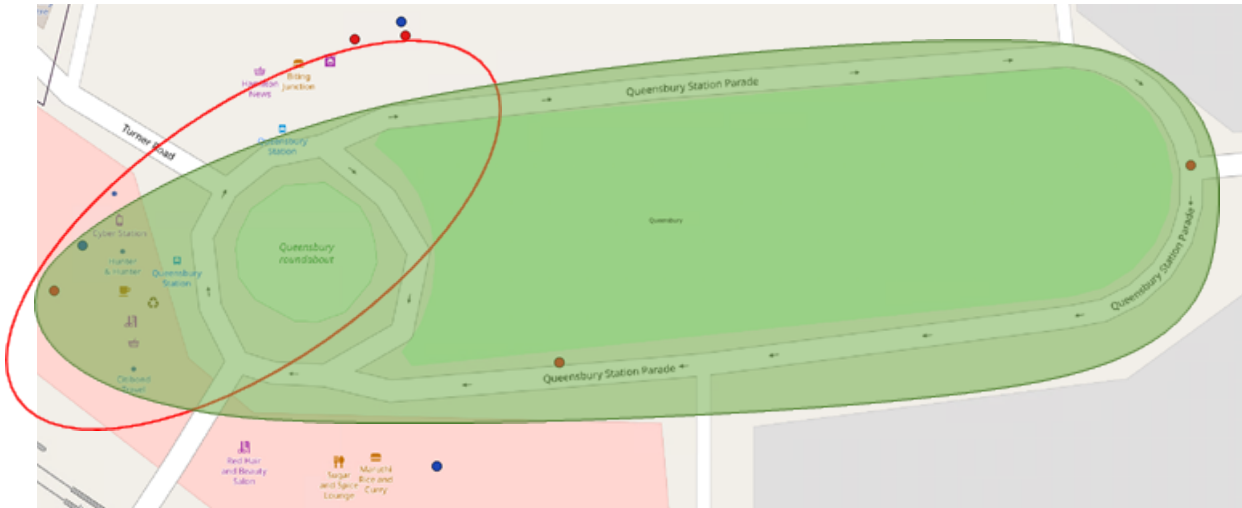
- Kingsbury Road
- Edgware Road
- Church Lane
- Hay Lane
- Kenton Road
- Berkeley Road

Queensbury

Queensbury station parade is a parade of shops, businesses and restaurants surrounding a green public area in an area of Medium levels of deprivation (Index of Multiple Deprivation 2015 Map 1).

Anecdotally, incidents of street drinking are high, although they are not reflected in calls to police. The area is not a hotspot for violent offences but there was a murder in the reporting period. The area highlighted in red contains Queensbury and most offences have happened in and around this location.



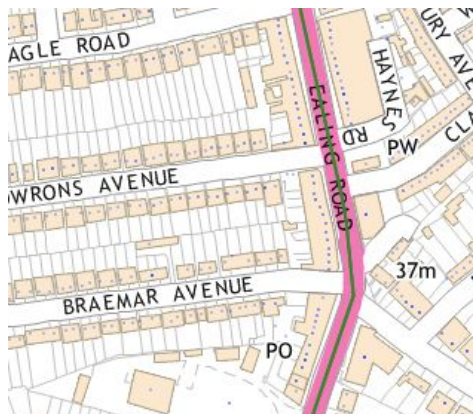


The street to be included in Queensbury is:

- Queensbury Station Parade

Please note:

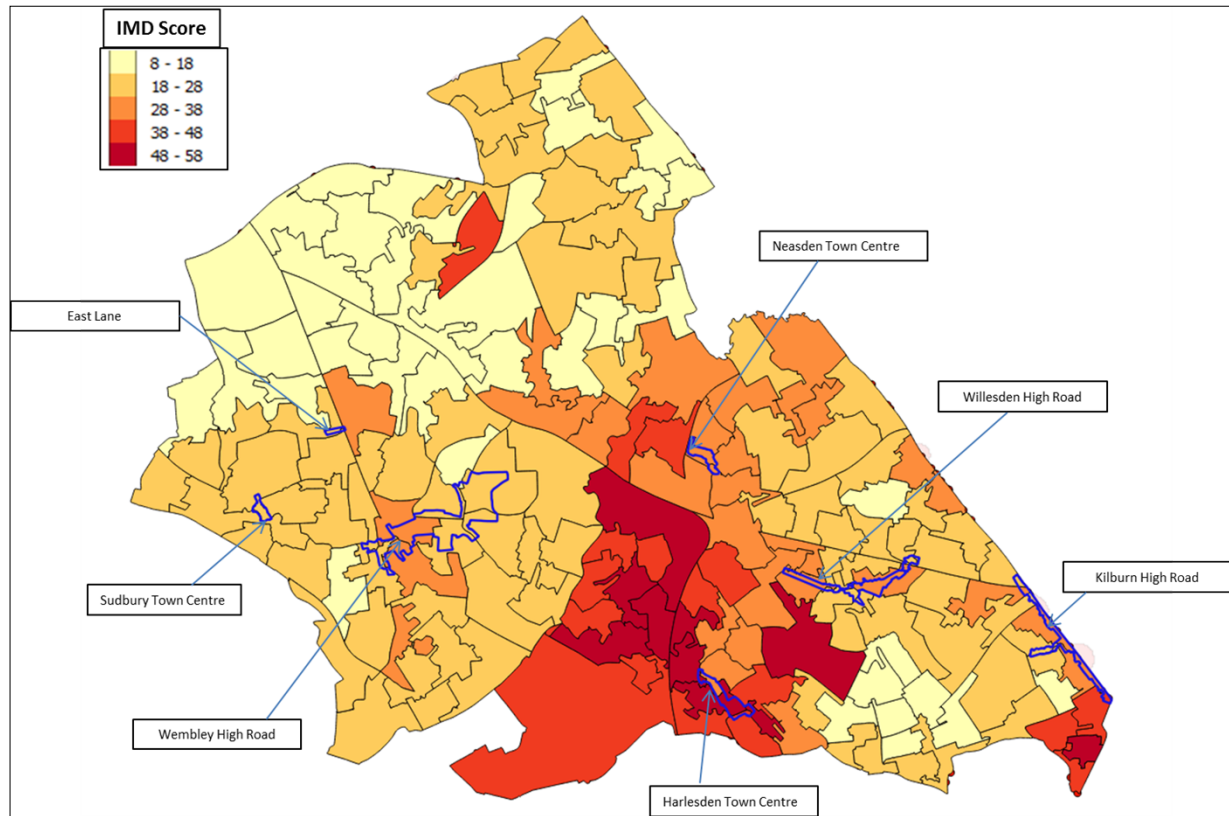
Any premises that are physically located, whereby any part of a building faces onto any of the above main roads and although the address does not form part of the above named road, it will be included in the CIZ. For e.g. a premises building that is positioned on the corner of Ealing Road and Braemar Avenue but where the address is Braemar Avenue, this premises will be included in the CIZ.



Appendix: Reference maps

Map 1

Brent Index of Multiple Deprivation (IMD) score 2015 by Lower Super Output Areas in comparison to the discussed areas.



Map 2

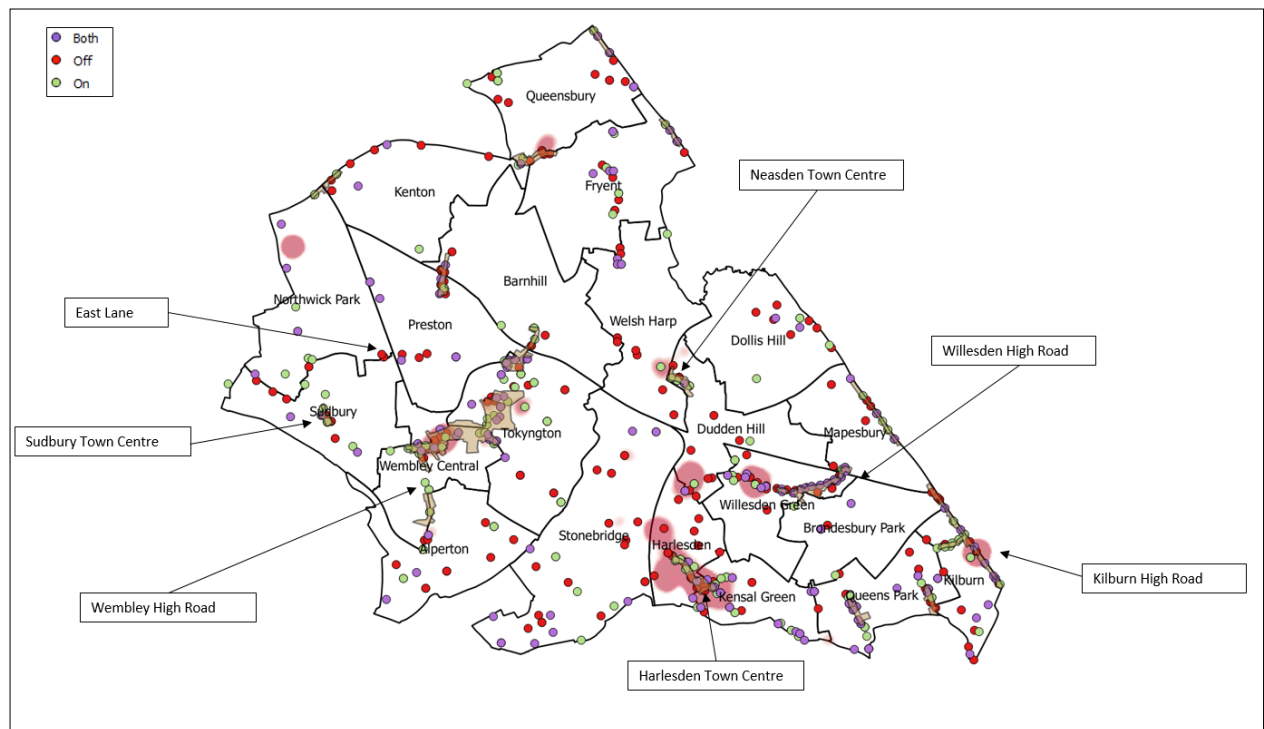
Hotspots in Brent in Ambulance and Police alcohol flagged call out data in comparison to Brent's town centres.



Alcohol-related ambulance and Police calls between 01/06/2017 to 31/05/2019

Map 3

Hotspot of violence with injury crimes compared to discussed areas and licensed premises.

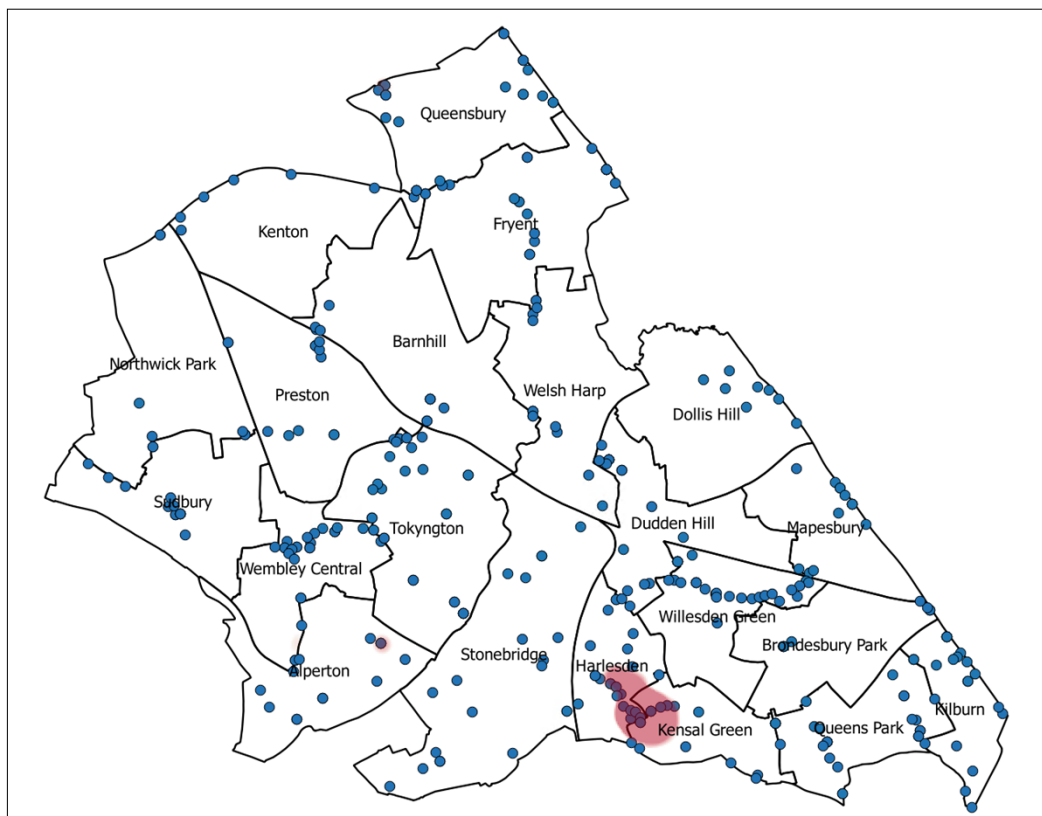


All violence with injury crimes between 01/06/2017 and 31/05/2019

Map 4

Street Drinking Hotspots

There are relatively few calls to police specifically about street drinking. This may be because they are recorded as other ASB types such as littering or noise. Between 01/06/2017 and 31/05/2018, there were only 53 calls to police. The following year, there were 142. This represents an increase of 168%. Part of this increase may be attributed to callers being aware of the borough wide PSPO on drinking in public which came into effect in October 2017.



Calls to police specifically related to street drinking between 01/06/2017 and 31/05/2019

APPENDIX C

Brent Statement of Licensing Policy – Review 2019 Consultation Report

Introduction

A public consultation on the Brent's draft Statement of Licencing Policy took place from 23 August to 4 October 2019. Residents and/or businesses were invited to give their views and thoughts on the draft policy by completing an online survey. Some 900 letters were sent to all the licensees and agents for their views. The questions asked how strongly participants agreed or disagreed with the principles and objectives of the draft policy. These participants were able to download and read draft copies of the policy and proposals for Cumulative Impact Zones (CIZs) in Brent.

A presentation on the draft policy and proposals for CIZs was given at the 2019 autumn round of Brent Connects meetings. Comments collected from these meetings have also been considered within the review of this policy.

This report contains all the data collected through this consultation. The data has also been filtered to show the responses to key questions from residents and licensed premises.

Consultation Findings

A total of 35 responses were received, 32 through the online survey and three written submissions. The first question asked participants to tell us if they are responding to the survey as a Brent resident, Owner / manager / employee of a licensed premises, Owner / manager / employee of a non-licensed premises, Brent business or other. Below is a breakdown of question 1.

Option	Total	Percentage
Brent resident	17	53.1%
Owner / manager / employee of a licensed premises	8	25%
Owner / manager / employee of a non-licensed premises	0	0%
Brent business	2	6.2%
Other	8	25%
Not Answered	0	0%

Below are the responses collected to certain key questions that have been filtered to show the opinion of residents and licensed premises.

Question 3 - Please tell us to what extent you agree or disagree with the following statements.

	Residents (17)			Licensed Premises/Brent Business (10)		
	Agree	Disagree	N/A	Agree	Disagree	N/A
Brent has a good balance between the regulation of licensed businesses and the needs of residents.	18%	59%	23%	78%	0%	22%

Brent has a diverse, cultural entertainment offer to its residents and visitors.	18%	53%	29%	66%	17%	17%
The Licensing Policy will address the licensing objectives of: the prevention of crime and disorder; public safety; the prevention of public nuisance; and, the protection of children from harm.	53%	41%	6%	100%	0%	0%
The Licensing Policy will contribute to Brent's aspirations and Brent as a London Borough of Culture in 2020.	36%	41%	23%	89%	0%	11%
The 8 proposed Cumulative Impact Zones will help to reduce crime, nuisance and anti-social behaviour.	59%	29%	12%	89%	0%	11%
The Licensing Policy is accessible and easy to read.	24%	41%	35%	89%	11%	0%
The Licensing Policy is clear on the connections with the Mayor's Vision for London as a 24-hour City.	30%	35%	35%	78%	22%	0%
The Licensing Policy is clear on the process for applications.	36%	24%	40%	78%	11%	11%
The Licensing Policy is clear on the expectations of the Council regarding Temporary Events, particularly those in public spaces.	47%	18%	35%	100%	0%	0%
The Council's preferred hours are a good fit for Brent.	30%	42%	28%	78%	0%	22%

Free text responses

1. Do you feel that the Licensing Objectives and the measures outlined to promote them are clear and achievable for applicants?

Comment: 19 respondents responded Yes to the above question, 5 responded No and the remainder either responded Don't Know or had a mixed response (dealt with the in the comments below.

Comment	Response and proposed changes to Statement of Licensing Policy (SLP)
Yes, but the residents of the area are not clean people as most are street drinkers and homeless people and needs to be cleared up to make it a better environment for a greater people to come and live in the area and do shopping.	<i>SLP cannot address this issue.</i>

I think for applicants it's probably clear however the measures and metrics in place to deduce whether that licenser is granted or declined isn't. How will you assess whether it affects the local residents - how do we have a say in this decision making that may affect our quality of life?	<p><i>Each application has to be considered on its own merits which makes it difficult to set out a clear set of measures and metrics to make decisions. Every application will be different or have different requirements</i></p> <p><i>No change is proposed to the SLP.</i></p>
The objectives are clear. If adhered to then the business should operate in an orderly and safe manner. A trained Licence holder will know these 4 objectives well and should strive to keep their business in check with them.	<i>No changes are required in the SLP</i>
The objectives of "the prevention of crime and disorder; public safety; the prevention of public nuisance; and, the protection of children from harm" is clear, but achievable is another question.	<i>Comment is noted. No changes are required in the SLP</i>
Yes, although I am concerned that some applicants take the license application process as of secondary importance to their business plans- even though they go hand in hand. I sense a certain ignorance of their licensing responsibilities and that the form filling and a licence fee is all that's needed.	<i>This is a reasonable concern, the aim of the SLP is to provide the framework to have licensees well informed and enforcement processes clear and effective. No changes are required in the SLP.</i>
The licensing objectives are clear. Perhaps these and measures to achieving them should be set out in a simpler format that's easier for applicants to digest?	<i>This is a reasonable point. The SLP has a wide range to cover and it may be difficult to make it simpler. The aim of the policies is to provide simple, clear information about a range of approaches relating to the Licensing Objectives. Some of these are set out in the appendices. No change is proposed for the SLP.</i>
I think that there should be a ban on new stores proposing to sell alcohol in the area. Stricter criteria are good, but we already suffer so much from drunken ASB. We do not need any more inducement for people to come here and yell all night. As I write, there are a group of drunk men outside yelling. It is really unpleasant and happens	<i>The proposed policies, particularly the CIZs for off-licences are aimed at addressing some of this behaviour as is possible under the Licensing Act 2003. No change is proposed for the SLP.</i>

<p>often. There are already too many shops selling to street drinkers.</p>	
<p>On balance, we do not believe that the measures outlined are entirely clear or achievable for applicants. In addition to the specific questions later in this response, we note the following:</p> <p>Part 2, Section 9 – equal reference should be made to the Challenge 21 scheme. This is the scheme supported and used by most pubs, that helps them to ensure under-age sales of alcohol are prevented.</p> <p>Policy 11 – this policy fails to identify any specific type of venue and so presumably applies to all licensed premises. As it stands, the phrase “high strength” is undefined by the Council, making it unenforceable. Reference is made to 6%ABV without categorically saying this is the definition to be used. There is no reference to volume either, and therefore based on this wording, and pub that chooses to sell any alcohol over 6% could be penalised despite not being in breach of any legislation. This is unreasonable.</p> <p>Policy 17 – we support this policy, and the specific inclusion of PubWatch.</p> <p>Policy 18 – it is not appropriate to include a health-related policy in this proposed Statement. Health is not a feature of the Licensing Objectives. If any health evidence is being presented as a justification for a licensing policy or requirement, then the final paragraph in this policy is essential, namely that the evidence must relate directly to one of the Licensing Objectives.</p>	<p><i>We support the Challenge 25 scheme as best practice. No change proposed for the SLP.</i></p> <p><i>The phrase ‘High strength’ is generally well understood. The policy is encouraging voluntary application of a scheme. It is not possible to apply a blanket definition or approach as each application must be considered on its own merits, applying a blanket definition may also be contrary to competition legislation.</i></p> <p><i>At no point in the policy is it proposed to penalise any applicant that does not apply a high strength condition. No change is proposed to the SLP.</i></p> <p><i>The decision on what should be included in the SLP is for the Council to determine. Furthermore, the Director of Public Health is a responsible authority and the s182 guidance notes the expectation that hospital and ambulance data will be used where appropriate. The last sentence of this policy ensures that the approach is in line with the Act and with guidance. No change is proposed for the SLP.</i></p>

<p>Policy 22 – Challenge 21 should also be identified as a valid and effective age-verification framework. Preferential reference to Challenge 25 implies that it is the only suitable scheme whereas Challenge 21 is successfully used by the majority of pubs.</p> <p>Policy 26 – sales that are paid by credit card are sales that are made on credit. The wording of this policy would prevent sales that are paid by credit card.</p>	<p><i>The Council supports the Challenge 25 scheme as the best practice approach. The policy aims to encourage applicants to adopt what the Council considers to be best practice. No change is proposed for the SLP.</i></p> <p><i>The wording states ‘no provision of credit for sales’ with credit cards the provision of credit is being provided by the credit card company not the licensee. No change is proposed for the SLP.</i></p>
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2. Do you feel that the draft Licensing Fees Policy are reasonable and clearly stated?

Note: the responses provided for this question were repeats of the above responses.

3. Is the Council approach regarding Temporary Events Notices outlined in the draft Licensing Policy reasonable and likely to promote the Licensing Objectives?

Comment: 18 respondents responded Yes to the above question, 5 responded No and the remainder either responded Don't Know or had a mixed response (dealt with the in the comments below.

Comment	Response
No - this is not reasonable. The approach should be more lenient.	<i>The approach aligns with the requirements of the Licensing Act and section 182 guidance. No change is proposed for the SLP.</i>
The council have clearly expressed their views. The applicant has their part to play. If the applicant works with the Council they should be able to host a safe controlled event, whatever the purpose or function for the relevant application.	<i>No change is proposed for the SLP.</i>
The approach is reasonable and likely to promote the licensing objectives.	<i>No change is proposed for the SLP.</i>

Generally, yes, although the rules of TEN's is somewhat confused and often results in a muddled and incorrect application form. Despite these errors, they are occasionally accepted as valid applications	<i>All applications are scrutinised before processing to ensure that the application is filled out correctly.</i>
Yes temporary events are not the problem	<i>No change is proposed for the SLP.</i>
Yes, I'd prefer to see something stricter	<i>No change is proposed for the SLP.</i>
<p>No, for the following reasons:</p> <ul style="list-style-type: none"> • It is unreasonable to object to late TENs purely on the principle that is submitted later than a standard TEN. • The policy as proposed implies that by submitting a TEN close to the 10-day deadline will prejudice the outcome of that application. The licensing framework allows for applications to be submitted up to 10 days before and therefore there should be no suggestion that "early" applications will receive a preferential consideration. 	<p><i>TEN applications are dealt with in accordance with the section 182 guidance issued by the Home Office.</i></p> <p><i>The Policy does not imply preferential treatment.</i></p> <p><i>Receipt of Early applications may help resolve outstanding issues with responsible authorities quicker so that the applicant can have ample time to implement measures that may be required.</i></p> <p><i>.</i></p> <p><i>Some changes have been made in the SLP.</i></p>
From a public health perspective, it would be useful to gain more information regarding how the Council's approach regarding TENs would likely promote Licensing Objectives that are particularly related to protecting the health of visitors and residents (i.e. alcohol induced harm).	<p><i>Public Health are not a statutory consultee on TEN applications.</i></p> <p><i>However, where these concerns arise engagement between public health and licensing authority officials tries to address these concerns.</i></p>

4. Does the draft Policy 12 on street drinking address issues of public nuisance in a reasonable and effective way?

Comment: 16 respondents responded Yes to the above question, 11 responded No and the remainder either responded Don't Know or had a mixed response (dealt with the in the comments below.

Comment	Response
yes. but brent need to be more stricter on street drinkers	<p><i>Public Space Protection Order is in place for street drinking. The SLP proposes CIZ's where the presumption would be to refuse any new off-licences in CIZ areas.</i></p> <p><i>No change is proposed for the SLP.</i></p>
No. People with problematic drinking will not be affected by this authoritarian policy.	<p><i>The policy is intended to tighten up licensing aspects of the issue. People with problematic drinking problems are usually referred to appropriate support agencies.</i></p> <p><i>No change is proposed for the SLP.</i></p>
yes but it must be implemented and enforced	<p><i>Agreed.</i></p> <p><i>No change is proposed for the SLP.</i></p>
<p>No. Licensees will say they have no control on what people do once they leave their store. Therefore - the council / residents need to review and make the decision on whether this facility or type of store already exists in the area and what impact it's having.</p> <p>In my opinion, until we get control on the current situation - no choice should be given to shops being open after 9pm and selling alcohol at night. There needs to be a cap or reversal on licenses.</p>	<p><i>The aim of the policy is to reduce licensee's contribution to the conditions that facilitate street drinking. The CIZ's are aimed to create a cap on off-licences in areas where there are problems.</i></p> <p><i>Problems that exist need to be addressed by enforcement.</i></p> <p><i>No change is proposed for the SLP.</i></p>
Street drinking is part of a much bigger picture. It impacts on so many people. This proposed policy will provide clarity as to the councils intentions and is robust where enforcement may be required.	<p><i>No change is proposed for the SLP.</i></p>
<p>Causes of street drinking is far more complex than "Reducing the strength approaches having voluntary bans on high strength low cost alcohol.</p> <ul style="list-style-type: none"> · Visible labels identifying the premises. · Use of different coloured or labelled bags for sales of alcohol. · Ensuring street drinkers do not 	<p><i>The policy operates within the limits of the Licensing Act 2003 and the Guidance issued by the Home Office. Substance misuse services provide support to those with addiction and mental health support. It is unable to address the issues raised by this submission.</i></p> <p><i>No change is proposed for the SLP.</i></p>

<p>congregate outside the premises.</p> <ul style="list-style-type: none"> · Ensuring drinkers do not consume alcohol on the premises, also not having the paraphernalia to allow that (e.g. Single plastic drinking vessels or bottle openers near the till area). · No sale of miniatures. · Keeping the premises locality clear of litter" <p>An effective way to deal with street drinking would be to have a clear social care or mental health policy.</p>	
<p>Doesn't go far enough. This is a major issue in Cricklewood and needs firm immediate action including arrests and prosecutions</p>	<p><i>The aim of the policy is to reduce licensee's contribution to the conditions that facilitate street drinking. The CIZ's are aimed to create a cap on off-licences, in the parts of the borough where there is evidence of undermining the licensing objectives. No change is proposed for the SLP.</i></p>
<p>As I understand a number of these steps outlined in the Policy are already in place, yet the problems of street drinking persists. So, much of the success of the new policy will depend on enforcement. If there's not enough police and enforcement officers to actually follow through, the new policy will be equally ineffective. In addition to this, there are already too many 'problem' bar, pubs and off-licences in Willesden Green that are contributing to the issues of crime and street drinking etc. Targeting the existing outlets is as important as tackling new license applications. What steps are being taken in this respect?</p>	<p><i>The aim of the policy is to reduce licensed premises contribution to the conditions that facilitate street drinking. The CIZ's are aimed to create a cap on off- licences so that they do not add to the problems that already exist.</i></p> <p><i>No change is proposed for the SLP.</i></p>
<p>I'd prefer to see something stricter and start addressing smoking in public, which is not just a nuisance, but a public health assault & a key cause of litter.</p>	<p><i>The aim of the policy is to reduce licensee's contribution to the conditions that facilitate street drinking. The CIZ's are aimed to create a cap on off- licensees in the parts of the borough</i></p>

	<i>they cover. No change is proposed for the SLP.</i>
It is far too weak to be effective. A voluntary scheme will be insufficient, there also needs to be a ban on new shops selling alcohol, the existing ones sell to street drinkers and should not be allowed to continue doing this. Because there is no police presence in Neasden, the PSPO is not enforced and street drinkers stand around yelling all night. Having to put up with groups of drunk, out of control men loitering in the street all night is deeply unpleasant and also unsafe. Policy 12 is a good start but by itself it is insufficient to end this ongoing problem.	<p><i>The aim of the policy is to reduce licensee's contribution to the conditions that facilitate street drinking. The CIZ's are aimed to create a cap on licensees in the parts of the borough they cover.</i></p> <p><i>No change is proposed for the SLP.</i></p>
<p>No, for the following reason:</p> <ul style="list-style-type: none"> • There is too little detail on how areas will be identified (e.g. What are the criteria? Who decides? Is there a process to appeal designation? How often will the designation be reviewed?) The absence of details such as this will make the policy difficult to enforce and is likely to lead to confusion amongst licence-holders and enforcers, which in turn will lead to challenges. 	<p><i>The areas have been identified using crime data and alcohol flagged ambulance call out data.</i></p> <p><i>The aim of the policy is to reduce licensee's contribution to the conditions that facilitate street drinking and ASB. Decisions on how this applies will be on a case by case basis. The CIZ's are aimed to create a cap on licensees in the parts of the borough they cover.</i></p> <p><i>The CIZ's have to be reviewed within 3 years.</i></p> <p><i>No change is proposed for the SLP.</i></p>
Yes, more evidence could be included in regards to the health/social effects of street drinking, i.e. hospital admissions.	<p><i>It may be difficult to link this sort of evidence specifically to street drinking rather than drinking more generally.</i></p> <p><i>No change is proposed for the SLP.</i></p>

5. Does the draft Policy 21 on delivery services address issues of crime and disorder, public nuisance and the protection of children in a reasonable and effective way?

Comment: 17 respondents responded Yes to the above question, 4 responded No and the remainder either responded Don't Know or had a mixed response (dealt with the in the comments below.

Comment	Response
It doesn't at all. Very daft policy - make believe.	<i>Similar policies have been used in other areas successfully. No change is proposed for the SLP.</i>
I couldn't quite see it but very often trucks delivering food pallets to Way to Save in Neasden come at random times of the evening. The noise of the tail lift and crates being unloaded / loaded is very disturbing when trying to sleep. Please could you be more clear on delivery trucks in your policy - not to be done after 9pm and before 7am.	<i>This matter should be dealt with by Nuisance Control team. No change is proposed for the SLP.</i>
There is only so much that can be done as prevention. That said everyone has a role to play. The council has clearly indicated its view on Public Safety.	<i>No change is proposed for the SLP.</i>
Doesn't go far enough. More action needed.	<i>Within the remit of the SLP this policy goes about as far as is possible. No change is proposed for the SLP.</i>
As above. A number of the crime and disorder hotspots urgently need more CCTV cameras and police presence. The businesses that are making money from and contributing to this problem should be actively involved in resolving them. For example gambling outlets should have CCTV and better lighting as a standard. Pubs, bars off-licences and gambling shops in particular should be contributing funds towards more security staff/policing in the area.	<i>No change is proposed for the SLP.</i>
I'd prefer to see something even more strict, but a start	<i>No change is proposed for the SLP.</i>
It would be useful to include reference to the Challenge 21/25 framework as an existing and effective approach to age-verification.	<i>This is included. No changes proposed for the SLP.</i>

6.Does the draft Policy 24 on a minimum unit price address issues of crime and disorder, public nuisance, and protection of children in a reasonable and effective way?

Comment: 17 respondents responded Yes to the above question, 8 responded No and the remainder either responded Don't Know or had a mixed response (dealt with the in the comments below.

Comment	Response
COMPLETELY OPPOSE THIS POLICY. THIS IS AN ATTACK ON THE POOR. THERE IS NO EVIDENCE A MINIMUM UNIT PRICE WILL AFFECT ANY OF THOSE ISSUES YOU CLAIM. IT WILL JUST INCREASE THE PRICE FOR EVERYONE. 70p PER UNIT IS FAR TO HIGH. THIS IS PURITANISM BY THE BACK DOOR.	<i>The evidence is in place and links are provided to it in the policy. Modelling evidence also shows that it is unlikely to impact more on low income moderate drinkers</i> <i>Changes have been made to the SLP</i>
No, it penalises ordinary residents who want a social drink.	<i>The evidence is in place and links are provided to it in the policy. Modelling evidence also shows that it is unlikely to impact more on low income moderate drinkers. Changes have been made to the SLP</i>
No. Minimum price for alcohol of 70P per unit is not reasonable or effective.	<i>The evidence is in place and links are provided to it in the policy. Modelling evidence also shows that it is unlikely to impact more on low income moderate drinkers. Change have been made to the SLP.</i>
No. It is a lunatic idea.	<i>The evidence is in place and links are provided to it in the policy. Modelling evidence also shows that it is unlikely to impact more on low income moderate drinkers.</i> <i>Changes have been made to the SLP</i>
Isn't this way too low? We want to discourage the buying of alcohol especially in the evening / night. So if the licenses are amended so no-one can sell in the evening - fine. But if yes - then this is too accessible.	<i>The modelling evidence undertaken by Sheffield University only goes up to 70p per unit. Without modelling for any higher level we believe there is insufficient evidence to apply a higher MUP. Changes have been made to the SLP</i>
Time will tell with this matter. As long as all responsible parties	<i>Changes have been made to the SLP.</i>

adhere to the strategy then I cannot see any issues.	
<p>Any minimum unit price must reflect the consensus which is 50p per unit as in Scotland and not 70p per unit. The draft policy is unclear how a minimum unit price would address issues of a) crime and disorder b) public nuisance, and c) protection of children and would benefit from further information as to research which show this is reasonable or effective.</p> <p>As the causes of a) crime and disorder b) public nuisance c) protection of children are much more complex than the price of alcohol. Alcoholism affects both rich and the poor.</p>	<p><i>The evidence is in place and links are provided to it in the policy. Modelling evidence also shows that it is unlikely to impact more on low income moderate drinkers. There is no consensus nationally re level of MUP, Sheffield modelling covered 50p, 60p and 70p. Changes have been made to the SLP</i></p>
It should help to combat these issues.	<i>Changes have been made to the SLP</i>
This is a good start but needs to be enforced	<i>Changes have been made to the SLP</i>
<p>Minimum unit prices should be increased significantly, if we are serious about discouraging street drinking and protecting the young. At present this is a token gesture. Cheap and easy access to any drug (alcohol happens to be legalised), will only support the drug problem.</p>	<p><i>The modelling evidence undertaken by Sheffield University only goes up to 70p per unit. Without modelling for any higher level we believe there is insufficient evidence to apply a higher MUP.</i></p> <p><i>Changes have been made to the SLP</i></p>
<p>No, for the following reasons:</p> <ul style="list-style-type: none"> • Policies of MUP are typically applied as a means of addressing health issues due to excessive alcohol consumption. Public health is not one of the Licensing Objectives, and it is therefore unreasonable to apply such a policy for Licensing purposes. • England does not have legislation that requires MUP, and therefore any venue that is licensed to sell alcohol should not be compelled to apply such a policy. Making the use of the policy “voluntary” does not hide 	<p><i>Evidence from both real life research and modelling has shown impacts on crime and disorder as well as health impacts.</i></p> <p><i>The policy does not compel, only encourages the voluntary setting of an MUP. Changes have been made to this policy to address some of these matters.</i></p>

the fact that there will be clear disbenefits for any premise that does not adopt such a policy even though there is no legal requirement to do so.	
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7. Does the draft Policy 25 on the provision of licences for schools and community centres address issues of public nuisance in a reasonable and effective way?

Comment: 17 respondents responded Yes to the above question, 4 responded No and the remainder either responded Don't Know or had a mixed response (dealt with the in the comments below.

Comment	Response
In a time when Educational facilities are being pressurised into making use of their halls to generate additional income I am pleased to see the council have featured this topic. As with previous answers there is a great deal of responsibility with hosting events at venues such as these. With each application the applicant must understand this point in the policy.	<i>No change is proposed for the SLP.</i>
"Ensuring appropriate time for cleaning and making good of the venue" is a reasonable requirement, but denying schools the opportunity to have licensable activities at times when children are not on the premises is not reasonable or effective. Schools should be able to hold events on Sundays or on Evenings and use provisions of a license to sell alcohol and generate income if they so desire. It is possible to clean and make good of a venue after the event and before children arrive at a school. If the council believes otherwise, officers should clearly demonstrate that it is not possible to clean and make good a venue	<p><i>Most of the policy requires applicants to demonstrate the approaches they will take to cleaning and making good after an event. In terms of the objection to Sunday during school term, we believe that the precautionary approach in relation to protecting children from harm is appropriate.</i></p> <p><i>No change is proposed for the SLP.</i></p>

after an event has occurred. Most events run by schools will be related to the parent teacher association raising money with a cheese and wine evening or a play. There will be no problem with schools getting the places organised and clean again.	
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8. Is the draft Policy 20 on dispersal and entry to licensed premises sufficient to address issues created by dispersal and entry into licensed premises?

Comment: 17 respondents responded Yes to the above question, 4 responded No and the remainder either responded Don't Know or had a mixed response (dealt with the in the comments below.

Comment	Response
No - how will this be monitored? What action will the council do? Is there a 2 strike warning system for example: If there is reason to believe that your premises is linked to street drinking - this is a strike - a written warning is issued. If this happens more than twice then your license to sell alcohol is revoked totally.	<i>This is an operational matter.</i> <i>No change is proposed for the SLP.</i>
If the points are applied it should minimise complaints and in return the reputation of a venue/premises should be a positive one.	<i>No change is proposed for the SLP.</i>
For the council to hold licence holders liable for patrons once they have left the immediate vicinity of their premises, is neither reasonable, proportionate or realistic. Disturbance caused away from premises is a matter for police and the council cannot hold license holders liable.	<i>This policy does not hold licensees liable, it outlines approaches they can put in place to minimise the likelihood of disturbances.</i> <i>No change is proposed for the SLP.</i>
Not enough. Needs to be fully enforced	<i>This is an operational matter.</i> <i>No change is proposed for the SLP.</i>

AS above. More CCTV, Police presence and shorter licensing hours. We don't need half a dozen off licenses and bars with late licenses.	<p><i>This is an operational matter.</i></p> <p><i>No change is proposed for the SLP.</i></p>
<p>No, for the following reason:</p> <ul style="list-style-type: none"> • The policy uses the phrasing "if linked to the operation of the premises" is too vague and could be used for spurious reasons to take action on a venue. A premises' operations will typically be within the law and licensing requirements. Consideration should be given to clarifying this phrasing, such as "if linked to the illegal operation of the premises" or "if linked to the operation of the premises being counter to the Licensing Objectives". 	<p><i>This phrasing has been changed in the draft SLP to reflect this comment.</i></p>

9. The CIZ areas include (list of the 10 areas), do you feel that the evidence provided sufficiently outlines the issues to be addressed in terms of crime and disorder and anti-social behaviour?

Comment: 16 respondents responded Yes to the above question, 10 responded No and the remainder either responded Don't Know or had a mixed response (dealt with the in the comments below.

Comment	Response
<p>NO. Just because there has been X amount of incidents of violence - does not mean alcohol is the reason for them.</p> <p>Putting Neasden as a CIZ when you state yourself there are limited incidents there compared to some of the other areas shows that you don't care about the evidence.</p> <p>For Willesden - the time frame of 2 years is vast. Ridiculous.</p>	<p><i>No change is proposed for the SLP.</i></p>
<p>Neasden town centre should include Birse Crescent which a haven for people to consume the</p>	<p><i>Birse Crescent will be included.</i></p> <p><i>No change is proposed for the SLP.</i></p>

alcohol they have bought from the high street. This street should be flagged for consumption and gathering of people that may lead to anti social behaviour.	
Yes. The evidence submitted is based on fact. Clearly in those areas listed there is work to still do.	<i>No change is proposed for the SLP.</i>
The data proposed to justify the CIZ does not reasonably justify the establishment of the zones. Crime, disorder and anti-social behaviour happen for much more complex reasons than the amount of incidents over the course of years.	<i>Agree. The data used is linked to alcohol flagged data.</i> <i>No change is proposed for the SLP.</i>
Yes, but should continue to be reviewed to ensure the areas are relevant to the CIZ and adjustments made as needed.	<i>The CIZs are now required to be reviewed every 3 years or earlier.</i> <i>No change is proposed for the SLP.</i>
No. More direct action needs to be taken. More enforcement. Greater police presence in problem areas.	<i>This is an operational matter.</i> <i>No change is proposed for the SLP.</i>
Willesden Green High Road as well as Walm Lane suffer the effects of too many off licenses, gambling outlets, bars and pubs which are simply fuelling the problems of drugs, crime and antisocial behaviour. Residents and other responsible businesses have been the paying the price for the Councils failure to tackle these issues over the years. There is more evidence that demonstrates not only a couple of off licenses at one end of Willesden Green are causing problems, but that a number of other businesses contribute to ongoing issues along the high road (at the Library, Lechmere and Linacre rd) and on Walm lane.	<i>This may be a matter for further consideration and inclusion at a later point.</i> <i>No change is proposed for the SLP.</i>
I'd prefer this be all areas.	<i>This is not possible under the legislation, and not considered to appropriate for all areas of Brent. No change is proposed for the SLP.</i>

<p>No, it is not sufficient. It is so unpleasant for residents to be constantly subjected to the noise of people drinking on the street and shouting all night. It is impossible to sleep through and really damages quality of life.</p>	<p><i>No change is proposed for the SLP.</i></p>
<p>There is very little evidence of a significant problem presented for some of the ten areas, notably – Neasden Town Centre, Sudbury Town Centre, East Lane and Kingsbury. On the basis of what has been presented, the decision to make these areas CIZs is questionable.</p> <p>Equally, the proposed policy highlights that there has been a “significant and notable increase in alcohol related crime and anti-social behaviour” since 2016, yet there is no evidence provided to support that statement. Any figures provided only go back two years, and there is no pre-2016 evidence provided as a comparison.</p> <p>There is also no evidence presented that compares those areas that are proposed CIZs with the Borough as a whole or Greater London – so it is not clear that the selected areas present a problem that is any worse than other areas.</p> <p>Appendix 6 presents various maps that seek to illustrate the proposed areas. However it is not clear what the significance of the red-ringed areas are. The enclosed areas do not appear to be any worse in terms of the number of instances than the areas beyond the red-ring. If these are meant to be “hotspots”, the basis for their selection is not clear.</p>	<p><i>No change is proposed for the SLP</i></p>

It is also not clear of the relationship in each map between the red-ringed area and the orange-shaded areas. In some instances the red-ring is not within or connected to the shaded areas and so it is unclear how the CIZ has been determined based on the "hotspot" presented. It makes the decision of the extent of the CIZ appear somewhat arbitrary.	
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10. Given the issues and the purpose of the CIZs do you feel the purpose is appropriate to reduce the impact of crime and disorder and anti-social behaviour in the proposed CIZ areas is appropriate?

Comment: 20 respondents responded Yes to the above question, 5 responded No and the remainder either responded Don't Know or had a mixed response (dealt with the in the comments below.

Comment	Response
NO. CIZ won't work.	<i>Evidence shows that well applied and enforced CIZs do have an impact on violent crime and hospital admissions. No change is proposed for the SLP.</i>
When you say 'purpose' do you mean policies put forward? Well I think what's missing is the governance piece - how is it going to be measured - following issuance. reviewed every 3months? But I do believe this is a start and I'd like to see how affective this would be to create the preventative measures.	<i>The CIZs are now required to be reviewed every 3 years or earlier.</i> <i>No change is proposed for the SLP.</i>
If all the relevant partners work together and the responsible persons with licensed venues then yes I do believe the CIZs can work.	<i>No change is proposed for the SLP.</i>
It is appropriate but I don't think that the measures suggested will be sufficient to resolve the problem.	<i>Evidence shows that well applied and enforced CIZs do have an impact on violent crime and hospital admissions. No change is proposed for the SLP.</i>

CIZs should be used only on the basis of evidence, and in conjunction with other measures.	<i>Evidence shows that well applied and enforced CIZs do have an impact on violent crime and hospital admissions. No change is proposed for the SLP.</i>
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11. The CIZs relate to applications for off-licences, do you feel this is the most appropriate way to use the CIZs to address the issues?

Comment: 19 respondents responded Yes to the above question, 5 responded No and the remainder either responded Don't Know or had a mixed response (dealt with the in the comments below.

Comment	Response
Yes I do believe one root is the alcohol sold to people. However there is another piece which is more of a grey area - drugs. This is where council need to work better with the Met Police on having a focal point on one zone every week or bi-weekly. As the drugs in the area do the same - create anti social behaviour.	<i>This is an operational matter.</i> <i>No change is proposed for the SLP.</i>
Yes. In some business areas there are too many licensed premises. Some are adhering to the licensing objectives yet unfortunately some aren't. With the CIZs any new applications will be managed from the form to a decision in a controlled manner and any decision will be made for the community's benefit.	<i>No change is proposed for the SLP.</i>
Scapegoating off-licenses when crime happens for much more complex reasons than the action of a shop.	<i>The evidence gathered suggests that this is one aspect of the issue and that this is one aspect of the approaches to address it.</i> <i>No change is proposed for the SLP.</i>
Needs to target all alcohol vendors including supermarkets	<i>The CIZs do target supermarkets.</i> <i>No change is proposed for the SLP.</i>
As Above. It's not just off licenses causing problems, but late night bars and some pubs that attract a certain crowd	<i>The aim of the CIZ policy is to address issues most closely related with off-licences. Other policies aim to address issues associated with on-licences.</i> <i>No change is proposed for the SLP.</i>

I think that the measures suggested are fine but more action should be taken too to stop existing licensed premises selling to street drinkers. The only way to stop this is to get police down to enforce the PSPO, at the moment it is flouted.	<p><i>The street drinking PSPO policy and operational practice aim to address these issues.</i></p> <p><i>No change is proposed for the SLP.</i></p>
If the aim is to prevent street drinking, then the scope of the CIZs certainly should not be extended beyond off-licences. It should be appreciated that a CIZ can have the effect of offering a degree of protection to existing licensed premises (which may be acting in a manner that fails to meet the Licensing Objectives) whilst preventing new and perhaps better-managed businesses from setting up and providing competition.	<p><i>This may be an unintended consequence of the CIZs.</i></p> <p><i>However, operational enforcement is in place to address any licensee not promoting the licensing objectives.</i></p> <p><i>No change is proposed for the SLP.</i></p>

12. Do you feel that all other efforts that could reasonably be made to address the issues have been made?

Comment: 15 respondents responded Yes to the above question, 10 responded No and the remainder either responded Don't Know or had a mixed response (dealt with the in the comments below.

Comments	Response
NO. The council has consistently cut services that are preventative of crime.	<p><i>This is outside of the remit of the SLP.</i></p> <p><i>No changes are proposed for the SLP.</i></p>
No. There is already a street drinking PSPO which is great but it is not enforced. Go to Craven Park Road any day and it is full of street drinkers	<p><i>This is an operational matter.</i></p> <p><i>No changes are proposed for the SLP.</i></p>
There is another piece that needs to be addressed which is more of a grey area - drugs. This is where council need to work better with the Met Police on having a focal point on one zone every week or	<p><i>This is outside of the remit of the SLP.</i></p> <p><i>No changes are proposed for the SLP.</i></p>

bi-weekly. As the drugs in the area do the same - create anti social behaviour. Last night I had no sleep as there were people under our balcony - outside Costa coffee until 5am. They were being loud / smoking and these 3 individuals are known to hang around and cause disturbance. They should be on CCTV cameras. Unfortunately we would need to change behaviour through negative reinforcement - with the Polices help.	
Yes with regards to the relevant authorities. The operators must remember they have their part to play also.	<i>No changes are proposed for the SLP.</i>
No discussion of Social Care, homeless and Mental Health services efforts that have been made to try and address the issue.	<i>This is outside of the remit of the SLP. No changes are proposed for the SLP.</i>
Yes, within the confines of staffing. It would appear austerity and staff numbers in proactively tackling licensing concerns has had a drastically negative impact on ensuring licensing objectives are being upheld.	<i>This is outside of the remit of the SLP. No changes are proposed for the SLP.</i>
Street drinkers (and drug users) are responsible for damaging public property. This ranges from breaking shop windows, to damaging street furniture (road signs etc), to breaking plants and trees, to vomiting and urinating in plant pots, on pavements and at the station. As well as criminal activity, theft, aggressive and intimidating behaviour towards residents etc. Again residents and responsible businesses are paying a hefty price to support these individuals and their behaviour in the community. It is unreasonable and cannot be tolerated.	<i>This is outside of the remit of the SLP. No changes are proposed for the SLP.</i>

I honestly don't care. Change needs to happen so happy for any movement forward	<i>No changes are proposed for the SLP.</i>
No, I don't. The council have tried to do what they can but they are very understaffed. The police are very under-resourced too but I have been asking them for years to send officers down to tackle the street drinking. I think it is the same small group of men very often, if the police attended a few weekends in a row to tell them not to come back then maybe that would have an impact. At the moment they are allowed to get away with making our lives a misery.	<i>This is outside of the remit of the SLP. No changes are proposed for the SLP.</i>
It is not possible to tell from the proposed policy what other efforts have been made to address the issues. No evidence is presented of other efforts and their impact. Ostensibly it appears that CIZs are being used as a single measure.	<i>No changes are proposed for the SLP.</i>

APPENDIX D

EQUALITY ANALYSIS (EA)

POLICY/PROPOSAL:	Publication of a Statement of Licensing Policy as required under the Licesing Act 2003
DEPARTMENT:	Regeneration and Environment
TEAM:	Planning, Transport and Licensing
LEAD OFFICER:	Yogini Patel, Senior Regulatory Service Manager
DATE:	29 August 2019

NB: Please ensure you have read the accompanying EA guidance and instructions in full.

SECTION A – INITIAL SCREENING

1. Please provide a description of the policy, proposal, change or initiative, and a summary its objectives and the intended results.

The Licesing Act 2003 requires a Statement of Licencing Policy to be published every 5 years by each Licensing Authority. The Statement of Licensing Policy is a statement of how Licnesing legislation, regulation and guidance will be considered and applied in Brent. Publishing a new Statement of Licensing Policy for Brent is intended to update the existing Statement of Licensing Policy to ensure that it is relevant in light of changes to legislation, regulations, guidance and specific Brent circumstances and environment.

2. Who may be affected by this policy or proposal?

The new Statement of Licensing Policy will have some level of impact for: public services, particularly those with an enforcement role; residents, particularly those that live near areas with alcohol-related or Night Time Economy impacts; and, the owners, operators, staff and customers of premises licensed to sell alcohol. The Statement of Licensing Policy may also have some impact on individuals who suffer alcohol-related harms, and their families and communities.

3. Is there relevance to equality and the council's public sector equality duty? Please explain why. If your answer is no, you must still provide an explanation.

It is unlikely that the new Statement of Licensing Policy will have any impact on the equalities or of the protected charecteristics. The application of the Statement of Licensing Policy is universally applied to all residents, visitors and businesses in Brent regardless of the protected characteristics.

The Statement of Licensing Policy does provide a policy framework for the application of the Licensing Act 2003 which includes a restriction on any sales of alcohol to those under the age of 18 years old.

4. Please indicate with an “X” the potential impact of the policy or proposal on groups with each protected characteristic. Carefully consider if the proposal will impact on people in different ways as a result of their characteristics.

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age	X		
Sex		X	
Race		X	
Disability		X	
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity		X	
Marriage		X	

5. Please complete **each row** of the checklist with an “X”.

SCREENING CHECKLIST		
	YES	NO
Have you established that the policy or proposal <i>is</i> relevant to the council's public sector equality duty?	X	
Does the policy or proposal relate to an area with known inequalities?		X
Would the policy or proposal change or remove services used by vulnerable groups of people?		X
Has the potential for negative or positive equality impacts been identified with this policy or proposal?	X	
If you have answered YES to ANY of the above, then proceed to section B. If you have answered NO to ALL of the above, then proceed straight to section D.		

SECTION B – IMPACTS ANALYSIS

1. Outline what information and evidence have you gathered and considered for this analysis. If there is little, then explain your judgements in detail and your plans to validate them with evidence. If you have monitoring information available, include it here.

The evidence of impact only relates to age, the legislation underlying the SLP has a restriction on the sale of alcohol to only those 18 years old and over. There is a body of research evidence that indicates that people under the age of 18 are more at risk of harms from alcohol purchase and consumption than those over the age of 18. As such the restriction is justified on these grounds.

2. For each “protected characteristic” provide details of all the potential or known impacts identified, both positive and negative, and explain how you have reached these conclusions based on the information and evidence listed above. Where appropriate state “not applicable”.

AGE	
Details of impacts identified	Those under the age of 18 are restricted from purchasing alcohol by the underlying legislation. The SLP outlines approaches to ensure that this legislation is being upheld.
DISABILITY	
Details of impacts identified	None have been identified.
RACE	
Details of impacts identified	None have been identified.
SEX	
Details of impacts identified	None have been identified.

SEXUAL ORIENTATION	
Details of impacts identified	None have been identified.
PREGANCY AND MATERNITY	
Details of impacts identified	None have been identified.
RELIGION OR BELIEF	
Details of impacts identified	None have been identified.
GENDER REASSIGNMENT	
Details of impacts identified	None have been identified.
MARRIAGE & CIVIL PARTNERSHIP	
Details of impacts identified	None have been identified.

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

No. The impacts are mandated by the Licensing Act 2003, which is itself compliant with the Equalities Act 2010.

4. Were the participants in any engagement initiatives representative of the people who will be affected by your proposal and is further engagement required?

NA

5. Please detail any areas identified as requiring further data or detailed analysis.

NA.

6. If, following your action plan, negative impacts will or may remain, please explain how these can be justified?

No negative impacts have been identified.

7. Outline how you will monitor the actual, ongoing impact of the policy or proposal?

The Licensing Policy will be reviewed prior to the end of its 5 year life span.

SECTION C - CONCLUSIONS

Based on the analysis above, please detail your overall conclusions. State if any mitigating actions are required to alleviate negative impacts, what these are and what the desired outcomes will be. If positive equality impacts have been identified, consider what actions you can take to enhance them. If you have decided to justify and continue with the policy despite negative equality impacts, provide your justification. If you are to stop the policy, explain why.

The only equality impact is: a) a positive impact improving the likelihood that people under the age of 18 will have less risk of alcohol related harm by the implementation of the SLP; and, b) it is an age differentiation set out in the Licensing Act 2003, the SLP only implements the legislation.

SECTION D – RESULT

<i>Please select one of the following options. Mark with an "X".</i>		
A	CONTINUE WITH THE POLICY/PROPOSAL UNCHANGED	X
B	JUSTIFY AND CONTINUE THE POLICY/PROPOSAL	
C	CHANGE / ADJUST THE POLICY/PROPOSAL	
D	STOP OR ABANDON THE POLICY/PROPOSAL	

SECTION E - ACTION PLAN

This will help you monitor the steps you have identified to reduce the negative impacts (or increase the positive); monitor actual or ongoing impacts; plan reviews and any further engagement or analysis required.

Action	Expected outcome	Officer	Completion Date
Monitor for any equalities impacts raised during public consultation.	It is expected that there will be no equalities impacts raised due to the nature of the policy.		

SECTION F – SIGN OFF

Please ensure this section is signed and dated.

OFFICER:	Yogini Patel
REVIEWING OFFICER:	Natalie Gordon
HEAD OF SERVICE:	Simon Legg