



General Purposes Committee

Monday 20 January 2020 at 5.30 pm

Board Room 4 - Brent Civic Centre, Engineers Way,
Wembley HA9 0FJ

Membership:

Members

Councillors:

M Butt (Chair)
McLennan (Vice-Chair)
Agha
Farah
Colwill
Hirani
Krupa Sheth
Tatler

Substitute Members

Councillors:

Aden, S Choudhary, Kabir, Knight, Miller, M Patel and
Southwood

Councillors:

Kansagra and Maurice

For further information contact: James Kinsella, Governance Manager
Tel: 020 8937 1348, Email: James.Kinsella@brent.gov.uk

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

democracy.brent.gov.uk

The press and public are welcome to attend this meeting

Notes for Members - Declarations of Interest:

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

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

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

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

****Personal Interests:**

The business relates to or affects:

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

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

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

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest.

Agenda

Introductions, if appropriate.

Item	Page
------	------

1	Apologies for absence and clarification of alternate members	
----------	---	--

2	Declarations of interests	
----------	----------------------------------	--

Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary or personal interests in the items on this agenda and to specify the item(s) to which they relate.

3	Deputations (if any)	
----------	-----------------------------	--

To hear any deputations received from members of the public in accordance with Standing Order 67.

4	Minutes of the previous meeting	1 - 4
----------	--	-------

To approve the minutes of the previous meeting as a correct record.

5	Matters arising (if any)	
----------	---------------------------------	--

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

6	Domestic Abuse Policy	5 - 26
----------	------------------------------	--------

This report seeks approval to introduce a Domestic Abuse Policy (attached as Appendix 1) for staff. The aim of this policy is to set out the support available to employees and provide advice and guidance to managers on the impact of domestic abuse in the workplace. This policy is one of a number of standards required to achieve accreditation to the Domestic Abuse Housing Alliance (DAHA), which in turn will contribute to the achievement of the Borough Plan priority of a Borough where we can all feel safe, secure, happy and healthy. This policy will help to achieve our desired outcome to reduce the risk of harm in respect of domestic abuse to help make Brent safer.

Wards Affected:

All Wards

Contact Officer: Debra Norman,
Director of Legal, HR, Audit and
Investigations

Tel: 020 8937 1578

debra.norman@brent.gov.uk

7 Stopping Up Order - Land North Chippenham Gardens

27 - 48

This report seeks authorisation to make a Stopping Up Order for an area of public highway consisting of footway and road located north of Chippenham Gardens under Section 247 of the Town and Country Planning Act 1990 (TCPA 1990).

Wards Affected:

Kilburn

Contact Officer: Marie Frederick,
Senior Project Manager

Tel: 0208 937 1621

Marie.Frederick@brent.gov.uk

8 Appointments to Sub-Committees / Outside Bodies

To consider any appointments needing to be made in relation to General Purposes Sub Committees.

9 Exclusion of the Press and Public

There are currently no items listed on the agenda that will require the exclusion of the press and public.

10 Any other urgent business

Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 60.



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

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



LONDON BOROUGH OF BRENT

MINUTES OF THE GENERAL PURPOSES COMMITTEE

Monday 9 December 2019 at 11.30 am

PRESENT: Councillor M Butt (Chair), Councillor McLennan (Vice-Chair) and Councillors Agha, Farah, Colwill, Hirani, Krupa Sheth and Tatler

1. **Apologies for absence and clarification of alternate members**

There were no apologies for absence.

2. **Declarations of interests**

There were no declarations of interests made by Members.

3. **Deputations (if any)**

There were no deputations received.

4. **Minutes of the previous meeting**

RESOLVED that the minutes of the previous meeting, held on Monday 22 July 2019 be approved as an accurate record.

5. **Matters arising (if any)**

There were no matters arising.

6. **Calculation of Council Tax Base 2020/21**

Ravinder Jassar (Head of Finance, Brent Council) introduced a report setting out the Council Tax base for 2020/21 in order to enable the Council to fulfil its statutory role under the Local Government Finance Act 1992 (as amended).

Members noted that calculation of the Tax Base was based on a formula involving two elements:

- A. the number of taxable properties shown as "Band D equivalents" which for 2020/21 had been calculated at 99,975 net properties; and
- B. the estimated lifetime collection rate for the year, which had been set at 97.63% and remained unchanged from 2019/20.

Therefore, the calculation of the Council Tax base for 2020/21 was proposed as follows – A (99,975) multiplied by B (97.63%) = 97,605

In presenting the report, the Committee were advised that the calculation for the number of taxable properties had included an estimate for the number of new housing developments anticipated across the borough and reflected a 2% growth in the rate of housebuilding compared to the equivalent position in 2018. The general trend was also supported by the level of new Council Tax registrations currently awaiting banding by the Valuation Office Agency. Members noted the position would, however, continue to be monitored so that if, at any time, the rate of new properties coming on stream slowed a further adjustment could be made to ensure the collection fund remained in balance.

Details were also sought by the Committee on how the expected lifetime collection rate on which the current calculation was based compared to other local authorities. In response, Ravinder Jassar advised that the recommended rate had been based on an historical analysis of collection rates along with the inclusion of an appropriate non-collection allowance as provided for within legislation. Carolyn Downs (Chief Executive) advised that the collection rate compared well to performance within other billing authorities and highlighted that whilst debt continue to be pursued a balanced approach had been adopted in Brent that distinguished between those more vulnerable clients and others who refused to pay. This approach had also been reflected within the Council Tax Protocol, ongoing work with bailiffs and the changes made to the Council Tax Support Scheme. Having noted the need to ensure an adequate non-collection allowance was built into the basis of the calculation and work being undertaken to pursue debt, members also recognised that there would be a level of debt that needed to be written-off as it became statute barred.

Given the issues raised, the Chief Executive suggested that a further paper be provided for Members with an outline of the overall approach adopted by the Council in relation to debt collection and in order to seek the necessary approvals (now that the collection service had been bought back in-house) to any outstanding debt that needed to be written off. Members also requested that the additional paper include an update on the impact of the Council Tax Protocol since its adoption in Brent.

As no further issues were raised, it was **RESOLVED**:

- (1) To agree that the Band D equivalent number of properties be calculated, as shown within the report, in accordance with the Government regulations
- (2) That the collection rate for Council Tax for 2020/21 be set at 97.63%;
- (3) Subject to (1) and (2) above, a Council Tax Base for 2020/21 of 97,605 Band D equivalent properties (after collection rate allowance deduction) be approved.
- (4) That a further report be provided for Members outlining the Council's approach towards the management and collection of Council Tax debt (including the impact of the Council Tax Protocol) and seeking the necessary approvals to any debt requiring write-off.

7. Exclusion of Press and Public

There were no items that required the exclusion of the press or public.

8. **Any other urgent business**

None.

The meeting closed at 11:45am

Councillor Muhammed Butt
Chair

This page is intentionally left blank



Agenda Item 6

General Purposes Committee

20 January 2020

Report from the Director of Legal, HR, Audit and Investigations

Domestic Abuse Policy

Wards Affected:	N/A
Key or Non-Key Decision:	N/A
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	One Appendix 1: Domestic Abuse Policy
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Martin Williams Head of Human Resources 028 8937 3209 Email: martin.williams@brent.gov.uk

1.0 Purpose of the Report

- 1.1 The purpose of this report is to introduce a Domestic Abuse Policy (attached as Appendix 1) for staff. The aim of this policy is to set out the support available to employees and provide advice and guidance to managers on the impact of domestic abuse in the workplace.
- 1.2 This policy is one of a number of standards required to achieve accreditation to the Domestic Abuse Housing Alliance (DAHA), which in turn will contribute to the achievement of the Borough Plan priority of a Borough where we can all feel safe, secure, happy and healthy.
- 1.3 This policy will help to achieve our desired outcome to reduce the risk of harm in respect of domestic abuse to help make Brent safer.

2.0 Recommendation(s)

- 2.1 The Committee is asked to approve the Domestic Abuse Policy.
- 2.2 The Committee is asked to note the following specific policy provisions:
 - 2.2.1 Review of Welfare Loans to include:
 - (a) Same day emergency loans for domestic abuse victims.
 - (b) The maximum loan for all purposes to be increased from £1000 to £5000. The amount loaned would not exceed the applicant's monthly net pay.
 - (c) All welfare loans to be interest free (interest is currently a fixed rate of 1% per annum above the current base rate of the Council's bankers.)

2.2.2 Special leave:

Consider requests for leave from domestic abuse victims to attend counselling, medical appointments or legal proceedings, moving house or re-organising childcare in line with other requests under the Special leave category.

2.2.3 Domestic Abuse Champion volunteers:

Recruitment of Domestic Abuse Champions as a confidential first point of contact for those experiencing domestic abuse.

3.0 Detail

3.1 The Domestic Abuse Housing Alliance Steering group was formed in 2019 and consists of representatives from Housing, Community Safety and HR.

3.2 The group is working towards achieving [DAHA accreditation](#), which recognises good practice and commitment in responding to domestic abuse. As part of the commitment to achieving the accreditation the group is reviewing the support provided to employees.

3.3 The purpose of the group is to ensure the council has the evidence of good practice, policies and procedures to meet the requirements for accreditation. There are eight standards – one of which is to have a Domestic Abuse policy for staff.

3.4 This policy aims to ensure that employees who may be suffering domestic abuse:

- a. Feel as safe and secure as possible whilst at work;
- b. Feel able to raise the issue with their manager, Human Resources, Trade Union representative or a Domestic Abuse Champion;
- c. Are readily able to access information on sources of advice and assistance;
- d. Have requests for special leave to resolve issues arising from the domestic abuse dealt with sympathetically

3.5 The DAHA accreditation assessment will take place in late March/early April 2020. As part of the assessment, the steering group will provide evidence that shows there is a procedure and policy to support domestic abuse victims, and there are Domestic Abuse Champions embedded within the council for staff to access.

3.6 One day Domestic Abuse Champions training scheduled for two dates in February 2020. The training will be provided by 'Advance,' the Domestic Abuse Support specialist.

3.7 The implementation of the policy will enable the Council to sign up to the GMB Union's 'Work to Stop Domestic Abuse' Charter.

4.0 Financial Implications

4.1 Costs of interest-free welfare loans recovered over a three-year period are charged to the department's budget. There is no financial impact of changing the interest rate on all welfare loans from base rate +1% to 0% because in practice interest has not been charged.

5.0 Legal Implications

5.1 There are no specific legal implications.

6.0 Equality Implications

6.1 Domestic Abuse can affect anyone irrespective of gender, sexuality, age, class, religion or ethnicity. An equalities analysis was completed for the Domestic Abuse Policy, this policy impacts positively on all protective characteristics.

7.0 Consultation with Ward Members and Stakeholders

7.1 None.

8.0 Human Resources/Property Implications (if appropriate)

8.1 Included in the main body of the report.

Report sign off:

Debra Norman

Director of Legal, HR, Audit and Investigations

This page is intentionally left blank



DRAFT DOMESTIC ABUSE Policy

December 2019



Contents:

1. Introduction.....	3
2. Scope	3
3. Legal Context	3
4. Definition of Domestic Abuse	4
5. Policy Statement	4
6. Confidentiality.....	5
7. Employer's Responses and Responsibilities.....	5
8. HR Policies.....	6
9. Duty to Report to other authorities	7
10. Work Performance	7
11. Safety at Work.....	8
13. Perpetrators of Domestic Abuse	8
14. Support for Victims	9
15. Domestic Abuse Champions	9
17. External Organisations	9
18. Housing	9
19. Special leave	9
20. Welfare Loans	10
21. Wellbeing & Benefits Section	10
22. Support for Perpetrators.....	10
Appendix 1 – Indications of Domestic Abuse and Discussion Checklist.....	11
Appendix 2 - Perpetrator Programmes.....	13
Appendix 3 - External Organisations Contacts.....	14
Appendix 4 - Domestic Abuse Champions.....	16
Appendix 5 - Document Version Control.....	17

1. Introduction

- 1.1 Domestic abuse does not discriminate. It can affect the morale, health, well-being, self-confidence and sense of dignity of those suffering abuse and this can result in a detrimental effect on their ability to carry out their job and to attend work regularly.
- 1.2 Research shows that the risk of serious harm to victims escalates at the point of leaving their home or workplace. An estimated 2 million adults aged 16 to 59 years experienced domestic abuse in 2018 (1.3 million women, 695,000 men). Even if someone has only been abused once, it is still domestic abuse.
- 1.3 This policy supports the council's vision to be a borough where we can all feel safe from harm.
- 1.4 The aim of this policy is to signpost employees to the support available in respect of their health and wellbeing and to provide advice and guidance to managers on the implications of domestic abuse in the workplace.
- 1.5 The council will take all reasonable steps possible to combat the impact of domestic abuse on those being abused and to challenge the behavior of perpetrators.
- 1.6 Domestic abuse will not be condoned under any circumstance. All employees must adhere to the standards of professional conduct.
- 1.7 As part of our commitment to be a supportive employer the council has signed up to the GMB Union's 'Work to Stop Domestic Abuse' Charter.

2. Scope

- 2.1 This policy applies to all employees of the council, and includes agency workers and contractors with the exception of schools based employees who operate their own policies and guidance.

3. Legal Context

- 3.1 The Domestic Abuse policy takes into account the following legislation, and employees are encouraged to refer to this legislation where cases require.
 - Domestic Violence, Crime and Victims Act 2004
 - Protection from Harassment Act 1997
 - The Family Law Act 1996
 - Anti-Social Behaviour Act 2003
 - Human Rights Act 1998
 - The Data Protection Act 1998
 - The Housing Act 1996
 - The Equality Act 2010
 - The Domestic Abuse Bill 2019

4. Definition of Domestic Abuse

- 4.1 Domestic abuse is any incident or pattern of incidents of controlling, coercive or threatening, degrading and violent behaviour between those aged 16 or over who are or have been intimate partners, family members or carers regardless of gender or sexuality. This can encompass, but is not limited to, psychological, physical, sexual, financial or emotional abuse.

- 4.2 Domestic abuse can be experienced by a parent at the hands of a child. It can also be experienced by people outside the family unit who may become victims or perpetrators.
- 4.3 Domestic abuse takes many forms of controlling behaviour and can include harassment, emotional, economic, sexual and physical abuse.
- 4.4 *Controlling behaviour* is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.
- 4.5 *Coercive behaviour* is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

5. Policy Statement

- 5.1 Everyone has the right to live their life free from violence, fear and abuse and be protected from harm or exploitation.
 - 5.2 This policy aims to ensure that employees who may be suffering domestic abuse:
 - a. Feel as safe and secure as possible whilst at work;
 - b. Feel able to raise the issue with their Manager, Human Resources, Union representative or a Domestic Abuse Champion;
 - c. Are readily able to access information on sources of advice and assistance;
 - d. Have their requests for special leave to resolve issues arising from the domestic abuse dealt with sympathetically.
 - 5.3 The council will ensure that there is a network of trained Domestic Abuse Champions across the council to raise awareness of the local resources and support available to ensure early intervention.
 - 5.4 Managers or those in a safeguarding role should complete the Domestic Abuse Awareness Training to improve their understanding on domestic abuse this will help awareness for potential victims and potential abusers. Employees should be vigilant when they carry out their roles, as their colleagues may need their help and support. [learning hub](#).
 - 5.5 It is not always easy to detect when an individual is experiencing domestic abuse. Abuse is often associated with physical violence, but it may also be emotional or psychological. Managers should be aware and be proactive. Further information on the indication of domestic abuse can be found in Appendix 1.
- ## **6. Confidentiality**
- 6.1 The council will maintain appropriate confidentiality and respect for the rights of the employee involved.
 - 6.2 The person who is experiencing domestic abuse is the person who determines who may know about their situation. If they disclose information to their manager, the manager is bound by their wishes. It may be the first time that they discuss this issue with another individual and it should be their choice who knows about their situation.
 - 6.3 However, there may be circumstances where the council has a duty to disclose information without the express permission of the employee e.g. where there is reasonable cause to suspect a child is at risk – this must be reported to Children’s Services or where there is reasonable cause to suspect that a person has committed a serious offence – this must be reported to the police.

- 6.4 In addition, the victim of domestic abuse should be made aware that if there is a perceived safety risk to their work colleagues it may not be possible for the manager to maintain confidentiality, as those employees would need to be informed so that they could take appropriate precautions.
- 6.5 Where a manager feels information does need to be divulged, they will discuss with the victim of domestic abuse the reasons for doing so and seek their agreement before disclosing any information. The manager may also seek advice from a member of Human Resources team. Agreement will not apply in all cases for example where a child is at risk see paragraph 6.3.
Further information on safeguarding can be found in paragraph 8.2, and section 9 'Duty to report to other authorities.'
- 6.6 Care should be taken in how the situation is handled as there may be employees who become aware of a domestic abuse situation by means other than direct involvement. Where this cannot be avoided the confidentiality aspect should be brought to the attention of the employee involved.
- 6.7 It may be that the employee does wish their work colleagues to know something about their situation and it would then be for the manager to agree with them the best way to approach this. Even where a victim wants their immediate colleagues to know of their situation the information should be contained within this group.
- 6.8 It is important that all meetings take place in a private area to maintain confidentiality.

7. Managers Responses and Responsibilities

- 7.1 Managers have a crucial role to play in enabling employees experiencing domestic abuse to seek help. HR can also provide advice and guidance.
- 7.2 A manager who becomes aware of a domestic abuse situation should, in the first instance, reassure the employee that the situation will be dealt with in complete confidence unless there is a reason it cannot (see 5 above).
- 7.3 A manager should be aware that this may be the first time the employee has discussed the situation with anyone and they may well be feeling a number of very strong emotions, e.g. embarrassment, anger, vulnerability, fright, anxiety etc.
- 7.4 Whilst the manager's role is to support the employee during this time, the manager should maintain an appropriate working relationship at all times. The manager should ensure that they are able to:
- identify if an employee is experiencing difficulties because of domestic abuse;
 - respond to disclosure in a sensitive and non-judgemental manner;
 - be clear about available workplace support;
 - signpost to other organisations and sources of support;
 - respond appropriately to perpetrators;
 - link with the council policies in a supportive way;
 - understand that they are not counsellors.
- 7.5 If an employee discloses that they are stressed due to domestic abuse (or any other matter) the manager has a responsibility to consider what steps could be taken to make sure that the employee is not overloaded at work. Advice may be sought from the Occupational Health Service.

7.6 Managers must consider the implications where both the victim and abuser are employed at Brent Council and particularly where they work at the same work site. Physical or verbal abuse or harassment of any employee by another will not be tolerated and will be the subject of disciplinary action. Consideration may be given to potential relocation for one or both of them. Changing working patterns e.g. compressed working week/'shift' hours. Advice may be sought from HR.

7.7 The manager should adopt a non-judgemental attitude and reassure the employee of his/her willingness to support them as appropriate. there may be reasons why they do not want to leave their domestic abuse situation some examples are listed below this is not an exhaustive list of the potential reasons. Abusive relationships are extremely complex and there many barriers which make leaving both difficult and dangerous.

- Financial considerations
- Fear of being required to leave the UK if a marriage breaks down
- Betrayal of a partner or child
- Fear of institutionalisation for disabled employees
- Perceived lack of sympathy and understanding for gay or lesbian people who experience domestic abuse from their partner
- Fear of losing job or being unable to attend work regularly
- Women from certain communities can fear isolation by their communities if they expose a violent partner.
- Fear of reprisals by their partners.

7.8 Managers should be aware of these factors when offering support. Refer to **Appendix 1** for the Domestic Abuse discussion checklist.

7.9 Managers should contact IT if requested by the employee to put in place measures to screen calls/block calls from the perpetrator where possible and to divert the email away from the employee to a third party monitored account in order to assist in any future legal proceedings.

8. HR Policies

8.1 There are various policies available on the [intranet](#) to support wellbeing for example:
[Flexible Working Policy](#)
[Time Off Policy - Special Paid Leave Scheme](#)

8.2 Other information:
[Safeguarding Children](#)
[Safeguarding Adults](#)

9. Duty to Report to other authorities

- 9.1 Where an employee discloses that they are a perpetrator of domestic abuse and the manager knows they have children, then the council has a safeguarding duty. In the first instance, the manager must escalate to their relevant HR departmental representative, who must in turn immediately request assistance from the Adults and Children's directorates.
- 9.2 The council is signed up to the London Child Protection Procedures <http://www.londoncp.co.uk>.
- 9.3 If an employee becomes aware that a child has been exposed to or witnessed domestic abuse, the council has a duty to make a referral to the local authority in which the child is residing.

10. Work Performance

- 10.1 Domestic abuse can impact on an employee's attendance, performance and wellbeing at work. It is important that employee wellbeing is discussed at one to ones and performance reviews.
- 10.2 Managers should be aware that job performance can be affected and that matrimonial issues, concerns over homelessness, childcare issues, welfare rights, debts and mental health concerns can also affect performance.
- 10.3 The council recognises that those experiencing domestic abuse may need to be absent from work at times and the arrangements for this will be managed on a case by case basis. There will be no adverse effect on the employee's employment record where the absence is related to domestic abuse.

11. Safety at Work

- 11.1 The council has a responsibility to provide all employees with a safe and effective working environment. For some employees, the workplace is a safe haven and the only place that offers routes to safety. The council takes extremely seriously the safety of its employees.

12. Incidents at work

- 12.1 Employees are encouraged to report any alleged incidents of domestic abuse they experience or witness at work to their manager so that the council can investigate and resolve the matter. The council will take all such complaints seriously and an employee who makes a complaint of domestic abuse will be protected and not be penalised or victimised in any way. The council will also instigate an investigation if it has grounds to believe that an employee may have been abusing another work colleague, whether or not there has been a formal complaint.
- 12.2 Victims of domestic abuse may continue to be harassed while at work. The safety of the victim's co-workers who may also be affected by on-the-job harassment by the abuser should be ensured.
- 12.3 While individual circumstances and service needs must always be taken into consideration, the presumption is that working arrangements should be adjusted so that the alleged victim and alleged perpetrator are separated. Reporting arrangements may be changed and either one or both people required to work at a different location.
- 12.4 The manager should put in place appropriate workplace safety procedures such as:
 - encourage the victim to give colleagues minimum information to ensure the safety of all
 - ensure employees/victim are aware of procedure for alerting security and/or police if necessary

- temporarily relocate the victim to a secure area to work
- arrange an escort for the victim for entry to and exit from the building

13. Perpetrators of Domestic Abuse

13.1 Perpetrators may be very reluctant to acknowledge what they are doing and to ask for help. Engaging with perpetrators in a constructive way doesn't mean excusing the abuse and can help to increase safety and even save lives. The council recognise that abusers may need help to change their behaviour, and will support and encourage employees to address violent and abusive behaviours of all kinds. See **Appendix 2** for information on support.

13.2 Employees who perpetrate domestic abuse are expected to notify their employer if they are charged for a domestic abuse offence. The information that the manager gathers will be the basis for its decision about how best to engage with a perpetrator of domestic abuse. The information will help determine what kind of specialist help is required, either for them directly or to manage the risk to other employees, and whether any further action is required. Managers should keep a confidential record of a disclosure and any action decisions that they have taken. Good records may subsequently help in any legal proceedings or disciplinary hearing involving the perpetrator.

Agency workers/contractors are not covered by the HR disciplinary policy, any concerns will be raised with the employing agency

13.3 Employees are also encouraged to seek help, in confidence. However, upon receipt of a disclosure the manager will undertake a risk assessment to determine whether their behaviour brings into question the individual's suitability to the tasks they are asked to carry out in their role. A risk assessment template can be adapted from the Safer Recruitment and Employment policy.

13.4 The council will treat any situation of domestic abuse as potential gross misconduct and employees will therefore be subject to the council's disciplinary procedure. [Examples of Gross Misconduct 2018.pdf \(.pdf\)](#)

14. Support for Victims

14.1 The level of support that a victim may need will vary depending on the circumstances of each case, support is available. The council commissions Advance to support males and females experiencing domestic abuse within Brent. They provide free and confidential information, support and advocacy around domestic abuse. People can self-refer to the service by calling 07398454898, emailing brent.admin@advancecharity.org.uk or filling out the form on their website - <http://advancecharity.org.uk/>. Those residing outside Brent can either contact their local authority to enquire about local support services or they can contact Advance who will help to link them in with the most appropriate service for their needs.

15. Domestic Abuse Champions

15.1 A confidential first point of contact for those experiencing domestic abuse. Employees may wish to approach a trained Domestic Abuse Champion who can offer practical advice and contact information for various support groups. Information can be found on the intranet. **See Appendix 4.**

16. Employee Assistance Programme

16.1 The Employee Assistance Programme is provided by Care First who can support any employee via the counselling service:

16.2 A Care First counsellor is available to victims of domestic abuse 24Hrs a day, 7 days a week via the free phone number – 0808 168 2143. Taking the first step and speaking out is difficult. Care first is an impartial and confidential service. Calls are answered by accredited Counsellors 24Hrs a day, 365 days of the year. The service can offer free advice, support and counselling. The service offers 6 sessions of free telephone or face to face counselling based on individual circumstances.

16.3 In addition, the Care First website is a useful resource. Care First articles around Domestic abuse can be found in the 'relationships' section of the website. The Employee Assistance website can be accessed either via mybrentrewards.co.uk or directly www.carefirst-lifestyle.co.uk enter username: **Brent** password: **employee**

17. External Organisations

17.1 Details of organisations offering external support is listed in **Appendix 3**.

18. Housing

18.1 Safe alternative accommodation can be provided for example a refuge space or an emergency placement into bed and breakfast. If the employee does not have any alternative arrangement through friends and families and does not wish to apply for a welfare loan.

18.2 The employee will be provided with a rent deposit for alternative accommodation in the private sector. The deposit is usually paid to the landlord or agent letting them the property.

18.3 The Domestic Abuse Housing Team have an arrangement where they will buy basic necessities for domestic abuse victims who had to flee leaving everything behind. This covers things like personal care items, milk, bread etc. for a few days. Funds are not paid to the survivor. The email address is DomesticAbuseHousingReferrals@brent.gov.uk
The employee does not have to be a Brent resident to apply for this.

19. Special leave

19.1 Up to ten days' Special leave with pay is available to deal with personal or other important matters in line with the Time Off Policy.

20. Welfare Loans

20.1 Interest-free Welfare Loans are available to support employees fleeing from a domestic abuse situation. Requests for Welfare Loans are subject to terms and conditions.

- A Welfare Loan application form will need to be completed and supported with a letter from a victim support agency or MARAC (multi-agency risk assessment conference, where information is shared on the highest risk cases of domestic violence and abuse between different statutory and voluntary sector agencies).
- The maximum loan to be paid in a domestic abuse situation is the equivalent to one month's net salary up to the sum of £5000.
- The loan will be paid directly to the Housing Provider.
- Same day emergency loans are available, application forms in this circumstance can be approved by Human Resources who will also notify the Head of Service.

Further information on staff loans can be found on the [intranet](#).

21. Staff Wellbeing & Benefits

- 21.1 There are a whole range of employee benefits available which support the wellbeing of everyone working. Further information on staff wellbeing and benefits can be found on the [intranet](#).

22. Support for Perpetrators

- 22.1 People can change if they want to. Most people who are abusive to their partners manage themselves fine with other people (e.g. their manager/friends) they are choosing to do these things to their partner and can therefore choose not to. Perpetrators have to take responsibility for their actions and they have to change their way of thinking/doing.
- 22.2 If Perpetrators are worried about their own behaviour and have decided that they would like to talk to someone or seek help to change, specialist services can help. They are independent to the police and they will not report your behaviour to them unless they believe that someone is at risk of serious harm.
- 22.3 If you are a resident, the council can work with your family to offer holistic support for everyone, to help reduce harm and improve safety. The council also commissions the perpetrator programme through Rise Mutual to provide support to perpetrators of domestic abuse who want to stop being abusive to their partners/ex-partners.
- 22.4 The local service delivers an intense programme of support in the form of 121 and group work.
- 22.5 If you do not live in the borough you will need to contact your council for information on their local perpetrator programme.
- 22.6 There are other services available to support all perpetrators:
- Respect accredit and oversee the perpetrator programmes across the country and provides a national helpline for men and women in heterosexual and same-sex relationships offering information and advice to people who are abusive towards their partners and want help to stop. **See Appendix 2**
 - Relate is the UK's largest provider of relationship support, who can help people of all ages, backgrounds and sexual orientations to strengthen their relationships.

Appendix 1 Indications of Domestic Abuse

1. Work Productivity:

- Change in the person's working patterns for example, frequent absence, lateness or needing to leave work early;
- Reduced quality and quantity of work, missing deadlines, a drop in usual performance standards;
- Change in the use of the phone/email for example, a large number of personal calls/texts, avoiding calls or a strong reaction to calls/texts/emails;
- Spending an increased number of hours at work for no reason;
- Frequent visits to work by the employee's partner, which may indicate coercive control.

2. Changes in behaviour:

- Conduct out of character with previous behaviour for example, becoming very quiet, anxious, frightened, tearful, aggressive, distracted, or depressed;
- Being isolated from colleagues;
- Obsession with leaving work on time;
- Secretive regarding home life;
- Worried about leaving children at home.

3. Physical indicators

- Visible bruising or single or repeated injury with unlikely explanations;
- Change in the pattern or amount of makeup used;
- Change in the manner of dress: for example, clothes that do not suit the climate which may be used to hide injuries;
- Substance use/misuse;
- Fatigue/sleep disorders.

Domestic Abuse Discussion Checklist

This checklist should be used *every* time a manager is presented with a disclosure of domestic abuse from a member of staff. It is important to ensure that the manager has done everything they should have, and considered all angles in which the organisation could support and help the member of staff.

Please note, due to the very nature of domestic abuse, situations and risk can change, develop or escalate very quickly and therefore the Discussion Checklist and the plan of action should be revisited on a regular basis in order to best help the victim and keep them safe.

Name of Employee:

Reported to (Name):

Date:

Task	Action/Notes	Date Completed
Ensure that any discussion about the employee's situation takes place in privacy and that their confidentiality is respected as far as possible (unless there are overriding concerns such as child protection)		
What does the employee want to do? What measures do they feel could help them at work? Suggestions – <input type="checkbox"/> Temporary flexibility on start/finish times <input type="checkbox"/> Change of work location <input type="checkbox"/> Screening of external calls/emails from abuser <input type="checkbox"/> Stress risk assessment <input type="checkbox"/> Share brief information with any colleagues as additional form of support <input type="checkbox"/> Prevent lone working <input type="checkbox"/> Manager to create log of contact/incidents they are aware of		
Check that no children are at risk (see ref. 9.1)		
Discuss whether to report the abuse to the police. Highlight the benefits of doing this. <i>Remember; do not pressure them if they do not want to report it!</i>		
Does the employee need to see; Occupational Health, a GP or other professional for medical attention ?		
What methods of support have been discussed and explored regarding the work place? Has work performance or attendance been affected?		
Give the employee information about: <input type="checkbox"/> Employee Assistance <input type="checkbox"/> Internal Support <input type="checkbox"/> Help lines		
If the person completing the checklist is not the employee's line manager, consideration should be given to informing the line manager. Describe to the employee the possible difficulties that could arise from the line manager not knowing, e.g. performance or absence monitoring.		
When will the employee's situation next be reviewed?		

Appendix 2 - Perpetrator Programmes

Perpetrator Domestic Abuse Services in Brent through Rise Mutual

The Council have commissioned Rise Mutual to deliver the perpetrator programme. Rise Mutual will work with the perpetrator individually or in groups to increase motivation.

Preparing Men for Change

These individual sessions are designed for use with men who have perpetrated domestic abuse within heterosexual relationships, and are aimed at those who are assessed as low to medium risk to their children and partner. They aim to increase motivation to change as well as awareness of child-centred fathering. It enables the service user to develop skills to cope with difficult situations, and to communicate more positively with their partner.

Project PIPA through

Project PIPA is a group work programme, consisting of 5 sessions, to help men who have perpetrated abuse towards an intimate partner identify and change their abusive behaviour, and increase motivation to change.

Specified Individual Perpetrator Programmes through Rise Mutual

Female Aggression & Domestic Abuse (FADA)

FADA has been designed for use with women who have been identified as perpetrating domestic abuse within either a same sex relationship or opposite sex. The programme covers anger management, coercive control and safeguarding children, over a maximum of 14 sessions.

Respectful Partnerships (RP)

RP is specifically for men in same sex relationships, and therefore covers areas of abuse (like outing) which would not be covered in the Safe Relationships programme. A minimum of 9 sessions are suggested, however it could be extended to meet the individuals' needs.

For further information contact Rise Mutual: chan.kandola@risemutual.org or elaine.knibbs@risemutual.org

Perpetrator Programmes through Respect

Most domestic violence perpetrator programmes have been designed for men in heterosexual relationships. Some of these programmes also work with women (in heterosexual or same-sex relationships) and with gay/bi men, in a 1-2-1 setting. For more information call the **Respect** **Phoneline** on **0808 802 4040**.

Domestic violence perpetrator programmes

These are behaviour-change programmes run in small groups aiming to help men stop being violent and abusive. They will help them learn how to relate to their partners in a respectful and equal way, show them non-abusive ways of dealing with difficulties in their relationships and cope with their anger and keep their partner safer.

Groupwork perpetrator programmes are only available for men. Some groups are discussion based, but most use a variety of interactive exercises to make the learning realistic, stimulating and relevant to men's own situations. There are many different programmes across the UK, and the content will vary, but on the whole they will cover for example:

- Learning different, non-abusive ways of dealing with difficulties in your relationship.
- Dealing non-abusively with your partner's anger.
- Negotiation and listening- how to build a respectful relationship.

Appendix 3 - External Organisations Contacts

Contact any of the following to get help and advice about domestic abuse.

Note: All the following organisations are separate from the council so we cannot make any recommendations.

Organisation	Contact Details
Advance	07398454898 brent.admin@advancecharity.org.uk http://advancecharity.org.uk/
Alternatives to Violence Project run regular workshops (Level 1 and Level 2) in London to help people practice non-violent communication.	Email info@avpbritain.org.uk www.avpbritain.org.uk/
Ascent Project (London Violence against women and girls)	020 7431 7227 www.thelondonvawgconsortium.org.uk
Asian Women's Resource Centre	020 8961 5701
Brent Family Front Door – support for Perpetrators	020 8937 4300(internal)
Broken Rainbow National Helpline – LGBT	0300 999 5428 www.broken-rainbow.org.uk
Childline	0800 11 11 www.childline.org.uk
DeafHope - a specialist service for Deaf adults and children who have experienced abuse.	020 8772 3241 www.signhealth.org.uk/deafhope Email: deafhope@signhealth.org.uk SMS: 07970 350 366
Forced Marriage Unit	020 7008 0151 www.gov.uk/stop-forced-marriage Karma Nirvana support victims of forced marriages and honour crimes 0800 599 9247
Friends, families and travellers	01273 234 777
Galop (for lesbian, gay, bisexual and transgender people)	0800 999 5428 www.galop.org.uk
London Lesbian and Gay Switchboard:	0300 330 0630 www.llgs.org.uk
Men's Advice Line	0808 801 0327 www.mensadviceline.org.uk
National Centre for Domestic Violence	0800 970 2070 www.ncdv.org.uk
National Domestic Violence Helpline	0808 2000 247 www.nationaldomesticviolencehelpline.org.uk
Policing Team	Contact your local neighbourhood policing team
Rape Crisis (England and Wales)	0808 802 9999 www.rapecrisis.org.uk
Refuge - refuges, advocacy, community outreach projects and culturally-specific services, including the Eastern European Advocacy Service and the Vietnamese Outreach Service	020 7395 7700 www.refuge.org.uk
Relate	0330 100 1234
Respect For people who are worried about their own abusive behaviour or for professionals or others looking for help for an abuser.	0808 802 4040 www.respectphone.line.org.uk
Respect Men's Advice Line	0808 801 0327 0808 802 4040 www.mensadviceline.org.uk
Rights of women	www.rightsofwomen.org.uk
ROAR (LGBT Domestic Advice helpline service)	07908514748 www.stonewallhousing.org/roar
Victim Support	0845 30 30 900

	www.victimsupport.org.uk
Women and Girls Network	0808 801 0660 www.wgn.org.uk
Women's Aid	0808 2000 247 www.womensaid.org.uk

For more contact details visit the [Brent website](#).

Digital Resources

Personal Safety Alarms

Some organisations, including Victim Support and Advance give out personal alarms. These just make a loud noise when set off, like a traditional rape alarm.

The police can give people panic alarms in their homes and TECSOS phones to carry (<http://www.tecsos.co.uk/AboutTecSOS.html>) which contact the police directly when they are activated however this has to be at the discretion of the police and are not given to all victims.

Bright Sky

Bright Sky is a free to download mobile app, launched in partnership with the Vodafone Foundation, providing support and information to anyone who may be in an abusive relationship or those concerned about someone they know. The App provides:

- A UK-wide directory of specialist domestic abuse support services, and the ability to call national helplines;
- A secure tool where incidents of abuse can be logged, without the content being saved on the device;
- Questionnaires to assess the safety of a relationship.

If you have any enquiries about [Bright Sky](#), you can email brightsky@hestia.org.

TecSOS handset

The [TecSOS](#) handset provides an enhanced level of confidence, protection and reassurance for victims of domestic abuse. Users activate the device which initiates a high priority 999 call

Get help from the police Domestic violence disclosure scheme

Under this scheme you can ask the police to check whether a new or existing partner has a violent past. This is called 'right to ask'. If records show that you may be at risk of domestic abuse from a partner, the police will consider disclosing the information. A disclosure can be made if it is legal, proportionate and necessary to do so.

The "right to ask" also enables a third party, such as a friend or family member, to apply for a disclosure on behalf of someone they know. Again, the police can release information if it is lawful, necessary and proportionate to do so.

In order to make an application under the Domestic Violence Disclosure Scheme please contact the police. You can do this by:

- visiting a police station
- phoning 101
- speaking to a member of the police on the street

If you believe there is an immediate risk of harm to someone, or it is an emergency, you should always call 999.

Often, victims will need time to sort out their financial, childcare or matters related to their situation. Employees should get in touch with their local domestic abuse advocacy service who can provide free, confidential support and advice around housing, finances, civil and/or criminal processes, immigration and more.

Appendix 4 - Domestic Abuse Champions

Recruitment, Selection and Maintenance

The recruitment and selection of the Domestic Abuse Champions will be managed by the Domestic Abuse Housing Alliance Steering Group

The group members are:

- Service Manager for Housing Options
- Domestic Abuse Housing Service Team Leader
- Neighbourhoods Services Manager
- Domestic abuse Housing Officers
- Neighbourhood Housing Manager
- HR representative
- Community Safety representative
- Transformations Services representatives

The members will meet every quarter to ensure the list of champions is maintained.

Application

Information will be published on the intranet.

Domestic Abuse Champions will require a DBS check (Disclosure and Barring – Standard level) as part of the recruitment process.


Training

Domestic Abuse Champions will receive training through Advance, the Domestic Abuse Support specialist.

Appendix 5 - Document Version Control

Name of Policy Author:	Raj Soni-Alagh
Policy version number:	1
Date:	
Last policy version number:	1
Date of last version published:	
Date approved:	
Date for next review:	3 years from date published

This page is intentionally left blank

	General Purposes Committee 20 January 2020
	Report from the Strategic Director, Regeneration and Environment
Stopping Up Order – Land North Chippenham Gardens	

Wards Affected:	Kilburn
Key or Non-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:	Appendix 1 – Stopping Up Order with notice and plan Appendix 2 – Stopping Up Order Committee Report 23 February 2017
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Joynal Hussain, Senior Traffic Order Maker Tel: 020 8937 5538 Email: Joynal.Hussain@brent.gov.uk Marie Frederick, Senior Project Manager Tel: 0208 937 1621 Email: Marie.Frederick@brent.gov.uk

1.0 Purpose of the Report

- 1.1 This report seeks authorisation to make a Stopping Up Order for an area of public highway consisting of footway and road located north of Chippenham Gardens under Section 247 of the Town and Country Planning Act 1990 (TCPA 1990).
- 1.2 This Order is required to complete the development situated at the land north of Chippenham Gardens, which will consist of the demolition of the existing buildings at Nos. 5-9 Chippenham Gardens, former Kilburn Park Post Office and Nos. 4-26 Stuart Road (even numbers only) and the construction of a part-four, five and -six storey building comprising of 52 self-contained flats with associated highway works, hard and soft landscaping, cycle and refuse provision, general amenity space and alterations to the existing highway.

2.0 Recommendations

- 2.1 That members note that the draft Stopping Up Order has been advertised as required by Section 247 TCPA 1990 and that consultees have informed the Council that they have either no objections or no record of apparatus in the immediate vicinity of our enquiry.
- 2.2 That the Committee approve the making of the Stopping Up Order and that a notice of making be advertised.

3.0 Detail

- 3.1 Planning consent was granted in July 2016 for the redevelopment of this site, outlined above, as part of the South Kilburn Regeneration programme.
- 3.2 Higgins Group PLC are the appointed Delivery Partner, working with Octavia, for the consented redevelopment of the site.
- 3.3 A Stopping up Order for the site was approved on the 23 February 2017 (Appendix 2). At a later stage it became apparent that some minor areas of land were excluded from this Order, and which now needed to be included to facilitate the redevelopment.
- 3.4 The Council received 16 responses from utility companies with either no objections or no record of apparatus in the immediate vicinity of our enquiry.

These were from:

- Atkins Global working on behalf of Vodafone dated 4th November 2019
 - CA Telecom UK Ltd dated 5th November 2019
 - Cadent National Grid dated 4th November 2019
 - Cadent – Suresh Patel / Mendick Waring Ltd dated 26th November 2019
 - ES Pipelines dated 24th October 2019
 - ES Pipelines dated 18th November 2019
 - ESP Utilities Group Ltd dated 28th October 2019
 - Location Enquiries – Tube TfL dated 28th October 2019
 - Network Rail – OP Buried Services dated 24th October 2019
 - Plant Enquiries – BU UK dated 24th October 2019
 - Plant Enquiries – Virgin Media dated 24th October 2019
 - Spatial Planning – TfL dated 29th October 2019
 - Thames Water (Devcon Team) dated 31st October 2019
 - Thames Water (Devcon Team) dated 27th November 2019
 - Turner & Townsend dated 24th October 2019
 - Turner & Townsend (MBNL Plant) dated 28th October 2019
 - Virgin Media – Plant Enquiries dated 22nd November 2019
- 3.5 Members are now requested to approve the making of the Stopping Up Order to complete the development of the site.

4.0 Financial Implications

- 4.1 The costs of approximately £5,000 will be initially met by Highways and Infrastructure and recharged to the South Kilburn Programme budget.

5.0 Legal Implications

- 5.1 Section 247 of the TCPA 1990 permits the making of an order for the stopping up of a highway necessary to enable development to be carried in accordance with a valid planning permission. A stopping up order extinguishes the right of the public to pass and repass over the land to which the order will apply. Compensation is not payable to those adversely affected by the order.
- 5.2 Officers have taken the Council's legal advice as to the statutory requirements in relation to the promotion of the Stopping Up Order. If it is agreed to make the Order a notice of making of the Order will be publicised. It will not be open to further objection by the public or other authorities. However, where an order is made and published, or the council decides not to confirm the order this be challenged within certain time limits.

6.0 Equality Implications

- 6.1 There is no diversity implications associated with the approval of this Stopping Up Order.

7.0 Consultation with Ward Members and Stakeholders

- 7.1 None specific.

Related Document

Planning Committee, 14th July 2016, Agenda item No. 02, Case No. 16/1191.

Report sign off:

Amar Dave

Strategic Director, Regeneration & Environment

Appendix 1 – Stopping Up Order with notice and plan



THE LONDON BOROUGH OF BRENT

TOWN AND COUNTRY PLANNING ACT 1990

THE LONDON BOROUGH OF BRENT (STOPPING UP OF HIGHWAYS) (NO. *) ORDER 201*

Made * 201*

THIS ORDER is made by the Mayor and Burgesses of the London Borough of Brent (**"The Council"**) acting in its capacity as a local highway authority and in exercise of its powers under Section 247 and 253 of the Town and Country Planning Act 1990 (**"the Act"**) as amended by Section 270 and Schedule 22 of the Greater London Authority Act 1999 and of all other powers enabling it in that behalf.

BY THIS ORDER:

1. The Council authorises the stopping up of an area of public highway described in Schedule 1 to this order and shown hatched black on the Deposited Plan (**"the Highway"**), in order to enable development described in Schedule 2 to this order to be carried out in accordance with the planning permission granted under Part III of the Act by the Council on 5 August 2016 under Application No. 16/1191. (**"the Development"**).
2. Where immediately before the date of this order there is any apparatus of statutory undertakers under, in, on, over, along or across any area of the highway authorised to be stopped up pursuant to this order then, subject to section 261(4) of the Act, those undertakers shall have the same rights as respects that apparatus after that area of the highway is stopped up as they had immediately beforehand.
3. In this order "the Deposited Plan" means the plan attached to this order and deposited in the offices of Highways Infrastructure, 5th Floor North Wing, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ under Drawing No. 1627/100/01.
4. This order shall come into force on the date on which notice that it has been made is first published in accordance with section 252(10) of the Act, and be cited as The London Borough of Brent (Stopping Up Of Highways) (No. *) Order 201*.

SCHEDULE 1

Description of Highway to be Stopped Up

The areas of public highway to be stopped up is shown hatched black on the Deposited Plan and comprised of two parts, namely:-

- (i) an irregular shaped length of highway to the south of Stuart Road with starting grid reference E525184.4574, N182619.8922 and ending grid reference E525179.8280, N182606.2698 with a maximum length of 14.17 metres and width of 0.89 metres.
- (ii) a curved shaped length of highway to the north of Chippenham Gardens with starting grid reference E525179.8832, N182587.2871 and ending grid reference E525177.4310, N182590.9025 with a maximum length of 4.37 metres and width of 0.96 metres.

SCHEDULE 2

The Development

Demolition of existing buildings at 5-9 Chippenham Gardens, Kilburn Park Post Office and 4-26 Stuart Road (even numbers) and redevelopment of the site to provide part-four, -five and -six storey building comprising 52 self-contained flats (24 x 1 bed, 19 x 2 bed and 9 x 3 bed) with associated highway works, hard and soft landscaping, cycle and refuse provision and alterations to Chippenham Gardens.

The Common Seal of THE MAYOR AND)
BURGESSES OF THE LONDON BOROUGH)
OF BRENT was hereunto affixed in the)
presence of:)

.....
Solicitor



LONDON BOROUGH OF BRENT

SECTION 247 TOWN AND COUNTRY PLANNING ACT 1990

THE LONDON BOROUGH OF BRENT (STOPPING UP OF HIGHWAYS) (NO. *) ORDER 201*

1. **NOTICE IS HEREBY GIVEN** that The Mayor and Burgesses of the London Borough of Brent propose to make an order under Section 247 and 253 of the Town and Country Planning Act 1990 ("The Act") as amended by Section 270 and Schedule 22 of the Greater London Authority Act 1999 to authorise the stopping up of an area of public highway described in Schedule 1 to this notice.
2. If the order is made, the stopping up will be authorised only in order to enable the development described in Schedule 2 to this notice to be carried out in accordance with the planning permission granted under Part III of the Act by the London Borough of Brent as the Local Planning Authority on 5 August 2016 under Application No. 16/1191.
3. A copy of the draft order and of a plan of the relevant area can be inspected and a copy requested free of charge during normal office hours on Mondays to Fridays inclusive until the expiration of a period of 28 days from the 24 October 2019 at Brent Customer Services, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ.
4. Persons desiring to object to the making of the proposed order should send a statement in writing of their objection and the grounds thereof, to the Head of Highways and Infrastructure, Highways Infrastructure Services, 5th Floor North Wing, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ, or via email to trafficorders@brent.gov.uk, quoting the reference TO/23/022B/NP, within the period of 28 days from the 24 October 2019.
5. In preparing an objection it should be borne in mind that the substance of it may be imparted to other persons who may be affected by it and that those persons may wish to communicate with the objector about it.

Dated 24 October 2019.

Tony Kennedy
Head of Highways and Infrastructure

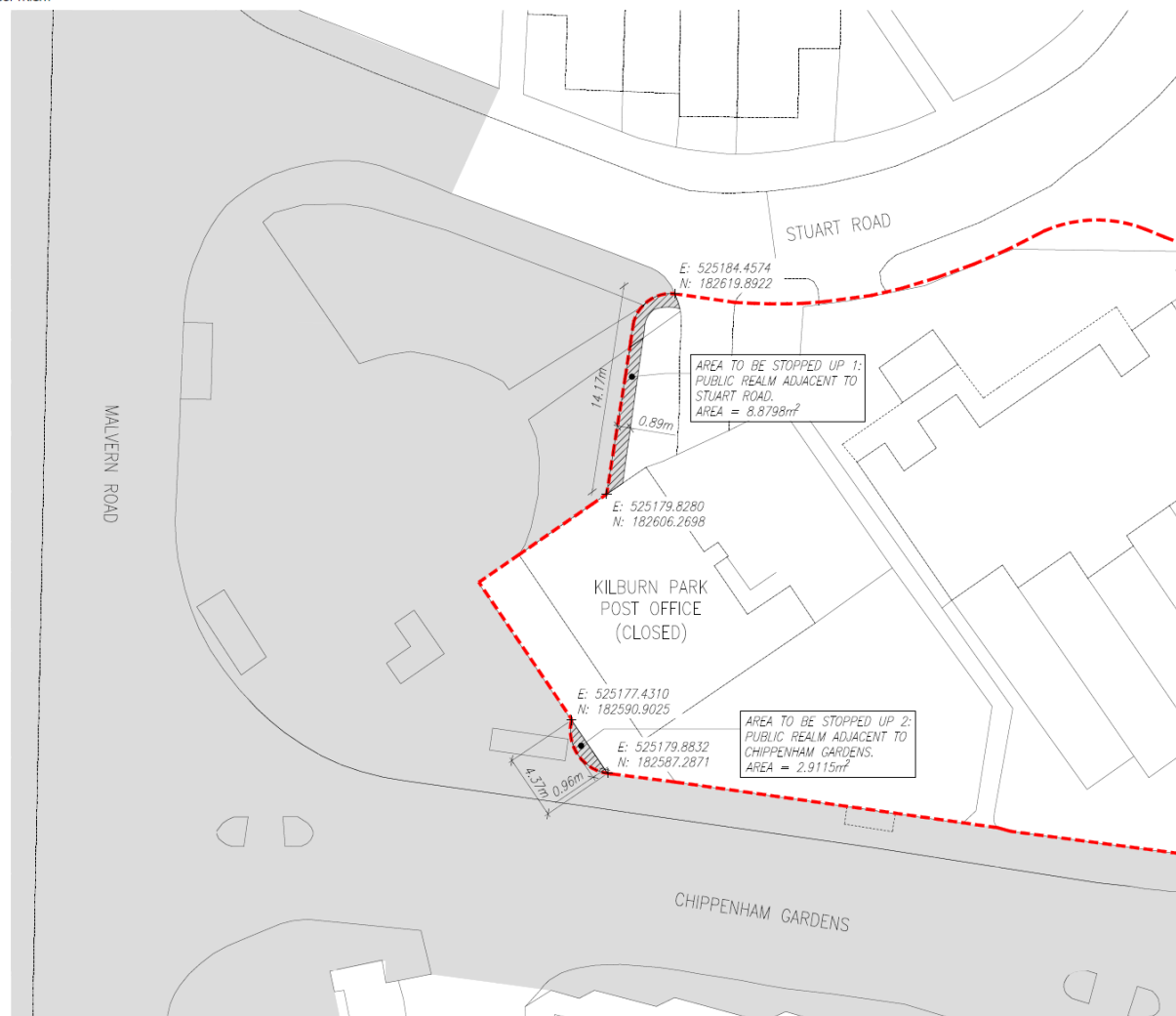
SCHEDULE 1




The areas of public highway to be stopped up is shown hatched black on the Deposited Plan and comprised of two parts bounded by Stuart Road to the north, Malvern Road to the west and Chippenham Gardens to the south. The major part is irregular shaped and lies to the south of Stuart Road with starting grid reference E525184.4574, N182619.8922 and ending grid reference E525179.8280, N182606.2698 with a maximum length of 14.17 metres and width of 0.89 metres. The second part lies to the north of Chippenham Gardens with starting grid reference E525179.8832, N182587.2871 and ending grid reference E525177.4310, N182590.9025 with a maximum length of 4.37 metres and width of 0.96 metres.

SCHEDULE 2

Demolition of existing buildings at 5-9 Chippenham Gardens, Kilburn Park Post Office and 4-26 Stuart Road (even numbers) and redevelopment of the site to provide part-four, -five and -six storey building comprising 52 self-contained flats (24 x 1 bed, 19 x 2 bed and 9 x 3 bed) with associated highway works, hard and soft landscaping, cycle and refuse provision and alterations to Chippenham Gardens.

© COPYRIGHT



notes		
1. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTS AND ENGINEER'S DRAWINGS AND THE SPECIFICATION.		
2. DO NOT SCALE FROM THIS DRAWING.		
3. KEY:		
	EXISTING HIGHWAYS BOUNDARY	
	RED LINE OF NEW DEVELOPMENT	
	HIGHWAY TO BE STOPPED UP	
25.09.19	ISSUED FOR INFORMATION.	MB
job		
LAND NORTH OF CHIPPENHAM GARDENS		
title		
STOPPING UP PLAN		
drawn	checked	
SP	MBr	
date	scale (original - A3)	
SEP 19	1:250	
Alan Baxter		
75 Cowcross Street London EC1M 6EL tel 020 7250 1555 email aba@alanbaxter.co.uk www.alanbaxter.co.uk		
drg no.		rev.
1627/100/01		
Alan Baxter Ltd is a limited company registered in England and Wales, number 08002086. Registered office as above.		

This page is intentionally left blank



THE LONDON BOROUGH OF BRENT

TOWN AND COUNTRY PLANNING ACT 1990

THE LONDON BOROUGH OF BRENT (STOPPING UP OF HIGHWAYS) (NO. *) ORDER 201*

Made * 201*

THIS ORDER is made by the Mayor and Burgesses of the London Borough of Brent (**"The Council"**) acting in its capacity as a local highway authority and in exercise of its powers under Section 247 and 253 of the Town and Country Planning Act 1990 (**"the Act"**) as amended by Section 270 and Schedule 22 of the Greater London Authority Act 1999 and of all other powers enabling it in that behalf.

BY THIS ORDER:

1. The Council authorises the stopping up of an area of public highway described in Schedule 1 to this order and shown hatched black on the Deposited Plan (**"the Highway"**), in order to enable development described in Schedule 2 to this order to be carried out in accordance with the planning permission granted under Part III of the Act by the Council on 5 August 2016 under Application No. 16/1191. (**"the Development"**).
2. Where immediately before the date of this order there is any apparatus of statutory undertakers under, in, on, over, along or across any area of the highway authorised to be stopped up pursuant to this order then, subject to section 261(4) of the Act, those undertakers shall have the same rights as respects that apparatus after that area of the highway is stopped up as they had immediately beforehand.
3. In this order "the Deposited Plan" means the plan attached to this order and deposited in the offices of Highways Infrastructure, 5th Floor North Wing, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ under Drawing No. 1627/100/01.
4. This order shall come into force on the date on which notice that it has been made is first published in accordance with section 252(10) of the Act, and be cited as The London Borough of Brent (Stopping Up Of Highways) (No. *) Order 201*.

SCHEDULE 1

Description of Highway to be Stopped Up

The areas of public highway to be stopped up is shown hatched black on the Deposited Plan and comprised of two parts, namely:-

- (i) an irregular shaped length of highway to the south of Stuart Road with starting grid reference E525184.4574, N182619.8922 and ending grid reference E525179.8280, N182606.2698 with a maximum length of 14.17 metres and width of 0.89 metres.
- (ii) a curved shaped length of highway to the north of Chippenham Gardens with starting grid reference E525179.8832, N182587.2871 and ending grid reference E525177.4310, N182590.9025 with a maximum length of 4.37 metres and width of 0.96 metres.

SCHEDULE 2

The Development

Demolition of existing buildings at 5-9 Chippenham Gardens, Kilburn Park Post Office and 4-26 Stuart Road (even numbers) and redevelopment of the site to provide part-four, -five and -six storey building comprising 52 self-contained flats (24 x 1 bed, 19 x 2 bed and 9 x 3 bed) with associated highway works, hard and soft landscaping, cycle and refuse provision and alterations to Chippenham Gardens.

The Common Seal of THE MAYOR AND)
BURGESSES OF THE LONDON BOROUGH)
OF BRENT was hereunto affixed in the)
presence of:)

.....
Solicitor



LONDON BOROUGH OF BRENT

SECTION 247 TOWN AND COUNTRY PLANNING ACT 1990

THE LONDON BOROUGH OF BRENT (STOPPING UP OF HIGHWAYS) (NO. *) ORDER 201*

1. **NOTICE IS HEREBY GIVEN** that The Mayor and Burgesses of the London Borough of Brent propose to make an order under Section 247 and 253 of the Town and Country Planning Act 1990 ("The Act") as amended by Section 270 and Schedule 22 of the Greater London Authority Act 1999 to authorise the stopping up of an area of public highway described in Schedule 1 to this notice.
2. If the order is made, the stopping up will be authorised only in order to enable the development described in Schedule 2 to this notice to be carried out in accordance with the planning permission granted under Part III of the Act by the London Borough of Brent as the Local Planning Authority on 5 August 2016 under Application No. 16/1191.
3. A copy of the draft order and of a plan of the relevant area can be inspected and a copy requested free of charge during normal office hours on Mondays to Fridays inclusive until the expiration of a period of 28 days from the 24 October 2019 at Brent Customer Services, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ.
4. Persons desiring to object to the making of the proposed order should send a statement in writing of their objection and the grounds thereof, to the Head of Highways and Infrastructure, Highways Infrastructure Services, 5th Floor North Wing, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ, or via email to trafficorders@brent.gov.uk, quoting the reference TO/23/022B/NP, within the period of 28 days from the 24 October 2019.
5. In preparing an objection it should be borne in mind that the substance of it may be imparted to other persons who may be affected by it and that those persons may wish to communicate with the objector about it.

Dated 24 October 2019.

Tony Kennedy
Head of Highways and Infrastructure

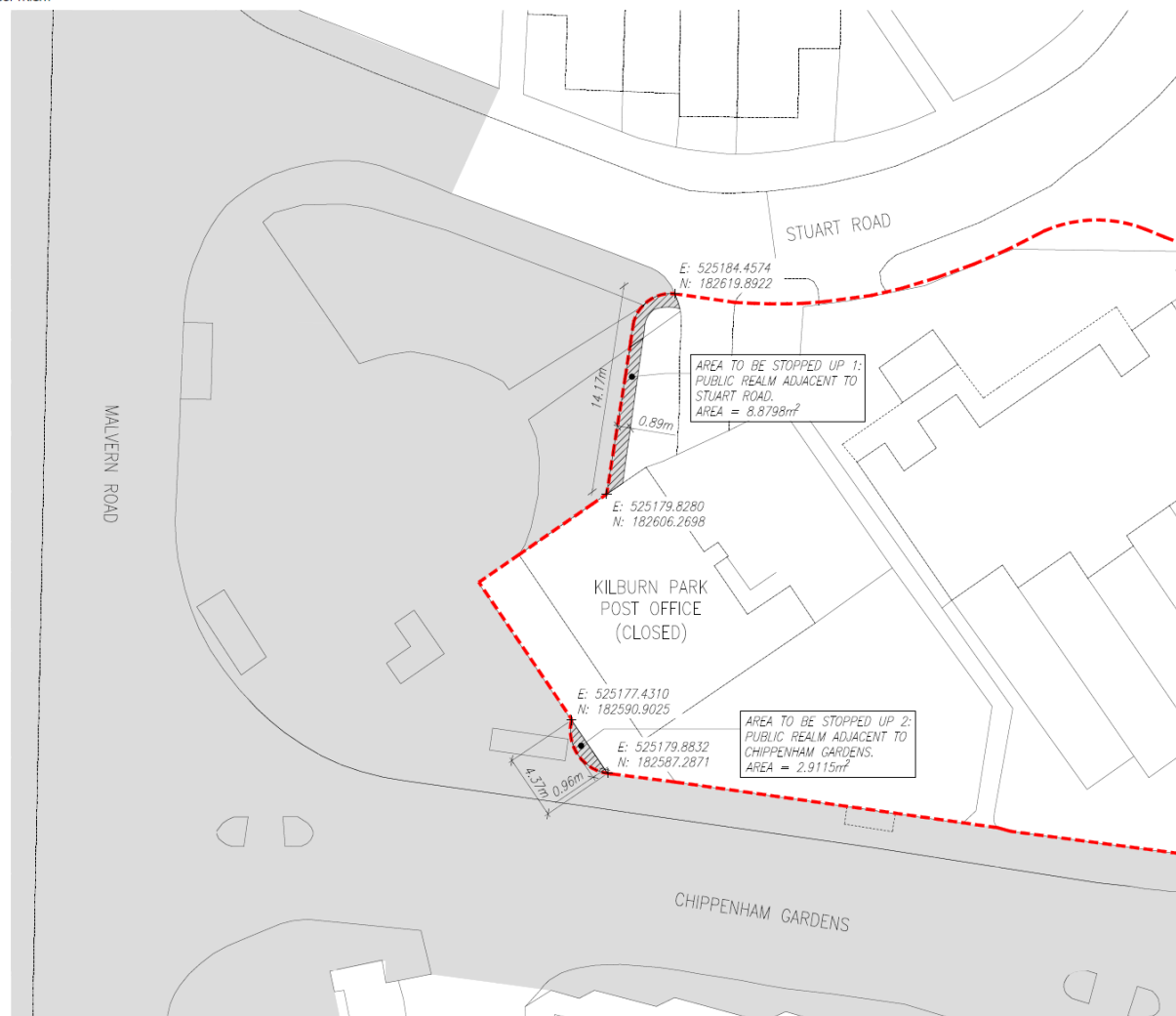
SCHEDULE 1

The areas of public highway to be stopped up is shown hatched black on the Deposited Plan and comprised of two parts bounded by Stuart Road to the north, Malvern Road to the west and Chippenham Gardens to the south. The major part is irregular shaped and lies to the south of Stuart Road with starting grid reference E525184.4574, N182619.8922 and ending grid reference E525179.8280, N182606.2698 with a maximum length of 14.17 metres and width of 0.89 metres. The second part lies to the north of Chippenham Gardens with starting grid reference E525179.8832, N182587.2871 and ending grid reference E525177.4310, N182590.9025 with a maximum length of 4.37 metres and width of 0.96 metres.

SCHEDULE 2

Demolition of existing buildings at 5-9 Chippenham Gardens, Kilburn Park Post Office and 4-26 Stuart Road (even numbers) and redevelopment of the site to provide part-four, -five and -six storey building comprising 52 self-contained flats (24 x 1 bed, 19 x 2 bed and 9 x 3 bed) with associated highway works, hard and soft landscaping, cycle and refuse provision and alterations to Chippenham Gardens.

© COPYRIGHT



<p>note</p> <p>1. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTS AND ENGINEERS' DRAWINGS AND THE SPECIFICATION.</p> <p>2. DO NOT SCALE FROM THIS DRAWING.</p> <p>3. KEY:</p> <div style="display: flex; align-items: center;"> <div style="width: 20px; height: 10px; background-color: #cccccc; border: 1px solid black; margin-right: 5px;"></div> <div>EXISTING HIGHWAYS BOUNDARY</div> </div> <div style="display: flex; align-items: center;"> <div style="width: 20px; border-top: 2px dashed red; margin-right: 5px;"></div> <div>RED LINE OF NEW DEVELOPMENT</div> </div> <div style="display: flex; align-items: center;"> <div style="width: 20px; height: 10px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); border: 1px solid black; margin-right: 5px;"></div> <div>HIGHWAY TO BE STOPPED UP</div> </div>	
<p>25.09.19 ISSUED FOR INFORMATION. MBr</p>	
<p>job</p> <p>LAND NORTH OF CHIPPENHAM GARDENS</p>	
<p>title</p> <p>STOPPING UP PLAN</p>	
<p>drawn</p> <p>SP</p>	<p>checked</p> <p>MBr</p>
<p>date</p> <p>SEP 19</p>	<p>scale (original - A3)</p> <p>1:250</p>
<p>Alan Baxter</p> <p>75 Cowcross Street London EC1M 6EL tel 020 7250 1555 email aba@alanbaxter.co.uk www.alanbaxter.co.uk</p>	
<p>drg. no.</p> <p>1627/100/01</p>	<p>rev.</p>
<p><small>Alan Baxter Ltd is a limited company registered in England and Wales, number 08002086. Registered office as above.</small></p>	



General Purposes Committee
23rd February 2017

**Report from the Strategic Director,
Regeneration and Environment**

For Action

Wards Affected: Kilburn

Report Title:

Stopping Up Order – Land North Chippenham Gardens (Kilburn Park Post Office)

1.0 Summary

- 1.1 This report seeks authorisation to make a Stopping Up Order for an area of public highway consisting of footway and road located north of Chippenham Gardens under Section 247 of the Town and Country Planning Act 1990 (TCPA 1990).
- 1.2 This Order is required to complete the development situated at the land north of Chippenham Gardens (near Kilburn Park Post Office site) which consist of the demolition of the existing buildings at Nos. 5-9 Chippenham Gardens, Kilburn Park and Nos. 4-26 Stuart Road. The redevelopment of the site will provide a part-four, -five and -six storey building comprising of 52 self-contained flats (24x1 bed, 19x2 bed and 9x3 bed) with associated highway works, hard and soft landscaping, cycle and refuse provision, general amenity space and alterations to the existing highway.

2.0 Recommendations

- 2.1 That members note that the draft Stopping Up Order has been advertised in accordance with the requirements of Section 247 TCPA 1990 and that in response to the consultation, 11 consultees have informed the Council that they have either no objections or no record of apparatus in the immediate vicinity of our enquiry. Westminster City Council has no objection to the making of the order and Virgin media invite to seek the diversion of its apparatus if required by the development.

- 2.2 That the Committee approve the Stopping Up Order and agree that a notice of making should be advertised.

3.0 Detail

- 3.1 Planning consent was granted following the Planning Committee meeting of 14th July 2016 for demolition of existing buildings at Nos. 5-9 Chippenham Gardens, Kilburn Park Post Office and Nos. 4-26 Stuart Road (even numbers) and redevelopment of the site to provide part-four, -five and -six storey building comprising 52 self-contained flats (24 x 1 bed, 19 x 2 bed and 9 x 3 bed) with associated highway works, hard and soft landscaping, cycle and refuse provision, alterations to Chippenham Gardens and the stopping up of part of the frontage of the site to facilitate construction of the proposed building.
- 3.2 This development is part of the Council's South Kilburn Regeneration development programme.
- 3.3 There will be no other significant changes to the design or traffic and parking management arrangements on the area of highway to be stopped up.
- 3.4 A draft Stopping Up Order was made under Section 247 TCPA 1990 to enable the redevelopment to take place. A copy of the Order is attached at Appendix 1, together with the relevant plan showing the proposed area to be stopped up and the notice of proposal advertised on 13th October 2016 in the local press and the London Gazette. Statutory consultees, namely utility companies, Transport for London and Westminster City Council were notified of the proposed Stopping-Up Order by e-mail and correspondence.
- 3.5 The Council received 11 responses from utility companies with either no objections or no record of apparatus in the immediate vicinity of our enquiry. These were from:
- ATKINS working on behalf of Vodafone dated 14th October 2016
 - Colt Technology Services dated 19th October 2016
 - ESP Gas Group Ltd dated 12th October 2016
 - London Fire Brigade dated 12th October 2016
 - Instalcom dated 14th October 2016
 - Nationalgrid dated 17th October 2016
 - Network Rail dated 12th October 2016
 - Scottish & Southern Electricity Networks dated 18th October 2016
 - London Underground dated 26th October 2016
 - Transport for London (TfL) dated 1st October 2016
 - Thames Water dated 31st October 2016
- 3.6 The Council also received a response from Virgin Media and Westminster City Council respectively.

3.7 The letter from Virgin Media was a notice to a reference drawing, marked to show the approximate position of plant owned and operated by Virgin Media in the vicinity with an invitation to seek the diversion of its apparatus if required by the development. The developer will make such arrangements if required.

3.8 Westminster City Council has no objection to the making of the order as it will neither affect the highway network of Westminster nor their residents or businesses.

3.9 Members are now requested to approve the making of the Stopping Up Order to complete the development of the site.

4.0 Financial Implications

4.1 The Stopping Up Order making costs of approximately £5,000 will be initially met by Highways and Infrastructure Service and recharged to the South Kilburn Programmed budget.

4.2 There are no other financial implications on the Council's revenue budgets.

5.0 Legal Implications

5.1 Section 247 of the Town and Country Planning Act 1990 (TCPA 1990) permits the making of an order for the stopping up of a highway necessary to enable development to be carried in accordance with a valid planning permission. A stopping up order extinguishes the right of the public to pass and repass over the land to which the order will apply. Compensation is not payable to those adversely affected by the order.

5.2 Officers have taken the Council's legal advice as to the statutory requirements in relation to the promotion of the Stopping Up Order. If it is agreed to make the Order a notice of making of the Order will be publicised. It will not be open to further objection by the public or other authorities. However where an order is made and published, or the council decides not to confirm the order this be challenged within certain time limits.

6.0 Diversity implications

6.1 There is no diversity implications associated with the approval of this Stopping Up Order.

7.0 Staffing / Accommodation Implications

7.1 None specific.

Appendices

Appendix 1 – Stopping Up Order with notice and plan

Background Papers

Correspondence of Highway and Transport Delivery File TO/23/022/NP
Planning Committee, 14th July 2016, Agenda item No. 02, Case No. 16/1191.

Contact Officers

Nicolaas Potgieter – Highways and Infrastructure Service, 5th Floor North Wing, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ. Telephone: 020 8937 5600. E-mail nicolaas.potgieter@brent.gov.uk.

Marie Frederick – Senior Project Manager (Estate Regeneration), South Kilburn Office, Albert Road, NW6 5DE Telephone: 020 8937 1621. E-mail marie.frederick@brent.gov.uk.

Appendix 1 – Stopping Up Order with notice and plan



SECTION 247 TOWN AND COUNTRY PLANNING ACT 1990

LAND NORTH CHIPPENHAM GARDENS (KILBURN PARK POST OFFICE) THE LONDON BOROUGH OF BRENT (STOPPING UP OF HIGHWAYS) (No *) ORDER 201*

MADE XXXXX 2016

THIS ORDER is made by the Mayor and Burgesses of the London Borough of Brent acting in its capacity as a local highway authority and in exercise of its powers under Section 247 of the Town and Country Planning Act 1990 ("the Act") as amended by Section 270 and Schedule 22 of the Greater London Authority Act 1999 and of all other powers enabling it in that behalf.

BY THIS ORDER:

1. The Council authorises the stopping up of the highway described in the First Schedule to this Order and shown in red hatching on the Deposited Plan ("the Highway"), in order to enable the development described in the Second Schedule to this Order to be carried out in accordance with the planning permission granted under Part III of the Act by the Council on 5 August 2016 under planning reference number: 16/1191 ("the Development").
2. In the event that the Development is not implemented on the Highway, the stopping up of the Highway shall not come into effect.
3. Where immediately before the date of this order there is any apparatus of statutory undertakers under, in, on, over along or across any area of the Highway authorised to be stopped up pursuant to this order then, subject to section 261 (4) of the Act, those undertakers shall have the same rights as respects that apparatus after the area of the Highway is stopped up as they had immediately beforehand.
4. In this order "the Deposited Plan" means the plan deposited in the offices of Highways Infrastructure, 5th Floor North Wing, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ, under plan AV4486 SU 001.
5. This order shall come into force on the date on which notice that it has been made is first published in accordance with Section 252(10) of the Act, and may be cited as Land North Chippenham Gardens (Kilburn Park Post Office) The London Borough of Brent (Stopping up of Highways) (No*) Order 201*.

Page 2 of 4

THE FIRST SCHEDULE

Description of Highway to be Stopped Up

The adopted highway area/reference and zone listed in the table below and shown in red hatching on Drawing No. AV4486 SU 001 attached to this Order. The area quoted in the table is the approximate average and has been rounded up. The drawing should be referred to for exact location.

Name / Reference of Highway	Zone Reference / Address of Highway	Starting Grid reference	Ending Grid reference	Highway to be stopped up
				Area (m ²)
The Hatched Red Area of the Public Highway to the North of Kilburn Park Post Office Site on Chippenham Gardens	Land bounded by Stuart Road to the North; and Malvern Road to the West in London Borough of Brent.	E525184.80 N182618.86	E525180.91 N182607.01	31.08

THE SECOND SCHEDULE

THE DEVELOPMENT

Demolition of existing buildings at 5-9 Chippenham Gardens, Kilburn Park Post Office and 4-26 Stuart Road (even numbers) and redevelopment of the site to provide part-four, -five and -six storey building comprising 52 self-contained flats (24 x 1 bed, 19 x 2 bed and 9 x 3 bed) with associated highway works, hard and soft landscaping, cycle and refuse provision and alterations to Chippenham Gardens.

THE COMMON SEAL OF THE MAYOR AND)
BURGESSES OF THE LONDON BOROUGH)
OF BRENT was hereunto affixed in the)
presence of)

Dated: 201*

XXX
(Solicitor)



SECTION 247 TOWN AND COUNTRY PLANNING ACT 1990

LAND NORTH CHIPPENHAM GARDENS (KILBURN PARK POST OFFICE) THE LONDON BOROUGH OF BRENT (STOPPING UP OF HIGHWAYS) (No *) ORDER 201*

1. NOTICE IS HEREBY GIVEN that The Mayor and Burgesses of the London Borough of Brent propose to make an order under Section 247 of the Town and Country Planning Act 1990 ("The Act") to authorise the stopping up of the area of public highway described in Schedule 1 to this notice.
2. If the order is made, the stopping up will be authorised only in order to enable the development described in Schedule 2 to this notice to be carried out in accordance with the planning permission granted by the London Borough of Brent as Local Planning Authority on 5 August 2016 under Planning Reference No. 16/1191
3. A copy of the draft order and a plan of the relevant area can be inspected and a copy requested free of charge during normal office hours on Mondays to Fridays inclusive until the expiration of a period of 28 days from 13 October 2016 at Brent Customer Services, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ and the Community Resource Centre, William Dunbar House, Albert Road, Kilburn, London NW6 5DE.
4. Persons desiring to object to the making of the proposed order should send a statement in writing of their objection and the grounds thereof, to the Head of Highways and Infrastructure, Highways Infrastructure, 5th Floor North Wing, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ, or via email to trafficorders@brent.gov.uk, quoting the reference AV4486 SU 001, within the period of 28 days from the 13 October 2016.
5. In preparing an objection it should be borne in mind that the substance of it may be imparted to other persons who may be affected by it and that those persons may wish to communicate with the objector about it.

Dated 13 October 2016

Tony Kennedy
Head of Highways and Infrastructure

SCHEDULE 1

The hatched red area of the public highway as shown on the Deposited Plan is to be stopped up. It is located to the north of Kilburn Park Post Office site on Chippenham Gardens, and bounded by Stuart Road to the north and Malvern Road to the west with starting grid reference E525184.80, N182618.86 and ending grid reference E525180.91, N182607.01.

SCHEDULE 2

Demolition of existing buildings at 5-9 Chippenham Gardens, Kilburn Park Post Office and 4-26 Stuart Road (even numbers) and redevelopment of the site to provide part-four, -five and -six storey building comprising 52 self-contained flats (24 x 1 bed, 19 x 2 bed and 9 x 3 bed) with associated highway works, hard and soft landscaping, cycle and refuse provision and alterations to Chippenham Gardens.

Page 1 of 1



The contractor is responsible for checking dimensions, tolerances and references. Any discrepancy to be notified with the Authority before proceeding with the works. Where no data is provided by drawings or otherwise, the contractor shall be responsible for its own verification.

Do not scale drawing. Physical dimensions to be worked to in all cases.

CONTRACTOR TO BE RESPONSIBLE FOR CHECKING DIMENSIONS, TOLERANCES AND REFERENCES. ANY DISCREPANCY TO BE NOTIFIED WITH THE AUTHORITY BEFORE PROCEEDING WITH THE WORKS. WHERE NO DATA IS PROVIDED BY DRAWINGS OR OTHERWISE, THE CONTRACTOR SHALL BE RESPONSIBLE FOR ITS OWN VERIFICATION.

All individual property rights reserved.

Drawn LO
Checked CM
Date OCT'18
Scale 1:500

**LONDON BOROUGH OF BRENT
STOPPING UP OF HIGHWAYS (NOM) ORDER 201***
**LAND NORTH CHIPPENHAM GARDENS
(KILBURN PARK POST OFFICE)**

AREA TO BE STOPPED UP

PLAN REF : AV4486 SU 001



This page is intentionally left blank