



## Executive

**Monday, 16 January 2012 at 7.00 pm**

Committee Rooms 1, 2 and 3, Brent Town Hall, Forty Lane, Wembley, HA9 9HD

### Membership:

#### Lead Member Councillors:

#### Portfolio

John (Chair)	Leader/Lead Member for Corporate Strategy and Policy Co-ordination
Butt (Vice-Chair)	Deputy Leader/Lead Member for Resources
Arnold	Lead Member for Children and Families
Beswick	Lead Member for Crime and Public Safety
Crane	Lead Member for Regeneration and Major Projects
Jones	Lead Member for Customers and Citizens
Long	Lead Member for Housing
J Moher	Lead Member for Highways and Transportation
R Moher	Lead Member for Adults and Health
Powney	Lead Member for Environment and Neighbourhoods

**For further information contact:** Toby Howes, Senior Democratic Services Officer  
020 8937 1307, [toby.howes@brent.gov.uk](mailto:toby.howes@brent.gov.uk)

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**The press and public are welcome to attend this meeting**

# Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members.

**Item** **Page**

**1 Declarations of personal and prejudicial interests**

Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.

**2 Minutes of the previous meeting** 1 - 6

**3 Matters arising (if any)**

**4 Deputations (if any)**

**Environment and Neighbourhood Services reports**

**5 Procurement of Highway Services** 7 - 18

This report requests approval, as required by Contract Standing Order 85, to participate in collaborative procurement to set up a pan-London contract for Highway Services.

**Ward Affected:**

All Wards

**Lead Member:** Councillor J Moher

**Contact Officer:** Tim Jackson, Transportation Unit

Tel: 020 8937 5151 [tim.jackson@brent.gov.uk](mailto:tim.jackson@brent.gov.uk)

**6 Cross-borough procurement of cultural services** 19 - 34

This report sets out the proposals for the future delivery of leisure services at Vale Farm Sports Centre and seeks Executive approval to carry out a shared procurement exercise with Ealing and Harrow as part of the West London Alliance. The programme seeks to get the best possible price for the service whilst maintaining quality and service standards through a collaborative procurement exercise.

**Ward Affected:**

All Wards

**Lead Member:** Councillor Powney

**Contact Officer:** Jenny Isaac, Assistant Director, Neighbourhood Services

Tel: 020 8937 5001 [jenny.isaac@brent.gov.uk](mailto:jenny.isaac@brent.gov.uk)

## Regeneration and Major Projects reports

### 7 Willesden Green Redevelopment Project 35 - 64

This report summarises the procurement process undertaken by the Council to procure a developer partner to redevelop the Willesden Green Library Centre site and requests delegation to the Director of Regeneration and Major Projects in consultation with the Director of Legal & Procurement to award and enter into a Development Agreement with the preferred developer partner. It also summarises the structure of the development agreement to be entered into with the preferred developer partner and requests delegation to the Director of Regeneration and Major Projects in consultation with the Director of Finance and Corporate Services to approve the detailed design and detailed cost for the "Council Works".

**Ward Affected:**  
Willesden  
Green

**Lead Member:** Councillor Crane  
**Contact Officer:** Abigail Stratford, Major  
Projects  
Tel: 020 8937 1026  
abigail.stratford@brent.gov.uk

## Central Reports

### 8 Annual Audit Commission Letter 65 - 86

This report accompanies the Annual Audit Letter for 2010/11. The Letter is issued by the Audit Commission.

**Ward Affected:**  
All Wards

**Lead Member:** Councillor John  
**Contact Officer:** Clive Heaphy, Director of  
Finance and Corporate Services  
Tel: 020 8937 1424 clive.heaphy@brent.gov.uk

### 9 Revised Treasury Management Code 87 - 92

This report details the revised Code of Practice in Treasury Management.

**Ward Affected:**  
All Wards

**Lead Member:** Councillor Butt  
**Contact Officer:** Martin Spriggs, Exchequer and  
Investment  
Tel: 020 8937 1472  
martin.spriggs@brent.gov.uk

## 10 Treasury mid-year report

93 - 98

This report updates members on recent treasury activity.

**Ward Affected:**

All Wards

**Lead Member:** Councillor Butt

**Contact Officer:** Martin Spriggs, Exchequer and Investment

Tel: 020 8937 1472

[martin.spriggs@brent.gov.uk](mailto:martin.spriggs@brent.gov.uk)

## 11 NNDR discretionary rate relief

99 - 110

The Council has the discretion to award rate relief to charities or non-profit making bodies. It also has the discretion to remit an individual National Non-Domestic Rate (NNDR) liability in whole or in part on the grounds of hardship. This report includes applications received for discretionary rate relief since the Executive Committee last considered such applications in October 2011. Applications have also been received for 100% discretionary rate relief from Meanwhile Space CIC who are working with the Council in bringing empty shop units in Willesden back into use. These are detailed in Appendix 3.

**Ward Affected:**

All Wards

**Lead Member:** Councillor Butt

**Contact Officer:** Richard Vallis, Revenue and Benefits, Abigail Stratford, Major Projects

Tel: 020 8937 1503, Tel: 020 8937 1026

[richard.vallis@brent.gov.uk](mailto:richard.vallis@brent.gov.uk),

[abigail.stratford@brent.gov.uk](mailto:abigail.stratford@brent.gov.uk)

## 12 Voluntary Sector Initiative Fund

111 -  
262

This report seeks agreement to the creation of a newly named Voluntary Sector Initiative Fund from existing Main Programme Grant and Advice Services Budgets; maintaining the overall level of funding as detailed in Section 6. As existing grant terms come to an end, the report proposes allocating the Main Programme Grant budget to grant-funded Borough Plan aligned projects, enhancing infrastructure support for the voluntary sector and some advice, guidance and advocacy. The report also seeks agreement to extending existing arrangements for advice services and some of the grant projects to enable a review of the advice, guidance and advocacy in 2012-2013.

**Ward Affected:**

All Wards

**Lead Member:** Councillor John

**Contact Officer:** Cathy Tyson, Strategy, Partnerships and Improvement

Tel: 020 8937 1045 [cathy.tyson@brent.gov.uk](mailto:cathy.tyson@brent.gov.uk)

### 13 London Councils Voluntary Sector Grants Scheme

263 -  
290

This report seeks agreement to London Councils Grants Committee budget for 2012/13 and the associated reduction in the level of contribution by Brent Council to the London Borough Grants Scheme.

**Ward Affected:**  
All Wards

**Lead Member:** Councillor John  
**Contact Officer:** Phil Newby, Director of  
Strategy, Partnerships and Improvement  
Tel: 020 8937 1032 phil.newby@brent.gov.uk

### 14 Any Other Urgent Business

Notice of items to be raised under this heading must be given in writing to the Democratic Services Manager or his representative before the meeting in accordance with Standing Order 64.

### 15 Reference of item considered by Call in Overview and Scrutiny Committee (if any)

### 16 Exclusion of Press and Public

The following item is not for publication as it relates to the following category of exempt information as specified in the Local Government Act 1972 namely:

“Information relating to the financial or business affairs of any particular person (including the authority holding that information).”

**Appendices 8, 14 and 16 in relation to item 7 of the agenda, Willesden Green Library Centre Redevelopment**

**Date of the next meeting: Monday, 13 February 2012**



- Please remember to **SWITCH OFF** your mobile phone during the meeting.
- The meeting room is accessible by lift and seats will be provided for members of the public.
  - Toilets are available on the second floor.
  - Catering facilities can be found on the first floor near The Paul Daisley Hall.
  - A public telephone is located in the foyer on the ground floor, opposite the Porters' Lodge

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## LONDON BOROUGH OF BRENT

### MINUTES OF THE EXECUTIVE Monday, 12 December 2011 at 7.00 pm

PRESENT: Councillor John (Chair), Councillor Butt (Vice-Chair) and Councillors Arnold, Beswick, Crane, Jones, Long, J Moher, R Moher and Powney.

ALSO PRESENT: Councillor S Choudhary.

#### 1. **Declarations of personal and prejudicial interests**

Councillor Crane declared a personal interest in the item relating to South Kilburn Neighbourhood Trust as a member of the Board.

#### 2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 14 November 2011 be approved as an accurate record of the meeting.

#### 3. **Arboricultural Services**

Councillor J Moher (Lead Member, Highways and Transportation) introduced the report which requested authority to establish a Framework Agreement for the provision of Arboricultural services, as required by Contract Standing Order No 88. The report summarised the process undertaken in tendering these requirements and, following the evaluation of the tenders, recommended which supplier should be appointed to the Framework Agreement. It was anticipated that the favourable prices obtained via this process mean that even with the £75k budget reduction forecast for next year, similar volumes of work will be undertaken. Councillor J Moher welcomed the possibility of the service being extended across West London.

The Executive also had before them an appendix to the report which was not for publication as it contained the following category of exempt information as specified in Schedule 12 of the Local Government (Access to Information Act) 1972:

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

RESOLVED:-

- (i) that agreement be given to the award of a Framework Agreement for Arboricultural Services to Gristwood and Toms Ltd;

- (ii) that agreement be given to the award of a call-off contract under the Framework agreement referred to in 2.1 to Gristwood and Toms Ltd for a term of four years with a possible two year extension.

#### **4. Parking contract extension**

The report from the Director of Environment and Neighbourhood Services set out current plans for re-tendering of Brent's contracts for parking enforcement and notice processing. Councillor J Moher advised that in the light of concerns about the timing of the new contracts in relation to the 2012 Olympic Games, and fresh opportunities for collaboration in retendering which have arisen, it was now recommended that the existing contracts be extended for a twelve month period.

The Executive also had before them appendices to the report which were not for publication as they contained the following categories of exempt information as specified in Schedule 12 of the Local Government (Access to Information Act) 1972:

- Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

RESOLVED:-

- (i) that the concerns about the existing tendering timetable set out in paragraphs 3.3 and 3.4 of the report from the Director of Environment and Neighbourhood Services and the potential for securing a better outcome through collaboration with West London Alliance partners set out in paragraphs 3.5 to 3.7 be noted;
- (ii) that the legal advice about the risks associated with extending the existing contract set out in paragraphs 5.1 to 5.4 be noted;
- (iii) that agreement be given to the extension of the parking enforcement and notice processing contracts with APCOA for a period of twelve months and that authority be delegated to the Director of Environment and Neighbourhood Services in consultation with the Director of Finance and Corporate Services and the Director of Legal and Procurement to agree the final terms of the extension;
- (iv) that agreement in principle be given to the revised approach to tendering the contracts collaboratively set out in paragraph 3.9 and 3.11 of the Director's report.

#### **5. South Kilburn Neighbourhood Trust - proposed constitutional amendments**

The report from the Director of Regeneration and Major Projects proposed minor changes to the Memorandum and Articles of Association of the South Kilburn Neighbourhood Trust. The amendments provided for the Trust to appoint a non-



Director to the chair, which in turn would allow for the role to be remunerated. These changes have been agreed by the South Kilburn Neighbourhood Trust board, but the terms of the framework agreement between the Trust and the Council requires that all constitutional changes are agreed in writing by the Council. The report also proposed that any future minor amendments to the Memorandum and Articles of Association of the South Kilburn Trust be delegated to the Director of Regeneration Major Projects in conjunction with the Director of Legal and Procurement.

Circulated at the meeting was a supplementary appendix which contained the legal implications of the proposed amendments. The Borough Solicitor's representative also suggested a minor amendment to recommendation 2.1 to delete reference to the memorandum which was agreed.

RESOLVED:

- (i) that agreement be given to the following amendments to the Articles of Association of the South Kilburn Neighbourhood Trust:

Article 4 – to remove any reference to the Chair of the South Kilburn Partnership either becoming or ceasing to be a Director of the South Kilburn Neighbourhood Trust

Article 19.3 – to include the Chair (now not always being a Director) within the complaints procedure

Article 25 – to allow a person who is not a Director to become Chair, and to give some flexibility as to when this appointment is made

- (ii) that responsibility for approval of future minor amendments to the Memorandum and Articles of Association of South Kilburn Neighbourhood Trust be delegated to the Director of Regeneration and Major Projects, in conjunction with the Director of Legal and Procurement.

*(Councillor Crane declared a personal interest in this item as a Board member of the South Kilburn Neighbourhood Trust).*

## 6. **LDF - submission of Joint West London Waste Plan**

Councillor Crane (Lead Member, Regeneration and Major Projects) introduced the report which presented a draft of the proposed submission version of the Joint West London Waste Plan to be agreed for statutory public consultation across west London. It highlighted the latest position on the proposed designation of sites for processing waste within Brent. Councillor Crane advised that the draft had been received in November 2010 which at the time proposed six sites within Brent out of a total of 24 sites across London for the treatment of waste, only two of which now remained in the plan. Approval was being sought for the Plan's publication and public consultation for six weeks commencing in February 2012.

RESOLVED:-

- (i) that agreement be given to the Proposed Submission Draft Joint West London Waste Plan for publication and public consultation for 6 weeks commencing in February 2012;
- (ii) that authority be delegated to the Director of Regeneration and Major Projects to make minor editing and textual changes to the Proposed Submission Draft of the West London Waste Plan before it is formally published.

#### **7. Quarter 2 - Performance and Finance review**

The report from the Directors of Strategy, Partnerships and Improvement and Finance and Corporate Services provided members with a corporate overview of Finance and Performance information to support informed decision-making and manage performance effectively. The Director undertook to send an updated report which included amended Children and Families data.

RESOLVED:-

- (i) that the Finance and Performance information contained in the from the Directors of Strategy, Performance and Improvement and Finance and Corporate Services report be noted, and agreement given to remedial actions as necessary;
- (ii) that the current and future strategic risks associated with the information provided be noted and agreement given to the remedial actions as appropriate;
- (iii) that progress with responsible officers be challenged necessary;
- (iv) that agreement be given to the budget virements contained in the report.

#### **8. Insurance tender - authority to award contract**

The report from the Director of Finance and Corporate Services requested delegated authority for the Director of Finance and Corporate Services to award the insurance contract that was currently out to tender.

RESOLVED:

that authority be delegated to the Director of Finance and Corporate Services to award the insurance contract that is currently out to tender.

#### **9. Collection Fund Surplus/Deficit at 31 March 2012**

As part of the Council Tax setting process for 2012/2013 the Council is required to estimate the amount of any surplus or deficit on the Collection Fund as at 31 March 2012. This must be done by the 15 January 2012 and this report asks Members to approve the balance projected. Councillor Butt in introducing the report advised that the deficit would be split with the Greater London Authority. The Director of Finance and Corporate Services advised that The GLA share (based on its share of the total precept in 2011/2012) would be 22.64% of any surplus. If a surplus of

£1.0m was declared, the GLA share would be £226,000, leaving Brent's share as £774,000. This would form part of the 2012/14 budget report.

RESOLVED:

that agreement be given to the calculation of the estimated Collection Fund balance as the 31 March 2012 as a surplus of £1.0million.

10. **Any Other Urgent Business**

None.

11. **Exclusion of Press and Public**

RESOLVED:

that the press and public be now excluded from the meeting as the following report contains the following category of exempt information as specified in Schedule 12 of the Local Government (Access to Information Act) 1972:

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

12. **The Mead, Oxhey, Watford, WD19 5BY**

The report from the Director of Regeneration and Major Projects informed the Executive of the disposal of the dwelling house 5 The Mead, previously occupied by a former service tenant and sought the Executive's authority to proceed with the disposal by auction.


RESOLVED:-

- (i) that the arrangement for disposal of the dwelling house known as 5 The Mead, Carpenders Park, Oxhey, Hertfordshire WD19 5BY be noted;
- (ii) that agreement be given to the sale of the property by auction;
- (iii) that authority be delegated to the Assistant Director, Property and Asset Management in consultation with the Borough Solicitor the authority to agree matters as required in order to bring the disposal to a satisfactory and speedy completion.

The meeting ended at 7.10 pm

A JOHN  
Chair

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	<p style="text-align: center;"><b>Executive</b> 16 January 2012</p> <p style="text-align: center;"><b>Report from the Director of Environment and Neighbourhood Services</b></p>
For Action	Wards Affected: ALL
<b>Report Title: Procurement of Highway Services</b>	

## 1.0 Summary

- 1.1 This report requests approval, as required by Contract Standing Order 85, to participate in collaborative procurement to set up a pan-London contract for Highway Services.
- 1.2 The report explains that emerging pan-London collaborative arrangements could offer significant advantages, including financial savings associated with the delivery of highways services, when the current Brent highway arrangement ends on 31<sup>st</sup> March 2013.
- 1.3 The report outlines work being undertaken to identify and quantify those advantages alongside parallel work with Transport for London and a number of London councils as the procurement of a pan-London framework arrangement proceeds.
- 1.4 The report seeks approval to participate in the collaboration to maximise the opportunity to capture any benefits that may arise by procuring services through the pan-London arrangement.

## 2.0 Recommendations

- 2.1 The Executive give approval to the Council participating in a collaborative procurement exercise known as the London Highways Alliance Collaborative which will lead to the establishment of a framework agreement by Transport

for London for the supply of an extensive range of highways orientated services from 1<sup>st</sup> April 2013.

2.2 The Executive give approval to the collaborative procurement exercise described in paragraph 2.1 being exempted from the normal requirements of Brent's Contract Standing Orders in accordance with Contract Standing Orders 85(c) and 84(a) on the basis that there are good financial and operational reasons as set out in the body of this report.

2.3 The Executive note the work the Director of Environment & Neighbourhood Services is leading on, as part of the Council's "One Council" programme, to identify the optimum mechanism for delivering highways services in Brent, as set out in this report, and note that a further report will be presented in due course setting out a proposed way forward which will include consideration of use of the London Highways Alliance Contract.

### **3.0 Detail**

#### **Background**

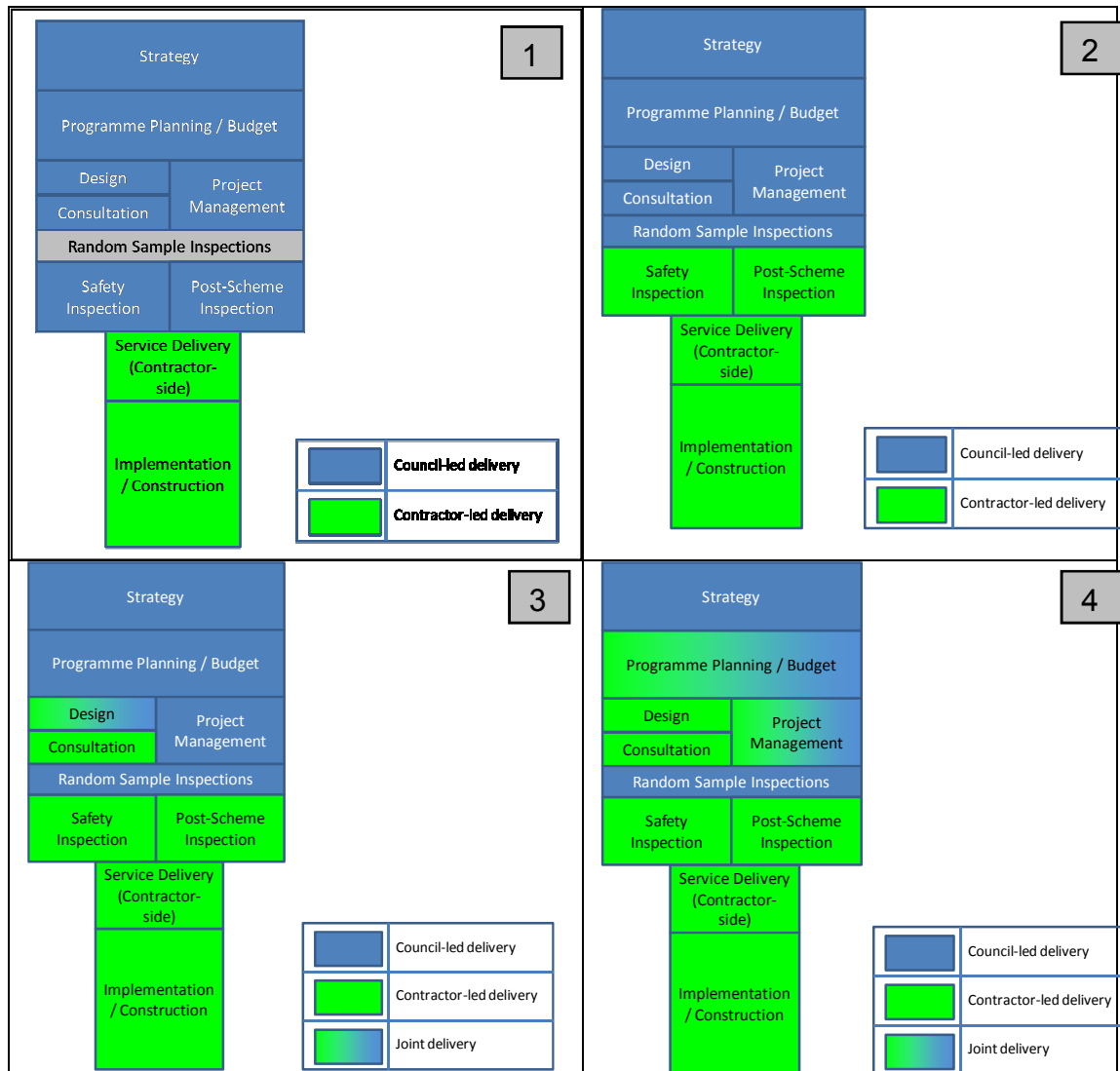
3.1 Highway services (the maintenance and improvement of the highway network) in Brent are delivered by the Director of Environment & Neighbourhood Services. The majority of functions are delivered by Transportation Unit utilising a series of framework contractors but a number of ancillary functions, such as gully cleansing, are delivered by other service units within the same Directorate.

3.2 Since 1994 there has been significant research in the construction sector into how to reduce costs whilst maintaining the right level of quality. The most notable report 'Rethinking Construction' published in 1998 directed the industry towards:

- The wider adoption of partnership contracts rather than adversarial
- Development of a smaller, highly informed client
- A strong focus on customers
- Changing traditional approaches to contractor selection that do not lead to best value
- Early contractor involvement in new projects and schemes
- Partnership and the integration of teams to include suppliers to deliver services
- Performance focus, with failure to perform resulting in penalties, whilst also encouraging collaboration, innovation and continuous improvement
- Contracts that lead to mutual benefit to both parties, are target based and have a whole life cost approach
- Selection of suppliers on a best value basis not lowest price
- Performance measures that are encourage joint working and lead to innovation and continuous improvement
- A culture and processes that are collaborative rather than confrontational that eliminate duplication



3.3 Staffing models differ nationally and regionally with some Councils retaining direct services for delivering highway work and others using contractors to deliver services previously delivered 'in house'. The figure below shows some of the options available, with Brent's current arrangement broadly matching model 1 and the more modern, collaborative structures being models 3 and 4.



3.4 A number of other authorities have already worked together to establish joint partnership contracts which aim to meet best practice. These contracts have resulted in significant savings, for example, the Midlands Highways Alliance Contract is expected to save £11M by 2011 with 6% savings expected over traditional contracts with up to 24% in some areas.

3.5 Although Brent's budgets (and hence buying power) are far lower than these and sample benchmarking from 2009 showed that Brent rates were the third lowest in London there is evidence that an alternative delivery model could deliver savings without compromising service quality.

3.6 The current highways framework arrangements were approved by the Executive in September 2011 and are due to expire on 31<sup>st</sup> March 2013. As a



result, and recognising work that is taking place across London and discussed later in this report, there is now a great opportunity to adopt one of the more modern, collaborative approaches, in order to increase value for money.

- 3.7 The challenges of doing so should not be under estimated in terms of staff structure, client leadership and process improvement.

#### 4. The London Highways Alliance Collaborative

- 4.1 For a number of years London Boroughs and Transport for London (TfL), supported by London Councils and Capital Ambition, have been undertaking work within the “Transforming London’s Highways Management” project to identify and seize opportunities to improve arrangements for the delivery of highway services in London. The project has a number of work streams but has essentially focused on opportunities to increase value for money across London through new collaborative delivery models.
- 4.2 The work is consistent with work being undertaken on a national scale through the Department for Transport (DfT) led, Highways Efficiency Management Programme (HEMP).
- 4.3 This London work has culminated in the development of a new highway services framework which will be used by TfL, and could be used by any London highway authority, for a period of up to 8 years from April 2013. Brent would be in a lot under the framework covering north-west London. The intention is that only one provider would be appointed to provide services in each geographical area as opposed to the multi-provider approach that Brent currently has.
- 4.4 The contract terms and specification have been developed by a partnership of London Borough and TfL officers in a way that is considered will provide quality, affordable services across London. Brent officers have participated fully in development of the common specifications, contract and delivery model although it should be recognised that, as is the nature with all collaborative projects, the project team have not always been able to incorporate all the suggestions from individual members of the collaborative.
- 4.5 When the new framework arrangements are in place, authorities will be able to procure a full or limited range of highways services through the new frameworks. They will be able to contract for those services at any time after 1<sup>st</sup> April 2013 having considered the best fit around their current delivery arrangements.
- 4.6 Table 1 maps the scope of the London Highways Alliance contract, Brent's current service provision arrangements and an initial estimate of the areas where it may be advantageous to the Council to procure services through the pan-London contract.

	Scope	Brent Interest	Current delivery arrangement
1	Safety Inspections	Yes	In house

	Scope	Brent Interest	Current delivery arrangement
2	Service Inspections (requests from customers)	No	Council staff determine extent of reactive repairs
3	Inspections of Bridges and other Structures	Yes	In house
4	Site Investigations and Surveys	Yes	In house – assessments are external
5	Design Services	Possibly	In house - involves extensive public consultation and liaison.
6	Road Pavements (including minor repairs and resurfacing)	Yes	External
7	Kerbs, Footways and Paved Areas	Yes	External
8	Traffic Signs	Possibly	In house
9	Road Markings	Yes	External
10	Lighting (including electrical work for signs, etc)	No	PFI Contract
11	Fencing	Yes	Ad-hoc
12	Road Restraint Systems (including pedestrian guard railing)	N/A	External
13	Drainage (excluding gulley cleansing)	Yes	External
14	Earthworks	Yes	External
15	Horticulture, Arboriculture, Landscaping and Ecology	No	Contract recently re-tendered
16	Street Cleaning (sweeping and litter picking)	No	Separate Veolia contract in place
17	Street Cleaning (including gulley cleansing; excluding sweeping and litter picking)	Possibly	In house - includes graffiti removal
18	Bridges and other Structures	Yes	Ad-hoc requirement
19	Tunnels	N/A	No tunnels
20	Street Furniture (excluding signs, lighting columns and pedestrian guard railing)	Yes	External
21	Winter Service	No	Separate Veolia contract in place
22	Emergency Call-Out Service	Yes	In-house

## 5.0 Procurement

- 5.1 Early work on procurement of the new London Highway Alliance framework has begun. The table below sets out the programme being followed:

<b>Activity</b>	<b>Timescale</b>
OJEU notice	October 2011
Supplier day	24/10/11
Specification workshops (for potential participants)	31/11/11 & 03/11/11
Contract terms & conditions to potential participants for comment	16/12/11
Completion of contract documentation	Through to January 2012
Issue Invitations to tender (ITT)	06/02/12
Tender return	30/04/12
Borough specific prices available	June 2012
Award of contract	November 2012
Start of contract	April 2013

- 5.2 The new contract will be let as a collaborative procurement led by TfL and will be tendered according to TfL standing orders. As discussed above, Brent officers have been actively involved with TfL and officers of other London councils in developing the specification, performance indicators and ways of working.
- 5.3 The tendering process has already been commenced by the placing of OJEU adverts. However at this stage potential tenderers have been given no assurance that Brent will procure any or all of it's' highway services through the new arrangements.
- 5.4 The extent of participation by other boroughs in the new arrangements is difficult to gauge at this time. Certainly TfL will be procuring all their highways services through the new arrangements. A small number of councils are intending to procure their core (highways maintenance & improvement) services through the new framework from April 2013. A greater number of councils are indicating that they may procure services through the arrangements beyond April 2013 as their current contracts expire.
- 5.5 As the Invitation to Tender is due to go out in mid-February and as Brent wishes to have a continuing and full role in the shaping of the service specification, it is necessary to obtain Executive approval to participate in the procurement now.
- 5.6 At present the evaluation criteria that will be used to evaluate tenders have not been finalised. Nor is it clear how the evaluation process will be run for this collaboration. Nevertheless governance arrangements are being developed to ensure that any authority procuring services from the contract is able to seize appropriate benefits (savings, service delivery arrangements etc.) from the collaborative arrangements.

5.7 The advantage of Brent being part of the ITT process is that the council can influence the specification for the service and participate in the evaluation process so as to ensure it will provide good services and best value for the residents of Brent if services are procured from the new contracts.

## **6.0 The One Council Highways project**

6.1 A project has been initiated, within and utilising the methodology employed in the One Council programme, to assess and seize the advantages that could flow from procuring services through the London Highways Alliance contract.

6.2 The project sponsor is the Director of Environment & Neighbourhood Services.

6.3 The project will review the Council's current arrangements for delivering all the services that could be delivered through the London Highways Alliance contract to determine whether those services are best procured through the new arrangement from April 2013 (or a later date) or whether an alternative delivery mechanism (which could include tendering services as a single client) would be the most efficient and effective approach.

6.4 Brent's Transportation Unit team has been very successful in the delivery of core highway services and associated work to date. The project will provide a great opportunity to build upon this success. Using national best practice Brent's ways of working and staffing structures can be examined with the goal of delivering savings.

6.5 By getting the best possible prices, we will aim would be to make the money go further - maximising whatever investment is available to manage the risks of potentially deteriorating assets.

6.6 Notwithstanding the eventual conclusions of the project it is anticipated that savings in excess of £300k per annum could be made by adopting a more collaborative approach to the delivery of highways services in Brent.

6.7 The conclusions of that work will be the subject of a separate report to the Executive Committee at an appropriate time.

## **7.0 Current Highway Services budgetary arrangements**

7.1 Expenditure on Highways activity is primarily undertaken through the Transportation Unit cost centre. The Transportation Unit budgets are complex with significant (street works) income and fee recharge targets that offset revenue expenditure.

7.2 In broad terms the Transportation Unit revenue budget is £8m which is offset by £8m income from

- street works fees & penalties (7%),
- fee income from TfL and other work (31%)
- 20% other income and
- a 42% revenue contribution from the parking account.

Expenditure is broadly split as follows:

- Staffing costs - £4.3m
- Internal charges - £1.4m
- Supplies & services - £0.7m
- Contract (works) costs £1.7m

The annual capital budget is £11m approx. which is comprises

- (i) Brent Capital (chiefly the planned roads programme) Allocation (26%)
- (ii) developer contributions (34%) and
- (iii) TfL LIP allocation (40%).

7.3 Of the annual capital budget of £11m, 16% (£1.8m approx.) is spent on staff recharges and 84% (£9.3m approx.) on scheme (infrastructure improvement) work.

7.4 There are other areas of expenditure on highways services that could potentially be in scope for delivery utilising alternative arrangements such as the London Highways Alliance Contract. The One Council Highways project will be identifying those areas of expenditure and potential savings that could be captured through alternative delivery arrangements.

## **8.0 Financial Implications**

8.1 There are no direct financial implications flowing from the recommendations set out in this report which is seeking Executive approval to participate in the London Highways Alliance Collaborative and asking Committee to note the "One Council" project work on the delivery of highways services.

8.2 The costs of participating in the Collaborative comprise officer time and will be contained within existing revenue budgets within the Directorate of Environment & Neighbourhood Services.

8.3 Expenditure on the One Council highways project comprises (existing) officer time although a Project Manager will need to be hired on a temporary worker contract for a 12 month period (approx.) to support and co-ordinate project activity. The estimated cost of the project manager is £50,000 and again will be met from current (Transportation Unit) Directorate of Environment & Neighbourhood Services Budgets.

8.4 The total (aggregated pan-London) value of the services that could be awarded under the framework arrangements is estimated to be of the order of £750m to £1815m over the 8 year period. Current forecast are that services of the value of £100m are likely to be procured through the framework in the first year of the contract. At this stage it is not possible to forecast the value in successive years because this would depend on the number and size of the authorities that chose to procure services, through the collaborative arrangement in the following years.

8.5 The application of Council Procurement Standing Orders and EU Regulations to this contract is set out in the legal implications in section 9 below.

## **9.0 Legal Implications**

9.1 This report is seeking authority to participate in the procurement of framework agreements for the delivery of highways services through a collaborative arrangement. Transport for London will be the procuring organisation.

9.2 The framework is being procured by means of a collaborative procurement exercise. Under Brent Contract Standing Orders (CSOs), paragraph 85(c) such collaborative procurements need to be tendered in accordance with Brent Standing Orders and Financial Regulations, unless the Executive grants an exemption in accordance with Standing Order 84(a). A request for an exemption from the application of Brent CSOs under 84(a) can be approved by the Executive where there are good operational and / or financial reasons, and for this report these reasons are set out in the body of this report.

9.3 The contract requirement included within the TfL framework is a mixture of works and services. The services are mainly “part A” as maintenance of equipment. As a result the requirement is subject to the EU public procurement legislation. TfL are actively running the procurement to comply with the legislation although there have been some aspects where comments by legal and procurement officers about the running of the process to comply with the legislation have not been accepted by TfL. Legal advice will be provided to the Director of Environment & Neighbourhood Services about such aspects and a view taken on areas of concern at such time if or when Brent proposes to call off from the framework. As identified elsewhere in the report this is always the risk of participation in a collaborative procurement. However it should be noted that if any contractor wanted to challenge the way the framework was set up then this challenge would be against TfL rather than any other participant.

9.4 It will be necessary to ensure that the tender documents meet Brent’s requirements and clearly set out Brent’s rights and responsibilities in view of the fact that TfL will be entering into the main framework agreement, with the right for Brent to enter into a call-off contract. One example where Brent input is required is to ensure that appropriate regard is made to TUPE (transfer of staff) legislation in relation to employees of current providers.

9.5 Once Transport for London awards the framework agreement for the north-west London lot there will be a further report to the Executive as indicated above.

## **10.0 Diversity Implications**

10.1 There are no diversity implications associated with the recommendations set out in this report. Any subsequent report proposing that the Council procures highway services utilising a different model from that currently employed will be accompanied by a full Equalities Analysis consistent with the requirements of the Equalities Act 2010.

## **11.0 Staffing/Accommodation Implications (if appropriate)**

11.1 There may be TUPE implications for staff employed by Brent's current contractors and for staff directly employed by Brent council, dependant on which, if any, services Brent decided to procure through the contract. This will be explored in detail during the procurement and will be set out in any future report(s).

## **12.0 Key Risks**

12.1 Collaborative procurements work best if all the participants have common requirements. In this project, Brent officers have been actively involved in developing a pan-London specification, so it already meets the borough's needs.

12.2 There is a risk that the framework doesn't meet Brent's needs at the end of the procurement. While there is no indication at present that this is likely to occur, it would be expected that in such a situation Transport for London would make a decision based on the views of the majority, which may not be in accordance with Brent's requirements. The same applies to proposals put forward by Brent legal & procurement officers to ensure compliance with the EU public procurement legislations (as set out in 9.0)

12.3 If by the end of the procurement process it became apparent that the framework agreement that TfL were about to award did not reflect Brent's needs, then it would be open to Brent not to make a call-off from the framework and consider other options, such as running its own tender exercise.

## **Background Papers**

### **Contact Officers**

Jenny Isaac, Assistant Director (Neighbourhood Services)  
Tim Jackson, Head of Transportation

Sue Harper, Director of Environment & Neighbourhood Services

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**Executive**  
16 January 2012

## **Report from the Director of Environment and Neighbourhood Services**

For Action

Wards Affected:  
ALL

### **Cross-Borough Procurement of Cultural Services**

#### **1.0 Summary**

- 1.1 This report sets out the proposals for the future delivery of leisure services at Vale Farm Sports Centre and seeks Executive approval to carry out a shared procurement exercise with Ealing and Harrow as part of the West London Alliance.
- 1.2 The programme seeks to get the best possible price for the service whilst maintaining quality and service standards through a collaborative procurement exercise.

#### **2.0 Recommendations**

- 2.1 The Executive to give approval for the council to participate in a collaborative procurement exercise leading to the establishment of a framework agreement for leisure services at Vale Farm Sports Centre.
- 2.2 The Executive to give approval to the collaborative procurement exercise detailed in 2.1 above being exempted from the normal requirements of Brent's Contract Standing Orders in accordance with Contract Standing Orders 85(c) and 84(a) on the basis that there are good financial and operational reasons for Harrow leading on the procurement as set out in the report below.
- 2.3 The Executive give approval to publish an OJEU notice for leisure services at Vale Farm Sports Centre and to carry out the pre-qualification exercise.
- 2.4 The Executive ask officers to report back setting out the specification along with any necessary consultation results, equality impact assessment and seeking

approval to the tender evaluation criteria before inviting shortlisted suppliers to submit a detailed tender.

- 2.5 The Executive note the procurement options set out in 3.10-3.12 and give approval for officers to proceed with Option 1 – Lead Borough Model (weak) with a view to moving towards Option 2 – Lead Borough Model (strong).
- 2.6 The Executive note the proposed governance arrangements set out in paragraphs 3.16-3.19 and ask that officers will report back to the Executive for approval to the governance arrangements once they have been developed further.

### **3.0 Detail**

- 3.1 Whilst the Council has already done much to streamline and improve the efficiency of leisure services, the Council is facing significant and on-going budget shortfalls. This has led officers to carefully examine the best approach to maintain delivering savings whilst maintaining standards. In part this work has also been driven by the need to renew the contract for leisure services provision at Vale Farm Sports Centre by October 2013. This contract is held by Leisure Connection and a further extension is not allowed within the terms of the contract. Re-procuring just one sports centre is a small commercial opportunity for companies in the market and therefore it is unlikely to offer best value.
- 3.2 Officers have been actively participating in the work of the West London Alliance with the London Boroughs of Harrow and Ealing to consider future models of provision for a wide range of cultural services, including museums and archives, development services, libraries and leisure services.

### **Soft Market testing**

- 3.3 Initially the cross-borough work reviewed the market for cultural services, finding it to be complex with a patchwork of procurement and contracting strategies with different levels of market maturity:
- Sports provision – a well-established model of contracting and a mixed economy of providers. There is a well understood approach to potential savings through NNDR benefits, economies of scale and management efficiencies.
  - Museums and archives – not established as a model for contracting but a mixed economy of providers through trusts, specialist and private museums and community based initiatives, often with charitable status and NNDR benefits
  - Libraries – very immature market with the majority of public lending library services currently delivered in-house (London Borough of Hounslow is one of the few that has externalised its services) and a few multi-purpose Trusts outside London. No benchmarking data showing improved price or quality
  - Development services – in arts, sports, libraries many authorities work to generate more cultural activity, often through very small in-house teams, possibly working with a range of external partners such as the PCT,

schools and sports coaches. In a few cases these are part of multi-purpose Trusts.

- 3.4 As this list suggests there is a wide range of provider models. These range from mainstream commercial providers to in-house directly managed delivery.
- 3.5 The main companies and organisations within the cultural services market were invited to participate in a soft market testing exercise. This was designed to test the proposal and to inform the details of the project. Six organisations gave presentations and the key conclusions were that:
- While the libraries market is not mature, the more developed leisure market is preparing to grow into this area and would see the cross-borough project as an exciting opportunity.
  - It is possible for the boroughs to “procure” a Trust to deliver their services. The provider may be able to achieve NNDR and VAT benefits and it would be up to the successful provider create or have the appropriate legal form e.g. a company limited by guarantee with charitable status. See paragraph 3.7 for further information.
  - Other savings are dependant on a co-ordinated approach to the contract and contract management by the boroughs. The optimum length of contract was considered to be 10-15 years.
  - There was little interest in museums and archives.
- 3.6 The market testing shows that there is a well-developed market for leisure services and a joint procurement exercise compared to each borough going to market alone would save on legal and procurement costs and involve less officer time. A joint exercise also offers the market a more attractive commercial opportunity giving the councils more power in the negotiation and so offering a better deal for residents. The market testing also showed little interest in museums and archives and development services.
- 3.7 The way forward for libraries was less clear:
- The key saving relates to NNDR. In the event of a Trust being successful in the procurement exercise, the key cashable benefit would come from reduced Business Rates (NNDR) as they receive 80% relief on rates. Recent changes to NNDR collection means this 'benefit' will not be available to the council in the future. The government will set each local authority's rates baseline from an assessment during 2012 and base it on an average from the last 2-4 years (still to be determined by Central Government). If a trust were established after the baseline is set, then the authority would be paying less to itself so there would be no saving overall. In summary, any NNDR savings would still be achieved at Vale Farm Sports Centre but would not be achieved on the library buildings.
  - The external provision of library services is an exceptionally new market in the UK. This brings a high degree of risk to the council at a time when it is focussing on delivering its Libraries Transformation Plan, the library at the new Civic Centre and potentially the new library at Willesden Green (dependent upon the Executive decision of 16th January 2012).

- 3.8 Overall, following the market testing and research with other authorities it is recommended that Brent fully participates in a joint procurement exercise with Harrow and Ealing for leisure services at Vale Farm Sports Centre. Officers recommend that libraries, museums and archives and development services will not be included in the procurement exercise for Brent.

### **The Procurement Process**

- 3.9 A Steering Group of senior officers from Brent, Ealing and Harrow has been set up to oversee the procurement process.
- 3.10 The Steering Group has looked at a number of options for the procurement process. The preferred options are: Option 1 - Lead Borough Model (weak) and Option 2 - Lead Borough Model (strong). These options are described in more detail below.
- 3.11 Option 1- Lead Borough Model (weak)
- With this model, one of the boroughs acts as a lead authority. One contract is awarded by the lead authority but all three boroughs are signatories to it. While there is a common specification there are local variants. In the event of any performance issues the individual borough will take this up with the provider. The benefit of this model is that there will be a direct contractual relationship between each borough and the provider however this model will not maximise the use of economies of scale, as the provider will be subject to three different sets of contract management.
- 3.12 Option 2- Lead Borough Model (strong)
- This is similar to option 1 but with only the lead borough contracting with the provider. The other two boroughs contract with the lead borough to provide the services. Accordingly the contract entered into by the lead borough specifies all the services required within the 3 boroughs. The procurement benefits of this model are maximisation of economies of scale and the provider only has one borough to work with. However, the non-lead boroughs have to rely on the lead borough to deal with provider performance issues effectively. An additional legal agreement is required, because in addition to the partnership agreement set up at the beginning of the partnership and the agreement between provider and lead authority, there is also the need for an agreement between the non-lead boroughs and the lead borough as their service provider.
- 3.13 As such a large scale joint procurement is a new way of working for all three councils officers are of the view that option 1 is the best model at the current time as it enables the Council to retain control during the crucial early days of any new service. However, to deliver further efficiencies officers recommend that the 3 boroughs move towards option 2 as soon as possible once relationships between boroughs have developed and the new service is running smoothly. Discussions about who will be the lead borough are on-going.
- 3.14 As detailed in paragraphs 3.1-3.6 and section 4, Officers consider that there are good financial and operational reasons to participate in the collaborative

procurement. It has been agreed by the steering group that Harrow will be the lead borough for procurement advice. There are some difference between Harrow and Brent's Contract Standing Orders and Financial Regulations. As Harrow is the lead borough for procurement advice officers consider that there are good financial and operational reasons why Harrow's Contract Standing Orders and Financial Regulations should be used rather than Brent's. As a result approval is sought for the collaborative procurement to be exempt from the normal requirements of Brent's Contract Standing Orders and Financial Regulations.

3.15 In accordance with Brent's Contract Standing Orders 88 and 89, pre-tender considerations have been set out below.

Ref	Requirement	Response												
(i)	The nature of the service	Leisure services at Vale Farm Sports Centre. Any supplier tendering for the work will be asked to provide a specifically priced bid for each borough.												
(ii)	The estimated value	Based on current budgets the contract value would be over £20M per annum for all three participating boroughs.  The Vale Farm Sports Centre contract is £0.3m p.a. Vale Farm Sports Centre Based on the current budgets, over the 10 year life of the contract the value is over £200M for all three of the participating boroughs and £3M for Brent).												
(iii)	The contract term	For a period of 10 years for Vale Farm Sports Centre Leisure services.  The Contract(s) will start from 1 April 2013.												
(iv)	The tender procedure to be adopted	Two stage tender procedure with negotiation following Harrow's standing orders.												
(v)	The procurement timetable	Indicative dates are: <table border="1"> <tbody> <tr> <td>Market research completed</td> <td>End November 2011</td> </tr> <tr> <td>Executive approval to participate in joint procurement</td> <td>16/1/12</td> </tr> <tr> <td>Public consultation and Equality impact assessment</td> <td>January-March 2012</td> </tr> <tr> <td>OJEU notice published</td> <td>6/2/12</td> </tr> <tr> <td>Receipt of PQQs</td> <td>20/3/12</td> </tr> <tr> <td>PQQ evaluation complete</td> <td>16/4/12</td> </tr> </tbody> </table>	Market research completed	End November 2011	Executive approval to participate in joint procurement	16/1/12	Public consultation and Equality impact assessment	January-March 2012	OJEU notice published	6/2/12	Receipt of PQQs	20/3/12	PQQ evaluation complete	16/4/12
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Best and Final Offer	July 2012															
Tender evaluation complete	July 2012															
Award recommendation to Executive	Sept 2012 (tbc)															
Contract start date	1/4/13															
(vi)	The evaluation criteria and process	<p>Prequalification documentation and shortlists are to be drawn up in accordance with Harrow's Standing Orders.</p> <p>Officers will report back to the Executive seeking approval to the tender evaluation criteria</p>														
(vii)	Any business risks associated with entering the contract	<p><b>Breakdown in cross-borough working</b> There is a risk that during the duration of the project or after its launch, that the alliance breaks down due to changed political or business drivers. There is a strong track record of collaboration across west London and a strong commitment from the Chief Executives.</p> <p><b>Boroughs unable to agree contract or specification details</b> It has not been agreed or finalised what form the contract will take. In principle, there would be a core contract with borough specific lots. Each borough would be able to specify what is included and excluded and when. However, if there is significant different in the requirements across the borough there would be an impact on the prices available from the suppliers and the resource needed to manage the differing requirements.</p> <p><b>Lack of capacity to deliver</b> Each borough has committed time to develop the outline business case, data collection and project board governance from within existing resources.</p> <p><b>Primary legislative changes</b> The key cashable saving is based on reduction in business rates. There is a risk of legislation changes for example on the charitable relief of NNDR, or local retention of NNDR will affect the business case however as we already receive NNDR savings for Vale Farm Sports Centre this will not</p>														

Ref	Requirement	Response
		<p>affect Brent Council.</p> <p><b>Potential for slippage from timetable</b> The timetable is tight for three boroughs to align their plans, proposals and specifications.</p> <p><b>Form of contract between the boroughs and the provider</b> The contract arrangements will be finalised during the dialogue process of the negotiation with a goal of managing the risks that will be faced during the contract period and ensuring the provider delivers the desired outcomes for residents.</p> <p><b>Building maintenance and lease arrangements</b> During the procurement process the most cost effective split of responsibilities will be determined to take advantage of the relative tax and funding positions for the leisure service provider and the authorities. The current model across the boroughs is for routine repairs to be transferred to the supplier, with the council retaining asset replacement liability. This will be finalised as part of the detailed specification.</p>

### **Governance Arrangements**

- 3.16 The Steering Group has been considering suitable governance arrangements for the cross – borough working arrangements. It is considered that a Lead Borough in Partnership model is the most appropriate.
- 3.17 In a Lead Borough in Partnership model one borough would take the lead and would chair all officer meetings. The same lead borough is project manager and also leads on legal, finance, HR and procurement advice though the non-lead boroughs also need to feed into this in order to give separate advice to their Executives when important decisions are required.
- 3.18 There is the potential for this model to contain an element of delegation of functions to the lead borough e.g. in the event of a casting vote for the lead borough however this would depend on how strong the role of the lead borough is decided to be. Authority would be needed under Brent’s Constitution if there is to be any element of delegation of function. This model would also enable an element of shared services if that was considered desirable. Again, further authority would be required for this.
- 3.19 The proposal is still under development and discussions are on-going (as with the procurement models discussed above) about which borough would take the lead. At this stage the Executive is asked to note the proposed model in with a further report to the Executive in future to agree the detail.

## 4.0 Financial Implications

### Current budgets

4.1 Brent Council currently spends £300,000 providing leisure services at Vale Farm Sports Centre.

### Summary of the Business Case

4.2 One of the key aspects in assessing the benefit to the three boroughs of the proposed approach is to assess the financial position and other benefits of implementing the new arrangements. A joint procurement process could deliver a number of savings which will be quantified during the procurement process:

- Staffing and overhead costs if the supplier managed the services for the three boroughs as one contract
- Potential VAT advantages
- Staffing costs for the boroughs if they established one contract management arrangement rather than three
- Procurement and legal costs through going to procurement once rather than three separate times.

4.3 In the event of a Trust being successful in the procurement exercise, the key cashable benefit would come from reduced Business Rates (NNDR) as they receive 80% relief on rates. The NNDR saving for Vale Farm Sports Centre is £17,000 and this is not at risk from the changes in NNDR.

4.4 The table below gives a broad overview of other potential savings which will vary from borough to borough. These will be worked up in more detail over the coming months.

Saving	RAG Rating	Rationale for Rating
NNDR	<b>Green for Leisure</b>	This saving is already achieved for Vale Farm Sports Centre so will not result in further saving but in future cost avoidance.
Client-side Management	<b>Amber</b>	Client side management structures have yet to be agreed and determined; hence it is rated as Amber. Saving is estimated based on benefits of scale.
Net Management Overheads	<b>Amber</b>	Management Overheads will be determined during the procurement process. Experience from existing contracts is that current charges for ICT and FM are similar, but until later in the procurement process, suppliers are not willing to discuss precise levels.
Staff Savings	<b>Amber</b>	Staff savings model developed using experience from existing contracts and turnover figures. The estimates are predicated on levels of turnover in staff that may or may not occur.
VAT Savings	<b>Red</b>	VAT savings are complicated due to model for reclaiming VAT in local authorities; some local savings will result in lost VAT reclaims in other parts of the council.



Saving	RAG Rating	Rationale for Rating
Increased Income	<b>Red</b>	Through improved market analysis, trusts have a good track record of increasing income. However, forecasting income levels three to ten years in advance is rarely reliable, there would also need to be cross-borough agreement of price de-regulation, in order to provide the supplier with sufficient flexibility to drive increased income.
Gift Aid on Income	<b>Red</b>	In Leisure services, there are some income streams that can be treated as gift aid. However, take-up and legislative changes mean that the level of benefit is hard to predict, hence the Red rating.

4.5 In addition to the “cashable” benefits there are a number of softer “non-cashable” benefits, which are difficult to put a monetary value on, these include:

- Community involvement - a key non-financial benefit of trust status is increased community involvement in the running of services. For example, there may be an opportunity for the community to become involved through Board membership.
- Improved customer choice - with a contract operating across the three boroughs, there will be increased sophistication in provision, particularly close to the borough boundaries, meaning that residents could more readily use services provided by any borough.
- Increased access to grant funding - Trusts spoken to in the research phase indicated that their status makes it easier to raise capital funding from bodies like the National Lottery.
- Increased volunteering - there is evidence to suggest that facilities run by Trusts are better able to access volunteers, as members of the public are more likely to volunteer to work for a Charitable Trust than for a local authority.
- Higher participation rates - there is evidence to suggest that leisure trusts attract greater levels of participation.
- Staff empowerment – a trust can give staff the opportunity to be more involved in the running of services and be more entrepreneurial
- Partnership working - there are a number of examples where trusts have successfully implemented co-design of delivery, for example, improved partnership with local health bodies, resulting in improved outcomes for local residents.

4.6 It is important to note that whilst trusts will be actively encouraged to express an interest in tendering it will be open to all organisations, including purely commercial organisations, to express an interest in the procurement. All organisations will be treated equally throughout the process regardless of their legal form.

4.7 There are no immediate capital implications arising from this report, although there will be a need to ensure the assets are in an appropriate condition before

transferring them to the successful provider. It is likely that any significant capital liability will remain the responsibility of Brent Council.

- 4.8 The majority of the costs to deliver the project will be from officer time within the three boroughs, the initial cost estimates for the key tasks are shown below. The cost of running the procurement exercise is currently estimated as £25,000 for each borough. For Brent, this cost will be funded from existing budgets.

Activity	Lead Borough	2011/12	2012/13
<b>Absorbed Costs</b>			
Specification Development	All	N/A	N/A
Project Management	Ealing	N/A	N/A
Procurement Advice	Harrow	N/A	N/A
Legal Advice	Brent	N/A	N/A
<b>Bought In Costs</b>			
External Specialist Legal Advice	N/A	£45,000.00	£45,000.00
Specialist Financial Advice	N/A	£30,000.00	£30,000.00
<b>Total</b>			

## 5.0 Legal Implications

### Procurement

- 5.1 Leisure services are categorised as Part B services under the Public Contract Regulations 2006 (“the Regulations”) and the contract therefore is not subject to the full application of the EU Regulations. It is however, subject to the overriding EU principles of equality of treatment, fairness and transparency in the award process.
- 5.2 Additionally, case law in the European Court of Justice has established that residual competition requirements still arise in relation to some Part B services, under general provisions of the Directive and the EU Treaty, on the basis that there is an established competitive market for them. Therefore, it is proposed that a voluntary OJEU notice will be issued for the contract to ensure compliance with the overriding EU principles.
- 5.3 The procurement and award of the contract is subject to the Council’s Contract Standing Orders in respect of High Value contracts and Financial Regulations.
- 5.4 The contract is being procured by means of a collaborative procurement exercise. Under Contract Standing Orders 85(c) such collaborative procurements need to be tendered in accordance with Brent Standing Orders and Financial Regulations, unless the Executive grants an exemption in accordance with Standing Order 84(a). A request for an exemption under Standing Order 84(a) can be approved by the Executive where there are good

operational and / or financial reasons, and these reasons are set out in paragraphs 3.13 above.

## **Tupe and Pension Issues**

5.5 Whenever there is a service provision change, staff may have the right to transfer from one supplier of services to another under the TUPE regulations. This means that their contracts and benefits would remain intact, and their new terms and conditions would be with the new supplier of the service. An employee only has this right when the majority of their working time is spent working on that particular activity. If, for example, a new contractor was taking on council staff, then they would have to be made aware of all of the relevant terms and conditions governing that staff as per the agreement, including pension rights if that staff member were a part of the pension. TUPE protection is something which the employee would enforce, although the outgoing service provider would obviously have an interest in ensuring that they are no longer liable for the relevant employees.

## **6.0 Diversity Implications**

6.1 An initial Equalities Impact Assessment has been completed by the project team (see Appendix A). To ensure there is no negative impact the contract with an external provider will include:

- Protection and enhancement of service and targeted provision for protected groups
- Quarterly contract monitoring and annual reviews for review requirements for protected groups
- Annual user survey through the contract to identify the attitudes of protected groups and how they use the services.

6.2 Further work will be carried out on the EIA as the detailed specification is completed.

## **7.0 Staffing and Accommodation Implications**

7.1 The services at Vale Farm Sports Centre are currently provided by external contractors.

7.3 During the next stage of procurement the Steering Group will explore the opportunities for one authority to take the lead on the on-going contract management. This could have further staffing implications.

## **Background Papers**

Equalities Impact Assessment

### **Contact Officer**

Jenny Isaac, Assistant Director (Neighbourhood Services) 0208 937 5001

Sue Harper, Director of Environment & Neighbourhood Services

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## Impact Needs/Requirement Assessment Completion Form

Department: Environment & Neighbourhood Services	Person Responsible: Neil Davies
Service Area: Libraries and Leisure Services	Timescale for Equality Impact Assessment Preliminary EIA – December 2011 Revised EIA – May 2012
Date: 30 December 2011	Completion date: May 2012
Name of service/policy/procedure/project etc: Cross-borough procurement of Cultural Services	Is the service/policy/procedure/project etc: <input checked="" type="checkbox"/> New
<input checked="" type="checkbox"/> Predictive	Adverse impact <input checked="" type="checkbox"/> Not found Service/policy/procedure/project etc, amended to stop or reduce adverse impact <input checked="" type="checkbox"/> No
Is there likely to be a differential impact on any group? <input checked="" type="checkbox"/> No	Please state below:
1. Grounds of race: Ethnicity, nationality or national origin e.g. people of different ethnic backgrounds including Gypsies and Travellers and Refugees/ Asylum Seekers <input checked="" type="checkbox"/> No	2. Grounds of gender: Sex, marital status, transgendered people and people with caring responsibilities <input checked="" type="checkbox"/> No
3. Grounds of disability: Physical or sensory impairment, mental disability or learning disability <input checked="" type="checkbox"/> No	4. Grounds of faith or belief: Religion/faith including people who do not have a religion <input checked="" type="checkbox"/> No
5. Grounds of sexual orientation: Lesbian, Gay and bisexual <input checked="" type="checkbox"/> No	6. Grounds of age: Older people, children and young people <input checked="" type="checkbox"/> No
Consultation conducted <input checked="" type="checkbox"/> No	
Person responsible for arranging the review: Neil Davies	Person responsible for publishing results of Equality Impact Assessment: Neil Davies
Person responsible for monitoring: Neil Davies	Date results due to be published and where:
Signed:	Date: 3 December 2011

## Impact Needs/Requirement Assessment Completion Form

### 1. What is the service/policy/procedure/project etc to be assessed?

A proposal to undertake a shared procurement exercise with Harrow and Ealing for leisure services at Vale Farm Sports Centre.

### 2. Briefly describe the aim of the service/policy etc? What needs or duties is it designed to meet? How does it differ from any existing services/ policies etc in this area

This is a shared procurement exercise with Harrow and Ealing, aiming to maintain current service standards whilst delivering a cash saving.

The specification for leisure services is likely to be similar to the specification for services currently provided.

### 3. Are the aims consistent with the council's Comprehensive Equality Policy?

Yes.

### 4. Is there any evidence to suggest that this could affect some groups of people? Is there an adverse impact around race/gender/disability/faith/sexual orientation/health etc? What are the reasons for this adverse impact?

Not at the current time. The full specification for the service will be completed early in 2012. At that time the specification will be analysed in detail for any potential adverse impacts. If there are any, these will be subject to a further EIA and public consultation. It is predicted that the contracting out of services will enable the council to make savings and protect customer services from further cuts. With regard to staff, the impact is predicted to be neutral as a TUPE transfer would ensure that terms and conditions and employer's responsibilities towards staff are protected.

### 5. Please describe the evidence you have used to make your judgement. What existing data for example (qualitative or quantitative) have you used to form your judgement? Please supply us with the evidence you used to make you judgement separately (by race, gender and disability etc).

There is no change in service standards, so no predicted impact on residents.

### 6. Are there any unmet needs/requirements that can be identified that affect specific groups? (Please refer to provisions of the Disability Discrimination Act and the regulations on sexual orientation and faith, Age regulations/legislation if applicable)

None.

### 7. Have you consulted externally as part of your assessment? Who have you consulted with? What methods did you use? What have you done with the results i.e. how do you intend to use the information gathered as part of the consultation?

If required, consultation will be undertaken in early 2012. Any consultation plan and all relevant documentation would be made available on the council website.

### 8. Have you published the results of the consultation, if so where?

N/A – all consultation results will be published on the council website

## Impact Needs/Requirement Assessment Completion Form

9. Is there a public concern (in the media etc) that this function or policy is being operated in a discriminatory manner?

No.

10. If in your judgement, the proposed service/policy etc does have an adverse impact, can that impact be justified? You need to think about whether the proposed service/policy etc will have a positive or negative effect on the promotion of equality of opportunity, if it will help eliminate discrimination in any way, or encourage or hinder community relations.

Not applicable at the current time.

11. If the impact cannot be justified, how do you intend to deal with it?

Not applicable at the current time.

12. What can be done to improve access to/take up of services?

Not applicable at the current time.

13. What is the justification for taking these measures?

Not applicable at the current time.

14. Please provide us with separate evidence of how you intend to monitor in the future. Please give the name of the person who will be responsible for this on the front page.

The contract will specify that providers will be required to continue and improve provision for targeted Equalities groups.  
Performance will be monitored to ensure that the needs of different groups are met.  
Any provider will be required to have an Equalities policy and a robust monitoring and complaint process.

15. What are your recommendations based on the conclusions and comments of this assessment?

Review the EIA once the specification is developed to identify and consider any potential impacts.

Should you:

1. Take any immediate action? No.
2. Develop equality objectives and targets based on the conclusions? No.
3. Carry out further research? Yes, once the specification is delivered.

16. If equality objectives and targets need to be developed, please list them here.

## Impact Needs/Requirement Assessment Completion Form

17. What will your resource allocation for action comprise of?

Signed by the manager undertaking the assessment:

Full name (in capitals please):

Date:

Service Area and position in the council:

Details of others involved in the assessment - auditing team/peer review:

Once you have completed this form, please take a copy and send it to: **The Corporate Diversity Team, Room 5 Brent Town Hall, Forty Lane, Wembley, Middlesex HA9 9HD**





**Executive**  
16 January 2012

## **Report from the Director of Regeneration and Major Projects**

Wards affected:  
ALL

### **Willesden Green Library Centre Redevelopment**

**APPENDICES 8, 14 AND 16 ARE NOT FOR PUBLICATION**

#### **1.0 Summary**

- 1.1. This report summarises the procurement process undertaken by the Council to procure a developer partner to redevelop the Willesden Green Library Centre site and requests delegation to the Director of Regeneration and Major Projects in consultation with the Director of Legal & Procurement to award and enter into a Development Agreement with the preferred developer partner.
- 1.2. This report summarises the structure of the development agreement to be entered into with the preferred developer partner and requests delegation to the Director of Regeneration and Major Projects in consultation with the Director of Finance and Corporate Services to approve the detailed design and detailed cost for the "**Council Works**"; defined as; a new cultural centre which will include a library, museum, archive and customer contact centre on a designated plot, associated public realm, community amenity spaces and designated car parking.
- 1.3. Finally a general update and overview of the project is provided, demonstrating that all the pieces are now in place to redevelop the Willesden Green Library Centre site and deliver a new cultural centre in the south of the Borough, equivalent in quality to the new civic centre in the north, at net zero capital cost to the Council.

#### **2.0 Recommendations**

- 2.1 That the Executive delegate authority to the Director of Regeneration & Major Projects in consultation with Director of Legal & Procurement to award and enter into a Development Agreement with Galliford Try Plc in respect of the Willesden Green Library Centre site as shown crossed hatched black in the plan A at Appendix 1; such agreement to provide for the acquisition of the

land as shown edged blue and green in the plan B at Appendix 1 and the development of a new cultural centre within the land as shown edged orange in the plan B at Appendix 1.

- 2.2 The Executive authorise the Director of Regeneration and Major Projects to dispose of the land at Chambers Lane Willesden Green shown crossed hatched black on Plan C at Appendix 1 to Galliford Try Plc to form part of the Willesden Green Library Centre site as shown crossed hatched black in the plan A at Appendix 1.
- 2.3 That the Executive authorise the Director of Regeneration & Major Projects (where the Director of Regeneration & Major Projects in conjunction with the Director of Legal and Procurement consider applicable ) to take the necessary steps to override or where requisite extinguish rights and interests in the land which might otherwise act to constrain the development by
- (i) appropriating the land shown crossed hatched black in the plan A at Appendix 1 for planning purposes when it is no longer required for the purposes for which it is currently held
  - (ii) taking any other legal steps as may be necessary to achieve this objective.
- 2.4 That the Executive delegates authority to the Director of Regeneration & Major Projects in consultation with the Director of Finance and Corporate Services to authorise the detailed design and detailed costs for the “Council Works” as detailed in Section 5.2, 7.5 and 7.6.
- 2.5 That the Executive endorses the proposed interim service delivery strategy as detailed in paragraphs 6.4 -6.36 below for the services currently provided at the Willesden Green Library Centre.
- 2.6 That the Executive notes the detailed Impact Needs/Requirements Assessment in Appendix 15 and the detailed Equality Strand Analysis, key issues and proposed mitigation in Annex 15.1.
- 2.7 That the Executive endorses the proposed consultation strategy outlined in Appendix 2.

### **3.0 Background**

- 3.1 In 2009 Brent Council launched a new concept of 1 -2-5-21 customer engagement across the borough. ‘1’ is the Council’s headquarters and flagship building; the new civic centre. ‘2’ refers to tier two, which consists of two major customer facing offerings. One of the tier two buildings is the civic centre; the second building is required to offer a cultural focus for the borough, this has been identified as the Willesden Green Library Centre (WGLC).
- 3.2 WGLC was highlighted as a potential site for the second tier because of its geographical location in the south of the borough, which complements the new civic centre situated in the north and recognises that a large proportion of

our high need customers reside in the south of the Borough. It is already recognised as a local community asset thus it holds the necessary prerequisites to develop into a major cultural hub.

- 3.3 WGLC is a much valued local resource. The building currently incorporates; a library, museum, archive, gallery, bookshop, one-stop-shop, cafeteria, meeting rooms and cinema space and in the past has been the focus of much of the borough's cultural activity. However in recent years the facility has struggled to meet the expectations of local people. The cinema and café have both closed. The building is poorly designed, confusing for visitors, inefficient to run and manifestly does not accord with the Council's vision of delivering customer facing services in modern, state of the art buildings fit for the 21<sup>st</sup> century.

#### **4. Rationale for Change**

- 4.1 Although elements of the WGLC are extremely popular and well used, the building does not lend itself to creating a warm or inviting customer experience. Legibility and access arrangements within the building are poor. Whilst relocating the museum to WGLC has resulted in increased use of the museum service, its location on the second floor does make it relatively less visible limiting visits. Visitors also often struggle to locate and enter the meeting rooms on the second floor.
- 4.2 Historically WGLC has struggled to fulfil its potential. It has not evolved into a truly local cultural destination. Its poorly designed internal structural layout means the building is essentially not fit for purpose. This is most clearly demonstrated in the cinema, which was originally intended to be a theatre, and the café which has a small kitchen and limited storage. The cinema and café have both been vacant for over 2 years and at the time of writing the Council has received no interest from the market to occupy either on a long term lease.
- 4.3 Where poor legibility and vacant spaces combine, areas within the existing WGLC can feel unsafe. This intensifies at night, as the building envelope creates small, dark areas that have no natural surveillance which attract both vandalism and anti social behaviour. The resulting perceived fear of crime does not encourage people from Brent's diverse communities to explore or congregate within the WGLC especially after dark.
- 4.4 The physical condition of WGLC is also extremely poor. A property survey undertaken in 2009 identified that the following essential repairs are required: replace existing plant, repairs to the facade, roof, windows and the installation of IT cabling throughout the building. Completing these repairs would require an initial investment of £657,000 to merely ensure the building was brought up to accord with minimum building standards.
- 4.5 In 2009 when the 1-2-5-21 customer engagement strategy was launched the Council committed to delivering customer facing services in buildings fit for the 21<sup>st</sup> century. High quality, modern, bright, sustainable, flexible, efficient

buildings which are accessible to all and actively welcome people from all of Brent's diverse communities. The new civic centre clearly echoes that commitment. For WGLC to become the Council's tier '2' building with a major customer facing offer, it needs to be redeveloped into a building of comparable quality to the civic centre. The WGLC needs to offer an appropriate outward looking, open and responsive environment for One Council ways of working in a building where people will want to go.

- 4.6 The Council is currently driven by the overarching concept of One Council. This aims to provide excellent public services and deliver these in the most efficient way but also to build strong relationships and better communications between the Council and citizens ensuring local priorities are addressed and that local potential is nurtured. A redeveloped WGLC will play an important role in this strategy supporting both the One Council Library Transformation Project and the One Council Future Customer Service Project.
- 4.7 The One Council Library Transformation Project focuses on a network of libraries in high street locations designed in modern, dynamic, multi functional buildings with an improved digital offer that are able to better meet local community need. Phase three of the transformation project is dependent on delivering a new state of the art library at WGLC.
- 4.8 The Future Customer Service Project aims to improve efficiency and clarity of the services offered to citizens. The strategy is dependent on developing a new customer contact centre at WGLC providing a service for the south of the borough, an area where many of the Council's high need customers reside.
- 4.9 The redevelopment of WGLC has the potential to act as a catalyst for the wider regeneration of the area particularly the lower end of the High Road which has historically failed to thrive, through:
- Stimulating the local economy through nurturing local enterprise and business and through encouraging investment
  - Enhancing the 'offer' and character of the town centre in a way that encourages people both to come to and to spend time in Willesden Green, by day and in the evening, rather than going elsewhere
  - Drawing on and enhancing the strengths of the existing community and its cultural traditions to help build a sense of local identity in terms of both activity and architecture
  - Helping to forge links between communities old and new by providing spaces that encourage shared uses
- 4.10 Despite a strong and robust rational for redeveloping the WGLC, in the current economic and financial climate it is imperative that the redevelopment of WGLC is brought forward only if the project is self financing and delivered at zero net capital cost to the Council. It is also a primary aim of the project that the Council retains the freehold of its new building, in order to maximise control and flexibility for the future.

#### 4.11 **Delivery Approach**

- 4.12 In July 2010 the Council commissioned a feasibility study to explore the potential redevelopment options for the WGLC site. Informed by an options appraisal and subsequent soft market testing, officers were then of the view that it may be possible to deliver a 21st century cultural hub and customer centre of comparable quality to the civic centre at zero net capital cost to the Council if the comprehensive redevelopment of the entire WGLC site was brought forward.
- 4.13 In February 2011 the Executive accordingly gave their approval in principle to the comprehensive redevelopment of the entire WGLC site as shown on plan A at Appendix 1. At the same time, the Executive authorised Officers to call off the Homes and Community Agency Developer Partner Panel Framework (HCA DPP) to test the market and establish if the redevelopment of the WGLC site could be delivered at zero net capital cost to the Council without exhausting the Council's valuable resources.
- 4.14 Following the Executive approval of February 2011, a comprehensive and thorough consultation process was undertaken with Senior Council Officers, WGLC staff and users to discuss, evaluate and agree the key requirements for the Council's proposed new building, which for the purpose of this report will be referred to as a 'cultural centre'. This consultation process produced a vision statement (attached at Appendix 3) and client design brief, which clearly and confidently articulate the Council's technical design and quality requirements for its new cultural centre.
- 4.15 The vision statement and client design brief informed the procurement process outlined below in section 5 and will thereafter form the basis for the detailed design development of the cultural centre.
- 4.16 The key components of the Council's new cultural centre are:
- General Library
  - Children's Library
  - Customer Contact Centre
  - Museum
  - Special Exhibition Gallery
  - Education Room
  - Community Gallery
  - Archive
  - Climate Controlled Archive Store
  - Foyer/Reception
  - Café
  - Three Creative Cluster Spaces which will be fitted out to facilitate an array of artist and cultural programming
  - Data Centre
  - Confidential Conference Room
  - Public Toilets
  - Office Space

- 4.17 Within its immediate amenity, the cultural centre will sit within a high quality public realm, which will include replacement public amenity and a maximum of 8 car parking spaces for staff (1), family and children (2), disabled (2), car club (1) and library escort vans (2).
- 4.18 Following the Executive approval of February 2011 the Council also reviewed the red line site boundary of the site. In order to maximise viability it was decided to incorporate Chambers Lane - the land marked crossed hatched black on plan C at Appendix 1 - within the WGLC site, as shown edged black in the plan A at Appendix 1. In February 2011 the Executive had previously authorised the Assistant Director of Regeneration & Major Projects (Property & Assets) to dispose of the land at Chambers Lane Willesden Green shown crossed edged black on plan C at Appendix 1 with vacant possession by way of auction.
- 4.19 In June 2011, having defined the site and the Council's requirements for the cultural centre, a tender process was followed in accordance with the HCA DPP Framework procurement procedures, a framework which the HCA has set up already under the EU procurement rules.

## **5. Tender Process for the Willesden Green Redevelopment Project leading to recommendation for award of contract.**

- 5.1 The Council are looking to select a developer partner from the HCA DPP Framework to deliver a mixed use redevelopment of the WGLC site.
- 5.2 The Council has stated the selected developer partner would be required to work with the Council to agree the detailed design and build out of the "**Council Works**" defined as: the new cultural centre on a designed plot and in accordance with the client design brief associated public realm, community amenity space and 8 designated car parking spaces. The Council Works would be delivered on the "**Council Works Land**", of which the Council will retain the freehold.
- 5.3 In return the developer partner would be granted the right to develop residential units for market sale, associated public realm and car parking to accord with planning guidance (together defined as the "**Developer Works**") on the remainder of the site. The Developer Works would be delivered on the "**Developer Works Land**", the freehold of which will be transferred to the developer partner on a drip feed basis, such that up to 30 residential units would be available for early transfer to the developer partner before the completion of the Council Works but with the remaining Land withheld from the developer partner until the Council Works were complete.
- 5.4 The key project principles informing the procurement process were;
- Brent Council aspires to deliver the redevelopment of the WGLC at no net capital cost to the Council. It is therefore envisaged the developer partner will deliver a mixed use scheme, in accordance with the Planning Statement, that provides sufficient enabling residential



development for market sale and other appropriate uses, to fund the development of the Council Works.

- Brent Council would retain the freehold of the new cultural centre, on a designated site within the development.
- Brent Council would be responsible for securing vacant possession of the site prior to redevelopment.
- Brent Council aspires to the new cultural centre being open and fully operational by spring 2014.
- Brent Council expects the new cultural centre to be a bespoke high quality flagship building, in line with the Vision Statement and Design Brief.
- The developer partner is expected to work in partnership with Brent Council to deliver the redevelopment of the WGLC site.

#### 5.5 **Principle Structure:**

5.6 The principle structure of the standard offer set out in the procurement documents, in accordance with the Development Agreement is summarised at Appendix 4.

#### 5.7 **Variant Bid:**

5.8 To maximise the project's financial viability, ensure the Council achieves best value and that the project objectives are met, the HCA DPP panel members were also invited but not required to submit one variant bid. Details of the variant bid options, as set out in the procurement documents, in accordance with the Development Agreement are summarised at Appendix 5.

#### 5.9 **Stage 1: Expression of Interest E-mail**

5.10 On 1<sup>st</sup> June 2011 the Council commenced the three stage process involved in calling of the HCA DPP Framework. All seventeen developers on the "Southern Cluster" of the HCA DPP Framework were sent an Expression of Interest E-mail which outlined the key principles of the project as set out above in Section 5.4. The developers were invited to confirm their interest, capacity and resource to bid in a mini competition to deliver the Willesden Green Redevelopment Project.

5.11 A total of 9 developers expressed an interest in the project. All 9 developers were invited to attend a Bidders Day on 16<sup>th</sup> June 2010 and enter the second stage of the procurement process.

#### 5.12 **Stage 2: Sifting Brief**

5.13 On 9<sup>th</sup> June 2011, nine developers were issued with a sifting brief. The sifting brief set out details of the site, background information to the project, the schemes objectives and asked four site specific questions designed to test the developers capabilities and experience in delivering similar mixed used developments within urban areas.

- 5.14 A total of four developers responded to the sifting brief in accordance with the deadline on 30<sup>th</sup> June 2011. The four site specific questions used to shortlist the developers are set out at Appendix 6.
- 5.15 The three developers who scored highest were invited to bid in a mini tender competition to deliver the Willesden Green Redevelopment Project.
- 5.16 **Stage 3: Mini Tender**
- 5.17 On 14<sup>th</sup> July 2011 a project specific mini tender was issued to the 3 short listed developers in what was the third and final stage of the procurement process. The mini tender incorporated an array of project specific information, including but not limited to the following; vision statement, client design brief, planning statement along with a draft Development Agreement, title deeds and site investigation reports.
- 5.18 The mini tender stated that the evaluation will be determined and the contract award on the basis of the most economically advantageous tender MEAT to the Council and in evaluation of the tenders, the Council would use the evaluation criteria set out in the Evaluation Matrix at Appendix 7 of this report. Overall 40% of the marks were awarded for price and 60% for quality.
- 5.19 Of the 40% award for price, 20 points measured the overall 'Value' to the Council. The overall value to the Council was calculated as a sum of the three (or in the case of variant bids, four) elements set out below.
- a) A non refundable payment of £50,000 to the Council on exchange of the Development Agreement
  - b) Confirmation of the Total Cost Allocation for the Council Works to be incurred by the delivery partner. This will form the Council Works Threshold Cost
  - c) Confirmation of the residual land value of the Developer Works Land after allowing for the £50,000 deposit and cost of the Council Work to be delivered on the Council Works Land.
  - d) FOR VARIANT OPTION 1 ONLY: A land payment of £300,000 upon the unconditional date as defined in the Development Agreement.
- 5.20 Tenders from three organisations (Appendix 8) were submitted on time, and these were opened and logged in accordance with the Council's Contract Standing Order 100. Two organisations (Appendix 9) also submitted a variant bid option. Both variant bids received combined Variant Bid Option 1: The inclusion of Chambers Lane and Variant Bid Option 2: Staged Release of Developer Works Land. In total five submissions were received from three organisations.
- 5.21 **Mini Tender: Evaluation Process**
- 5.22 All submissions received were of extremely high quality and all submissions clearly and confidently demonstrated that the redevelopment of the WGLC site could be delivered at no net capital cost to the Council and the cultural centre could be open and operational by spring 2014.



- 5.23 Evaluation of all parts of the tender submission was carried out by a panel of officers, with the assistance of consultants, facilitated by an Officer from the Procurement Section. Technical advice was provided by the Council's Planning Department in respect of sustainability. AOC Architecture provided design advice in evaluating whether the design proposals met the quality and design standards as set out in the client design brief. AOC Architecture also facilitated a workshop with WGLC staff in order to provide feedback on the design proposals from an operational perspective. CB Richard Ellis provided commercial advice. In addition Keegans also provided financial advice. Panel members met on 27<sup>th</sup> September 2011 and 28<sup>th</sup> September 2011 to score the quality section of the evaluation.
- 5.24 The financial evaluation (which carries a maximum percentage of 40 of the total available score) was carried out by the Council's cost consultant Keegans and C B Richard Ellis the Council's agent in conjunction with officers from Finance and Corporate Services.
- 5.25 Two financial adjustments were made to the financial submission to inform the financial evaluation. Developer 1 financial figures were adjusted to reflect the legal advice obtained by the Council on Stamp Duty Land Tax which conflicted with that of Developer 1. Developer 2 financial figures were adjusted to remove the demolition and design fees from the Council Works Threshold Cost. These financial adjustments were made to ensure the Council were evaluating like for like bids.
- 5.26 All three bidders attended a clarification meeting with the tender evaluation panel and technical advisors on 6<sup>th</sup> October 2011. The clarifications provided by the bidders at the meeting informed the tender evaluation panel when they met to confirm their scores on 10<sup>th</sup> October 2011.
- 5.27 The detailed evaluation results are set out in Appendix 10 (price) and Appendix 11 (quality).
- 5.28 Following the evaluation, the variant tender from Developer 1 was identified as the most economically advantageous tender. The Council subsequently entered into discussions with Developer 1 in order to resolve a number of outstanding clarifications. At that point in time, Officers had intended to take recommendation to the Executive in November 2011.
- 5.29 Developer 1 was reliant upon obtaining a significant level of funding from an external source. During the clarification period Developer 1 clarified the terms and conditions of their external funder. The clarifications received identified that Developer 1 required an immediate interest in the Developer Works Land. This was disappointing as prior to its selection the preferred bidder Developer 1 had specifically confirmed that this would not be the case. This was a material change to the structure of the offer as set out in the original tender instructions and Development Agreement which it would have been unfair, to other bidders, to allow. As a result of the clarifications received, Officers concluded that the offer from Developer 1 was non-compliant and therefore

they were no longer in a position to recommend contract award to the Executive in November 2011.

- 5.30 When Brent Council entered into a clarification period with Developer 1, Officers wrote to all bidders advising them of the Council's intention. The Council stated that, if at the end of the clarification period Brent Council were not in a position to appoint the preferred developer, then the Council reserved the right to reopen the competitive process. Consequently, when Officers concluded that the offer from Developer 1 was non-compliant, Brent Council reopened the competitive process and each organisation was given the opportunity to engage further in the bidding process.
- 5.31 On 15<sup>th</sup> November 2011 Brent Council wrote to all three tenderers and provided them with a 9 day window of opportunity to submit a revised standard bid in accordance with the terms and conditions, notices and disclaimers set out in the original Mini Tender Instructions. All tenderers were also invited to submit a revised variant bid in accordance with the terms and conditions, notices and disclaimers set out in the original Mini Tender Instructions. This approach is in accordance with established procurement practice. Alternatively, tenderers were invited to reaffirm all aspects of their original submission.
- 5.32 The information submitted by Developer 2 as part of the revised submission was unclear. A pricing template for the standard bid was submitted but with a supporting appraisal relating to a variant bid. Clarification was twice sought from Developer 2 as to their submission but their responses failed to provide clarity. As the information submitted clearly included the Chambers Lane site, Officers concurred with the technical advisors recommendation, that the offer submitted by Developer 2 was for a Variant Bid Option 1 (inclusion of Chambers Lane) only. Developer 3 submitted both a revised standard bid and variant bid in accordance with the deadline on 24<sup>th</sup> November 2011. Developer 3's variant bid combined Variant Bid Option 1: (the inclusion of Chambers Lane) and Variant Bid Option 2: (staged Release of Developer Works Land). In total three submissions were received from these two organisations. During this period, rather than proposing revised bid(s) Developer 1 reconfirmed their bids, the status of such being as reached at the end of the clarification period (i.e with the required material change to the Development Agreement).
- 5.33 Evaluation of all parts of the revised tender submissions was carried out by a panel of Officers with the assistance of consultants, facilitated by an Officer from the Procurement Section. As Developer 1's bids remained non compliant, their bids were not evaluated.
- 5.34 The detailed evaluation results for the revised tender submissions for Developer 2 and Developer 3 are set out in Appendix 12 (price) and Appendix 13 (quality).
- 5.35 Following the evaluation of the revised tender submissions, the variant bid from Galliford Try Plc has been identified as the top scoring tender bid and

therefore is considered the most economically advantageous tender. As minor clarifications are still being sought from Galliford Try therefore Officers recommend that the Executive delegate authority to the Director of Regeneration & Major Projects in consultation with Director of Legal & Procurement to award and enter into the Development Agreement with Galliford Try Plc, (Company Number 00836539) whose registered office is at Cowley Business Park, Uxbridge, Middlesex, UB8 2AL to redevelop the Willesden Green Library Centre site.

- 5.36 Galliford Try Plc were agreed by the panel to have provided a high quality submission; they showed a good understanding of the aims and ambitions of the project and put forward a strong team who clearly had the appropriate skills and resources to deliver a high quality scheme on time and to budget.
- 5.37 Within their revised submission Galliford Try Plc confirmed that despite the programme delay they could still achieve the Council's target practical completion date of spring 2014.

## **6. Project Update**

### **6.1 Vacant Possession**

In order to redevelop WGLC site the Council is required to secure vacant possession of the site. Parts of the property are currently let on a protected business tenancy to a bookshop and on a tenancy at will to Brent Irish Advisory Service (BIAS). It is essential to the timing of the delivery of the cultural centre that vacant possession of the site is obtained. Most importantly it should be noted that the Council have a legal obligation to deliver vacant possession to the developer partner and as such will be in breach of contract if this cannot be delivered to enable the development to start on site on the allotted date.

- 6.2 In order to secure vacant possession of the site the Council has served the bookshop with a Section 25 Notice to terminate their tenancy. BIAS tenancy at will will be terminated in accordance with the agreed development programme. The Council will offer assistance to both organisations to try and secure alternative premises within the Borough. Additional financial assistance will not be made available. Neither organisation will be offered space within the new cultural centre.

- 6.3 Brent Artist Resource (BAR) currently occupy spaces within the WGLC on a service level agreement. The Council will also offer assistance to BAR to try and secure alternative premises within the Borough.

### **6.4 Interim Service Delivery Strategy**

- 6.5 It is anticipated at the time of writing that the WGLC will need to be closed for just 18 months between September 2012 – April 2014 (inclusive) to enable its redevelopment. To secure vacant possession by September 2012, the WGLC decant will begin in July 2012. It is also envisaged the third party tenants may vacate the site prior to July 2012. To ensure business continuity an interim

service delivery strategy will be implemented for all the core Council services currently provided at the WGLC.

- 6.6 The interim service delivery strategy as set out below in Sections 6.7-6.36 is thorough and comprehensive. It has been designed to maximise opportunities to test new innovative ways of working and to reach as many new customers as possible with the aim of enhancing service provision during the interim period. In the nine months before the redevelopment starts the detailed plan will be further refined.
- 6.7 The interim service delivery strategy also builds upon the focus to deliver the Library Transformation Project, approved by the Executive in April 2011. The improvements are set out in detail in that report, but some of the key areas are:
- 7 day a week opening at all the Council's libraries
  - Improved online services including virtual reading groups, improved reservation services and more reference materials
  - An extensive home delivery and outreach service
  - Exciting events and courses
  - More public involvement in future stock
  - Additional support for children, young people and families and people with disabilities
- 6.8 In addition to these improvements, the new Civic Centre at Wembley will open by June 2013, providing access to a larger library, more study space and public IT.
- 6.9 Whilst the new WCLC facility is being constructed this is an exciting opportunity to reach new audiences and improve the availability of Library, Arts and Heritage (LAH) services. Brent's Cultural Strategy 2010-2015 and the Libraries Transformation Project will be very much at the heart of this vision and the service will work on a wide range of projects with the goal of:
- Keeping existing customers and reaching new customers
  - Enhancing cultural vibrancy and raising the profile of culture
  - Increasing participation
  - Community engagement and consultation
  - Making the most of London 2012 and other major events
- 6.10 A wide range of research has been used to develop the interim service provision in line with community needs:
- The results of the comprehensive public consultation carried out as part of the Libraries Transformation Project
  - Brent commissioned research by Red Quadrant as part of the LTP to look at the current Brent libraries offer , to inform the project and develop proposals
  - Library management data to identify user trends

- Strategic influences- Library Strategy 2010-2012, , Libraries Transformation Project and MLA report: What People Want from Libraries (December 2010)

- 6.11 There will be a blend of traditional and new, innovative services including providing library and museum services through outreach, home visits and 'pop up' venues for events. It is also an exciting time to explore new ways of enhancing cultural diversity and increasing participation across the area.
- 6.12 Customer segmentation of library use across the borough (Red Quadrant report 2010) told us that some groups were under-represented, in particular residents living in high density social housing with higher levels of diversity. Willesden Green is one of the wards that has the highest levels of this type of housing and these areas will be targeted in our activities and marketing campaigns.
- 6.13 Marketing, outreach and communications: There will be a wide reaching communications plan to keep customers, stakeholders and partners informed about the interim services and excited about the redevelopment of the current centre. The communications plan will be carefully targeted to reach key audiences and it will use both traditional and on-line media, leafleting and word of mouth. The plan will also incorporate residents in Kensal Rise and Cricklewood to make sure they are aware of the facilities during the temporary closure.
- 6.14 Monitoring and review of service: Interim service provision will be monitored and evaluated regularly to ensure the service meets its goals of reaching new and potential customers. A working group will be formed to drive services forward and review the progress of all new projects. This group will be made up of the Library Manager, Museum and Archive Manager, Senior Arts Officer, Arts Commissioning Officer and a Regeneration team member.
- 6.15 Staff: Staff will be focussed on day to day delivery of current services and increased community engagement, audience development, outreach and online services, and marketing and promotion.
- 6.16 **Library provision**  
The interim library service will help deliver the Libraries Transformation Project (LTP) plan and will showcase a service delivery model for the redeveloped Willesden Green cultural centre.
- 6.17 During the redevelopment core library functions will be retained in the temporary accommodation and a range of alternative services will be provided. We will reap the benefits of the Libraries Transformation Project during this period, with more books, enhanced outreach services, more home visits, improvements in IT and online digital offer a more efficient reservations process to ensure that Willesden residents still receive an excellent library service.



- 6.18 Library accommodation: A temporary lending library facility will be provided in the Grange Road offices which are conveniently located next to the current library. The location will be well sign-posted. Through this easily accessible location customers will be able to access the full collection of 6 million books with an improved reservation service. Whilst the library will house a reduced collection of stock, further premises are being investigated in the Willesden area.
- 6.19 The popular under 5's sessions, reading group sessions, school support services for excluded children, homework help and chatterbooks sessions for children will all be provided from the Grange Road office and other nearby venues.
- 6.20 Study Spaces: Study space is a key part of the interim service. On an average day, staff observation shows that 60 of the 130 spaces at WGLC are used. During the exam period of April – June most of the spaces are used. Study space for the summer 2012 exams will be provided from the current Willesden Green library.
- 6.21 Day to day, during the temporary closure, we will promote the study facilities already available at nearby libraries and Vale Farm and Bridge Park Sports Centres. We have also organised a minimum of 50 spaces on a day to day basis:
- 10 PCS and 10 spaces at the temporary Grange Road library
  - 20 extra spaces at Kilburn library
  - 5 extra spaces at Ealing Road
  - 5 extra spaces at Town Hall
- 6.22 In addition, during exam time, we are negotiating for a further 80 spaces. At least 30 in the redevelopment of Roundwood Youth Centre (opening in the summer of 2012) and a further 50 spaces in the Willesden New Testament Church of God. These will be supplemented by an additional 40 spaces at the new Civic Centre in Wembley. This will be closely monitored and if necessary we will continue to negotiate with local venues for further study spaces.
- 6.23 ICT facilities for residents: The temporary library will have 10 public PCs with internet access (see above) and Wi-Fi facilities. Kilburn library, which is in easy reach of Willesden Green, will have an increased number of work stations. The possibility of further IT facilities in high street locations is also being explored. This provision will be further enhanced with the opening of the new Civic Centre in June 2013 with widely available free wireless broadband.
- 6.24 Stock Collections: An evidence based stock management system and data from the library management system will be used to formulate a stock policy for the temporary library, which will provide customers with an optimum range of stock collections/materials.
- 6.25 Events and Activities: The temporary library and other venues in the area will be used to run a vibrant, exciting range of events promoting literature and

educational opportunities. Children and adults will continue to be able to access reading events, author talks, exhibitions and some of the high profile promotions planned for 2012. The option of holding these events in vacant shops, pubs, restaurants, nearby community buildings and open spaces will also be explored, thus reaching new audiences. New audiences will be sustained by capturing their data to ensure they are sent marketing materials on forthcoming promotions, events and developments. In the run up to the temporary closure, use of meeting rooms will be carefully analysed and any groups regularly using these spaces will be contacted.

- 6.26 Online Service: Further online services will be introduced including extra e-books, a new virtual enquiry service, additional reference resources, brand new online courses and more virtual reading groups. These improvements will be backed up with a communications plan to market the services and to train and support customers in confidently using these services.
- 6.27 Community Engagement, Partnerships and Outreach Services: Outreach work is a key plank in the interim service delivery. The library service will not only continue to engage with families and current users, but also develop new audiences by outreach contact and partnership work with a wide range of partners including youth development agencies such as Connexions, new communities, homeless groups and commuters. Opportunities to develop partnerships with Transport for London, businesses and retail outlets on Willesden High Road will maximise the accessibility and use of the service.

The library service will maintain current level of contact with schools, colleges, nurseries and children centres.

- 6.28 It has already been decided by the Council that a library facility at Willesden Green should continue to be provided. The basis for that decision is set out in the report to the Executive of 11<sup>th</sup> April 2011, namely that libraries located on the high street or in central hub locations are more frequently used. Indeed Willesden Green Library has the highest library usage in the borough. It is therefore considered vital that the temporary relocation of this service should, so far as possible, be in the same location. This will enable the high level of service users to continue to use the facility. The Grange Road location meets those needs in terms of location, albeit that it is smaller than the current site. Grange Road remains centrally placed in Willesden Green with the same travel access as the current venue. The continued location in Willesden also reduces any negative impact on service users in the interim period pending completion of the redevelopment. The locations for extra study places are based on availability of space in other Council libraries nearby where the relevant facilities are already available, and at other suitable and easily accessible locations from the present facility. The cost of providing these additional places is kept to a minimum by using Council run buildings which have capacity, and does not entail any additional staffing.
- 6.29 There has been a suggestion by a very small number of members of the public supporting the continued use of the Kensal Rise and Cricklewood sites, that the Council should use those sites for use as an alternate library and or

study space. Members are advised that officers have considered a range of other options before recommending the interim arrangements set out in this report. These sites would not be suitable: Firstly the need for use of an alternative building does not arise until July 2012 by which time it is highly likely, if the Council continues to be successful in the legal challenge against the libraries decision, that the sites will be actively administered by All Souls College and not the Council - as owner, trustee or otherwise. Secondly, even were the sites to be available, the on cost of managing the buildings for this purpose is relatively high in terms of maintenance, heating etc. thirdly due to the well-established need to retain a library in the Willesden Green area, the location would have to be in addition to that at Grange Road and additional staff would need to be recruited, and lastly the locations do not meet the needs of the borough's residents.

6.30 **Museum and Archives provision.** During the redevelopment, Brent Museum will adopt a strategy of outreach work across Brent, an enhanced online presence and pop up exhibitions. The interim service objectives are:

- Make contact with new communities – notably;
  - The Indian Community around Wembley
  - The Somali/African communities
  - The Irish community.
  
- Take the Service to parts of the Borough that do not usually visit the Museum and Archives
  - North Brent – the North Circular Road really divides the Borough and north/south movement is not the norm.
  - South Kilburn – this is a major regeneration area and thus there is potential for tying in with regeneration projects.

- Engage young people (under 25)

The under 25s – Both through the formal education system and outside of it. This audience is difficult to capture outside of school visits. It will require a tailored form of engagement, probably delivered through partnerships with other organisations.

- Continue to engage families and repeat visitors

This existing audience needs to be nurtured to be retained as it will no longer have the familiar museum location to visit.

- Maintain repeat visits/users

It is comparatively easy to attract first-time visitors. Repeat visitors are harder given the limited resources to put on new exhibitions. With having no fixed location for the museum will provide the opportunity to explore a range of new activities to meet this challenge.

- Maintain current level of contact with schools



Create a service to take out to schools with a minimum aim of maintaining the number of pupils who currently come into contact with the Museum Service (c.2000). The closure gives the opportunity for longer visits with more intensive sessions. Schools could also provide the venue for exhibitions, curation and even family events to help retain the family audience and hopefully reach out to new families and communities; working with colleagues in LAH will help to identify suitable partner venues.

- Upgrade access

There are a number of key activities to support the above objectives which will allow better access to the collections:

- Cataloguing the archive collections - over the next two years the Archives service will catalogue the Wembley History Society collection and six smaller organisational collections
- A move to a culture of archive users learning to research resources for themselves
- Upload to the online catalogue museum accessions information for at least 2,000 items
- Plan a new museum permanent exhibition in line with Heritage Lottery Fund requirements, where possible rectifying any design flaws in the original museum design
- Plan for proactive collecting post-2014, building on the work done with communities during the transition period
- Plan to have Archive presence in temporary library space, where appointments can be conducted on request basis.

6.31 Researchers will be able to study original documents by appointment in an archives search room in the Grange Road temporary library. Excitingly, the service will experiment with activities and projects across the borough in alternative venues, including themed open days in libraries, family history workshops, online interactive exhibitions and increased work with schools.

6.32 **Customer Contact Centre** As the majority of the Council's high need clients reside in the south of the borough, officers are committed to retaining a customer access point in the south of the borough during the interim period. The closure of WGLC has therefore provided opportunities to explore options for alternative customer services access arrangements, including the potential for a shared access point with Job Centre Plus (JCP), located in the heart of Harlesden. Evaluation of all options has indicated that the shared JCP access point would provide the best facilities for customers and could be achieved within existing budgetary provision.

6.33 In order to provide this service, the Council is looking to reach an agreement to work in partnership with the JCP and provide a customer service access point from the Harlesden JCP. Combining the delivery of these complimentary services under one roof provides a fantastic opportunity to enhance the customer offer and experience for Brent's residents. It also provides an

opportunity for the Council to work more collaboratively with a public sector partner in the way we propose to do more of in the future.

- 6.34 JCP are able to provide modern Customer Services facilities, with dedicated space for Brent customers at their convenient Harlesden High Street location. The proposed location will mirror all facilities currently available at the WGLC including reception facilities, customer telephones, self service kiosks and a spacious waiting area. The Harlesden JCP is easily accessible by public transport and the opening hours align with the existing service arrangement so there will be no reduction in service provision. Harlesden JCP offers modern customer services facilities that would enable relocation of the WGLC access point with minimum set up requirements. This should allow a seamless transfer of the access point from WGLC with no interruption to service availability for customers.
- 6.35 BIAS currently has a tenancy at will in the WGLC. The charity, which is independent of the Council, receives funding from a number of sources and provides services and advice for the Irish community. Assistance to find similar suitable accessible space in the Willesden area will be provided and accordingly officers do not consider there will be an adverse impact upon its user group.
- 6.36 All costs associated with the interim service delivery strategy will be met from within the associated service department existing revenue budget allocations.
- 6.37 **Consultation**
- 6.38 Community participation, engagement and consultation are critical to the successful delivery of this project. As the project evolves, an increasing complex set of dialogues with the boroughs residents and service users would be required to inform them of a plethora of issues.
- 6.39 Within their submission Galliford Try Plc set out a detailed and robust consultation and communication strategy for the project. The strategy has been designed to engage the following stakeholders in the project; Brent residents, Councillors, voluntary sector, community groups, local businesses, local schools, local media and Brent Staff.
- 6.40 Working closely in partnership with the Council, Galliford Try Plc will refine, agree and deliver the indicative consultation strategy set out at Appendix 2. The consultation will internally commence immediately after the Executive in January 2012. Although the strategy will inevitably evolve in response to the feedback received from stakeholders. The strategy set out at Appendix 2, demonstrates a robust framework is in place to ensure thorough and meaningful consultation is undertaken in respect to this project which not only engages existing audiences but also those identified as hard to reach.

6.41 **Heritage Lottery Fund**

6.42 In 2004 the Council successfully secured £1.3million of Heritage Lottery Funding (HLF) to refurbish WGLC in order to accommodate Brent Museum. Upon receipt of the funding the Council entered into a 25 year contract with the HLF which stipulated the Council would need to seek agreement to 'Changes in Approved Purposes' to any HLF grant funded works.

6.43 The HLF would need to consider in full the Council's proposals for the 'Change in Approved Purposes' and take an informed view as to whether or not any clawback of grant is required. Officers have held discussions with the HLF and if a like for like replacement is provided and the overall customer offer and experience is improved, the HLF have indicated they are likely to approve the 'Change in Approved Purposes' and not require any clawback of grant funding.

6.44 The Council now intend to engage fully and consult with the HLF during the detailed design development phase for the cultural centre to ensure at an absolute minimum a like for like replacement is provided. At the appropriate time, as identified in consultation with HLF, the Council will make an application for a 'Change in Approved Purposes'.

6.45 **Risks and Issues**

6.46 There are a number of inherent risks associated with the redevelopment of the WGLC site, including but not limited to the following;

<b>Risk/Issue</b>	<b>Mitigating Action</b>
<b>Financial</b> There is a risk the detailed cost of the "Council Works" could exceed the Council Works Threshold Cost (the sum the Developer has allowed for carrying out the Council works).	As soon as reasonably practicable the Developer will provide the Council with a detailed breakdown of the anticipated detailed costs in relation to the Council Works for consideration by the Council's independent cost consultant for consideration as to whether they are reasonable and represent value for money. If the detailed costs exceed the Council Works Threshold Cost the Council could, if it was deemed appropriate, use the residual land value to offset the additional costs or the Council could determine the Development Agreement. The developer can however, prevent the Council terminating by agreeing to bear any additional costs. The structure of the deal ensures that the Council retains financial control of the

	<p>Council Works throughout the detailed design development. The overall financial value of £10,449m is the total cost envelope available to the Director of Regeneration and Major Projects to ensure the Council's high quality design and build out standards for the Council Works is maintained throughout the lifecycle of the project.</p>
<b><u>Planning</u></b>	
<p>Local objections delay or prevent planning permission being obtained, to include the risk of a judicial review challenge against any decision to grant planning permission.</p>	<p>The Council will work with Galliford Try Plc to undertake full and comprehensive pre application consultation to reduce the risk of objections and any legal challenge. The planning programme is extremely tight, thus there is a risk the practical completion date maybe delayed if the planning application or approval is delayed.</p>
<b><u>Programme</u></b>	
<p>There is a risk delays could occur in the overall programme, particularly during the construction which could mean the cultural centre is not open and fully operational in spring 2014.</p>	<p>The Council will work with Galliford Try Plc to ensure that a full and comprehensive risk register is developed to identify risk and take the necessary mitigating action to minimise the risk of programme delays.</p>
<b><u>Quality</u></b>	
<p>There is a risk that the Council Works may not be delivered to the required high quality standard.</p>	<p>The Development Agreement stipulates the Council will have an independent Clerk of Works who will monitor the progress and quality of the Council Works to ensure the Council's required standards are achieved. The Development Agreement contains controls on the transfer of the Developer Works Land to the developer partner unless the Council Works are being and have been carried out to the Council's required standards.</p>
<b><u>Vacant Possession</u></b>	
<p>The Council cannot deliver vacant possession of the site due to current occupiers not having vacated and the Council being in breach of the</p>	<p>The Council's internal legal department are working to ensure the Council can legally secure vacant possession and take all steps to</p>

Development Agreement.	relocate and secure possession as appropriate of the premises. Please see Appendix 16 for further details.
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6.47 The conditions set out in the Development Agreement aim to mitigate some of the identified risks by cascading as much risk as possible down to the developer partner whilst simultaneously allowing the Council to retain quality and financial control of the “Council Works” throughout the detailed design development.

6.48 **Next Steps**

6.49 The Director of Regeneration and Major Projects in conjunction with the Director of Legal and Procurement intend to award and enter into a Development Agreement with Galliford Try Plc by 31st January 2012.

6.50 The Council will work in partnership with Galliford Try Plc thereafter to develop and deliver the indicative development programme as set out below:

Development Activity	Indicative Programme
Resident Consultation	January – March 2012
Submit Planning Application	April 2012
Planning Approval Consideration	July 2012
Council Works Specification & Detailed Costs Approved	August – September 2012
Start on Site	October 2012
Cultural Centre Grand Opening	April 2014

6.51 The project will need to move at an extremely fast pace over the next nine months prior to the anticipated start on site in October 2012 or thereabouts. In order to ensure the Council accords with the overall project programme, it is recommended the Executive endorses the Director of Regeneration & Major Projects in consultation with the Director of Finance and Corporate Services to authorise the detailed design and detailed costs for the “Council Works”.

6.52 A not for publication appendix (Appendix 16) is attached in respect of the current occupiers of the WGLC development site.

**7. FINANCIAL IMPLICATIONS**

7.1 Appointment of Galliford Try Plc as per the recommendation to this report will result in a forecast overall value to the Council of £10.449m as detailed in Appendix 14 of this report.

7.2 The overall value to the Council is calculated as a sum of the following three elements as set out below and detailed in Appendix 14.

- a) A non refundable payment of £50,000 to the Council on exchange of the Development Agreement

- b) Confirmation of the Total Cost Allocation for the Council Works to be incurred by the delivery partner. This will form the Council Works Threshold Cost.
- c) Confirmation of the residual land value of the Developer Works Land after allowing for the £50,000 deposit and cost of the Council Work to be delivered on the Council Works Land.
- d) A land payment of £300,000 upon the unconditional date (i.e. after planning is obtained and after the partners are satisfied the Council Works can be carried out within the Council Works Threshold Cost see below) as defined in the Development Agreement.

- 7.3 Galliford Try Plc have committed to an initial Total Cost Allocation for the Council Works as detailed in Appendix 14. The overall financial value of £10.449m is the total cost envelope available to the Director of Regeneration and Major Projects to ensure the Council's high quality design and build out standards for the Council Works is maintained throughout the lifecycle of the project.
- 7.4 Upon securing planning consent and approval of the Council Works detailed specification, Galliford Try Plc will be required to provide the Council with a detailed cost breakdown of the Council Works, demonstrating the costs are reasonable and represent value for money. The Council will review and approve the detailed costs.
- 7.5 If the detailed costs are below the Council Works Threshold Cost, the Council may elect to add additional items to the Council Works or require the difference to be paid to the Council.
- 7.6 If the detailed costs exceed the Council Works Threshold Cost the Council may determine the development agreement. The structure of the deal ensures that the Council retains financial control of the Council Works throughout the detailed design development. The overall financial value of £10.449m is the total cost envelope available to the Director of Regeneration and Major Projects to ensure the Council's high quality design and build out standards for the Council Works is maintained throughout the lifecycle of the project.
- 7.7 Galliford Try will pay any remaining residual land value for the developer works land upon the project completion date, which is equivalent to the date of the land transfer for the Developer Works Land. This money will be held as a client contingency until such date after which any residual balance will be ring fenced by Brent Council to secure the delivery of affordable housing as set out in the mini tender.

The HCA completed a desktop review of Galliford Try Plc and their ability to carry out the development from a financial viewpoint. The HCA confirmed that the development is to be funded out of the existing resources of Galliford Try Plc. Galliford Try successfully completed the re-financing of its facilities in May 2011 therefore the HCA concluded that Galliford Try Plc should be capable of funding this development.



- 7.8 The HCA review has subsequently been scrutinised by the Council's finance team who concurred with the conclusion drawn.
- 7.9 The resource envelope available to drive forward the WGLC redevelopment project and take the site forward to the market, was determined by the estimated net capital receipt of the disposal of the Chambers Lane site.
- 7.10 When the Council took the decision to incorporate the Chambers Lane site within the overall development site taken to the market, the Regeneration & Major Projects Department Budget was used to cashflow the project.
- 7.11 The inclusion of Chambers Lane within the WGLC development site was subject to the selected developer partner paying an early advance of the purchase price, for the estimated net capital value of the Chambers Lane site, upon the Unconditional Date which is the date upon which the last condition precedent is fulfilled. On the Unconditional date the Chambers Lane site will be transferred to the Developer to enable the first 2 residential units to be commenced in accordance with the existing planning permission for the site. The remainder of the Developer Works Land will be transferred in 2 parcels one, consisting of no more than 28 residential units, 12 months after the Council Works have commenced and the remainder of the land on completion of the Council Works. The residual purchase price will be paid on the transfer of the third parcel.
- 7.12 The land payment, once received, will be used to reimburse the Regeneration & Major Projects Department capital budget to the value of the total amount expended on the project to date.
- 7.13 The future costs associated with delivering the Willesden Green Redevelopment Project will be met from within existing Regeneration & Major Projects Department Budget allocations.
- 7.14 All future revenue costs associated with the management of the new cultural centre will be contained within the existing revenue budget allocations or less for the management of the WGLC.
- 7.15 If there was a requirement to repay HLF grant as referred to in paragraph 6.41 – 6.44 there would be no budgetary provision to make this payment and it is likely that this would result in cuts to schemes elsewhere in the capital programme. This remains a risk.

## 8. **LEGAL IMPLICATIONS**

- 8.1 The Development Agreement is being procured using a national framework agreement set up by the HCA, namely the HCA DPP Framework. The Public Procurement Regulations 2006 allow public bodies to set up framework agreements and prescribe rules and controls for their procurement.
- 8.2 Contracts can be called off under such framework agreements without the need for them to be separately advertised and procured through a full EU

process. However, the call off process is itself quite heavily regulated. The HCA and external lawyers have been involved in advising officers throughout on adherence to the rules contained in the Regulations and on the rules of the process established by the HCA.

- 8.3 The Council's Contract Standing Orders state that no formal tendering procedures apply where contracts are called off under a Framework Agreement established by another contracting authority, where call off under the Framework Agreement is recommended by the relevant Chief Officer. On 15 February 2011, the Executive endorsed the proposed use of the HCA DPP Framework to procure a developer partner
- 8.4 The estimated value of the proposed Development Agreement means that the proposal to call off the Development Agreement is subject to the Council's own Standing Orders in respect of High Value contracts and Brent's Financial Regulations.
- 8.5 It will be noted that Officers seek delegated authority to the Director of Regeneration & Major Projects in consultation with the Director of Legal and Procurement to award and enter into the Development Agreement as the intention is only to do so once all outstanding issues are resolved.
- 8.6 On exchange of the Development Agreement, the Council will, subject to satisfactory planning and approval of the Council Works Costs as mentioned above be bound to sell the Developers Works Land and allow the Developer to carry out the Council Works.
- 8.7 The Developer is required to carry out the Council Works and its own residential works, the Developer Works, within agreed timescales. These timescales can be extended by force majeure events (e.g. if there is inclement weather).
- 8.8 The transfer of the Developer's Works Land has been deliberately held back to ensure that the Council's Works are completed prior to the Developer getting the whole of the Developer's Works Land.
- 8.9 The Development Agreement contains provisions for the Council to determine it if the Developer is in breach of a material obligation or enters into insolvency and, as would be usual in the market, the developer's funder (if any) can step into the Developer's "shoes" to resolve the scheme.
- 8.10 It may be requisite to appropriate the land to planning purposes to override any covenants or rights which may affect the land (as detailed in Recommendation 2.3).
- 8.11 Appropriation removes the risk of an injunction but the Council retain the residual risk of a compensation claim in respect of overridden rights etc that are affected by development. These claims are dealt with under the Compensation Code.



- 8.12 Under Section 122 of the Local Government Act 1972 the Council can appropriate land for any purpose which under the legislation it can acquire land. What this means is that although the Council already owns the site it can appropriate it for another purpose provided it is a purpose for which it is allowed under the legislation to acquire land and provided the land is no longer required for the purpose for which it is held immediately before the appropriation. The Council must be satisfied that the appropriation is in the public interest.
- 8.13 Section 237 of the Town and Country Planning Act 1990 provides where land has been appropriated for planning purposes any easements or covenants which may exist for the benefit of third parties are overridden on erection, construction or carrying out or maintenance of any building and change of use in accordance with planning permission, subject to payment of any compensation. The practical effect is that any rights are overridden with those benefiting from such rights being entitled to compensation and as such which may exist do not delay or obstruct the development. In the Development Agreement the developer partner agrees to indemnify the Council in relation to cost and compensation resulting from the use of such appropriation powers. This provides effective assurance to the developer partner that it would have good title to the land.
- 8.14 Under Section 226 of the Town and Country Planning Act 1990 the Council is authorised to acquire land if the Council thinks that the acquisition of the land facilitate the development or redevelopment of the land and the development, re-development or improvement is likely to contribute to the promotion or improvement of the economic well-being of their area and/or the promotion or improvement of the social well-being of their area and/or the promotion or improvement of the environmental well-being of their area.

## 9. DIVERSITY IMPLICATIONS

### *Equality Act 2010 - Legal Advice*

- 9.1 Members must bear in mind their duties under section 149 of the Equality Act 2010.
- 'Meeting the general equality duty requires 'a deliberate approach and a conscious state of mind'. R (Brown) v Secretary of State for Work & Pensions [2008] EWHC 3158 (Admin).*
- 9.2 Members must know and understand the legal duties in relation to the public sector equality duty and consciously apply the law to the facts when considering and reaching decisions where equality issues arise.
- 9.3 The Equality Act 2010 introduced a new public sector equality duty which came into force on 6th April 2011. The duty placed upon the council is similar to that provided in earlier discrimination legislation but those persons in relation to whom the duty applies have been extended.

9.4 The new public sector duty is set out at Section 149 of the Equality Act 2010 (“The Act”). It requires the Council, when exercising its functions, to have ‘due regard’ to the need to eliminate discrimination (both direct and indirect discrimination), harassment and victimization and other conduct prohibited under the Act, and to advance equality of opportunity and foster good relations between those who share a ‘protected characteristic’ and those who do not share that protected characteristic.

9.5 A ‘protected characteristic’ is defined in the Act as:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;(including ethnic or national origins, colour or nationality)
- religion or belief;
- sex;
- sexual orientation.

Marriage and civil partnership are also a protected characteristic for the purposes of the duty to eliminate discrimination.

The previous public sector equalities duties only covered race, disability and gender.

9.6 Having due regard to the need to ‘advance equality of opportunity’ between those who share a protected characteristic and those who do not includes having due regard to the need to remove or minimize disadvantages suffered by them. Due regard must also be had to the need to take steps to meet the needs of such persons where those needs are different from persons who do not have that characteristic, and encourage those who have a protected characteristic to participate in public life.

9.7 The steps involved in meeting the needs of disabled persons include steps to take account of the persons’ disabilities.

9.8 Having due regard to ‘fostering good relations’ involves having due regard to the need to tackle prejudice and promote understanding.

9.9 Complying with the duty may involve treating some people better than others, as far as that is allowed by the discrimination law.

9.10 In addition to the Act, the Council is required to comply with any statutory Code of Practice issued by the Equality and Human Rights Commission. New Codes of Practice under the new Act have yet to be published. However, Codes of Practice issued under the previous legislation remain relevant and the Equality and Human Rights Commission has also published guidance on

the new public sector equality duty. The advice set out to members in this report is consistent with the previous Codes and published guidance.

- 9.11 The equality duty arises where the Council is deciding how to exercise its statutory powers and duties, including those relating to the provision of library services and museums and archives under the Public Libraries and Museums Act 1964, and the provision of access to a wide range of other Council services via the Customer Contact Centre. The impact upon BIAS has also been considered since it is affected by the proposal. Members are being asked to consider short term interim plans and long term proposals and both are addressed in the equalities analysis.
- 9.12 The council's duty under Section 149 of the Act is to have 'due regard' to the matters set out in relation to equalities when considering and making decisions in relation to its statutory duties. Accordingly due regard to the need to eliminate discrimination, advance equality, and foster good relations must form an integral part of the decision making process. Members must consider the effect that implementing a particular policy will have in relation to equality before making a decision.
- 9.13 There is no prescribed manner in which the equality duty must be exercised. However, the council must have an adequate evidence base for its decision making. This can be achieved by means including engagement with the public and interest groups, and by gathering details and statistics. The potential equality impact of the long term and interim proposals has been assessed, and that assessment is found at Appendix 15 and Annex 15.1 and a summary of the position is set out below. A careful consideration of this assessment is one of the key ways in which members can shown "due regard" to the relevant matters.
- 9.14 Where it is apparent from the analysis of the information that the proposals would have an adverse effect on equality then adjustments should be made to avoid that effect (mitigation). The steps proposed to be taken are set out below and in more detail at Annex 15.1.
- 9.15 Members should be aware that the duty is not to achieve the objectives or take the steps set out in s.149. Rather, the duty on public authorities is to bring these important objectives relating to discrimination into consideration when carrying out its public functions (which includes the functions relating to libraries and museums and archives). "Due regard" means the regard that is appropriate in all the particular circumstances in which the authority is carrying out its functions. There must be a proper regard for the goals set out in s.149. At the same time, Members must also pay regard to any countervailing factors, which it is proper and reasonable for them to consider. Budgetary pressures, economics and practical factors will often be important. The weight of these countervailing factors in the decision making process is a matter for members in the first instance.
- 9.16 The WGLC redevelopment project and the Interim Service Delivery Strategy have been closely examined for its impact on the local community (Appendix

15 - Impact Needs Requirement Assessment (INRA) and the supporting Annexes 15.1 Equality strand analysis, key issues and proposed mitigation; Annex 15.2 Active Borrowers April 2010).

- 9.17 The EIA draws from a wide range of sources including:
- The boroughs demographic information (recognising that it is now over 10 years since the census) including studies of indices of deprivation
  - Usage data within libraries, One-Stop Shops and the archives
  - Related surveys and research
  - The extensive LTP consultation and Equality Impact Assessment documents and in particular the issues raised that might affect specific communities
  - Other surveys and strategies, for example the Council's work to reduce transport related accidents.
- 9.18 A range of potential impacts were identified for analysis and possible mitigation in relation to the interim proposals. There were three potential impacts identified in relation to users of the WGLC during the redevelopment
- Accessibility and affordability of travel. Here, the key issues are that there will be less stock held in the building, a reduction in the number of PCs and study space with further to travel for some; current users of WGLC Customer Contact will need to travel further for face to face services.
  - Impact on educational standards. Here, the potential impact is a slight reduction in the number of study spaces available.
  - Impact on social cohesion. The issue is that there will be a temporary reduction in the availability of shared neutral space.
- 9.19 Detailed mitigation has been considered for these potential short term adverse impacts relating to the interim proposals. For library customers the mitigation will in part be provided by the library transformation plans such as increased outreach and home delivery services. Further mitigation including the location of a temporary library, improved reservation service and alternative study spaces are shown in detail in Annex 15.1.
- 9.20 The key study space issue is that some current customers will have to travel further to access study space. However, the alternatives are within a reasonable travel distance and affordability will not necessarily be a major issue as bus travel is free from under 5's, 5 -15 year olds and 16-19 year olds in full time education and or work based learning.
- 9.21 In relation to museum and archives the Grange Road site is as accessible as the current location and detailed outreach proposals will take the service to the residents rather than them travelling to the service. In addition to this innovative outreach service, online services will be improved, enabling residents to access more information from their own homes.
- 9.22 In relation to the Customer Contact Service the temporary location in Harlesden Job Centre Plus is quickly and easily accessible by public transport. In addition, all Customer Contact Services are available by phone,

internet and post. The residents of Harlesden will also benefit during the redevelopment by having easier face to face access to the Customer Contact Service

- 9.23 The financial constraints on the Council and the short term nature of the interim strategy do not permit even further mitigation, and introducing further bus services to aid access to the alternative study space is outside the Council's powers.
- 9.24 Officers have carefully considered if any adverse impacts remain after the mitigating measures have been taken into account. The potential adverse impact only affects a small group of current customers and relates to the temporary reduction in shared neutral space, and the slight reduction in car parking. Whilst these are not completely mitigated by other steps they are justified by the benefits of the Library Transformation Project and the redevelopment of WGLC. No other adverse impact was identified for any of the user groups in relation to the long term plan. Indeed the aim of the proposal is to improve the facilities for all service users.
- 9.25 There is no evidence to suggest any indirect discrimination arising as a result of the interim or long term proposals

## **10. STAFFING AND ACCOMMODATION IMPLICATIONS**

- 10.1 At present it is anticipated that in spring 2014 the new Council building would provide office accommodation for the following service areas:

Willesden Green Library & Museum Staff – 20 *ratio of 7 desks per 10 staff*  
Willesden Green Locality Team – 18 *ratio of 7 desks per 10 staff*  
Hot Desk – 6 *additional Spaces*  
Customer Contact – 27 *Service Points*

### **Appendices**

- Appendix 1:** Plan A, Plan B, Plan C  
**Appendix 2:** Community Engagement Project  
**Appendix 3:** Vision Statement  
**Appendix 4:** Principle Structure  
**Appendix 5:** Variant Bid Structure  
**Appendix 6:** Sifting Brief Site Specific Questions  
**Appendix 7:** Mini Tender Evaluation Matrix  
**Appendix 8:** Mini Tender Submissions  
**Appendix 9:** Variant Bid Options  
**Appendix 10:** Mini Tender Evaluation Results: Price  
**Appendix 11:** Mini Tender Evaluation Results: Quality  
**Appendix 12:** Mini Tender Evaluation Revised Results: Price  
**Appendix 13:** Mini Tender Evaluation Revised Results: Quality  
**Appendix 14:** Variant Bid Financial Offer  
**Appendix 15:** Willesden Green Impact Needs Requirement Assessment

## **Appendix 16:** Occupation of the current Willesden Green Library site

### **Background Papers**

Executive Report dated 15 February 2011

### **Contact Officers**

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**ANDREW DONALD**  
**Director of Regeneration and Major Projects**

## Recommendations

### Recommendation 1

Monitor implementation of management's action plan to address control weaknesses.

**Responsibility** Director of Finance & Corporate Services

**Priority** High

**Date** 30 June 2012

**Comments** A more detailed set of actions has been developed in response to the Annual Governance Report. Progress against this will be reported to the Audit Committee to ensure the control weaknesses are addressed for 2011/12 financial statements.

### Recommendation 2

Review the adequacy of arrangements to improve and embed good procurement, risk management, internal control and financial reporting arrangements across the Council.

**Responsibility** Director of Finance & Corporate Services and Director of Legal and Procurement

**Priority** High

**Date** 30 June 2012

**Comments** Separate workstreams are in place to develop the Council's arrangements across the four areas identified. These include:

Procurement – specific steps have been taken to address both the skills and capacity by investing in the procurement team. In addition to this the wider adoption of MIS and enforcement of good management discipline will ensure greater visibility of spend and assessment of value for money.

Risk Management – the Council's risk management framework is being developed and was considered by the

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Audit Committee at its meeting on 15 December 2011.

Internal Control – Internal Audit has continued to develop the audit of foundation schools who are now subject to a detailed review of internal controls. Common issues concerning leasing, procurement and leadership pay have been notified to Children and Families who are providing briefing sessions and support through presentations to Bursars and Heads and via the schools extranet. In relation to internal controls regarding the council's general accounting processes. Internal Audit has brought forward its systems work concerning the main accounting systems.

Financial Reporting –The action plan to improve financial reporting for 2011/12 will be monitored by the Audit Committee during 2012.

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# Annual Audit Letter

London Borough of Brent

Audit 2010/11



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# Key messages

**This report summarises the findings from my 2010/11 audit. My audit comprises two elements:**

- **the audit of your financial statements; and**
- **my assessment of your arrangements to achieve value for money in your use of resources.**

**I have included only significant recommendations in this report. The Council has accepted these recommendations.**

Key audit risk	Our findings
Unqualified audit opinion	◆
Proper arrangements to secure value for money	◆

- The draft financial statements presented for audit contained five material errors and a large number of non-material and disclosure errors, the majority of which were amended.
- There are significant weaknesses in the design and operation of internal controls supporting the financial reporting function that need to be addressed.

## Audit opinion and financial statements

- I issued an unqualified audit opinion on the Council's financial statements, including the pension fund, on 30 November 2011.
- It has been a particularly difficult year for the Council, implementing new financial systems and International Financial Reporting Standards (IFRS) whilst dealing with structural change, staff losses and a highly challenging budget settlement.
- The Council struggled to deliver complete and compliant financial statements on a timely basis.
- I was therefore unable to complete my audit by the target date, 30 September 2011.

## Value for money

- I considered whether the Council is managing and using its money, time and people to deliver value for money.
- I issued an unqualified value for money conclusion on 30 November 2011, confirming the Council has proper arrangements to secure economy, efficiency and effectiveness in the use of its resources.

# Current and future challenges

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It is a challenging time for all public sector bodies. The pace and scale of change is unprecedented. Like all local authorities, the Council is facing severe cuts to funding and, at the same time, greater demand for local services. Significant changes are required over the next few years and tough decisions will be required to make them. The way services are delivered may need to change and new, more collaborative ways of working will be needed. The Council's transformation programme is helping it prepare and make the savings required for future financial stability. A key challenge for the Council is to ensure that strong governance arrangements and internal controls are maintained during a period of significant change.

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Economic pressures on the public sector and achieving savings

Following the announcement of reductions in grant funding by government in May 2010, the Council approved an in-year savings plan of £15 million. All planned savings were achieved in 2010/11 and the Council reported a small overspend for the year resulting in a decrease in its general fund reserves by £1.3 million to £7.5 million. General fund reserves decreased by £1.9 million as a result of adjustments following the audit of the Council's financial statements.

The medium term financial strategy (MTFS) was updated to include £106.7 million savings over the next four years to 2014/15. £41.7 million of savings have been included in the budget setting strategy for 2011/12. The Council is currently reviewing its approach to deliver the residual savings of £65 million between 2012/13 and 2014/15. The Council has detailed plans to support the savings it intends to make during 2011/12 and is currently reporting a small forecast overspend of £1.8 million at month 6. For 2012/13 onwards, the Council has developed a number of proposals for making the £65 million savings required and is currently agreeing the approach with members. Members are due to make some key decisions on 2012/13 savings over the next few months.

Looking forward, the achievement of such a significant savings plan whilst continuing to deliver quality services will remain challenging. There are continuing pressures on the Council's finances, including the provision of housing, increasing the demand for services such as adult social care and funding required for the Council's pension scheme.

## Transformation of services

The Council recognises challenges facing local government will require transformation of services.

The Council has developed its One Council Programme to support the savings required in the MTFs and to support the transformation required to deliver new ways of working. The programme contains 21 transformation work streams including future customer services, finance modernisation, a structure and staffing review, strategic procurement review, income maximisation and adult social care commissioning. The progress of each of the transformation streams is monitored by the One Council overview and scrutiny.

The Council are exploring more collaborative procurement arrangements with other local authorities, the NHS and other public sector organisations. The Council is a lead member of the West London Alliance (WLA). Through the WLA the Council aims to secure more economies of scale focusing on adult social care, children's social care, environmental services and corporate supplies. To date, significant savings have been achieved in adult social care and there is ongoing work to deliver future savings in special education needs and passenger transport.

The Council is also active within the London Councils network, and is reviewing options to make savings in support services such as Human Resources and Finance.

With the transfer of public health responsibilities to local authorities, the Council will take on the responsibility for improving local public health. This will require development of services in partnership with local NHS bodies.

# Financial statements and annual governance statement

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**The Council's financial statements and annual governance statement are an important means by which the Council accounts for its stewardship of public funds.**

## **Overall conclusion from the audit**

It has been a particularly difficult year for the Council, implementing new financial systems and International Financial Reporting Standards (IFRS) whilst also dealing with structural change, staff losses, and a highly challenging budget settlement. This has stretched finance resources and impacted on the Council's ability to produce good quality financial statements and working papers.

I issued an unqualified opinion on the financial statements of the Council and Pension Fund on 30 November 2011 following approval of the statements by the Audit Committee on 25 November 2011. The draft financial statements were submitted for audit on 30 June 2011 in line with the due date. The draft financial statements presented for audit contained:

- five material errors;
- twenty six non-material errors; and
- a significant number of disclosure errors within the notes to the financial statements.

The Council amended the financial statements for these errors which decreased the total consolidated income and expenditure deficit by £9.2 million.

My audit also identified a significant number of errors and uncertainties, which management did not amend. I obtained explanations from management and the Chair of the Audit Committee for not adjusting the amendments which I accepted. The net impact of all the unadjusted errors and uncertainties would have been to increase the reported deficit by £0.8 million.

## **International Financial Reporting Standards**

The Council had to produce its financial statements in accordance with International Financial Reporting Standards (IFRS) for the first time in 2010/11. This involved significant changes to the financial statements, particularly relating to accounting treatment of finance leases, segmental reporting, componentisation of fixed assets, government grants, accruals for amounts in connection with staff leave, and more extensive and detailed disclosures within the financial statements.



My audit included a review of the Council's arrangements in applying IFRS, detailed testing on re-stated 2009/10 balances as well as 2010/11 balances and ensuring that all required disclosures had been made.

The Council struggled to comply with the requirements of IFRS in the first year. The draft financial statements presented for audit did not include the accounting entries for finance leases, private finance initiative (PFI) agreements and a large number of disclosures were incorrect or incomplete.

### **The new accounting system and financial structures**

During the year, the Council introduced a new accounting system which required a shift from highly departmentalised financial systems and processes to more centralised arrangements. The transition to the new system was not well managed. Key controls were not properly reconciled before or after the change to the new system. Systems and processes to cope with the new more centralised way of working were not in place and management did not respond quickly to the weaknesses identified by Internal Audit.

This lack of control led to a large number of unexplained, reconciling balances included within the Council's financial statements, which my audit testing identified. Before I was able to complete my audit the Council was required to carry out a significant amount of work to identify the nature of the balances. Work on the balances found:

- payments not recorded in the cash book;
- amounts paid and received not matched to the original invoices raised or received; and
- payments that had been subsequently cancelled.

### **Significant weaknesses in internal control**

My audit identified weaknesses in the Council's internal control arrangements over journals, cash and bank, accounts payable, council tax, NNDR, IT and over the implementation of the new financial system.

I reported the detailed findings to the Audit Committee in February 2011 and in my Annual Governance Report to the Audit Committee on 24 November 2011. I have made fifteen recommendations to improve the Councils systems, processes and year-end reporting arrangements which the Council has accepted.

### **Recommendation**

**R1** Monitor implementation of management's action plan to address control weaknesses.

## **Overall conclusion from the pension fund audit**

In my Pension Fund Annual Governance report, I reported that the financial statements were submitted for audit by the due date, were substantially complete, supported by good working papers and were free from material error. I gave an unqualified opinion on the Pension Fund annual report on 30 November 2011.

## **Other matters**

During 2010/11 two matters were brought to my attention by electors, compliance with teachers pay conditions in schools and the use of blue badges. I have shared this correspondence with the Director of Finance and Resources and, where appropriate, carried out reviews. I also reviewed the Council's response to the non compliance of financial regulations in relation to school leases, which had been identified by Internal Audit. None of the matters raised or reviewed, required me to exercise my powers as the appointed auditor and there are no issues to report to you.

At the time of writing this report, my audit of the Council's 2010/11 grant claims and returns is in progress. Of the nine which require audit certification, eight have been certified and submitted to the appropriate grant paying body. The remaining claim and return is not due until the end of December 2011. I will report more fully on the outcome of my grant claim audits in January 2012.



# Value for money

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**I considered whether the Council is managing and using its money, time and people to deliver value for money. I assessed your performance against the criteria specified by the Audit Commission and have reported the outcome as the value for money (VFM) conclusion.**

I assess your arrangements to secure economy, efficiency and effectiveness in your use of resources against two criteria specified by the Audit Commission. My overall conclusion is that the Council has adequate arrangements to secure, economy, efficiency and effectiveness in its use of resources.

My value for money conclusion is based on evidence that confirms the Council has sound financial planning and monitoring arrangements in place, and it has the leadership and governance structures to enable it to deliver its plans. However, there are significant risks to achieving the scale of savings required. The Council's medium term financial strategy has identified the need for a further £65 million savings over the next three years. These substantial savings will have to be delivered against a background of increasing demand for council services and reduced management capacity. Clear focus on delivering operational and financial priorities will be needed to ensure financial plans are delivered and the effectiveness of services is maintained. The Council's general reserves are low and earmarked reserves are falling while pressure on the Council's resources in the coming years is significant and unprecedented. The maintenance of strong financial control will be essential if the Council is to achieve its plans. When setting its budget for 2012/13, the Council must continue to have regard to the increasing level of risk in setting its reserves.

Members should provide clear steer on their priorities, have a key role in monitoring and challenging the achievement of plans and ensuring corrective action is taken at an early stage to address concerns.

## Value for money criteria and key messages

### Criterion

#### 1. Financial resilience The organisation has proper arrangements in place to secure financial resilience.

Focus for 2010/11:

The organisation has robust systems and processes to manage effectively financial risks and opportunities, and to secure a stable financial position that enables it to continue to operate for the foreseeable future.

### Key messages

The Council understands the financial challenges and risks it faces. Executives and non-executives provide constructive scrutiny on financial matters and there is an effective Audit Committee in place. The Council has updated its medium term financial strategy to reflect the savings required over the next four years. The Executive receive regular finance reports that provide a clear link between budget, in-year forecasts and the year-end forecast.

For 2010/11 the Council made an unplanned overspend against its budget of £300,000, which reduced the level of General Fund reserves. There were large overspends in Housing and Community Care and Children and Families, which were partially offset by savings in Central costs e.g. under spending on One Council costs and reduced levies from bodies such as the London Pensions Fund Authority for historic pension deficits on demised bodies. The position was reversed, and general fund reserves increased, following the correction of errors found in the Council's financial statements following its year-end audit.

To achieve a balanced financial position in 2011/12, the Council's budget contains an overall savings plan of £41.7 million, of which £25 million are to be delivered from the One Council programme. A large proportion of the One Council programme savings relies on service re-design and management of demand for services, which can take time to implement, increasing the risk of timely achievement. At the end of September 2011 the Council's budget management report forecasts a £1.8 million overspend with £31.1 million of savings having been delivered to date.

#### 2. Securing economy efficiency and effectiveness

#### The organisation has proper arrangements for challenging how it secures economy, efficiency and effectiveness.

Focus for 2010/11:

The organisation is prioritising its resources within tighter budgets, for example by achieving cost reductions and by improving efficiency and productivity.

The Council has proper arrangements in place to challenge how it secures economy, efficiency and effectiveness.

Each Council reports its performance through a departmental scorecard covering performance, finance, One Council projects and key risks and issues.

The Council benchmarks its performance against other Councils and has used this as a basis to develop savings and improvements through its One Council transformation programme and to challenge departmental performance and savings programmes.

The One Council Programme covers the four-year period 2010-2014. We performed our second review of the programme during 2010/11.

The main objective of the programme is to achieve a significant proportion of the required budget savings by 2014/15 while raising performance, maximising efficiency, creating a council that looks and feels like one cohesive organisation, creating new flexible ways of working, stopping lower priority activities, generating increased income, improving procurement and property management and creating a council fit to deliver the members' corporate strategy.

Our key findings are as follows;

- Good progress has been made on the project.
- Effective governance arrangements are in place.
- Risks to the delivery of the programme include:
  - capacity;
  - accurate monitoring of financial benefits; and
  - transparency of revisions to financial projections.
- Introducing a systematic way to capture non-financial benefits at project level.

The Council have provided an update that the recommendations have been acted upon. We will review progress of the One Council programme and recommendations during our 2011/12 audit.

# Progress on previous recommendations

I set out below progress on recommendations included in my 2009/10 annual audit letter and will continue to monitor progress during the coming year. Overall, some progress has been made but further action is needed to secure improvements in financial reporting, procurement and embedding risk management across the Council.

## Progress on 2009/10 annual audit letter recommendations

### Recommendation

Improve year-end financial reporting arrangements across the Council.

Strengthen risk management, internal control and performance management arrangements in respect of foundation schools.

Embed good procurement practice across the Council.

Embed good risk management arrangements across the Council.

### Progress

The position has deteriorated in the current year. The implementation of IFRS, change in financial system and restructuring of finance has stretched capacity and led to financial statements completed in November, after the 30 September 2011 statutory deadline.

There is evidence of an improved focus in this area. The Council have continued with their work, including internal audit reviews. This has highlighted concerns around teachers pay and leases within schools, and action is being taken. This includes Director of Finance liaison with schools, increased engagement from Children and Families on difficult issues and legal advice where appropriate.

Procurement is part of the One Council programme. A number of the One Council projects include savings from the procurement of services. The latest One Council monitoring report has risk rated the procurement project as red. There have been delays in developing detailed plans to achieve the procurement savings because it has taken some time to appoint a suitable procurement lead. .

Risk management arrangements have not improved significantly. There is scope to embed one clear process throughout the Council, enabling clear governance from members.

## Recommendation

**R2** Review the adequacy of arrangements to improve and embed good procurement, risk management, internal control and financial reporting arrangements across the Council.

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# Closing remarks

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I have discussed and agreed this letter with the Chief Executive and the Director of Finance and Corporate Resources. I will present this letter at the next Audit Committee and will provide copies to all Council members.

Further detailed findings, conclusions and recommendations in the areas covered by my audit are included in the reports issued to the Council during the year.

Report	Date issued
Fee letter	June 2010
Audit opinion plan	March 2011
Interim audit report	June 2011
One Council follow up report	September 2011
Annual governance report	November 2011
Audit opinion	November 2011

The Council has taken a positive and constructive approach to my audit. I wish to thank the Council staff for their support and co-operation during the audit.

Andrea White  
District Auditor  
30 November 2011

# Appendix 1 – Fees

	Actual	Proposed	Variance
Audit scale fee (note 1 & 2)	533,000	488,000	50,000
Pension fund scale fee	£35,000	£35,000	-
Non-audit work	-	-	-
<b>Total (note 3)</b>	<b>£568,000</b>	<b>£523,000</b>	<b>£50,000</b>

Note 1: I charged an additional audit fee of £50,000 as I carried out more work than planned. I carried out significant further work in debtors, creditors and cash to confirm initial testing errors and uncertainties found did not lead to a material error in the financial statements.

Note 2: The Audit Commission issued a rebate of £15,771 to the Council on the planned 2010/11 audit fee. This was paid from Audit Commission reserves.

Note 3: In addition to the above fees, I estimate that the fee for my work on certification of grant claims and returns will be £87,500. I will report the final fee for this work after my work is complete.

# Appendix 2 – Glossary

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## **Annual governance statement**

Governance is about how local government bodies ensure that they are doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner.

It comprises the systems and processes, cultures and values, by which local government bodies are directed and controlled and through which they account to, engage with and where appropriate, lead their communities.

The annual governance statement is a public report by the Council on the extent to which it complies with its own local governance code, including how it has monitored the effectiveness of its governance arrangements in the year, and on any planned changes in the coming period.

## **Audit opinion**

On completion of the audit of the financial statements, I must give my opinion on the financial statements, including:

- whether they give a true and fair view of the financial position of the audited body and its spending and income for the year in question; and
- whether they have been prepared properly, following the relevant accounting rules.

## **Opinion**

If I agree that the financial statements give a true and fair view, I issue an unqualified opinion. I issue a qualified opinion if:

- I find the statements do not give a true and fair view; or
- I cannot confirm that the statements give a true and fair view.

## **Value for money conclusion**

The auditor's conclusion on whether the audited body has put in place proper arrangements for securing economy, efficiency and effectiveness in its use of resources based on criteria specified by the Audit Commission.

If I find that the audited body had adequate arrangements, I issue an unqualified conclusion. If I find that it did not, I issue a qualified conclusion.



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- any director/member or officer in their individual capacity; or
- any third party.



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**Executive  
16 January 2012**

**Report from the Director of  
Finance and Corporate Services**

For Information

Wards Affected:  
ALL

**Annual Audit Letter 2010/11**

**1. SUMMARY**

- 1.1 This report accompanies the Annual Audit Letter for 2010/11. The Letter is issued by the Audit Commission.

**2. RECOMMENDATIONS**

- 2.1 Members are recommended to

2.1.1 note the contents of the Annual Audit Letter

2.1.2 note that the Audit Committee will monitor progress against the main features highlighted and delivery of the Action Plan.

**3. DETAIL**

- 3.1 This report summarises the findings from the Audit Commission's 2010/11 audit. It includes details from the audit of the financial statements and arrangements to secure value for money.
- 3.2 The document constitutes the detail and a representative from the Audit Commission will be at the meeting.
- 3.3 The Letter has been sent to all Members of the Council and be made available to residents in each Library and on the internet.
- 3.4 The Audit Commission have produced a more detailed report on the 2010/11 Statement of Accounts. This was considered by the Audit Committee on 15 December 2011.

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 The Audit Letter has directly implications on the financial reporting and management of the Council and on the adequacy of its controls.

#### **5. LEGAL IMPLICATIONS**

- 5.1 None specific.

#### **6. DIVERSITY IMPLICATIONS**

- 6.1 The proposals in the report have been subject to screening and officers believe that there are no specific diversity implications arising from it.

#### **7. STAFFING IMPLICATIONS**

- 7.1 The Letter addresses the overall financial health of the Authority and is therefore of great significance to all managers.

#### **8. BACKGROUND INFORMATION**


1. Background information is contained in the Letter appended to this report.
2. Audit Committee – Report and Agenda 15 December 2011.

#### **9. CONTACT OFFICERS**

Clive Heaphy, Director of Finance and Corporate Services,  
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Forty Lane,  
Wembley,  
Middlesex HA9 9HD,

Tel. 020 8937 1424.

**CLIVE HEAPHY**  
**Director of Finance and Corporate Services**

	<p style="text-align: center;"><b>Executive</b> 16 January 2012</p> <p style="text-align: center;"><b>Report from the Director of Finance and Corporate Services</b></p>
<p style="text-align: right;">Wards Affected: ALL</p>	
<p><b>CIPFA Code of Practice for Treasury Management (2011)</b></p>	

## 1. SUMMARY

- 1.1 This report details the revised Code of Practice in Treasury Management

## 2. RECOMMENDATIONS

- 2.1 The Executive is asked to recommend the revised Treasury Policy Statement to Full Council for approval.

## 3 DETAIL

- 3.1 The first CIPFA Code of Practice in Treasury Management was issued in 1996 with the objective of improving the recording and reporting of treasury management activities. As required under the Code, Full Council approved the last (2009) revision of the Code of Practice issued in September 2010, following the revision of procedures in the light of the Icelandic banking crisis.

### **2011 REVISED TREASURY MANAGEMENT CODE OF PRACTICE**

- 3.2 The 2011 Code of Practice and Guidance Notes have been issued following the enactment of the 2011 Localism Bill which gives local authorities general powers of competence and instituted housing reform. The revised Code follows previous Codes that have been adopted by the Council. Public sector organisations are required to adopt four clauses as set out in Appendix 1 as part of their standing orders, financial regulations, or other formal policy documents appropriate to their circumstances – the Council has previously adopted these clauses.
- 3.3 CIPFA also recommends that the Treasury Policy Statement of the high level policies adopted by Full Council, should follow the wording set out in Appendix 2. The only change from the previous wording is to add the words in bold ('and any financial instruments entered into to manage these risks') in the management of risk. At present there are no plans to use new instruments / derivatives in the management of risk. Not only has the use of derivatives

previously been seen as ultra vires for local authorities, but there is felt to be a lack of expertise for effective management.

- 3.4 The more detailed Treasury Management Practices (TMP) set out in Appendix 3 remain as in 2009. However, authorities should make reference to their high level approach to borrowing and investment in their Treasury Management Policy Statement. Also, TMP4 (Approved instruments, methods and techniques) should refer to the use of derivatives if this was proposed. The detailed TMPs will be revised in 2012. There is also a requirement to set out the Council's high level approach to borrowing and investment.
- 3.5 The other practical changes to treasury management activity and reporting will be seen in the Treasury Management Strategy agreed as part of the budget process. First, there should be a new treasury indicator, upper limits on the proportion of net debt to gross debt in the forthcoming year and following two financial years, to highlight where an authority may be borrowing in advance of its cash requirement. Second, the treasury management implications of housing self financing reform, where the housing revenue account (HRA) will be given increased flexibility to manage the housing stock. The Department for Communities and Local Government will repay approximately £200m Public Works Loans Board debt owed by Brent Council, to place the HRA on a sound basis. The changes will affect such areas as:
- a) The remaining council debt will be split between the HRA and the General Fund in such a way as to cause no detriment to the General Fund.
  - b) Instead of one loans pool, there may be up to three pools to ensure that debt is clearly identified.
  - c) If the council has not taken long term loans to pay for capital expenditure, the HRA may be credited with the benefit of the use of cheaper finance.
  - d) The HRA should be consulted in taking new long term loans / debt restructuring.

#### **4. FINANCIAL IMPLICATIONS**

These are covered in the report.

#### **5 DIVERSITY IMPLICATIONS**

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

#### **6 STAFFING IMPLICATIONS**

None

#### **7 LEGAL IMPLICATIONS**

There are no legal implications arising from the report.

#### **8 BACKGROUND**

Report to Full Council – Treasury Management Annual Report 2010/11 –  
September 2011

Persons wishing to discuss the above should contact the Martin Spriggs, Exchequer and Investment Section, Finance and Corporate Resources, on 020 8937 1472/74 at Brent Town Hall.

CLIVE HEAPHY  
Director of Finance and Corporate Services

### **Clauses to be adopted by the Council**

- a) This organisation will create and maintain, as the cornerstones for effective treasury management:
- a treasury management policy statement (TMPS) stating the policies and objectives of its treasury management activities
  - suitable treasury management practices (TMP), setting out the manner in which the organisation will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities.

The content of the policy statement and the TMPs will follow the recommendations contained in Sections 6 and 7 of the Code.

- b) The full council will receive reports on its treasury management policies, practices and activities including, as a minimum, an annual strategy and plan in advance of the year, a mid-year review and an annual report after its close, in the form prescribed in its TMPs.
- c) This organisation delegates responsibility for the implementation and monitoring of its treasury management policies and practices to the Executive, and for the execution and administration of treasury management decisions to the Director of Finance. The Director will act in accordance with the organisation's policy statement and TMPs and CIPFA's Standard of Professional Practice on Treasury Management.
- d) This organisation nominates the Audit Committee to be responsible for ensuring effective scrutiny of the treasury management strategy and policies.




Authorities are required to refer to their high level approach to borrowing and investment. For Brent Council this is: At a time of market volatility and very low short term interest rates, to minimise risk and costs by reducing the level of cash balances available to lend to the market.

CIPFA also recommends that an organisation's treasury management policy statement adopts the following forms of words to define the policies and objectives of its treasury management activities:-

- 1 Treasury management is 'the management of the organisation's cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.'
- 2 Brent Council regards the successful identification, monitoring and control of risk to be the prime criterion by which the effectiveness of its treasury management activities will be measured. Accordingly, the analysis and reporting of treasury management activities will focus on their risk implications for the authority, **and any financial instruments entered into to manage these risks.**
- 3 Brent Council acknowledges that effective treasury management will provide support towards the achievement of its business and service objectives. It is therefore committed to the principles of achieving best value in treasury management, and to employing suitable performance measurement techniques, within the context of effective risk management.

**TREASURY MANAGEMENT PRACTICES**

TMP1	Risk management
TMP2	Performance measurement
TMP3	Decision making and analysis
TMP4	Approved instruments, methods and techniques
TMP5	Organisation, clarity and segregation of duties, and dealing arrangements
TMP6	Reporting requirements and management information arrangements
TMP7	Budgeting, accounting and audit arrangements
TMP8	Cash and cash flow management
TMP9	Precautions against money laundering
TMP10	Staff training and qualifications
TMP11	Use of external service providers
TMP12	Corporate governance

	<p><b>Executive</b> 12 January 2012</p> <p><b>Report from the Director of Finance and Corporate Services</b></p>
<p>Wards Affected: ALL</p>	
<p><b>Treasury 2011/12 Mid – Year Report</b></p>	

## 1. SUMMARY

- 1.1 This report updates members on recent treasury activity.

## 2. RECOMMENDATIONS

- 2.1 The Executive is asked to note the report, which has also gone to the Audit Committee, and recommend it to Full Council.

## 3 DETAIL

- 3.1 The CIPFA Code of Practice on Treasury Management (2009) requires that treasury activities should be reported to Full Council at mid-year, as well as at year-end. Activities are also reported to the Audit Committee on a quarterly basis. CIPFA has very recently issued a revised Code of Practice that reflects additional flexibility in the treasury management area given to local authorities.
- 3.2 Financial markets have been turbulent during the period June – November, with stock markets falling sharply. Concerns about the euro area, a potential Greek debt default, worries about the USA debt ceiling, and slowing growth in the developed markets have all undermined confidence. Investors have sought safe financial havens, so that medium and longer term interest rates have fallen in the favoured markets – USA, Germany, Switzerland and UK being among the beneficiaries. More sinister has been the tightening in credit markets as USA banks avoid lending to European banks perceived to be vulnerable to Greek and other weaker European country debt. Increasingly, both European and USA institutions have deposited money with their central banks rather than lend it on the market (the ‘wholesale’ market), leading to rising interest rates, some shortages and bank reliance on their central banks. Although the situation is not yet as severe, there are worrying similarities to the 2008 credit crunch, with Dexia bank requiring support from the French, Dutch and Belgian authorities. Central banks have taken action to ease the flow of credit to banks, but confidence remains fragile.

- 3.3 In October, the credit rating agencies reduced the long term ratings below acceptable values for a number of UK banks – Royal Bank of Scotland, National Westminster, Lloyds, and Bank of Scotland – which led to these banks being suspended from the List. This leaves only three banks on the Brent Treasury Lending List – Barclays, HSBC and Santander UK (which is only eligible for overnight and call deposits).

### **Lending**

- 3.4 In these circumstances, there have been no attempts to widen the existing Brent Treasury Lending List. At present, only UK banks are included (as well as government institutions, other local authorities and AAA rated money market funds). When making deposits, maturity dates are kept short (one month, though the one year option remains open), and available balances are held in money market funds or, increasingly, the Debt Management Office.
- 3.5 As the Lending List is so constrained, consideration is being given to the use of overseas banks (non-European) of suitable quality, provided that the sovereign ratings are sufficient. The number of money market funds in use, and the amount to be deposited in each money market fund is also currently under review, with a view to ensuring proper diversification.
- 3.5 Members will be aware that the contract for Aberdeen Asset Management to manage an external treasury fund of £23m, mainly invested in certificates of deposit (CDs, which usually have about one year duration), was terminated in July 2011. An era of very low interest rates meant that there were limited opportunities for the house to add much value. Further, the market turmoil led to concerns that banks may find themselves in difficulty. Finally, the capital programme involves major expenditure on such items as the Civic Centre and Brent Housing Partnership – it is much cheaper at present to fund such items from balances where possible rather than borrow at rates that are 4% above short term rates.
- 3.6 The council made two deposits with Icelandic banks in 2008 – Heritable Bank (£10m) and Glitnir Bank (£5m). Heritable Bank was placed in administration, with Ernst & Young acting as administrator. To date, the council has received £6.5m, with £1.5m paid in 2011/12. Ernst & Young anticipate as their main case that creditors will receive 86% - 90% of their deposit – this has risen since 2009.
- 3.7 The local authority case that they be treated as preferred creditors for their deposits with Glitnir Bank was successful at the District Court level in Iceland. The Icelandic Supreme court has recently confirmed this view, so that it is likely that the deposit will be repaid early in 2012. The council has worked with the Local Government Association and other local authorities to fund action in the Icelandic courts.
- 3.8 The list of current deposits as at 30<sup>th</sup> November is attached as Appendix 1. Note that since that date increasing use has been made of the government's Debt Management Office.

## **Borrowing**

- 3.9 The 2011/12 treasury management budget assumed that the council would borrow long term around October 2011 to fund the capital programme. Although it has become apparent that the capital programme has not progressed as quickly as anticipated, the council borrowed £20m from the Public Works Loans Board in September. The loan was at 2.34% for ten years, with £2m to be repaid in equal instalments each year. It was felt that rates were very low following the flight to safety to UK markets outlined above, and that the loan would protect the council should the wholesale market (lending between banks and financial institutions) become more difficult.
- 3.10 It is anticipated that the council will require additional long term loans (around £30m) later in the financial year or early in 2012/13, depending on the progress of the capital programme.

## **Changes to the Housing Revenue Account (HRA)**

- 3.11 The Department for Communities and Local Government (DCLG) has announced changes to the Housing Revenue Account to allow councils more freedom in the management of their housing stock. From a treasury management viewpoint, the changes have a number of aspects:-
- a) The DCLG will repay around £200m of the council's PWLB debt (currently £509m in total), to reduce the HRA share of debt to the level calculated by the DCLG self-financing model.
  - b) The overall impact of the changes is intended to be neutral for the general fund.
  - c) In future, HRA debt will be accounted for separately from general fund debt, leading to amended accounting arrangements.
  - d) The views of those managing the HRA will need to be taken into consideration in future debt repayment / restructuring activity, as the HRA Business Plan will include debt considerations.

## **Prudential Indicators**

- 3.12 The Council has complied with its various Prudential Indicators, such as interest rate exposure, maturity structure for fixed rate borrowing, and authorised limit and operational boundary for external debt.

## **Budget implications**

- 3.13 The treasury budget is likely to be underspent in 2011/12 as a result of lower interest rates and borrowing later than planned.

## **4. FINANCIAL IMPLICATIONS**

These are covered in the report.

## **5 DIVERSITY IMPLICATIONS**

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

**6 STAFFING IMPLICATIONS**

None

**7 LEGAL IMPLICATIONS**

There are no legal implications arising from the report.

**8 BACKGROUND**

Annual Treasury Strategy – Report to Full Council (and the Audit Committee) as part of the Budget Report – March 2011.

Persons wishing to discuss the above should contact the Exchequer and Investment Section, Finance and Corporate Resources, on 020 8937 1472/74 at Brent Town Hall.

CLIVE HEAPHY  
Director of Finance and  
Corporate Services

MARTIN SPRIGGS  
Head of Exchequer and Investment


**Brent treasury lending list**

1 The current loans outstanding as at 30<sup>th</sup> November 2011 are:

<b>Name</b>	<b>Amount £m</b>	<b>Yield %</b>	<b>Lending Date</b>	<b>Maturity Date</b>
Global Treas. Fund (RBS)	7.5	Var.	Call	
Morgan Stanley cash reserve	1.3	Var.	Call	
Heritable bank	3.5	0.0	15.08.08	14/11/08
Glitnir	5.0	0.0	15.09.08	12/12/08
Northern Trust global fund	0.1	Var.	Call	
Thameside	4.4	0.5	17.10.11	14.11.11
Santander UK	2.9	0.28	25.11.11	19.12.11
Santander UK	<u>5.5</u>	0.27	30.11.11	02.12.11
<b>Total</b>	<b><u>30.2</u></b>			

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	<p style="text-align: center;"><b>Executive</b> 16 January 2012</p> <p style="text-align: center;"><b>Report from the Director of Finance and Corporate Resources</b></p>
<p style="text-align: right;">Wards Affected: ALL</p>	
<p><b>National Non-Domestic Rate Relief</b></p>	

## 1.0 Summary

- 1.1 The Council has the discretion to award rate relief to charities or non-profit making bodies. It also has the discretion to remit an individual National Non-Domestic Rate (NNDR) liability in whole or in part on the grounds of hardship.
- 1.2 This report includes applications received for discretionary rate relief since the Executive Committee last considered such applications in October 2011.
- 1.3 Applications have also been received for 100% discretionary rate relief from Meanwhile Space CIC who are working with the Council in bringing empty shop units in Willesden back into use. These are detailed in Appendix 3.

## 2.0 Recommendations

- 2.1 Members are requested to agree the discretionary rate relief applications in Appendix 2.
- 2.2 Members are asked to agree granting Meanwhile Space CIC 100% discretionary rate relief in respect of their short term occupation of units in Willesden as detailed in Appendix 3.

## 3.0 Details

- 3.1 Details of the Council's discretion to grant rate relief to charities, registered community amateur sports clubs and non-profit making organisations are contained in the financial and legal implications sections (4 and 6).
- 3.2 Appendix 1 sets out the criteria and factors to consider for applications for NNDR relief from Charities and non-profit making organisations. This was agreed by the Executive in February 2008.

- 3.3 Appendix 2 lists new applications from non local charities that meet the criteria. It also shows the cost to the Council if 25% discretionary relief is awarded, which is the Council's normal policy.
- 3.4 Appendix 3 details the work of Meanwhile Space CIC in the Willesden Green regeneration project and their application for rate relief in respect of the properties that they are using for this project
- 3.5 The criteria for awarding discretionary rate relief focuses on ensuring that the arrangements are consistent with corporate policies and relief is directed to those organisations providing a recognised valued service to the residents of Brent. Further detail is set out in Appendix 1. Any relief granted in 2011/12 will be for a three-year period which follows the policy previously agreed by the Executive.
- 3.6 Charities and registered community amateur sports clubs are entitled to 80% mandatory rate relief and the council has discretion to grant additional relief up to the 100% maximum.
- 3.7 Non-profit making organisations do not receive any mandatory relief, but the Council has the discretion to grant rate relief up to the 100% maximum.

#### **4.0 Financial Implications**

##### **4.1 Discretionary Rate Relief**

- 4.1 Charities and registered community amateur sports clubs receive 80% mandatory rate relief, for which there is no cost to the Council. The Council has the discretion to grant additional relief up to the 100% maximum, but has to bear 75% of the cost of this from the Discretionary Relief Budget.
- 4.2 Non-profit making organisations do not receive any mandatory relief, but the Council has the discretion to grant rate relief up to the 100% maximum. The Council has to bear 25% of the cost of any relief granted.
- 4.3 The Council, where it has decided to grant relief, has followed a general guideline of granting 100% of the discretionary element to local charities and 25% of the discretionary element to non-local charities.
- 4.4 It has also granted 25% of the whole amount requested (which is entirely discretionary) to non-profit making organisations. This general policy was endorsed for continuation by the Executive in February 2008.
- 4.5 The total 2011/12 budget available for discretionary spending is £91,000. £95,385 has already been committed in respect of applications approved and entitlement to relief for 2011/12. If Members agree relief as set out in Appendices 2 and 3, it would result in a further spend of £1,505 for 2011/12, this would bring the total spend for 2011/12 to £96,890. Whilst this is an overspend of £5,890 the final figure for 2011/12 may well be further adjusted

to reflect new applications received during the financial year as well as any adjustments to liability, e.g., vacations, reductions in rateable value.

## **5.0 Staffing Implications**

5.1 None

## **6.0 Legal Implications - Discretionary Rate Relief**

6.1 Under the Local Government Finance Act 1988, charities are only liable to pay 20% of the NNDR that would otherwise be payable where a property is used wholly or mainly for charitable purposes. This award amounts to 80% mandatory relief of the full amount due. For the purposes of the Act, a charity is an organisation or trust established for charitable purposes, whether or not it is registered with the Charity Commission. Under the Local Government Act 2003, registered Community Amateur Sports Clubs also now qualify for 80% mandatory relief.

6.2 The Council has discretion to grant relief of up to 100% of the amount otherwise due to charities, Community Amateur Sports Clubs, and non-profit making organisations meeting criteria set out in the legislation. These criteria cover those whose objects are concerned with philanthropy, religion, education, social welfare, science, literature, the fine arts, or recreation.

Guidance has been issued in respect of the exercise of this discretion and authorities are advised to have readily understood policies for deciding whether or not to grant relief and for determining the amount of relief. Further details of the Brent policy are shown in Appendix 1.

6.3 The Non-Domestic Rating (Discretionary Relief) Regulations 1989 allow Brent to grant the relief for a fixed period. One year's notice is required of any decision to revoke or vary the amount of relief granted, if in the case of a variation, it would result in the amount of rates increasing. The notice must take effect at the end of the financial year.

6.4 The operation of blanket decisions to refuse relief across the board would be susceptible to legal challenge on grounds that the Council would be fettering its discretion. The legal advice to officers and Members is that each case should be considered on its merits.

## **7.0 Diversity Implications**

7.1 Applications have been received from a wide variety of diverse charities and organisations, and an Impact Needs Analysis Requirement Assessment (INRA) has been carried out on the eligibility criteria. All ratepayers receive information with the annual rate bill informing them of the availability of discretionary and hardship rate relief. Ratepayers who have previously applied for relief are sent annual discretionary application forms. Details of all the applicants are shown in the Appendices.

## **8.0 Background Information**

8.1 Report to Executive 11<sup>th</sup> February 2008 – National Non-Domestic Relief and Hardship Relief

## **9.0 Contact Officers**

9.1 Paula Buckley, Head of Client Team - Brent House, Tel. 020 8937 1532

9.2 Richard Vallis, Revenues Client Manager – Brent House, Tel 020 8937 1503

9.3 Abigail Stratford, Regeneration Officer – Brent House, Tel 020 8937 1026

CLIVE HEAPHY  
Director of Finance and Corporate Resources

**ELIGIBILITY CRITERIA FOR APPLICATIONS FOR NNDR DISCRETIONARY RELIEF FOR CHARITIES & FROM NON PROFIT MAKING ORGANISATIONS**

**Introduction**

The following details the criteria against which the Local Authority will consider applications from non profit making organisations. In each case the individual merits of the case will be considered.

- (a) Eligibility criteria**
- (b) Factors to be taken into account**
- (c) Parts of the process.**

**(a) Eligibility Criteria**

- The applicant must be a charity or exempt from registration as a charity, a non-profit making organisation or registered community amateur sports club (CASC).
- All or part of the property must be occupied for the purpose of one or more institutions or other organisations which are not established or conducted for profit and whose main objects are charitable or otherwise philanthropic or religious or concerned with education, social welfare, science, literature or the fine arts; or
- The property must be wholly or mainly used for the purposes of recreation, and all or part of it is occupied for the purposes of a club, society or other organisation not established or conducted for profit.

**(b) Factors to be taken into account**

The London Borough of Brent is keen to ensure that any relief awarded is justified and directed to those organisations making a valuable contribution to the well-being of local residents. The following factors will therefore be considered:

- a. The organisation should provide facilities that indirectly relieve the authority of the need to do so, or enhance or supplement those that it does provide
- b. The organisation should provide training or education for its members, with schemes for particular groups to develop skills
- c. It should have facilities provided by self-help or grant aid. Use of self-help and / or grant aid is an indicator that the club is more deserving of relief
- d. The organisation should be able to demonstrate a major local contribution.
- e. The organisation should have a clear policy on equal opportunity.
- f. There should be policies on freedom of access and membership.

- g. It should be clear as to which members of the community benefit from the work of the organisation.
- h. Membership should be open to all sections of the community and the majority of members should be Brent residents
- i. If there is a licensed bar as part of the premises, this must not be the principle activity undertaken and should be a minor function in relation to the services provided by the organisation.
- j. The organisation must be properly run and be able to produce a copy of their constitution and fully audited accounts.
- k. The organisation must not have any unauthorised indebtedness to the London Borough of Brent, including rate arrears. Rates are due and payable until a claim for discretionary rate relief is heard

### **(c) Parts of the process**

#### **No Right of Appeal**

Once the application has been processed, the ratepayer will be notified in writing of the decision. As this is a discretionary power there is no formal appeal process against the Council's decision. However, we will re-consider our decision in the light of any additional points made. If the application is successful and the organisation is awarded discretionary rate relief, it will be applied to the account and an amended bill will be issued.

#### **Notification of Change of Circumstances**

Rate payers are required to notify any change of circumstances which may have an impact on the award of discretionary rate relief.

#### **Duration of award**

The current policy awards relief for one year only and the applicant has to reapply on an annual basis.

The new policy will award relief for a period of two years if the application is made in 2008/09 and for three years if made in 2009/10. However, a confirmation will be required from the successful applicants that the conditions on which relief was previously awarded still apply to their organisation. This will help ensure that the Council's rate records remain accurate.

#### **Withdrawal of relief**

One years notice has to be given by the Council for the withdrawal of relief

#### **Unlawful activities**

Should an applicant in receipt of discretionary rate relief be found guilty of unlawful activities for whatever reason, entitlement will be forfeited from the date of conviction.

	Type of Charitable/Non-Profit Making Organisation	Current Policy
		Discretionary Relief Limited to
1	Local charities meeting required conditions (80% mandatory relief will apply)	<b>20%</b> <b>(100% of remaining liability)</b>
2	Local Non-profit-making organisations (not entitled to mandatory relief)	<b>25%</b>
3	Premises occupied by a Community Amateur Sports Club registered with HM Revenue & Customs. (80% mandatory relief will apply)	<b>20%</b> <b>(100% of remaining liability)</b>
4	Non-Local charities (80% mandatory relief will apply)	<b>25%</b> <b>(of remaining liability)</b>
5	Voluntary Aided Schools (80% mandatory relief will apply)	<b>20%</b> <b>(100% of remaining liability)</b>
6	Foundation Schools (80% mandatory relief will apply)	<b>20%</b> <b>(100% of remaining liability)</b>
7	All empty properties	<b>NIL</b>
8	Offices and Shops	<b>NIL</b>
9	An organisation which is considered by officers to be improperly run, for what ever reason, including unauthorised indebtedness.	<b>NIL</b>
10	The organisation or facility does <b>not</b> primarily benefit residents of Brent.	<b>NIL</b>
11	Registered Social Landlords (as defined and registered by the Housing Corporation). This includes Abbeyfield, Almshouse, Co-operative, Co-ownership, Hostel, Letting / Hostel, or YMCA.	<b>Nil</b>
12	Organisations in receipt of 80% mandatory relief where local exceptional circumstances are deemed to apply.	<b>Up to 20%</b> <b>(100% of remaining liability)</b>

## NON-LOCAL CHARITIES

Financial year: 2011-12

Non-Local Charities (25% relief awarded)		2011-12 Charge	Bill net of statutory relief	25% relief awarded	Cost to Brent at 75%
	<u>New Applications</u>				
32873711	New Testament Church of God	£20,026.25	£4005.25	1001.31	£750.98
<b>Total</b>		<b>£20,026.25</b>	<b>£4005.25</b>	<b>1001.31</b>	<b>£750.98</b>

Financial year: 2010-11

Non-Local Charities (25% relief awarded)		2010-11 Charge	Bill net of statutory relief	25% relief awarded	Cost to Brent at 75%
	<u>New Applications</u>				
32873711	New Testament Church of God	£20,118.43	£4023.69	1005.93	£754.44
<b>Total</b>		<b>£20,118.43</b>	<b>£4023.69</b>	<b>1005.93</b>	<b>£754.44</b>



## NON PROFIT MAKING ORGANISATIONS - APPLICATION FOR 100% DISCRETIONARY RATE RELIEF

### Willesden Green Outer London Fund Project - Meanwhile Space C.I.C.

Address	Period of relief	Amount of relief	Cost of relief (25%) – to be borne by OLF
45 Walm Lane	21/11/2011 – 31/3/2012	£1,600.68	£400.17
Units 1 &2, 12 Queens Parade	9/1/2012 – 31/3/2012	£1,546.55	£386.64
Units 3 - 11, 12 Queens Parade	9/1/2012 – 31/3/2012	£8,269.73	£2067.43
Units 12, 12 Queens Parade	9/1/2012 – 31/3/2012	£417.32	£104.33
		£11,834.28	£2958.57

### Background

1. In September 2011 the London Borough of Brent were awarded £500,000 funding from the Mayor's Outer London Fund (OLF) for Willesden High Road.
2. Willesden Green is situated in the south east of the borough. At its heart is Willesden High Road, home to a variety of shops including the Willesden Green Library Centre (WGLC). The designated town centre stretches from Willesden Underground Station in the east to Belton Road in the West. It is a well connected and attractive town centre, its strengths include a particularly young and diverse community, with an increasing number of young professionals drawn to buy and rent flats in the area.
3. Despite having the potential, raw ingredients for a strong and distinct town centre, people just aren't using Willesden Green as a local resource. Willesden High Road has seen an increase in vacancy rates and is performing particularly poorly with the second highest vacancy rate in the borough.
4. Brent Council is committed to regenerating Willesden Green into a thriving, vibrant destination. Intent on delivering its commitment, the Council bid for, and successfully secured £500,000 from the Mayor's OLF to transform the High Road into a thriving, vibrant destination through the 'New Windows on Willesden Green' project.
5. The Council have procured The Architecture Foundation, Meanwhile Space CIC and Blue Consulting to deliver 'New Windows on Willesden Green', a project designed to spark energetic and rapid change of Willesden High Road by giving local people the opportunity to use and change spaces to create a

more attractive destination, a place to try new ideas and stimulate a new pride in place.

6. The project is split into two phases. Phase 1 ran from October 2011 – December 2011 (inclusive) and incorporated the following four core elements;
  - **Shop Front Animation & Improvements;** Throughout December a special series of window displays and shop front improvements were revealed along Walm Lane and Willesden High Road in the run up to Christmas. Local Shop owners were paired with talented emerging designers to produce an advent calendar trail of window displays, a new Willesden Window opened each day of the month.
  - **The pilot shop;** 45 Walm Lane a previously vacant shop premises was transformed and bought back into use, it's now a one-stop-shop to find out everything you need to know about the New Windows on Willesden Green project.
  - **Trainee Opportunities;** Working in partnership with the College of North West London and other training providers, local students were offered training opportunities to make some of the shop displays or deliver some of the physical shop front improvements.
  - **A Christmas Celebration for Willesden;** An exciting weekend of events was held on 17<sup>th</sup> & 18<sup>th</sup> December 2011, hand on designer workshop, historical tours and advent trails animated and brought new audiences to the High Street.
7. At the time of writing Phase 1 programme of activities has;
  - Engaged 12 Brent Trainees; Through engaging in the project the local painting & decorating diploma students gained extra units which will help them get an NVQ, the industry recognised qualification.
  - Up skilled 6 local people
  - Created 25 temporary designer posts
  - Engaged 25 existing businesses

The realisation of the benefits will continue into the second phase of the project which runs from January 2012 – March 2012 (inclusive).


8. Phase 2 looks primarily at making empty shops/properties in Willesden Green available at no cost for Brent based individuals, companies and community groups to try out new business ideas. This will be done through an open call process with local creative businesses, start-up businesses or community groups. In return successful applicants will offer creative ways of 'giving back' to the community whilst running a business from the shop and ensuring occupancy on the High Road.
9. The vacant shops will be secured by Meanwhile Space CIC. Meanwhile Space CIC (until a suitable legacy vehicle is constituted) will enter into a meanwhile lease with the landlord to occupy premises identified up until 31<sup>st</sup>

March 2012 when the project ceases. The vacant premises will then be improved and made available to the selected applicants at little cost who will act as guardians of the space to keep it open and animated by running a business from the shops/properties whilst simultaneously working to engage the local community. By example for taking on a local trainee or leading workshops for local people.

10. Phase 2 will deliver both social and economic benefits through; providing opportunities for small medium enterprises to grow, bringing new audiences to the area, improving the offer on the High Street and delivering much needed skills and training in the area. The skills and training will be targeted particularly at young people in response to the current high levels of youth unemployment.
11. Local trainees from the College of North West London and other training providers will also be engaged to deliver physical improvements to the vacant shops/premises to make them more marketable. This will ultimately help attract high quality businesses to the High Street in the future, improving the offer to local residents and creating a sustainable shopping and leisure destination.
12. Meanwhile Space CIC has already secured a meanwhile lease on the pilot shop, 45 Walm Lane, London, NW2 4QU which is being used to promote the project. An agreement is due to be signed on 9 January 2012 with Metrotexiles in respect of Units 1 & 2, 3-11, and 12 Queen's Parade, London, NW2 5HT. These units will initially house all the new start-up enterprises and be used to train and skill people in running a business and other commercial skills. They will also be used as an outlet for displaying and marketing their products. Once these enterprises have sufficient skills they will be encouraged to take on vacant shop units in the area.
13. Meanwhile Space CIC is a non-profit organisation and as such would normally only be considered for 25% discretionary rate relief based on the current policy (as set out in Appendix 1). Incurring the remaining 75% rates liability for the properties secured on a meanwhile lease would mean a significant proportion of the OLF funding allocated to deliver New Windows on Willesden Green would be spent on business rates, rather than driving and delivering the social and economic regeneration of the High Street. If 100% discretionary rate relief is agreed it is proposed that the OLF funding is used to meet the council's costs of granting full rate relief on premises activated through the scheme.
14. To ensure the project remains cost neutral to the Council, the OLF funding allocated to deliver New Windows on Willesden Green will be used to cover the 25% business rate cost borne by the Council. Thus in effect there is no cost to the Council of awarding 100% relief and the investment in regenerating Willesden High Road is still maximised.

## **Recommendation**

Meanwhile Space CIC are a non-profit making organisation working with the Council to promote the regeneration of Willesden Green. They will be taking on the leases of shops in order to train and skill potential new businesses who it is hoped will ultimately trade from vacant shop units in the area. It is therefore recommended that the Council grants 100% discretionary rate relief to the units occupied by Meanwhile Space CIC, particularly as there is no cost to the Council. Should they occupy any other units these will be reported to the Executive.

	<p style="text-align: center;">Executive</p> <p style="text-align: center;">16 January 2012</p> <p style="text-align: center;"><b>Report from the Director of Strategy, Partnerships and Improvement</b></p>
For Action	Wards Affected: All
<p><b>Report Title: Voluntary Sector Initiative Fund</b></p>	

## 1.0 Purpose of Report

This report seeks agreement to the creation of a newly named Voluntary Sector Initiative Fund from existing Main Programme Grant and Advice Services Budgets; maintaining the overall level of funding as detailed in Section 6. As existing grant terms come to an end, the report proposes allocating the Main Programme Grant budget to grant-funded Borough Plan aligned projects, enhancing infrastructure support for the voluntary sector and some advice, guidance and advocacy. The report also seeks agreement to extending existing arrangements for advice services and some of the grant projects to enable a review of the advice, guidance and advocacy in 2012-2013.

## 2.0 Recommendations

Members are asked to agree the following proposals:

- 2.1 To agree to the creation of a newly named Voluntary Sector Initiative Fund from the existing Main Programme Grant and the Advice Services budgets;
- 2.2 To agree to the creation of three funding streams within the Voluntary Sector Initiative Fund in the financial year 2012 – 2013, which are as follows:
  - (i) a funding stream using existing Main Programme Grant Budget for projects which run for two year and nine months aligned to Borough Plan priorities excluding crime and regeneration as set out in paragraph 4.3 of this report;
  - (ii) a funding stream using existing Main Programme Grant Budget to commission infrastructure support for Brent's voluntary and community sector for three years from 1<sup>st</sup> April 2012 until 31<sup>st</sup> March 2013 as set out in paragraph 4.10 of this report;
  - (iii) a funding stream containing existing advice, guidance and advocacy arrangements funded from the Advice Services budget and Main Programme Grant Budget from 1<sup>st</sup> April 2012 and 31<sup>st</sup> March 2013 as set out in paragraph 4.13 of this report;
- 2.3 To agree to the addition of a further three year funding stream to commence in the financial year 2013-2014 for projects aligned to the range of borough plan priorities as set out in paragraph 4.4 of this report using the existing Main Programme Grant Budget as existing grant terms come to an end

*Grant projects aligned to Borough Plan priorities*

- 2.4 To extend (within existing budgets) all existing grant agreements under the children and young people's theme and decommission, with appropriate notice, these projects at the point the new themed funding becomes available;
- 2.5 To decommission, with appropriate notice, the last set of projects being funded by the council under one year agreements at the point new funding streams become available with the exception of those covered by the advice, guidance and advocacy proposal;
- 2.6 To decommission the crime and regeneration themed funding stream at the end of its three year grant period in March 2013 and replace it as outlined in paragraph 2.3 above;
- 2.7 To agree and maintain the grant funding principles set out in paragraph 4.7 of this report

*Advice, Guidance and Advocacy*

- 2.8 To extend (within existing budgets) the existing one year grant agreements for projects provided by Brent Mencap, Brent Association of Disabled People and Age UK until March 31<sup>st</sup> 2013 whilst a review of advice guidance and advocacy stream is undertaken;
- 2.9 To extend (within existing budgets) the existing arrangements for Brent Citizen's Advice Bureau, Brent Community Law Centre and Brent Private Tenants Rights Group until March 31<sup>st</sup> 2013 whilst a review of the advice, guidance and advocacy stream is undertaken.

*Operational Arrangements*

- 2.10 To agree the draft themed grant funding criteria as set out in Appendix 3 of this report;
- 2.11 To agree the amended grant funding terms and conditions set out in Appendix 4 of this report;
- 2.12 In line with arrangements in place in Housing and Community Care, to grant delegated authority to the Director of Strategy, Partnerships and Improvement to commission replacement projects where allocated funding is not taken up by a successful bidder or the project monitoring highlights a need to cease funding the agreed project.
- 2.13 To note that the review of advice guidance and advocacy will take place in the year 2012/ 2013 as set out in paragraph 4.13 of this report;
- 2.14 To note that a further equality impact assessment will be undertaken for the review of the advice, guidance and advocacy funding stream in 2012/2013 which will accompany any proposals to the Executive arising from the review;
- 2.15 To note the content of the equality impact assessment which is set out in Appendix 7 of this report upon consideration of the recommendations set out in this report.

**3.0 Context**

The proposals in this report take into account a number of contextual factors. The national economic context, with reductions in public sector and voluntary sector funding from national government is challenging for local service delivery. National policy changes are affecting or are about to affect the lives of residents in the borough who are already contending with the difficult financial context.

Main Programme Grant

3.1 The council gives grants to voluntary sector organisations through the Main Programme Grant (MPG). The present council policy on voluntary sector grant funding was shaped by the recommendations of a Voluntary Sector Funding Scrutiny Task Group in 2007. The council agreed changes to how they would give grants to voluntary sector organisations in 2008 and have gradually made these changes. Two thirds of grants have new terms and conditions. The criteria for these themed grant funding streams includes alignment to Borough Strategy priorities, three-year grant agreements and a requirement to develop an exit strategy, since the same project would not be funded for two consecutive three year periods. The Executive agreed a limit of £25,000 per project each year for these funding streams. This enables a range of organisations not previously funded through MPG to access funding and a better match over time between the projects funded and the work of the statutory partner agencies. The grants with new terms and conditions are in the children and young people and crime and regeneration funding streams. In April 2009 the Executive agreed the first set of grants for projects in the Children and Young People's Theme. In June 2010, the Executive agreed a second set of grants for projects under a crime and regeneration theme. Children and young people's grants run from 2009-2012. Crime and regeneration grants run from 2010-2013. Detail of the projects funded under each of these streams is included in appendix 2

Figure 1: Main Programme Grant in 2011- 2012

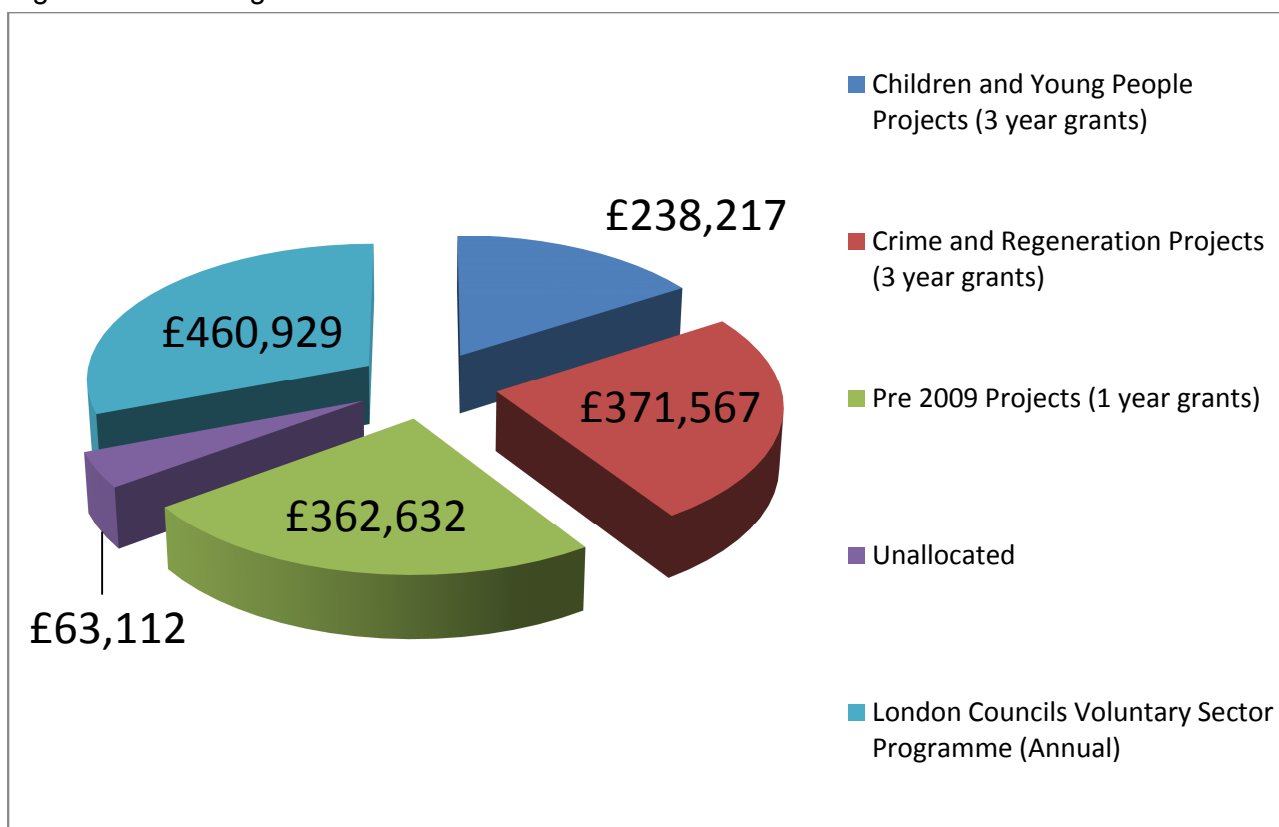
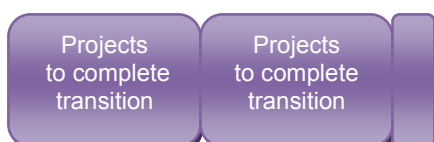


Figure 2: Present allocation of local grants from Main Programme Grant Pot



## Children and Young People Theme

## Crime and Regeneration Theme



- 3.2 There remains a set of projects which has continued under the pre 2009 model of grant funding; that is to say the projects are not aligned with a particular Borough Plan theme, they are not limited to funding of £25,000 per year and the projects have not yet been offered three year funding. Executive agreed to grants for one year for these projects for 2010/2011 and more information about the projects is included in appendix 1. The grant agreements were due to finish in March 2011 but the judicial review of London Council's decision to reduce funding for its voluntary sector grant scheme and the need to develop proposals for the changed financial and policy context delayed this. The grant agreements rolled over into 2011/2012 so that these organisations would be in a position to benefit from the any alternative funding offered at the point present funding ceases. This approach is consistent with the transition from non themed to themed funding seen with the Children and Young People and Crime and Regeneration themed funding streams and equality impact assessment undertaken at that time.
- 3.3 It was originally envisaged that the next set of proposals for Main Programme Grant would complete the transition to a themed grants model. This would have involved decommissioning the projects not yet subject to the themed grant model and using the funding to create another themed funding stream as done with the children and young people and crime and regeneration themes. When this approach was analysed it transpired that it had the potential to be problematic. A combination of factors led to the conclusion that completing the transition to themed funding in this way should not be pursued. The importance of advice and guidance in the context of national cuts to public spending and significant changes to public policy impacting on the benefits system, unemployment and risk of homelessness was recognised. There were other factors which were taken into account. Some projects were in receipt of funding levels well above the £25,000 per year which other projects had received in the themed grant funding. Also, some organisations received the core amount of their funding from the Council's voluntary grants. Furthermore, the advice and guidance element of some projects presently delivered to disabled people and some elderly people is of a more specialist nature and in at least one case, no other organisation provides a similar function of providing such advice and guidance in the borough.

Figure 3: Projects not subject to themed grant model



<b>Organisation</b>	<b>Project</b>	<b>£</b>
Association of Muslims with disabilities	Drop in Centre	10,404.00
Age Concern	Advice, guidance and partnership working	90,474.00
Brent Advocacy Concerns	Advocacy support, NCT Learning disability day service	28,735.00
Brent Association of Disabled People	Core activities, welfare rights, resource centre, information and advice service	159,380.00
Brent Heart of Gold Support Group	Hire of premises and exercise sessions	4,692.00
Brent Indian Community Centre	Daily activities, outings and trips for the elderly	14,014.00
Kingsbury Asian Elders Group	Cultural programmes, general activities with elderly	1,665.00
Magnolia Senior Citizens	Older people's activities	1,248.00
Brent Mencap	Social activities, advice, guidance, information about learning disabilities	52,020.00
<b>Total</b>		<b>362,632.00</b>
<b>BrAVA (has now ceased to operate)</b>	<b>CVS core costs including volunteer bureau,</b>	<b>31,212.00</b>
<b>Original Total</b>		<b>393,844.00</b>

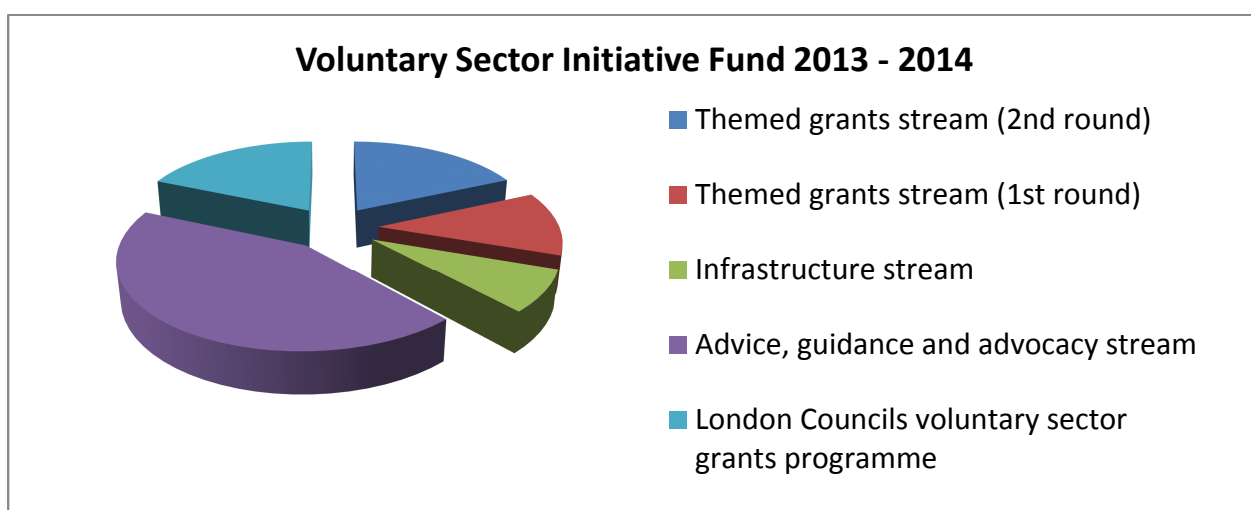
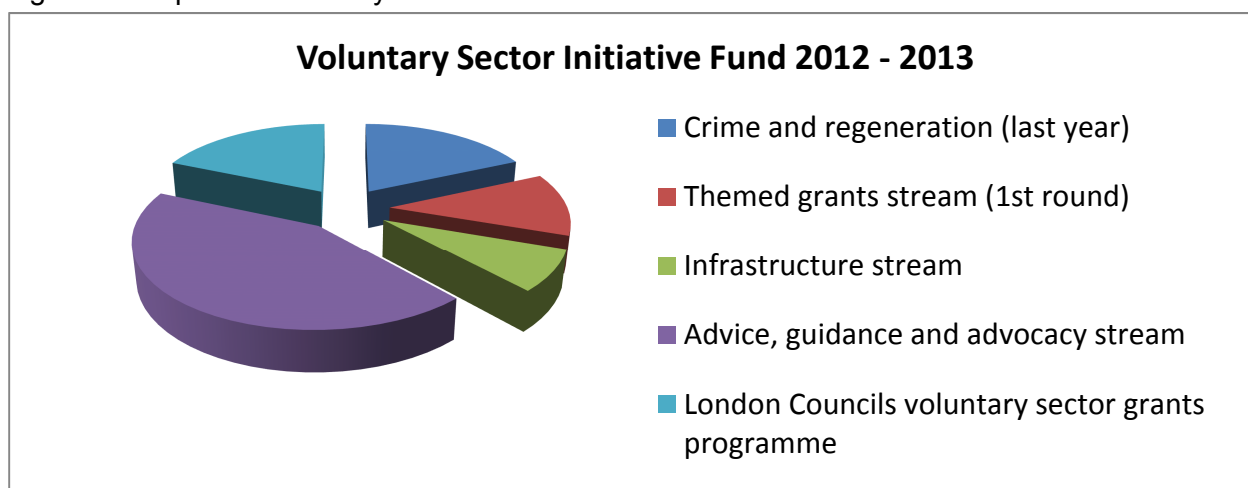
- 3.4 Main Programme Grant Budget also includes Brent's contribution to the London Councils Voluntary Sector Grant Scheme. All the London boroughs contribute to the London Councils voluntary sector grants scheme. Delays to decisions about the contributions to be made by London Boroughs to London Council's Voluntary Sector Grant Scheme have, in turn, delayed this report coming to Executive. As a result of the decision by London Councils to reduce funding, Brent was ultimately asked to contribute £460,929 to the London Councils Pot in 2011/2012, instead of £935,051 the year before and an increase of £24,583 on the budgeted figure for 2011/2012. The Council's 2011/2012 budget set out an intention to utilise the funding no longer contributing to the London Council's Voluntary Sector Grants Scheme to safeguard some of the advice and guidance services provided by the voluntary sector and to make savings: £231,500 was allocated to safeguard advice and guidance services and £249,000 was allocated to savings.
- 3.5 London Councils has recommended a budget for 2012/2013 with the associated contribution to the Voluntary Sector Grant Scheme from Brent of £377,097. The decision on the contribution to London Councils will be made by through a separate report to January 2012 Executive. The report recommends the reallocation of the sum of £83,832, which is no longer paid towards the London Councils. It recommends that £24,583 of this sum, covers the overspend created by the increase in the contribution sought from London Councils during 2011/2012 and £59,249 of the sum is allocated to Brent Council's Voluntary Sector Initiative Fund. This report includes this proposed allocation.
- 3.6 This report addresses the Main Programme Grant funding stream not operating on a themed grant model. It also makes proposals about allocation of funding once the children and young people's themed funding comes to an end in March 2012 and the crime and regeneration themed funding comes to an end in March 2013. The report seeks to build on the principles of the present voluntary sector grants policy, restating it and refining its implementation to ensure good, Borough Plan aligned, project outcomes which make the best use of limited resources

#### 4.0 Detailed Considerations

## Voluntary Sector Initiative Fund Proposal

- 4.1 The proposal is to create a newly named Voluntary Sector Initiative Fund from the existing Main Programme Grant and Advice Services budgets. It is proposed that the Voluntary Sector Initiative Fund has three funding streams – a themed grant funding stream, an infrastructure stream and an advice, guidance and advocacy stream. This proposal consolidates the progress already made in developing an approach to grant giving which better aligns with Borough Plan objectives and offers some stability for voluntary sector organisations through three year funding. It responds to a need for improved infrastructure in the voluntary sector and safeguards more specialised advice and guidance presently funded through main programme grant.
- 4.2 The proposal has been consulted on through an online questionnaire and engagement of the sector at two voluntary sector liaison forums. A letter was sent to the council’s voluntary sector contacts including groups we presently fund and to the members of the Disabilities and Mental Health User Forum. The consultation was also advertised in the local paper and in local voluntary sector organisations communications. The consultation pack is included as Appendix 6 and the results of the consultation including main themes arising are included in Appendix 5. The findings are referred to in the main body of the report.

Figure 4: Proposed Voluntary Sector Initiative Fund

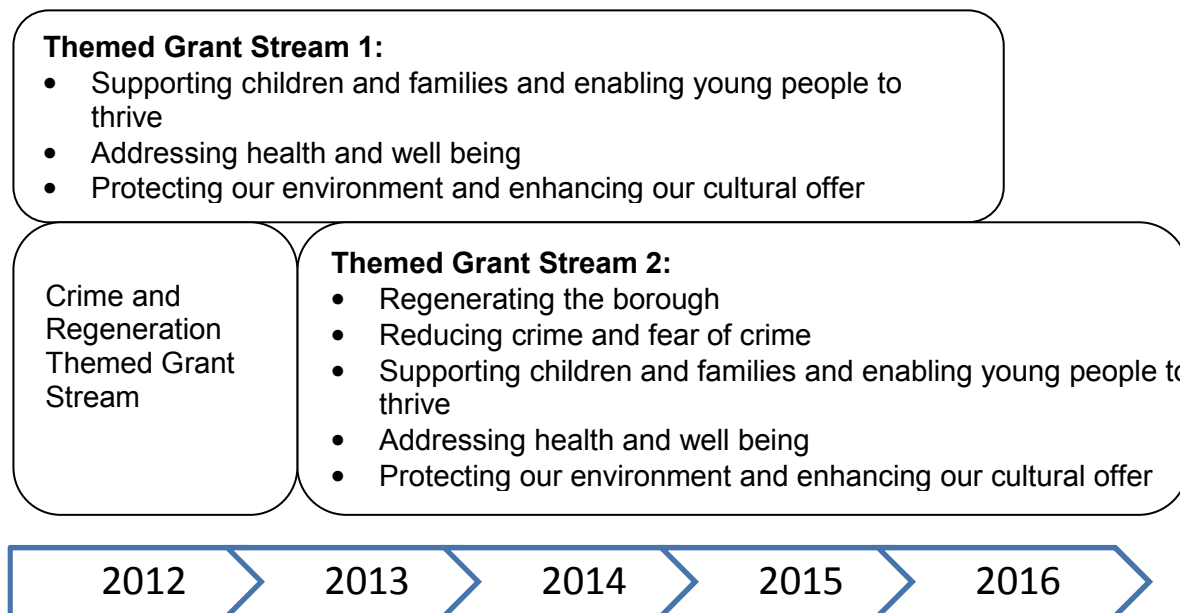


### Themed Grant Funding Stream

- 4.3 The children and young people's themed funding comes to an end in March 2012. It is proposed that some of this funding is used to create another themed grant funding stream and some to support infrastructure development for the voluntary sector. Themed grants would be for projects run by voluntary sector organisations which help to reach the aims of the Borough Plan. In 2012 the proposal is that the council seeks to fund projects which support children, young people and families, improve health and well being, protect the environment and encourage cultural and sporting activities in the borough. Crime and regeneration grant funded projects will still be running in 2012 and 2013 and this is why these priorities are not included in the proposed list.
- 4.4 Crime and regeneration theme funding comes to an end in March 2013. It is proposed that this funding is used to create a further themed grant funding stream between April 2013 and March 2016. Themed grants would be for projects run by voluntary sector organisations which help to reach the aims of the Borough Plan. In 2013 it is proposed that the council seeks to fund projects which tackle crime and fear of crime, help regenerate the borough, support children, young people and families, improve health and well being, protect the environment and encourage cultural and sporting activities in the borough.
- 4.5 53% of responses to consultation agreed with the themed grant funding proposal, with 24% of responses neither agreeing nor disagreeing. Consultation responses emphasised the importance of funding projects which tackle inequalities. There was a positive response to the opportunity to bid for projects relating to a wider range of Borough Plan priorities. Organisations wanted to suggest a range of aspects which they considered consistent with the Borough Plan priorities and an underlying focus on tackling poverty including employment related projects, support for refugees, addressing language barriers, tackling hate crime, addressing youth unemployment, funding activities for children and young people and to improve health and well being. These suggestions have been taken into account in the draft funding criteria in appendix 3. Organisations which disagreed with the proposal expressed concern about the existing principle of funding projects for three years and not funding the same project in the following round of funding. At the moment an exit strategy forms part of the agreement for receiving a three year grant. The intention is to continue to strike a balance between secure medium term funding with the three year grant term and responding to the changing needs in the borough and broadening the range of organisations which can access grant funding over time.
- 4.6 Clarification was sought on what was meant by a project and whether this precluded an organisation bidding to deliver a different project. The existing and proposed criteria state that an organisation which has already accessed funding to deliver a project can bid to deliver a different project. Consideration is given in assessing bids to organisations which have not benefited from main programme grant before. Requests were made to consider receiving bids through a lead agency working with smaller organisations and to ensure that projects which are funded would benefit the borough with 90% of people benefiting from projects living in the borough. The way in which these suggestions can be included is now being considered. There was also a request to limit the size of organisations who can apply for grant funding. Limiting the size of organisations which can apply is not proposed as it would limit the range of different projects different sized voluntary sector organisations have to offer.
- 4.7 It is recommended that the existing policy principles for themed grants are maintained: three year funding agreements, not funding the same project in two consecutive three year periods and a requirement for an exit strategy. In addition it is recommended that the council continue to fund projects for between £1,000 and £25,000 each year and for a maximum of £75,000 over three years. These principles enable different voluntary sector organisations to gain access to council grant funding, give an indication of future funding and seek to address the risks of core funding.
- 4.8 Feedback from the voluntary sector highlights that there could be better alignment between statutory service provision and that provided in the voluntary sector. This sort of strategic alignment between statutory service provision and voluntary sector projects can be achieved for grant funding. It is

recommended that future themed funding streams encompass a range of Borough Plan priorities and that there is a better mix of projects benefiting the whole borough and projects benefiting particular neighbourhoods. Working collaboratively with voluntary sector organisations to release social capital in neighbourhoods will illustrate both Brent's own brand of localism and a move away from a relationship with the voluntary sector which has at times been too narrowly focussed on either commissioning specific services or the availability of grants.

Figure 4: Proposed themed voluntary sector grant funding streams – note phased timeframes



4.9 Members are asked to agree the recommendations relating to Grant projects aligned to Borough Plan priorities as set out at 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, 2.11 and 2.12.

Infrastructure stream

4.10 It is proposed that an infrastructure stream of £159,249 is set aside each year for three years between April 2012 and March 2015 to commission projects which enhance infrastructure support for the voluntary sector. Members are asked to note that this figure includes the £59,249 which the separate London Councils Voluntary Sector Grants Report to Executive in January 2012 recommends is allocated to the Voluntary Sector Initiative Fund. The funding stream would include commissioning work from a constituted CVS, supporting the development of a voluntary sector resource centre and responding to identified gaps in infrastructure support. Brent's former Council for Voluntary Service, BrAVA, ceased to operate in the borough and the council is supporting the development of a new Council for Voluntary Service: CVS Brent: A range of powers being proposed in the Localism Bill, such as the community right to challenge and community right to buy, are impacting upon the relationship between the council and voluntary sector organisations. A CVS is a critical part of the council's engagement with the voluntary sector and voluntary sector organisations have highlighted the need for improved communication between the sectors. National government policy expects more from voluntary sector organisations and public sector cuts affect a number of these voluntary sector organisations. The proposal aims to enhance the sector's ability to bring funding into the borough to benefit residents from the range of trusts and government funding.

4.11 53% of consultation respondents agree with the infrastructure proposal with 27% neither agreeing nor disagreeing. Most of the responses related to being in a period of change with the new CVS yet to develop some of the support voluntary sector organisations indicate they would like. The need for infrastructure support was reiterated. Respondents wanted to be sure this would translate into

support they could benefit from, with some asking for consideration of more front line service delivery instead. The provision of infrastructure support is seen as critical in enabling the voluntary sector to bring more funding into the borough be that through mentoring between more experienced and less experienced organisations, more joint working, additional training or identifying supply chain opportunities. There was also a request to consider a hub to coordinate volunteering in the borough as part of what is funded through this stream. The intention is to consider this when identifying gaps in infrastructure support. Responding to a question about infrastructure in the consultation voluntary sector organisations said that: better alignment of service provision between the voluntary and public sectors and information about different sources of funding available for the voluntary sector were most important to them. This was closely followed by the need for improved communication about changes likely to impact the voluntary sector and development of more collaborative working between voluntary sector organisations

- 4.12 Members are asked to agree the following proposals relating to the infrastructure funding stream (as set out in 2.2 and 2.4):
- The creation of a funding stream using existing Main Programme Grant Budget to commission infrastructure services for Brent's voluntary and community sector for 3 years
  - To extend (within existing budgets) all existing grant agreements under the children and young people's theme and decommission, with appropriate notice, these projects at the point the new themed funding becomes available

#### Advice, Guidance and Advocacy Stream

- 4.13 A funding stream from which to commission advice, guidance and advocacy from the voluntary and community sector is proposed. This would be made up of the existing Advice Services budget for £372,000 (funding Brent Citizen's Advice Bureau, Brent Community Law Centre and Brent Private Tenants Rights Group) and the allocation of £301,847 of Main Programme Grant which is funding advice guidance and advocacy projects (the rationale for which is outlined at section 3.3). These projects are presently run by Brent Association of Disabled People, Age UK and Brent Mencap. The allocation of some of the Main Programme Grant to this funding stream is considered particularly important in the context of national policy changes which will affect a range of vulnerable people in the borough including provision of benefits, housing, adult education and employment support. It is recognised that voluntary sector organisations are well placed to provide advice and guidance and access hard to reach communities in this context. Having created the funding stream, it is recommended that a review of the existing arrangements and an assessment of future options for Advice, Guidance and Advocacy is undertaken during 2012-2013. This would include looking at three year funding for this stream and ensure better alignment within the funding stream. Proposals arising from the review would come to Executive for a decision.

#### *Brent Citizen's Advice Bureau (BCAB)*

- 4.14 The current grant agreement with the BCAB is for 6 months from 1<sup>st</sup> October to conclude on 31<sup>st</sup> March 2012. The BCAB is now funded by Strategy Partnerships and Improvement (previously Housing and Community Care) to provide a generalist legal advice service across all categories of law with a total annual value of £359,000. This report deals with the £359,000 budget. In addition to the Council's Strategy, Partnership and Improvement funding, the BCAB also receives approximately £175,000 one year funding from the Council's Children and Families (C&F) Department, delivering an outreach advice service across a number of Children's Centres which is due to expire 31<sup>st</sup> March 2012. The total Council funding amounts for the BCAB for 2011-12 is £534,000 (SPI + CF), the BCAB has also secured a total of £319,000 from a range of other external funding sources during 2011-12.

#### *Brent Community Law Centre (BCLC)*

- 4.15 The grant agreement with the BCLC is for 6 months from 1<sup>st</sup> October to conclude on 31<sup>st</sup> March 2012. The BCLC is funded by Strategy Partnerships and Improvement to provide a specialist legal advice

service across all categories of law with a total annual value of £183,000. The BCLC has also secured a total of £390,000 from a range of other external funding streams.

*Brent Private Tenants Rights Group (BPTRG)*

- 4.16 The current agreement with Brent Private Tenants Rights Group receives approximately £33,000 a year to give a voice to private sector tenants. As part of Housing's review of advice there was a clarification that the council grant relates to giving a voice to private sector tenants and not the provision of housing advice. This grant arrangement is due to be reviewed and the inclusion in the Advice, Guidance and Advocacy Funding stream will facilitate this.
- 4.17 71% of organisations responding to the consultation agreed with the proposal for an Advice and Guidance Funding Stream, some reiterating the increased need for this in light of the national financial context and changes to benefits. One theme from consultation responses was the importance of advocacy. The proposal has been amended in light of consultation to reflect the need to include advocacy in this funding stream. There was a reiteration of the need to examine the nature of the need for advice and guidance in the borough in light of national policy changes supporting the proposal to review this carefully. Some consultation responses emphasised the importance of ensuring benefits for a range of vulnerable people in addition to the disabled and elderly people identified as benefiting from some of the existing projects in this stream. Specific requests for consideration of advice for carers of elderly and disabled people and for BME women have been noted for consideration in the review of the whole advice, guidance and advocacy funding stream alongside several suggestions made about the way in which the £301,847 allocated to advice and guidance could be used. Suggestions included highlighting organisations in the borough with an interest in this work and different models for offering advice and guidance. A preference for grant funding agreements and the use of local providers was expressed.
- 4.18 Members are asked to note that a review of the advice, guidance and advocacy funding stream will take place in the next financial year, 2012-2013. Furthermore, a further equality impact assessment will be undertaken for the review of the advice, guidance and advocacy funding stream in 2012- 2013 to accompany separate proposals to Executive arising from the review.
- 4.19 In the meantime, Members are asked to agree the following recommendations relating to the advice, guidance and advocacy funding stream (as set out in 2.2, 2.8 and 2.9):
- Creation of a funding stream containing existing advice, guidance and advocacy arrangements funded from the Advice Services and Main Programme Grant Budgets until March 2013
  - To extend (within existing budgets) the existing grant agreements for projects provided by Brent Mencap, Brent Association of Disabled People and Age UK until March 2013 whilst a review of advice guidance and advocacy stream is undertaken
  - To extend (within existing budgets) the existing arrangements for Brent Citizen's Advice Bureau, Brent Community Law Centre and Brent Private Tenants Rights Group until March 2013 whilst a review of the advice, guidance and advocacy stream is undertaken.

Making it work in practice

- 4.20 The council has realigned its operational management arrangements so the voluntary sector has one main point of contact with the council through the Corporate Policy Team. The team will have (following completion of transition) responsibility for strategic engagement with the sector, voluntary sector strategy, ensuring a corporate overview of funding of the sector as well as administration of voluntary sector grants. This facilitates a 'one council' approach to managing the council's relationship with the voluntary sector, recognising this as the best way to respond to the new challenges arising from the Localism Bill which emphasises role of the voluntary sector in the public service mixed provider market. Consultation Responses highlighted a number of suggestions for

criteria for grant funding including: robust outcome focussed monitoring, a focus on projects which benefit residents in the borough, being able to bid to deliver projects in particular parts of the borough and not just borough wide and a clearer understanding of why bids are agreed based on the involvement of appropriate statutory service professionals. These suggestions have been incorporated into the proposals in this report. A corporate officer group is being established to ensure a collaborative approach to implementing the recommendations around strategic engagement with the voluntary sector and ensuring an overview of grant giving by particular expertise in different areas of statutory service provision. The team will review performance management arrangements for the newly named voluntary sector initiative fund. Success will be monitored through the council's performance management scorecards.

4.21 Members are asked to agree the following to enable the implementation the proposals (as set out in 2.10 and 2.13):

- In line with arrangements in place in Housing and Community Care, establish delegated responsibility for the Director of Strategy, Partnerships and Improvement to commission replacement projects where allocated funding is not taken up by a successful bidder or the project monitoring highlights a need to cease funding the agreed project.

## **5.0 Conclusion**

5.1 The report recommends the creation of a Voluntary Sector Initiative Fund made up of three funding streams: a themed grant funding stream aligned to the range of Borough Plan priorities, a funding stream to enhance voluntary sector infrastructure support and a funding stream from which to commission advice, guidance and advocacy. The title 'voluntary sector initiative fund' better reflects the emphasis on harnessing the value of what can be delivered by voluntary sector organisations and the inclusion of specific support for the infrastructure to enhance this.

## **6.0 Financial Implications**

6.1 The Voluntary Sector Initiative Fund budget will be £2,068,457 with £1,035,528 from the present Main Programme Grant budget and £575,000 from the present Advice Services budget. The proposals are funded within the present Main Programme Grant Advice Services budgets and the proposal is to maintain the overall level of funding in these budgets. Figure 6 sets out proposed allocation of funding based on the proposals in this report.

Figure 6: Proposed Future Voluntary Initiative Fund Allocations

Cost Item	2011/2012	2012/13	2013/14	2014/15
<b>Pre 2009 Model Projects</b>	<b>362,632</b>	<b>15,190</b>	<b>0</b>	<b>0</b>
<b>Themed Grant Streams</b>				
Children and Young people	238,217	59,554	0	0
Crime & Regeneration	371,567	371,567	0	0
	0		242,087	242,087
Combined Themed Grants		167,344	613,654	613,654
<b>Infrastructure Stream</b>	<b>0</b>	<b>159,249</b>	<b>159,249</b>	<b>159,249</b>
<b>Advice, Guidance and Advocacy Stream</b>				
Advice and Guidance pre 2009 projects		301,874	301,874	301,874
Advice Services	575,000	575,000	575,000	575,000
<b>Other</b>	<b>63,112</b>	<b>20,000</b>	<b>20,000</b>	<b>20,000</b>
<b>Sub total</b>	<b>1,610,528</b>	<b>1,610,528</b>	<b>1,610,528</b>	<b>1,610,528</b>
<b>London Councils Contribution</b>	<b>460,929</b>	<b>377,097</b>	<b>377,097</b>	<b>377,097</b>
<b>Total</b>	<b>2,071,457</b>	<b>2,046,875</b>	<b>2,046,875</b>	<b>2,046,875</b>

Note: 2011/2012 London Councils Figure includes the £24,583 overspend

- 6.2 The Local Authority operates a mixed economy of service provision with the public private and voluntary sectors as providers depending on who can offer the best service at an affordable price. The proposed Voluntary Sector Initiative Fund is only one small part of service provision provided by voluntary and community organisations on behalf of the council. An initial estimate shows that the council spends in the region of £35.9 million either commissioning or grant funding voluntary and community sector organisations to deliver a range of services and projects. 94% of this spend relates to commissioned services, 6% to grants for advice and guidance and Main Programme Grant, some ward working projects and the Prevent Programme. The Main Programme Grant Pot including both the required payment to the London Councils Voluntary Grant Scheme and local grant funding is £1,035,528 and makes up 3 % of the £35.9 million figure.

#### Main Programme Grant

- 6.3 This budget is 1,035,528 for 2012 – 2013. A payment of £460,929 is made for 2011/12 from this budget to the London Councils Grant Programme. Subject to the decision in a separate report on the London councils Budget, we expect that the payment in 2012/2013 will be £377,097
- 6.4 Proposals funded within the existing Main Programme Grant budget do not involve a reduction in the overall level of funding in the pot, but a reallocation of funding. The proposal replaces £362,632 presently allocated to a set of projects on the pre 2009 grant model with £301,874 towards an advice, guidance and advocacy stream and £60,758 included within the themed grant funding stream. The children and young people's theme 2009 – 2012, under the themed grant model, has an annual cost of £238,217 and is replaced with £181,329 of the £242,087 themed grant funding stream (a reduction of £56,888 compared to the previous allocation) and a £159,249 infrastructure stream to support all voluntary sector organisations to have greater resilience and enhance their ability to bring funding into the borough. In addition it should be noted that the criteria for children and young people three year grant agreement included the requirement for an exit strategy as projects are not funded for two consecutive three year periods.
- 6.5 It is proposed that the £20,000 unallocated in figure 6 will contribute to funding initiatives that will enable effective liaison and engagement with the voluntary sector, such as the Voluntary Sector Liaison Forum and Annual Voluntary Sector Conference.



### Advice Services

- 6.6 The current budget for advice services for 2012-13 is circa £575,000, covering advice services provision by Brent Community Law Centre (BCLC) - £183,000 and Brent Citizens Advice Bureau (BCAB) - £359,000 and provision by Brent Private Tenants Rights Group - £33,000. The proposed renewal of the existing arrangement will be contained within the existing Advice Services budget.

### Voluntary Sector Initiative Fund

- 6.7 The recommendations made in this report can be implemented within the available budget.

## **7.0 Legal Implications**

- 7.1 The Council has powers under s137 Local Government Act 1972 and s2 Local Government Act 2000 to make grants to voluntary organisations.
- 7.2 The decision to award a grant is discretionary. The Council's discretion must not be fettered by previous commitments they may have given and it should make its decision in the light of present circumstances.
- 7.3 The Council is bound to act reasonably and must take into account relevant considerations and to ignore irrelevant considerations and should consider its fiduciary duty towards local taxpayers.
- 7.4 Under section 3(1) of the Local Government Act 1999, Brent Council, as a "best value authority" is under general duty of best value to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness". Under the duty of best value, the Council should consider overall value, including environmental and social value, when reviewing service provision.
- 7.5 Before deciding how to fulfil their best value duty, local authorities are required to consult a wide range of local persons, including voluntary and community sector organisations and businesses as set out in section 3(2) of the Local Government Act 1999.
- 7.6 In April 2011, the Government circulated draft Best Value Statutory Guidance ("the Guidance") for consultation. According to that Guidance, local authorities should be sensitive to the benefits and needs of voluntary and community sector organisations and should seek to avoid passing on disproportionate cuts. The Guidance also advises that a local authority intending to reduce or end grant funding or other support to a voluntary or community organisation that will materially threaten the viability of the organisation or service it provides should give at least three months' notice to both the organisation involved and the public/service users. The Guidance also advises that a local authority should actively engage the organisation as early as possible on the future of the service, any knock-on effect on assets used to provide this service and the wider impact both on service users and the local community. The Guidance also advises that where appropriate, local authorities should make provision for an affected organisation or wider community to put forward options on how to reshape the service or project and local authorities should assist this by making available all appropriate information.
- 7.7 As a public authority the Council is subject to a specific duty in relation to the Equality Act 2010:

'Meeting the general equality duty requires 'a deliberate approach and a conscious state of mind'. R (Brown) v Secretary of State for Work & Pensions [2008] EWHC 3158 (Admin).

Members must know and understand the legal duties in relation to the public sector equality duty and consciously apply the law to the facts when considering and reaching decisions where equality issues arise.

7.8 The Equality Act 2010 introduces a new public sector equality duty which came into force on 6th April 2011. The duty placed upon the council is similar to that provided in earlier discrimination legislation but those persons in relation to whom the duty applies have been extended.

7.9 The new public sector equality duty is set out at Section 149 of the Equality Act 2010. It requires the Council, when exercising its functions, to have 'due regard' to the need to eliminate discrimination, harassment and victimization and other conduct prohibited under the Act, and to advance equality of opportunity and foster good relations between those who share a 'protected characteristic' and those who do not share that protected characteristic. A 'protected characteristic' is defined in the Act as:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;(including ethnic or national origins, colour or nationality)
- religion or belief;
- sex;
- sexual orientation.

Marriage and civil partnership are also a protected characteristic for the purposes of the duty to eliminate discrimination.

7.10 The previous public sector equalities duties only covered race, disability and gender.

7.11 Having due regard to the need to 'advance equality of opportunity' between those who share a protected characteristic and those who do not includes having due regard to the need to remove or minimize disadvantages suffered by them. Due regard must also be had to the need to take steps to meet the needs of such persons where those needs are different from persons who do not have that characteristic, and encourage those who have a protected characteristic to participate in public life. The steps involved in meeting the needs of disabled persons include steps to take account of the persons' disabilities. Having due regard to 'fostering good relations' involves having due regard to the need to tackle prejudice and promote understanding. Complying with the duty may involve treating some people better than others, as far as that is allowed by the discrimination law.

7.12 In addition to the Equality Act, the Council is required to comply with any statutory Code of Practice issued by the Equality and Human Rights Commission. New Codes of Practice under the new Act have yet to be published. However, Codes of Practice issued under the previous legislation remain relevant and the Equality and Human Rights Commission has also published guidance on the new public sector equality duty. The advice set out to members in this report is consistent with the previous Codes and published guidance.

7.13 There is no prescribed manner in which the equality duty must be exercised. However, the Council must have an adequate evidence base for its decision making. This can be achieved by means including engagement with the public and interest groups and by gathering relevant details. An equality impact assessment is attached to this report and a summary of this assessment is set out in the Diversity Implications of this report below

7.14 Members should be aware that the duty is not to achieve the objectives or take the steps set out in section 149 of the Equalities Act 2010. Rather, the duty on public authorities is to bring these important objectives relating to discrimination into consideration when carrying out its public functions, which includes grant funding. "Due regard" means the regard that is appropriate in all the particular circumstances in which the authority is carrying out its functions. There must also be a proper regard

for the goals set out in s.149. At the same time, Members must also pay regard to any countervailing factors, which it is proper and reasonable to consider, which include budgetary pressures, economics and practical factors. The weight of these countervailing factors in the decision making process is for Members in the first instance.

#### *Advice Services*

- 7.15 Under section 2 of the Local Government Act 2000 (“LGA”) whereby the Council is authorised to do anything that is likely to promote or improve the economic, social or environmental well being of its area, the Council has the power to provide financial assistance for the provision of advice services to the public of the sort provided by the BCAB and the BCLC.
- 7.16 Importantly, section 2(3) of the LGA provides that in exercising the power described in paragraph 8.1 above, the Council must have regard to its sustainable community strategy (“the Strategy”). Brent’s Strategy sets out how the Council will meet the needs and aspirations of Brent’s residents and expressly points to partnerships with voluntary organisations. The Strategy addresses issues pertaining to the overall wellbeing of Brent’s residents and in particular the Strategy focuses upon enhancing income and employment levels within the Borough and supporting vulnerable tenants within the Borough regardless of the nature of their tenure.
- 7.17 As noted in this Report, part of the work of the BCAB and the BCLC relates to housing advice and information. Section 180 of the Housing Act 1996 provides that the Council (being the local housing authority) may give assistance by way of grant or loan to voluntary organisations concerned with homelessness or matters relating to homelessness. The BCLC in particular is tasked with giving advice which is considered beneficial to the prevention of homelessness.
- 7.18 The renewal of grants is treated under the Council’s Constitution as the award of new grants. The Executive should be aware that the decision to award a grant is discretionary and the Council’s discretion must not be fettered by previous commitments. The Council should therefore make its decision in the light of present circumstances described in this Report. The Council is bound to act reasonably and must take into account only relevant considerations and its fiduciary duty towards taxpayers in the Borough.

## **8.0 Diversity Implications**

### *Proposals relating to present Main Programme Grant Budget*

- 8.1 The equality impact assessment analysing the policy now recommended to members is provided and set out in appendix 7 to this report. This equality impact assessment and consultation on proposals found no adverse impact arising from these proposals. This work has been audited by the Diversity Team.
- 8.2 The analysis was based upon information obtained directly from organisations about people benefiting from projects, people benefiting from the organisation as a whole and information already held by the council from regular monitoring of grant projects. Presently the equality monitoring data about projects which are grant funded is varied, with some organisations providing data relating to a project specifically, some providing data to the organisation as a whole. The council sought updated equality information from funded organisations covering all protected characteristics as part of the consultation process. Where this was provided it has been used to update analysis on older data already held.

### *Proposals relating to Advice Services Budget*

- 8.3 This report does not make proposals changing the existing level of funding or existing arrangements for Advice Services, but requests extension of these arrangements whilst a review of Advice, Guidance and Advocacy is undertaken. As such paragraph 4.18 of this report asks members to note that the proposals arising from the review of Advice, Guidance and Advocacy would be subject to a separate equality impact assessment when they come to the Executive for a decision.

### **9.0 Background Documents**

- Brent Our Future 2010-2014
- Brent Council Budget Book 2010/11
- Brent Council Main Programme Grant Executive Reports between 2008 and 2010
- Brent Council Executive Report September 2011 - Authority to renew grant funding for the Brent Citizens Advice Bureau and Brent Community Law Centre
- Equality Impact Assessment on new themed funding for grants 2009
- Brent Council Voluntary Sector consultation meeting on future use of Main Programme Grant 2010
- Consultation Responses (Summary at Appendix 5 and in the main body of the report)
- Brent Council Main Programme Grant Consultation Document (Appendix 6)
- London Councils Funding Report to Full Council, July 2011
- Treasury CSR Documentation
- DCLG Localism Bill
- DCLG Proposals to introduce Community Right to Challenge
- DCLG Proposals to introduce a Community Right to Buy – Assets of Community Value
- Draft Voluntary Sector Strategy background research and feedback from sector
- Minutes of Voluntary Sector Liaison Forums

### **10. Appendices**

- Appendix 1: Remaining projects to transition to themed grants model
- Appendix 2: Themed Grant Projects as they were agreed by Executive in 2009 and 2010:
- Appendix 3: Draft Themed Grant Criteria – SUBJECT TO REVISION
- Appendix 4: Amended Standard Grant Terms and Conditions
- Appendix 5: Summary of Consultation Responses
- Appendix 6: Consultation Pack
- Appendix 7: Equality Impact Assessment and Equality Impact Assessment Data

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Cathy Tyson, Assistant Director, Policy

**Phil Newby, Director Strategy, Partnerships and Improvement**

## Voluntary Sector Initiative Fund Report Appendices

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## Appendix 1: Remaining projects to transition to themed grants model

### 1 - Age Concern Brent

£90,474.00 per annum in 09/10 and 10/11

To provide the following services

- Information and advice services to older people and their carers
- Social inclusion – arranging welfare benefits and advocacy for BME members and refugees
- Recruitment and support for volunteers to provide services for older people in Brent
- Listening to the views of older people and making them known to service providers and campaigning on their behalf for adequate services
- Raising funds to help develop new initiatives to support and improve the quality of life and well being of older people living in Brent
- Collaboration and partnership working in Brent

According to the June 2010 Executive report, it was receiving £127,526 in contributions from other sources in 2010/11.

### 2 - Association of Muslims With Disabilities

£10,404.00 per annum in 09/10 and 10/11

Towards the Drop-in Centre every Saturdays (48 in a year) 10am – 3pm at Willesden Centre for Health & Care for approximately 265 people. Average attendance per session between 15-20 people.

According to the June 2010 Executive report, it was receiving £3600 in contributions from other sources in 2010/11.

### 3 - Brent Advocacy Concerns

£28,735.00 per annum in 09/10 and 10/11

Provision of advocacy support for individuals in Brent with any type of disabilities. This can include group work but no group work relating to Learning Disability Day service issues.

According to the June 2010 Executive report, it was receiving £28,735 in contributions from other sources in 2010/11.

### 4 - Brent Association of Disabled People

£159,380.00 per annum in 09/10 and 10/11

Towards services as follows:

Activity	Cost (£)	Number of users
Core Activities	55,606	6,900
Welfare Rights	47,944	1,800
Resource Centre	29,990	600
Information and Advice Service	25,840	4,434
TOTAL	159,380	

According to the June 2010 Executive report, it was receiving £90,620 in contributions from other sources in 2010/11.

### **5 - Brent Heart of Gold Support Group**

£4,692.00 per annum in 09/10 and 10/11

- Towards hire of premises for twice weekly cardiac exercise session at Bridge Park
- Exercise instructor's fees for sessions at Bridge Park
- Contribution towards additional exercise and sports sessions at Vale Farm.

According to the June 2010 Executive report, it was receiving £2260 in contributions from other sources in 2010/11.

### **6 - Brent Indian Community Centre**

£14,014.00 per annum in 09/10 and 10/11

Towards health activities, festival celebrations, computer classes and trips.

According to the June 2010 Executive report, it was receiving £101,600 in contributions from other sources in 2010/11.

### **7 - Brent Mencap**

£52,020.00 per annum in 09/10 and 11/12

Towards the delivery of the proposed services/activities:

1. Social activities for people with a learning disability and carers;
2. Provision of general and specialist advice;
3. Employment & benefits for PWLD signposting;
4. Awareness raising and training and
5. Provision of information about learning disability issues to PWLD, carers and partners.

According to the June 2010 Executive report, it was receiving £7,230 in contributions from other sources in 2010/11.

### **8 - Kingsbury Asian Elders Group**

£1,665.00 per annum in 09/10 and 10/11

Towards a wide range of activities such as various functions such as cultural programmes, talks, cookery (ladies only), card games, reading; news papers, magazines, coach trips (during summer period) to the seaside.

According to the June 2010 Executive report, it was receiving £500 in contributions from other sources in 2010/11.

### **9 - Magnolia Senior Citizens Club**

£1,248.00 per annum in 09/10 and 10/11

Contribution towards activities of older people

According to the June 2010 Executive report, it was receiving £3352 in contributions from other sources in 2010/11.

~~10 - Brent Association of Voluntary Action 31,312.00 AM £31,212.00 Towards:~~

- ~~• core costs including covering the following activities:~~
- ~~o Volunteer bureau~~

- ~~o Organisational development support and outreach appointments~~
- ~~o BrAVA newsletter production/information and administration~~
- ~~o Partnership working~~
- ~~o Capacity Building advice and Training~~
- ~~o Resource Centre~~
- Monitoring LAA contribution to community work

BrAVA went bust in the last financial year, 2010/11, and does not currently receive funding.

Total £362,532.00 (excluding funding to BrAVA).



## Appendix 2: Themed Grant Projects as they were agreed by Executive in 2009 and 2010:

### Children and Young People

	Organisation	Annual Funding (£)	Total Funding (£)	Project
1.	Afghan Association Paiwand	4,731	14,193	Mentoring young people not in education, employment or training
2.	Asian Peoples Disability Alliance	15,220	45,660	To provide access to sports facilities for young disabled people
3.	Asian Women's Resource Centre	14,640	43,920	Support services to young people at risk of abuse
4.	Bang Edutainment	15,250	45,750	To provide support and guidance to young people not in education employment or training
5.	Bethel Community Services	7,799	23,397	Educational support of children and young people
6.	Brent Adolescent Centre	15,136	45,408	To provide advice and information in schools on drugs related issues
7.	Brent Bereavement Service	13,824	41,472	Bereavement counselling sessions for children and young people
8.	Brent Homeless Users Group	15,250	45,750	Funding to support 'chance to work' programme
9.	Brent Mencap	15,250	45,750	Holiday and weekend activities for young people with learning disability and autism
10.	Brent Mind	15,250	45,750	Funding to support 'the Mind Map ' project
11.	Brent Schools Football Association	4,880	14,640	To run a series of school football tournaments and leagues in Brent
12.	Centre for Peaceful Solution	12,322	36,966	Counselling sessions to support young people who are at risk of offending or already engaged in criminal activities
12.	Chameleons Amateur Dramatic Society	2,440	7,320	Funding for annual pantomimes
14.	Drama Workhouse	10,492	31,476	Drama workshops in local schools
15.	Middlesex ITEC	15,250	45,750	IT support for young people not in education, employment and training
16.	OK Club	15,250	45,750	Support for young people at risk of offending or already involved in anti-social behaviour

17.	SABA UK Unsigned	14,640	43,920	Training and employment opportunity for young people to learn about digital broadcasting
18.	Salisbury World Refugee Centre	9,150	27,450	Project to enable refugees to integrate and participate in local community
19.	St Michael and All Angels	15,250	45,750	Musical training for children and young people
20.	Sea Training Corps	6,100	18,300	To provide activities after school and during school holidays
21.	Victim Support Brent	15,250	45,750	Support for young people who are victims of crime
22.	Volunteer Reading Help	4,825	14,475	To support 'Reach out and Read' programme
<b>Total:</b>		<b>258,199</b>	<b>774,597</b>	

### Crime and regeneration

Grants were agreed for two years and nine months.

	Organisation	Annual Funding (£)	Total Funding (£)	Project
1.	Addaction	21,500	64,500	<i>Brent Break Free Project</i> Workshops and one-to-one sessions for people with substance misuse
2.	Advance	21,500	64,500	<i>Advance Advocacy</i> Services for women experiencing domestic violence
3.	African Women's Care	17,126	51,379	<i>Health Advice and Guidance</i> Health and wellbeing workshops for BME women in priority areas
4.	Bosnia and Herzegovina Community Advice Centre	19,888	59,664	<i>Local Active Healthy Elders in Brent</i> Services to improve the quality of life of elderly people from West Balkans living in Brent
5.	Brent Addiction Counselling Service	21,500	64,500	<i>Addiction Services</i> Counselling services for people with drugs and alcohol addiction
6.	Brent Indian Association	21,500	64,500	<i>Being Safe and Staying Safe</i> To provide advice, information and training on crime awareness and prevention to the Asian community
7.	Brent Irish Advisory Service	21,500	64,500	<i>Housing Community Project</i> To provide specialist information, advice and support to vulnerable older people on various housing issues
8.	Brent Neighbourhood Watch Association	7,164	21,492	Training Co-ordinators and Members Providing support and training to volunteers to keep them up to date on crime prevention issues

9.	Cricklewood Homeless concern	20,867	62,601	<i>STEPS</i> Support, training, employment and personalised services to homeless people
10.	Elders Voice	18,869	56,607	<i>The Whole Community</i> To provide intergenerational activities for older people and young people in priority areas
11.	Energy Solutions	21,500	64,500	<i>Home Energy Support</i> Provide fuel debt and fuel poverty advice and support to people in priority areas
12.	Groundwork London	20,640	61,920	<i>Growing Greener Stronger Communities</i> Establish gardening activities in deprived areas
13.	Kilburn Youth Centre / P3	21,153	63,459	<i>Jobshop</i> Information, advice and guidance to unemployed young people in South Kilburn
14.	Mayhew Animal Home	21,500	64,500	<i>Responsible Dog Ownership</i> Provide information and education about registration and the responsibility of dog ownership in priority areas
15.	Minster Centre Families without Fear Project	21,500	64,500	<i>Families Without Fear Project</i> Delivery of a range of sessions to include therapeutic support, group work and post group follow up work
16.	Princes Trust (The)	20,432	61,296	<i>Realising Potential in Brent</i> To enable young people to set up their own business and compete for community cash awards
17.	Relate London West	12,900	38,700	<i>Relationship Counselling in Brent</i> Family counselling service to people living in priority areas
18.	St Raphael's Youth Football and Sports Club	8,330	24,990	<i>Learn and Earn Project</i> To provide courses in event stewarding, spectator safety (NVQ2) and Door security, for people living on St Raphael's Estate to enable employment opportunities at London 2012 Olympics
19.	Thames 21	14,998	44,994	<i>Waterway Action Co-ordinator</i> Engage volunteers to clean up Brent waterways, particularly within the priority areas
20.	Toucan Employment	17,200	51,600	<i>Employability</i> To run workshops that will target jobseekers with special needs
<b>Total:</b>		<b>371,567</b>	<b>1,114,701</b>	

## Appendix 3: Draft Themed Grant Criteria – SUBJECT TO REVISION



### London Borough of Brent Draft Themed Grant Criteria

The voluntary sector initiative fund is a means of the council investing in the voluntary and community sector in Brent, harnessing their expertise in engaging local communities, particularly the hard to reach. The voluntary sector initiative fund is intended to support the achievement of the Borough Plan vision that local people: live in an environment that is safe, sustainable and well maintained, are enabled to fulfil their potential and improve their quality of life and can see the commitment to reducing poverty, redressing inequality and preventing exclusion is being honoured. The Voluntary Sector Initiative Fund is split into three parts: a Themed Grant Stream, an Infrastructure Stream and an Advice, Guidance and Advocacy Stream. This document is concerned with the Themed Grant Stream.

Projects are sought which benefit residents on the basis of evidence based need and take into account equality. The council is seeking to fund a set of projects some of which benefit the whole borough and some of which benefit one or more of the following priority areas i.e. South Kilburn, Harlesden, Stonebridge, Church End and Roundwood, St Raphael's (including Brentfield and Mitchelbrook) or Chalkhill. The Borough Strategy aligned priorities for themed grants are set out below:

#### 2012 - 2015 Funding Stream

(Note: does not cover crime or regeneration as these are covered in an existing funding stream)

Priority	
Supporting children and families and enabling young people to thrive	<ul style="list-style-type: none"> <li>● Activities to respond to evidence based need underpinning the Children and Young People's Plan. This could include but is not limited to:               <ul style="list-style-type: none"> <li>○ early intervention with families and/or young people</li> <li>○ Parenting Courses</li> <li>○ Advice and guidance to young people on money management and debt</li> <li>○ Targeted youth services along the lines of the Youth Bus</li> <li>○ After School Homework clubs</li> <li>○ Activities for young people during weekends and school holidays</li> </ul> </li> </ul>
Addressing health and well being	<ul style="list-style-type: none"> <li>● Activities to respond to evidence based need identified in the JSNA and which will underpin the Health and Well Being Strategy. This could include but is not limited to:               <ul style="list-style-type: none"> <li>○ improving the levels of activity for adults and children in the borough - sporting activities, encouraging cycling, walking and other activities to support health</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>and wellbeing</li> <li>○ supporting the improvement of mental health of residents</li> <li>○ Supporting well being by addressing personal financial resilience – e.g. help with budgeting</li> <li>○ Sexual Health work with Care Leavers</li>   <li>○ Activities to respond to the high prevalence of TB in the borough</li> <li>○ Activities to respond to the links between poor housing and poor health e.g. working with tenants/owner occupiers in poor housing to improve energy efficiency and/or improve conditions</li> </ul>
Protecting our environment and enhancing our cultural offer	<ul style="list-style-type: none"> <li>● Activities to respond to evidence based need underpinning Brent's environmental strategies. This could include but is not limited to: <ul style="list-style-type: none"> <li>○ increasing the use of green and or open spaces by residents; this could include new activities or physical improvements</li> </ul> </li> <li>● Activities to respond to evidence based need underpinning Brent's Climate Change strategy. This could include but is not limited to: <ul style="list-style-type: none"> <li>○ Activities to reduce the use of energy and tackle fuel poverty</li> <li>○ Activities to improve the natural environment e.g. biodiversity</li> </ul> </li> <li>● Activities to respond to evidence based need underpinning the Cultural Strategy. This could include but is not limited to: <ul style="list-style-type: none"> <li>○ breaking down barriers, bringing people together and building a sense of community in a local area</li> </ul> <p>(the funding of festivals is excluded from this funding stream)</p> </li> </ul>

### 2013 - 2016 Funding Stream

Priority	Example of activities
Regenerating the borough	<ul style="list-style-type: none"> <li>● Activities to respond to evidence based need underpinning the Regeneration Strategy. This could include but is not limited to: <ul style="list-style-type: none"> <li>○ providing work experience and/or training that help residents get the job they want;</li> <li>○ providing support identifying, applying for and sustaining work, volunteering or apprenticeships</li> <li>○ Activities to respond to the links between housing tenure and employment in the most deprived wards <ul style="list-style-type: none"> <li>▪ e. g. working with tenants of social landlords to improve access to employment, training, education and to improve financial confidence</li> </ul> </li> </ul> </li> </ul>
Reducing crime and fear of crime	<ul style="list-style-type: none"> <li>● Activities which respond to the evidence based need underpinning the Partnership Plan for the Reduction of Crime, Disorder, Misuse of Drugs and Behaviour Damaging to the Environment in Brent. This could include but is not limited to: <ul style="list-style-type: none"> <li>○ Providing best practice solutions to evidenced crime or fear of crime issues, reassuring residents and reducing</li> </ul> </li> </ul>

	the fear of crime amongst the most vulnerable
Supporting children and families and enabling young people to thrive	<ul style="list-style-type: none"> <li>• Activities to respond to evidence based need underpinning the Children and Young People's Plan. This could include but is not limited to: <ul style="list-style-type: none"> <li>○ Early intervention with families and/or young people</li> <li>○ Parenting Courses</li> <li>○ Advice and guidance to young people on money management and debt</li> <li>○ Targeted youth services along the lines of the Youth Bus</li> <li>○ After School Homework clubs</li> <li>○ Activities for young people during weekends and school holidays</li> </ul> </li> </ul>
Addressing health and well being	<ul style="list-style-type: none"> <li>• Activities to respond to evidence based need identified in the JSNA and which will underpin the Health and Well Being Strategy. This could include but is not limited to: <ul style="list-style-type: none"> <li>○ improving the levels of activity for adults and children in the borough e. g. sporting activities, encouraging cycling, walking and other activities to support health and wellbeing</li> <li>○ supporting the improvement of mental health of residents</li> <li>○ Supporting well being by addressing personal financial resilience – e.g. help with budgeting</li> <li>○ Sexual Health work with Care Leavers</li> <li>○ Activities to respond to the high prevalence of TB in the borough</li> <li>○ Activities to respond to the links between poor housing and poor health e.g. working with tenants/owner occupiers in poor housing to improve energy efficiency and/or improve conditions</li> </ul> </li> </ul>
Protecting our environment and enhancing our cultural offer	<ul style="list-style-type: none"> <li>• Activities to respond to evidence based need underpinning Brent's environmental strategies. This could include but is not limited to: <ul style="list-style-type: none"> <li>○ increasing the use of green and or open spaces by residents; this could include new activities or physical improvements</li> </ul> </li> <li>• Activities to respond to evidence based need underpinning Brent's Climate Change strategy. This could include but is not limited to: <ul style="list-style-type: none"> <li>○ Activities to reduce the use of energy and tackle fuel poverty</li> <li>○ Activities to improve the natural environment e.g. biodiversity</li> </ul> </li> <li>• Activities to respond to evidence based need underpinning the Cultural Strategy. This could include but is not limited to: <ul style="list-style-type: none"> <li>○ e.g. breaking down barriers, bringing people together and building a sense of community in a local area</li> </ul> </li> </ul> <p>(the funding of festivals is excluded from this funding stream) (alley gating is excluded from this funding stream)</p>



## Criteria

Organisations can bid to deliver grant funded projects relating to themes stated above and fulfil the proposed criteria below.

### *Principles for Funding Projects*

- Funding between £1,000 and £25,000 each year – max £75,000 over 3 years
- Funding projects focussed on the whole borough or a priority neighbourhood within the borough
- Funding projects with identifiable outputs and outcomes in support of Borough Plan priorities (examples of the projects sought are provided).
- No funding for the same project from the same organisation in consecutive rounds of themed funding
- Priority for proposals from organisations not previously funded through main programme grant
- Funding for projects led by organisations which have other sources of revenue funding and a good track record of delivery
- Evidence that the council will not be an organisation's largest single revenue funder
- Evidence that funding is not to support religious or political purposes or individuals
- Grant not provided retrospectively for projects already completed or partially completed
- Funding periods usually between 1<sup>st</sup> April and 31<sup>st</sup> March each year, with grant paid in quarterly instalments, dependant on performance

### *Suitable voluntary organisations that*

- *Are non profit making organisation or a social enterprise in operation for at least 12 months*
- Run projects supporting the priority themes set out above for the benefit of Brent residents
- *Have good organisational structure and an effective management committee (minimum 6 people)*
- Have effective financial management – with audited accounts XX
- Comply with council's standard conditions of grant aid
- Can evidence commitment to equality and diversity in staffing, management and service delivery
- Involve users in management and service development

### *Value for money outcome based projects which*

- Show how intended beneficiaries will be targeted and what contact an organisation has with them already.
- Provide clear details of how the grant will be used over three years with clear outcomes and outputs and how these will be monitored.
- Provide clear project governance, performance and financial management arrangements
- Show how a high quality, value for money project will be delivered including quality systems such as feedback from users, quality assurance and quality standards
- Provide all documentation referred to in funding application and any necessary additional information about the project to support the application
- Provide completed self assessments and progress reports to enable monitoring of services including equality monitoring
- Monitor and report equality and diversity data to enable an assessment of how grants benefit residents and analyse the benefit in relation to protected characteristics under the Equality Act.
- Where appropriate have a Child Protection Policy, Safeguarding Adults Policy and CRB checks
- Availability for site visits from officers to meet staff, users and members of your management committee

- Produce an Exit Strategy for the project after the three year funding has ceased.

All organisations in receipt of funding will be monitored by the Council to ensure they deliver the activities stated in their application, and will be expected to submit a short report at the end of the grant period detailing how the grant was used, outcomes and achievements.

In assessing applications the Council will also consider the following:

- Partnership, networking and liaising with statutory and voluntary bodies within the Borough
- Local, regional and national partnerships in which the organisation is involved
- Other sources of funding that will contribute to the service or project
- Assessment between projects will be based on best alignment with Borough Plan priorities and associated statutory service provision and the range of bids received.



## **Appendix 4: Proposed Conditions of Grant Aid to Voluntary Organisations**

### **BRENT COUNCIL**

#### **STANDARD CONDITIONS OF GRANT AID TO VOLUNTARY ORGANISATIONS**

##### **INTRODUCTION**

These conditions of grant aid have been written as a guide for all organisations receiving grant aid from Brent Council. It also forms the legal basis for all Brent grant aid to the voluntary sector. All voluntary sector organisations and community groups (referred to as 'organisation(s)') that receive grant aid from Brent Council (referred to as 'The Council'), by signing the attached agreement form, commit to complying with these conditions. The conditions will further incorporate any additional service remits agreed by the Team/Unit, which administers the grant on behalf of the Council.

##### **DEFINITIONS**

- 1.1 Organisation means the person or the voluntary organisation to which Grant Aid is awarded by the London Borough of Brent.
- 1.2 Grant Aid means such sum and/or part of sums as may be approved for payment by the London Borough of Brent to the Organisation.
- 1.3 The Council means the Council of the London Borough of Brent.
- 1.4 Management Committee means any member of the Organisations management committee who holds the position of Chair, Secretary or Treasurer of that Committee.
- 1.5 Executive Report means the report to the Executive of the Council recommending the approval of Grant Aid to the Organisation.
- 1.6 Guidance Note means the Guidance Notes on Standard Conditions of Grant Aid for Voluntary Organisations for the time being in force.

##### **GENERAL CONDITIONS**

###### **1. Written Undertaking and Agreement**

1.1. All Organisations receiving grant aid from the Council shall:

- 1.1.1. Sign and return the attached agreement form, confirming that they have read, understood and undertake to abide by the details of the Council's conditions of grant aid and by any additional conditions that will be set by the Council
- 1.1.2. Complete and submit separately a signed agreement outlining details of the project, targets and outputs from this contract. The two documents must be signed by two members of the management committee, one of whom must be the treasurer of the organisation.
- 1.1.3. Undertake to use the grant allocation wholly and specifically for the purpose specified in the agreement, and solely for the benefit of Brent residents. Any variation of this agreement must be requested and approved in writing in advance with the Council.
- 1.1.4. All organisations receiving grant aid from the Council should note that the Council's agreement to give financial assistance is limited to the amount, the period and projects specified in the grant agreement. It does not imply any commitment or agreement to fund the organisation for more than the specified amount and period.
- 1.1.5. Where the grant awarded is a contribution towards the full cost of the agreed activities, the organisation shall take all reasonable steps to seek and obtain from all contributing sources, the balance of funding pledged to the project.

## 2. FINANCE

### 2.1. Grant Payment System

- 2.1.1. The Grant will be paid out in four quarterly instalments subject to performance and submission of documents identified in the schedule of grant payments.
- 2.1.2. The grant period shall be based on the Council's financial year and be paid in quarters from 1<sup>st</sup> April to 31<sup>st</sup> March each year. First quarter payment will be paid between 1<sup>st</sup> April – 30<sup>th</sup> June, the second quarter will be paid from 1<sup>st</sup> July to 30<sup>th</sup> September, third quarter from 1<sup>st</sup> October to 31<sup>st</sup> December, and final quarter from 1<sup>st</sup> January to 15<sup>th</sup> March the following year. However organisations that receive less than £500 will be paid in two half-yearly instalments.
- 2.1.3. Payment will be made by BACS through the Council's Oracle payment system on submission of an invoice that shows service details and purchase order and invoice numbers.
- 2.1.4. All organisations are required to submit an invoice (with a purchase number) details together with documentation specified in the schedule of payments to the Finance Section for settlement. The use of this system to issue grant funding in no way constitutes grant funded organisations as goods or service providers to the council.
- 2.1.5. Where grants are allocated for multiple years, payment will be made at the beginning of each quarter on a year-to-year basis.
- 2.1.6. The Council reserves the right to recommend grant payment or withdrawal to organisations based on compliance with these grant terms and conditions and/or the result of monitoring visits carried out by officers, results of performance and a review of projects.

### 2.2. Budget Sheet

- 2.2.1. At the beginning of the financial year all organisations receiving grant aid must submit a signed agreement form and a budget sheet (supplied by the Council), that itemise all planned expenditure and income for the year of the grant.
- 2.2.2. A revised budget sheet showing the actual expenditure to date and projected spending for the rest of the year shall be submitted after six months after the grant is awarded usually in October. This will form part of required documentation for payment of the third quarter instalment.

### 2.3. Certified/audited Accounts

- 2.3.1. All organisations receiving grant aid from the Council must keep adequate records of all income and expenditure they receive and submit annual audited/certified accounts as follows:
  - 2.3.1.1. At the beginning of the financial year a full set of audited/certified accounts for the previous financial year signed by two officers of their management committee, one of whom should be the treasurer. This condition does not apply to organisations that have already supplied copies with initial or previous applications within the same financial year.
  - 2.3.1.2. Organisations whose gross income is **less than** £20,000 (twenty thousand pounds) per annum must submit a certified statement of accounts, as soon as possible, and not later than six months into the financial year of the grant. The accounts must be certified and signed by an independent examiner and also two members of the management committee, one of whom should be the treasurer.
  - 2.3.1.3. Organisations whose gross income **is more than** £20,000, shall submit, as soon as possible and no later than six months into the

financial year, an externally and independently audited statement of accounts. The accounts must be certified by professional auditors, and must be duly signed and counter-signed by the chair and treasurer. The accounts should provide information on the organisation's activities for the year of the report.

- 2.3.1.4. Ensure that no person involved in the preparation, certification or auditing of accounts has any business or personal relationship to another person involved in the day-to-day operation of the organisation.

### **2.3.2. Financial Monitoring**

- 2.3.2.1. The organisation must have a separate bank account in its own name to receive grant payment
- 2.3.2.2. Have a minimum of two out of three signatories for signing cheques, at least one of whom must be the treasurer and a member of the management committee, who can approve cheques of more than £500
- 2.3.2.3. Maintain a proper system for disbursing petty cash
- 2.3.2.4. Maintain an appropriate system for tax payments, national insurance, corporation tax and any other taxes
- 2.3.2.5. Have an accounting system to properly monitor and report on financial matters
- 2.3.2.6. Produce annual accounts as described in 2.3 above.

### **2.3.3. Records Keeping**

- 2.3.3.1. Organisations must keep proper and up-to-date records that provide a full report on its activities, in particular, in respect of the purpose of the grant, relevance, statistics on users and any other information that maybe required by the Council.

## **3. GOVERNANCE**

### **3.1. Management Committee**

- 3.1.1. Organisations are required to have a properly constituted management committee that meets regularly, at least four times in a calendar year. The management committee shall have a minimum of six members and a maximum of 12.
- 3.1.2. The organisation must hold an annual general meeting of members at least once a year and inform the Council in writing of any changes that take place. Copies of the minutes and other discussions should be deposited with the Council.
- 3.1.3. The organisation should notify the Council, in writing, and within ten days of holding an AGM, with the names and addresses of the elected Chair, Secretary, Treasurer and other members of the management committee.
- 3.1.4. No member of the Management Committee shall take up paid employment with the organisation within one year of their resignation from the management committee.

### **3.2. Capability**

- 3.2.1. Organisations shall satisfy the Council, as advised by their legal services, that the service for which approval has been given falls within the remit of their constitution.

### **3.3. Constitution, policies and other documents**

- 3.3.1. All funded organisations must submit an adopted and signed constitution and/or articles of association depending on the type of organisation.

Organisations must inform the Council of any future changes to these documents.

- 3.3.2. Organisations registered with the Charity Commission are required to submit their charity registration numbers and other details.
- 3.3.3. Organisations are further required to submit to the Council annual accounts, annual reports and insurance documents as advised by Council
- 3.3.4. Organisations must further submit an equal opportunities and non-discriminatory policy, that is acceptable to the Council
- 3.3.5. Where relevant an organisation must submit a child protection and protection of vulnerable people's policies to safeguard the safety of children and of vulnerable adults and provide evidence of CRB disclosures

### **3.4. Employment and Equalities**

- 3.4.1. Organisations must pay particular attention to equality in the recruitment and selection process of any post funded by the Council and provision of relevant Employment Protection Acts and have a policy outlining contravention procedures.
- 3.4.2. Organisations must demonstrate a commitment to and support for the Council's Equal opportunities policy in their recruitment of members, users and volunteers

## **4. MONITORING**

### **4.1. Regular Performance Monitoring**

- 4.1.1 Funded organisations receiving will be required to provide quarterly updates on progress

### **4.2. Annual Review**

- 4.2.1. The Council will review its system of grant award on an annual basis and reserves the right to withdraw Grant Aid in the second or subsequent years irrespective of the recommendations accepted by the Council Executive.
- 4.2.2. Organisations receiving grant aid from the Council will be required to complete a self assessment form six months into the financial year which will be used as the basis for the annual monitoring visit.
- 4.2.3. Information on the self assessment form will include:
  - (i) Progress made towards achieving outcomes identified in the signed agreement (see 1.1.2 above)
  - (ii) Evidence of progress made towards achieving outputs set out in the signed agreement
  - (iii) Evidence of how services have reached target users
  - (iv) Evidence of how services have been promoted and where appropriate progress has been made
  - (v) Other information about how the services have been run

### **4.3. Self assessment**

- 4.3.1. Self assessments should provide the following information:
  - (i) Information about service users recorded in accordance with protected characteristics under the Equality Act
  - (ii) Identify a process for collecting feedback
  - (iii) Information about all the organisation's activities particularly the ones funded by the Council's grants

### **4.4 Audit**

- 4.4.1 Organisations are required to be available for site visits from officers to meet staff, users and members of your management committee to support any performance monitoring as per Schedule of Requirements in Appendix A or audit process

## **5. EQUIPMENT, FURNITURE, VEHICLES, COMPUTERS, TRAINING AND PREMISES COSTS**

### **5.1. Receipts**

- 5.1.1. Organisations whose grant aid is a contribution towards the purchase of equipment, furniture, computers or vehicles shall produce receipted invoices for the full cost before grant aid payment is made. Where an organisation has insufficient funds the Council may make payments directly to suppliers as its portion of the agreed cost.

### **5.2. Asset inventory, purchase and sales**

- 5.2.1. The organisation shall submit and maintain an inventory of all assets purchased with Council funds, which should include:
- (i) a brief description of the asset
  - (ii) serial number
  - (iii) date of purchase
  - (iv) sale of item and date, and
  - (v) income received from such sales.
- 5.2.2. The organisation shall not dispose of any item of equipment or furniture, etc., bought from Council funds without the Council's prior written consent, within the first five years of purchase
- 5.2.3. Where items are disposed of in accordance with condition 5.2.2, above the organisation shall refund to the Council on demand, such part of the grant aid, as may be determined. Such sums will not exceed the level which the Council considers to be equivalent to the market value of items of the time of disposal.

### **5.3. Insurance**

- 5.3.1. All organisations shall take out insurance policies for all risks specifically including:
- (i) public and employer's liability
  - (ii) fire and other risks to the property
  - (iii) risk arising from the use of vehicles, and
  - (iv) theft or damage to property and contents and produce evidence of insurance on request

### **5.4. Limitation**

- 5.4.1. The Council will accept no liability whatsoever to any organisation or third party for any costs, claims, damages or losses however incurred during the funding period. The organisation shall not be or be deemed to be, an agent of the Council and shall not present itself as such to any third party.

## **6. ACKNOWLEDGEMENTS**

### **6.1. Publicity**

- 6.1.1. Organisations that receive grant aid from the Council shall, wherever possible, publicise Council support on all public literature, buildings and vehicles. The provision of Grant Aid shall be acknowledged within its annual report and accounts.
- 6.1.2. A Council logo is available for this purpose is available from the Council on request.

## **7. WARNING**

### **7.1. Non-Delivery**

- 7.1.1. The Council reserves the right to recover all or part of grant aid awarded should an organisation fail to deliver any of the outcomes specified in the report or uses the Grant Aid for unauthorised purposes.

- 7.1.2. The organisation shall keep the Council informed of all matters relating the use of the Grant Aid and in particular, submit all relevant information/documentation in respect of the grant. They must notify the Council in writing of any changes to the factors that formed the basis on which grant aid was approved.

## **7.2. Political/Religious activity**

- 7.2.1. The organisation shall not promote or oppose any political party or party political causes and shall not use any part of the grant aid to engage in party political activity or further or propagate a religious faith.

## **8. DISSOLUTION**

- 8.1. The chair of the management committee of any organisation that is dissolved or, being a limited liability company goes into liquidation, shall immediately notify the Council in writing to this effect.
- 8.2. In the event that an organisation is dissolved or goes into liquidation, any of its assets that have been bought with Grant Aid monies and/or any unexpended grant aid monies shall be returned to the Council. Unless agreed otherwise such agreements shall be on terms decided by the Council.
- 8.3. No further grant aid will be paid to the Organisation with effect from the date of the dissolution notice.

(LOGO)  
BRENT COUNCIL

**GRANT AGREEMENT**

**PLEASE ONLY COMPLETE THE SECOND SECTION OF THE FORM BELOW**

**The Council has awarded (name of organisation).....  
a grant of £....., under the (name of the grant) as agreed**

This Grant is for the period 1<sup>st</sup> April xxxx up to 31<sup>st</sup> March xxxx for the purposes summarised below and detailed in the attached project document:

Name of Grant.....  
.....  
Agreed milestones .....  
.....  
.....

**2. Management Resolution**

The two signatories named below should be authorised to sign this agreement.

**WE AGREE AND UNDERTAKE THAT:**

We have read and agree to comply with the Conditions of Grant Aid and any additional conditions/documents required by the Council. Any breach of these Conditions of Grant Aid will be considered a breach of this agreement.  
In the event of any breach of the Conditions of Grant Aid, the grant or such part of the grant as the Council may decide shall be repaid on demand and/or shall be recoverable by the Council by action for a debt.

Name Name  
.....

Office held..... Office held.....

of (home address).....

of (home address).....

.....

.....

Signed

Signed

.....

.....

Date.....

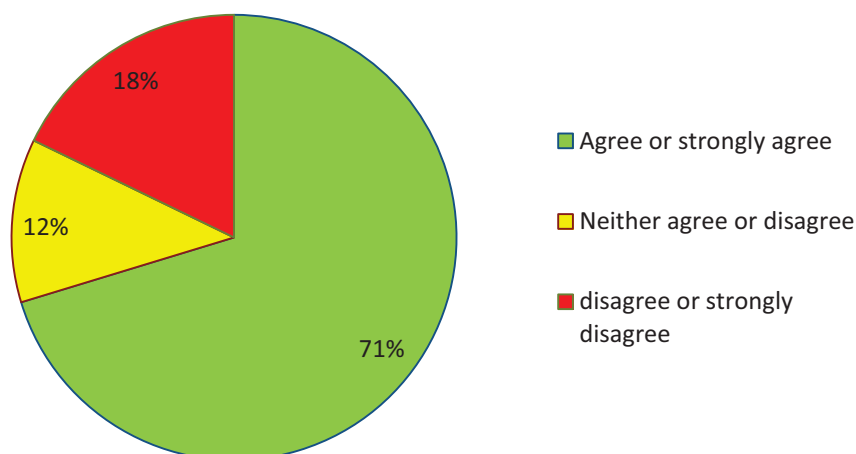
Date.....

04 January 2012



## Appendix 5: Summary of Consultation Responses

### 1. Do you agree with the Advice and Guidance Funding proposal?



Results from the survey show that 71% either agree or strongly agree with the Advice and Guidance Funding proposal. 12% neither agree nor disagree and 18% disagree with the Advice and Guidance Funding proposal. (Please note percentages have been rounded)

### 2. Do you have any comments about this proposal?

The main concerns raised about the proposal related to the way in which a review of the proposed stream might be undertaken.

#### Clarification sought

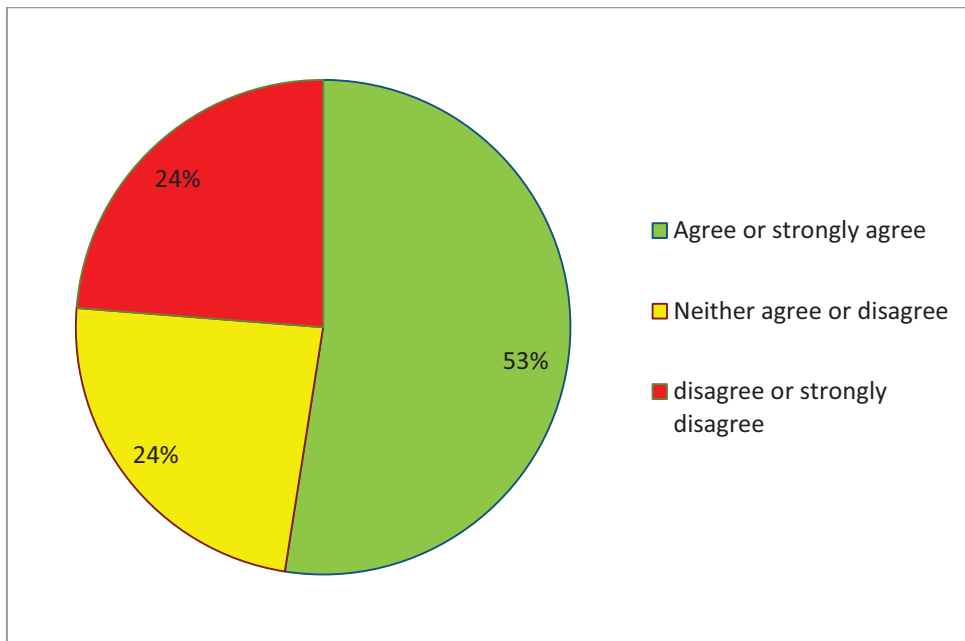
- *Was CAB and BCLC part of Main Programme Grant already?*  
CAB and BCLC are not part of the Main Programme Grant and the proposal is to align Main programme Grant and Advice Services Budgets in a Voluntary Sector Initiative Fund with separate funding streams for advice and guidance, grant funded projects aligned to the corporate strategy priorities and infrastructure funding.
- *Will there be a centre for independent living?*  
This was not part of the proposal consulted upon, but the issue is noted and will be raised in the review of advice and guidance.

#### The need for a review of present advice and guidance arrangements and things it should take into account

- Recognise the importance of advice and guidance in context of cuts in benefits and services, implementation of universal credit, rising unemployment and higher risk of homelessness
- Take into account the role and need for advocacy as part of this funding stream
- Consider range of needs in the borough including: disabled people, carers and families of disabled and elderly, parents and carers of disabled children, refugees and people with language barriers, women from BME communities

- Review advice and guidance arrangements to make sure balance is right between presently funded projects
- Research the advice needs (not demand, as these are quite different and distinct issues) in the borough, the level of those needs, and priorities
- Understand which organisations will deliver advice and guidance
- Consider opportunities for smaller specialist providers
- Equality impact assess advice and guidance stream to understand impact on the full range of people with protected characteristics
- Map out those people already benefiting and those with needs in the borough, particularly vulnerable people
- Consider grant funding arrangement rather than commissioned service arrangement, or if a commissioned service state the way to ensure local organisations can access supply chains
- Note the role of projects alongside advice and guidance for example: leisure, language, education and skills development and social interaction

**3. Do you agree with the Themed Grant Funding proposal?**



53% are in favour of the Themed Funding Grant proposal whereas 24% disagree or strongly disagree with 24% neither agreeing nor disagreeing.

**4. Do you have any comments about this proposal?**

The main area of concern about themed funding proposal related to the three year term and opportunities to bid for further funding in the next round of funding.

Clarification sought

- *Can an organisation bid again in the next round of funding even if the same project cannot be funded?*

It is possible for an organisation to bid to deliver a different project in the next round under the existing and proposed principles for grant funding

### Aspects voluntary sector think should be considered for funding

- Tackling inequalities
- Crime
  - hate crime
  - tackling domestic violence or abuse, sexual violence , forced marriages and honour based violence
- Regeneration
- Health and Well Being
- Children and Young People
  - youth unemployment
  - Addressing low aspiration and low achievement levels
  - support for young carers
  - activities for young people not just linked to tackling criminal activity

### Themed funding principles

There was a positive response to the broader range of themes and a range of views on three year funding terms and making the monitoring of outcomes more robust.

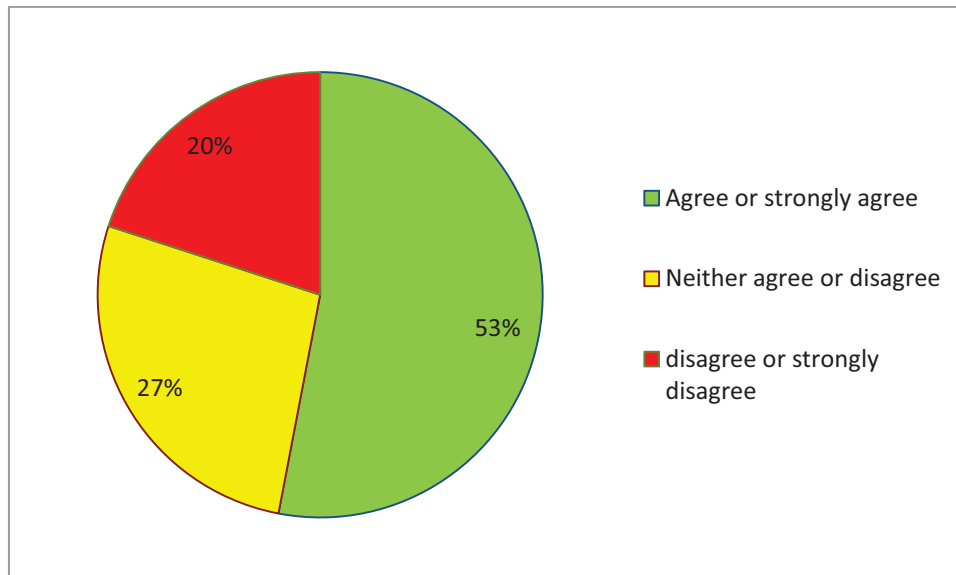
- Support projects that cut across multiple themes to enable more efficient and cost effective projects
- Support broader range of themes to enable more proportionate spread of resources across the sector
- Three year term is positive as gives time to track outcomes
- The term should be longer than three years where a project has shown a track record of success and value for money possibly in the form of an additional one year of transition funding to help the project sustain
- Robust monitoring processes needed
- Criteria is sought to fund projects which help to reach the aims of the Borough Plan in general (as opposed to any particular aspect)
- Enable projects to be funded again sooner than three years after they were last funded – enable a one year break such as that seen with City Bridge
- Allow worthwhile projects to reapply for funding as there may not be any other sources of funding for the project to continue

### **5. Themed grant funding would be aimed at projects which help meet the Borough Plan Priorities. Do you have any comments on how the criteria are set for these grants?**

- Council top priorities should be funded first
- Priority given to voluntary organisations in the Borough or those who have 90% of people served living in the borough
- Grants should always go to groups that provide services to those most in need
- Fund projects operating in one part of the borough as well as those benefiting the whole borough
- Need to operate this as part of match funding for other funding streams
- Outcome focussed rather than output focussed projects should be funded
- Provide feedback on unsuccessful bids
- Assessments should be made by people with knowledge and understanding of the subject matter
- The selection process needs to be explicit and transparent

- Willingness to take part in positive activities should be taken into account
- Organisations should be able to work through a lead agency arrangement
- There should be a maximum limit of £350,000 income for organisations to access the funding

**6. Do you agree with the infrastructure funding proposal?**



Majority of the organisations (53%) agreed with the infrastructure proposal in comparison to 20% who disagree or strongly disagree, with 27% neither agreeing nor disagreeing.

**7. Do you have any comments about this proposal?**

Concerns about the proposal hinged on ensuring the whole range of different sized voluntary sector organisations can get what they need form a CVS, that there is better collaboration within the sector and ensuring infrastructure projects benefit voluntary sector organisations and don't involve lots of consultants.

- A good CVS and infrastructure is vital, an overarching body to represent the sector is needed
- Attracting external funding is critical
- Need support for groups to deliver services together in a more cohesive manner
- Development of a voluntary sector resource centre is important
- Engage voluntary sector as their knowledge and understanding of local communities can inform strategic plans for the borough
- CVS should appoint fundraisers and provide a range of skilled people the sector can draw on
- Sustainability funding and everyday running costs are challenging
- The CVS should have a volunteer bureau
- There should be funding for a core volunteering hub for the people of Brent, provide training events around volunteering and deliver quality standards (Investors in Volunteers, VCQA, PQASSO) to help voluntary organisations develop their own sustainability and bring external funding into the borough
- There needs to be more clarity about what projects will be funded alongside the proposed CVS allocation

- CVS needs to provide support for range of different sized voluntary organisations across the borough and learn from projects which have been successful in the past
- Funding for a CVS should be minimal to sustain what is in place now and additional funding should be brought in through fundraising by the CVS
- Infrastructure funding must not impinge on resident wishes
- Infrastructure funding must not go to consultants that tell us what we know already
- The allocation of funding for infrastructure should be £50,000
- Offers of help from within the voluntary sector should be heard
- The way in which the BASIS project and the CVS work together should be clarified

**8. Please tick which support would be most useful in making the voluntary sector in Brent more resilient in the financial context?**

The list below ranks the responses of organisations about making Brent's voluntary sector more resilient in the financial context starting with the most popular response.

1. Better alignment of service provision between the voluntary and public sectors:
2. Information about different sources of funding available for the voluntary sector:
3. Improved communication about changes likely to impact the voluntary sector:
4. Development of more collaborative working between voluntary sector organisations:
5. Training:

Other suggestions made included:

- Partnering between large and small organisations to improve procedures and practice for the benefit of both organisations
- Support for voluntary sector agencies to be sub-contracted to larger/commercial organisations being commissioned by the local authority and other statutory services
- Pump-priming resources to enable sector to match fund
- Support for the development of partnerships and consortiums to deliver outcomes collectively
- Working with the CVS to get an understanding of what the sector has sought from them so far

**9. The council is keen to improve the monitoring of outcomes from projects funded through main programme grant. Do you have any comments about how the council achieves this?**

- Voluntary Sector often use different criteria for equalities monitoring and have not got the resources to provide information in many different formats for different funding bodies
- Questionnaires are a good way to capture improvements which can then be fed back through the Brent Magazine
- Support voluntary and community sector groups to develop more advanced monitoring systems would be more efficient and cost effective for all funding body returns and make groups more focussed on looking at outcomes themselves
- Fund partnership projects
- Add money to funding allocation for outcome focussed monitoring
- Meet with the voluntary sector regularly and work with small organisations as well as large
- Outcomes should be about the provision of services that residents regularly use, not about political agendas from the left or right

- Consider London Councils model of 4 year funding with 6 monthly monitoring uploaded online and an annual monitoring visit
- Build on successful annual monitoring visits which avoid tick boxes and make the process real, tangible and human
- Ensure consistent requests for clear and relevant information
- Review application process to support looking at outcomes as well as outputs

**10. Do you have any further comments about any of the proposals?**

- Offers of help or further information provided in relation to the advice and guidance proposals and grant criteria and monitoring processes
- Grant programmes have not been that successful in the past
- Share more Partners for Brent information to enable more partnership projects e.g. relating to private sector housing, fuel poverty, health and well being
- Much more funding should be provided by Brent Council to the voluntary sector, where they provide good services.
- Ensure a review for advice and guidance stream
- Provide more detail on actual proposed allocations in 2013/2014
- Provide updates on London Councils Voluntary Sector Grants plans
- Seek small grant funding in addition to that seen for Edward Harvist or ward working
- There is no need to rename or rebrand the grant.

**Equality Monitoring Information**

- Of those providing equality information 22% provide information about the people benefiting from a project funded through Main Programme Grant and 78% provided information about people benefiting from the work of a whole organisation
- Approximately 50% of the organisations that responded receive funding from the council. The remaining organisations did not indicate their source of funding
- Only 31% of the organisations that participated in this survey provided equalities data
- We have reviewed the data provided alongside that already provided to the council for projects funded and incorporated this into the Equality Impact Assessment

## **Appendix 6: Consultation Pack**

LONDON BOROUGH OF BRENT

# Main Programme Grant

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Consultation Document



**London Borough of Brent  
Main Programme Grant Consultation Questionnaire**

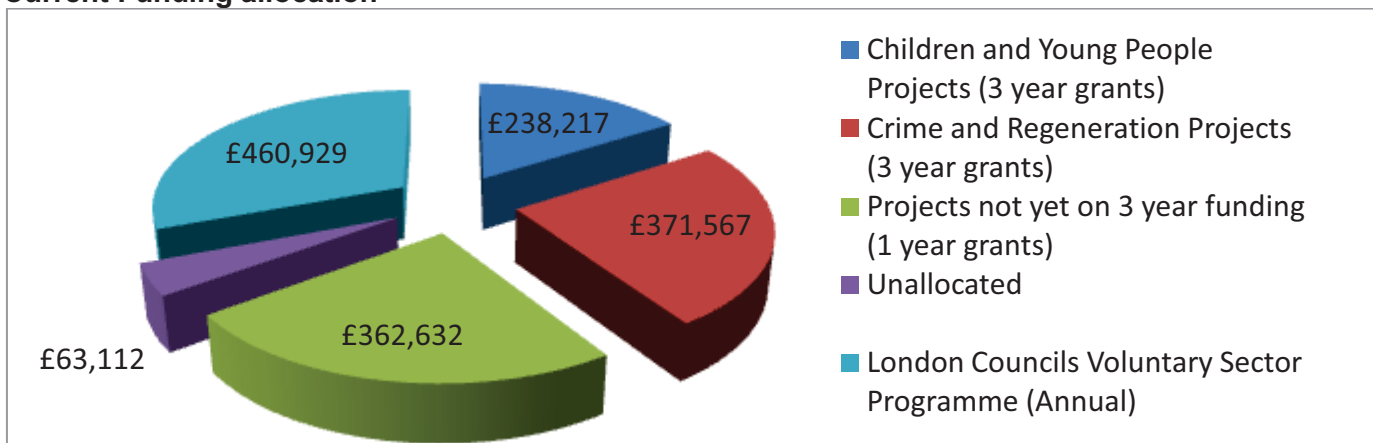
<b>NAME OF ORGANISATION</b>	
<b>ADDRESS</b>	
<b>TELEPHONE NUMBER</b>	
<b>E-MAIL ADDRESS</b>	
<b>NAME AND POSITION OF PERSON COMPLETING THE FORM</b>	
<b>Funding presently received from council</b>	



## Main Programme Grant Proposals

The council gives grants to voluntary sector organisations through Main Programme Grant. The council agreed changes to how they would give grants to voluntary sector organisations in 2008 and have gradually made these changes. Now two thirds of grants have new terms and conditions including closer alignment to Borough Strategy priorities, funding provided for three years, projects need a plan for what will happen when the project funding finishes and projects receive no more than £25,000 each year. Also, once a project has been funded for three years, the same project is not funded in the next three years. This enables a range of organisations not previously funded through MPG to access funding and a better match over time between the projects funded and the work of the statutory partner agencies. The grants with new terms and conditions are in the children and young people and crime and regeneration funding streams. Children and young people's grants run from 2009-2012. Crime and regeneration grants run from 2010-2013. There are some projects which do not have new grant terms and conditions yet. An interim agreement was made for these projects. This consultation makes proposals about this final set of projects and what to do after the children and young people and crime and regeneration grants come to an end.

### Current Funding allocation



The council proposes to:

- Maintain the overall level of funding available through Main Programme Grant
- Continue to fund advice, guidance and advocacy specifically for people with a disability and some elderly people but through a separate funding stream rather than applying themed grant terms and conditions to this funding stream.
- Continue to provide themed grant funding aligned to the range of Brent Borough Plan priorities for the majority of Main Programme Grant
- Support infrastructure development for the voluntary sector by funding some of the work of a new constituted CVS and commissioning projects e.g. support for getting a voluntary sector resource centre and support in bringing more external funding into the borough.
- Rename Main Programme Grant, the Voluntary Sector Initiative Fund to reflect the focus on supporting the development of the voluntary sector and the alignment of projects with the Borough Plan.
- The council also intends to manage the advice, guidance and advocacy agreements in place with the Citizen's Advice Bureau and Brent Community Law Centre as a funding stream alongside the others in the Main Programme Pot providing these activities.

### Last set of projects

There was an expectation that funding presently allocated to one year grants would be reallocated according to the process for new themed grant projects. However review of what is funded presently and assessment of the present context has led the council to propose reallocating a large proportion of this funding for provision of advice, guidance and advocacy and reallocating a small proportion of it to new themed grant projects. The advice and guidance stream would benefit people with a disability and some elderly people. This proposal is made in the context of national cuts to public service budgets and changes to national policy. An advice and guidance stream is proposed because the council is presently funding projects to support people with a disability and some elderly people and wants to ensure that whatever replaces them takes into account the context and the equality impact of change. In order to continue to fund this advice and guidance the council would need to have an agreement which differs from the themed grant arrangements. The council proposes having a separate funding stream of approximately £300,000 from which to commission the advice, guidance and advocacy in future.

The council also intends to manage the advice and guidance agreements in place with the Citizen's Advice Bureau and Brent Community Law Centre as a funding stream alongside the others in the Main Programme Pot.

### Future themed Grants

The children and young people's themed funding comes to an end in March 2012. The council proposes using this funding to create another themed grant funding stream and to support infrastructure development for the voluntary sector. New grants from 2012 would be for projects run by voluntary sector organisations which help to reach the aims of the Borough Plan. In 2012 the council would like to fund projects which support children, young people and families, improve health and well being, protect the environment and encourage cultural and sporting activities in the borough.

The crime and regeneration theme funding comes to an end in March 2013. The council proposes using this funding to create a further themed grant funding stream. These grants would be for projects run by voluntary sector organisations which help to reach the aims of the Borough Plan. In 2013 the council would like to fund projects which tackle crime and fear of crime, help regenerate the borough, support children, young people and families, improve health and well being, protect the environment and encourage cultural and sporting activities in the borough.

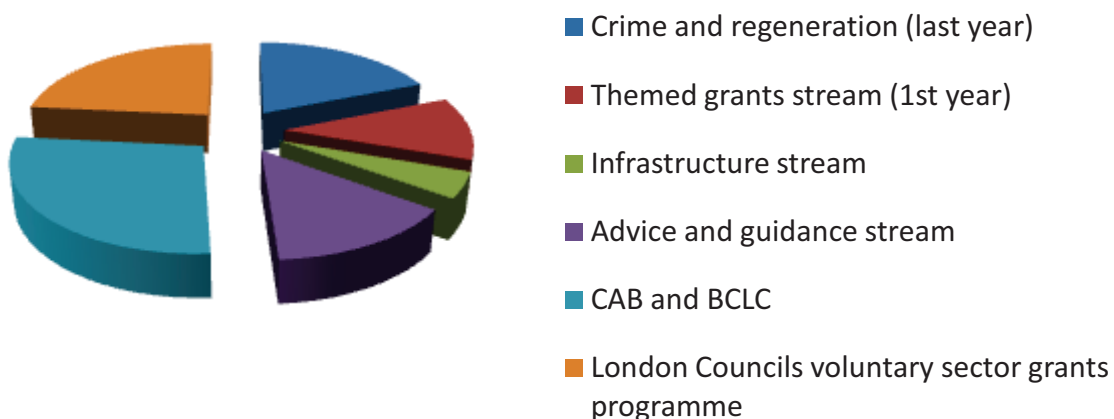
For all grants related to support the objectives of the Borough Plan the council proposes to continue the same approach to funding: three year funding, projects need a plan for what will happen when the project funding finishes, projects receive no more than £25,000 each year and once the project has been funded for three years, it cannot be funded for the next three years.

### Infrastructure

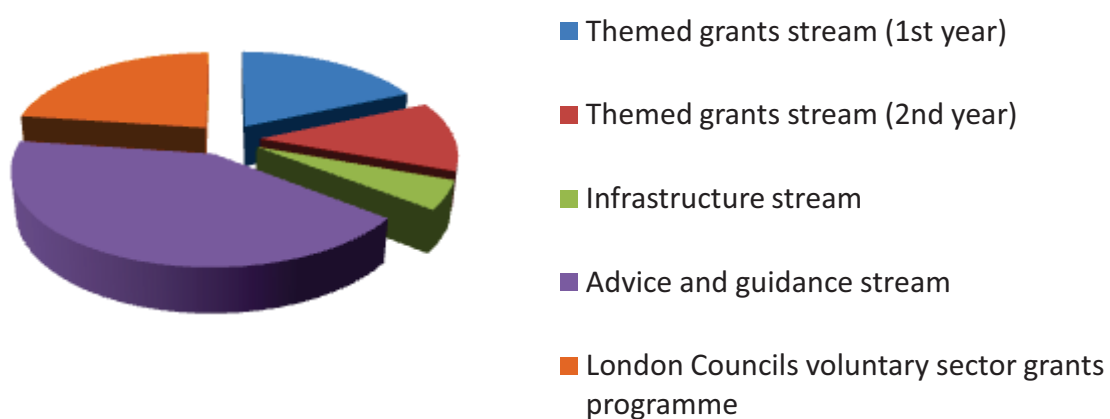
There have been national government cuts to funding for public sector and voluntary sector organisations. There is some new national funding for voluntary sector organisations. The council would like to help voluntary sector organisations bring more funding into the borough. The organisation which supports the development of the voluntary sector in Brent (BrAVA) closed down. A new organisation called CVS Brent has been set up to support the development of the voluntary sector in the future. The council wants to support the voluntary sector as it adjusts to these changes. The council has provided some funding to support infrastructure services in the voluntary sector in the past. The council wants to spend £100,000 on infrastructure funding in 2012 and 2013. The council proposes to fund some of the work of a newly constituted CVS and commission projects which support the development of the voluntary sector e.g. support for getting a voluntary sector resource centre and support in bringing more external funding into the borough.

The council proposes allocating the funding in the following way in the future:

### Voluntary Sector Initiative Fund 2012



### Voluntary Sector Initiative Fund 2013



## **MPG Advice and Guidance Funding**

There was an expectation that funding presently allocated to one year grants would be reallocated to new themed grant projects. However review of what is funded presently and assessment of the present context has led the council to propose using a large proportion of this funding for provision of advice and guidance and allocating a small proportion of it to new themed grant projects. The advice and guidance stream would benefit people with a disability and some elderly people. This proposal is made in the context of national cuts to public service budgets and proposed changes to national policy. An advice and guidance stream is proposed because the council is presently funding projects to support people with a disability and some elderly people and wants to ensure that whatever replaces them takes into account the present context and the equality impact of proposed changes. In order to continue to fund this advice and guidance the council would need to have an agreement which differs from the themed grant arrangements. The council proposes having a separate funding stream of approximately £300,000 from which to commission the advice and guidance in future. During 2012 we propose to review and bring forward proposals for the future provision of all advice, guidance and advocacy services

### **Q1) Do you agree with the Advice and Guidance Funding proposal?**

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

### **Q2) Do you have any comments about this proposal?**

## **MPG Themed Grant Funding**

The children and young people's themed funding comes to an end in March 2012. The council proposes using this funding to create another themed grant funding stream and to support infrastructure development for the voluntary sector. Themed grants would be for projects run by voluntary sector organisations which help to reach the aims of the Borough Plan. In 2012 the council would like to fund projects which support children, young people and families, improve health and well being, protect the environment and encourage cultural and sporting activities in the borough.

Crime and regeneration theme funding comes to an end in March 2013. The council proposes using this funding to create a further themed grant funding stream. Themed grants would be for projects run by voluntary sector organisations which help to reach the aims of the Borough Plan. In 2013 the council would like to fund projects which tackle crime and fear of crime, help regenerate the borough, support children, young people and families, improve health and well being, protect the environment and encourage cultural and sporting activities in the borough.

For all themed grants the council proposes to continue the same approach to funding: three year funding, projects need a plan for what will happen when the project funding finishes, projects receive no more than £25,000 each year and once the project has been funded for three years, it cannot be funded for the next three years.

**Q1) Do you agree with the Themed Grant Funding proposal?**

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

**Q4) Do you have any comments about this proposal?**

**Q5) Themed grant funding would be aimed at projects which help meet the Borough Plan Priorities. Do you have any comments on how the criteria is set for these grants?**

**Infrastructure Funding**

There have been national government cuts to funding for public sector and voluntary sector organisations. There is some new national funding for voluntary sector organisations. The council would like to help voluntary sector organisations bring more funding into the borough. The organisation which supports the development of the voluntary sector in Brent (BrAVA) closed down. A new organisation called CVS Brent has been set up to support the development of the voluntary sector in the future. The council wants to support the voluntary sector as it adjusts to these changes. The council has provided some funding to support infrastructure in the voluntary sector in the past. The council wants to spend £100,000 on infrastructure funding in 2012 and 2013. The council proposes to fund some of the work of a new constituted CVS and commission projects which support the development of the voluntary sector e.g. support for getting a voluntary sector resource centre and support in bringing more external funding into the borough.

**Q6) Do you agree with the infrastructure funding proposal?**

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

**Q7) Do you have any comments about this proposal?**

**Q8) Please tick which support would be most useful in making the voluntary sector in Brent more resilient in the financial context?**

- Development of more collaborative working between voluntary sector organisations
- Information about different sources of funding available for the voluntary sector
- Training
- Better alignment of service provision between the voluntary and public sectors
- Improved communication about changes likely to impact the voluntary sector
- Other, please state:.....

**Q9) The council is keen to improve the monitoring of outcomes from projects funded through main programme grant. Do you have any comments about how the council achieves this?**

**Q10) Do you have any further comments about any of the proposals?**



### **EQUALITIES MONITORING FORM**

The council wants to ensure it has up to date equality monitoring information about projects presently funded through Main Programme Grant to enable effective equality impact assessment of proposals.

Please tick which of the following you are providing:

- Information about the people benefiting from a project funded through Main Programme Grant
- Information about the people benefiting from the work of a whole organisation

<b>NAME OF ORGANISATION</b>	
<b>ADDRESS</b>	
<b>TELEPHONE NUMBER</b>	
<b>E-MAIL ADDRESS</b>	
<b>NAME AND POSITION OF PERSON COMPLETING THE FORM</b>	

**1. People benefiting**

These are either people directly benefiting from a main programme grant funded project or people benefiting directly from the work of your organisation as a whole.

Total number of people benefiting :
-------------------------------------

**1.1 Please state the number of people benefiting under each gender:**

Gender	No.
Male	
Female	

**1.2 Please state the number of people benefiting under each age group:**

Age	No.
0-4	
5-14	
15-24	
25-44	
45-60	
60-75	
75-85	
85+	

**1.3 How many users who have a longstanding physical or mental condition or disability are benefiting? (by longstanding we mean anything that has lasted at least 12 months or that is likely to last at least 12 months)**

State number of users:	
------------------------	--

**1.4 Please state the type(s) of impairment(s) which apply to your users. If more than one type of impairment applies please indicate. If none of the categories apply then please mark other.**

Disability	No.
Physical impairment	
Sensory impairment	
Mental health condition	
Learning disability	
Longstanding illness or health condition	
Other (such as disfigurement) Please specify:	



**1.5 Please state the number of people benefiting under each faith group.**

<b>Faith</b>	<b>No.</b>
Christian	
Muslim	
Jewish	
Buddhist	
Sikh	
Jain	
Hindu	
Baha'i	
No religion	
Other	
Prefer not to say	

**1.6 Please state the number of people benefiting under each ethnic group.**

<b>White</b>	<b>No.</b>	<b>Mixed</b>	<b>No.</b>
White British		Mixed White and Black Caribbean	
White Irish		Mixed White and Black African	
White Other		Mixed White and Asian	
		Mixed Other	
<b>Asian</b>	<b>No.</b>	<b>Black</b>	<b>No.</b>
Asian Indian		Black Caribbean	
Asian British		Black African	
Asian Pakistani		Black British	
Asian Bangladeshi		Black Other	
Asian Other			
<b>Chinese</b>	<b>No.</b>	<b>Other</b>	<b>No.</b>
Chinese		Other	
Chinese British			
Chinese Other			

**1.7 Please provide information on the sexual orientation of all users who benefit from your service.**

<b>Sexual Orientation</b>	<b>No.</b>
Lesbian	
Gay	
Heterosexual	
Bisexual	
Prefer not to say	

**1.8 Please state the number of users of your service who are currently pregnant.**

<b>Current Situation</b>	<b>No.</b>
Pregnant	
Prefer not to say	

**1.9 Please state the number of cases of gender re-assignment within the users of your service.**

	<b>No.</b>
Gender Re-assignment	
Prefer not to say	

**2. About your staff**

<b>Total number of staff members:</b>
Number of employed staff:
Number of volunteers:

**2.1 Please state the number of staff members under each gender:**

Gender	No.
Male	
Female	

**2.2 Please state the number of staff members under each age group:**

Age	No.
16-24	
25-44	
45-60	
60-75	
75-85	
85+	

**2.3 How many members of staff do you have with a longstanding physical or mental condition or disability are benefiting? (by longstanding we mean anything that has lasted at least 12 months or that is likely to last at least 12 months)**

State number of staff members:	
--------------------------------	--

**2.4 Please state the type(s) of impairment(s) which apply to staff members. If more than one type of impairment applies please indicate. If none of the categories apply then please mark other.**

Disability	No.
Physical impairment	
Sensory impairment	
Mental health condition	
Learning disability	
Longstanding illness or health condition	
Other (such as disfigurement) Please specify	

**2.5 Please state the number of staff under each faith group.**

<b>Faith</b>	<b>No.</b>
Christian	
Muslim	
Jewish	
Buddhist	
Sikh	
Jain	
Hindu	
Baha'i	
No religion	
Other	
Prefer not to say	

**2.6 Please state the number of staff under each ethnic group.**

<b>White</b>	<b>No.</b>	<b>Mixed</b>	<b>No.</b>
White British		Mixed White and Black Caribbean	
White Irish		Mixed White and Black African	
White Other		Mixed White and Asian	
		Mixed Other	
<b>Asian</b>	<b>No.</b>	<b>Black</b>	<b>No.</b>
Asian Indian		Black Caribbean	
Asian British		Black African	
Asian Pakistani		Black British	
Asian Bangladeshi		Black Other	
Asian Other			
<b>Chinese</b>	<b>No.</b>	<b>Other</b>	<b>No.</b>
Chinese		Other	
Chinese British			
Chinese Other			

**2.7 Please provide information on the sexual orientation of your staff members.**

<b>Sexual Orientation</b>	<b>No.</b>
Lesbian	
Gay	
Heterosexual	
Bisexual	
Prefer not to say	

**2.8 Please state whether any members of staff are currently pregnant or on maternity leave.**

<b>Current Situation</b>	<b>No.</b>
Pregnant	
On maternity leave	
Prefer not to say	

**2.9 Please state whether there have been any cases of gender re-assignment with your members of staff.**

	No.
Gender Re-assignment	
Prefer not to say	

## Appendix 7 - Equality Impact Needs/Requirement Assessment

<b>Department:</b> Strategy Partnerships and Improvement	<b>Person Responsible:</b> Cathy Tyson
Service Area: Corporate Policy Team	Timescale for Equality Impact Assessment :
Date: July 2011	Completion date: December 2011
Name of service/policy/procedure/project etc:  Refinement and implementation of existing voluntary sector grant policy	Is the service/policy/procedure/project etc:  New <input type="checkbox"/> Old <input checked="" type="checkbox"/>
Predictive <input checked="" type="checkbox"/>  Retrospective <input type="checkbox"/>	Adverse impact  Not found <input checked="" type="checkbox"/> Found <input type="checkbox"/>  Service/policy/procedure/project etc, amended to stop or reduce adverse impact  Yes <input type="checkbox"/> No <input type="checkbox"/>
Is there likely to be a differential impact on any group?  Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>  No if preferred option agreed upon	Please state below:
1. Grounds of race: Ethnicity, nationality or national origin e.g. people of different ethnic backgrounds including Gypsies and Travellers and Refugees/ Asylum Seekers  Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	2. Grounds of gender: Sex, marital status, transgendered people and people with caring responsibilities  Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
3. Grounds of disability: Physical or sensory impairment, mental disability or learning disability  Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	4. Grounds of faith or belief: Religion/faith including people who do not have a religion  Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
5. Grounds of sexual orientation: Lesbian, Gay and bisexual  Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	6. Grounds of age: Older people, children and young People  Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Consultation conducted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Person responsible for arranging the review: Cathy Tyson	Person responsible for publishing results of Equality Impact Assessment: Joanna McCormick
Person responsible for monitoring: Joanna McCormick	Date results due to be published and where: With Executive Report
Signed:	Date: December 2011

Please note that you must complete this form if you are undertaking a formal Impact Needs/Requirement Assessment. You may also wish to use this form for guidance to undertake an initial assessment, please indicate.

### 1. What is the service/policy/procedure/project etc to be assessed?

Voluntary Sector Grants - Main Programme Grant Development

This Impact Assessment considers the proposal to create a voluntary sector initiative fund of the existing Main Programme Grant and Advice Services Budgets, maintaining the existing level of funding and making some reallocation of the Main Programme Grant Budget as existing grant agreements come to an end.

It addresses themed grants funding for 'Main Programme Grant' voluntary sector grants and is in addition to the original impact assessment undertaken in 2009 in relation to this shift in policy and process. It considers the future application of the themed funding approach when the present children and young people and crime and regeneration themed funding streams reach the end of their three year grant periods.

### 2. Briefly describe the aim of the service/policy etc? What needs or duties is it designed to meet? How does it differ from any existing services/ policies etc in this area

The aim of the policy is to govern the approach to awarding main programme grant funding to projects delivered by voluntary and community sector organisations so that investment aligned to corporate priorities benefits a range of residents in the borough. The policy relates to discretionary activity which the Executive considers critical to the delivery of partnership objectives set out in the Borough Plan 'Brent – Our Future 2010 -2014'. The council funds projects delivered by voluntary and community organisations. The process for allocating main programme grant to projects consists of officers assessing applications received from the voluntary and community sector against criteria and awarding funding for up to three years. The maximum level of funding awarded each year for the funding streams already agreed was £25k. This approach was put in place and equality impact assessed in 2009 following a scrutiny review of the grants process in 2007. The criteria for allocating funding related to corporate objectives were agreed upon by the Executive. The approach seeks to address an 'historical' funding pattern which had developed over the years, with limited change in the organisations delivering projects on behalf of the council. The existing themes are:

- crime and regeneration £365,479 (19 Projects)
- children and young people £253,467(19 Projects plus 2 ceased)
- Projects yet to be shifted to post 2009 grant funding model £393,844 (9 Projects plus 1 ceased)

The proposal reasserts the underlying principles for grant funding and considers how to implement them for the non themed grant funding stream and future funding streams when the present three year children and young people and crime and regeneration themed funding streams come to an end. The projects funded by the last grant funding stream are set out below and have been reviewed annually under the old grants model whilst the other funding streams transitioned to a themed grant funding model. To date there are nine organisations left, and eight of these organisations have received grants from the Council over the last ten years. An analysis of the protected characteristics by group is provided in the appendix. Five of these organisations have been receiving more than £25,000 per annum. An analysis of funding information provided by these groups highlights that we either core fund or provide a substantial proportion of funding for a number of these organisations. It was originally envisaged that the next set of proposals for Main Programme Grant would complete the transition to a themed grants model; decommissioning the projects not yet subject to the themed grant model and using the funding to create another themed funding stream as done with the children and young people and crime and regeneration themes. When this approach was analysed it transpired that it had the potential to be problematic. A combination of factors led to the

conclusion that completing the transition to themed funding in this way should not be pursued. The importance of advice and guidance in the context of national cuts to public spending and significant changes to public policy impacting on the benefits system, unemployment and risk of homelessness was recognised. The other factors included some projects with funding levels well above the £25,000 per year seen in the themed grant funding, organisations core funded, the more specialised nature of the advice and guidance element of some projects presently delivered to disabled people and some elderly people and in at least one case no other organisation providing a similar function in the borough.

Organisation	Project	Grant funding £	Reliance on council grant funding
Association of Muslims with disabilities	Drop in Centre	10,404.00	94%
Age Concern	Advice, guidance and partnership working	90,474.00	28%
Brent Advocacy Concerns	Advocacy support, NCT Learning	28,735.00	64%
Brent Association of Disabled People	Core activities, welfare rights, resource centre, information and advice service	159,380.00	81+%
Brent Heart of Gold Support Group	Hire of premises and exercise sessions	4,692.00	50+%
Brent Indian Community Centre	Daily activities, outings and trips for the elderly	14,014.00	60+%
Kingsbury Asian Elders Group	Cultural programmes, Older people's activities	1,665.00	85%
Magnolia Senior Citizens	Older people's activities	1,248.00	13%
Brent Mencap	Social activities, advice, guidance, information about learning disabilities	52,020.00	8.3%
<b>Total</b>		<b>362,632.00</b>	
BrAVA (has now ceased to operate)	CVS core costs including volunteer bureau,	31,212.00	
<b>Original Total</b>		<b>393,844.00</b>	

The proposal is to create three funding streams :

- One funding stream using existing Main Programme Grant Budget for three-year projects aligned to Borough Plan priorities
- A funding stream using existing Main Programme Grant Budget to commission infrastructure services for Brent's voluntary and community sector for three years
- A funding stream containing existing advice, guidance and advocacy arrangements funded from the Advice Services budget and Main Programme Grant Budget for a year

This will be achieved by decommissioning the remaining projects in the funding stream not subject to the themed funding model and give notice to the projects due to finish their three year funding period in March 2012. For this funding and that which becomes available once the crime and regeneration funding stream in April 2013, maintain the principles of the grant policy applied to two thirds grant provision already: three year grant provision for voluntary sector organisations to deliver projects aligned to corporate strategy priorities, with a maximum grant of £25k each year for three years, a requirement for an exit strategy and no project funded for two consecutive three year periods. The themed grant funding stream will have two rounds one in 2012 and one in 2013, which provide funding for projects which align to corporate strategy themes, the first of which focuses on health and well being, children and young people, environment, sports and leisure and the second of which covers these and crime and regeneration in addition. The funding stream will be open to the organisations whose one year projects are being decommissioned.



### 3. Are the aims consistent with the council's Comprehensive Equality Policy?

The aims of the proposal are consistent with the council's Equality Policy. The transition to a themed funding model of grant funding has had a positive impact on user and provider diversity so far and enhanced the strategic alignment between statutory service provision and projects delivered by the voluntary sector. The overall principles of three year funding aligned to corporate strategy objectives with a requirement for an exit strategy is consistent with the council's Comprehensive Equality Policy.

Equality analysis of the proposal to apply the policy principles to the rest of the themed funding pot and create a separate stream of funding to safeguard the advice and guidance support presently provided to disabled people and a separate stream of funding to mitigate against potential adverse impact of decommissioning these particular projects. The provision of a new funding stream to which the remaining projects to be decommissioned can apply to mitigate the potential adverse impact of decommissioning.

Consultation highlighted the need to recognise the role of advocacy as part of our Advice and Guidance proposals. The point was made that advice and guidance for disabled people might also include advice for families and carers of disabled people. This has now been included in the overall proposal for the Advice and Guidance funding stream and will feature as part of the review.

The introduction of an infrastructure stream responds to a number of factors which point to a need for an enhanced support for the sector including: the impact of public sector cuts, the changing national government policy regarding the role of the voluntary sector and the closure of the borough's Council for Voluntary Service (CVS). The infrastructure stream would be used to fund projects such as a Voluntary Sector Resource Centre project and some of the work delivered by a new CVS. Response to consultation emphasised the need to clarify this proposal by outlining that the funding not allocated to the CVS, would go towards projects which address identified gaps in infrastructure support for the borough. The proposal now reflects this.

The council has previously funded the CVS as the umbrella organisation for the voluntary sector to engage with the voluntary sector and put in place support and advice and guidance for voluntary sector organisations to develop further. The voluntary sector resource centre is a voluntary sector led project which the council wishes to show its support for. A centre would enable voluntary sector organisations to shared resources and operate as a hub for joint working and development in the sector. The changes in public sector funding are expected to mean that there are larger contracts with a knock on effect for small and medium sized voluntary sector organisations which are no longer able to compete in the marketplace. Infrastructure support would enable the sector to develop ways to respond to this, be that identifying the remaining opportunities for local small scale service provision or exploring alternative partnership models of delivery. These projects will benefit the wider voluntary sector, with all voluntary sector organisations able to be members of a CVS; this in turn would support the whole range of residents which voluntary sector groups engage with.

Most of the responses to consultation related to the present period of change with the new CVS yet to develop some of the support sought from the voluntary sector. The need for this support was reiterated. The proposal outlined a continuation of the level of funding for a CVS as provided by the council in the past, with the rest of the proposed £100,000 being used to enhance infrastructure development in the borough and address identified gaps. Respondents wanted to be sure this would translate into support they could benefit from, with some asking for consideration of more front line service delivery instead. The provision of infrastructure support is seen as critical in enabling the voluntary sector to bring more funding into the borough be that through mentoring between more experienced and less experienced organisations, more joint working, additional training or identifying supply chain opportunities.

Pursuing the proposal will have a positive impact on user and provider diversity issues and continue to enhance the strategic alignment between statutory service provision and discretionary projects delivered by the voluntary sector.

### 4. Is there any evidence to suggest that this could affect some groups of people? Is there an adverse impact around race/gender/disability/faith/sexual orientation/health etc? What are the reasons for this adverse impact?

#### **Three Year Funding Periods**

The previous equality impact assessment of the voluntary sector grants process in 2009 covered the issue of medium term funding. Possible adverse impact in decommissioning the projects at the end of their three year term was identified, but the availability of further three year funding streams with the requirement for an exit strategy as one of the criteria of funding was set in place to mitigate this impact. The use of a three year term and criteria with a requirement to have an exit strategy balances the need to meet resident need by delivering projects with stable funding and the need to develop and change the projects delivered with Main Programme Grant to better reflect the

demographics of the borough and associated changes in service need and improve the mix of organisations delivering projects over time. It also enables organisations to avoid being core funded by the council, which is risk to both the organisation and the council being able to successfully deliver projects.

### **Avoiding sub division of funding**

The existing themes are:

- crime and regeneration £365,479 (19 Projects)
- children and young people £253,467(19 Projects plus 2 ceased)
- Projects yet to be shifted to post 2009 grant funding model £393,844 (9 Projects plus 1 ceased)

Sub division of funding was seen as a positive improvement to grant funding to enable clarity on what projects would deliver. However consultation highlighted a concern about how not covering the range of priorities meant support to some parts of the voluntary sector and not others. The proposal is to move to one pot of grant funding for projects which align with the range of corporate strategy priorities and the associated customer facing service delivery of the council in the following way:

#### 2012 -2013

- Themed Grant Stream - Children and young people, Health and well being, Environment, sports and leisure
- Infrastructure stream
- Advice, Guidance and Advocacy Stream

#### 2013 -2014

- Themed Grant Stream - Children and young people, Health and well being, Environment, sports and leisure, Regeneration, Reducing crime and fear of crime
- Infrastructure stream
- Advice, Guidance and Advocacy Stream

The strategic nature of the themes and the services provided by voluntary sector organisations presently funded indicates that there is scope for a range of organisations to bid for funding under the different themes proposed. This focus on a broader range of priorities was welcomed. Whilst the end of the present grant funding would be immediately followed by further grant funding there would be an impact during the transition between the old themes and the new themes as a result of the reallocation of funding to infrastructure projects and more themed funding streams. Projects presently receiving funded under the pre 2009 model would have the chance to bid for the new themed funding streams offered.

### **An analysis of the individual projects in the funding stream not yet subject to the themed funding model by equality strand found the following:**

#### Age - potential adverse impact because of the decommissioning of existing projects mitigated through the criteria for grant funding and the proposal for advice, guidance and advocacy

The proportion of people benefiting from projects who are 65+ is well above that seen in the general population (46% compared to 17%). Approximately 66% of funding in this funding stream is going to projects where the majority of people benefiting are categorised as older people. Approximately 30% of funding in this stream is going to projects where the majority of people benefiting are adults. When looking at the detailed analysis of people benefiting from funding it shows that whilst smaller numbers of young people are benefiting from projects, they do benefit from a larger proportion of funding compared to other age groups. This differs from analysis undertaken of the projects in the themed funding streams where there is a greater benefit to children and young people. Decommissioning these projects would have potential adverse impact on adults and older people particularly but the creation of one funding stream covering the range of Borough Plan priorities makes it easier to mitigate for this through the criteria. The allocation of a large proportion of this funding to an advice, guidance and advocacy stream where projects presently provide more specialised advice, guidance and advocacy support also ensures a focus people with this protected characteristic.

#### Disability – potential adverse impact of decommissioning mitigated through the creation of a separate advice and guidance stream and further funding for the rest of the organisations whose projects are decommissioned to bid for

The majority of the projects engage disabled people, with 72% of this funding stream going to projects with a larger proportion of disabled people engaged than that seen in the population. Several organisations have 100% disabled people benefiting from the project they are running: Brent Mencap, Brent Advocacy Concerns and Brent Association for Disabled People. 92% of the funding stream presently benefits disabled people. This differed from analysis undertaken of themed funding streams where 17% of people benefiting from projects are disabled, in line with the population.

A combination of factors have led to the proposal for advice, guidance and advocacy stream. Factors included the increased support for vulnerable people in financial context, some existing projects with funding levels well above the £25,000 per year seen in the themed grant funding, organisations core funded, the more specialised nature of the advice and guidance element of some projects presently delivered to disabled people and some elderly people and in at least one case no other organisation providing a similar function in the borough. The advice, guidance and advocacy funding stream and the next set of themed funding mitigates any potential adverse impact in replacing and reallocating the existing funding. For those groups not included in the advice, guidance and advocacy proposal and part of the non-themed grant funding stream there is an opportunity to bid for further funding from the new funding stream offered. In addition the shift to the proposed criteria of three year funding with a requirement for an exit strategy gives organisations time to plan for future funding where they are presently core funded by the council.

**Race** – There is potential for adverse impact because of the particular benefit to BME communities from the present funding, however this is mitigated by further funding for the benefit of these communities

83.3% of the people benefiting from projects are from BME Communities, a proportion above that seen in the population. 83% of the funding stream is benefiting people from BME communities and within that BME category 41% of the funding benefiting people from an Asian ethnic background and 48% of funding is benefiting people from a Black ethnic background. Decommissioning these projects would have a possible adverse impact on people from BME communities particularly. However themed funding has consistently benefited these communities and the council would expect the same to be the case for future themed funding.

**Gender** – There is the potential for adverse impact because the shift to offer fairer funding to groups requires a decommissioning of existing projects before commissioning new projects, however this is mitigated by further funding for the benefit of these communities

52% of projects are benefiting females, a slightly higher proportion than that in the population. 52.5% of the funding stream is benefiting females. Similar proportions are seen in analysis of the children and young people's and crime and regeneration funding streams. Decommissioning would have a possible adverse impact on females and this would need to be taken into account in future themed funding proposed. However themed funding has consistently benefited similar proportions of females and the council would expect the same to be the case in future themed funding.

No data is presently held for religion or belief, sexual orientation, gender reassignment, pregnancy or maternity for nearly all organisations funded through Main Programme Grant.

The possible adverse impact identified across the protected characteristics will be more apparent in the present financial context of reduced public sector funding alongside more targeted funding streams for voluntary sector delivered projects nationally e.g. lottery funding streams. The infrastructure stream in both options is intended to be used to support the voluntary sector in being better placed to benefit the borough, be that through getting more funding into the borough or by ensuring better coordination of the range of resource available within the sector. It is proposed that in addition to offering further funding streams when themed three year funding streams come to an end, that in light of the more difficult financial context, the intention is to use a proportion of the infrastructure stream to deliver workshops to enable groups to better compete for funding from a range of other sources.

**An analysis of the individual projects in the children and young people's funding stream found the following:**

**Age** – Potential adverse impact arises in relation to the children and young people theme, where the new funding stream to replace this is allocated less funding than the present one. This is mitigated through the three year funding criteria and a requirement for an exit strategy, the provision of funding for new projects which will benefit this age group and the provision of an infrastructure stream.

- A number of organisations have been excluded from the analysis due to an absence of sufficient data. Looking at the rest of the data the majority of projects benefit young people directly. Two thirds of the funding is directly benefiting young people, with the rest benefiting adults. The data quality limitations should be noted here including a number of data sets relating to all users benefiting from the projects run by the organisation and not just the project grant funded.
- The three year funding criteria and requirement for an exit strategy mitigates this possible adverse impact to a large extent. The inclusion of an infrastructure stream provides a benefit for the wider voluntary sector by supporting their work to bring funding into the borough and aligning better the resources already available within the voluntary sector. This will be of benefit to the whole range of residents which voluntary sector groups engage with.
- Consultation highlighted the need to include projects to tackle youth unemployment and in future rounds of

funding as the changes in current national economic conditions are affecting local young people. Other respondents looked at unemployment for both adults and young people referring to the same statistical unemployment trends. These aspects have been taken into account in the draft criteria for funding.

**Disability** – There is potential adverse impact in relation to disability identified in varied engagement of people with a disability by the projects under the children and young people theme, this is mitigated through future grant application and monitoring processes.

- The percentage of disabled users benefiting from these projects is just below that seen in the general population. Allocated funding is in line with the proportion of disabled users seen in the general population. A review of the percentage of disabled people benefiting by organisation highlights varied engagement of disabled people by projects. This potential adverse impact is mitigated by the improvement of criteria to include a focus on engagement of people with a disability in projects. In the few cases where organisations were able to provide updated equality information there was an increased level of disabled people benefiting from projects

#### **Race**

- The majority of people benefiting from the projects are from BME communities with the majority of funding also benefiting BME communities. The number of users from Black BME communities is in line with that in the population. The number of users from Asian BME communities is below that seen in the population. A large proportion of funding is benefiting black BME communities. The use of equality monitoring matched to evidence of need set out in future applications will support a clear understanding of any future identified differences between the general population make up and that of people benefiting from projects

#### **Sex**

- The majority of people benefiting from projects are male. Funding is benefiting male and female in roughly the same proportions as borough population make up.

**An analysis of the individual projects in the crime and regeneration funding stream found the following:**

#### **Age**

- A number of organisations have been excluded from these calculations due to an absence of sufficient data. Over two thirds of the people benefiting are young people. There is a more even distribution of funding with adults receiving the largest share

**Disability** – There is potential adverse impact in relation to disability identified in the varied engagement of people with a disability by the projects under the crime and regeneration theme, this is mitigated through future grant application and monitoring processes.

- The number of users of these services with a disability is in line with the borough population. A quarter of the total funding for these projects is benefiting people with a disability. There is varied engagement by projects with people with a disability. This potential adverse impact is mitigated by the improvement of criteria to include a focus on engagement of people with a disability in projects. In the few cases where organisations were able to provide updated equality information there was an increased level of disabled people benefiting from projects

#### **Race**

- Compared to the population make up a slightly larger proportion of funding is benefiting BME communities, with fewer people from an Asian ethnic background benefiting than in the borough population. Slightly more people from Asian and Mixed ethnic backgrounds are benefiting from projects than in the borough population and slightly fewer people from an Irish ethnic background are benefiting from projects than in the borough population. The use of equality monitoring matched to evidence of need set out in future applications will support a clear understanding of any future identified differences between the general population make up and that of people benefiting from projects. Consultation responses included a request to consider hate crime when deciding what would be covered by the criteria for projects considered for funding.

#### **Sex**

- The majority of people benefiting are female. Approximately 60% of the funding is directly benefiting females rather than males. This reflects a combination of the projects agreed and the people seeking support from projects. The use of equality monitoring matched to evidence of need set out in future applications will support a clear understanding of any future identified differences between the general population make up and that of people benefiting from projects. Consultation highlighted the need to provide support to BME Women and refugees in the borough. Projects which align to borough plan priorities, meet the criteria for funding and show how they address needs of communities in Brent would be considered.



## **An analysis of the individual projects in both the children and young people and crime and regeneration funding streams found the following:**

**Age** – There is potential adverse impact in relation to age identified for older people, this is mitigated through future grant application and monitoring processes.

- In the case of crime and regeneration possible adverse impact from decommissioning will not only be mitigated by the three year and exit strategy criteria for themed funding but also the theme is replaced with further funding streams. The equality impact assessment of available data for projects in the children and young people theme and the crime and regeneration theme showed a positive impact however with the funding from both themes going to projects which mainly benefit children and young people compared to 25% of the population being between 0 and 19 years. The children and young people theme is not the only factor determining whether children and young people will be impacted positively by the programme. Future applications and monitoring processes will enable a better understanding of the reasons for this differential. In addition the inclusion of a broader range of borough plan priorities will ensure a set of grant funded projects which benefit a number of age groups where need is identified.

**Gender** – there is a potential adverse impact in terms of gender, this is mitigated through future grant application and monitoring processes.

- Analysis of the present projects found that 20 projects were specifically targeting and or benefiting a larger proportion of males than that seen in the population for the borough. Slightly more of the funding is benefiting females than males. In looking at the detail of projects being delivered the difference related to service need. In the case of all the projects highlighted by the analysis the overrepresentation was either because the council agreed a project where the provider funded specialises in helping women in need or because females presented with need for the service provided. Decommissioning the children and young peoples theme would therefore have a potential adverse impact in terms of gender. Further provision of themed funding which will benefit children and young people and additional funding streams should mitigate the impact with the use of equality monitoring matched to evidence of need set out in future applications supporting a clear understanding of any future identified differences between the general population make up and that of people benefiting from projects

**Race** – There is potential adverse impact in terms of race whilst the data relating to projects is not complete, this is mitigated through future grant application and monitoring processes.

- Not all projects provided monitoring data on race (11 projects did not have data), with a number of people preferring not to provide this information to voluntary sector organisations. From the data available, the majority of projects benefit BME communities particularly. 12 projects in the children and young peoples theme benefit mainly BME communities and 7 projects in crime and regeneration theme benefit mainly BME communities, with a further 8 projects benefiting people from a range of racial backgrounds in line with proportions seen in the general population. The analysis points to 83% of funding benefiting people from a BME background, which is above the proportion seen in the general population. This aligns with the need identified by project bids and underlying analysis of deprivation in the borough found in Brent's statistical evidence base. Two projects in the crime and regeneration theme particularly benefited people from a white racial background. Compared to the general population, there are slightly more users from an Asian background. Of the spend benefiting people from a BME background, 42% is benefiting users from a Black ethnic background and 31% of spend is benefiting users from an Asian ethnic background. The analysis of this themed funding alongside the proposals to continue to ensure alignment with corporate strategy priorities and associated state service provision would point to an ability to mitigate the short term possible adverse impact of decommissioning. Future monitoring should be improved to ensure all projects provide information even if people benefiting from projects return a 'prefer not to say' response to equality monitoring questions.

### **Disability**

- There has been a positive impact shown in funding the existing projects. The analysis of present projects shows 20% of the funding is benefiting people with a disability compared to 15.6% of the population with a disability. However the number of people with a disability engaged is not consistent for every project. There were an equal number of projects from each of the themed funding streams benefiting people with a disability. There would be a possible adverse impact in decommissioning existing projects but this would be mitigated in part by the proposals to offer further themed funding streams, which based on present experience of themed funding would continue to engage people with a disability and which could be supported to do so more constantly through revised equality monitoring of projects and revised criteria for funding.

### **Sexual orientation**

Only a few organisations provided monitoring data highlighting their service being used by the LGBT community.

### **Religion, Gender Reassignment, Pregnancy or Maternity**

There were no figures provided on which to assess impact by faith, gender reassignment or pregnancy and maternity

5. Please describe the evidence you have used to make your judgement. What existing data for example (qualitative or quantitative) have you used to form your judgement? Please supply us with the evidence you used to make your judgement separately (by race, gender and disability etc).

In order to develop a full equality impact assessment requests were made to all projects for updated equality monitoring relating to the projects they are receiving funding for including all protected characteristics now included in equality monitoring in line with the Equality Act 2010. Many did not yet collect data in this way. For the non-themed projects subject to one year agreements and the crime and regeneration themed grants the data already provided to the council is reasonably up to date although not covering all protected characteristics. There are a few more gaps in the data provided relating to children and young people's projects.

The assessment has been made on the basis of quantitative data about the demography of the borough and equality monitoring data provided by the organisations running the projects presently funded by Main Programme Grant. Each group provides equality information on the people who benefit from projects they run, when bidding for funding from Main Programme Grant and this has been used to make a qualitative judgement. These projects were agreed upon before the Equality Act 2010 came in and the monitoring covered race, gender, disability and age but not pregnancy, maternity and gender reassignment. Only some organisations provided information on religion and sexual orientation. Each project was considered separately in relation to each equality strand and then the collective themes and strands were also considered.

6. Are there any unmet needs/requirements that can be identified that affect specific groups? (Please refer to provisions of the Disability Discrimination Act and the regulations on sexual orientation and faith, Age regulations/legislation if applicable)

There could be unmet needs not identified by monitoring which does not include of the equality strands which have been included under the Equality Act 2010, since the last decision by the Executive on voluntary sector grants. This could be addressed through updated monitoring arrangements for future projects.

The 2009 Equality Impact Assessment highlighted further work required to understand the different client groups represented and to ensure voluntary sector providers include people with disabilities and people from LGBT backgrounds in the services they provide. This will be partly addressed in the revised criteria for grants and partly through the voluntary sector strategy. The proposal includes a more robust performance management of outcomes arising from the themed funding for projects which was identified as required in the 2009 Equality Impact Assessment

At present the monitoring of these organisations has not included consistent collection of data relating to religion or belief, sexual orientation, gender reassignment, pregnancy or maternity or included a Romany gypsy/Irish traveller category in the race monitoring. This could mean there are unmet needs requirements affecting these groups. This will need to be addressed in the improved monitoring of grants under the proposed future themed arrangements.

7. Have you consulted externally as part of your assessment? Who have you consulted with? What methods did you use? What have you done with the results i.e. how do you intend to use the information gathered as part of the consultation?

Consultation occurred as part of the scrutiny task group in 2007, in undertaking the original equality impact assessment in 2009. So far themed funding has been put in place for children and young people and crime and regeneration. The funding has been agreed upon for a three year period and on the basis that the same project cannot be funded for two consecutive funding periods. Groups affected have been aware of the intention to shift to the new model, consulted upon it before the overall decision to shift to the new model in 2009 and seen the gradual implementation of the model from 2009 onwards. The voluntary sector is regularly engaged and consulted upon the transition to the new model through the voluntary sector liaison forum. The decision to only offer a grant for one year to these projects in June 2010 was on the basis of the intention to complete the transition to themed funding.

We consulted on equality impact alongside our consultation on the proposed developments to the Main Programme Grant Model. This consultation included

- Signposting to consultation in local paper
- Letter to all organisations presently funded
- Request for up to date equalities information and funding information from groups
- Two presentations and discussions at voluntary sector liaison forum in October and December
- Questionnaire to all our voluntary sector contacts
- Questionnaire to Disabilities and Mental Health User Forum
- Questionnaire on consultation tracker
- Offer to meet with people on request

The information gathered has been used to inform proposals to the Executive for future grant funding and summary comments are included in this EIA where relevant. In addition the main report sets out the main consultation findings and includes an appendix setting a summary of the data available.

#### 8. Have you published the results of the consultation, if so where?

The results of the consultation are included in the original 2009 equality impact assessment and were published as part of the Executive report to agree to shift to the new themed funding arrangements.

The results of the consultation are incorporated into this initial equality impact assessment. In addition the main report sets out the main consultation findings and includes an appendix setting out the data.

#### 9. Is there a public concern (in the media etc) that this function or policy is being operated in a discriminatory manner?

The council is not aware of a public concern about the themed grants funding model being operated in a discriminatory manner.

There have been regional and local concerns about how the London Council's Funding policy has been operated. One London voluntary sector group receiving funding from the London Councils Grant Programme took the decision to reduce funding from the London Council's pot to judicial review and were successful in arguing that there had not been an appropriate equality impact assessment of the proposed changes to the London Council's programme.

Brent council is not proposing to reduce the level of funding in the Main Programme Grant and has undertaken an equality analysis of all projects affected. It is important to note that the policy already impact assessed and agreed at Executive in 2009 states that the same project would not be funded for more than one three year funding period and that opportunities for existing and new groups to apply to run different projects would be introduced as existing themed funding ceased.

The council is proposing to use a larger proportion of the Main Programme Grant funding pot to support the infrastructure for the sector including support for a new CVS, developing a Voluntary Sector Resource Centre project and other similar initiatives. Up until now Approximately £32,000 has been paid for a CVS to represent the range of views in the voluntary sector, support the development of the sector and operate a volunteer bureau.

#### 10. If in your judgement, the proposed service/policy etc does have an adverse impact, can that impact be justified? You need to think about whether the proposed service/policy etc will have a positive or negative effect on the promotion of equality of opportunity, if it will help eliminate discrimination in any way, or encourage or hinder community relations.

Completing the transition to themed grant funding in both options does have a possible adverse impact on each of the protected characteristics particularly in the short term because of the need to decommission existing projects before commissioning new projects. This impact can be justified for the following reasons:

- Three year funding streams offered on the basis that the same project will not be funded in two consecutive three year periods and criteria which include a requirement for an exit strategy mitigates this. The use of a three year term balances the need to meet resident need by delivering projects with stable funding and the need to develop and change the projects delivered with Main Programme Grant to better reflect the demographics of the borough and associated changes in service need and improve the mix of organisations delivering projects over time.
- The process of transition has been phased giving organisations the opportunity to prepare exit strategies since the new policy began to be implemented in 2009.

- There was and continues to be a recognised need for more opportunity to a range of voluntary sector organisations to deliver projects with the funding available
- Further themed funding is being offered and no reduction is being made to the overall pot of funding available
- There would be possible adverse equality impact for projects already receiving funding under the children and young people's theme and the crime and regeneration if a decision on the transition was not made. The projects not on themed funding would continue to be funding under different terms and conditions to those in themed funding streams without an understanding of the rationale for this.

In addition a potential particular adverse impact is highlighted in relation to the age strand – children and young people and the gender equality strand – males.

- the children and young people's theme is not the only funding stream benefiting children and young people now and is unlikely to be so in the future and this mitigates the impact to some extent
- There will be further funding for a children and young people's theme which will be able to benefit males and mitigate some of the adverse impact.

11. If the impact cannot be justified, how do you intend to deal with it?

N/A

12. What can be done to improve access to/take up of services?

The number of bids to the Main Programme Grant has consistently been well above the level of funding available and the continuous improvement to the process since 2009 has sought to improve access to new groups to deliver projects with main programme grant. The 2009 equality impact assessment highlighted the need to ensure greater awareness of the grant funding in Brent. The development of a new CVS offers the ideal opportunity to do this and the voluntary sector strategy development so far points to the role of the CVS in communicating across the range of organisations which make up Brent's voluntary sector.

The access to services provided as a result of projects funded through Main Programme Grant is varied according to the summary of bids made. It is proposed that as part of the new model the monitoring of projects is strengthened to ensure take up of service is considered, where this is an issue.

The access to services for people with protected characteristics who presently do not benefit from Main Programme Grant Projects to the extent which might be expected, such as older people for example will be remedied partly through the themed funding streams proposed and partly through a greater emphasis on equality impact assessment at the point of assessing bids for themes.

The proportion of the infrastructure stream identified for a new CVS would also aid the take up of services by signposting voluntary sector organisations to council funding but also to other sources of funding.

The voluntary sector strategy will set out the different ways the council and the voluntary sector can work together to improve the take up of services by groups shown to be under represented through equality monitoring

Workshops to support organisations bidding to new funding streams and workshops looking at other funding available elsewhere will also support the access to services.

13. What is the justification for taking these measures?

These measures will enable improved take up of services on the basis of identified gaps as a result of equality monitoring.

14. Please provide us with separate evidence of how you intend to monitor in the future. Please give the name of the person who will be responsible for this on the front page.

Future monitoring will take place in the following way:

- Corporate Officer group to monitor progress of projects funded through Main Programme Grant
- Updated bidding documentation and monitoring forms for project returns which cover the additional protected characteristics in the Equality Act and associated duties and emphasise the action being taken to tackle any adverse impact identified.



15. What are your recommendations based on the conclusions and comments of this assessment?

- To proceed to recommend the proposal
- Implement the measures set out in 12 and 14

Should you:

1. Take any immediate action? Seek agreement to the proposal
2. Develop equality objectives and targets based on the conclusions? Develop following Executive Agreement
3. Carry out further research? If requirement highlighted through implementing preferred option and as part of separate equality impact assessment for options arising from the review of advice, guidance and advocacy

16. If equality objectives and targets need to be developed, please list them here.

To be developed following Executive Agreement to preferred option and feature as part of the robust performance management framework proposed.

17. What will your resource allocation for action comprise of?

As set out in the proposals and within the budget allocated for main programme grant.

If you need more space for any of your answers please continue on a separate sheet

Signed by the manager undertaking the assessment:

Full name:

Date: December 2011

Service Area and position in the council: Corporate Policy Unit

Details of others involved in the assessment - auditing team/peer review: Diversity Team and Legal

Once you have completed this form, please take a copy and send it to: **The Corporate Diversity Team, Room 5 Brent Town Hall, Forty Lane, Wembley, Middlesex HA9 9HD**

## Overview of voluntary sector organisations specifically benefiting people with a disability and elderly people in the borough

Please note that this draws on the community directory, which voluntary sector organisations update themselves and as such cannot be taken as a comprehensive list

### **Organisations focussed on people with a disability:**

<b>Organisation</b>	<b>Address</b>	<b>Website</b>	<b>What they do</b>
Brent Association of Disabled People (BADP)	Willesden Centre for Health and Care Robson Avenue Willesden London NW10 3RY	badp.org	BADP provides services and support that enables people with a disability to access local health, housing and social services; reduce social exclusion and access welfare benefits
Brent Mencap	379-381 High Road Willesden London NW10 2JR	<a href="http://www.brentmencap.org.uk/">http://www.brentmencap.org.uk/</a>	Brent Mencap is the leading voluntary sector organisation in Brent working with and on behalf of people of all ages with a learning disability.
Association of Muslims with Disabilities	Tudor Mews, 1 Hawthorn Road, Willesden, NW10 2NE	<a href="http://www.brentmind.org.uk/directory/detail/301">http://www.brentmind.org.uk/directory/detail/301</a>	A voluntary organisation offering counselling and information on welfare benefits and health for Muslims with a disability. It has a drop in service on Saturdays at 154 Harlesden Road, London NW10 3RX from 10am-3pm.
The Kingswood Centre Learning Disabilities	The Kingswood Centre Learning Disabilities Service 134 Honeypot Lane Kingsbury London NW9 9QY	<a href="http://www.cnwl.nhs.uk/kingswood.html">http://www.cnwl.nhs.uk/kingswood.html</a>	We provide assessment and treatment for people with learning disabilities who also have mental health issues and/or challenging behaviour.

Brent Mind	Brent Mind, Hampton House, 1b Dyne Road, Kilburn, London NW6 7XG	<a href="http://www.brentmi.org.uk/">http://www.brentmi.org.uk/</a>	Brent Mind is the leading independent mental health organisation in Brent, which has been helping the residents of Brent for over 35 years.
Brent Adult Psychology Service	CNWL Mental Health Resource Centre, Harlesden Road, Harlesden, NW10 3RY	<a href="http://www.brentmi.org.uk/directory/detail/301">http://www.brentmi.org.uk/directory/detail/301</a>	It is for adults aged 18-60 with mental illness. Services may be used to address depression, anxiety and OCD, and include CBT. Psychometric testing is also available.
Brent Early Intervention In Psychosis Team	Willesden Centre for Health and Care Harlesden Road London NW10 3RY	<a href="http://www.cnwl.nhs.uk/Brent_Early_Intervention_In_Psychosis_Team.html">http://www.cnwl.nhs.uk/Brent_Early_Intervention_In_Psychosis_Team.html</a>	Brent Early Intervention Team works with people from the age of 18-35 who have a first episode of psychosis. This service aims to provide intensive support and treatment to services users and their family at an early stage of their illness, by offering a psychosocial and relapse approach.
Brent Mental Health User Group (BUG)	Merlin House, 122-126 Kilburn High Road, Brent, NW6 4HY	<a href="http://www.brentmi.org.uk/directory/detail/331">http://www.brentmi.org.uk/directory/detail/331</a>	This is a local independent group which provides support and information for people with mental health problems.

<p>Asian People's Disability Alliance</p>	<p>Suite 1A, 3rd Floor Alperton House Bridgewater Road Wembley Middlesex HA0 1EH United Kingdom</p>	<p><a href="http://www.apda.org.uk">http://www.apda.org.uk</a></p>	<p>The Asian People's Disability Alliance (APDA) is a user-led registered charity of Asian people with a disability. Launched and active since 1988, APDA is a non-political, non-religious and non-profit making entity. to provide needs-led and user-led culturally-appropriate services that mainstream service providers are unable to provide because of limited or no expertise in culturally-related matters of Asian people with a disability, their carers and their families.</p>
<p>Brent Advocacy Concerns</p>	<p>Brent Advocacy Concerns, Willesden Centre for Health and Care, Robson Avenue, London, NW10 3SG</p>	<p><a href="http://www.brentadvocacy.co.uk/">http://www.brentadvocacy.co.uk/</a></p>	<p>Brent Advocacy Concerns is an organisation of Disabled People run by disabled people for disabled people. We were set up as a consortium in 1988 and became an organisation of disabled people in 1996. We are committed to providing good disability equality training to all volunteer advocates and disabled people using the service.</p> <p>We are committed to working in partnership to develop a Centre of Independent Living in Brent.</p>
<p>Black Womens Mental Health Project,</p>	<p>Black Womens Mental Health Project, Neasden District Neasden Lane Brent London NW10 2TU</p>	<p><a href="http://www.ibrent.co.uk/local/charities-and-voluntary-organisations/">http://www.ibrent.co.uk/local/charities-and-voluntary-organisations/</a></p>	
<p>Age Concern</p>	<p>Age Concern 6 Craven Pk Brent London NW10 8SY</p>	<p><a href="http://www.ibrent.co.uk/local/charities-and-voluntary-organisations/">http://www.ibrent.co.uk/local/charities-and-voluntary-organisations/</a></p>	

St Gabriels Project For Mental Health	St Gabriels Project For Mental Health St Gabriels Hall 77 Chichele Road Brent London NW2 3AQ	<a href="http://www.ibrent.co.uk/local/charities-and-voluntary-organisations/">http://www.ibrent.co.uk/local/charities-and-voluntary-organisations/</a>	
Brent Care at Home	2nd Floor, Apton House, 5/6 Empire Way, Wembley, HA9 0NA	<a href="http://www.goldsborough-home-care.co.uk/">http://www.goldsborough-home-care.co.uk/</a>	We specialise in home care for individuals who need support to remain independent in their own homes. We provide a variety of care and support services to assist people with the activities of daily living.
Brent Carers Centre	116 Chaplin Road Wembley, London City of HA0 4UZ	<a href="http://www.carers.org/local-centre/brent">http://www.carers.org/local-centre/brent</a>	Caring for a relative, partner or friend who is ill, frail, disabled or has mental health or substance misuse problems.
Harrow Association of Disabled people (HAD)	Ground Floor, Bentley House, 15 - 21 Headstone Drive Wealdstone, Harrow Middlesex, HA3 5QX	<a href="http://www.had.org.uk/">http://www.had.org.uk/</a>	<p>To promote and bring about inclusion and equality for all disabled people in all areas of life by:</p> <p>Ensuring that they have access to relevant disability information, advice and support from HAD</p> <p>Delivering high quality services that empower and enable disabled people to have the freedom of choice, access their rights to live independently and gain equality</p> <p>Providing a channel and voice for disabled people to campaign on the issues they identify as important</p> <p>Influencing and assisting wider society to remove all physical and attitudinal barriers that cause exclusion and disadvantage to disabled people</p> <p>Be pro-active in bringing for consultation, to disabled people's attention, any issues which may affect them in the future</p>

## Organisations focussed on Older People:

Organisation	Address	Website	What they do
Abbey Luncheon Club	Abbey Estate Community Centre Queensbury Road Alperton Wembley HA0 1NL		Luncheon club for the disabled and retired. Chance to meet in an informal and social atmosphere.
Abbeyfield West London Society	Willows 136 Honeypot Lane Kingsbury London NW9 9QA	<a href="http://www.abbeyfield.com/">http://www.abbeyfield.com/</a>	Residential care for elderly people - 28 single beds.
Age Concern Brent	Design Works Off Park Parade Harlesden London NW10 4HT	<a href="http://www.ageconcernbrent.org.uk">http://www.ageconcernbrent.org.uk</a>	We provide services to the older people: Information, Advice and Advocacy Services, Health and Social Well Being activities and social clubs, Keep in Touch in Brent Befriending. Volunteering with Age Concern Brent and Age Concern Shop which is located at 120 Craven Park Road, Harlesden.
Barham Park Veteran's Club	West Lodge Barham Park 660 Harrow Road Wembley Middlesex HA0 1HG	-	Veteran's Club for pensioners. We have several indoor games like Snooker, Billiards, Darts, Dominos, Board games, Playing cards for members to keep themselves occupied in accordance with their interests and capabilities. We run tea canteen for the members to refresh themselves.

Brent Care At Home	2nd floor Howarine House 5-6 Empire Way Wembley Middlesex HA9 0XA	<a href="http://www.goldsborough-home-care.co.uk">http://www.goldsborough-home-care.co.uk</a>	Brent Care at Home is the largest provider of domiciliary care to Brent Social Services Older Peoples Services. We play an integral part in allowing clients to stay in their own homes and receive care. In our commitment to providing quality care we are looking to recruit care workers who are dedicated to making a difference.
Brent Pensioners Forum	5 Vivian Gardens Wembley HA9 6RF	<a href="http://www.brentpensionersforum.org">http://www.brentpensionersforum.org</a>	Our main purpose is to represent the interests of older people.
Brent Transport Action Group	11 Laurel Court Vicars Bridge Close Alperton Middlesex HA0 1XY		BTAG aims to assist the needs of door-to-door transport users in Brent, by providing transport for disabled or elderly
Clarendon Garden Monday Club	1 Lambert Walk Clarendon Garden, Wembley London HA9 7TR		Luncheon club run for all disabled or retired people resident in the borough of Brent. Two course meal for a small charge. Opportunity to meet people in a social and informal atmosphere
CSV-RSVP	237 Pentonville Road London N19 5AD	<a href="http://www.csv-rsvp.org.uk">http://www.csv-rsvp.org.uk</a>	CSV's Retired and Senior Volunteer Programme (RSVP) particularly encourages those over 50 to use their skills and experience to help others.

Dudden Hill Luncheon Club	19 Dudden Hill Lane Willesden London NW10 2ET	Luncheon club providing Asian meals for the disabled and retired. A two course meal for a small price. Chance to meet in an informal and social atmosphere.
Elders Voice	181 Mortimer Road London NW10 5TN	Elders Voice is dedicated to improving quality of life for older people by enabling them to live independently and actively in the community  <a href="http://www.eldersvoice.org.uk/">http://www.eldersvoice.org.uk/</a>
Emunity	London NW2 3XA	The online community for older people and their social networks. Visit us anytime for information about services, what's going on near you and how to save money on the things you do.  <a href="http://www.emunity.org">http://www.emunity.org</a>
Enara Community Care	Suite 3, 3rd Floor Alperton House Bridgewater Road Wembley HA10 1EH	Home Care Providers - provides following services: care assistance, getting in and out of bed, and help with bathing and personal hygiene. All of these services allow people to continue living in their own home but still give them the independence they want.  <a href="http://www.enara.co.uk/">http://www.enara.co.uk/</a>
Harley Hall Luncheon Club	Harley Gospel Hall Harley Road NW10 8AX	Luncheon club for the disabled and retired. A two course meal for a small price. Chance to meet in an informal and social atmosphere
Hibiscus Luncheon Club	181 Mortimer Road London NW10 5TN	Luncheon club providing Caribbean meals for the disabled and retired. A two course meal for a small price. Chance to meet in an informal and social atmosphere



Home Library Service	George Furness House 2-12 Grange Road, Willesden London NW10 2QY	<a href="http://www.brent.gov.uk/libraries.nsf/home%20library%20services/lbb-2">http://www.brent.gov.uk/libraries.nsf/home%20library%20services/lbb-2</a>	The Home Library Service delivers books, periodicals, films and music to housebound people in individual or residential homes. These items may be in regular or large print or be recorded on cassette, cd or dvd. Please call or email the service if you or someone you know would like library services but is unable through age or disability to travel to the library.
Jewish Care	Stuart Young House 221 Golders Green Road Brent Cross London NW11 9DQ	<a href="http://www.jewishcare.org">http://www.jewishcare.org</a>	Jewish Care, the largest provider of health and social care services for the Jewish community in the UK, helps over 7,000 people every week. Services include care for older people, people with mental health problems, physical disabilities or visual impairments, as well as people suffering from strokes, Parkinson's disease, Alzheimer's disease and other forms of dementia.
Kensal Rise Senior Citizens Luncheon Club	181 Mortimer Road Kensal Green London NW10 5TN		Luncheon for the disabled and retired. A two course meal for a small price. Chance to meet in an informal and social atmosphere.
Kilburn & West Hampstead Pensioners Association	c/o Kingsgate Community Centre 107 Kingsgate Road London NW6 2JH		Organises meetings, social events and trips. Also involved in campaigning around issues of concern for older people.

Kingsbury Asian Elders Group	305 Byron Road Wealdstone Middlesex HA3 7TE		<p>Most festivals are celebrated.</p> <p>Advice and information available on seminars and small discussion groups arranged with assistance from the older people's team, fire brigade and police liaison teams.</p>
Kingsbury Veterans Club	Kingsbury Manor Studio Kingsbury London NW9 9HA		<p>We provide a service for the elderly with facilities and activities such as Snooker, Bingo, Whist, Bridge and Coach outings and Light Refreshments. Art classes held on Wednesday mornings</p>
London Indian Elders Group	Rugelian 4 Toley Ave Wembley Midddx HA9 9TB		<p>We hold keep fit and yoga classes under a qualified yoga teacher. We also arrange day outings for our old and disabled members during summer months.</p>
Magnolia Senior Citizens' Club	Preston & Mall Community Centre 237 The Mall, Preston Hill Kenton HA3 9TX		<p>Senior citizens from 50 +, Outings in the summer, and Christian festivity at Christmas. Have entertainers and speakers and advice on problems. Membership for club is £2 a month which includes tea and biscuits. We have raffles each week, and also hold Bring &amp; Buy sales approx every 6-8 weeks to raise funds.</p>
Mission Dine Club For Elderly Disabled And Youth	Fry Road / Chadwick Road Harlesden London NW10 4BZ	<a href="http://www.mdc2010.co.uk/">http://www.mdc2010.co.uk/</a>	<p>Day care centre with Luncheon Club and other activities. The club has a family atmosphere with a warm environment. We serve healthy 3 course authentic meals, we help people with home or hospital visits. Various games - domino's, arts and crafts, discussions, entertainment, dancing, sing-a-long and lots more.</p>

North London Rambling Club	Flat 6 22 Crawford Avenue Wembley Middx. HA0 2JS	<a href="http://www.northlondonramblingclub.org.uk">http://www.northlondonramblingclub.org.uk</a>	A rambling club founded in 1919 with members from all over London and beyond with ages from 30 to 70+ enjoying guided walks in the country of up to 14 miles, and using Public Transport to the start of Rambles. Arranges walks in the country and interest visits in town, and uses public transport.
Park Lodge	42 Monks Park Wembley Middlesex HA9 6JE		Residential care for elderly people - 3 single beds (small home)
Patidar Senior Citizens Social Club	Patidar House 22 London Road Wembley Middlesex HA9 7EX	<a href="http://www.patidars.org">http://www.patidars.org</a>	The club provide various activities like reading Gujarati newspapers & magazine regularly, discussion forum on topics of Health, Family, Nature, Migration etc is encouraged, in addition light snacks is provided everyday. The club is established to enhance the Social Skills of getting out and meeting people, Independence and to overcome the feeling of Isolation.
Perrin House Luncheon Club	Malvern Road Carlton Vale London NW6 5QD		Luncheon club for the disabled and retired.
Salvation Army Goodwill Centre	55 Chichester Road Kilburn Park London NW6 5QW	<a href="http://www.salvationarmy.org">http://www.salvationarmy.org</a>	Luncheon club for the disabled and retired.

Spanish and Portuguese Jews Home for the Aged	Edinburgh House 36 Forty Avenue Wembley HA9 8JP		Residential care for elderly people.
Tavistock Lunch Club	Harlesden Methodist Church, 25 High Street Harlesden London NW10 4NE		Weekly lunch club open to all elders, dominoes for men.
The Homecare Partnership	2 Etrona Buildings 172-174 Granville Road London NW2 2LD	<a href="http://www.homecarepartnership.co.uk/links/">http://www.homecarepartnership.co.uk/links/</a>	Home Care Providers - provides following services: care assistance, getting in and out of bed, and help with bathing and personal hygiene. All of these services allow people to continue living in their own home but still give them the independence they want.
The Relatives and Residents Association	24 The Ivories 6-18 Northampton Street London N1 2HY		Offers a listening ear & practical advice, support & information on choosing a home, paying fees, concerns about care and involving families & friends in homes. Local groups, newsletter & publications.
Time of Your Life	2 Downstream Building 1 London Bridge London SE1 9BG	<a href="http://www.timeofyourlife.org.uk">http://www.timeofyourlife.org.uk</a>	The Time of Your Life Advisory Group was set up to enable community organisations across Brent with expertise of working with older people to be involved in Time of Your Life. Advisory Group members are ambassadors for the scheme and refer interested older people to become Friends or Befrienders. In addition, they provide support and advice to ensure the scheme's aims are being fulfilled.

University Of The Third Age In Brent	35 Meyrick Road Willesden London NW10 2EL	<a href="http://www.brentu3a.org.uk">http://www.brentu3a.org.uk</a>	Mutual education by and for retired people throughout Brent.
West Indian Senior Citizen Organisation	8 Wrottesley Road Harlesden London NW10 5YL		Senior Citizen's club for Caribbean people.
Willesden Asian Community Centre	88 Strode Road Willesden London NW10 2NH		We offer advice on welfare rights, Immigration matters and organise religious trips for the elderly.

## Examples of Voluntary Sector Disability Associations in other boroughs

### Newham

#### ***Newham Association of Disabled People***

**Address:** Earlsam Grove, Forrest Gate, London E7 9AB

**Phone:** 020 85198595

**Description:** Advice and information service for disabled people and their families and friends statutory and voluntary agencies. All issues/enquires related to disabilities include advocacy, housing welfare benefits etc. Sign posting service, wheelchair loan, service for short term loans.

**Reference:**

<http://www.nvsc.org.uk/groups/database/fulldetails.php?org=3760&searchfor=disabled&newstyle>

### Hackney

#### ***Disability Hackney***

**Address:** Howard Road Community Centre, 6A Howard Road, London N16 8PX

**Phone:** 020 7249 7849

**Description:** We provide information and advice, lobby and campaign on behalf of people with disabilities; represent disability issues in local strategic committees; and provide training and employment opportunities for unemployed people with disabilities.

**Reference:**

<http://www.disabilityhackney.org/>

### Harrow

#### ***Harrow Association of Disabled People (HAD)***

**Address:** Ground Floor, Bentley House, 15 - 21 Headstone Drive, Wealdstone, Harrow, Middlesex, HA3 5QX

**Phone:** 020 8861 9920

**Description:** Our aim is to promote and achieve our vision of a fully inclusive society where disabled people enjoy equality of opportunity as a right not a privilege.

**Reference:** <http://www.had.org.uk/>

### Barnet

#### ***Disability Action in the Borough of Barnet (DABB)***

**Address:** 954 High Road, North Finchley, London N12 9RX

**Phone:** 020 8446 6935

**Description:** DabB provide a range of accessible services for disabled people living or working in Barnet, their families and supporters. They provide information, advice and advocacy on topics such as access, welfare rights, housing, debt and equipment. DabB's Independent Living Agency can help find personal assistants for those in need.

**References:** <http://www.dabb.org.uk/>

<http://www.barnet.gov.uk/faq-health-faq/disabilities-faqs/which-local-organisations-offer-support-for-disabled-people.htm>

### Camden

#### ***Disability in Camden***

**Address:** Peckwater Centre, 6 Peckwater Street, London NW5 2TX

**Phone:** 020 3317 5099

**Description:** Disability in Camden (DISC) is an organisation controlled by, and accountable to, disabled people in Camden. We believe in the establishment of a society in which there are equal opportunities for all.

**References:** <http://www.discnwl.org.uk/index.html>

### Westminster

#### ***Westminster Action Network on Disability (WAND)***

**Address:** 96 Bourne Terrace, London W2 5<sup>TH</sup>

**Phone:** 0845 604 6442

**Description:** WAND supports deaf and disabled people to be heard. We do this by providing a number of services like information, advocacy, group meetings and campaigns.

**References:** <http://www.wand.org.uk/index.php>

### **Kensington and Chelsea**

#### ***Action Disability Kensington and Chelsea (ADKC)***

**Address:** Whitstable House, Silchester Road, London, W10 6SB

**Phone:** 020 8960 8888

**Description:** Disability advice and information service, volunteer support, support around education and employment, Policy and Consultation Projects, Individual Budgets Co-ordinator, disability advocacy service, limited counselling.

**References:** <http://www.adkc.org.uk/>

### **Hammersmith and Fulham**

#### ***Hammersmith and Fulham Action on Disability (HAFAD)***

**Address:** The Greswell Centre, Greswell Street, London, SW6 6PX

**Phone:** 020 7471 8510

**Description:** HAFAD is an independent organisation promoting equality for disabled people. It provides high quality services and campaigns to remove artificial barriers in order to develop opportunity, choice and independence. HAFAD aims to ensure that disabled people have the necessary support to take control of their environment and lifestyle with the information to make appropriate choices.

**References:** <http://www.hafad.org.uk/index.asp>

### **Ealing**

#### ***Ealing Centre for Independent Living (ECIL)***

**Address:** 1 Bayham Road, West Ealing, London, W13 0TQ

**Phone:** 020 8840 8573

**Description:** ECIL is a membership organisation representing and supporting disabled people, of all types and of any age, who live and work in the borough of Ealing and surrounding boroughs.

**References:** <http://www.ecil.org/>

**END.**

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# Equality Impact Analysis Data

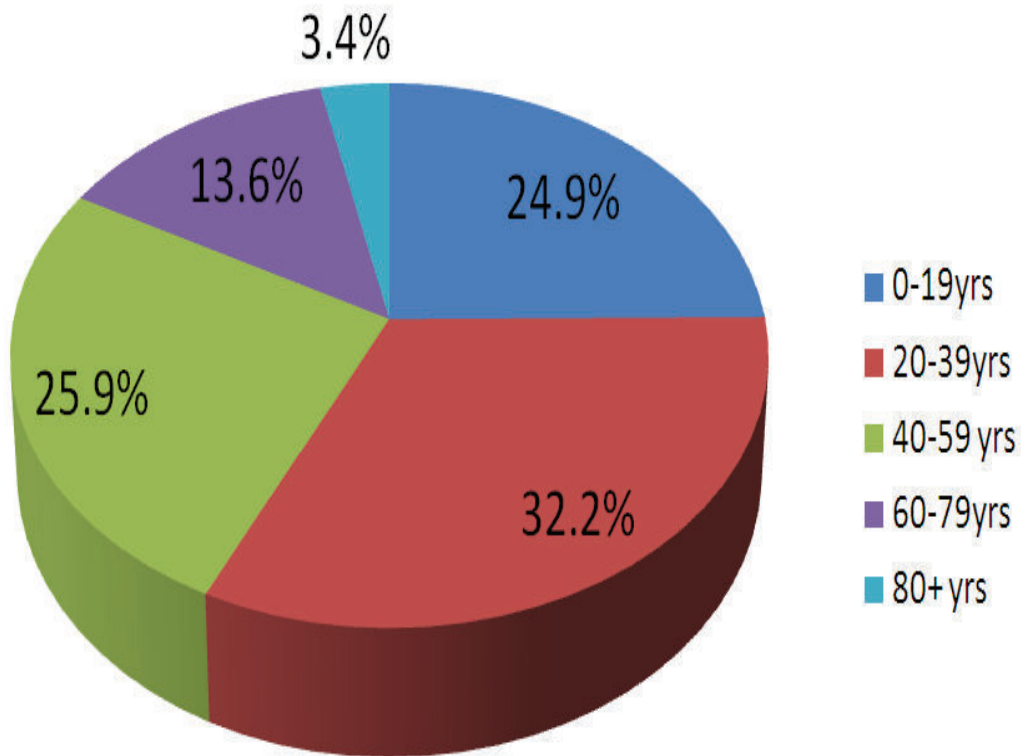
Funding stream not yet subject  
to themed funding model



# Limitations in data quality

- The data provided does not include the additional protected characteristics recently brought in under the Equality Act 2010
- The equality monitoring does not conform to the latest equality monitoring guidelines with consistent sub categorisation under each protected characteristics
- Not all projects have provided equality data just related to the project, a number have provided data relating to all provision by their organisation
- Data to develop this initial draft equality impact assessment was extracted from several sources including self-assessment forms, grant applications and project monitoring reports. Consequently, some figures may be older than others and some may not represent the current state of the organisation.
- Data for projects not yet subject to themed funding model was provided in the last financial year and in some cases has been updated since then
- Requests were made to all projects for updated equality monitoring relating to the projects they are receiving funding for including all protected characteristics now included in equality monitoring in line with the Equality Act 2010. Many do not yet collect data in this way and only a few provided updated data

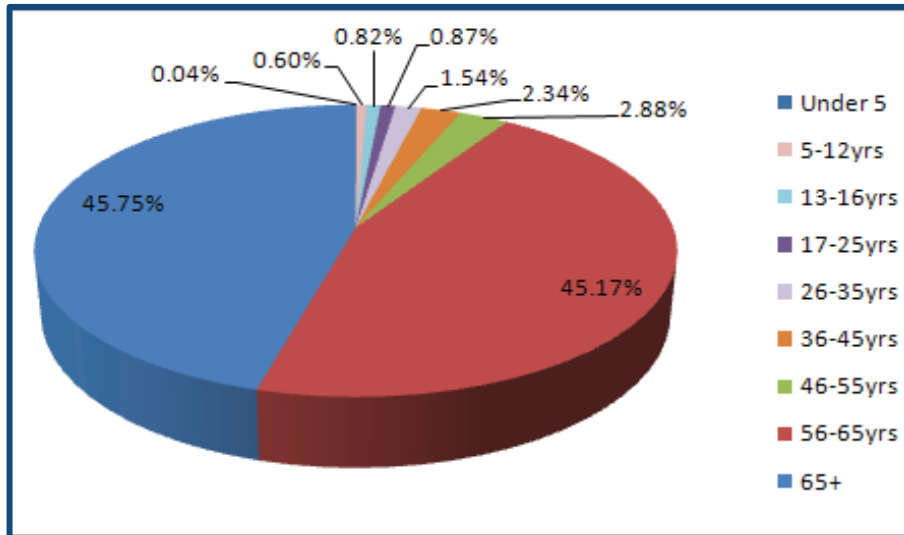
# Age Profile – Brent Population



- 63,800 young people(0-19yrs)
- 149,100 adults (19-59yrs)
- 43,600 older people(60+ yrs)

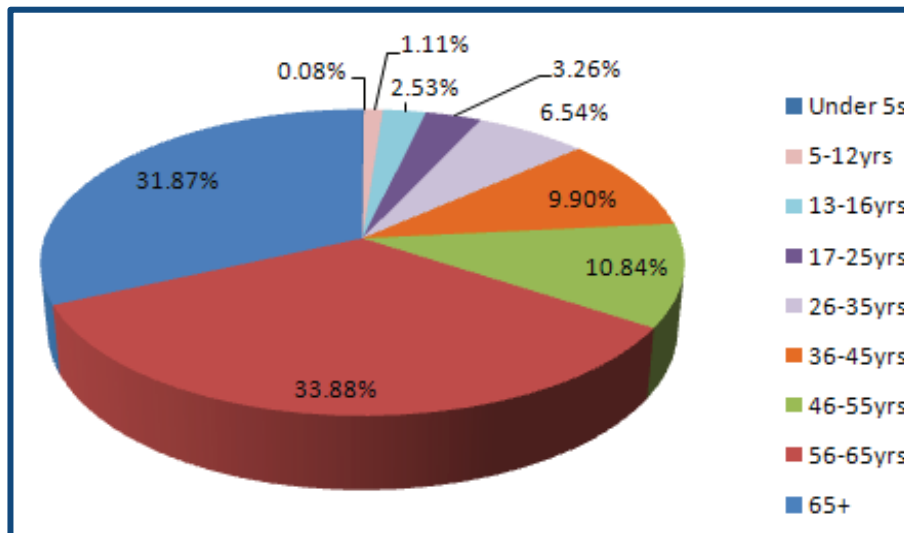
(ONS 2010)

# Age Profile – non themed model grant projects



## % people benefiting by age

- Proportion of people aged 60+ benefiting from projects above that in the borough population.



## % funding by age group

- Young people benefit from larger proportion of funding compared to other age groups.
- 66% of funding benefits those over 56 years of age.

Data from BADP not included as not broken down by category – BADP record 25% young and 75% older people



# Age Profile – non themed model grant projects

## Older People

Age Concern

Brent Association of Disabled People

Brent Heart of Gold Support Group

Kingsbury Asian Elders Group

Brent Indian Community Centre

Magnolia Senior Citizens

## Adults

Association of Muslims with disabilities

Brent Advocacy Concerns

Brent Mencap

Majority of people benefiting from each project are either adults or older people



# Disability Profile – Brent Population

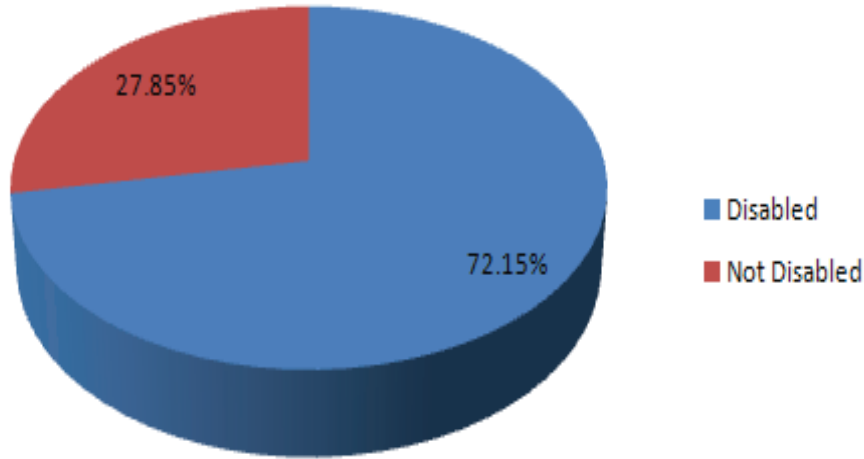
- In 2010-11 there were 765 people with learning disabilities known to Brent council.
- The majority of people with learning disabilities known to the council are aged between 20 and 59.
- The breakdown by gender is: Male 58% female 42%.
- The age breakdown of clients with learning disabilities is as follows:

• 18-19	23
• 20-29	200
• 30-39	135
• 40-49	193
• 50-59	138
• 60-69	62
• 70-79	11
• 80-89	2
• 90+	1

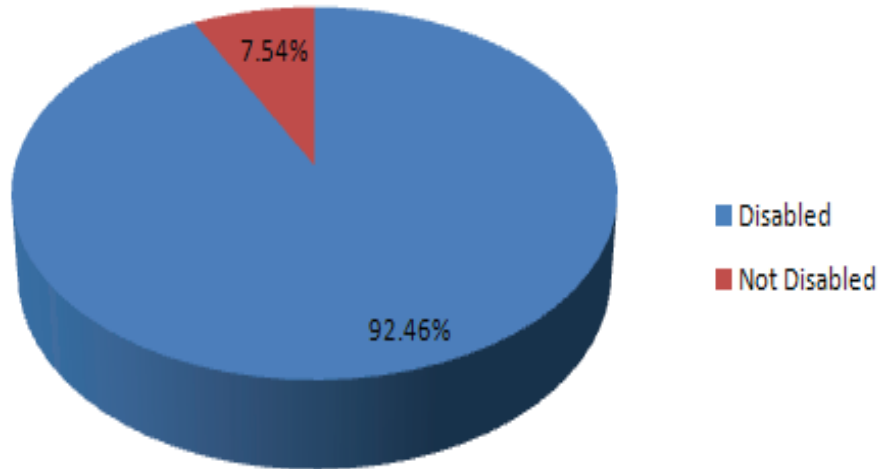
15.6% of the population state that they have a limiting long-term illness, health problem or disability which limits the amount of daily activity or work that they can do.



# Disability Profile – non themed model grant projects



Just under three quarters of the people benefiting from projects are disabled



Over 90% of the funding benefits disabled people



# Disability Profile – non themed model grant projects

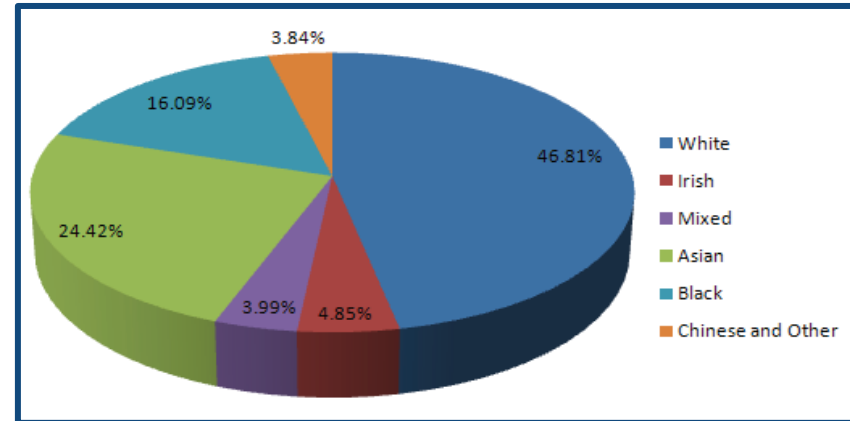
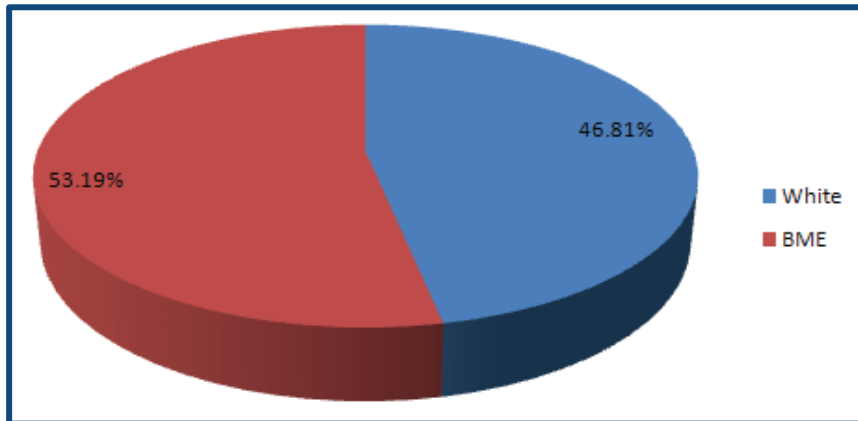
Disabled Users
Age Concern (50%)
Association of Muslims with disabilities (75%)
Brent Advocacy Concerns (91%)
Brent Association of Disabled People (100%)
Brent Indian Community Centre (7%)
Brent Mencap (100%)
Kingsbury Asian Elders Group (3%)
Magnolia Senior Citizens (22%)

% of disabled people benefiting from projects



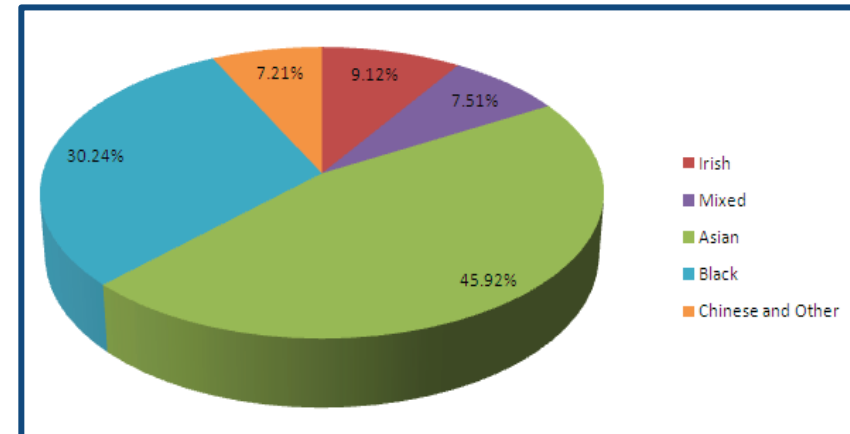


# Race Profile – Brent Population

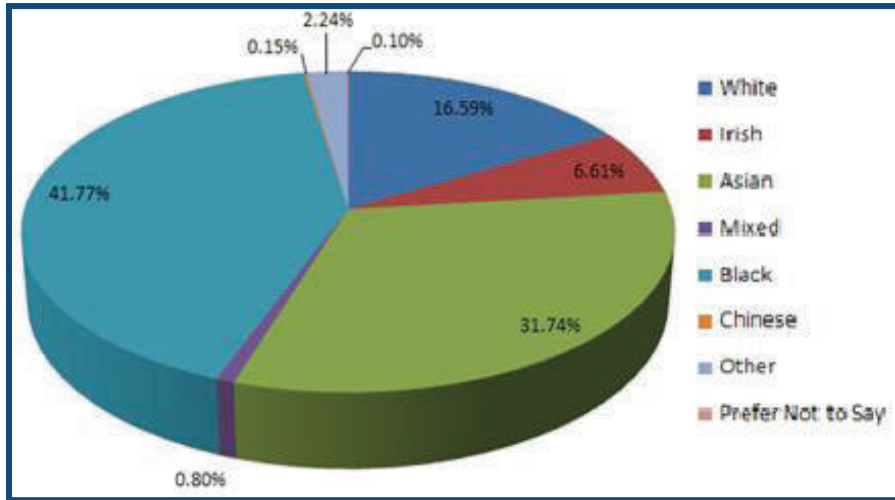


- 53% of the population are from Black, Asian and Minority Ethnic backgrounds.
- 62% of the population are from a group other than White British

- Diverse BME profile with largest proportions of the population being Indian, Black Caribbean and Black African

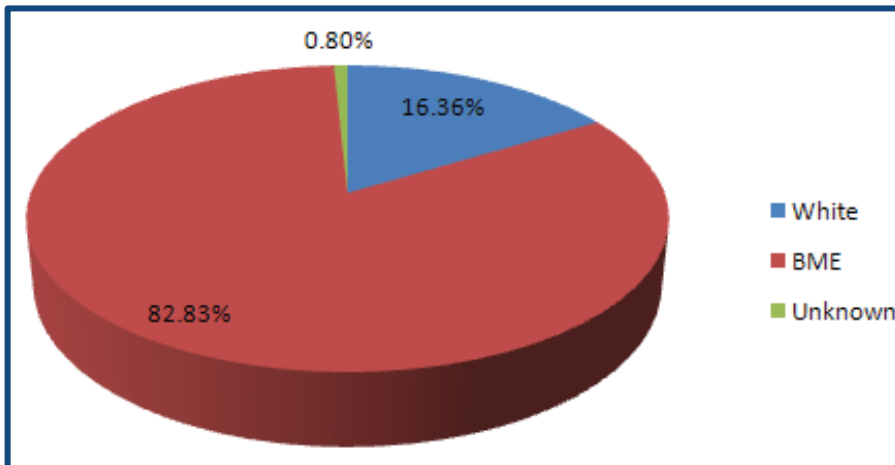


# Race Profile – Non Themed Model Grant Projects



% people benefiting from projects by race

- A larger proportion of people from BME backgrounds are benefiting from projects compared to the borough population.

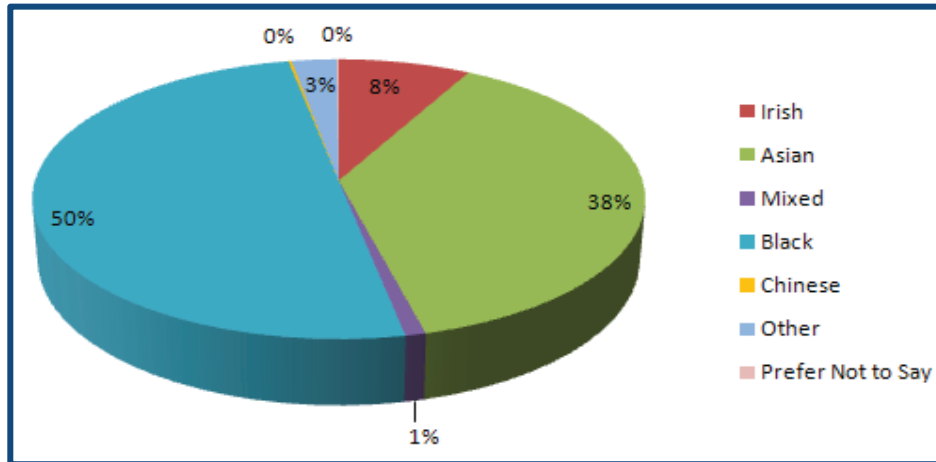


% of funding benefiting different groups

- A Larger proportion of people from BME backgrounds benefiting compared to the borough population

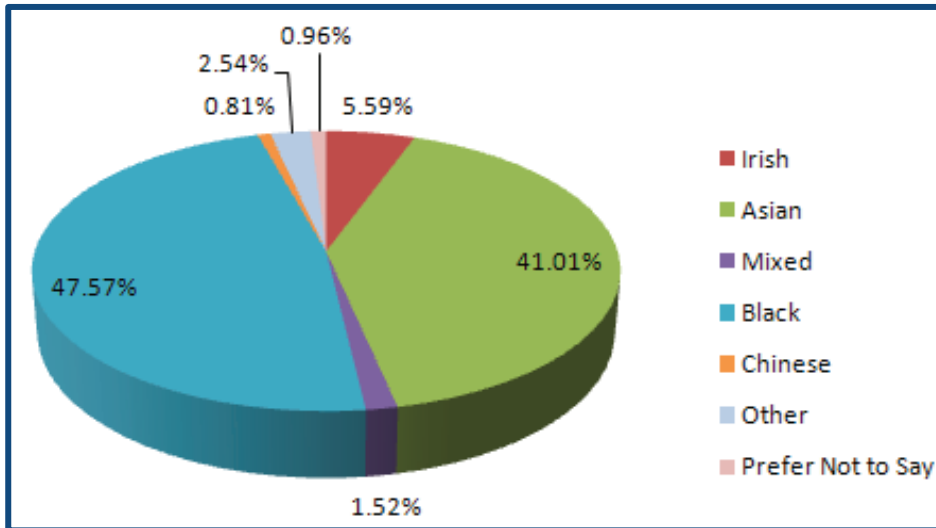


# BME Race Profile – Non Themed Model Grant Projects



People from BME backgrounds benefiting from projects

- 50% of people were from Black ethnic backgrounds and 38% from Asian ethnic backgrounds.
- The majority of people benefiting from all but one project were from BME backgrounds



Spend by BME Backgrounds

- 48% of the funding is benefiting people from an Black ethnic background and 41% of funding is benefiting people from an Asian ethnic background



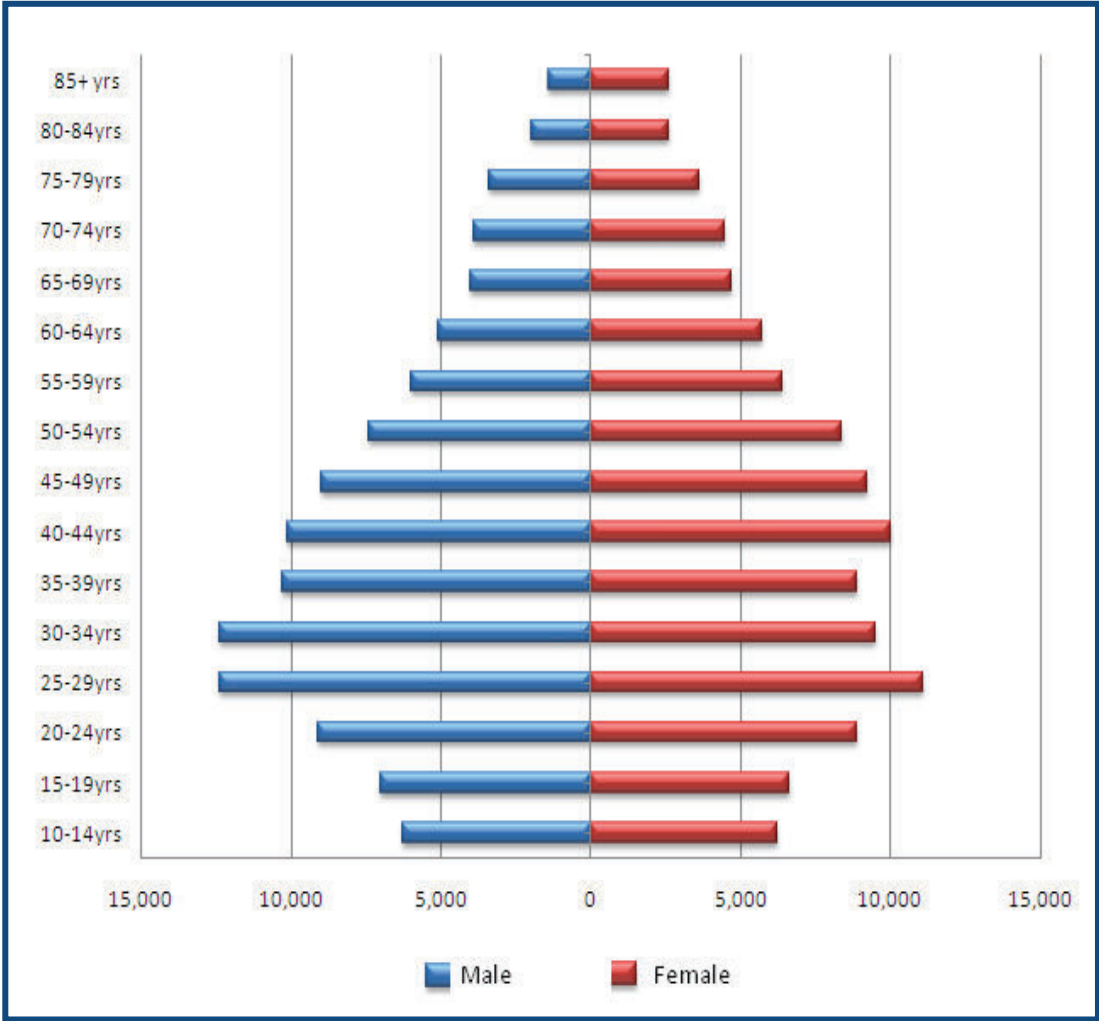
# Race Profile – Non Themed Model Grant Projects

Association of Muslims with disabilities (89% Asian, 9% Mixed, 2% Other)
Age Concern (24% White, 12% Irish, 21% Asian, 39% Black, 4% Other)
Brent Association of Disabled People (12% Irish, 21% Asian, 39% Black, 4% Other)
Brent Heart of Gold Support Group (1.6% Irish, 38% Asian, 1% Mixed, 50% Black, 0.03% Chinese, 0.06% Not Willing to Say)
Brent Indian Community Centre (1.4% Irish, 25% Asian, 6% Mixed, 26% Black, 1% Chinese, 5% Other, 12% Not Willing to Say)
Kingsbury Asian Elders Group (59% Asian, 23% Black, 4% Other)
Brent Mencap (3% Irish, 24% Asian, 3% Mixed, 35% Black, 3% Chinese, 7% Other)
Brent Advocacy Concerns (37% White, 35% Black, 19% Asian, 7% Other, 2% Mixed)
Magnolia Senior Citizens (100% prefer not to say)

% of people from different BME backgrounds benefiting from projects



# Sex Profile – Brent Population

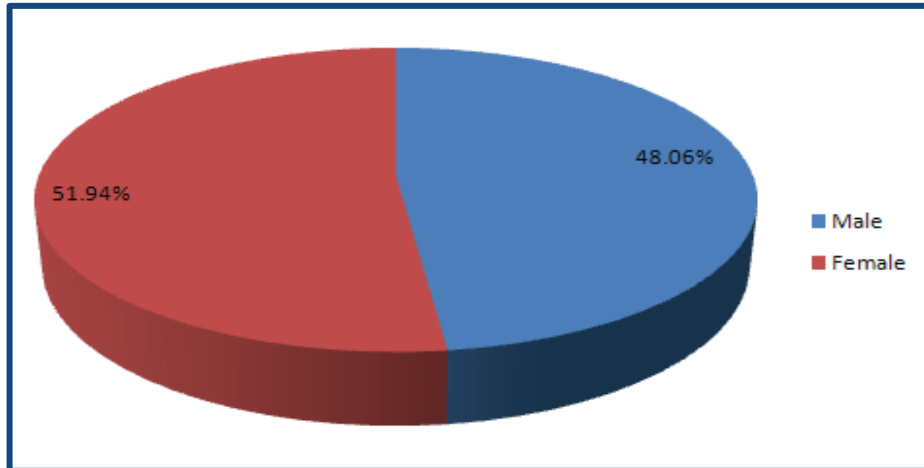


- 129,100 males
- 127,400 females

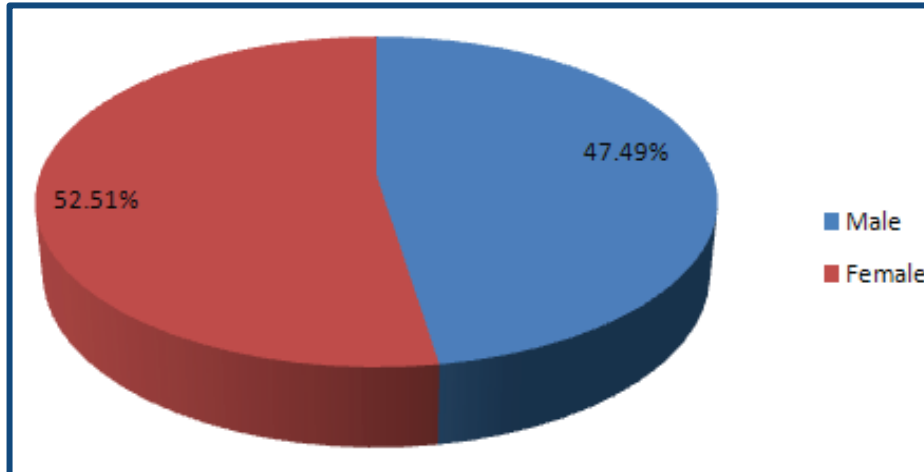
(ONS 2010)



# Sex Profile – Non Themed Model Grant Projects



Slightly more females than males benefiting from projects



Slightly more of the funding is benefiting females than males

# Equality Impact Analysis Data

Combined themed funding streams:  
children and young people  
and crime and regeneration

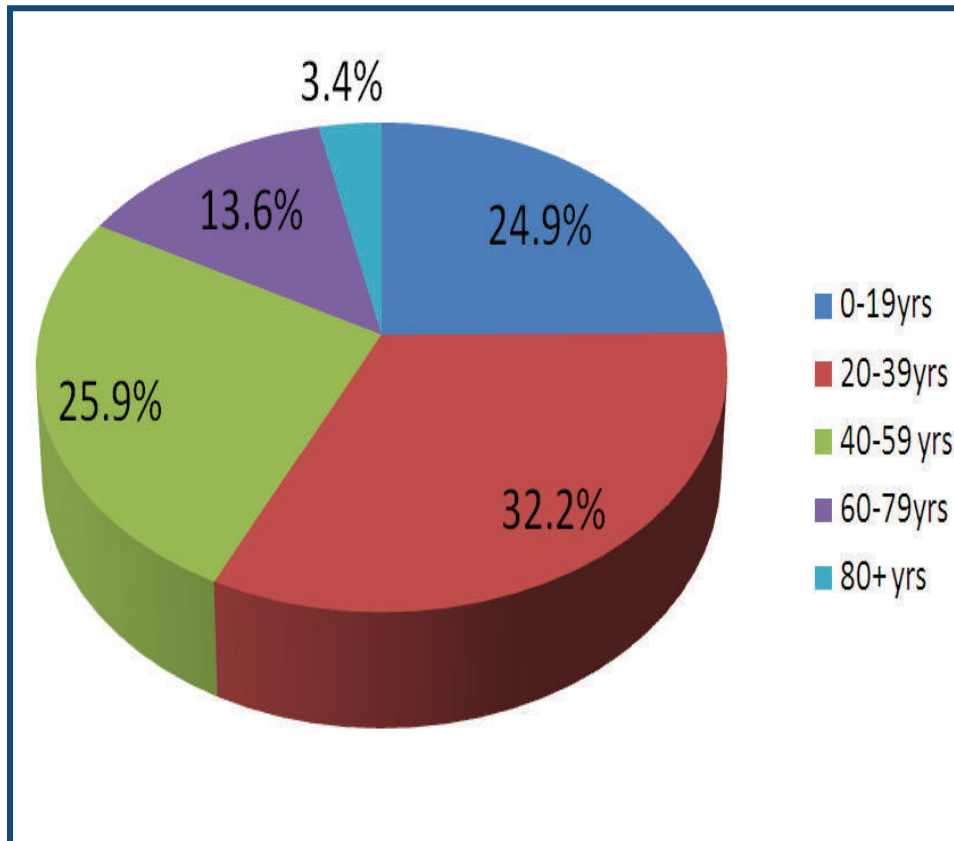


# Limitations in data quality

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- The equality monitoring does not conform to the latest equality monitoring guidelines with consistent sub categorisation under each protected characteristics
- Not all projects have provided equality data just related to the project, a number have provided data relating to all provision by their organisation
- Data to develop this initial draft equality impact assessment was extracted from several sources including self-assessment forms, grant applications and project monitoring reports. Consequently, some figures may be older than others and some may not represent the current state of the organisation.
- For crime and regeneration themed grants the data already provided to the council is reasonably up to date although not covering all protected characteristics. There are a few more gaps in the data provided relating to children and young people's projects
- Requests were made to all projects for updated equality monitoring relating to the projects they are receiving funding for including all protected characteristics now included in equality monitoring in line with the Equality Act 2010. Many do not yet collect data in this way and only a few provided updated data



# Age Profile – Brent Population



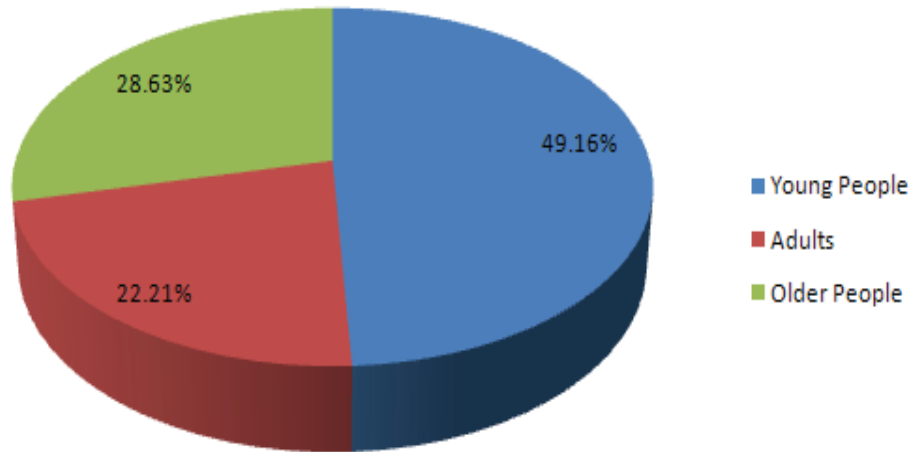
- 63,800 young people(0-19yrs)
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(ONS 2010)



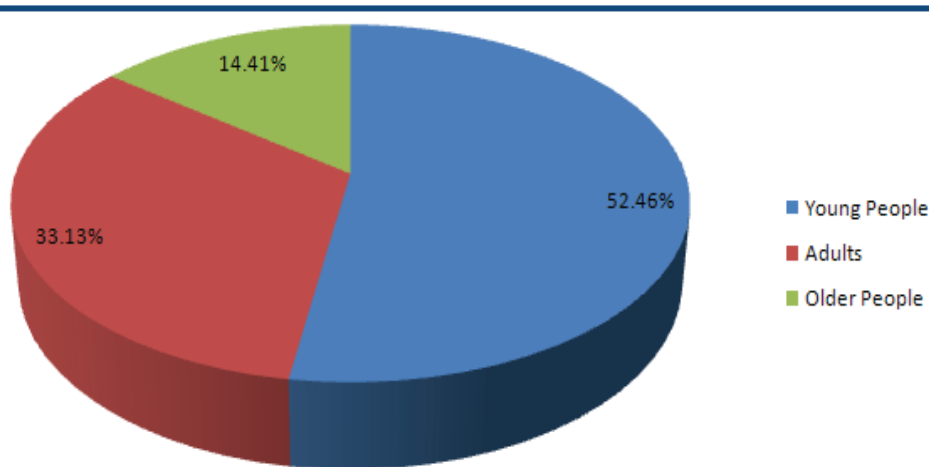
## Age Profile Incomplete – Combined Themed Grant Projects

Limited data available



% people benefiting from the projects by age

- The data available shows that the majority of people benefiting are young people



% funding benefiting people by age

- The data available shows that the majority of spend benefiting young people

# Age Profile Incomplete – Combined Themed Grant Projects

Limited data available

## Children and Young People

Asian People's Disability Alliance

Asian Women's Resource Centre

Bang Edutainment

Bethel Community Services

Brent Adolescent Centre

Brent Bereavement Service

Brent Schools Football Association

Drama Workhouse

OK Club

SABA UK Unsigned

St Michael's Youth Project

Sea Training Corps

Victim Support

Volunteer Reading Help

St Raphael's Youth Football and Sports

Kilburn Youth Centre

## Categorisation based on project outline

Prince's Trust

These organisations have a majority of children and young people using their services



## Age Profile Incomplete – Combined Themed Grant Projects

Limited data available

### Mixed Age Groups

Brent Homeless Users Group

Middlesex ITEC

Salisbury World Refugee Centre

Centre for Peaceful Solution

Chameleon's Amateur Dramatic Society

Advance

Brent Indian Association

Groundwork

Minster Centre

Thames 21

Toucan Employment

African's women's care

Brent Addiction Counselling service

### Categorisation based on project outline

Addaction

Brent Irish Advisory Service

Brent Neighbourhood Watch Association

Cricklewood Homeless Concern

Energy Solutions

Mayhew Animal Home

Relate

The age profile is similar to that of the population, classifying the organisation as attracting mixed age groups



Age Profile Incomplete – Combined Themed Grant Projects  
Limited data available

Adults

Brent Mencap

Only a few organisations have a majority of adult users

Older People

Bosnia and Herzegovina Community Advice Centre

African's women's care

Elders Voice

Three of the organisations have a majority of older users



# Disability Profile – Brent Population

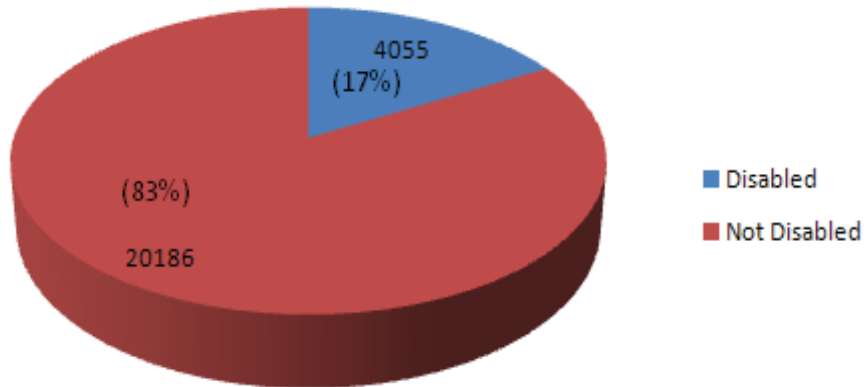
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15.6% population state that they have a limiting long-term illness, health problem or disability, which limited the amount of daily activity or work that they could do.

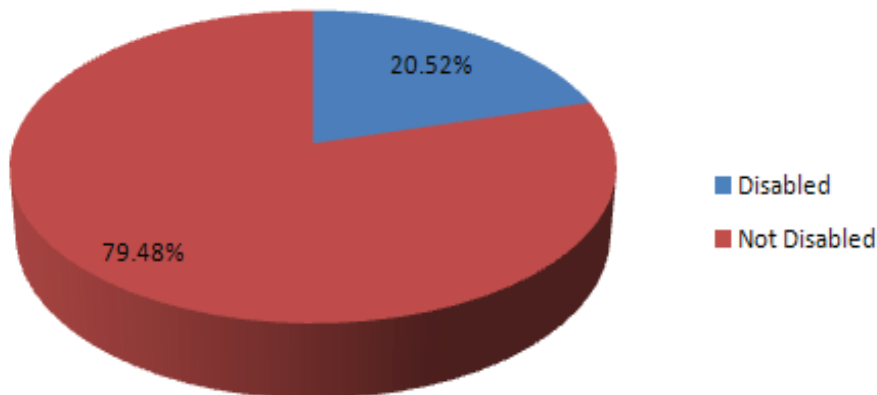


# Disability Profile – Combined Themed Grant Projects



% disabled people benefiting from the projects

- The percentage of disabled users is in line with the borough population



% of funding benefiting disabled people

- Approximately 20% of spend is benefiting disabled people

# Disability Profile – Combined Themed Grant Projects

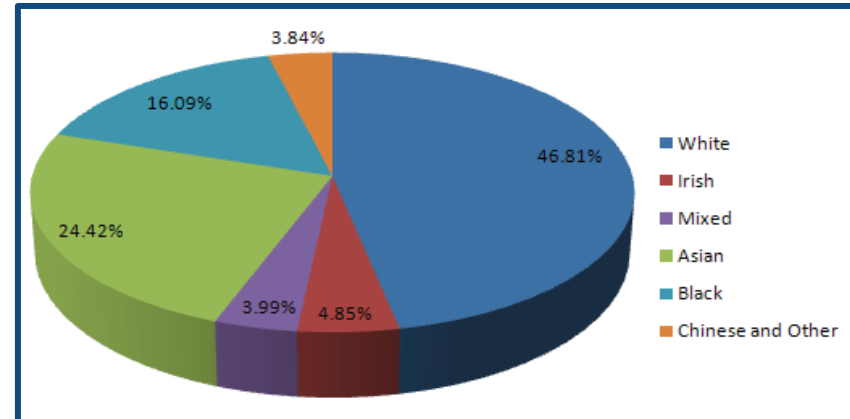
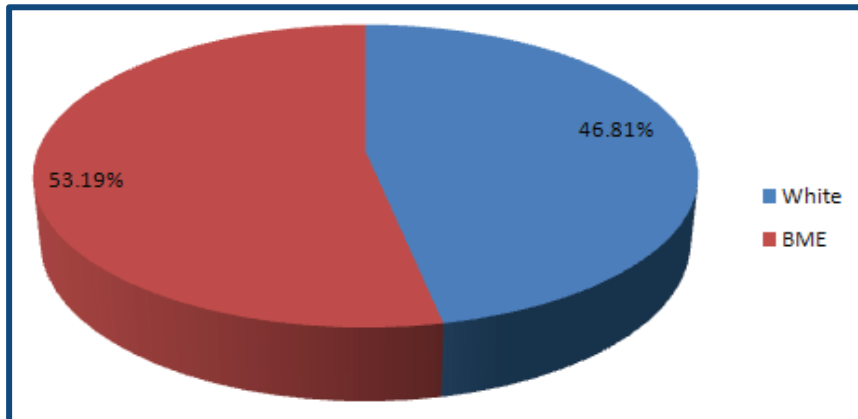
<b>Disabled People</b>
Asian People's Disability Alliance (100%)
Asian Women's Resource Centre (10%)
Bosnia and Herzegovina Community advice Centre (87%)
Brent Mencap (100%)
Toucan Employment (100%)
Chameleon's Amateur Dramatics society (8%)
Sea Training Corps (2%)
Brent Addiction counselling service (5%)
African Women's Care (8%)
Middlesex ITEC (2%)
OK Club (2%)
Salisbury World Refugee Centre (8%)
St Michaels Youth Project (1%)
Advance (4%)
Brent Indian Association (10%)
Elders Voice (61%)
Groundwork London (1%)
Thames 21 (5%)
Brent Homeless User Group (12%)

% of disabled people by organisation



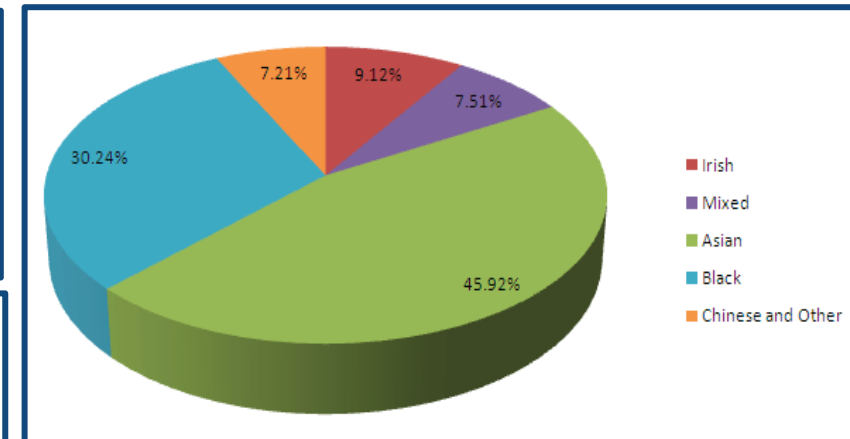


# Race Profile – Brent Population

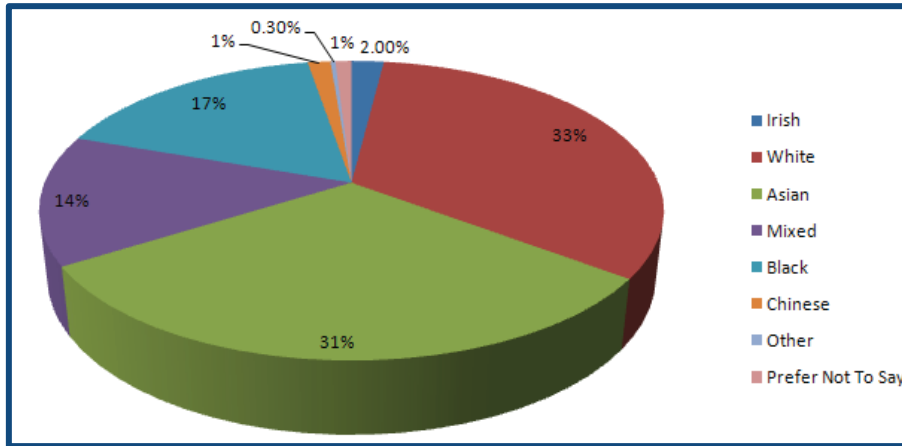


- 53% of the population are Black, Asian and Minority Ethnic groups.
- 62% of the population are from a group other than White British

- Diverse BME profile with largest proportions of the population being Indian, Black Caribbean and Black African

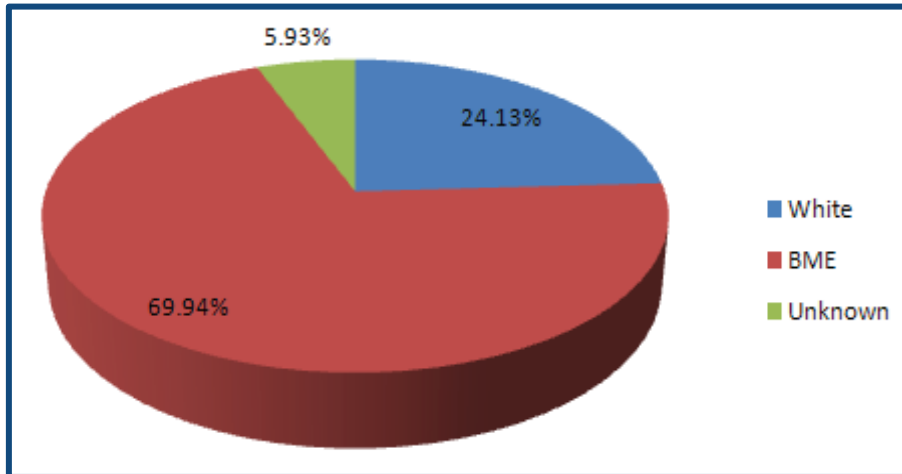


# Race Profile- Combined Themed Grant Projects



% people benefiting from projects by race

- Slightly more people from BME backgrounds are benefiting from projects

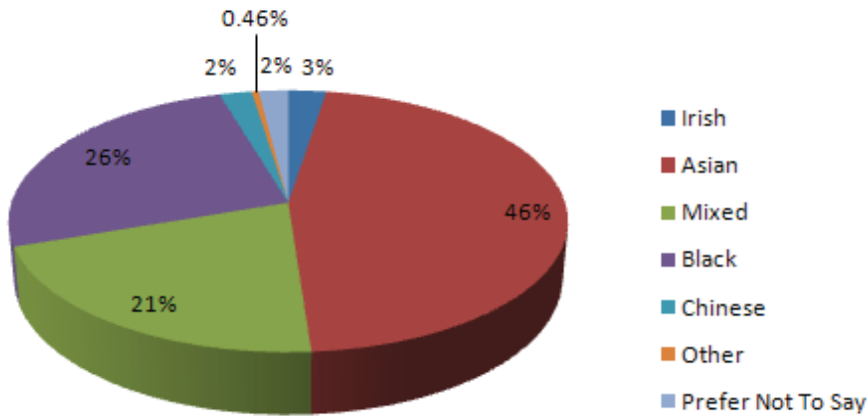


% funding benefiting different groups

- Majority of spend benefiting people from BME backgrounds

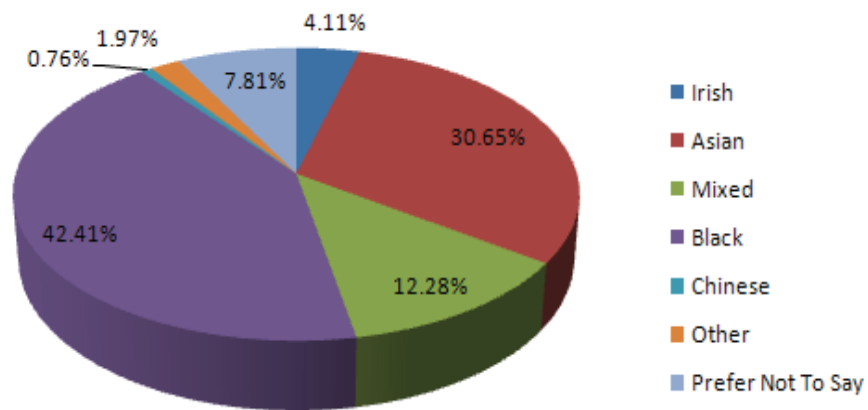


# BME Race Profile – Combined Themed Grant Projects



## People from BME backgrounds benefiting from projects

- Compared to the borough population, there are slightly more users from an Asian background



## Spend by BME Backgrounds

- 42% of spend is benefiting users from a Black ethnic background and 31% of spend is benefiting users from an Asian ethnic background



# Race Profile – Combined Themed Grant Projects

<b>BME Backgrounds</b>
<b>Asian People's Disability Alliance-100% Asian</b>
<b>Asian Women's Resource Centre-100% Asian</b>
<b>Bethel Community Services -100% Black</b>
<b>Centre for peaceful solution -21% Asian, 21% Mixed, 53% Black</b>
<b>St Michaels Youth Project -2.5% Irish, 1% Asian, 90% Black, 1.5% Chinese</b>
<b>Advance -1.6% Irish, 21% Asian, 4% Mixed, 30% Black, 1% Chinese, 13% Other</b>
<b>Salisbury World Refugee Centre - 19% Asian, 25% Black</b>
<b>Brent Mencap -3% Irish, 24% Asian, 3% Mixed, 35% Black, 3% Chinese, 7% Other</b>
<b>Drama Workhouse - 6% Irish, 8% Asian, 34% Mixed, 23% Black</b>
<b>OK Club - 1% Irish, 1% Asian, 10% Mixed, 61% Black, 0.1% Chinese, 4% Other</b>
<b>Bang Edutainment -1.9% Asian, 15% Mixed, 76% Black</b>
<b>Brent Homeless Users Group - 5% Irish, 1% Asian, 11% Mixed, 65% Black, 1% Chinese, 2% Other</b>
<b>Chameleon's Amateur Dramatics Society- 4% Irish, 38% Asian, 15% Mixed, 15% Black, 4% Chinese</b>
<b>Middlesex ITEC- 5% Irish, 28% Asian, 38% Black, 1% Chinese</b>
<b>SABA UK Unsigned- 21% Asian, 13% Mixed, 54% Black</b>
<b>African Women's Care- 91% Black, 3% Other</b>
<b>Brent Indian Association- 98% Asian, 1.4% Black, 0.1% Chinese</b>
<b>Kilburn Youth Centre- 15% Asian, 65% Mixed, 7% Black</b>
<b>St Raphael's Youth Football and Sports- 5% Irish, 6% Asian, 9% Mixed, 67% Black</b>



# Race Profile – Combined Themed Grant Projects

## Range of Backgrounds

**Minster Centre-** 39% White, 12% Asian, 7% Mixed, 12% Black, 2% Other, 27% Not Willing to Say

**Groundwork-** 43% White, 1% Irish, 19% Asian, 14% Mixed, 21% Black, 2% Chinese

**Elders Voice-** 45% White, 10% Irish, 12% Asian, 2% Mixed, 31% Black, 0.1% Chinese

**Brent Adolescent Centre-** 37% White, 6% Irish, 15% Asian, 22% Mixed, 19% Black, 1% Chinese

**Brent Bereavement Services-** 31% White, 8% Irish, 20% Asian, 16% Mixed, 24% Black, 2% Chinese

**Sea Training Corps-** 22% White, 4% Irish, 10% Asian, 3% Black, 2% Chinese, 59% Not Willing to Say

**Brent Addiction Counselling Service-** 46% White, 21% Irish, 16% Asian, 18% Black

**Brent Neighbourhood Watch Association-** 39% White, 11% Irish, 31% Asian, 8% Mixed, 10% Black, 1% Chinese

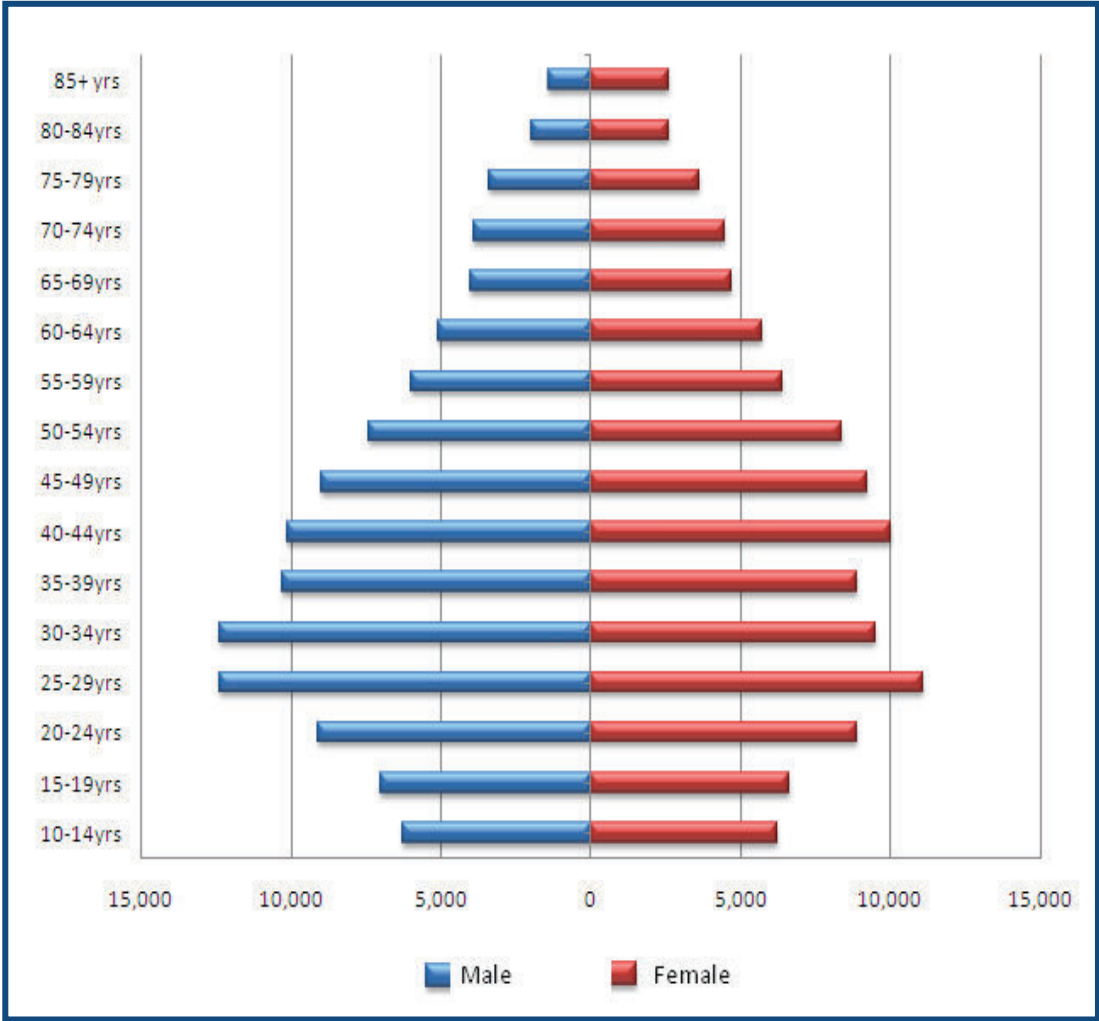
**Bosnia and Herzegovina Community Advice Centre-**  
100% White

This organisation had a number of people who prefer not to say:

Toucan Employment- 36% White, 50% Prefer not to say



# Sex Profile – Brent Population

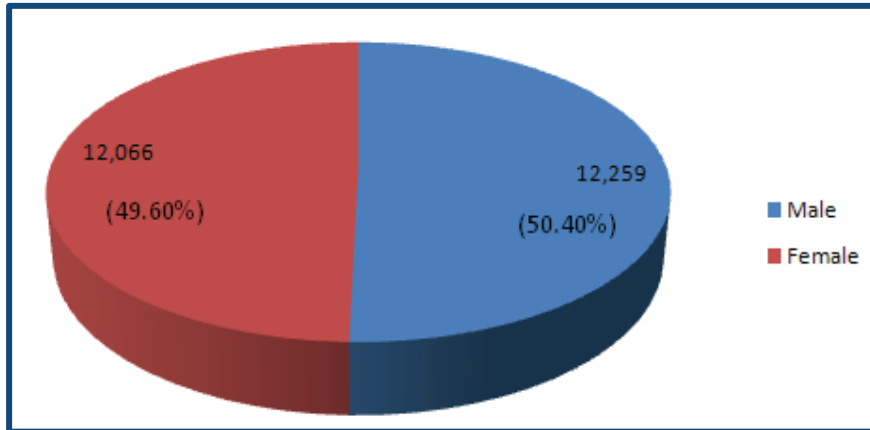


- 129,100 males
- 127,400 females

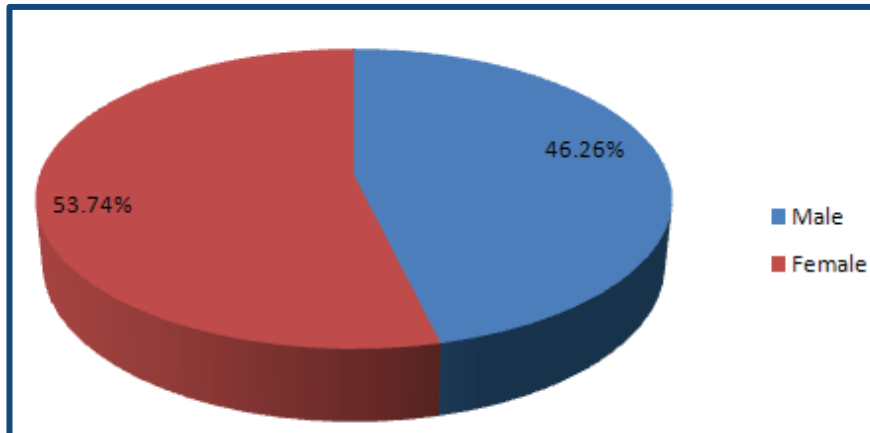
(ONS 2010)



# Sex Profile – Combined Themed Grant Projects



Approximately half of the users benefiting from the services are male, which is in line with the population figures



Slightly more of the spend is benefiting females

# Sex Profile – Combined Themed Grant Projects

Female
Asian Women's Resource Centre- 100%
Advance- 100%
African Women's Care- 80%
Brent Bereavement Services- 59%
Elders Voice- 69%
Chameleons amateur dramatics- 56%
Salisbury World Refugee Centre- 78%
St Michael's youth project- 80%
Volunteer Reading Help- 100%
Groundwork- 60%

Male
Asian People's Disability Alliance- 67%
Kilburn Youth Centre- 59%
Bang Edutainment- 57%
Brent Homeless Users Group- 57%
Brent Mencap- 63%
Drama Workhouse- 85%
OK Club- 72%
Bosnia and Herzegovina Community Advice Centre- 53%
Thames 21- 52%
Brent Schools Football Association- 90%





# Equality Impact Analysis Data

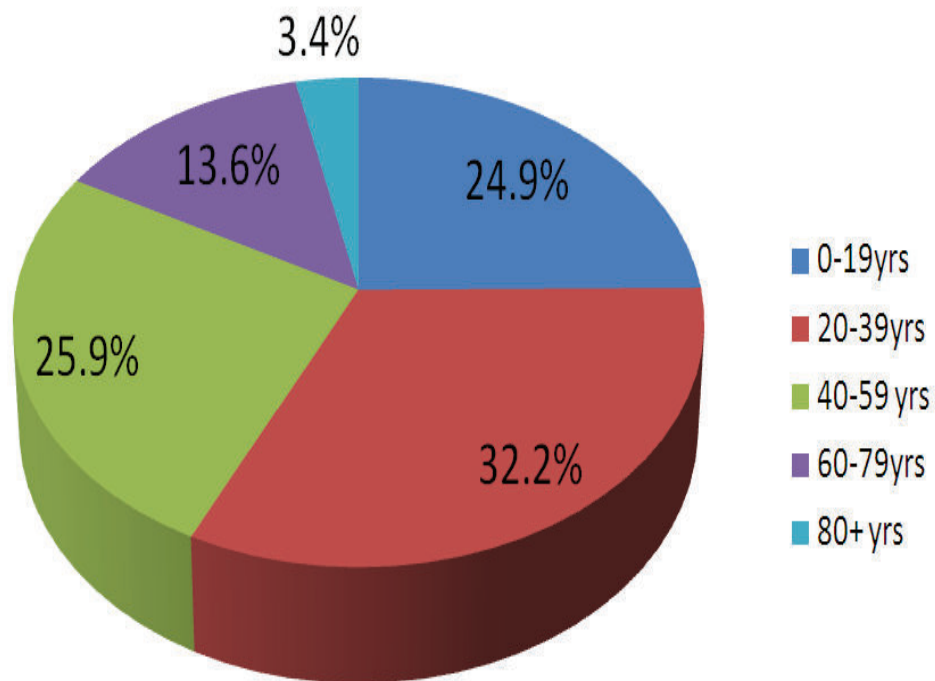
Children and Young People



# Limitations in data quality

- The data provided does not include the additional protected characteristics recently brought in under the Equality Act 2010
- The equality monitoring does not conform to the latest equality monitoring guidelines with consistent sub categorisation under each protected characteristics
- Not all projects have provided equality data just related to the project, a number have provided data relating to all provision by their organisation
- Data to develop this initial draft equality impact assessment was extracted from several sources including self-assessment forms, grant applications and project monitoring reports. Consequently, some figures may be older than others and some may not represent the current state of the organisation.
- There are a few more gaps in the data provided relating to children and young people's projects.
- Requests were made to all projects for updated equality monitoring relating to the projects they are receiving funding for including all protected characteristics now included in equality monitoring in line with the Equality Act 2010. Many do not yet collect data in this way and only a few provided updated data

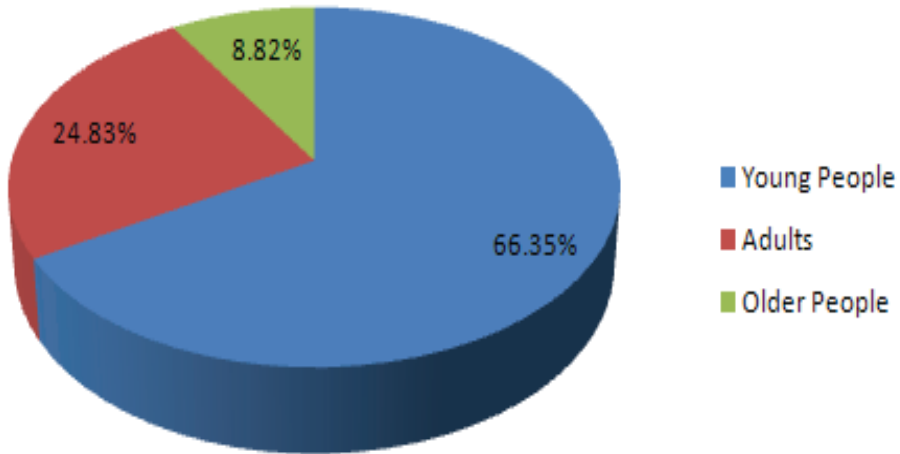
# Age Profile – Brent Population



- 63,800 young people(0-19yrs)
- 149,100 adults (19-59yrs)
- 43,600 older people (60+ yrs)

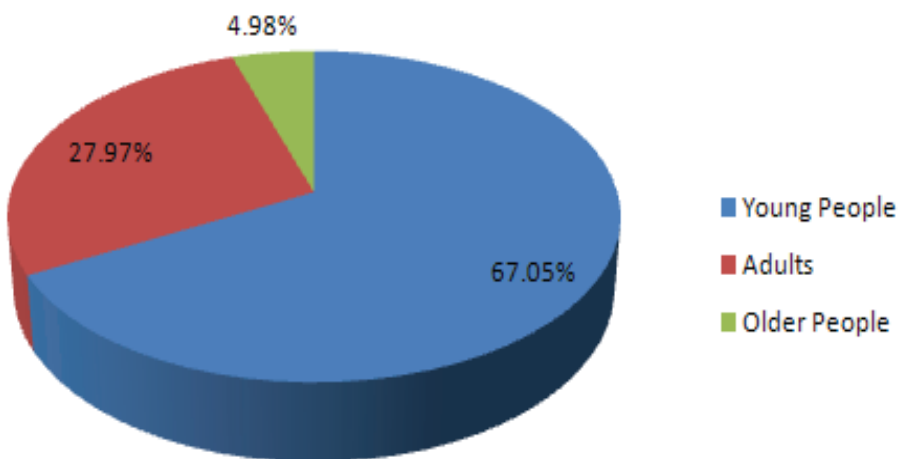
(ONS 2010)

## Age Profile – Children and Young People Grant Projects Incomplete data



% people benefiting from the projects by age

- The majority of projects benefit young people directly, with 25% of people benefiting adults



% funding benefiting people by age

- Two thirds of the funding is directly benefiting young people

# Age Profile – Children and Young People Grant Projects

## Incomplete data

<b>Children and Young People</b>
Asian People's Disability Alliance
Asian Women's Resource Centre
Bang Edutainment
Bethel Community Services
Brent Adolescent Centre
Brent Bereavement Service
Brent Schools Football Association
Drama Workhouse
OK Club
SABA UK Unsigned
St Michael's Youth Project
Sea Training Corps
Victim Support
Volunteer Reading Help

These organisations have a majority of children and young people using their services



# Age Profile - Children and Young People Grant Projects

## Incomplete data

### Mixed Age Groups

Brent Homeless Users Group

Middlesex ITEC

Salisbury World Refugee Centre

Centre for Peaceful Solution

Chameleon's Amateur Dramatic Society

### Adults

Brent Mencap

The age profile is similar to that of the population, classifying the organisation as attracting mixed age groups

A few organisations have a majority of adult users, however their project specifically benefits young people.



## Age – Children and Young People Project Highlights

- The criteria for these grants sought organisations who deliver services to children and young people
- Meeting some of the criteria could involve support provided to adults as well as children and young people

# Disability Profile – Brent Population

- In 2010-11 there were 765 people with learning disabilities known to Brent council.
- The majority of people with learning disabilities known to the council are aged between 20 and 59.
- The breakdown by gender is: Male 58% female 42%.
- The age breakdown of clients with learning disabilities is as follows:

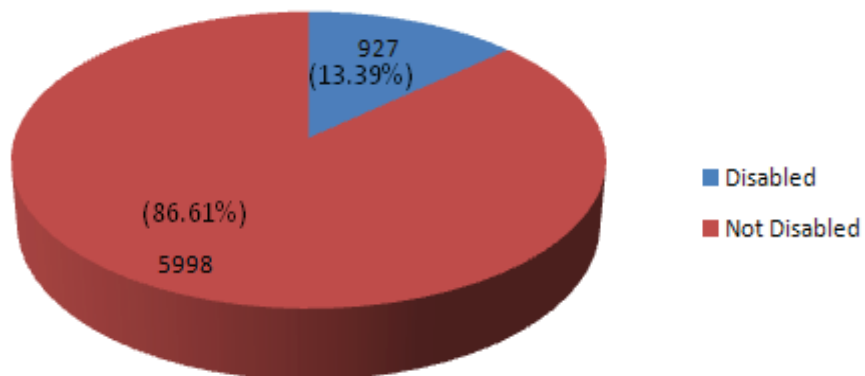
• 18-19	23
• 20-29	200
• 30-39	135
• 40-49	193
• 50-59	138
• 60-69	62
• 70-79	11
• 80-89	2
• 90+	1

15.6% population state that they have a limiting long-term illness, health problem or disability, which limited the amount of daily activity or work that they could do.



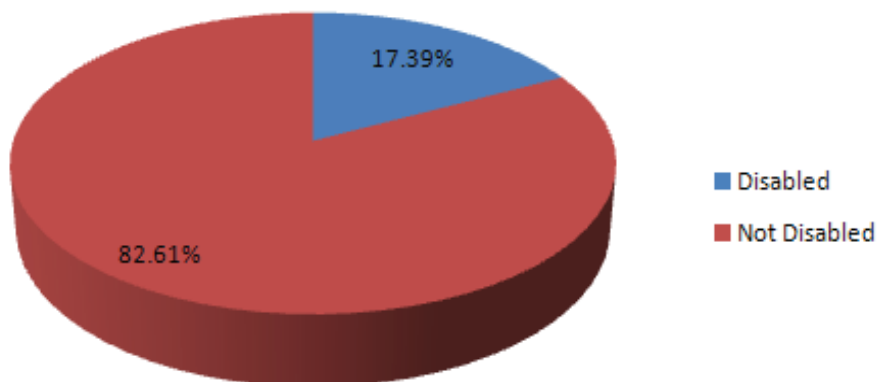


# Disability Profile - Children and Young People Grant Projects



% disabled people benefiting from the projects

- Disabled users benefiting from these projects is just below that seen in the borough population



% of funding benefiting disabled people

- Allocated funding is in line with the proportion of disabled users

# Disability Profile – Children and Young People Grant Projects

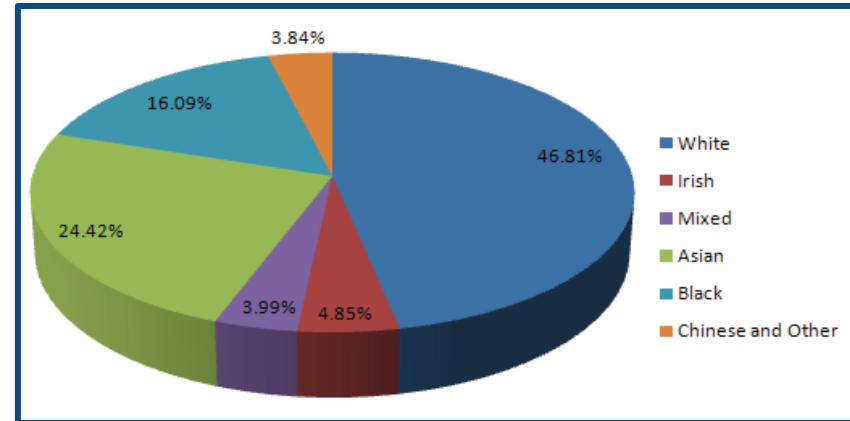
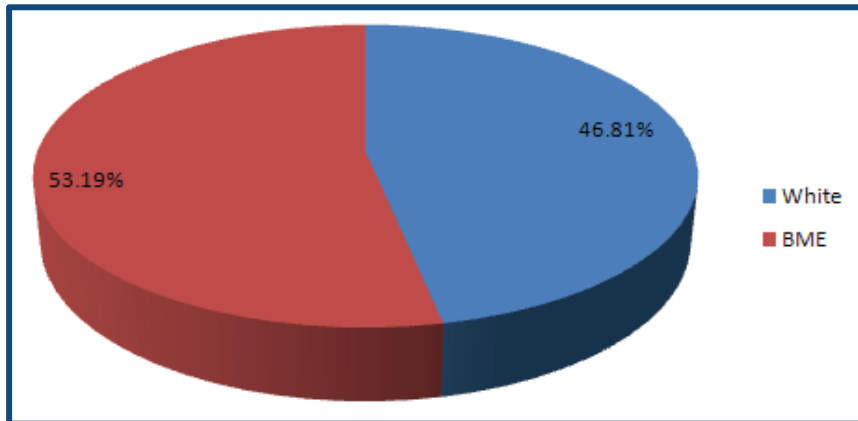
<b>Disabled People</b>
<b>Asian People’s Disability Alliance (100%)</b>
<b>Asian Women’s Resource Centre (10%)</b>
<b>Brent Mencap (100%)</b>
<b>Chameleon’s Amateur Dramatics society (8%)</b>
<b>Sea Training Corps (2%)</b>
<b>Middlesex ITEC (2%)</b>
<b>OK Club (2%)</b>
<b>Salisbury World Refugee Centre (8%)</b>
<b>St Michaels Youth Project (1%)</b>
<b>Brent Homeless User Group (12%)</b>

% of disabled people by organisation

Highlights varied engagement of disabled people by projects

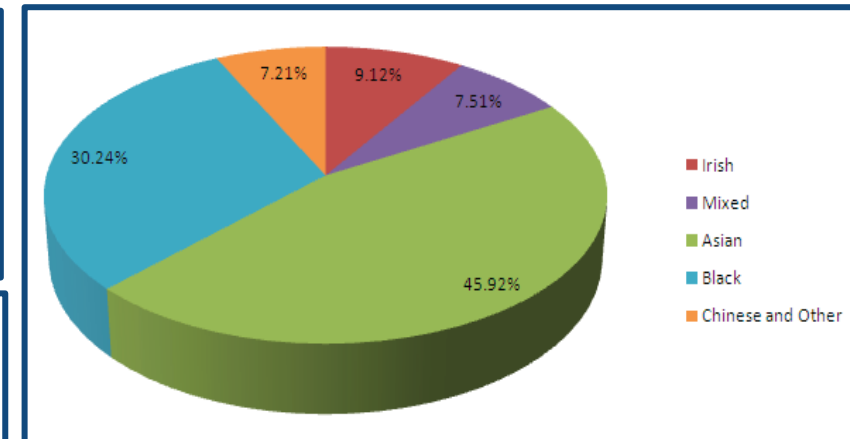


# Race Profile – Brent Population

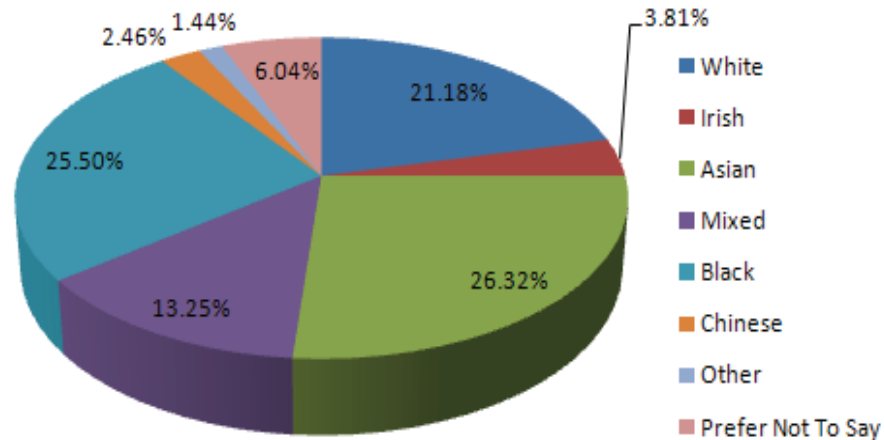


- 53% of the population are from Black, Asian and Minority Ethnic backgrounds.
- 62% of the population are from a category other than White British

- Diverse BME profile with largest proportions of the population being Indian, Black Caribbean and Black African

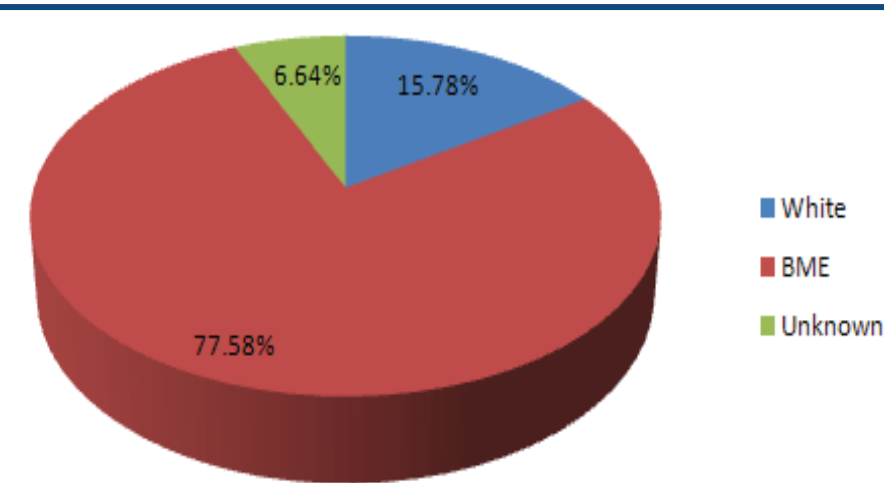


# Race Profile - Children and Young People Grant Projects



% people benefiting from projects by race

The majority of people benefiting from the projects are from BME communities

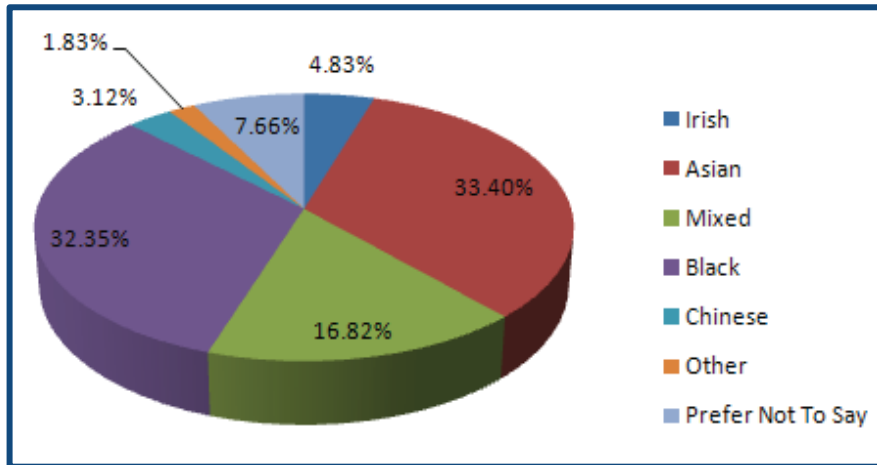


% funding benefiting different groups

The majority of funding is benefiting BME communities

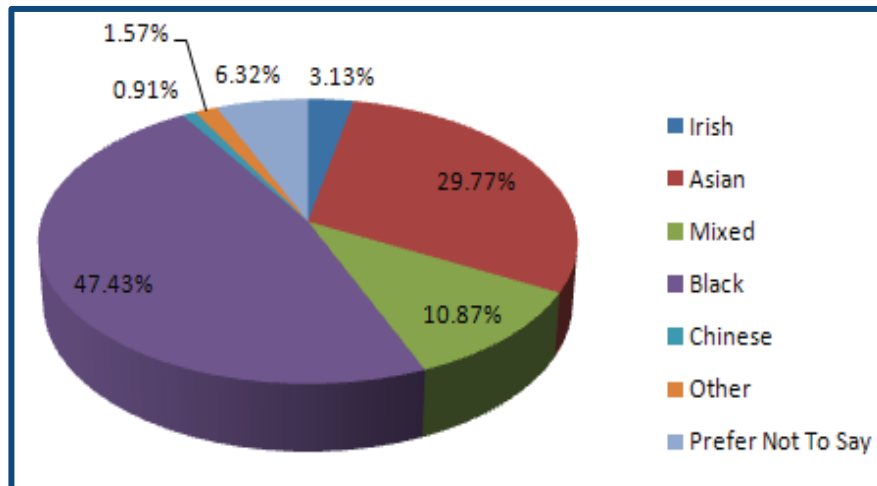


# BME Race Profile- Children and Young People Grant Projects



People from BME backgrounds benefiting from projects

- The number of users from Black BME communities is in line with that in the borough population. The number of users from Asian BME communities is below that seen in the borough population.



Spend by BME Backgrounds

- A large proportion of the funding is benefiting those from black BME communities .



# Race Profile – Children and Young People Grant Projects

<b>BME Backgrounds</b>
<b>Asian People's Disability Alliance-100% Asian</b>
<b>Asian Women's Resource Centre-100% Asian</b>
<b>Bethel Community Services -100% Black</b>
<b>Centre for peaceful solution -21% Asian, 21% Mixed, 53% Black</b>
<b>St Michaels Youth Project -2.5% Irish, 1% Asian, 90% Black, 1.5% Chinese</b>
<b>Salisbury World Refugee Centre - 19% Asian, 25% Black</b>
<b>Brent Mencap -3% Irish, 24% Asian, 3% Mixed, 35% Black, 3% Chinese, 7% Other</b>
<b>Drama Workhouse - 6% Irish, 8% Asian, 34% Mixed, 23% Black</b>
<b>OK Club - 1% Irish, 1% Asian, 10% Mixed, 61% Black, 0.1% Chinese, 4% Other</b>
<b>Brent Homeless Users Group - 5% Irish, 1% Asian, 11% Mixed, 65% Black, 1% Chinese, 2% Other</b>
<b>Chameleon's Amateur Dramatics Society- 4% Irish, 38% Asian, 15% Mixed, 15% Black, 4% Chinese</b>
<b>Middlesex ITEC- 5% Irish, 28% Asian, 38% Black, 1% Chinese</b>
<b>SABA UK Unsigned- 21% Asian, 13% Mixed, 54% Black</b>



# Race Profile – Children and Young People Grant Projects

## Range of Backgrounds

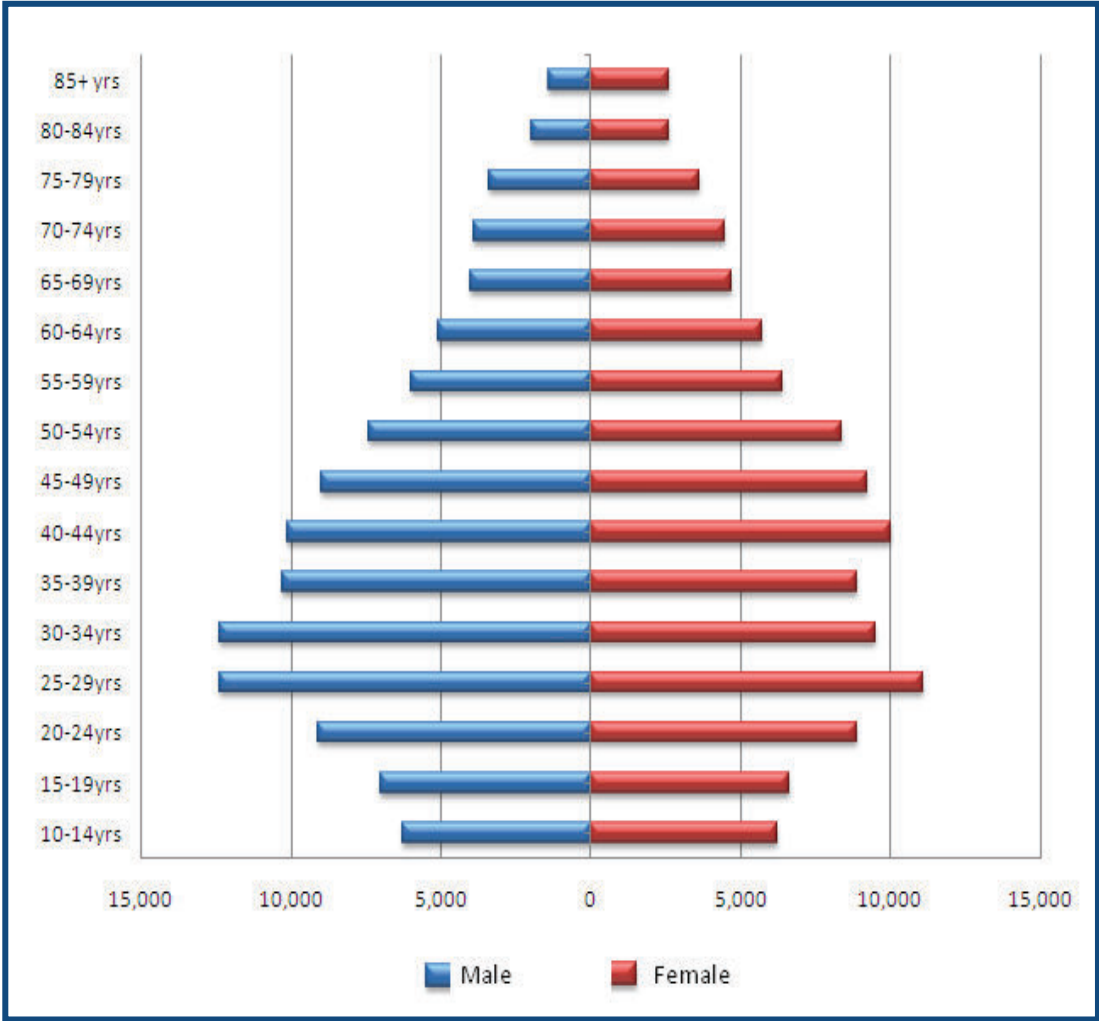
**Brent Adolescent Centre- 37% White, 6% Irish, 15% Asian, 22% Mixed, 19% Black, 1% Chinese**

**Brent Bereavement Services- 31% White, 8% Irish, 20% Asian, 16% Mixed, 24% Black, 2% Chinese**

**Sea Training Corps- 22% White, 4% Irish, 10% Asian, 3% Black, 2% Chinese, 59% Not Willing to Say**



# Sex Profile – Brent Population



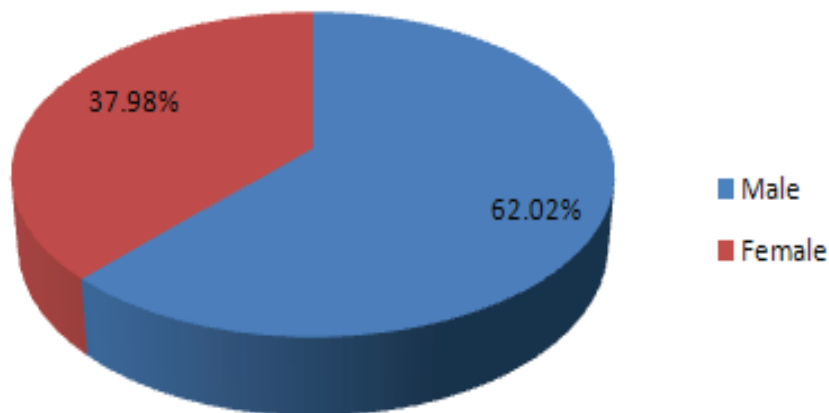
- 129,100 males
- 127,400 females

(ONS 2010)

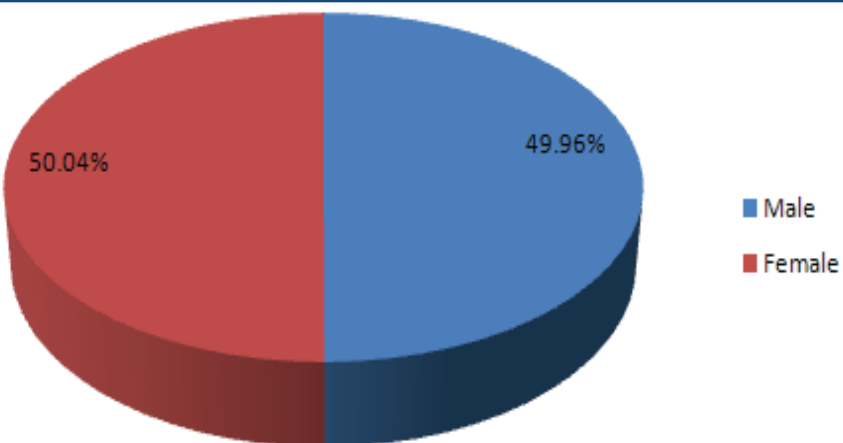




# Sex Profile - Children and Young People Grant Projects



The majority of people benefiting from projects are male



Funding is benefiting male and female in roughly the same proportions as the borough population.

# Sex Profile – Children and Young People Grant Projects

Female
Asian Women's Resource Centre- 100%
Brent Bereavement Services- 59%
Chameleons amateur dramatics- 56%
Salisbury World Refugee Centre- 78%
St Michael's youth project- 80%
Volunteer Reading Help- 100%

Male
Asian People's Disability Alliance- 67%
Brent Homeless Users Group- 57%
Brent Mencap- 63%
Drama Workhouse- 85%
OK Club- 72%
Brent Schools Football Association- 90%



# Equality Impact Analysis Data

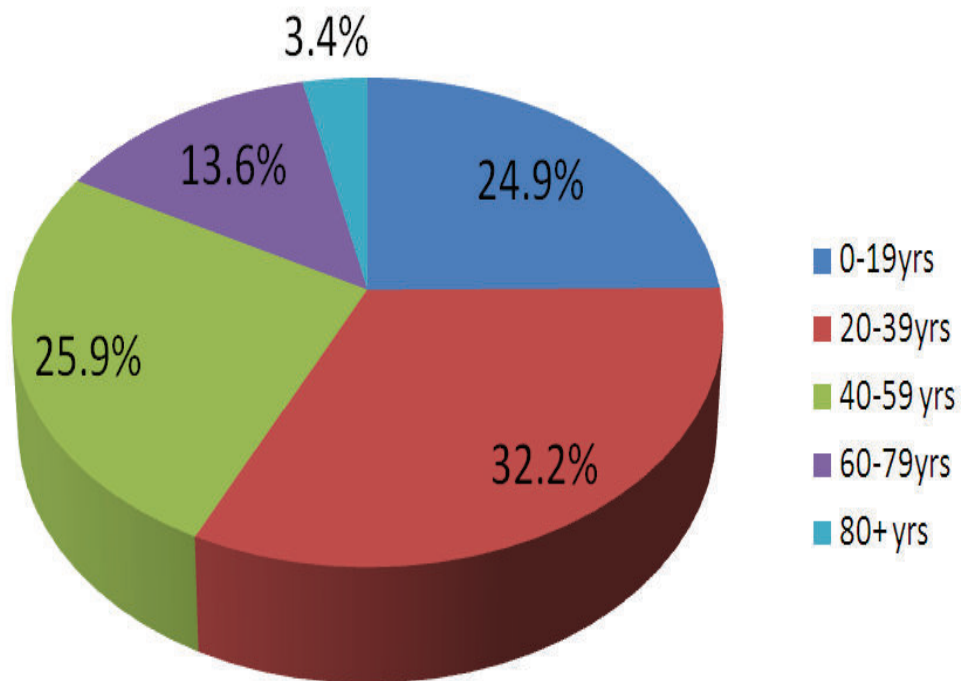
Crime and Regeneration  
Theme



# Limitations in data quality

- The data provided does not include the additional protected characteristics recently brought in under the Equality Act 2010
- The equality monitoring does not conform to the latest equality monitoring guidelines with consistent sub categorisation under each protected characteristics
- Not all projects have provided equality data just related to the project, a number have provided data relating to all provision by their organisation
- Data to develop this initial draft equality impact assessment was extracted from several sources including self-assessment forms, grant applications and project monitoring reports. Consequently, some figures may be older than others and some may not represent the current state of the organisation.
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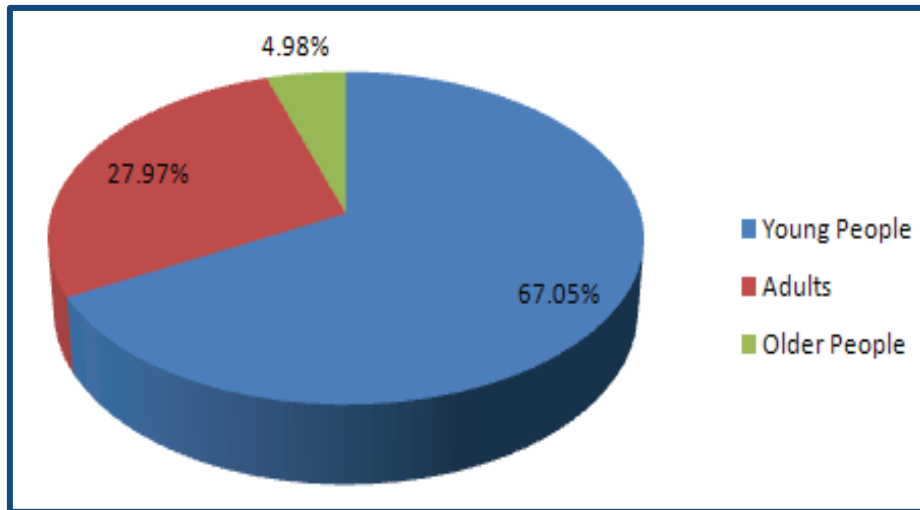
# Age Profile – Brent Population



- 63,800 young people(0-19yrs)
- 149,100 adults (19-59yrs)
- 43,600 older people (60+ yrs)

(ONS 2010)

# Age Profile Incomplete – Crime and Regeneration Grant Projects



% people benefiting from the projects by age

- Based on available monitoring data - over two thirds of the users are young people. The grant criteria, applications and self assessments would suggest that more young people benefit

# Age Profile – Crime and Regeneration Grant Projects Incomplete Data

Children and Young People

St Raphael's Youth Football and Sports

Kilburn Youth Centre

No data – categorisation based on project outline

Prince's Trust

These organisations  
have a majority of  
children and young  
people using their  
services



# Age Profile – Crime and Regeneration Grant Projects Incomplete Data

## Mixed Age Groups

Advance

Brent Indian Association

Groundwork

Minster Centre

Thames 21

Toucan Employment

African's women's care

Brent Addiction Counselling service

## No data – categorisation based on project outline

Addaction

Brent Irish Advisory Service

Brent Neighbourhood Watch Association

Cricklewood Homeless Concern

Energy Solutions

Mayhew Animal Home

Relate

The age profile is similar to that of the borough population, classifying the organisation as attracting mixed age groups



# Age Profile – Crime and Regeneration Grant Projects Incomplete Data

Older People

Bosnia and Herzegovina Community Advice Centre

African's women's care

Elders Voice

Three of the  
organisations have a  
majority of adult  
users



# Disability Profile – Brent Population

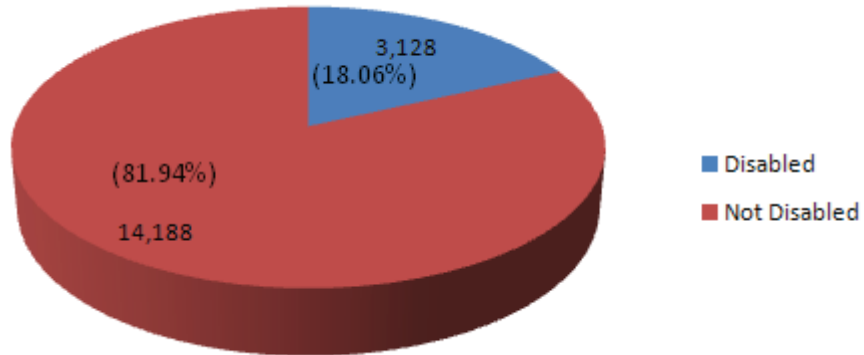
- In 2010-11 there were 765 people with learning disabilities known to Brent council.
- The majority of people with learning disabilities known to the council are aged between 20 and 59.
- The breakdown by gender is: Male 58% female 42%.
- The age breakdown of clients with learning disabilities is as follows:

• 18-19	23
• 20-29	200
• 30-39	135
• 40-49	193
• 50-59	138
• 60-69	62
• 70-79	11
• 80-89	2
• 90+	1

15.6% population state that they have a limiting long-term illness, health problem or disability, which limited the amount of daily activity or work that they could do.

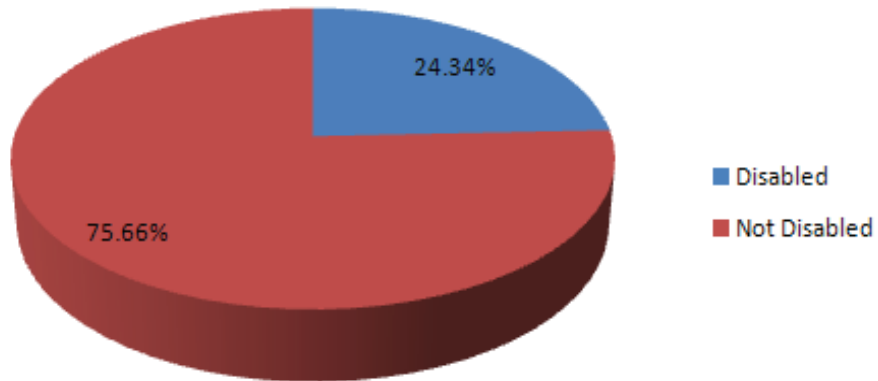


# Disability Profile- Crime and Regeneration Grant Projects



% disabled people benefiting from the projects

- The number of disabled users of these services is in line with the borough population



% of funding benefiting disabled people

- A quarter of total funding for this area is benefiting disabled people

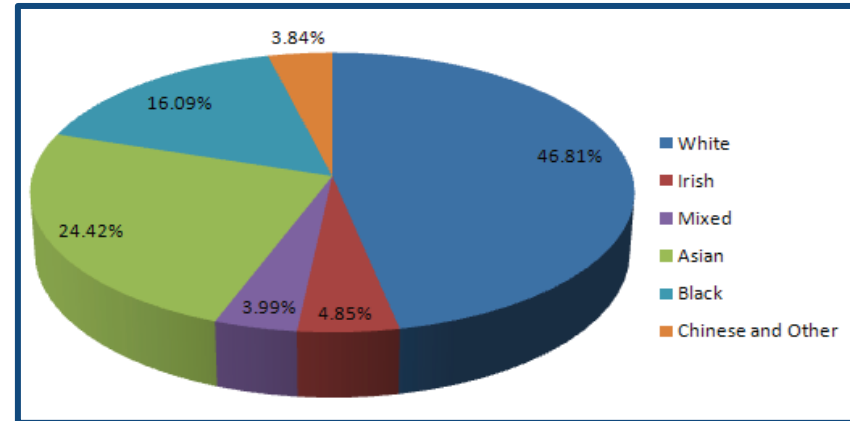
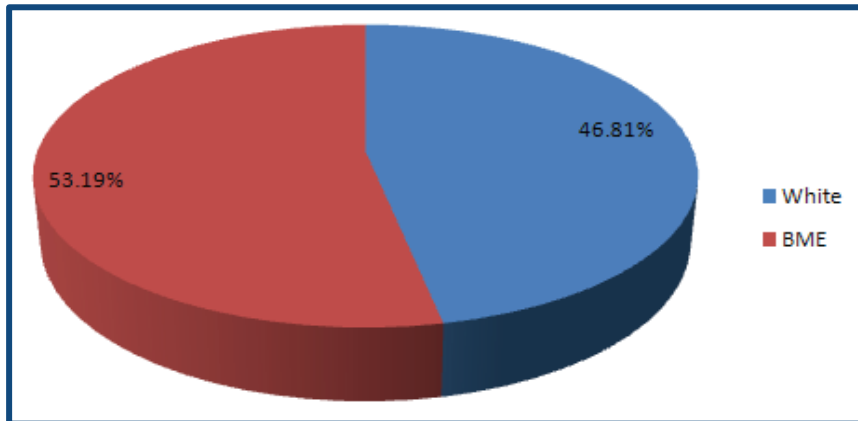
# Disability Profile – Crime and Regeneration Grant Projects

Disabled People
Bosnia and Herzegovina Community advice Centre (87%)
Toucan Employment (100%)
Brent Addiction counselling service (5%)
African Women's Care (8%)
Advance (4%)
Brent Indian Association (10%)
Elders Voice (61%)
Groundwork London (1%)
Thames 21 (5%)

% of disabled people by organisation

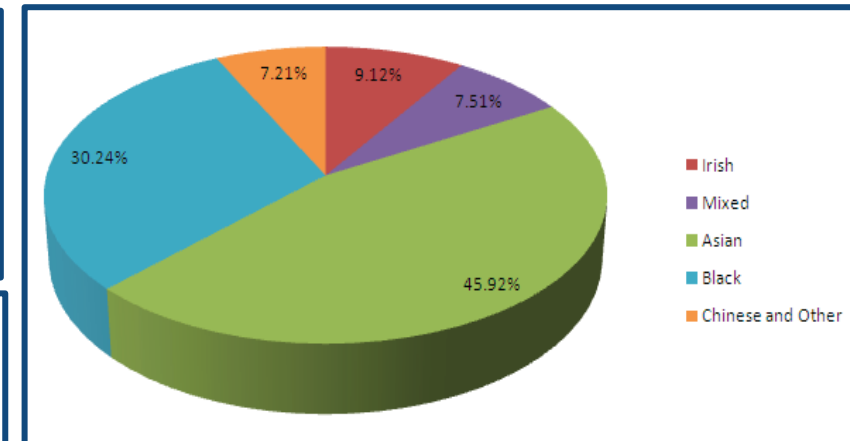


# Race Profile – Brent Population

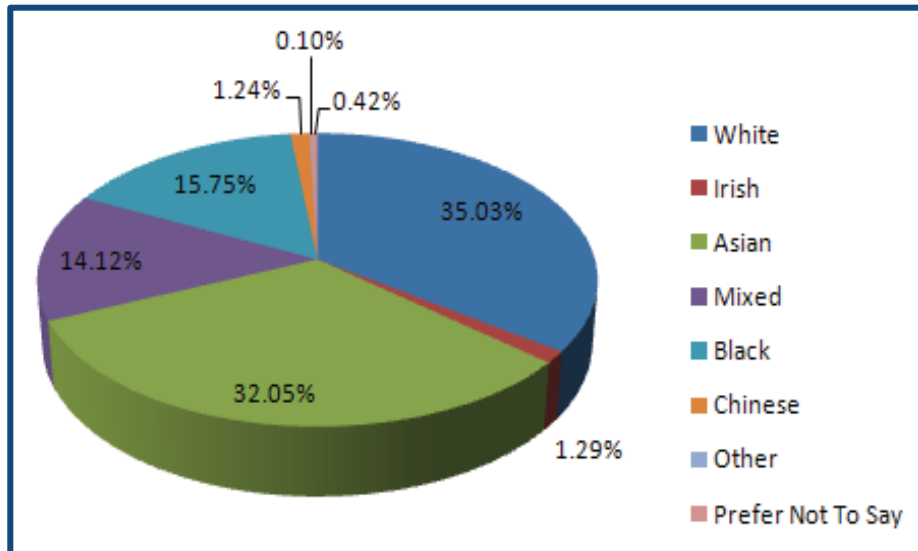


- 53% of the population are from Black, Asian and Minority Ethnic backgrounds .
- 62% of the population are from a category other than White British

- Diverse BME profile with largest proportions of the population being Indian, Black Caribbean and Black African

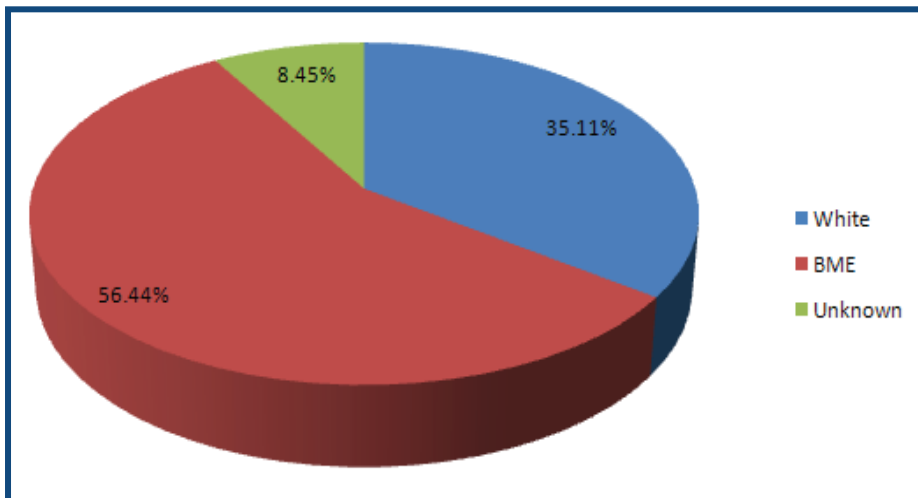


# Race Profile-Crime and Regeneration Grant Projects



% people benefiting from projects by race

Slightly more people from Asian and Mixed ethnic backgrounds benefiting than in the borough population and slightly fewer people from an Irish ethnic background benefiting than in the borough population.

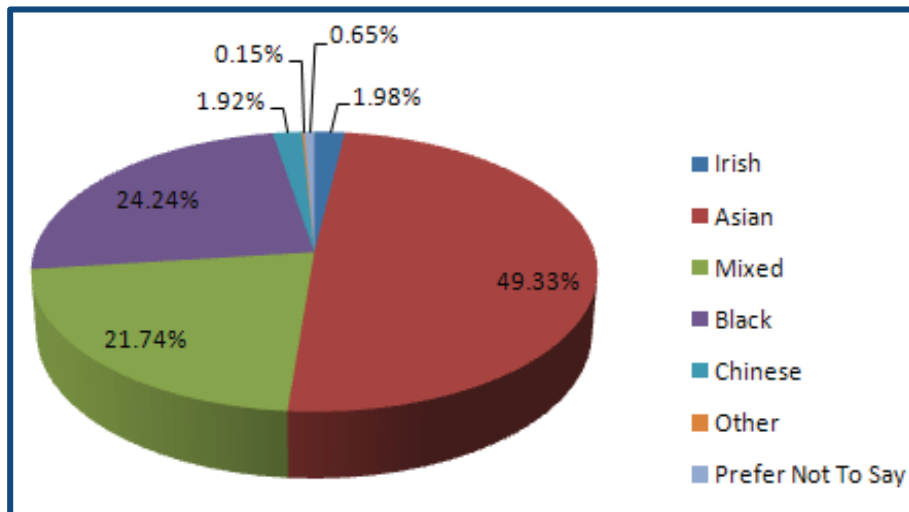


% funding benefiting different groups

- Compared to the population make up a slightly larger proportion of funding is benefiting BME communities

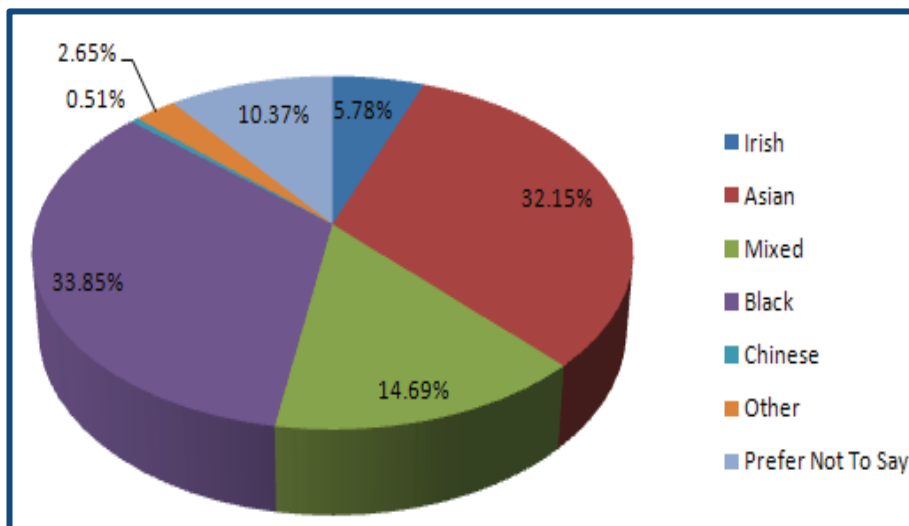


# BME Race Profile- Crime and Regeneration Grant Projects



## People from BME backgrounds benefiting from projects

- Within the BME Category half the people benefiting are from an Asian ethnic background



## Spend by BME Backgrounds

- The funding is more evenly split between the different ethnic backgrounds with fewer people from an Asian ethnic background benefiting than in the borough population



# Race Profile – Crime and Regeneration Grant Projects

## BME Backgrounds

**Advance -1.6% Irish, 21% Asian, 4% Mixed, 30% Black, 1% Chinese, 13% Other**

**Bang Edutainment -1.9% Asian, 15% Mixed, 76% Black**

**African Women's Care- 91% Black, 3% Other**

**Brent Indian Association- 98% Asian, 1.4% Black, 0.1% Chinese**

**Kilburn Youth Centre- 15% Asian, 65% Mixed, 7% Black**

**St Raphael's Youth Football and Sports- 5% Irish, 6% Asian, 9% Mixed, 67% Black**





# Race Profile – Crime and Regeneration Grant Projects

## Range of Backgrounds

**Minster Centre-** 39% White, 12% Asian, 7% Mixed, 12% Black, 2% Other, 27% Not Willing to Say

**Groundwork-** 43% White, 1% Irish, 19% Asian, 14% Mixed, 21% Black, 2% Chinese

**Elders Voice-** 45% White, 10% Irish, 12% Asian, 2% Mixed, 31% Black, 0.1% Chinese

**Brent Addiction Counselling Service-** 46% White, 21% Irish, 16% Asian, 18% Black

**Brent Neighbourhood Watch Association-** 39% White, 11% Irish, 31% Asian, 8% Mixed, 10% Black, 1% Chinese

## White

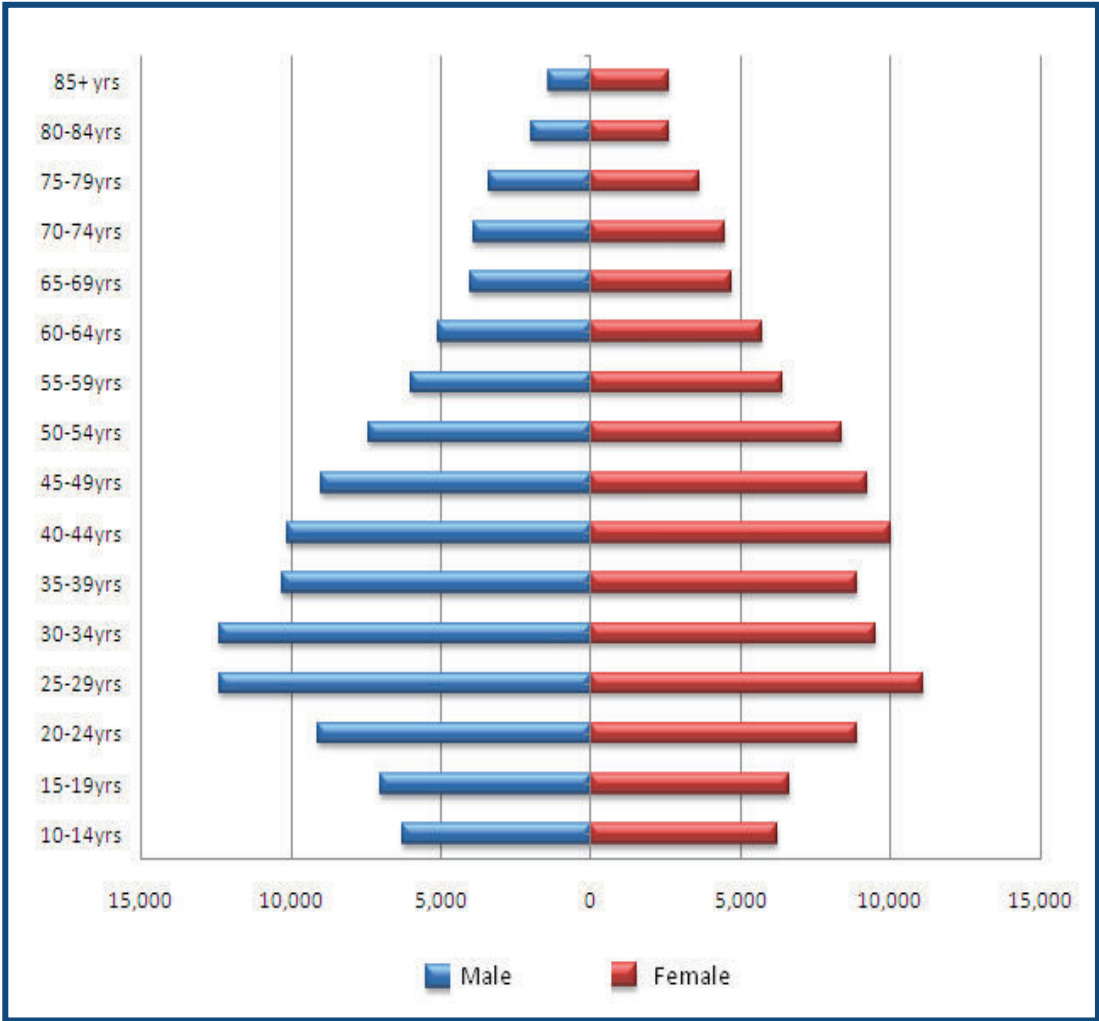
**Bosnia and Herzegovina Community Advice Centre-** 100% White

This organisation had a large number of people who answered prefer not to say to a question about ethnic background

**Toucan Employment-** 36% White, 50% Not Willing to Say



# Sex Profile – Brent Population

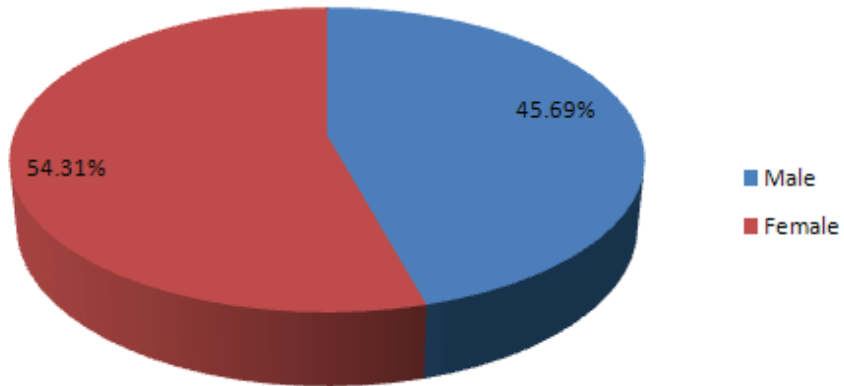


- 129,100 males
- 127,400 females

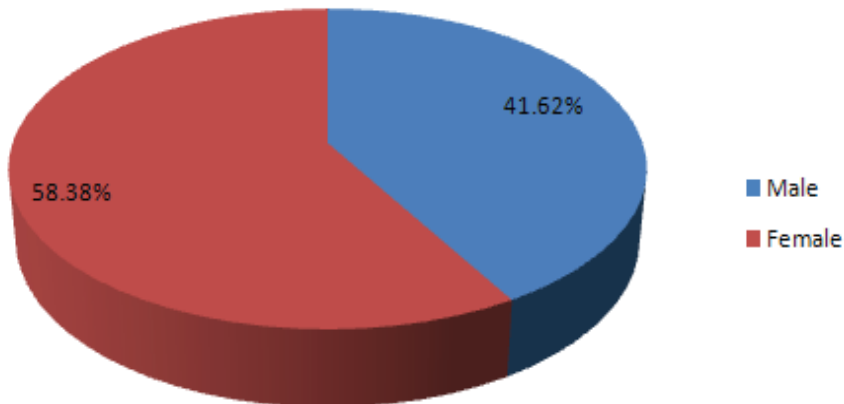
(ONS 2010)



# Sex Profile- Crime and Regeneration Grant Projects



The majority of people benefiting are female




Approximately 60% of the funding is directly benefiting females rather than males.



# Sex Profile – Crime and Regeneration Grant Projects

Female	Male
Advance- 100%	Kilburn Youth Centre- 59%
African Women's Care- 80%	Bang Edutainment- 57%
Elders Voice- 69%	Bosnia and Herzegovina Community Advice Centre- 53%
Groundwork- 60%	Thames 21- 52%



 <p>The logo of Brent Council, featuring a central coat of arms with a shield, a crown, and a banner, surrounded by the words 'BRENT COUNCIL' in a circular arrangement.</p>	<p><b>Executive</b> <b>16 January 2011</b></p> <p><b>Report from the Director of Strategy, Partnerships and Improvement</b></p>
For Action	Wards Affected: All
<p><b>Report Title: London Councils Grant Scheme 2012/2013</b></p>	

## 1.0 Summary

This report seeks agreement to London Councils Grants Committee budget for 2012/13 and the associated reduction in the level of contribution by Brent Council to the London Borough Grants Scheme.

## 2.0 Recommendations

Members of the Executive are recommended by London Councils to:-

- 2.1 Agree the recommended budget for the London Councils Grant Scheme and the contribution of £377,097 to be paid by the Council towards the London Boroughs Grants Scheme for 2012/13.
- 2.2 To agree the reallocation of the sum of £83,832, which is no longer paid towards the London Boroughs Grant Scheme, by:
  - (a) allocating the sum of £24,583 to cover the overspend created by the increase in the contribution sought from London Councils during 2011/2012 (as set out in paragraph 4.3 of this report), and by:
  - (b) allocating the remaining sum of £59,249 to Brent Council's Voluntary Sector Initiative Fund.

## 3.0 Detail

- 3.1 The aim of the London Councils Grant Scheme is to provide funding for voluntary organisations delivering London-wide projects or operating in two or more London boroughs that support the London population.
- 3.2 Prior to the 2011/12 budget London Councils reviewed the scheme, following concerns raised by boroughs that sub regional and locally allocated funding did not adequately address local needs and they did not feel they were benefiting from the financial contribution they made to the scheme. The aim was to have greater influence on how future funding is deployed at a local level. As a result of the review London Councils decided to amend their

funding criteria and agreed that the scheme would solely fund London wide services and would no longer commission projects that are provided on a sub-regional or local basis. The decision by London Councils in January 2011 was subject to a judicial review challenge. The Administrative Court in the judicial review case found that insufficient consideration had been given to equalities duties in London Councils' approach to categorising and assessing the equality impact of their proposed change in funding. A further equality impact assessment and a further decision on the issue had to be undertaken taking into account the equality impact assessment. The revised budget reflecting this was agreed by Full Council in July 2011.

- 3.3 The London Councils Grants Committee considered proposals for expenditure in 2012/13 at its meeting on 9 November 2011. The Leaders' Committee agreed a budget at its meeting on 13<sup>th</sup> December and recommended constituent councils to agree to an overall level of expenditure of £12,500,000 comprising of £11,845,000 towards grants, £595,000 on administrative expenditure and £60,000 London Funders membership fees. Income would comprise of: £1,000,000 European Social Fund Grant and £11,500,000 borough contributions.
- 3.4 The draft budget includes provision for funding organisations until the end of their agreement with London Councils. It also provides funding to extend a number of commissions until March 2013, pending decisions to be made on the 2013/14 budget and programme going forward. Those decisions will be taken in 2012 and will be informed by consultation on the principles and priorities of the Scheme going forward from 2013/14 onwards and an assessment of impacts on equalities groups in compliance with the Equality Act 2010.
- 3.5 London Councils recommend an overall reduction in the level of borough contributions to the Scheme of £2.487 million for 2012/13. This represents a 17.8% reduction compared with the current financial year of 2011/12.
- 3.6 The context in which this recommendation is made is set out in reports to Grants Committee on 9 November 2011 and to the Leaders' Committee on 13 December 2011. These reports concern both the future London wide European Social Fund programme and the overall Grants Committee budget. London Councils notified Brent Council of this in their "Chief Executives' Circular" on 16<sup>th</sup> December 2011, with a requirement for a decision from constituent London Boroughs ideally by 20<sup>th</sup> January and no later than 31<sup>st</sup> January 2012.
- 3.7 Three local organisations in Brent have received direct funding from London Councils in 2011/12. Decisions are yet to be made on funding for the whole of 2012/2013. The budget includes funding for 80% of commissions due to finish part way through 2012 to be funded until the end of March 2013. Consultation and equality impact assessments will inform how this funding is allocated as set out in paragraph 3.4 above. Several organisations in London, funded through the scheme, state that at least 10% of the people they help are from Brent. The number of Brent residents accessing services from all the organisations funded is unclear as insufficient data is available from London Councils on local usage.
- 3.8 In 2011/12 Brent contributed £460,929 to the scheme. Members are asked to agree to a contribution of £377,097 to be paid by the Council towards the London Boroughs Grants Scheme for 2012/13. The total contribution required from each constituent Council for 2012/13 is shown at Appendix 1.

3.9 By accepting the revised recommendations of London Councils, the Council will need to consider the impact the reduced contribution will have on local organisations, residents and current funded organisations. The Council will need to take any potential adverse impact into consideration in deciding what to do with the proportion of funding which is no longer contributing to the London Councils Grant Scheme. It is recommended that members agree to the reallocation of the sum of £83,832, which is no longer paid towards the London Boroughs Grant Scheme, by allocating the sum of £24,583 to cover the overspend created by the increase in the contribution sought from London Councils during 2011/2012 (set out in paragraph 4.3 above) and the remaining £59,249 allocated to the proposed Voluntary Sector Initiative Fund, proposals for which come before the Executive for decision in January 2012.

#### **4.0 Financial Implications**

4.1 The London Councils Leaders Committee agreed a recommended budget on 13<sup>th</sup> December 2011 and a Chief's Executives' Circular was issued by London Councils on 16<sup>th</sup> December 2011 (Appendix 2).

4.2 The overall level of London Borough's contributions to the Grant Scheme that is recommended for 2012/13 represents a 17.8% reduction. For Brent Council the proposed 2012/2013 subscription of £377,097 represents an 18% reduction on the 2011/2012 subscription of £460,929, a net reduction of £83,832.

4.3 The revised contribution from Brent to the London Councils Grants Scheme for 2011/12 of £460,929 represented an overspend of £24,583 compared to the original £436,346 contribution agreed. This increased contribution reflected some of the cost of addressing the judicial review and the continuation of grant funding to organisations whilst the review was completed. It is recommended that £24,583 of this is used to cover this overspend and the remaining £59,249 is allocated to the infrastructure stream proposed in the Voluntary Sector Initiative Fund Report which will be submitted for a decision by members at January 2012 Executive.

4.4 Details of all London Boroughs contributions for 2012/13 are included in Appendix 2.

4.5 Members are asked to note that the Meeting of Full Council in February 2011 agreed that the 2011/2012 budget included allocation of the funding no longer expected as a contribution to the London Councils Grants Scheme. £231,500 was reinvested in safeguarding advice and guidance services and £249,000 was allocated to savings.

#### **5.0 Legal Implications**

5.1 Constituent Councils of London Councils, which includes Brent Council, are required to contribute to any London Borough Grants Scheme expenditure, which has been incurred with the approval of at least two-thirds of the constituent Councils, pursuant to section 48 of the Local Government Act 1985. Contributions are to be proportionate to constituent Councils' populations pursuant to Regulation 6(8) of the Levying Bodies (General) Regulations 1992.

5.2 In October 1985, the London Borough Grants Scheme was set up in accordance with the requirements of section 48 of the Local Government Act 1985. The purpose of this scheme is to provide funding for voluntary organisations offering London-wide services or operating

in two or more London boroughs. The thirty two London Boroughs and the Corporation of London are required by statute to contribute to the London Boroughs Grant Scheme.

- 5.3 For 2012/13 the apportionment is based on the ONS mid-year estimates for 2010 in accordance with Section 48 (4) Local Government Act 1985, which states that “the population of any areas shall be taken to be the number estimated by the Registrar General and certified by him to the Secretary of State by reference to such date as the Secretary of State may from time to time determine.”
- 5.4 Further to the Grants to Voluntary Organisations (Specified Date) Order 1992 (which came into effect on 2 November 1992 and remains in force), the London Borough Grants Scheme budget must be agreed by two-thirds of constituent Councils before 1 February 2012. If it is not, the overall level of expenditure will be deemed to be the same as that approved for 2011/12 (i.e. £20.767 million).
- 5.5 The Chief Executive of London Councils has advised that the Leaders’ Committee of London Councils, in reaching their decision regarding the 2012/13 London Grants Scheme, had regard to the public sector equality duty as set out in section 149 of the Equality Act 2010. Section 149(1) of the Equality Act 2010 requires a public body, when exercising its functions, to have ‘due regard’ to the need to eliminate discrimination, harassment and victimization and other conduct prohibited under the Equality Act 2010, and to advance equality of opportunity and foster good relations between those who share a ‘protected characteristic’ and those who do not share that protected characteristic. A ‘protected characteristic’ is defined in the Equality Act 2010 as: age, disability, gender reassignment, pregnancy and maternity, race (including ethnic or national origins, colour or nationality), religion or belief, sex and sexual orientation. Marriage and civil partnership are also a protected characteristic for the purposes of the duty to eliminate discrimination.
- 5.6 Under section 149(3) of the Equality Act 2010, the requirement to have due regard to the need to advance equality of opportunity includes having due regard to the need to:- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

## **6.0 Diversity Implications**

- 6.1 In reaching its decision, Leaders’ Committee of London Councils states the way in which its approach continues to respond to equality impact assessment undertaken and fed back at the May 2011 Grants Committee. It outlines a plan for further detailed work to assess whether to extend particular commissions beyond their fixed term following a new consultation exercise to look at funding in 2013/2014. The Chief Executive of London Councils has advised that the Leaders’ Committee of London Councils have given regard to the duties set out in the Equality Act 2010 when making its decision regarding the budget for the London Councils Grants Scheme 2012/13. A copy of the report that was presented to the Leaders’ Committee of London Councils on 13 December 2011 in respect of the budget



proposals for London Grants Scheme is set out in Appendix 3 and Members are referred to the content of that report. The recommended budget is intended to mitigate the effects on equalities groups receiving services and enabling an assessment to be made of the equalities effects in making further specific recommendations to members of London Councils about the future direction of the Programme. Members of London Councils will be considering these issues in the context of large overall reductions in public spending and the 2010/11 review of the scheme which placed more emphasis upon commissioning by individual boroughs and groups of boroughs as opposed to the pan London level.

- 6.2 It is difficult to assess the impact for groups with protected characteristics in Brent as there is a lack of detailed information about the direct benefits of the London Boroughs Grants scheme to Brent's residents.
- 6.3 Officers will monitor the immediate impact of the change through complaints and/or correspondence received.

### **Background Papers**

- London Councils Chief Executives' Circular 16<sup>th</sup> December 2011  
[Not yet online](#)
- London Councils Leaders' Committee 13<sup>th</sup> December 2011  
[www.londoncouncils.gov.uk/committees/agenda.htm?pk\\_agenda\\_items=4674](http://www.londoncouncils.gov.uk/committees/agenda.htm?pk_agenda_items=4674)
- London Councils Grants Committee 9<sup>th</sup> November 2011 –  
[http://www.londoncouncils.gov.uk/services/grants/aboutus/meetings.htm?pk\\_meeting=835&comid=3](http://www.londoncouncils.gov.uk/services/grants/aboutus/meetings.htm?pk_meeting=835&comid=3)
- London Councils Chief Executives' Circular 26<sup>th</sup> May 2011  
[www.londoncouncils.gov.uk/.../Circ411LCsGrantsSchemeLevy2011.pdf](http://www.londoncouncils.gov.uk/.../Circ411LCsGrantsSchemeLevy2011.pdf)
- Further review of future role and scope of London Council's Grants Scheme  
[www.londoncouncils.gov.uk/committees/agenda.htm?pk\\_agenda\\_items=4422](http://www.londoncouncils.gov.uk/committees/agenda.htm?pk_agenda_items=4422)
- London Councils Leaders' Committee 10<sup>th</sup> May 2011 – Future role and scope of grants scheme item  
[www.londoncouncils.gov.uk/committees/agenda.htm?pk\\_agenda\\_items=4428](http://www.londoncouncils.gov.uk/committees/agenda.htm?pk_agenda_items=4428)
- London Councils Grants Committee May 6<sup>th</sup> 2011 Grants paper appendices including the additional equality impact assessment and outcomes of the second round of consultation  
[www.londoncouncils.gov.uk/committees/agenda.htm?pk\\_agenda\\_items=4423](http://www.londoncouncils.gov.uk/committees/agenda.htm?pk_agenda_items=4423)
- Leaders' Committee future role and scope of London Councils Grants Scheme Item 14<sup>th</sup> December 2010  
[www.londoncouncils.gov.uk/committees/agenda.htm?pk\\_agenda\\_items=4306](http://www.londoncouncils.gov.uk/committees/agenda.htm?pk_agenda_items=4306)
- London Councils Chief Executives' Circular 24/10 and related documents  
[www.londoncouncils.gov.uk/aboutus/corporatepublications/ceocirculars/24-10.htm](http://www.londoncouncils.gov.uk/aboutus/corporatepublications/ceocirculars/24-10.htm)
- London Councils – Consultation on the Review of the future role and scope of the London Council's Grants Scheme.  
[www.londoncouncils.gov.uk/services/grants/consultation.htm](http://www.londoncouncils.gov.uk/services/grants/consultation.htm)

## **Appendices**

**Appendix 1:** Proposed London Borough Contributions to London Councils Grant Scheme 2012/2013

**Appendix 2:** London Councils' Chief Executives' Circular dated 16 December 2011

**Appendix 3:** Report to the Leaders' Committee dated 13 December 2011 in respect of the London Councils Grant Scheme 2012/13 (excluding the appendices regarding ESF options, which can be found at the weblink above)

## **Contact Officers**

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**Phil Newby**

**Director of Strategy, Partnerships and Improvement**

## Borough Contributions 2012/13

ONS Mid-2009 Estimate of Population ('000)	%	2011/12 Borough Contribution (£)		ONS Mid-2010 Estimate of Population ('000)	%	2012/13 Borough Contribution (£)	Difference from 2011/12 (£)
<b>Inner London</b>							
231.2	2.98%	417,092	Camden	235.4	3.01%	345,942	-71,150
11.5	0.15%	20,746	City of London	11.7	0.15%	17,194	-3,552
226.1	2.92%	407,891	Greenwich	228.5	2.92%	335,802	-72,089
216.0	2.79%	389,670	Hackney	219.2	2.80%	322,135	-67,536
169.7	2.19%	306,144	Hammersmith and Fulham	169.7	2.17%	249,390	-56,754
191.8	2.47%	346,013	Islington	194.1	2.48%	285,248	-60,765
169.9	2.19%	306,505	Kensington and Chelsea	169.5	2.17%	249,096	-57,409
283.3	3.65%	511,082	Lambeth	284.5	3.64%	418,099	-92,983
264.5	3.41%	477,166	Lewisham	266.5	3.41%	391,646	-85,519
285.6	3.68%	515,231	Southwark	287.0	3.67%	421,773	-93,458
234.8	3.03%	423,586	Tower Hamlets	237.9	3.04%	349,616	-73,970
286.6	3.70%	517,035	Wandsworth	289.6	3.70%	425,594	-91,441
249.4	3.22%	449,925	Westminster	253.1	3.23%	371,954	-77,971
<b>2,820.4</b>	<b>36.38%</b>	<b>5,088,084</b>		<b>2,846.7</b>	<b>36.38%</b>	<b>4,183,488</b>	<b>-904,596</b>
<b>Outer London</b>							
175.6	2.26%	316,788	Barking and Dagenham	179.7	2.30%	264,086	-52,702
343.1	4.43%	618,962	Barnet	348.2	4.45%	511,712	-107,250
225.9	2.91%	407,530	Bexley	228.0	2.91%	335,067	-72,463
255.5	3.30%	460,929	Brent	256.6	3.28%	377,097	-83,832
310.2	4.00%	559,610	Bromley	312.4	3.99%	459,101	-100,509
342.8	4.42%	618,421	Croydon	345.6	4.42%	507,891	-110,530
316.6	4.08%	571,156	Ealing	318.5	4.07%	468,065	-103,091
291.2	3.76%	525,333	Enfield	294.9	3.77%	433,383	-91,951
225.5	2.91%	406,809	Haringey	225.0	2.88%	330,658	-76,150
228.1	2.94%	411,499	Harrow	230.1	2.94%	338,153	-73,346
234.1	3.02%	422,323	Havering	236.1	3.02%	346,971	-75,353
262.5	3.39%	473,558	Hillingdon	266.1	3.40%	391,058	-82,499
234.2	3.02%	422,504	Hounslow	236.8	3.03%	347,999	-74,504
166.7	2.15%	300,732	Kingston upon Thames	169.0	2.16%	248,361	-52,371
206.4	2.66%	372,352	Merton	208.8	2.67%	306,851	-65,501
241.2	3.11%	435,132	Newham	240.1	3.07%	352,849	-82,283
267.7	3.45%	482,939	Redbridge	270.5	3.46%	397,525	-85,414
189.0	2.44%	340,962	Richmond upon Thames	190.9	2.44%	280,545	-60,416
192.2	2.48%	346,734	Sutton	194.2	2.48%	285,395	-61,340
224.3	2.89%	404,644	Waltham Forest	227.1	2.90%	333,744	-70,899
<b>4,932.8</b>	<b>63.62%</b>	<b>8,898,916</b>		<b>4,978.6</b>	<b>63.62%</b>	<b>7,316,512</b>	<b>-1,582,404</b>
<b>7,753.2</b>	<b>100.00%</b>	<b>13,987,000</b>	<b>Totals</b>	<b>7,825.3</b>	<b>100.00%</b>	<b>11,500,000</b>	<b>-2,487,000</b>

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## Chief Executives' Circular

<b>To:</b>	Borough Chief Executives	<b>Cc:</b>	Borough Treasurers
<b>Date:</b>	16 December 2011	<b>Ref. no:</b>	24/10
<b>Contact:</b>		<b>Telephone:</b>	020 7934 9700
<b>Email:</b>	Frank.smith@londoncouncils.gov.uk	<b>Response Date:</b>	20 January 2012

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## London Boroughs Grants Scheme 2012/13 expenditure

### Summary:

This circular informs borough Chief Executives of the recommended level of the London Borough Grants Scheme budget for 2012/13, and seeks a formal response to that recommendation **ideally by Friday 20 January 2012, but no later than Tuesday 31 January 2012**. If two thirds of boroughs have not indicated their assent to this budget by that date, the default position by law is for a budget at the level of the previous year to be introduced. This would mean boroughs forgoing significant savings in 2012/13. I should, therefore, be grateful for formal notification of your borough's agreement to this budget by the dates set out in bold above. The means by which each borough arrives at such a formal decision will be dependent upon local Schemes of Delegation, Standing Orders and Terms of Reference. In most cases, however, we anticipate a cabinet or mayoral decision will be provided to us.

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### Background

The London Councils Grants Committee considered proposals for expenditure in 2011/12 at its meeting on 9 November 2011. The Leaders' Committee agreed a budget at its meeting on 13 December and the following recommendation is now made to constituent councils.

Overall level of expenditure of £12,500,000 comprising:

Grants - £11,845,000

Administrative Expenditure - £595,000

London Funders Membership Fees - £60,000

Income would comprise:

European Social Fund grant - £1,000,000

Borough contributions - £11,500,000

London Councils has provided funding for schemes that support the London population. The draft budget includes provision for funding organisations until the end of their agreement with London Councils. It also provides funding to extend a number of commissions until March 2013, pending decisions to be made on the 2013/14 budget and programme going forward. Those decisions will be taken in 2012 and will be informed by consultation on the principles and priorities of the Scheme going forward from 2013/14 onwards and an assessment of impacts on equalities groups in compliance with the Equality Act 2010.

This circular sets out in detail the requirements in respect of approving the Grants Scheme budget for 2012/13. It is issued alongside a further circular which sets out the overall London Councils Borough Subscriptions and Charges for 2012/13 – in which the Grants Scheme expenditure is summarised.

The context in which this recommendation is made is set out in reports to Grants Committee on 9 November 2011 and to the Leaders' Committee on 13 December 2011. These reports concern both the future London wide ESF programme and the overall Grants Committee budget. The overall level of borough contributions to the Scheme that is recommended for 2012/13 represents a £2.487 million or 17.8% reduction compared with the current year. An outline of the budget is attached at Appendix A.

As you are aware, constituent Councils are required to contribute to any London Boroughs Grants Scheme expenditure, which has been incurred with the approval of at least two-thirds of the constituent Councils. Contributions are, under Regulation 6(8) of the Levying Bodies (General) Regulations 1992, to be proportionate to constituent Councils' populations. For 2012/13 the apportionment is based on the ONS mid-year estimates for 2010 in accordance with Section 48 (4) Local Government Act 1985, which states that "the population of any areas shall be taken to be the number estimated by the Registrar General and certified by him to the Secretary of State by reference to such date as the Secretary of State may from time to time determine." The total contribution required from each constituent Council for 2012/13 is shown at Appendix B.

I would remind you that further to the Grants to Voluntary Organisations (Specified Date) Order 1992 (which came into effect on 2 November 1992 and remains in force), the budget must be agreed by two-thirds of constituent Councils before 1 February 2012. If it is not, the overall level of expenditure will be deemed to be the same as that approved for 2011/12 (i.e. £20.767 million). I would therefore be grateful if you would advise me in writing of your authority's formal response to the recommendation as soon as possible; ideally by Friday 20 January 2012 (as required under section 7.5 of the Grants Scheme), but no later than 31 January 2012. If you are unable to meet the 20 January deadline, please let me know.

### **Equalities Effects**

In reaching its decision, Leaders' Committee had regard to the duties of the Equality Act 2010. The recommended budget is intended to mitigate the effects on equalities groups receiving services and enabling an assessment to be made of the equalities effects in making further specific recommendations to members about the future direction of the Programme. Members will be considering these issues in the context of large overall reductions in public spending and the 2010/11 review of the scheme which placed more emphasis upon commissioning by individual boroughs and groups of boroughs as opposed to the pan London level.

### **Conclusion**

I look forward to your responses, ideally by **Friday 20 January 2012** and no later than **Tuesday 31 January 2012**.

Thank you

John O'Brien  
**Chief Executive**

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## Leaders' Committee

### London Councils Grants Scheme - Item 12 Budget Proposals 2012/13

**Report by:** Frank Smith      **Job title:** Director of Corporate Resources  
**Date:** 13 December 2011  
**Contact Officer:** Frank Smith  
**Telephone:** 020 7934 9700      **Email:** Frank.smith@londoncouncils.gov.uk

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**Summary**      This report considers the proposed budget for the Grants Scheme for 2012/13 and makes a recommendation to the Committee on the appropriate level to recommend to constituent councils for approval. In considering the budget, the Committee will need to have regard to the decision in respect of the European Social Fund options paper at Item 11 on this agenda.

**Recommendations**      The Leaders' Committee is asked to agree:

- an overall level of expenditure of £10 million in respect of the London Councils core scheme of priority, pan-London services, which includes the membership subscriptions for boroughs for London Funders of £60,000;
- the cost of administering the London Councils core scheme, equating to 5%, or £500,000 of the proposed grants programme of £10 million
- Subject to the Leaders' Committee decision in respect of the level of the ESF programme for 2012/13, as at Item 11 on this agenda, a gross joint ESF funded programme of either £4 million or £2 million, including administration costs;
- that taking into account the application of ESF grant of either £2 million (£4 million gross programme) or £1 million (2 million gross programme), net borough contributions for 2012/13 should be £12.5 million or £11.5 million respectively;

- that further to the recommendations above, constituent councils be informed of the Committee's recommendation and be reminded that further to the Order issued by the Secretary of State for the Environment under Section 48 (4A) of the Local Government Act 1985, if the constituent councils have not reached agreement by the two-thirds majority specified before 1 February 2012 they shall be deemed to have approved expenditure of an amount equal to the amount approved for the preceding financial year (i.e. £20.767 million); and
  - that constituent councils be advised that the apportionment of contributions for 2012/13 will be based on ONS mid-year estimates for June 2010.
-

## London Councils Grants Scheme - Budget Proposals 2012/13

### Introduction

1. This report follows the recommendations arising from the review of the priorities and structure of the London Councils Grants Scheme that would give rise to an overall expenditure budget requirement in 2012/13 of either £14.5 million or £12.5 million, comprising:
  - The cost of continuing the London Councils core scheme of priority, pan-London services of £10 million, which includes the membership subscriptions for boroughs for London Funders of £60,000;
  - The cost of administering the London Councils scheme, equating to 5%, or £500,000 of the proposed grants programme of £10 million; and
  - The cost of continuing the current joint ESF funded programme of £4 million, inclusive of £190,000 administration costs, or £2 million, including £95,000 administrative costs. This element of the proposed budget is subject to a separate report at item 11 on this agenda and the agreed final figure for the ESF programme will determine the overall level of the budget for 2012/13.
  
2. The two options for the overall level of expenditure, based on the proposals for the various components of the budget outlined above, are detailed in Appendix A. In 2011/12 the total approved budget was £20.767 million, so the proposed expenditure budget of £14.5 million, based on a £4 million gross ESF budget, represents a reduction of £6.267 million, or 30.2%. The option for an overall expenditure budget of £12.5 million, based on a £2 million gross ESF budget, represents a reduction of £8.267 million, or 39.8%.

3. For the £14.5 million overall expenditure budget, borough contributions will be £12.5 million, with a further £2 million being provided by ESF grant. Proposed borough contributions of £12.5 million, therefore, represent a reduction of £1.487 million, or 10.6% in the level of borough contributions of £13.987 million levied for the current year. For the £12.5 million overall expenditure budget, borough contributions will be £11.5 million, with a further £1 million being provided by ESF grant. Proposed borough contributions of £11.5 million, therefore, represent a reduction of £2.487 million, or 17.8% in the level of borough contributions of £13.987 million levied for the current year. There is no proposed budget for investment interest earned or a recommendation to transfer any sum from existing Committee reserves for 2012/13, as has been the case in previous years.
4. The Leaders' Committee will need to reach a view on the appropriate overall level of expenditure for 2012/13 and to recommend the budget to constituent Councils.

### **Approval of Expenditure**

5. The statutory basis of the Grants Scheme is Section 48, Local Government Act 1985. Constituent councils agreed to some changes to the operation of the Scheme as part of the establishment of the new ALG on 1 April 2000, the most significant being that the budget for the London Councils Grants Scheme must be approved by the London Councils Leaders' Committee by a simple majority vote. This will need to happen before any budget that is recommended to constituent councils by the Grants Committee can be formally referred to them as a basis for consideration in their respective council chambers.
6. The budget proposals were considered by the Grants Committee at their meeting on 9 November. However, as the Committee agreed that it required more information to consider the level of the ESF budget that it was prepared to recommend to the Leaders' Committee for 2012/13; it did not feel it was appropriate to consider the overall level of expenditure for 2012/13.
7. If Leaders Committee does not agree any budget at this meeting, then it may not be possible to agree a figure to recommend to boroughs, and achieve the necessary two-thirds majority endorsement by them, before the end of January. In that case, the budget for next year will be deemed to have been agreed at the 2011/12 level (see paragraph 10).

8. Section 48(3) of the Local Government Act 1985 requires that at least two-thirds of the constituent councils in Greater London must approve the proposed overall level of expenditure on grants to voluntary organisations and other costs incurred in “the making of grants”. This is not a decision that can be delegated to the Grants Committee although it is able to make decisions with regard to allocation of that expenditure once overall expenditure has been approved. This means that when the Grants Committee decides on an overall level of expenditure, subject to the agreement of this Committee, it will recommend it to the London Boroughs and the Cities of London and Westminster and at least 22 of them must agree through their respective decision-making arrangements to ratify and give effect to that overall level of expenditure. Once 22 councils have given their approval, the overall level of expenditure and contributions to it are binding on all constituent councils.

### **Timing of Decisions**

9. The Committee needs to make its recommendation in good time so that constituent councils are able to consider the proposal within their own decision-making arrangements and make a response within the timescales laid down for the Scheme. The Scheme approved by the boroughs provides in clause 7.5 that constituent councils shall be asked to agree to the Committee's recommended level of overall expenditure not later than the third Friday in January, in this case 20 January 2012. All constituent councils will have received copies of this report and will be quickly informed of the Committee's recommendation as to overall expenditure for next year, once it is made.
10. In the event that constituent councils are unable to reach agreement by the two-thirds majority required on an overall level of expenditure before 1 February 2012 the Secretary of State for Communities and Local Government has powers to intervene and set the budget at the same level as the preceding year. Section 105 of the Local Government Finance Act 1992 inserted a new sub-section (4A) into section 48 of the Local Government Act 1985 which states that: -

*"4A. The Secretary of State may by order provide that if -*

- (a) a scheme requires the total expenditure to be incurred under the scheme in any financial year -*
  - (i) in the making of grants; and*

- (ii) *in the discharging by the designated council of its functions under the scheme, to be approved in accordance with the scheme by some or all of the constituent councils; and*
- (b) *the total expenditure to be incurred in any financial year is not approved as required by the scheme before such date as may be specified in relation to that financial year in the order, the constituent councils shall be deemed, subject to any order which has been or may be made under subsection (5) below, all to have given their approval for that financial year to total expenditure of an amount equal to the amount that was approved or, as the case may be, deemed to have been approved for the preceding financial year".*

11. The City of London Corporation has been the Designated Council for the Scheme since 1 February 2004. Bearing in mind the issues raised above, it is essential for the Committee make a recommendation today, to provide sufficient time for constituent councils to consider the matter before the 1 February deadline, and enable the City of London Corporation to approve the levy on constituent councils between 1 and 15 February 2012.

### **Contributions by constituent councils**

12. Section 48(3) of the 1985 Act provides that the amount of contributions to the London Councils Grants Scheme shall be determined so that expenditure is borne by constituent councils in proportion to the population of their respective areas. Section 48(4) of the 1985 Act states that the population of any area shall be the number estimated by the Registrar-General and certified by him to the Secretary of State.
13. Under The Levying Bodies (General) Regulations 1992, arrangements made under section 48 of the 1985 Act (and also section 88) use total resident population as the means of apportionment and it is no longer necessary for the Registrar General to certify the estimates. The Regulations came into force on 11 December 1992. Regulation 6(8) is of particular importance, stating that:

*"A levying body shall secure that the expenses to be met by levies issued by it under these Regulations by reference to the relevant precepting power conferred by section 48 or 88 of the Local Government Act 1985 are borne by the relevant authorities in a proportion calculated by reference to the total resident population of the area of each relevant authority on 30th June in the financial year beginning two years before the beginning of the financial year in respect of which the levy is issued, as estimated by the Registrar General."*

14. The Designated Council is defined as a levying body further to Sections 74 and 117 of the Local Government Finance Act 1988, which means that the levy will have to be approved formally by the City of London Corporation before the payment requests are sent to constituent councils. The City of London will consider this matter between 1 and 15 February 2012. The Levying Bodies (General) Regulations 1992 then require the approved levy to be sent out to constituent councils by 15 February in any year. The term levy refers both to the total contributions from constituent councils and to the apportionment of that total between them.

### **Budget Proposal for 2012/13**

15. Appendix A to this report sets out detailed information relating to the proposed budget for 2012/13. The budget assumes:
- an overall level of expenditure of £10 million in respect of the London Councils core scheme of priority, pan-London services of £10 million, which includes the membership subscriptions for boroughs for London Funders of £60,000;
  - the cost of administering the London Councils core scheme, equating to 5%, or £500,000 of the proposed grants programme of £10 million;
  - Subject to the Leaders' Committee decision in respect of the level of the ESF programme for 2012/13, as at Item 11 on this agenda, a gross joint ESF funded programme of either £4 million or £2 million, including grants administration;

- In addition to the indicative gross grant payments budget of £13.81 million (£4 million ESF gross programme) or £11.905 million (£2 million ESF gross programme), the proposal includes a provision of 5% of the grant budget to provide for grants administration. For the £13.81 million programme a total of £690,000 for 2012/13, including £190,000 relating to ESF administration is recommended. This represents a reduction in grants administration expenditure of £348,000 (33.5%) compared to £1.038 million in the current year. For the £11.905 million programme a total of £595,000 for 2012/13, including £95,000 relating to ESF administration is recommended. This represents a reduction in grants administration expenditure of £443,000 (42.7%) compared to £1.038 million in the current year.

### **Non-Grants Expenditure**

16. All predictions of grants administration expenditure levels are based upon a target of no more than 5% of the provision for grants, as previously discussed by Grants Committee in the review of non-grants expenditure levels conducted in early 2009.
17. In terms of dedicated staff, the Grants Team will reduce in the number of posts in proportion to the size of the programme. With a core gross programme of £13.81million, including ESF, staffing numbers will settle down to a core team of 5.84 fte posts now that the period of transition has been completed, including ESF administration. For a programme of £11.905 million, it is likely that the staffing establishment would need to reduce by a further 0.5 fte post to 5.34 fte posts.
18. The staffing costs figures within the proposed 2012/13 budget options reflects all of these posts, together with the apportionment of time spent on Grants Committee activities by other London Councils staff, such as Grants Committee servicing and Public Affairs. In addition to this, an apportionment of time spent by Corporate Resources, Corporate Governance other than Committee Servicing, the Chief Executive's office, and London Councils Political Advisors are included in the central recharges figure for supporting the Committee's functions, as well as a notional rental figure for office space occupied at Southwark Street.



## **Other Income**

19. In previous years, budget proposals put before this Committee included other income in the form of bank interest that would be expected to accrue on cash balances held in reserves by London Councils throughout the year. However, the significant reduction in Committee reserves compared to recent years (see paragraph 23), together with the continued low interest rates currently available in the UK, has meant that it would not be prudent to rely on any material level of income from this source, so no budget has been included in respect of interest earned in the budget proposals for 2012/13.

## **ESF Grant Income**

20. The proposed budget includes expenditure on the ESF grants programme which can be match funded by the Department of Work and Pensions at either £4m million or £2 million, pending a decision on options for the programme in 2012/13. The programme contributes to activities commissioned under London Councils Poverty priority, including administration costs, which attracts grant income at 50% as a consequence of London Councils status as one of London's ESF co-financing bodies, thus reducing the net cost of this activity to £2 million or £1 million respectively. Both the gross expenditure and the ESF income it attracts are reflected in Appendix A.

21. Options for the future level of the ESF programme and approval for London Councils to continue as a co-financing body beyond the expiry of current contract of 31 March 2013 is subject to a separate report on this agenda.

## **2011/12 Outturn Projections**

22. The half-year forecast report reported to the Grants Committee on 9 November identified projected underspends amounting to £186,000 in total during 2011/12, reflecting:

- Grants approved and committed to date of £19.501 million as compared to the budget of £19.669 million to produce a projected £168,000 saving.
- A forecast underspend of £27,000 on salary costs and £50,000 on other running costs; offset by
- A deficit of £61,000 in the anticipated level of bank interest earned on Committee reserves.

## Use of Reserves

23. Audited reserves at the end of March 2011 were £3.081 million. Members originally budgeted to apply £2.33 million to support the current year's budget. However, as result of the judicial review of the revised grants programme agreed by members in December 2010, a further £2.33 million was required to order the balance the revised grants budget agreed by the Leaders' Committee in May 2011. A sum of £350,000 was used from existing Grants Committee reserves, but there were insufficient funds to finance the entire shortfall. Sums of £1.83 million and £150,000 were therefore transferred from the reserves of the Joint Committee and TEC respectively to balance the budget. The current position on Committee reserves in shown in the table below, which takes on board projected underspends from the current year (refer paragraph 22).

	<b>£000</b>
Audited reserves as 1 April 2011	3,081
Transfer from Joint Committee reserves	1,830
Transfer from Transport and Environment Committee Reserves	150
<b>Sub-total</b>	<b>5,061</b>
Reserves used to balance 2011/12 budget, as agreed by Leaders' Committee in May 2011	(4,660)
<b>Residual uncommitted reserves</b>	<b>401</b>
Projected underspend on grant payments 2011/12	168
Projected underspend on grants administration 2011/12	18
<b>Projected reserves as at 31 March 2012</b>	<b>587</b>

24. The Director of Corporate Resources recommends that, in line with best financial management practice, it would be appropriate to retain reserves of approximately £500,000 to £600,000 to support the future, London-wide Scheme of approximately £10 million, or £12 million net if the current level of borough contributions to the ESF programme is continued. As the above projected level of reserves fall between these benchmarks, it is therefore proposed that no reserves be applied to offset the cost of borough contributions for 2012/13.

## Borough Contributions

25. Paragraphs 12 to 14 of this report set out the legal position relating to contributions payable by constituent councils to the London Councils Grants Scheme. Contributions for 2012/13 for the two budget options have been calculated using ONS mid-year population estimates for 2010 and are set out in Appendix B.

26. The overall review of the Grants Scheme priorities and future arrangements, will, if approved, reduce the overall level of borough contributions needed in 2012/13 to £12.5 million or £11.5 million, dependant upon the level of the ESF programme approved by members for 2012/13.
27. Appendix B details the 2012/13 contributions required borough by borough. Members should note that the proposal is likely to lead to further reductions in contributions in the following years as the transitional arrangements fall out and the future scheme is focused solely on priority, London-wide services.

### **Equalities Implications**

28. As the Grants Committee is aware, in reaching a decision on the appropriate budget it is required to have due regard to the need to:
- eliminate discrimination, harassment, victimisation and any conduct prohibited by the Equality Act 2010;
  - advance equality of opportunity between persons who share a relevant protected characteristic (i.e. age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and persons who do not share it; and
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
29. The requirement to have due regard to the need to advance equality of opportunity includes having due regard to the need to:
- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
  - take steps to meet the needs of persons who share a relevant characteristic that are different from the needs of person who do not share it (including steps taking account of disabled persons' disabilities); and
  - encourage persons who share a relevant characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
30. In summary, the decision on the overall level of expenditure for 2012/13 includes decisions on the following issues, with potential equality implications:

- First, it is recommended that London Councils continues to fund the current A\* commissions for their fixed terms at a cost of £5.3m. This decision was taken in May 2011 and the Leaders Committee is referred to the equality impact assessment undertaken at that time; and
- Secondly, it is recommended that London Councils has a budget to enable it to extend some of the A\* commissions beyond the end of their fixed term contracts and until the end of 2012/13. As explained below, the decision not to continue funding all A\* commissions beyond the end of their fixed term has equality implications (whichever commissions are selected, following consultation and consideration of the equality impacts).

31. Looking beyond 2012/13, London Councils proposes to consult on the principles and priorities for commissions for 2013/14 including any future ESF schemes that might be match funded. The Committee is not asked to make any budget decision for 2013/14 at this stage.

32. London Councils has provided funding for schemes that support the London population and which have sought to offer services that assist people across the equalities groups age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation. The range of actions and assistance was reviewed in 2010/11 when London Councils decided its portfolio of schemes that would continue to be funded into 2012/13. Full detail of this and detail for the overall scheme and individual organisations, including the outcome of the public consultation at the Grants Committee held on 6 May 2011 is available on the London Councils website. No change in either the principles, priorities or extension of individual grants (up to the end of their fixed terms) is proposed in this budget report.

33. The draft Budget therefore includes provision for the continuation of the current portfolio of 105 funded organisations to receive funds until the end of each agreement between the voluntary organisation and London Councils. The cost of funding to the end of their agreements with London Councils is £5.3 million. This was agreed by Leaders in May 2011 following consultation and consideration of the equalities effects. The Committee is advised to have due regard to the equality impact assessment in considering the appropriate budget for 2012/13.

34. The proposed budget also includes provision to extend some grants from the end of their current agreements to 31 March 2013. The Committee has to decide the amount (if any) of additional funding; the recommendation is an additional £4.7 million based on average costs of the extension of some 80% of the current portfolio of commissions funded currently by London Councils. The financial effect of funding all 105 commissions in the current portfolio of organisations until 31 March 2013 will be an additional £5.7 million. The budget proposal includes £4.7 million additional funding and is an opportunity to support organisations that deliver effectively to continue to provide services at the end of their current services until the start of new commissions in 2013/14. This is not sufficient for every commission to be extended to 31 March 2013; this would require an additional £1.042 million.
35. As explained in further detail below, the priorities of the grants programme for 2013/15 are to be decided after March 2012 following consultation. On completion of the consultation, London Councils can consider which commissions should be extended from the end of their fixed term until the start of the new commissions. In reaching this decision, London Councils will consider the equality impact of the proposals and options.
36. Whilst London Councils has not yet decided which commissions would be extended (which will be subject to consultation and consideration of the equality impact), there are equality implications resulting from the decision not to fund every A\* commission beyond the end of the fixed terms. The recommended budget is intended to mitigate the effects on equalities groups receiving services and suggests provision for some 80% of the current commissions being extended and enabling an assessment of the equalities effects in making recommendations to members about priorities, whilst balancing this against the need to have an appropriate budget in a context of large reductions in public spending and the review leading to a significantly reduced London-wide scheme.
37. A decision on which of the current commissions would receive additional funding up to the end of 2012/13 will be informed by consultation, review of equalities effects of each commission and an equalities impact assessment on the potential priorities to be funded under the new commissioning programme<sup>1</sup>.

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<sup>1</sup> The London Councils consultation is to be launched in December 2011 and run for 12 weeks.

38. The budget also makes provision for the continuation of the ESF Grants Programme delivered by London Councils at either the current level of £4 million, offset by £2 million grant from the Department of Work and Pensions that administers with ESF programme in the UK, or at the reduced level of £2 million, offset by £1 million ESF grant. A report on the options on the future of the ESF programme is provided at item 11 of the agenda for Leaders' Committee. The schemes, delivered by the voluntary sector to priority groups, enable workless people gain access to training, into work support and tackles poverty by supporting access to employment and services. The proposed continuation of the ESF Grants Programme will give a further opportunity for organisations to receive grants in 2012/13 directed to generate training and job opportunities for people who have been unemployed for long periods and lack skills.
39. Organisations and the public are advised that London Councils is considering an indicative budget of £8 million to support a new grants scheme for financial year 2013/2014. Interested bodies will have an opportunity to comment on principles and priorities during the consultation and identify specific equalities effects. London Councils is making proposals to amend the principles and priorities of the programme and will consult on the current range of principles and priorities and whether London Councils should focus on a smaller number and making a stronger impact through funding organisations better.
40. The Grants Scheme provides support across equalities groups social care, housing and advocacy needs and services for young people who face homelessness. There is a high prevalence of equalities groups currently supported through the Grants Scheme with service users alone from the groups identified as age, disability, race, gender and sexual orientation being supported by commissioned groups<sup>2</sup>. London Councils Supplementary consultation<sup>3</sup> carried out in April 2011 also showed that the largest impact on equalities groups with any reduction, or withdrawal of grant provision would be on age (children and young people including 190,000 recorded incidents of use of commissions) race (primarily Black and Minority Ethnic groups – 197,000 recorded incidents of use of services) and sex (services for women with 108,000 recorded incidents of use of services). In considering future funding decisions will include consideration of the potential effects drawing on available data.

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<sup>2</sup> This figure is derived from responses given by some of the currently commissioned groups.

<sup>3</sup> London Councils Supplementary consultation: Leaders' Committee Report: Review of Future Role and Scope of London Councils Grants Scheme: Annex 1:

[http://www.londoncouncils.gov.uk/committees/agenda.htm?pk\\_agenda\\_items=4428](http://www.londoncouncils.gov.uk/committees/agenda.htm?pk_agenda_items=4428)

41. There may be some potential for positive impact, with a reduced budget, if for example, this results in targeted work, on a pan-London scale, are focused better on services felt to be most needed. London Councils will review the level of need in London as well as the equalities effects of potentially reducing the range of priorities that may be supported in future and a potential reduction in funding, within the forthcoming consultation.

42. A 12 week public consultation is to be completed and the Grants Committee will be advised the outcome and the equalities impacts of recommendations to support decisions on the scope of a new grants programme for 2013/15. An equalities effects report on the recommendations affecting individual commissions will be made in the spring 2012.

## **Summary**

43. This report considers the proposed budget for the Grants Scheme for 2012/13 and makes a recommendation to the Committee on the appropriate level to recommend to constituent councils for approval, subject to the agreement of the overall budget by Leaders' Committee. The report proposes options for either:

- an overall level of expenditure in 2012/13 of £14.5 million, based on a £4 million ESF programme, a reduction of 30.2%, compared to the current year figure of £20.767; which requires borough contributions of £12.5 million; a reduction of 10.6% compared to the current year contributions of £13.987 million; or
- an overall level of expenditure in 2012/13 of £12.5 million, based on a £2 million ESF programme, a reduction of 39.8%, compared to the current year figure of £20.767; which requires borough contributions of £11.5 million; a reduction of 17.8% compared to the current year contributions of £13.987 million.

## **Recommendations**

44. The Leaders' Committee is asked to agree:

- an overall level of expenditure of £10 million in respect of the London Councils core scheme of priority, pan-London services, which includes the membership subscriptions for boroughs for London Funders of £60,000;

- the cost of administering the London Councils core scheme, equating to 5%, or £500,000 of the proposed grants programme of £10 million;
- Subject to the Leaders' Committee decision in respect of the level of the ESF programme for 2012/13, as at Item 11 on this agenda, a gross joint ESF funded programme of either £4 million or £2 million, including administration costs;
- that taking into account the application of ESF grant of either £2 million (£4 million gross programme) or £1 million (2 million gross programme), net borough contributions for 2012/13 should be £12.5 million or £11.5 million respectively;
- that further to the recommendations above, constituent councils be informed of the Committee's recommendation and be reminded that further to the Order issued by the Secretary of State for the Environment under Section 48 (4A) of the Local Government Act 1985, if the constituent councils have not reached agreement by the two-thirds majority specified before 1 February 2012 they shall be deemed to have approved expenditure of an amount equal to the amount approved for the preceding financial year (i.e. £20.767 million);
- that constituent councils be advised that the apportionment of contributions for 2012/13 will be based on ONS mid-year estimates for June 2010.

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## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

### List of background papers used in this report.

1. Review of Future Role and Scope of the London Boroughs grants Scheme (Grants Cttee Nov 25<sup>th</sup> 2010 and Leaders Committee December 14<sup>th</sup> 2010)
2. London Councils Grants Scheme, overall level of expenditure 2011/12 (Grants Committee and Leaders' Cttee – Nov/Dec 2010).
3. Grants to Voluntary Organisations - Financial Overview Report (Grants Cttee – Nov 2011).