



## Executive

**Wednesday, 23 June 2010 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 of the Council
Butt (Vice-Chair)	Deputy Leader of the Council
Arnold	Lead Member for Children and Families
Beswick	Lead Member for Crime Prevention and Public Safety
Crane	Lead Member for Regeneration and Economic Development
Jones	Lead Member for Human Resources and Diversity, Local Democracy and Consultation
J Moher	Lead Member for Highways and Transportation
R Moher	Lead Member for Adults, Health and Social Care
Powney	Lead Member for Environment, Planning and Culture
Thomas	Lead Member for Housing and Customer Services

**For further information contact:** Anne Reid, Principal Democratic Services Officer  
020 8937 1359, [anne.reid@brent.gov.uk](mailto:anne.reid@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 - 10

**3 Matters arising (if any)**

**4 Deputations (if any)**

**5 Appointment to Committees 2010/11**

**London Council's Grant Committee and Highways Committee:**

- **ALG Grants Committee (1 representative plus 3 deputies)**
- **Highways Committee (Chair plus 4 members)**

## Children and Families Reports

**6 Award of contract for construction of Kingsbury intergenerational children's centre** 11 - 28

This report outlines the services for children and families that would be offered from the proposed Kingsbury Intergenerational Children's Centre. It explains the background to the Centre proposal which now includes a Phase 3 Sure Start Children's Centre, facilities for Extended Services for children and young people and accommodation for the Kingsbury Early Intervention Locality Team.

**Ward Affected:**  
Fryent;  
Queensbury;

**Lead Member:** Councillor Arnold  
**Contact Officer:** John Christie, Director of  
Children and Families  
Tel: 020 8937 3130 [john.christie@brent.gov.uk](mailto:john.christie@brent.gov.uk)

**7 Award of building contract for the extension work at Sudbury Primary School** 29 - 42

This report requests Executive approval for the award of a contract in

relation to the construction works at Sudbury Primary School, estimated at £7,068,885. The contractor is from the IESE (Improvement and Efficiency South East) Buildings Work-stream Construction Framework. These works will involve part newbuild and part remodel and refurbishment of existing buildings to provide additional capacity at Sudbury Primary School to enable them to accommodate an expanded 4FE [840 children from Year R to Year 6 plus a Nursery] Primary School.

*(Appendix also below).*

**Ward Affected:** All Wards;  
**Lead Member:** Councillor Arnold  
**Contact Officer:** John Christie, Director of Children and Families  
Tel: 020 8937 3130 john.christie@brent.gov.uk

## Environment and Culture Reports

### 8 Brent Local Development Framework - adoption of the core strategy 43 - 68

This report asks Executive to recommend that Full Council of 12<sup>th</sup> July adopts Brent's Core Strategy, as submitted to the SoS in September 2009, and incorporating the changes recommended by the Inspector, which are binding on the Council. It summarises the key recommendations of the Planning Inspector and explains what the implications of the changes are.

**Ward Affected:** All Wards;  
**Lead Member:** Councillor Powney  
**Contact Officer:** Ken Hullock, Policy and Research Team  
Tel: 020 8937 5309 ken.hullock@brent.gov.uk

### 9 Enforcement of moving traffic and parking contraventions by means of CCTV cameras 69 - 102

This report provides the Executive with an update following approval in principle on 16<sup>th</sup> March 2009 for officers to arrange the transfer of powers to the Council for the enforcement of moving traffic contraventions (MTCs), as listed in Appendix A.

**Ward Affected:** All Wards;  
**Lead Member:** Councillor J Moher  
**Contact Officer:** Tim Jackson, Transportation Unit  
Tel: 020 8937 5151 tim.jackson@brent.gov.uk

## Housing and Community Care Reports

### 10 Main programme grant funding 2010/2011 103 - 148

This report provides the Executive with details of local voluntary

organisations that has applied for renewal of their one year funding from the Council's Main Programme Grant (MPG) for 2010/11.

**Ward Affected:** All Wards;  
**Lead Member:** Councillor R Moher  
**Contact Officer:** Beverleigh Forbes, Voluntary Sector Team  
Tel: 020 8937 4163  
beverleigh.forbes@brent.gov.uk

**11 Main Programme Grant - funding for organisations providing Regeneration, Crime and Community Safety Services (3 year funding)** 149 - 198

This report summarises the progress made since February 2010 on the regeneration of South Kilburn, and sets out proposals for building on the momentum established by the Council over the past year. Specifically the report sets out proposals for re-investing the capital receipts secured through the advance stages of South Kilburn's regeneration, as agreed by the Executive in February 2010.

*(Appendix circulated separately)*

**Ward Affected:** All Wards;  
**Lead Member:** Councillor R Moher  
**Contact Officer:** Beverleigh Forbes, Voluntary Sector Team  
Tel: 020 8937 4163  
beverleigh.forbes@brent.gov.uk

**12 Amendment to Housing and Social Care Non HRA PFI project - authority to award Phase 2 of contract report** 199 - 220

This report notifies the Executive of an amendment that is required to be made to a recommendation approved by members in relation to the Housing and Social Care Non HRA PFI Project as the meeting of the Executive held on 15<sup>th</sup> March 2010. The Executive is asked give approval to the number of units to be delivered under Phase 2 of the PFI scheme.

*(Appendix also below)*

**Ward Affected:** All Wards;  
**Lead Member:** Councillor Thomas  
**Contact Officer:** Martin Cheeseman, Director of Housing and Community Care, Tel: 020 8937 2341 martin.cheeseman@brent.gov.uk

## Central Reports

**13 Brent Council becoming a national beacon of diversity best practice** 221 - 232

This report outlines Brent Council's aspiration to become a national beacon of diversity best practice and some achievements to date.

**Ward Affected:** All Wards;  
**Lead Member:** Councillor Jones  
**Contact Officer:** Jennifer Crook, Diversity Team  
Tel: 020 8937 1117 [jennifer.crook@brent.gov.uk](mailto:jennifer.crook@brent.gov.uk)

**14 South Kilburn Regeneration - next steps** 233 -

262

This report summarises the progress made since February 2010 on the regeneration of South Kilburn, and sets out proposals for building on the momentum established by the Council over the past year. Specifically the report sets out proposals for re-investing the capital receipts secured through the advance stages of South Kilburn's regeneration, as agreed by the Executive in February 2010.

*(Appendix also below).*

**Ward Affected:** Kilburn; Queens Park;  
**Lead Member:** Councillor Crane  
**Contact Officer:** Andrew Donald, Regeneration Team  
Tel: 020 8937 1260  
[andrew.donald@brent.gov.uk](mailto:andrew.donald@brent.gov.uk)

**15 Code of Corporate Governance** 263 -

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This report seeks approval from the Executive for the adoption of a new Code of Corporate Governance.

**Ward Affected:** All Wards;  
**Lead Member:** Councillor John  
**Contact Officer:** Simon Lane, Audit and Investigations  
Tel: 020 8937 1260 [simon.lane@brent.gov.uk](mailto:simon.lane@brent.gov.uk)

**16 Authority to Award a contract for Office Supplies** 269 -

272

This report requests approval to award a contract in the form of a call off contract from a framework agreement established by the London Contracts and Supply Group for office supplies. This report details briefly the procedure followed leading to the award of the framework agreement and why there has been a decision to call off from the framework agreement.

**Ward Affected:** All Wards;  
**Lead Member:** Councillor Butt  
**Contact Officer:** Graham Ellis, Director of Business Transformation, Tel: 020 8937 1089  
[graham.ellis@brent.gov.uk](mailto:graham.ellis@brent.gov.uk)

**17 National non domestic rate relief and hardship relief**

273 -  
284

The Council has the discretion to award rate relief to charities or non-profit making bodies. This report includes applications received since the Executive last considered relief in December 2009.

**Ward Affected:**  
All Wards;

**Lead Member:** Councillor Butt  
**Contact Officer:** Richard Vallis, Revenue and Benefits  
Tel: 020 8937 1503 richard.vallis@brent.gov.uk

**18 Reference of item considered by Forward Plan Select Committee (if any)**

**19 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.

**20 Exclusion of Press and Public**

The following item(s) is/are not for publication as it/they relate 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:**

- Authority to Award a Construction Contract for the Expansion of Sudbury Primary School from 3FE to 4FE (Appendix 2)
- Amendment to Housing and Social Care Non HRA PFI Project – Authority to Award Phase 2 of Contract report
- South Kilburn Regeneration progress update (Appendices 2 and 3)

*(Reports above refer)*

**Date of the next meeting: Monday, 26 July 2010**



- 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 April 2010 at 7.00 pm

PRESENT: Councillor Lorber (Chair) and Councillors Detre, Sneddon, Van Colle and Wharton

APOLOGIES: Councillors Blackman, Allie, D Brown, Colwill and Matthews

ALSO PRESENT: Councillors Clues and John

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

None.

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

RESOLVED:-

that the minutes of the previous meeting held on 15 March 2010 be approved as an accurate record of the meeting.

#### 3. **Order of business**

RESOLVED:

that the order of business be changed so as to take early in the meeting those items for which members of the public and non-Executive members were present.

#### 4. **Deputations**

*Children and Young People - Youth Parliament survey*

Petergaye Palmer and Kishan Parshotam (Brent Youth Parliament) introduced the report from the Director of Children and Families which summarised the results of the survey conducted by Brent Youth Parliament in 2009. The survey was part of an ongoing campaign aimed at challenging negative stereotypes associated with young people. It was felt that the media did not fairly portray young people and a media summit in North Somerset was cited as an example of a successful way in which the problem could be tackled and to give young people an opportunity to present themselves positively. They drew attention to publicity stickers and a promotional DVD designed to reinforce the 'break the stereotype, fix the impression' message which had been distributed through local libraries. Efforts were also being made to hold a media summit locally and the BYP asked the Executive for

assistance in helping to improve communication and work with partners to tackle negative perceptions.

## **5. Children and young people - Youth Parliament survey**

The report from the Director of Children and Families summarised the results of a survey conducted by Brent Youth Parliament (BYP) between October and November 2009. The aim of the survey was to gather data from all ages about how young people were perceived and to gauge the way society views young people. Earlier in the meeting, the Executive heard from representatives of the BYP on their proposals to improve the perception of young people and how the Executive could contribute to influencing the media and partner agencies.

Councillor Wharton (Lead Member, Children and Families) thanked Petergay Palmer and Kishan Parshotam for their presentation and was pleased that in addition young people had been given the opportunity to develop surveying skills. The Executive endorsed the recommendations in the report and agreed that the issue of a media summit be taken up after the forthcoming local elections. On behalf of the Executive, Councillor Lorber thanked all those who had been involved in the initiative, the findings from which would be taken seriously.

RESOLVED:-

- (i) that the Youth Parliament survey findings be noted, acknowledged and used to influence policy decisions affecting children and young people;
- (ii) that approval be given to the communication and sharing of the findings with a broader audience in Brent and nationally through the UK Youth Parliament;
- (iii) that it be noted that following the success of a 'media summit' in North Somerset, BYP proposes to work with multi agencies and partners such as the Executive, representatives of BYP, the local media, the community safety board, the police, voluntary groups and officers of the council to tackle the issue raised in the report concerning the negative portrayal of young people in the media.

## **6. Parks Strategy for Brent 2010-2015**

The Executive had before them a report from the Director of Environment and Culture on an overview of Brent's parks strategy 2010-2015. The strategy had been informed by local survey data and consultation with local groups.

With the consent of the Executive, Mr Dilwyn Chambers, on behalf of Gladstone Park Consultative Committee, raised concerns over the consultation process and the extent to which suggestions put forward by the public had been included, the protection of parks for development and the registration of Gladstone Park as a Town Green. He also raised safety concerns over the use of the park by cyclists and the enforcement of bylaws by park wardens.

Councillor Van Colle (Lead Member, Environment, Planning and Culture) welcomed the report which he felt provided a sound basis from which a new council administration could work and which would also help attract external funding. In

response to the concerns raised earlier in the meeting, he pointed out that while officers took into account suggestions from interested parties there was no obligation to adopt them all furthermore, parks were protected under the local development framework. Councillor Van Colle stated that he was not aware of any serious park cycling accidents to date hoped that riders would use the park sensibly.

The Head of Parks, Sean Faulkner, contributed that a draft of the report had been circulated to independent groups and also left in libraries and One Stop Shops. A number of changes had been made to the document as a result of the consultation but these were not significant. Sean Faulkner outlined the extensive consultation that was regularly carried out for the parks service including survey feedback and independent audits. Parks were protected in a number of ways including as metropolitan open land and under the Unitary Development Plan and the parks strategy was designed to be complementary. On the request for Gladstone Park to be a Town Green, legal advice had been sought and decision had been made not to register. In any event, the park was already well protected. Regarding cycling, Shaun Faulkner advised that new bylaws were being drafted and cycling was being reviewed with the aim of promoting safe cycling. The Parks Manager praised the work of park wardens and reminded members that monitoring had indicated that park with wardens helped reduce fear of crime levels.

Councillor Lorber (Leader of the Council) commended the work of the Parks Service and welcomed the increase in usage and the record number that have achieved Green Flag recognition for the high standard of planting and facilities. Councillor Wharton (Lead Member, Children and Families) moved an additional recommendation that would ensure that 1voice, a consultative forum for children with disabilities, was included in future consultation and this was agreed.

RESOLVED:-

- (i) that the findings of the background research used to inform the development of the Parks Strategy be noted;
- (ii) that approval be given to the seven key themes as set out in paragraphs 3.10-3.18 of the Director of Environment and Culture's report;
- (iii) that approval be given to the action plan detailed within the Parks Strategy (attached as Appendix 1 to the Director's report) and that the Council will lead on those actions identified as such;
- (iv) that the Parks Service consult the recently established consultative forum 1Voice to ensure that the needs of children with disabilities are taken into account.

## **7. Childhood Immunisation Task Group**

Councillor John (Task Group Chair) introduced the task group report which had been considered and agreed by the Health Select Committee. It had been found that the take up of vaccines in the borough was relatively low, particularly for MMR (measles, mumps and rubella) and the task group had investigated possible causes for this and how it could be improved. She regretted the significant level of

prejudice among some professionals and the media, felt that this needed to be confronted with scientific evidence and was pleased that the task group's work had been welcomed by the Brent PCT. Councillor John referred to the rigorous safety testing carried out under World Health Organisation's international standards for vaccines and the need address knowledge gaps and provide training for front line staff especially in GP surgeries and children's centres. Schools also needed assistance in encouraging the take up of the papilloma virus vaccine designed to help prevent pre-cancer disease of the cervix and evidence showed that parents wanted advice from health visitors.

In discussion, Councillor Wharton (Lead Member, Children and Families) welcomed any assistance that could be given to children's centres. In response to a view that some parents some had reservations over MMR vaccinations and should be supported in asking for single jabs, Councillor John responded that risks were associated with this method and prevention was the preferred and safest option. The Executive agreed the recommendations in the report.

RESOLVED:-

- (i) that the recommendations set out in the report be agreed;
- (ii) that the task group members be thanked for their work.

#### **8. Task Group report - services for women in and exiting prostitution**

The Executive had before them a report from the Director of Policy and Regeneration to which was appended the work and findings of the Overview and Scrutiny Committee's task group investigation into services for women entering and exiting prostitution. Councillor John (Task Group Chair) and Councillor Clues (Task Group member) were in attendance to introduce the report which had taken a year to complete due to its complexity. Councillor John advised that only a few councils had looked at this area and the task group had been set up following the publication of Eaves POPPY Project's report *Big Brothel* which highlighted the scale and nature of the brothel based sex industry in London. Another reason for concern was that international events were known to increase prostitution levels and Brent was an Olympic borough with Wembley at its centre. The Eaves POPPY project had found that Brent's local press had high levels of adverts for brothels. Street prostitution involved women from a range of backgrounds many of whom were coerced and vulnerable, most of whom would rather be earning their living in another way. Councillor John called for a change in attitudes and for the demand for prostitution also to be addressed. The task group had been disappointed that to date, unlike in neighbouring boroughs, the local press were reluctant to take steps to reduce the number of advertisements for brothels and prostitutes. The issues raised by the task group were supported and being taken very seriously by the police force and the Crime Prevention Strategy Group. Councillor Clues contributed that task group members had been surprised by the findings of the investigation, in particular the scale and location of the industry. Additionally it was more than a moral issue as it extended into other areas such as people trafficking and organised crime.

The Executive noted that the Task Group's recommendations included the lobbying of the London Mayor for a pan London prostitution strategy particularly to assist

Olympic London boroughs, an article in the Brent Magazine on the issue and a seminar for members following the local elections. In discussion, attention was drawn to landlords' responsibility to ensure that unlawful activity did not take in their properties and that they could be liable for prosecution if, once aware, they failed to act.

On behalf of the task group Councillor John thanked the police and health services, the Society of Local Authority Chief Executive's (SOLACE), the POPPY Project and Make a Change Ipswich. She also thanked the other task group members, Policy and Regeneration Unit officers Jacqueline Casson and Andrew Davies and other contributors for their work.

RESOLVED:

- (i) that the recommendations set out in the report be agreed;
- (ii) that the task group members and policy be thanked for their work.

**9. Brent's response to the Mayor's draft Climate Change Mitigation and Energy Strategy and draft Climate Change Adaptation Strategy**

Councillor Van Colle introduced the report which proposed a response to two documents from the Mayor of London on London's energy future and the draft Climate Change Adaptation Strategy for London. He drew attention to the report to the London Councils' Transport and Environment Committee as part of the consultation process on the climate change strategy and referred to the opportunity for a new green economy. Councillor Van Colle acknowledged that the funding required to deliver the strategy for London, £60 billion, was significant but felt it should be accepted that changes were necessary and everyone needed to contribute.

The Executive agreed the report.

RESOLVED:-

that approval be given to the Appendices 1 and 2 to the report from the Director of Environment and Culture as the council's responses to the consultation on Mayor's draft Climate Change Mitigation and Energy Strategy and draft Climate Change Adaptation Strategy documents.

**10. Redevelopment of SEN Provision at Hay Lane and Grove Park School**

The report from the Director of Children and Families reminded the Executive of the decision taken on 26 May 2009 to authorise officers to proceed to the design phase to develop a scheme to rebuild Hay Lane and Grove Park Special Schools as one school and to re-provide the borough's short break provision on the school site. The report now before members provided an update on the progress made in developing the rebuild scheme and the funding arrangements required to cover the costs. It sought the necessary authorities to progress the scheme to completion. Councillor Wharton (Lead Member, Children and Families) set out the financing strategy which aimed to keep the project within budget and which required the approval of the Schools Forum.

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 Para 3, Schedule 12(a) of the Local Government Act 1972 namely:

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

RESOLVED:-

*In relation to Hay Lane and Grove Park School Buildings:*

- (i) that approval be given to the rebuilding of the Hay Lane and Grove Park School buildings as one school incorporating the existing recently completed 16+ Centre on the basis of initial design work already carried out. This will be subject to the agreement of the Schools Forum on the funding arrangements set out in the report;
- (ii) that approval be given to the provision of the necessary temporary accommodation during the construction period, within the resources identified and as described in paragraphs 3.13 to 3.15 of the report from the Director of Children and Families;

*In relation to Short Break (Respite) Centre:*

- (ii) that approval be given to the relocation of the Short Break Centre (currently located at Crawford Avenue and Clement Close) to the site of the rebuilt Hay Lane School;
- (iv) that Crawford Avenue and Clement Close sites be declared surplus to the requirements of the council's Children and Families Services once the new building is complete which is estimated to be summer 2013.

*In relation to the Resource Strategy:*

- (v) that approval be given to the resourcing strategy set out in the report. In particular the affordability of the capital funding costs of the scheme as set out in paragraph 8 of the Director's report;
- (vi) that approval be given to submit to the Schools Forum for agreement the proposal that savings arising from the Dedicated Schools Budget be used to meet the annual costs of borrowing. (If agreement cannot be secured, a revised funding package will be developed for re-submission to the Executive);
- (vii) that the overall budget provision for the project at £29,395,000 as identified in the Director's report be noted.

*In relation to Procurement: Construction Contract:*

- (viii) that approval be given to the pre-tender considerations and the criteria to be used to evaluate tenders as set out in table 4 of paragraph 4 of the Director's report;
- (ix) that approval be given to the invite of tenders and their evaluation in accordance with the approved evaluation criteria referred to in (viii) above;

*In relation to supply of temporary classrooms:*

- (x) that approval be given to the pre-tender considerations and the criteria to be used to evaluate tenders as set out in table 4 of paragraph 4 of the Director's report;
- (xi) that approval be given to the invite of tenders and their evaluation in accordance with the approved evaluation criteria referred to in (viii) above;

*In relation to Procurement: Consultants:*

- (xii) that agreement be given to the appointment of an Overall Project Manager (PM) through to post contract and pre-construction stage, without following the usual quotation requirements of the Council's Standing Orders, on the basis of the good operational and financial reasons set out in paragraph 5 and Appendix 3 (Not for Publication) of this report;
- (xiii) that approval be given to the appointment of Frankham and its design team as a replacement for their previous appointment to continue with the design development work to the end of the defects liability period for the works but with a break clause to allow for termination at the end of RIBA stage E, in line with paragraphs 3.8, 3.9 and 3.12 of the Director's report.

## 11. **Brent Equalities Monitoring**

Councillor Sneddon (Lead Member, HR and Diversity, Local Democracy and Consultation) introduced the report which provided a profile of the council's workforce by the six diversity strands as well as information about the council's employment practices and achievements in the area of diversity, equality and community cohesion. He was pleased to report that progress continued to be made and that the council wished to do more than meet legal obligations but to now benchmark its activities against the Equality Framework for Local Government, a national standard.

RESOLVED:-

that the Equalities Monitoring Plan 2009 be endorsed.

## 12. **Consultation Strategy**

The Executive considered a report which presented a draft of the new Community Consultation, Engagement and Empowerment Strategy 2010/14 and which replaced the Community Consultation and Engagement Strategy 2006/09. The strategy was a framework partnership document, developed in the first instance between the Council and NHS Brent and overseen by the consultation board and

was open to be adopted by all member agencies of the local strategic partnership, 'Partners for Brent'. Councillor Sneddon (Lead Member, HR and Diversity, Local Democracy and Consultation) welcomed the strategy which would be published in May 2010 and provide a good foundation for the next four years and ensure good practice.

RESOLVED:-

that the Consultation Strategy be adopted 'in principle' document as the Community Consultation, Engagement and Empowerment strategy 2010/14 to be published formally in May 2010.

**13. Reference of item considered by Forward Plan Select Committee**

None.

**14. Any Other Urgent Business**

None.

**15. Exclusion of Press and Public**

RESOLVED:

that the press and public be now excluded from the meeting as the matter to be discussed concerns information exempt from the provisions of the Local Government Act 1972, Schedule 12(a) of the namely:

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

**16. Pyramid House, Fourth Way, Wembley**

The report from the Director Finance and Corporate Resources sought authority to renew the lease at Pyramid House, Fourth Way, or alternatively to lease suitable alternative accommodation.

RESOLVED:-

- (i) that approval be given to the renewal of the lease at Pyramid House at the rent stated below or other suitable alternative accommodation on terms no less favourable than as set out in this report;
- (ii) that the Head of Property and Asset Management be authorised to agree such other terms as he considers to be in the best interest of the Council taking into account service issues.

**17. Vote of thanks**

In the advent of the forthcoming local and parliamentary elections due to be held on 6 May 2010, members paid tribute to all retiring members of the Executive, past




and present, including the Vice-Chair and Deputy Leader Councillor Bob Blackman, and also thanked officers for their assistance over the past four years.

The meeting ended at 8.30 pm

P LORBER  
Chair

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	<p style="text-align: center;"><b>Executive</b> <b>23rd June 2010</b></p> <p style="text-align: center;"><b>Report from the Director of</b> <b>Children and Families</b></p>
<p style="text-align: right;">Wards Affected: Queensbury, Fryent</p>	
<p><b>Kingsbury Intergenerational Children’s Centre and co-located services – principles and site</b></p>	

## 1.0 Summary

- 1.1 This report outlines the services for children and families that would be offered from the proposed Kingsbury Intergenerational Children’s Centre. It explains the background to the Centre proposal which now includes a Phase 3 Sure Start Children’s Centre, facilities for Extended Services for children and young people and accommodation for the Kingsbury Early Intervention Locality Team.
- 1.2 This report also shows that the siting of this proposed centre at Kingsbury High School, on land off Stag Lane (shown in Appendix 1) is in the proximity of Roe Green conservation area. The report therefore sets out the context against which the planning application for this centre, if agreed by this Executive, would be taken forward.
- 1.3 This report also provides an update on this proposal and the current status of the project.

## 2.0 Recommendations

- 2.1 The Executive is recommended to approve in principle the development of the Kingsbury Intergenerational Children’s Centre (as it is described in the report) on the site of Kingsbury High School.
- 2.2 The Executive is recommended to approve the submission of a revised planning application for that scheme.

### **3.0 Background**

- 3.1 The Executive approved the development of a new build Intergenerational Children's Centre at Kingsbury High School in January 2009 as part of the Phase 3 Children's Centre capital programme. In March 2010, the Executive gave authority for officers to continue with the procurement process and to invite tenders for construction of the new centre. This report now provides this Executive with an opportunity to review the detailed proposal of the co-located services that are central to the offer from the Intergenerational Children's Centre. It also seeks to set out the context of Town Planning Framework in order to enable the Executive to agree to proceed with this scheme.
- 3.2 This project initially included a Phase 3 Sure Start Children's Centre and facilities for Extended Services for children and young people. The accommodation would have offered opportunities for wider community use as the proposed site is adjacent to a newly refurbished day centre for older people; therefore the centre became known as an Intergenerational Children's Centre. This would have been Brent's first purpose built Intergenerational Children's Centre and would represent a new way of working including various council departments working together to ensure best use of assets to meet the needs of the whole community including older people alongside younger people and families. This was approved by the Executive in January 2009 as part of the phase 3 Children's Centres capital programme. In May 2009, officers in the Children and Families Department successfully bid for capital funding of £1.4m from the Department for Education (formerly the Department for Children, Schools and Families) for co-location projects. The successful bid was made for capital funding to provide accommodation for Early Intervention Locality Teams to be co-located with children's centres and other services in three locations, including Kingsbury. It is a condition of the grant funding that the service provided is co-located with another complementary service in order to join up provision for families, particularly those most in need. An allocation of capital was made to the Kingsbury Intergenerational Children's Centre project and the design brief for the centre was adapted to include the new accommodation to allow for the co-location of the Early Intervention Locality Team alongside the Children's Centre. It is on this basis that the project has progressed. The Council is therefore joining up three funding streams in order to provide better and more cost effective infrastructural assets and enhanced services that can be delivered to local people cost effectively.
- 3.3 The proposed site for this centre is situated on Stag Lane and is part of Kingsbury High School's Bacon Lane annexe. The site is currently school playing fields and is situated immediately adjacent to the Stag Lane Pupil Referral Unit (PRU) and the Kingsbury Resource Centre (day centre for older people).
- 3.4 A planning application for the new building was submitted in March 2010 and subsequently withdrawn in May 2010 pending further detailed work. Planning approval will be required for this project and the Executive is asked to agree to officers making a new planning submission subject to approval in principle to the development.

## 4.0 Detail

### Services to be offered from Kingsbury Intergenerational Children's Centre

- 4.1 There will be three core council services offered from the Intergenerational Children's Centre; a phase 3 Sure Start Children's Centre, facilities for Extended Services and accommodation for the Kingsbury Early Intervention Locality Team.
- 4.2 The Sure Start Children's Centre element will offer drop-in and scheduled activities for children aged 0-5 years old and their families in line with the national core offer set out by the Department for Education. The children's centre will provide universal and targeted support for families and act as a base for outreach work, provide health advice, nutrition activities, parenting support, training and employment services, access to Citizens Advice Bureaux and Job Centre Plus, family support and counselling, sessional childcare/creche and drop in play sessions for families (supported by a qualified Early Years teacher). The most popular sessions in Brent children's centres are the drop-in activity session (Stay and Play) for parents and childminders. These offer excellent learning opportunities for children and their carers which contribute to giving children the best start in life and best preparation for starting school. There will be no full day care nursery provision at Kingsbury Intergenerational Children's Centre, however there will be formal links to existing childcare providers to ensure families have information about the choices available to them.
- 4.3 The second element of the core services covers children and young people aged 5-19 years old and is described as Extended Services. These activities will be developed to meet local need in line with the governments core offer for Extended Services in and around schools. The last needs gap analysis undertaken by the Kingsbury Locality Partnership Board identified that leisure activities for young people that also provide childcare or a safe place for young people are particularly in need in this locality. Similarly there is a need for more recreational activities for young people and more support to parents of children and young people from 0 – 19 years across the locality. This centre will have facilities that can be used to address some of these needs with for example family learning, after school clubs and holiday activities.
- 4.4 The third core element of services and activities is for children, young people and families with additional needs who live in the Kingsbury locality. This is the work of the Early Intervention Locality Team (EILT) and is part of a new project which will be family focussed with an emphasis on prevention and early intervention for children with additional needs. This is explained in more detail in the following paragraphs.
- 4.5 The Children Act 2004 promoted prevention and early intervention as a way of improving outcomes for children and young people. This was further reinforced by updated guidance for Children's Trusts, published in November 2008, which required agencies working with children to 'promote a sea change in early intervention' for children and young people. The integrated services agenda and the promotion of the Common Assessment Framework (CAF) has evolved in

Brent over the last four years and a range of different funding streams have been brought together to take this and the Every Child Matters agenda forward.

- 4.6 Five Early Intervention Locality Teams were established in April 2010 and work within the five Brent localities of Wembley, Kingsbury, Harlesden, Willesden and Kilburn. They are co-located with the Locality Children's Social Care teams which were established in January 2009. This will ensure that a continuum of support is provided, from early intervention to safeguarding children in need of protection.
- 4.7 Each EILT will be made up of Early Intervention Practitioners who will work across the 0-19 age range and be responsible for working with other agencies to identify, assess and support children and young people with additional needs. Each team will have practitioners with the following specialist skills: early years, schools and targeted youth support. One third of the support families will receive from the EILT includes direct delivery of interventions and front-line-support. This is alongside the direct work of the staff making up the Locality Children's Social Care teams.
- 4.8 The EILTs support the delivery of a seamless approach to meeting the additional needs of children and young people of all ages and their families, within the local area. Co-location with social care locality teams will enable a prompt and co-ordinated response to families, particularly when their levels of need change. The EILT work closely with all children's centres, schools, housing, voluntary agencies and health practitioners in the locality. The long term aim is that the work of the pre-exclusions officers and specialist Connexions PA's will be aligned with the EILTs.
- 4.9 The benefits of co-location for children and families with additional needs include:
- Additional needs of children and young people will be identified and addressed at the earliest stage;
  - Services will be locally accessible for families one centre can provide support from a range of professionals;
  - Families can visit one centre to access support from a range of professionals
  - Early intervention services for children and young people (0-19) and families will be delivered in a more integrated and well co-ordinated way;
  - Speedy access to specialist services to those who need it;
  - Locating the EIL teams within a range of services providing integrated universal support for all children and young people (Early Years & Extended Services) will enable a consistent integrated approach, and add impact to the range of provision for children with additional needs.
  - The teams will contribute to the local ambition to improve outcomes and to better safeguard and actively promote the wellbeing of Brent's children and young people.
- 4.10 In addition to the three core elements, the Centre will operate as an intergenerational centre and as a community resource. The intergenerational aspect reflects a way of working that encompasses joint working with the nearby Kingsbury Resource Centre - a day centre for older people. Alongside this, there will be more strategic work with the Adult Social Care Service to identify

opportunities for older people to use the centre and undertake intergenerational activities with children and young people; for example cooking sessions where older people can pass on recipes from their culture to younger people, oral history projects or help with children's reading. These types of activities are recognised as supporting the different needs of families, single parents and older people, some of whom suffer social isolation.

#### Site Options Appraisal and Site Selection

4.11 Sites were identified in the Kingsbury area as part of a workshop on Phase 3 Children's Centres with a range of Council and external partners. Sites were required to be situated within a catchment area for the Sure Start Children's Centre. Children's centre catchments areas had been drawn up in line with government guidance on average numbers of children per centre, that centres should be within walking distance of local families' homes and that the whole of the borough should be covered by a catchment area from one of twenty children's centres. 940 children under 5 years old live in the Kingsbury Children's Centre catchment area (based on July 2009 data used for planning purposes). It should be noted that at the time of the workshop and site selection, no properties within Kingsbury town centre were identified by corporate Property and Asset Management and the requirement to provide an Early Intervention Locality Team was not known. The Early Intervention Locality Team has a larger catchment area than the children's centre covering the whole of the Kingsbury locality which includes the Queensbury, Kenton, Fryent and Barnhill wards. The capital funding for providing accommodation for this team is provided on the basis of co-location with another relevant service. Potential properties and land were identified for development and/or partnership working within the children's centre catchment area. These are shown on the map at Appendix 2 and included:

- Eton Grove (site of former nursery on Eton Grove Open Space)
- Grove Park Kindergarten
- Grove Park and Hay Lane Special Schools
- Roe Green Infant School
- Roe Green Junior School
- 3 options within Kingsbury High School building and grounds

The two most feasible sites (Eton Grove and Kingsbury High) were visited and assessed for feasibility by a consultant team as well as officers from Property and Asset Management and the Children and Families Department. These two options were presented to the Executive in January 2009 with Kingsbury High School as the recommended site option (this was approved). The first of the two sites identified by Kingsbury High School as available was situated on Bacon Lane and the second, currently the proposed site, on Stag Lane. The location of this preferred site (Stag Lane) was made in consultation with all stakeholders in the project, including those responsible for the co-location and EILT project. The choice of site and nature of proposal was discussed with the Planning Service in June 2009.

4.12 Following the inclusion of the co-location funding, stakeholder workshops were set up to include all stakeholders in the briefing and design process. These workshops were externally facilitated and included representatives from Kingsbury High School, Stag Lane PRU, Social Care, Older Peoples Services, Children's Centres, Extended Services, Property and Asset Management and the

new Early Intervention Locality Team. The stakeholder workshops were productive sessions where all colleagues were able to discuss the ways in which these three core services as well as the opportunities for working with older people and the wider community would work.

- 4.13 The workshops informed both the choice of site and the design and layout of the proposed building. Stakeholders were keen to ensure that the centre was visible and accessible for centre users and staff. Issues of personal safety and access including modes of transport were discussed at length. The site on Stag Lane offered a highly visible centre for the local community which would be more accessible from public transport routes and safer to walk to, than the alternative site considered; this would serve to discourage the use of cars. A process of re-consultation with stakeholders has already begun.
- 4.14 In addition to practical considerations this site offers a unique opportunity to develop a campus of facilities for families and the wider community. Situated alongside the newly refurbished Kingsbury Resource Centre (used as a day centre for older people) it means that the services can work closely together and make best use of the available assets as well as strengthening the cohesion of the intergenerational way of working. This would include, for example, opportunities for young people to volunteer in the centre, family learning and older people supporting younger families with skills such as cooking and gardening. These types of activities are identified as important ways in which each council service area can meet its duties to its own client group and serve their needs well in creative ways. Situating the centre on the grounds of Kingsbury High School also represents a good opportunity for the school to be involved both with the extended services for young people which will be provided on site but also the children's centre, links with older people and the direct access to early intervention practitioners where young people have additional needs. There may be volunteering and work experience opportunities for young people and both the school and adjacent PRU will use some of the centre facilities, particularly the hall. The PRU does not currently have an indoor hall space and the Intergenerational Children's Centre next door will be able to provide timetabled use of those facilities to support the educational and extra-curricular experience for those students, in addition to the improved outdoor play facilities.
- 4.15 The proposed site is also close to the Stag Lane Medical Centre and easily accessible for those attending Grove Park and Hay Lane Special Schools. This enables partnership working.
- 4.16 Prior to the planning application being submitted in March a public consultation event was held. Approximately 700 local residents, including the local resident's association were invited to attend. Approximately 12 people attended that event.

#### Work Undertaken to Date and the Current Status of the Project

- 4.17 The project has progressed to planning alongside the procurement process for the construction of the new centre in line with Executive decisions. A planning application was registered on 26<sup>th</sup> March 2010 but subsequently withdrawn on 19<sup>th</sup> May following comments received from the Planning Service in respect of the proposal. Comments in respect of planning considerations are set out in



paragraphs 4.19. It was considered necessary to review the proposal, re-confirm the council's commitment to it, re-work the proposal and following a new planning application to re-consult with local people.

- 4.18 Alongside the planning process, officers have continued the construction procurement process as directed by members following Executive authority to proceed to tender given in March 2010. Tenders were received and evaluated and a report recommending a preferred contractor for appointment will be presented to the Executive at a later meeting.

#### Implications from Planning Policies

- 4.19 The proposed development is on playing fields that are owned by Kingsbury High School and used by Stag Lane Pupil Referral Unit. In planning terms the proposed development is considered a mixed use comprising a community use (Use Class D1) in the Sure Start Children's Centre and Extended Services and an office use (Use Class B1) in the Kingsbury Early Intervention Locality Team. The proposed development does not comply with the development plan on two in-principle issues relating to (a) development of open space and playing fields and (b) location of uses which are subject to the sequential test, which directs such uses to town or district centres.
- 4.20 The borough's development plan in this instance consists of the Unitary Development Plan (adopted 2004) and the emerging Core Strategy of the Local Development Framework (not yet adopted).
- 4.21 In terms of point (a), the impact of the loss of open space is contrary to the development plan in terms of the visual impact while the loss of the playing fields would contribute to the general deficiency in such space across the borough and be contrary to central government guidance. See related paragraph 6.10 in legal implications).
- 4.22 In terms of point (b), the impact of locating small-scale community facilities and office uses, both of which are considered better suited to town centre locations, in a more marginal location is contrary to the development plan which encourages non-car modes of transportation; thus such uses should be located where they are more easily accessible by public transport. There are also matters concerning sustainable development and climate change mitigation related to this.
- 4.23 It will be necessary to demonstrate that the proposed development can accommodate the requirements of the development plan. A pre-application meeting was held between officers of the relevant departments on 2 June and planning officers provided guidance on what they will need to consider when assessing any future application. To compensate for the loss of open space and playing fields, the proposed development would need to provide (a) a better quality play space; (b) a high quality building; (c) high quality landscaping; and (d) contributions to open space improvement in the locality. With regards to the principle of locating town centre uses in this location, it will be necessary to demonstrate an overwhelming merit of co-locating these services on this location both in terms of the synergies derived and proximity to the client-base.

- 4.24 Officers will then submit a revised planning application reflecting this. Planning officers will also give weight to the response of the Executive on the basis that this report sets out the planning implications of the proposed development and also the aims and objectives the proposal and the history of the site selection. The council's Planning Committee will of course be required to consider the application strictly on the planning merits, and taking into account any representations received, regardless of the Executive's approval of the development.

#### Programme Implications and Risk

- 4.25 The risks attached to this project are largely driven by funding and time pressures. The capital project is funded entirely from external grant funding. The deadline for the centre to be operational is the end of March 2011 to meet the first funding deadline and the associated deadline for the Department for Education that all children's centres should be completed by that date. The works will take 29 weeks from award of contract to completion. The current major risk is if planning permission cannot be granted for this project on this site. This puts at significant risk the council's ability to provide an Early Intervention Locality Team in permanent premises in the Kingsbury locality (the team has to vacate the current temporary accommodation by the end of March 2011) as well as the council's statutory duty to provide a children's centre serving children under 5 living in the Kingsbury area. Alongside this, £1,500,000 of external capital grant funding is allocated to this project and will be lost if a relevant project cannot be completed within the funding period. Whilst it might be more possible in planning terms to provide a standalone children's centre from this site and use that element of funding, the circa £1million allocated from extended services and co-location grants would not be spent and there are currently no other projects identified where this funding could be used before the funding deadlines at the end of August 2011. In this case, the council would lose that opportunity to maximise grant funding to provide community assets.
- 4.26 There are specific risks now attributed to this project in respect of grant funding. The first instalment (£354k) of the Co-location Fund grant is due to be paid over to the Council on 2<sup>nd</sup> June 2010, with the remaining allocation of £1.062m due to be paid over in the following three quarterly instalments of the year. This total funding is to be allocated to this scheme at Kingsbury and also the scheme at Challenge House on an approximately 50:50 basis. There is no current contractual commitment to either of these schemes. Recent communication from Partnership for Schools (for DfE) has indicated that in the light of the announcement from the Chancellor of Exchequer about an emergency budget (scheduled for 22<sup>nd</sup> June 2010) and the need to reduce public expenditure there is a risk that indicative allocations, including the Co-location Fund, for the year may be revised and subsequent quarterly payments adjusted to reflect this. If the Council enters into contractual commitments on this and the Challenge House scheme before the funding situation is finalised there will be an element of risk that the Council will have to meet any shortfall in the grant received for which there is no budget provision. If the balance of £1.062m was required to be met from additional unsupported borrowing this would require borrowing costs of approximately £75k per annum over 25 years to be met from revenue.

4.27 The Executive will have the opportunity to review this proposal again before the council becomes contractually committed. Officers intend to seek authority to award the construction contract for this project at the July 2010 Executive meeting by which time it is hoped that communication from central government regarding the funding position will have been received. Authority to award the contract will be sought subject to planning approval but by the July meeting a planning application will have been made by the Children and Families Department in consultation with the Planning Service and this will be reported to Members.

4.28 The key risks are summarised in table 1 below (in no particular order):

No.	Risk	Impact	Mitigating Measures
1	Planning approval is not granted	<ul style="list-style-type: none"> <li>• Project cannot go ahead on proposed site</li> <li>• Capital grant funding may be lost</li> </ul>	<ul style="list-style-type: none"> <li>• Obtain Executive approval to principle of co-located service on this site and authority to re-submit a revised planning application</li> <li>• Consult with planning service in detail on requirements for re-submission</li> </ul>
2	Some or all capital grant funding is withdrawn (see financial implications) or lost due to project circumstances (see above risk)	<ul style="list-style-type: none"> <li>• Depending on point at which funding is withdrawn; impact could be medium or high. If all of funding is withdrawn project cannot go ahead, if some funding is withdrawn some elements of project could potentially go ahead.</li> </ul>	<ul style="list-style-type: none"> <li>• Consider fall-back positions to enable services for children and families to be provided in another way</li> <li>• Ensure that council responds quickly to budget announcements</li> </ul>
3	Project programme cannot be completed by end of March 2011	<ul style="list-style-type: none"> <li>• EILT team have no accommodation past March 2011</li> <li>• Funding may be lost if not spent in financial year</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure suitable alternative accommodation arrangements are made as fall-back position</li> <li>• Ensure that financial processes are followed to ensure capital grants are spent in accordance with conditions and funding deadlines</li> <li>• Ensure key decisions and critical path of</li> </ul>

			project is well managed and accelerated where possible
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Table 1

- 4.29 Currently the programme indicates that it is just possible to complete this project on time providing that a planning application can be made in early July and that application is supported and successful when considered by planning committee in August/September. The key dates are summarised in table 2 below:

Action	Key Dates
Planning application submitted	12/7/10
Executive authority to award construction contract granted subject to planning approval	26/7/10
Planning application approval received	15/9/10
Contractor appointment	16/9/10
Construction works complete	25/3/11

Table 2

### Governance and Management of Intergenerational Children's Centre

- 4.30 The Governing Body of Kingsbury High School have agreed in principle to governing the children's centre service in line with DfE and Council requirements (in meeting of 4<sup>th</sup> February 2010). In the same meeting the Governing Body also agreed formally to the use of the school site for the Early Intervention Locality Team alongside the Children's Centre and Extended Services, making the centre an Intergenerational Children's Centre. The school recognises the obvious benefits of having such a facility on the school site and fully support the development of the intergenerational children's centre on their site. This is likely to be supported by a service level agreement between the school and council as well as a lease governing the building and land use.

## **5.0 Financial Implications**

- 5.1 The capital cost of this project will be funded entirely from external capital grant funding received from Department for Education: Sure Start, Extended Services and Co-location. Sure Start grant must be spent by March 2011 and Extended Services and Co-location by August 2011. The Extended Services funding is carried forward from 2008/09.
- 5.2 A budget allocation of £1,500,000 was made available for this project from the overall children's centre capital programme. Whilst there are communal spaces, the proportion of costs attributable to each funding stream is based on the floor areas directly attributable to each service area.
- 5.3 Members should note that if the grant deadlines detailed in paragraph 5.1 above are not met any unspent funds will become repayable to the allocating body.

Further, if unspent funds are repaid, then the Council will be required to bear the risk on any remaining contract costs to complete the project, for which there is no budget provision. Members should also note the risks in relation to grant funding highlighted in paragraph 4.26 and 4.27.

- 5.4 The revenue budget for the children's centre element of this centre is provisionally set as £150,592. This is based on current funding levels and is given with the caveat that budgets are likely to change in light of governments spending review later in the year. The total budget for the Early Intervention Locality Team for the Kingsbury locality is approximately £705,000 (this includes the Locality Children's Social Care team).

## **6.0 Legal Implications**

- 6.1 In 2009 the Childcare Act 2006 was amended to require that arrangements made by local authorities for early childhood services had to include provision of sufficient children's centres to meet local need. Accordingly the Council is under a duty to provide children's centres, subject only to being satisfied that there is a need to be met. Under Schedule 2 of the Children Act 1989, the Council is also under a duty to provide family centres for all children within its area, for the purpose of social and recreational activities, and for advice. Schedule 2 also contains a duty on the Council to provide services for children in need, to prevent them from suffering ill-treatment or neglect.

- 6.2 In addition, section 11 of the Children Act 2004 places the Council as children's services authority under a duty to ensure that its functions are discharged in a way which promotes and safeguards the welfare of children. Under section 10 of the same Act, the Council is also under a duty to co-operate with other agencies with a view to improving the well-being of children in its area, as relating to:

- a. Physical and mental health and emotional well-being
- b. Protection from harm and neglect
- c. Education, training and recreation
- d. The contribution made by them to society
- e. Social and economic well-being

Accordingly there are wide powers to provide services such as Early Intervention Services and Extended Services, especially in co-operation with other agencies."

- 6.3 The school site is in the freehold ownership of the Governors of Kingsbury High School given the School's Foundation School status. There will therefore need to be development agreement with the school to enable the scheme to be undertaken by the Council

- 6.4 The School has agreed in principle with the heads of terms for the Scheme. The final terms will be subject to the approval of the Head of Property and Asset Management of the Council

- 6.5 To enable the Council to comply with the Department of Education (DfE) conditions for Sure Start capital project comprised in the Children's Centre the School will grant the Council a 25 year lease of the Intergenerational Children's Centre site.

- 6.6 The 25 year lease will be granted by the School on completion of the development works by the Council as part of a conditional agreement for lease with the School.
- 6.7 The site for the Intergenerational Children's Centre forms part of school playing fields for which the Secretary of State's Consent is required under the School Standards and Framework Act .1998 ("the 1998 Act ")
- 6.8 It will be a condition of the development agreement that the scheme falls within a playing field Consent issued under the 1998 Act.
- 6.9 A General Consent was issued in 2004 by which consent is deemed to be granted under the 1998 Act in respect of the disposal/change of use of playing fields for particular purposes in accordance with specified criteria.
- 6.10 As the owner of the land under the 1998 Act the School make the relevant submission to the DfE. The school have made this determination and submitted the relevant application to the DfE. The determination is that the proposed change of use falls within the criteria for general consent.

## **7.0 Diversity Implications**

- 7.1 The proposals in this report have been subject to screening and Officers believe that there are no diversity implications for the immediate purposes of this report. An Impact Needs/Requirement Assessment is being drafted on the Intergenerational Children's Centre to ensure it adequately reflects the current service proposal.

## **8.0 Staffing/Accommodation Implications**

- 8.1 Suitable or alternative accommodation for the Kingsbury Early Intervention, Locality team will need to be found (from end of March 2011) if this proposal is not implemented.

### **Background Papers**

- i) Executive Report – 19<sup>th</sup> January 2009 - Review of Phase 2 Children's Centres and Development of Phase 3 Children's Centres
- ii) Executive Report – 15<sup>th</sup> March 2010 – Authority to tender works contract for a new build Intergenerational Children's Centre at Kingsbury High School

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**John Christie**

Director of Children and Families

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**NOTES:**

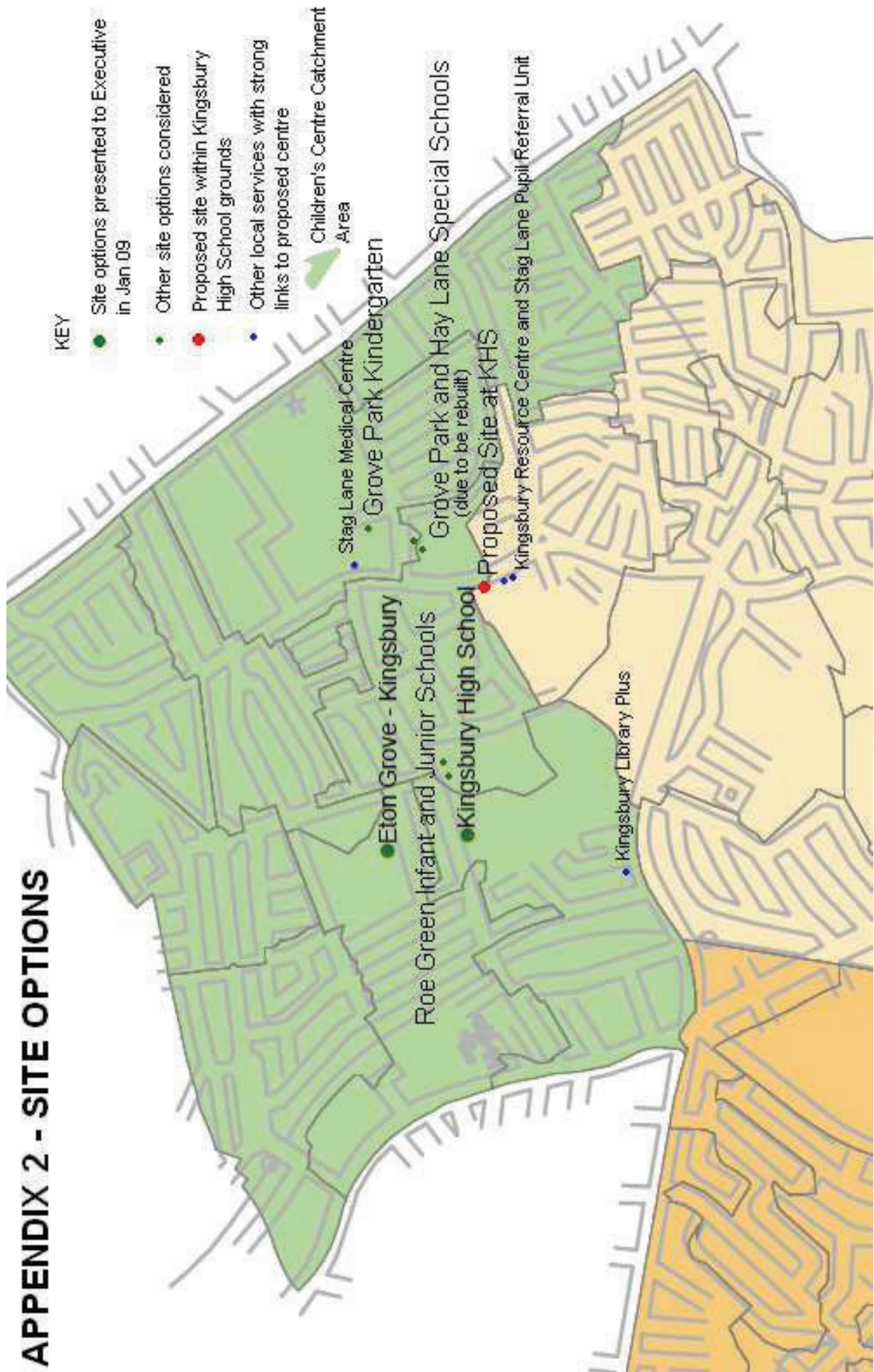
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# APPENDIX 2 - SITE OPTIONS



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	<p style="text-align: center;"><b>Executive</b> 23 June 2010</p> <p style="text-align: center;"><b>Report from the Director of Children and Families</b></p>
<p style="text-align: right;">Wards affected: ALL</p>	
<p><b>Authority to Award a Construction Contract for the Expansion of Sudbury Primary School from 3FE to 4FE.</b></p>	

## APPENDIX 2 IS NOT FOR PUBLICATION

### 1.0 Summary

- 1.1 This report requests Executive approval for the award of a contract in relation to the construction works at Sudbury Primary School, estimated at £7,068,885. The contractor is from the IESE (Improvement and Efficiency South East) Buildings Work-stream Construction Framework. These works will involve part newbuild and part remodel and refurbishment of existing buildings to provide additional capacity at Sudbury Primary School to enable them to accommodate an expanded 4FE [840 children from Year R to Year 6 plus a Nursery] Primary School.

### 2.0 Recommendations

The Executive is recommended to:

- 2.1 Note the award of a contract for pre-construction services in the sum of £35,241 to Morgan Ashurst in relation to the construction works at Sudbury Primary School.
- 2.2 Agree to the award of a contract to Morgan Ashurst with a maximum sum of £7,068,885 for the construction works at Sudbury Primary School to provide part new build accommodation and part remodel (and refurbishment) of the existing buildings.

### 3.0 Detail

- 3.1 Sudbury Primary School is a maintained Local Authority Foundation School. The



school specialises in art, music and ICT teaching and there are accelerated programmes in all year-groups to cater for more able pupils; its pupils come from diverse ethnic and cultural backgrounds. It was identified as one of the schools to be expanded by 1FE with funding mainly from the PCP resource allocation.

- 3.2 In its Primary Capital Programme - Primary Strategy for Change (PCP- PSfC) submitted to the DCSF in June 2008, the Council acknowledges an increasing demand for school places across all year groups, with most acute demand in central and west Brent, particularly in Wembley Central, Sudbury and Alperton wards, where the majority of primary school places are full.
- 3.3 At their meeting of 26 May 2009, Executive approved the allocation of up to £6.50m from PCP funding to support the expansion proposal by 1FE at Sudbury Primary School, supported by the school's own resources of £1.5M and, if required, a School Loan of up to £300k to address its specific accommodation requirements, including an external canopy and an additional wet play area to the main hall for pupils. The total provision for the scheme is now an estimated £8,264,459 of which the maximum construction cost is £7,068,885. A breakdown of scheme budget is detailed below:

<b>Total Scheme Costs</b>	<b>Source</b>	<b>Available Amount</b>
£8,264,459.00	Primary Capital Programme	£6,500,000.00
	Budget Share	£1,252,000.00
	Devolved Formula Capital	£248,000.00
	Loan under School Loan Scheme up to:	£300,000.00
<u>£8,264,459.00</u>		<u>£8,300,000.00</u>

This budget will enable the following scheme costs to be met:

<b>AMOUNT</b>	<b>ELEMENT</b>
<b><u>Fees</u></b>	
£1,060,333	Design Team
£35,241	Pre-Construction
<b><u>Construction</u></b>	
£7,068,885	Construction contract
<b><u>FFE</u></b>	
£100,000	Furniture and Fixed Equipment

- 3.4 In addition to the main contract, a total of £408,250 Sure Start monies is budgeted against the new-build Children's Centre, landscaping and ground works services. The procurement and works package for this package of works is not the subject of this report. It is being procured separately given the different nature of the building and construction technology. The procurement for this will begin shortly with a contract award aimed for Autumn 2010 upon confirmation of Planning approval.

### Project details

- 3.5 The expansion of Sudbury Primary School, by 1FE to 4FE is an essential step that enables the Council to meet its statutory duty to provide school places; it features as a high priority in the Council's March 2009 submission to the former DCSF (now DfE) for funding from Primary Capital Programme (PCP).
- 3.6 Works to the main school building include a new-build classroom block, incorporating larger classrooms that can support the primary approach to learning, new-build group learning areas, a new music room, a new-build hall and associated facilities which will allow the school to carry out whole school assemblies, thematic based learning, cross curricular work and community engagement. In remodelling the existing buildings clearly defined space will be created for a library which can function as a central point for the school. In addition, the project incorporates remodelling to Year 1 areas, reception, staff/administrative and Nursery areas and refurbishment to classrooms and drama areas. The front of the main entrance is to be redesigned by the introduction of a defined entrance to the school; soft landscaping will be introduced at boundaries and within play areas; the existing site perimeter fencing is to be heightened and in parts replaced to increase security. Sustainable measures, as outlined in paragraph 3.29 are also an integral part of the expansion project at Sudbury Primary School.
- 3.7 In order for the school to effectively offer required additional places from September 2011, a contractor must be appointed and take possession of the site as soon as the school closes for the summer holiday on 16 July 2010.

### Appointment of Lead Design Consultants

- 3.8 Mace Ltd was appointed (following a Mini Competition) from the Council's Framework Agreement for Property Services as the multi-disciplinary Lead Design consultants. Frankham's, also from within the Council's Framework were appointed to carry out the cost consultancy and Mechanical & Electrical (M&E) services design. In reviewing the programme to deliver the expanded capacity of Sudbury Primary School, Mace recommended that a contractor be appointed from an existing Framework Agreement that has already been tendered in accordance with the European Union procurement rules. The IESE Buildings Work-stream Framework for Major Projects is one such Agreement.

### Options for Procurement

- 3.9 Given the pressure on the Council to find sufficient school places, two procurement options were considered for the Sudbury expansion.

### OJEU

- 3.10 Initially, the Official Journal of the European Union (OJEU) process was considered. This route could have been used to award any form of construction contract eg Design and build, traditional single or two-stage contract. This route involves placing an advert in the OJEU - however it would have been a relatively protracted process which could have put at risk meeting the target date of completion by September 2011.

## The IESE Procurement and its Benefits

- 3.11 In essence, the IESE Framework Agreement was established following an EU-compliant process and any call-off is on the basis of most economically advantageous tender. The IESE Framework is one to which a number of contractors have been appointed after testing on minimum standards of economic standing and technical capacity. The framework is structured to provide for traditional procurement using a two-stage contract (ie pre-construction services and then the main build contract). The added value of this IESE procurement route is that it allows for open book accounting with the main and sub-contractors, enabling the Council and appointed consultants to audit the cost management process during the pre-construction and construction phases. Under the IESE Framework rules, it is necessary to run a mini-competition process among the participating contractors to appoint a contractor for the pre-construction phase, and there is no contractual obligation to proceed to contract award until the contract proposals are offered at the end of the construction phase.
- 3.12 Using the IESE Framework Agreement will allow the Council to procure the required part new-build, part remodelling and refurbishment works within the timeframe permitted by the terms of the IESE Framework Agreement with reduced expenses incurred. Officers therefore regard the Framework Agreement to be beneficial for procuring the construction works contract at Sudbury Primary School. The benefits include:
- Programme time saving and programme certainty
  - Cost certainty earlier in the process - open book policy
  - Comprehensive risk reduction earlier in the process
  - Collaborative working
  - Contractor certainty - already pre-qualified on financial stability and quality
  - Resources are minimised when compared to the OJEU procurement route
  - Process - KPI's and Stage approvals, following the RIBA design stages.
  - All contractors have worked on schools
  - The opportunity is there to ensure that continuous value engineering of the project is meeting its objectives of cost certainty.
  - Updated management and project specific preliminaries costs, if necessary
  - Alignment of the cost plan with design development and budget
  - Negotiations with subcontractors and suppliers to achieve best value costs within cost plan
  - Designing out risk and increasing buildability within project budget
- 3.13 It was therefore decided to proceed with using the IESE Framework. A report was submitted to the Directors of Children & Families and Corporate & Finance Resources setting out the case for accessing the IESE Framework. That report was approved in February 2010. As required by Contract Standing Orders, the Borough Solicitor also confirmed that it was legally permissible to call-off from that framework in November 2009.

## The process required to be followed by the IESE Framework

- 3.14 Under the rules of the IESE Framework, the IESE team at Hampshire County Council run an Expression of Interest process to identify relevant contractors on



behalf of the participating authorities, in this case Brent Local Authority, in relation to the required construction works at Sudbury Primary School.

- 3.15 Following an evaluation of the Expressions of Interest, the appointment of a preferred contractor using the IESE Procurement Framework is based on structuring the Mini-Competition Tender Documents around the specific stakeholder and project requirements. It enables the contractor to fully understand these requirements and prepare an initial Draft Execution Plan (DEP) identifying risk and issues within the project. The evaluation criteria scores the (DEP) in addition to their cost and ability submissions. The transparency of this approach allows the stakeholders and Design Team to fully assess the contractors' competence and suitability to deliver this complex project.

#### The Expression of Interest process

- 3.16 All ten IESE Framework Agreement contractors were invited to express their interest against outline project information including their preferred type of work, their relevant experience, capacity and their geographical presence. All ten contractors on the framework chose to express interest and were evaluated.
- 3.17 The evaluation carried out by MACE on behalf of LBB with guidance from IESE is based on the contractors' overall performance (KPIs on finance, quality, programme and satisfaction – information is managed and supplied by IESE managers. That information is provided direct by IESE and sourced from previous Framework projects), capacity and relevance to undertake the project. One contractor was excluded at this stage on the advice of the Borough Solicitor, because of a risk of bias; this was because the contractor concerned was part of the same group of companies as one of the Council's consultants on this project.
- 3.18 Following the evaluation of the Expression of Interest, the top three contractors were (as identified in Appendix 2 – not for publication):
- Contractor A
  - Contractor B
  - Contractor D

#### Tender process

- 3.19 Following the evaluation of Expressions of Interest, invitations to tender were issued on 15 February 2010 to the three contractors who scored top three highest and able to enter the mini-competition. The mini-competition was held to enable the selection of a contractor to be appointed under a call-off contract for pre-construction work to include design work, to inform on technical solutions best suited to the scheme requirement and the development of a cost plan.
- 3.20 A full breakdown of the criteria and requirements was issued to the three contractors covering project description, duties of the framework contractor and the ability (competence to carry out the work) and cost submissions.
- 3.21 The written tender submissions were evaluated by the Design Team led by MACE and including Frankham as the Cost Consultant; the contractors were awarded marks based on the agreed evaluation matrix, detailed in the tender report as shown in Appendix 1.

- 3.22 Interviews were carried out on 11 March 2010 in accordance with the criteria set out in section D.2.7 of the IESE Invitation to Mini Competition and jointly evaluated by the Design Team, Sudbury Primary School and a Brent Council Officer - Children & Families. The primary purpose of the interview was to seek clarification on the understanding of the scheme and the school's requirements based on an agreed schedule of questions applicable to all three contractors. The interview confirmed Contractor A's ability to deliver the project within the budget and programme constraints.
- 3.23 The evaluation report at Appendix 1 gives the detailed evaluation and the strengths of the highest scoring bidder. The overall final percentage scores are summarised as follows:
- Contractor A 78.4%
  - Contractor B 64%
  - Contractor D 52.8%
- 3.24 Following completion of the evaluation process, the evaluators recommended that the contract for Pre-Construction Services be awarded to Contractor A, Morgan Ashurst. Appendix 1 also sets out the particular strengths of their tender. The award of the contract for Pre-construction services to Morgan Ashurst was agreed by officers under delegated powers.
- 3.25 A breakdown of Contractor A's Pre-construction Stage Management Structure and Costs submission has been received from Morgan Ashurst. It supports the reasoning behind the evaluation process selecting this contractor as the main contractor to successfully deliver the expansion scheme at Sudbury Primary School. Officers now wish to proceed with the award of the main construction contract to Morgan Ashurst.
- 3.26 Subject to Executive approval to appointing Morgan Ashurst as the main contractor it is anticipated that start on site commences on 19 July 2010 and delivery of the completed project by September 2011. The Council through Mace, as architect and lead consultant, will retain control over the final design to ensure that proposals meet the aspirations of the client team. Contractor A, thus being appointed initially at Pre-construction stage will feed into the design development stage alongside the Design and Client Team from RIBA Stage E.
- 3.27 The financial implications of appointing Morgan Ashurst through the IESE Procurement route has enabled the early introduction of the contractor to the School and the Council to ensure the expansion to 4FE is delivered with minimal disruption to the operation of the school. In addition to the contractors design/buildability advice to the Design Team, all the intrusive surveys and investigations (Level 3 asbestos, structural, M&E services, opening up works, fire) have been completed during the school holiday periods well before the main contract commencement, highlighting any construction/programme issues impacting on the budget, therefore assuring the output cost certainty of the contract
- 3.28 The Planning Application for the scheme received approval on 14<sup>th</sup> April 2010, with conditions which include:
- A contribution of £10,000 towards off-site transport improvements;
  - Hard and soft landscaping scheme to be approved prior to commencement on site

- An approved School Travel Plan
- Sustainability measures are to ensure BREEAM Excellent rating on the new build elements.

3.29 In accordance with the signed Section 106 Agreement, the BREEAM requirement for the school is 'Excellent' for the new build elements and 'Very Good' for all refurbished areas. However, the aspiration of the Council, School and Design Team is to exceed this requirement and to achieve 'Excellent' for the overall project. In order to achieve this rating the project includes the following sustainable elements within the design:

- Air source heat pumps for general heating
- Photo-voltaic roof to the Year 5/6 block
- Sedum (green roof) to new Year 1 classrooms
- Water and energy saving devices to all areas

3.30 By appointing Morgan Ashurst through the IESE Framework for Pre-construction services, the Council benefits from their early input into achieving BREEAM credits at the design stage, reducing financial pressures during the construction phase to reach the BREEAM requirement.

3.31 The form of build contract will be JCT SBC/WQ 2005. The indicative works contract sum (subject to continuing Value Engineering), reducing the contingency allowance from 9.50% to 8% and establishing further cost savings) is to be no higher than £7,068,885.

#### **4.0 Financial Implications**

4.1 The report notes that utilising the IESE Framework Agreement that facilitates bringing on board a contractor at an early stage of the procurement process enables the principles of Best Value to be adhered to, as outlined in paragraphs 3.12 and 3.27 and how tasks enabling cost certainty during pre-construction and post construction phases may be achieved.

4.2 The Council's Contract Standing Orders state that works contracts exceeding £1,000,000 (High Value Contracts) shall be referred to the Executive for approval. Accordingly, as the indicative contract sum exceeds £1,000,000 and is no higher than £7,068,885 and is an additional cost to the pre-construction stage management works cost of £35,241 the totals of which is to be funded by PCP monies, the school's own resources and, if required, a School Loan of up to £300,000, as shown in paragraph 3.3, the Executive is hereby being requested to approve the works contract to Morgan Ashurst, thus enabling works to start with immediate effect of the school closing for the coming summer holiday period.

4.3 Primary Capital Programme monies allocated to the Sudbury Primary School expansion proposal is confirmed as up to £6.5m of total project costs of £8,264,459,. The School is contributing £1.5m towards the cost of a new-build hall and associated facilities and, if necessary, take a School Loan of up to £300k to meet build costs that addresses the school's additional build requirements. An amount of £408,250 is budgeted against the new build Children's Centre and is to be resourced from Sure Start.

- 4.4 To date the council has received Primary Capital Grant totalling £4.655m of which £2.533m has been spent during 2009/10 leaving a balance of £2.120m. There is an allocation of £7.033m due for 2010/11, which will provide sufficient funding for the scheme, but has not yet been received. Approval of the recommendations to this report, in the current climate of grant cuts from central government, will accept an element of risk that the council will have committed to this scheme before the funding is guaranteed and passed over to the Council.
- 4.5 Full details on the PCP funding allocation over funding Phases 1 and 2 are reported in the 26 May 2009 Executive Meeting paper.

## **5.0 Legal Implications**

- 5.1 Brent Council has a statutory duty to provide school places where needed; the proposal of the part new-build and refurbishment project to enable expansion of the Sudbury Primary School's capacity will facilitate the Council in its duty.
- 5.2 Normally a works contract that is above the EU works threshold of £3,927,260 requires the use of an EU-compliant tender process. However there is no need to comply with this where a call-off is made from an EU-complaint framework. The use of framework agreements is permitted within Council Standing Order 86(d) and, provided that there is compliance with EU law and internal rules of the particular framework, individual call offs do not require the following of an individual tender process. However, it is necessary for the Chief Officer, Borough Solicitor and Director of Finance and Corporate Resources to confirm that participation is legally permissible as per Standing Order 86 (d) (ii), each time a call off from another contracting authority's framework is proposed.
- 5.3 Confirmation was obtained from the Borough Solicitor on 19 November 2009 that participation in the IESE Framework is permissible. Authority and approval was obtained from the Director of Children and Families (11 February 2010) and from the Director of Finance and Corporate Resources (15 February 2010) to use the IESE Framework and the process to appoint a contractor by this means was entered into.
- 5.4 The IESE Framework is unusual in how financial evaluation occurs. Rather than a quantitative model, the cheapest tenderer is awarded the highest mark out of 5, with the most expensive tenderer awarded the lowest marks out of 5. While unusual, adopting a particular framework also means using the rules of that framework, so Brent had no other way open to it for evaluating price.
- 5.5 This report now seeks to award the final stage construction contract, as required under the Council's Contract Standing Orders, where estimated construction works exceed £1,000,000 (High Value Contracts). The indicative main works contract sum is not expected to exceed £7,068,885.

## **6.0 Diversity Implications**

- 6.1 Sudbury Primary School is situated in a relatively socially advantaged area, but caters for pupils from a wide socio-economic mix. Pupils come from diverse ethnic and cultural backgrounds and the main languages spoken other than English are Tamil, Urdu, Gujarati and Somali.

- 6.2 The number of pupils with learning difficulties or disabilities is relatively high, but the school is nevertheless strong in KS2 standardised assessment tests and has been put in the top 5% of schools nationally.
- 6.3 The design strategy and the building form will support the education delivery, facilities and amenities for all, including the children and families who need these services most in the expansion programme as detailed in this report and so to enhance their inclusion.

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

- 7.1 Sudbury Primary School has a long serving number of staff members who have served the school well in delivering the education curriculum and have helped to raise standards in buildings that are not equipped to cope with the requirements of modern teaching methods.
- 7.2 The building works, as proposed in outline in paragraph 3.6 and further detailed in the 26 May 2009 Executive Report, will improve conditions of teaching accommodation and will thereby facilitate the organisation, management and operation of teaching systems throughout the school.

## **Background Papers**

- i) Sudbury School file - AMS
- ii) Executive report, 26 May 2009: Sudbury Primary School - PCP for expansion
- iii) Mace Feasibility Study – March 2009
- iii) Mace - Procurement Strategy Discussion Document - 8 October 2009
- iv) IESE Construction & Asset Management Partnership - Invitation to Mini-Competition - Sudbury Primary School

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**John Christie**  
**Director of Children and Families**

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## PROCUREMENT REPORT (AN EXTRACT)

### SUDBURY PRIMARY SCHOOL PRE-CONSTRUCTION SERVICES

The procurement process commenced for Sudbury Primary School with the IESE (Improvement and Efficiency South East) Framework Managers issuing an invitation for an Expression of Interest (Eoi) on 11<sup>th</sup> November 2009 to the 10 contactors appointed on the Framework including:

- Kier
- Wates
- Warring
- Balfour Beatty
- Wilmott Dixon
- Mace Plus
- Mansell
- BAM
- Fitzpatrick
- Morgan Ashurst

The Expressions of Interest were returned to IESE, evaluated and moderated by Don Joyce IESE Framework Manager (see Appendix 1). The top three contractors (following elimination of one contractor for potential bias) were:

1. A – 93.3%
2. B – 88.9%
3. D – 87.8%

Invitations to the Mini-Competition were issued to these three contractors on 15<sup>th</sup> February 2010, returned 8<sup>th</sup> March 2010. The tenders were evaluated by the Design Team (Mace – Design and Project Management and Frankhams – Cost). The Contractors were awarded marks based on an agreed evaluation matrix.

Contractor interviews were carried out on 11<sup>th</sup> March 2010 and jointly evaluated by the Design Team, Sudbury Primary School and Brent Council, the final evaluation matrix as agreed by the evaluation team following completion of the interviews is detailed below:

	Element	Weighting	A	D	B
			Score out of 5		
Ability	Management Structure and Costs	0.12	4	3	3
	Logistical Approach and Preliminaries	0.08	4	3	3
	Procurement & Supply Chain Strategy	0.08	4	4	4
	Organisation, Communication Arrangements	0.08	4	3	3
	Design Development	0.08	3	3	3
	Programme & Programme Efficiencies	0.12	4	3	4
	Interview scores	0.16	4	2	3
	<b>Total (Max 35)</b>		<b>27</b>	<b>21</b>	<b>23</b>
Cost	Costs and Benchmarks	0.08	4	2	3
	Pricing Submission	0.20	4	2	3
	<b>Total (Max10)</b>		<b>8</b>	<b>4</b>	<b>6</b>
	<b>Total score</b>		<b>35</b>	<b>25</b>	<b>29</b>
	<b>Total Weighted Score</b>		<b>3.92</b>	<b>2.64</b>	<b>3.20</b>
	<b>Weighted % of maximum available</b>	<b>100%</b>	<b>78.4</b>	<b>52.8</b>	<b>64.0</b>

It is the recommendation of the evaluation panel that the contract for Pre-Construction Services be awarded to Morgan Ashurst for the following reasons:

### Ability

MA demonstrated above the other two contractors a comprehensive project understanding and the added value they could bring the project ensuring cost and programme targets would be adhered to, this included:



- Early development of relationship and trust between the stakeholders
- Recognition of risk, how they can be managed and shared
- Understanding of design constraints and the management of the risk involved within the design development process
- Development of cost plan to inform design decisions
- Development of enhanced design solutions
- Reduction in unnecessary cost
- Full understanding of site logistics – buildability issues, protection measures around phasing, general management of H & S issues
- relevant project experience (Preston Manor High School, Wembley)


### **Cost**

IESE have confirmed that OH&P, pre-construction costs and preliminaries submitted by all three contractors are in line with framework rates.

MA provided relevant benchmarking information indicating where the current Frankhams Cost Plan is positioned in relation to similar completed projects. On this basis the Design Team were confident that the benchmark rates between £1,230 - £1,850m<sup>2</sup> would offer potential savings on the current project cost plan of £1,800m<sup>2</sup>.

In addition to the benchmark rates the understanding demonstrated by MA of the construction issues and risks inherent within this project leads us to the recommendation that Morgan Ashurst is the preferred contractor to take this project forward into detail design.

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	<b>Executive</b> 23 June 2010  <b>Report from the Director of Environment and Culture</b>
Wards Affected: ALL	
<b>Brent LDF - Adoption of Brent's Core Strategy</b>	

## 1.0 Summary

- 1.1 This report asks Executive to recommend that Full Council of 12<sup>th</sup> July adopts Brent's Core Strategy, as submitted to the SoS in September 2009, and incorporating the changes recommended by the Inspector, which are binding on the Council. It summarises the key recommendations of the Planning Inspector and explains what the implications of the changes are.

## 2.0 Recommendations

- 2.1 That Executive recommends to Full Council that the Core Strategy, as submitted to the Secretary of State and incorporating the changes recommended by the Inspector, and set out in Appendix1, be adopted.

## 3.0 Detail

### Examination of the Core Strategy

- 3.1 The Core Strategy is a key document of Brent's Local Development Framework. It sets out an overarching spatial strategy for development in the Borough. It identifies the key locations in the Borough for new development, particularly housing, and shows these as Growth Areas. It sets out what the infrastructure requirements are to meet the need arising from the development It also sets out some general, Boroughwide requirements for development relating to matters such as sustainable design and protection of open space.
- 3.2 The Core Strategy has been subject to a long, statutory process including four rounds of public consultation requiring a number of

changes to the document. It has now been formally examined by a Planning Inspector, who considered objections to the strategy at a series of hearings in January 2010. His report, which was received on April 19<sup>th</sup>, finds the strategy sound, i.e. it can now be formally adopted, subject to a number of recommended changes which are binding upon the Council. The full Inspector's report is available on the Council's website at <http://www.brent.gov.uk/tps.nsf/Planning%20policy/LBB-310>

- 3.3 The Act that introduced the Local Development Framework requires that the independent Planning Inspector's report is binding on the council. This is a change to the previous Unitary Development Plan process where the council did not have to accept all of the Inspector's recommendations. The council has limited choices: accept the changes or start the process of submission and examination over again. Since the Inspector's recommendations are based almost entirely on changes officers accepted at the examination hearings, it is recommended that the Core Strategy be adopted. To start again will be time consuming, take at least a year and will cost approximately £100k- the costs of the examination process. Brent is now among a few London Boroughs that will have an adopted a Core Strategy and in the top 20% of authorities in the country to complete the complex and onerous task of taking the authority's Core Strategy through Examination to Adoption. Your officers clearly support the adoption of Brent's LDF Core Strategy, and seek Executive's recommendation to Council to do so.

### **Inspector's Report**

- 3.4 The Planning Inspector states that his "overall conclusion is that the Core Strategy is sound, provided that it is changed in the ways specified" in the binding report. The changes are specified only where there is a clear need to amend the document in the light of legal requirements and/or tests of soundness set out in Government guidance. Many of the recommended changes are relatively minor and most of them were agreed by Council officers during the examination. The Inspector's recommended changes are set out in full in Appendix 1. The most significant changes are as follows:

- a) Increased policy support for the provision of family housing.

The submitted version of the Core Strategy included an objective that 25% of new homes should be family-sized (3 bed or above). The Inspector considered that this should be articulated in policy and has recommended accordingly. Council officers accepted that this would help achieve the objective.

- b) Amendment of shopping centre hierarchy to give Kilburn equal status with Wembley and to redesignate Colindale as a District centre

The Inspector considered that the preference expressed in the Core Strategy for shopping development at Wembley ahead of Kilburn was at odds with national planning policy and had not been adequately justified. Council officers supported the proposed change. In practical terms this will make little difference to the application of policy as there are substantial opportunities and proposals to extend shopping provision at Wembley whilst opportunities are very limited in Kilburn, on either side of the High Road, and are likely to remain limited.

The re-designation of Colindale as a District centre was proposed by officers to bring it into line with revisions in Barnet's LDF and with the London Plan.

c) Deletion of support for enabling development at Northfields industrial estate.

The GLA had objected to a policy within the Core Strategy which would allow for some enabling housing development on the Northfields industrial estate. This enabling development was considered by officers to be necessary to help facilitate a regeneration of the site with new employment development and a new direct road link from the North Circular Road across the river Brent. However, the land in question comprises part of the Strategic Employment Area, which is also a designation in the London Plan, and which protects the land for employment use, i.e. industry and warehousing. The Inspector was unable to accept the proposed de-designation because the Council was not proposing a revised Strategic Employment Area boundary and had not provided viability evidence as to the need for enabling housing development. Accordingly, the Inspector has recommended (RC36) that the reference to enabling development at Northfields Industrial Estate be removed from policy CP12.

d) Deletion of requirements to provide for decentralised energy networks in growth areas other than Wembley

While the Inspector was satisfied that the technical feasibility of establishing sustainable energy infrastructure in the form of Combined Heat and Power (CHP) had been established at Wembley, he did not feel that financial feasibility had been demonstrated. At the same time, he did not consider that technical feasibility had yet been demonstrated for growth areas other than Wembley. The Inspector has recommended, therefore, that the requirement for CHP be limited to Wembley at this stage.

e) Clarification of the policy approach to tall buildings

The inspector has recommended that policy CP6 and supporting text should be amended to reflect current local guidance on the appropriate

locations for tall buildings contained in supplementary planning documents for Wembley and Kilburn.

- 3.5 The Inspector supported the Council's position on almost all of the key elements of the strategy. This includes the approach of identifying growth areas and generally protecting local character and open space outside of these areas, the new housing targets and requirement for affordable housing, policy to achieve higher levels of building sustainability by requiring new housing in the growth areas to achieve level 4 of the code for sustainable homes and the requirement for CHP in Wembley subject to financial viability. He also generally supported the infrastructure requirements identified as necessary to support new development, the provision of new shopping development at Wembley, and the Council's approach to the protection of employment land (with the, exception of the land at Northfields estate referred to above).
- 3.6 It should be noted that the policies in the Core Strategy supersede a number of policies in the UDP 2004. A list of these is provided in Appendix B of the Core Strategy.

#### **Future LDF Priorities**

- 3.7 Alongside the Core Strategy, the council has also approved a Site Specific Allocations document which, incorporating 3 additional sites agreed for consultation in January 2010, it is intended to submit in June 2010 to the SoS for examination. It is anticipated that this will be examined in the Autumn and adopted in early 2011. Work is also ongoing on Supplementary Planning Documents for Alperton and South Kilburn growth areas and it is intended that planning policy for Wembley be consolidated into an Area Action Plan before a revised Development Policies Development Plan Document is brought forward. At this point all policies in the UDP will be superseded by the LDF.

#### **4.0 Financial Implications**

- 4.1 The costs of examining the Core Strategy are estimated at up to £100,000. A provision exists to cover these costs. The Council has yet to be invoiced by the Inspectorate for the costs of examining the Core Strategy. If the Core Strategy were not adopted and resubmitted a similar cost would be required.

#### **5.0 Legal Implications**

- 5.1 The preparation of the LDF, including the Core Strategy, is governed by a statutory process set out in Government planning guidance and regulations. Once adopted the Core Strategy will have substantial weight in determining planning applications and will supersede a number of policies in the UDP.

## **6.0 Diversity Implications**

- 6.1 Full statutory public consultation has been carried out in preparing the Core Strategy and an Impact Needs / Requirement Assessment (INRA), which assessed the process of preparing the Core Strategy, was prepared and made available in November 2008.

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

- 7.1 There are no staffing or accommodation implications arising directly from this report.

## **8.0 Environmental Implications**

- 8.1 The Core Strategy will have a major impact upon the environment, particularly as it relates to new development and the protection of local character and open space. It includes significant new policy to help mitigate against the effects of climate change. Sustainability appraisal has been undertaken at all stages of developing the Core Strategy.

## **9.0 Background Papers**

- 9.1 London Borough of Brent LDF – Core Strategy Proposed Submission DPD, June 2009
- 9.2 Inspector's Report on the Examination into Brent's Core Strategy, April 2010
- 9.3 Brent UDP, 2004

## **Contact Officers**

Any person wishing to inspect the above papers should contact Ken Hullock, Planning Service 020 8937 5309

**Richard Saunders**  
**Director of Environment and Culture**

## Appendix 1

### Inspector's Recommendations

RC1: Policy CP2: 1st sentence: add "between 25,000 and" before "28,000".

RC2: Delete Appendix A, including the housing trajectory, figure A.1 and tables i - vii. Consequent renumbering of subsequent appendices.

RC3: Policy CP2: 4th sentence: add "(excluding the reoccupation of vacant homes)" after "the following minimum targets".

RC4: Paragraph 5.92: Add new sentence to end of paragraph: "More detailed policy criteria to ensure the implementation of relevant London Plan affordable housing policies will be provided in the Development Management Policies DPD."

RC5: Policy CP2: Insert new penultimate sentence (before "Over 85% .."): "At least 25% of new homes should be family sized (3 bedrooms or more)."

RC6: Paragraph 5.77: Add new sentence to end of paragraph: "More detailed policy criteria to ensure the implementation of policy CP21 will be provided in the forthcoming Development Management Policies DPD."

RC7: Paragraph 5.82: 1st sentence: delete "a subsequent Development Plan Document" and insert "the Development Management Policies DPD".

RC8: Delete paragraph 4.36 and insert "Town centre uses are those defined in paragraph 7 of Planning Policy Statement 4: Planning for Sustainable Economic Growth (PPS 4), including retail, leisure and offices."

RC9: Paragraph 5.6(1): delete "PPS 6" and insert "PPS 4".

RC10: Appendix C (Glossary): definition of Sequential Approach: delete "the Planning Policy Statement 6: Planning for Town Centres" and insert ", for example, Planning Policy Statement 4: Planning for Sustainable Economic Growth (PPS 4)"

RC11: Paragraph 5.6: Add new penultimate sentence (after "... by 2026"): "The results of this study were tested in the Scenario and Sensitivity Testing Paper on Retail Matters (September 2009)."

RC12: Paragraph 5.6(3): delete "November 2008".



RC13: Paragraph 5.4: 2nd bullet: add "(called Main District Centres in the UDP 2004)" after "Centres".

RC14: Paragraph 5.4: 3rd bullet: add "(called Other District Centres in the UDP 2004)" after "Centres".

RC15: Paragraph 5.5: 1st sentence: add ", called Local Centres in the UDP 2004" after "hierarchy".

RC16: Policy CP16: delete hierarchy and insert:  
"Major Town Centres (Wembley and Kilburn)  
District Centres  
Local Centres  
Neighbourhood Centres  
Out of Centre Locations"

RC17: Policy CP16: 1st paragraph: insert "major" before "new retail".

RC18: Policy CP16: 2nd paragraph: delete 1st and 3rd sentences.

RC19: Policy CP1: 3rd para: insert "Within the five growth areas," at start of sentence (i.e. before "Wembley will be ...").

RC20: Paragraph 5.5: delete "Colindale" from list of Local Centres and add to list of District Centres. Consequent change to map 5.1.

RC21: Paragraph 5.5: 5th sentence: add "Colindale," before "Wembley Park".  
6th sentence: delete "three" and insert "four".

RC22: Paragraph 5.8: 1st sentence: delete "have also been identified" and insert "will be identified in the Site Specific Allocations DPD". 2nd sentence: delete ", as listed in the Site Specific Allocations DPD," and insert "will".

RC23: Policy CP16: 3rd paragraph: 2nd sentence: delete "have been identified within, or on the edge of, some existing" and insert "will be identified within, or on the edge of,". 3rd sentence: delete "usually" and insert "likely to be".

RC24: Policy CP1: 5th paragraph: delete "Strategic and Borough Employment Areas" and insert "Strategic Industrial Locations and Locally Significant Industrial Sites". Same change at paragraph 5.45: 1st sentence.

RC25: Paragraph 5.46: 1st sentence: delete "Strategic Employment Areas (SEAs) and Borough Employment Areas (BEAs)" and insert "Strategic Industrial Locations (SIL) and Locally Significant Industrial Sites (LSIS)".

RC26: Paragraph 5.47: 1st sentence: delete "Strategic Employment Areas are the local expression of". Insert "are" after "Strategic Industrial Locations". 3rd sentence: delete "SEAs" and insert "SIL"

RC27: Paragraph 5.49: delete paragraph and insert: "Locally Significant Industrial Sites are those of local significance for Brent's economy and should be protected. Occupancy within these areas is generally similar to that within SIL, but is also more varied and may include quasi-office or trade uses".

RC28: Paragraph 5.52: delete table and insert new table as follows:

Strategic Industrial Locations Locally Significant Industrial Sites

Park Royal Alperton

Staples Corner Brentfield Road

Wembley Church End

East Lane Colindale

Cricklewood

Honeypot Lane

Kingsbury

Neasden Lane

RC29: Paragraph 5.53: 2nd sentence: delete "and Borough Employment Areas" and insert "Industrial Locations and Locally Significant Industrial Sites".

RC30: Paragraph 5.55: 1st sentence: delete "Employment Areas and Borough Employment Areas" and insert "Industrial Locations and Locally Significant Industrial Sites". 2nd sentence: delete "or Borough Employment Areas" and insert "Industrial Locations or Locally Significant Industrial Sites". 3rd sentence: delete "or Borough Employment Areas" and insert "Industrial Locations or Locally Significant Industrial Sites".

RC31: Policy CP20: delete title and insert "Strategic Industrial Locations and Locally Significant Industrial Sites". 1st paragraph: 1st sentence: delete "Employment Areas" and insert "Industrial Locations": and delete "(SILs)". Delete 2nd sentence and insert: "The council will protect Locally Significant Industrial Sites for the same range of uses as SILs". 2nd paragraph: 1<sup>st</sup> sentence: delete "SEAs and BEAs" and insert "SIL and LSIS". 3<sup>rd</sup> paragraph: delete "and Borough Employment Areas" and insert "Industrial Locations and Locally Significant Industrial Sites".

RC32: Key Diagram (fig 4.1) and Wembley Growth Area Key Diagram (fig 4.2): amend legend to delete "Strategic Employment Area" and insert "Strategic Industrial Location."

RC33: Appendix C: Glossary: replace title of "Strategic Employment Area" with "Strategic Industrial Location". List of Abbreviations: delete "SEL: Strategic Employment Location" and insert "SIL: Strategic Industrial Location". Add new entry: "LSIS: Locally Significant Industrial Site".

RC34: Appendix E: delete "Borough Employment Areas" and insert "Locally Significant Industrial Sites". Consequent changes to legends of maps E.2, E.3 and E.5, including clarification that shaded areas represent deletions.

RC35: Paragraph 5.51: delete 2nd sentence.

RC36: Policy CP12: 2nd paragraph: delete comma and insert "and" before "First Central": delete "and parts of the Northfields Industrial Estate, in order to secure industrial and commercial regeneration."

RC37: Paragraph 5.62: Add new sentence after last bullet point: "The council will bring forward policy to protect these sites, and designate them on the Proposals Map, in its Development Management Policies DPD."

RC38: Paragraph 5.25: delete 1st and 2nd bullet points and insert new bullet point: "The UK Government has set a legally binding level of 34% reduction in greenhouse gas emissions below 1990 levels by 2020 and 80% by 2050."

RC39: Paragraph 5.26: 1st sentence: delete "20%" and insert "15%".

RC40: Paragraph 5.27: delete last sentence and insert: "To assist in the achievement of these targets Brent will seek to mitigate the effect of climate change by reducing carbon dioxide emissions from its own buildings and operations by 12% by 2016 and 43% by 2025 from a 2008/9 baseline<sup>70</sup>."

RC41: Paragraph 5.29: delete 1st sentence and insert: "The council has produced a Climate Change Strategy which contains mitigation and adaptation measures to reduce the impact of climate change on Brent." 4<sup>th</sup> sentence: delete "will take" and insert "takes".

RC42: Policy CP7: delete penultimate (15th) bullet point (as amended by the November 2009 Further Changes) and insert: "Combined Heat and Power plant, if financially viable".

RC43: Policy CP19: 4th paragraph: delete 2nd sentence (as amended by the November 2009 Further Changes) and insert: "Within the Wembley growth area, proposals will be expected (relative to their scale) to connect to, provide or contribute towards a Combined Heat and Power plant, unless it can be demonstrated that such provision is not financially feasible."

RC44: Delete paragraph 4.100.

RC45: Paragraph 5.32: delete 2nd, 3rd and 4th sentences.

RC46: Policy CP19: 4th paragraph: delete 1st sentence and insert: "Within the growth areas, major proposals are required to achieve a minimum rating of Code for Sustainable Homes level 4, subject to scheme feasibility."

RC47: Appendix E: delete points (3) and (4). Consequent changes to map E.1 and key diagram (fig 4.1).

RC48: Paragraph 5.33: delete last two sentences (and bullet points) and insert: "The council will bring forward sites considered suitable for low/zero carbon development in the Site Specific Allocations DPD".

RC49: Paragraph 6.3: delete 2nd sentence and insert: "It is intended to provide more detail about the development of individual sites, notably in growth areas, in the forthcoming Site Specific Allocations DPD. Area Action Plans may also be prepared, as appropriate."

RC50: Fig 4.2: delete title and insert "Wembley Growth Area Key Diagram (illustrative only)". Fig 4.3: add "(illustrative only)" after title. Figs 4.4, 4.5 and 4.6: add "Key Diagram (illustrative only)".

RC51: Delete diagram and legend of fig 4.2 and replace with revised version (see Annex 2). [Note further change to legend set out in RC32].

RC52: Amend fig 4.3 as shown in Annex 3. Policy CP8: last paragraph: delete "31" and insert "20.6".

RC53: Policy CP5: 1st sentence: delete "development schemes" and insert "proposals in the growth areas (policies CP7 to CP11) and regeneration areas (policies CP12 and CP13)"

RC54: Policy CP6: delete 3rd sentence and insert: "In growth areas (policies CP7 to CP11) and regeneration areas (policies CP12 and CP13) the following

factors will be taken into account in determining density and requiring good design.”

RC55: Paragraph 4.30: add the following to end of paragraph: “Locations considered suitable for tall buildings have been identified in Supplementary Planning Documents for the Wembley and South Kilburn growth areas.

Policy CP12 states that tall buildings are suitable at two sites in Park Royal. The council will more clearly define locations for tall buildings in forthcoming LDDs.”

RC56: Policy CP6: delete 7th bullet point and insert: “Tall buildings are acceptable in the Wembley and South Kilburn growth areas, as identified in adopted SPDs, and at Park Royal as set out in policy CP12. Additional areas suitable for tall buildings, notably in the Burnt Oak/Colindale and Alperton growth areas, will be identified in forthcoming LDDs.”

RC57: Delete paragraph 4.42 and insert: “In addition to the Core Strategy, planning policy for the Wembley growth area comprises relevant saved UDP policies, supported by the Wembley Masterplan SPD (adopted in June 2009). The council is progressing a Site Specific Allocations DPD which, on adoption, will include planning policy for specific sites within this growth area. It is also the council’s intention to review and consolidate detailed policy and guidance for the Wembley area into an Area Action Plan. This London Borough of Brent Core Strategy Inspector’s Report 2010 - 25 - will provide an opportunity to undertake a review of infrastructure requirements for this growth area.”

RC58: Policy CP12: last paragraph: delete 1st sentence and insert “Development proposals should have regard to the Park Royal Opportunity Area Planning Framework.”

RC59: Policy CP15: 2nd paragraph: 1st sentence: delete ‘large scale development’ and insert ‘major proposals’.

RC60: Policy CP15: 3rd paragraph: add the following to the end of the paragraph: “In order to ensure adequate flexibility in the Core Strategy’s delivery, the council will undertake regular reviews of infrastructure requirements against housing and population changes arising from new development, funding availability and assessments of the viability of infrastructure provision.”

RC61: Insert new paragraph 4.100 as follows: “In addition to the requirements of policy CP15, the council will apply relevant policies of the UDP 2004,

supported by its S106 Planning Obligations SPD, when securing appropriate developer contributions.”

RC62: Policy CP7: 1st paragraph: last sentence: delete “This will include:” and insert “Anticipated infrastructure will include:”. Policies CP8, CP9, CP10 and CP11: 1st paragraph: last sentence: delete “Infrastructure Investment Framework, including:” and insert “Infrastructure Investment Framework. Anticipated infrastructure will include:”

RC63: Policy CP7: 1st paragraph: 2nd sentence: add “the new Brent civic centre,” after “offices,”. Delete 10th bullet point (“A new civic centre”). 14<sup>th</sup> bullet point: delete “17 GPs and 13 new dentists” and insert “14 GPs and 11 new dentists”.

RC64: Paragraph 4.39: delete 2nd and 3rd sentences and insert: “The creation of this new shopping street will help facilitate the redevelopment of the eastern end of the High Road, creating a continuous retail link. Together with the delivery of the housing, commercial, retail, leisure and community facilities proposed in the Core Strategy, the new shopping street will be the driver for change in this part of Wembley.”

RC65: Paragraph 5.24: add to end of paragraph: “The council considers that a 6-lane community pool will best serve the needs of the borough. Contributions from development will be sought proportional to the level of demand arising from population expansion.”

RC66: Policy CP18: 2nd para: delete last sentence and insert “The council will also seek a site for a fourth pool.”

RC67: Paragraph 4.86: add the following to the end of the paragraph: “With regard to Park Royal (First Central) the council wishes to secure a new interchange between the Piccadilly Line station at Park Royal and a new station on the Central Line, with connections to bus services outside London Borough of Brent Core Strategy Inspector’s Report 2010 - 26 - the station. If it is either demonstrated that the station is not supported by Transport for London or that it cannot be provided viably given the level of residential and other development that is proposed, then the council will wish to secure significant improvements to Park Royal station’s connections with First Central and the bus services that serve the site. Significant public transport improvements are required to encourage the development of class B1 offices and to promote sustainable modes of travel.”

RC68: Policy CP14: delete 1<sup>st</sup> paragraph and insert: "The key interchanges of Wembley Central, Wembley Stadium, Queen's Park and Park Royal (First Central) will be improved."

RC69: Paragraph 4.71: last sentence: delete full stop and insert ", and the council intends to bring forward proposals for this area in a subsequent local development document."

RC70: Delete monitoring schedule for strategic objectives 1 to 12 inclusive and insert revised schedule set out in Annex 4.

RC71: Strategic Objective 8 (p19): 3rd bullet point: delete "from 37% to 24%" and insert "from 37% towards 25%".

RC72: Paragraph 5.34: delete 6th sentence ("The council ... SFRA") and insert: "The Development Management Policies DPD will include policy criteria for development proposals in areas of flood risk, consistent with national policy in PPS 25, supported by the findings of the SFRA."

RC73: Paragraph 4.97: 1st sentence: after "facilities" insert ", including places of worship".

RC74: Paragraph 5.95: add new sentence after 1st sentence: "In particular, the diversity of the borough's population means that there is additional pressure for new places of worship to meet demand from different faiths."

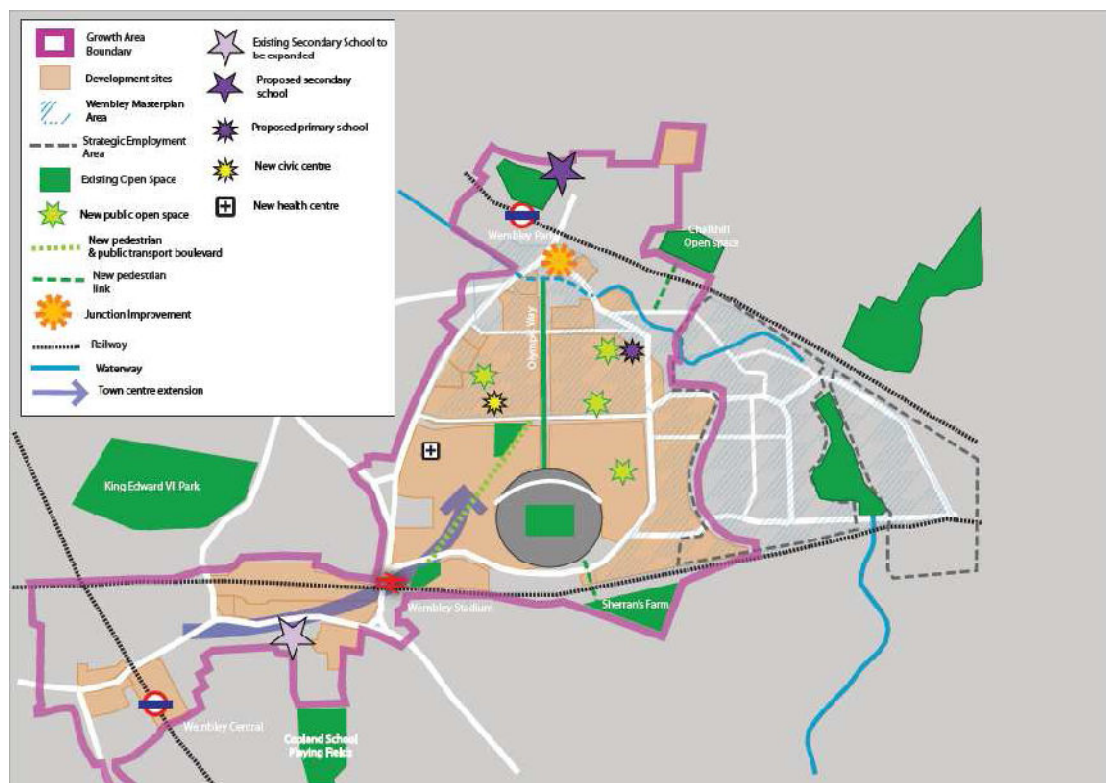
## Schedule of Minor Changes proposed by the Council

- MC1:** Paragraph 1.10: 4<sup>th</sup> bullet: after "jobs" insert "and improve their provision and numbers".
- MC2:** Key Diagram (p23): add references to Wembley Stadium station improvement and Colindale, Preston Road and Neasden District Centres. Amend "North Circular Road Improvement Area" to "North Circular Road Regeneration Area".
- MC3:** Policy CP3: 2<sup>nd</sup> paragraph: add "office" after "purpose built".
- MC4:** Paragraph 4.26: 1<sup>st</sup> sentence: delete "Public Transport Accessibility Levels (PTALs)" and insert "public transport".
- MC5:** Policy CP12: 5<sup>th</sup> bullet point: delete "transfer" and insert "transport".
- MC6:** Paragraph 4.70: 1<sup>st</sup> sentence: delete "GLA Road" and insert "TfL Road".
- MC7:** Paragraph 4.75: 2<sup>nd</sup> sentence: add the following to the end of the sentence: "(as provided for by policy CP15)".
- MC8:** Picture 4.2 (p48): delete caption and insert "No. 18 bus on Harrow Road".
- MC9:** Paragraph 4.89: last sentence: after "cycle parking" insert "will be reviewed in the Development Management Policies DPD and"
- MC10:** Table in paragraph 5.5: add asterisk to Kilburn.
- MC11:** Paragraph 5.6: 3<sup>rd</sup> sentence: delete "and for a further" and insert "increasing to".
- MC12:** Policy CP17: delete 2<sup>nd</sup> paragraph ("The council supports ... suburban areas") and add this text to end of paragraph 5.13.
- MC13:** Paragraph 5.22: 1<sup>st</sup> sentence: delete "Mayor's Biodiversity Strategy" and insert "Mayor's Biodiversity Action Plan".
- MC14:** Paragraph 5.24: 5<sup>th</sup> sentence: delete "Action" and insert "Active".
- MC15:** Policy CP18: 2<sup>nd</sup> paragraph: delete "Sports Facilities Improvement Strategy" and insert "Planning for Sports and Active Recreation Facilities Strategy".
- MC16:** Paragraph 5.33: Include new sentence after the first sentence: "These include the energy hierarchy which sets out the preferred approach to energy supply in new development."

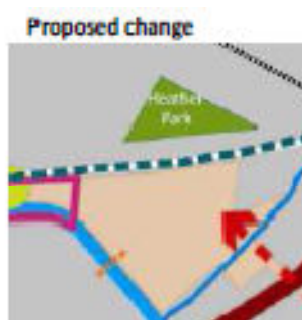
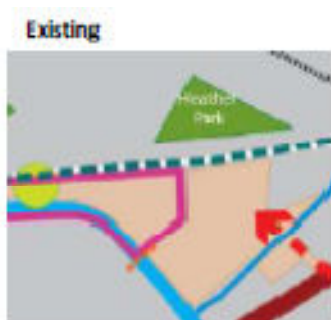


- MC17:** Paragraph 5.34: last sentence: add the following at end of sentence (after "overflow"): "(in line with London Plan policy 4A.14)."
- MC18:** Paragraph 5.35: move paragraph to follow policy CP19: add heading of "Contaminated Land".
- MC19:** Paragraph 5.38: last sentence: delete "industrial waste<sup>77</sup> and the" and insert "industrial waste<sup>77</sup> and 442,000 tonnes by 2020. The"
- MC20:** Add new paragraph after paragraph 5.41 as follows: "Whilst the council is not aware of exploitable mineral deposits in the borough, policy to deal with any application to extract minerals will be set out in the Development Management Policies DPD".
- MC21:** Paragraph 5.66: delete "CP1" and insert "CP2".
- MC22:** Paragraph 5.89: add the following sentence to the end of the paragraph: "The local implications of applying this policy in Brent have been assessed in the council's Affordable Housing Viability Study 2009."
- MC23:** Appendix C: Glossary: amend definition of Major Proposal by adding "(or more)" after "1000 sq m".
- MC24:** Appendix D: Generally, update list of background papers.

Revised Wembley Growth Area Key Diagram (illustrative only) (see RC51)  
 Note: the legend to this diagram requires further amendment to reflect the changed terminology of employment designations (as set out in RC32).



Amendment to Alperton Growth Area Key Diagram (see RC52)  
 Existing version: Amended version:



## Monitoring Schedule (see RC70)

New text is in *italics*; deleted text is in ~~strikethrough~~.

### Economic Performance and Regeneration

<b>STRATEGIC OBJECTIVE 1</b>			
<i>Promoting Economic Performance &amp; Regeneration</i> - by creating five main growth areas of mixed use, mixed tenure development, the largest being Wembley which will be the main focus of new retail and town centre uses (expanding the town centre eastwards into the Stadium area).			
<b>Core Policies:</b> CP1 – CP11, CP15 – 17, CP20			
<b>Delivery Agencies:</b> Developers, Brent Council			
Performance Measure	Target	Monitoring Point	<i>Specific Policies to be Monitored</i>
<b>Local Indicators:</b>			
Local employment change.	5,000 new jobs in Wembley to 2017 and 10,000 new jobs within Wembley to 2026.	Net increase of 500 jobs p.a. in Wembley area. <b>When:</b> Annually	<i>Policies CP1, CP3 and CP7</i>
New town centre facilities.	*Permission & Completion of 3 large scale hotels in the Wembley area before 2017 *1 large regional visitor attraction before 2017.	End of Plan period.	<i>Policies CP1 and CP7</i>
Amount of new retail floorspace developed by type in Wembley.	25% or 30,000 m <sup>2</sup> increase (whatever is the greater) in the new retail floorspace in Wembley, on that currently existing or consented, by 2026.	Percentage and amount of completed gross retail floorspace by type in Wembley. <b>When:</b> Annually	<i>Policies CP1, CP7 and CP16</i>
Ensure mixed development in Wembley Area.	Ensure that only half of all consented and completed floorspace in Wembley growth area is residential between now and 2026.	No more than 50% of floorspace consents or completions is residential in use in Wembley area. <b>When:</b> Annually	<i>Policies CP1, CP5 and CP7</i>

<b>STRATEGIC OBJECTIVE 2</b>			
<b>Meeting Employment Needs and Aiding the Regeneration of Industry and Business</b> - by ensuring that sufficient sites and premises are available in the borough's main commercial areas such as Park Royal, and that industrial/ warehousing is renewed. Securing Training and access to jobs- by working with developers and end users to offer suitable training and job replacement opportunities			
<b>Core Policies:</b> CP1 – CP5, CP8, CP12, CP15, CP19, CP20			
<b>Delivery Agencies:</b> Developers, Brent Council, Greater London Authority (GLA), LDA, Park Royal Partnership			
Performance Measure	Target	Monitoring Point	<i>Specific Policies to be Monitored</i>
<b>Core Output Indicators:</b>			

Amount of floorspace land developed or redeveloped in Park Royal for employment purposes.	To secure net increase in jobs, 120,000m <sup>2</sup> of floorspace is required. Development or redevelopment of 50 hectares of land for employment purposes	1200m <sup>2</sup> annual net increase in gross internal floorspace (m <sup>2</sup> ) for B1 & other suitable employment uses in Park Royal area to 2017. <b>When:</b> Annually	CP3 and CP12
No net loss of floorspace in other SEA's/BEA's SIL and LSIS.	No net loss of floorspace in SEA's & BEA's SIL and LSIS outside of SSA's site specific allocations (Park Royal has separate target).	No net loss of gross internal floorspace (m <sup>2</sup> ) for use classes B1 and related uses 2007-2017 in SEA's/BEA's SIL and LSIS. <b>When:</b> Annually	CP1, CP3 and CP20
<b>Local Output Indicators:</b>			
Secure job placements from new development.	Secure 800 job placements p.a from 2007-17.	Number of placements made by Brentin2work each year. <b>When:</b> Annually	CP1
Brent Unemployment levels.	By 2021 unemployment below London Average and in line with National rates.	% of unemployment year on year. <b>When:</b> Annually	
Gross Income.	By 2021 less than 25% of Brent Households have an income below the London average.	Average yearly gross income for Brent Residents. <b>When:</b> Annually	

<b>STRATEGIC OBJECTIVE 3</b>			
<b>Enhancing the vitality and viability of Town, District and Local Centres</b> - by maintaining the position of town centres in the retail hierarchy, completing new retail developments in Willesden and Harlesden, and maintaining a range of local services.			
<b>Core Policies:</b> CP1, CP5, CP7, CP15, CP16, CP20			
<b>Delivery Agencies:</b> Developers, Brent Council, Greater London Authority (GLA), LDA			
<b>Performance Measure</b>	<b>Target</b>	<b>Monitoring Point</b>	<b>Specific Policies to be Monitored</b>
<b>Core Output Indicators:</b>			
Amount of completed retail, office and leisure development.	A net increase in retail, office and leisure floorspace in Brent's major and district town centres outside Wembley	The completed amount of gross floorspace (sqm) for use classes UCOs B1(a), A1, A2 and D2 should be greater than that lost through change of use/redevelopment. <b>When:</b> Annually	CP16
<b>Local Output Indicators</b>			
Town centre vacancy rates.	No increase of vacancy rates in primary shopping frontages from 2007 to 2026.	The amount of vacant shopfront within major and district centres primary shopping frontages. <b>When:</b> Annually	CP16
Health of Town Centres.	No reduction in inflation adjusted median rent levels in primary shopping area. No reduction in pedestrian footfall in	Annual Rental survey 2 yearly health check data. <b>When:</b> Annually	CP16

	town centres covered in 'health check'.		
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<b>STRATEGIC OBJECTIVE 4</b>			
<b>Promoting the Arts and Creative Industries</b> - by increasing the supply of modern subsidised workplace developments for creative industries in the growth areas and promote new public art to support regeneration in the borough.			
<b>Core Policies:</b> CP1, CP5, CP7, CP8, CP10, CP15.			
<b>Delivery Agencies:</b> Brent Council, Brent Arts Council, Brent Sports Service, Developers, Visit London, Brent Arts and Learning Service.			
<b>Performance Measure</b>	<b>Target</b>	<b>Monitoring Point</b>	<b>Specific Policies to be Monitored</b>
<b>Core Output Indicators:</b>			
Net increase of cultural / leisure facilities.	<i>Net increase in floorspace of leisure uses including completion of new cinema in Wembley.</i>	Completions survey. <b>When:</b> Annually	CP7 and CP10
Subsidised workspace for creative industries.	Creation of 5 facilities of at least 1000m2 each in growth areas by 2017.	Permission and completion of affordable creative workspace by 2017. <b>When:</b> Annually	
<b>Local Output Indicators:</b>			
Brent's Tourism economy: Local employment in the Tourism Industry.	Increase in Brent employment in Tourism Sector.	% of Brent Residents employed within Tourism industry. 4% Baseline 2004. <b>When:</b> Annually	CP1 and CP7
Provision of Public Art.	One major piece of public art either completed or secured through S106 agreement p.a.	At least one completed or secured through agreement each year to 2017. <b>When:</b> Annually	

<b>STRATEGIC OBJECTIVE 5</b>			
<b>Meeting social infrastructure needs</b> - by securing provision for needs arising from new housing development, especially the provision of new education, health and community facilities, constructing at least three new secondary and three new primary schools in the borough and providing community facilities to meet the needs of Brent's diverse community.			
<b>Core Policies:</b> CP1, CP4, CP5, CP7-CP13, CP15, CP17, CP18, CP23			
<b>Delivery Agencies:</b> Brent Council, Developers, PCT, DfES, Emergency Services, Utility Companies, other boroughs through joint working.			
<b>Performance Measure</b>	<b>Target</b>	<b>Monitoring Point</b>	<b>Specific Policies to be Monitored</b>
<b>Local Output Indicators:</b>			
Provision of new or extended community facilities.	Provide new community facilities at a rate of 370m2 per 1000 new population created by new housing	New or extended floorspace that meets rate of population growth. <b>When:</b> Annually	CP7, CP8, CP9, CP10, CP11 and CP23

	development.		
Provide new schools places for increased population.	Approval for <i>and</i> construction of <del>three new primary schools and three new secondary schools</del> by 2017. <i>new and extended schools in Growth Areas and Park Royal as set out in policies CP7 to CP12 inclusive.</i>	<i>Number of new schools and extensions to schools with permission for redevelopment and completed or under construction by 2017.</i> <b>When:</b> Annually	<i>CP7, CP8, CP9, CP10, CP11 and CP12</i>
Annual S106 financial contributions secured for social infrastructure.	Provisions/ contributions are secured for S106 standard charge as a minimum on all developments to 2017.	Secured full S106 financial contributions via standard charge on all developments. <b>When:</b> Annually	
Health Facilities- facilities to meet GP service needs as set out in IIF.	To meet target for GP facilities related to population growth needs.	Secure floorspace for 1 GP per 1500 new population. <b>When:</b> Annually	<i>CP7, CP8, CP9 CP10, CP11 and CP12</i>

#### STRATEGIC OBJECTIVE 6

**Promoting Sports and other Recreational Activities** - by placing particular emphasis on the provision of new facilities to address existing deficiencies and to meet the needs of new population in the growth areas, creating at least one new swimming pool in the borough in the plan period and eight new multi-use games areas (MUGAs).

**Core Policies:** CP1, CP5, CP7, CP11, CP17, CP18, CP23

**Delivery Agencies:** Brent Council, Developers, RSLs, GLA, Sport England, National Sports Governing Bodies

Performance Measure	Target	Monitoring Point	Specific Policies to be Monitored
<b>Local Output Indicators:</b>			
Secure new community swimming pools for the borough.	Complete and open one new community swimming pool in the borough by 2017.	Swimming pool completion. <b>When:</b> Annually	<i>CP7 and CP18</i>
Provision of new Multi-use games areas.	Complete 8 more MUGA's and 1 full-size floodlit synthetic turf pitch in or near to growth areas.	No. of MUGAs/ STP completed. <b>When:</b> Annually	
Increase level of Health & fitness facilities.	Complete the equivalent of 3, '80 station' Health & fitness centres by 2017.	Health & fitness centres completed. <b>When:</b> Annually	

#### Housing Needs

#### STRATEGIC OBJECTIVE 7

**Achieving housing growth and meeting needs** - by promoting development that is mixed in use and tenure, so that at least 11,200 additional homes are provided in the period to 2016/ -2017 and 85% of the borough's new housing growth is contained within 5 Growth Areas. To ensure that at least 25% of all new homes built in the borough are family sized (3 bed or more) and 50% (approx.) are affordable.

<b>Core Policies:</b> CP1, CP2, CP4 CP11,CP13 CP15, CP21, CP22			
<b>Delivery Agencies:</b> Brent Council, Developers, House-builders, Registered Social Landlords			
Performance Measure	Target	Monitoring Point	Specific Policies to be Monitored
<b>Core Output Indicators:</b>			
Total additional homes.	Minimum of 11,200 homes (9150 self contained) supplied 2007/8 -2016/17.	No. of homes completed in borough. <b>When:</b> Annually	CP2
No. of homes completed in defined growth areas.	Minimum of 85% completed are in growth areas 2007/8 – 2016/17.	No.of completed units. <b>When:</b> Annually	CP2
No. of affordable units.	Minimum of 4,575 or 50% completions; 2007/8 - 2016/17. 70% social rental: 30% intermediate	No. of completed units. <b>When:</b> Annually	CP2
<del>Brownfield Land.</del>	95%	<del>Proportion of new homes completed on brownfield sites.</del> <del><b>When:</b> Annually</del>	
Ensure reasonable proportion of family homes.	That 25% of all self contained homes are 3 bed or larger.	No. of new family homes completed per annum. <b>When:</b> Annually	CP21
<b>Local Output Indicators:</b>			
Wheelchair adaptable.	10% of 10 units +	No. of completed new homes that are wheelchair adaptable. <b>When:</b> Annually	London Plan Policy 3A.5
Existing housing loss, including affordable.	No net loss	Housing units lost on completed new development. <b>When:</b> Annually	CP21
Lifetime homes.	100%	No. of completed new homes built to lifetime home standards. <b>When:</b> Annually	London Plan Policy 3A.5

#### Transport Infrastructure

<b>STRATEGIC OBJECTIVE 8</b>			
<p><b>Reducing the need to travel and improving transport choices</b> – by completing first class retail and other facilities in Wembley that reduces the need to travel to other centres. Improving key transport interchanges of Wembley, Alperton, First Central and Queen’s Park. <i>Promoting</i> access by public transport, <del>and by bicycle or on foot will be promoted and there will be reduced</del> <i>reducing</i> car parking standards for growth areas because of their relative accessibility. <i>Reducing modal share of car trips to Wembley from 37% towards 25%. Completing at least 5 car free schemes per annum in the Plan period.</i></p>			
<b>Overall Core Policies monitored under this objective:</b> CP1-CP16, CP19			
<b>Delivery Agencies:</b> Brent Council, Greater London Authority (GLA), Highways Agency & Transport for London (TfL)			
Performance Measure	Target	Monitoring Point	Specific Policies to be Monitored
<b>Core Output Indicators:</b>			

Commercial uses complying with car parking standards.	All completions of non-residential developments (Use Classes A, B, and D) comply with the Council's car parking standards.	Number of developments (completions) within Use Classes A, B, and D which comply with car parking standards. <b>When:</b> Annually	
<b>Local Output Indicators:</b>			
Proportion of trips made by public transport.	Reducing proportion of car trips as a result of Wembley development <del>below from a 37%</del> baseline (currently estimated at 37%), by a minimum of 10% over the life of the development	MVA model <i>currently</i> calculates modal share if no intervention of 37% car use. Re-run model to <del>calculate</del> <i>change refine</i> estimates as land uses become more certain. Monitor targets through the travel plan process. <b>When:</b> every 3-5 years	CP7
Amount of contributions pooled within opportunity and growth areas to aid improving and/or developing transport infrastructure.	Ensure appropriate pooling of contributions which will mitigate the cumulative impacts of development within an area.	Number of pooling schemes within growth and opportunity areas <del>plus implementation</del> i.e. transport improvements /projects. <b>When:</b> Annually	
Secure contributions towards interchange improvements.	Secure major improvements <del>(over £1m)</del> in at Queen's Park, First Central, Wembley Stadium, Wembley Central and Alperton stations by 2017.	Record Planning Obligations and direct works that secure improvements. <b>When:</b> Annually	CP14 and CP15

### Open Space and Environment

<b>STRATEGIC OBJECTIVE 9</b>			
<b>Protecting and Enhancing Brent's Environment</b> - by preserving the borough's open spaces for recreation and biodiversity and creating new and enhanced open spaces to address deficiencies where possible, but particularly to meet the needs of additional population commensurate with current levels of provision. To increase the amount of public open space in the borough (and at least 2.4ha within Wembley) and the amount of land with enhanced ecological value. Enhance the borough's green and blue infrastructure by tree planting, returning rivers to their more natural courses and mitigating the pollution effects of development. To protect the borough's built heritage.			
<b>Core Policies:</b> CP5, CP6, CP7-CP13, CP16, CP17, CP18, CP19			
<b>Delivery Agencies:</b> Brent Council, Greater London Authority (GLA), Environment Agency, Developers.			
<b>Performance Measure</b>	<b>Target</b>	<b>Monitoring Point</b>	<b>Specific Policies to be Monitored</b>
<b>Core Output Indicators:</b>			
Protection of all open space of value.	No net loss of open space to alternative uses.	Amount of open space lost to alternative uses. <b>When:</b> Annually	CP18



Protection of areas designated for intrinsic environmental value including sites of national or regional/sub-regional significance.	No net loss of areas of wildlife and nature conservation importance.	No net loss of land of nature conservation value on designated sites (SSSI, local nature reserves, Sites of more than local Importance for Nature Conservation). <b>When:</b> Annually	CP18
<b>Local Output Indicators:</b>			
Provision for new or extended Public Open Space.	To meet open space targets in growth areas Wembley - 2.4ha Alperton - 1.6ha S Kilburn - 0.8ha Burnt Oak - 0.6ha Church End - 2ha.	Measure new open spaces created and laid out as a result of development. <b>When:</b> Annually	CP7, CP8. CP9, CP11, CP12 and CP18
Improvement of existing Public Open Space.	To increase the number of parks maintained to Green Flag award standard from a baseline of two.	Measure number of parks awarded Green Flag status. <b>When:</b> Annually	CP18
Improvement of existing and provision for new areas of nature conservation.	Enhance and increase nature conservation areas. Reduce area of wildlife deficiency.	Monies negotiated through S106 agreements for application sites in areas of deficiency, where monies have been spent and extent of areas of wildlife deficiency. <b>When:</b> Annually	CP18
New Tree Planting for new neighbourhoods.	To meet tree planting targets in growth area set out in IIF, by 2017 Wembley 1000 Park Royal 4000 Alperton 500 Church End, Burnt Oak, S Kilburn 200.	Count of new trees planted in growth areas. <b>When:</b> Annually	CP7, CP8, CP9, CP10, CP11 and CP12
Provision for new or improved Children's Play Areas.	Meet standards on children's play as set out in Infrastructure & Investment Framework.	Measure number of compliant schemes. <b>When:</b> Annually	CP5, CP7, CP8, CP9, CP10, CP11 and CP18

#### STRATEGIC OBJECTIVE 10

**Achieving sustainable development including mitigating and adapting to climate change** - By promoting mixed use, mixed tenure development in growth areas integrating infrastructure and housing provision, reducing energy demand in the growth areas from current building regulation standards and by achieving exemplar low carbon schemes and CCHP plants.

**Core Policies:** CP1 – CP3, CP5, CP7 – CP13, CP15, CP18

**Delivery Agencies:** Brent Council, Greater London Authority (GLA), PCT

Performance Measure	Target	Monitoring Point	Specific Policies to be Monitored
<b>Core Output Indicators:</b>			
Percentage of applications approved contrary to Environment Agency advice on Flood risk.	0%	Applications approved contrary to EA advice. <b>When:</b> Annually	
<b>Local Output Indicators (see also transport indicators):</b>			
Installation of sustainable Urban drainage systems (SUDS) in new development.	All <i>Appropriate major developments proposals</i> should secure SUDS or apply water retention or harvesting measures.	Applications which include SUDS measures. <b>When:</b> Annually	London Plan Policy 4A.14
Development apply <i>Application of the GLA's energy hierarchy and in order to secure high levels of renewables energy generation</i> in Growth Areas.	All major <i>developments proposals</i> should submit energy and feasibility assessment and apply Mayor's energy hierarchy. Major <i>development proposals</i> to achieve 20% carbon reduction through renewable energy requirements, or secure carbon offset payment.	Number of applications that include energy and feasibility assessments. All large schemes over 100 units to secure onsite renewable energy generation - by type and energy generated (where available - as GLA hierarchy). <b>When:</b> ongoing ( <del>by 2010</del> )	CP19, London Plan Policy 4A.7
Secure district wide CCHP in Wembley Area.	Complete one <i>CHP plant two district wide heating system</i> by 2017.	To meet GLA energy hierarchy on very large regeneration schemes. <b>When:</b> Annually	CP7
Ensure that new floorspace in Wembley is mixed in use.	That at least 50% of all new permitted floorspace is non-residential by 2017.	Record floorspace of approved applications in Wembley Growth Areas. <b>When:</b> Annually	
Low carbon housing developments.	At least two <i>exemplar low carbon housing schemes</i> by 2017.	Completion of low carbon housing development. <b>When:</b> by 2017	

#### STRATEGIC OBJECTIVE 11

**Treating Waste as a Resource** - by collaborating with the other West London waste authorities, ensuring that there is an appropriate network of facilities for integrated waste management and that existing, appropriately located, facilities are protected.

<b>Core Policies:</b> CP5, CP17, CP19			
<b>Delivery Agencies:</b> Developers, Brent Council, Greater London Authority (GLA), West Waste, other West London Boroughs			
<b>Performance Measure</b>	<b>Target</b>	<b>Monitoring Point</b>	<b>Specific Policies to be Monitored</b>
<b>Core Output Indicators:</b>			
Production of secondary / recycled aggregates –	A minimum 10% of inputs for key standard components coming from recovered sources.	Number of schemes involving demolition and redevelopment which apply the ICE Demolition Protocol. <b>When:</b> Annually	<i>London Plan policy 4A.28</i>
<b>Local Output Indicators:</b>			
Safeguard existing waste facilities and secure land for new waste operations.	Net increase of waste facilities No net loss of existing waste facilities.	Planning approvals p.a. <b>When:</b> Annually	<i>London Plan policy 4A.22</i>
Waste stream: recycled or composted.	<del>Over 30% of household waste by 2010 and over 33% by 2015.</del>  <i>35% of municipal waste recycled by 2010 and 45% by 2015 (in line with the London Plan)</i>	Amount of municipal waste recycled or composted. <b>When:</b> Annually	<i>London Plan policy 4A.21</i>

<b>STRATEGIC OBJECTIVE 12</b>			
<b>Promoting healthy living and creating a safe and secure environment</b> - by ensuring that there is sufficient space for Primary Health Care providers, particularly to meet the additional need in the growth areas. Ensuring development delivers transport solutions and opportunities for healthy lifestyles, embracing a design-led approach to reduce crime and the fear of crime by installing new CCTV systems and ensuring and ensuring that crime levels continue to be reduced.			
<b>Core Policies:</b> CP1 – CP15, CP17 CP19, CP23			
<b>Delivery Agencies:</b> Brent Council, PCT, Emergency Services, TfL, Sport England			
<b>Performance Measure</b>	<b>Target</b>	<b>Monitoring Point</b>	<b>Specific Policies to be Monitored</b>
<b>Local Output Indicators:</b>			
Amount of new space for health service provision.	Floorspace for 1 new GP for every 1500 additional population generated by new housing between 2007-2017.	New GP surgeries are completed to meet population need. <b>When:</b> Annually	<i>CP7, CP8, CP9, CP10, CP11 and CP12</i>
Secure by Design accreditation.	All large schemes over 100 units achieve Secure by Design accreditation between 2007 and 2017.	Accredited planning applications. <b>When:</b> Annually	

Provision of new or extended community facilities.	Community facilities provide at 370m <sup>2</sup> per 1000 new population between 2007 and 2017.	Measure floorspace of new facilities in growth areas against new population (at 2.5 persons per dwelling) <b>When:</b> Annually	
Protection of existing community facilities.	No net loss of community facilities unless compensation provided.	Number of applications approved resulting in the net loss of a community facility for which no compensation made through planning obligation or other agreement. <b>When:</b> Annually	CP23



**Executive**  
23 June 2010

## **Report from the Director of Environment and Culture**

Wards Affected:  
ALL

### **Enforcement of Moving Traffic and Parking Contraventions by means of CCTV cameras**

#### **1.0 SUMMARY**

- 1.1 This report provides the Executive with an update following approval in principle on 16<sup>th</sup> March 2009 for officers to arrange the transfer of powers to the Council for the enforcement of moving traffic contraventions (MTCs), as listed in Appendix A.

#### **2.0 RECOMMENDATIONS**

- 2.1 That the Executive agree that a resolution is placed before Full Council seeking approval for the transfer of powers to the Council from the Metropolitan Police to enforce moving traffic contraventions, as is required by the London Local Authorities and Transport for London Act 2003. It is recommended that the Executive agree that 1 January 2011 is the date from which the Borough will take on these powers.
- 2.2 That the Executive delegates power to officers to carry out all necessary steps to enable the Borough Council to begin enforcement on 01 January 2011 in accordance with the Code of Practice for operation of CCTV enforcement cameras in the London Borough of Brent.
- 2.3 That the Executive agrees that the full set-up costs of introducing the CCTV enforcement of MTCs (£1,104,000) are funded through prudential borrowing (See 8.2), the costs of which will be met from income generated by the scheme.
- 2.4 That the Executive agrees that the scheme is monitored from the appointed start date and that a review is carried out following six and twelve months of operation.
- 2.5 That the Executive authorises the Head of Transportation to enter into such agreements or arrangements as he sees fit for the enforcement of MTCs referred to in Appendix A which occur on those parts of boundary roads which fall within the areas of neighbouring boroughs.

### **3.0 BACKGROUND**

- 3.1 The London Local Authorities and Transport for London Act 2003 (LLA & TfL Act 2003) gives the power to a local authority to take on the civil enforcement of certain MTCs by decriminalising the offences. This in effect allows the transfer of the enforcement responsibility from the Police to the traffic authority for certain offences. These contraventions relate to traffic controls in the Highway Code which help reduce congestion and improve road safety.
- 3.2 On 6th February 2009 the Metropolitan Police told its officers that they should no longer take action against motorists following “minor errors of judgment”, although they could still intervene if the motorist’s driving was so poor that it put other road users at risk. This, in effect, means there is now little or no proactive enforcement in Brent for moving traffic contraventions by the Police, making it more important, on safety grounds, for the Council to adopt these powers.
- 3.3 A full list of the moving traffic contraventions that can be decriminalised is attached as Appendix A. Further detail regarding the design of yellow box junctions is attached as Appendix E.
- 3.4 During 2004/5 successful pilots of the powers were undertaken by seven London Authorities. On 21<sup>st</sup> July 2005 the ALG (London Councils) agreed that the pilots were completed and all the remaining London Authorities were now permitted to apply to London Councils Transport and Environment Committee for approval to take up the powers. Since that time, 22 London Authorities have had their applications to commence enforcement approved.
- 3.5 The Director of Environment and Culture presented a report detailing the plans to begin CCTV enforcement of MTCs and parking offences at the Executive meeting of 16<sup>th</sup> March 2009. At this meeting, the following items were resolved:
- (i) that agreement in principle be given for officers to arrange the transfer of the enforcement of moving traffic offences, as listed in Appendix A of the report from the Director of Environment and Culture, from the police to the Council;
  - (ii) that approval is given to the proposals for the enforcement of moving traffic and parking contraventions by the use of CCTV cameras;
  - (iii) that officers carry out the necessary surveys and reviews before an application can be made to London Councils for approval to take on enforcement powers;
  - (iv) that officers set up the procedures necessary to enforce moving traffic and parking contraventions in accordance with the Code of Practice set out in Appendix B of the Director’s report;
  - (v) that approval be given to the proposal to change the council’s CCTV enforcement from the current analogue video (which requires replacement), to digital technology;
  - (vi) that a report indicating the junctions recommended for monitoring be submitted to the Executive or the Highways Committee as appropriate, prior to its presentation to Full Council for approval.

### **4.0 PROGRESS UPDATE**

4.1 In order to obtain approval from London Councils, officers have undertaken or are undertaking the following key steps:

- Liaison with the Police over the transfer of powers
- Production of full inventory of all locations in the Borough where contraventions could take place
- A review of the prohibitions and restrictions to ensure they are appropriate and necessary. This includes a detailed review by specialist consultants of all yellow box junctions which are to be enforced, to ensure they meet legal requirements and are fair to motorists. The results so far received from the consultants will lead to a reduction in size of the majority of yellow box junctions that are to be enforced.
- A review of signs and road markings to make sure they are in good condition and comply with the Traffic regulations and General Directions 2002
- Identification of an enforcement regime and capability, and the necessary steps to ensure it is in place in time for the recommended start date
- Determination of the Council's enforcement priorities. (Please see section 5.0 for further details)
- Officers have met with Camden and agreed in principle that Brent will be responsible for MTC enforcement along the A5 boundary, and that this Council will receive the income from penalty notices. Such agreements with other adjoining local authorities will be negotiated as and when necessary. Brent Council's Legal team is supporting the MTCs team to put formal agreements in place.
- Planning of a local publicity and awareness campaign, which will include advertisements in local newspapers, information on the Council website and communication with local schools.

4.2 Furthermore, officers have planned the digitalisation of the Council's CCTV system, as was approved by the Executive on 16th March 2009. We are also collaborating with Ealing Council to apply for funding from Capital Ambition to help support digitalisation. This is in the early stages but the CCTV team is hopeful that some funding could be secured, which would reduce set-up costs incurred by the Council.

## **5.0 INITIAL ENFORCEMENT LOCATIONS**

- 5.1 In line with guidance from London Councils, officers have determined the Council's enforcement priorities, identifying a number of sites in the Borough as high priority.
- 5.2 Yellow box junctions on the Strategic Route Network, school keep clear markings, banned turns and prescribed routes locations have been identified as high priority sites through the study of accident trends, congestion levels and complaints received from local schools and/or residents.
- 5.3 A full list of initial sites to be enforced is attached as Appendix C.
- 5.4 The sites will be enforced by a combination of fixed (11) and deployable cameras (8), plus two fully fitted mobile enforcement vehicles.
- 5.5 Officers are undertaking a full review and upgrade of these sites to ensure that all relevant traffic orders, signs, road hatchings and lines meet legal requirements. The review and upgrades will be completed before enforcement is scheduled to begin.

## **6.0 BENEFITS**

- 6.1 Once the Council has obtained the power to enforce MTCs, it can begin to issue fines to motorists who disobey traffic regulations and who therefore pose a threat to the safety of pedestrians, cyclists and other motorists. Illegal u-turns, banned left or right turns and driving in the wrong direction in a one-way street are all examples of dangerous, irresponsible driving. The penalisation of drivers who commit these types of offences, especially as they become familiar with fixed cameras sites and become aware that Brent Council is actively challenging irresponsible driving, will act as a deterrent and, as such, will lead to greater compliance. It has been the experience of other London Boroughs already enforcing MTCs that significant improvement in levels of compliance following enforcement.
- 6.2 Enforcing other types of contraventions, such as those taking place in yellow box junctions, have further benefits in that they are expected to improve the smooth flow of traffic and reduce congestion, which should also have the benefit of reducing pollution and improving air quality. This supports the Council's broader objectives of efficient road network management and reducing carbon emissions, as it works towards a greener Borough for residents and visitors to Brent.
- 6.3 By enforcing school keep clears, the Council will be able to actively respond to requests from schools for greater compliance (of which many have already been received). Fewer cases of illegal stopping or parking on school keep clears will improve visibility around school entrances and/or crossings. It is expected that enforcement, in conjunction with a number of other road safety initiatives throughout the Borough, will make a positive contribution to road safety for children around schools.
- 6.4 In short, it is expected that the enforcement of MTCs will improve safety and traffic flow across the Borough, which will help to improve the road environment for those who live, work and travel through Brent. Given the lack of police resource to enforce MTCs, Officers believe that the Council has a duty to its residents and visitors to take over the powers from the police and begin active enforcement. This has already happened in over 20 other London Boroughs.
- 6.5 A key benefit of using CCTV for enforcement of parking restrictions is that it will take any potential confrontation out of enforcing certain prohibitions. A static camera or camera



vehicle at such locations ensures greater compliance as a vehicle cannot just be driven away until the Civil Enforcement Officer (CEO) has passed on. As a result, more parking greater compliance is expected to be achieved. It has the advantage of being able to continuously monitor a particular location without the need for the physical presence of a CEO.

- 6.6 There are other potential benefits of investment in the CCTV network and mobile enforcement vehicles. For example, officers envisage that can be used by other teams within the Council (such as Community Safety), subject to internal agreements.

## **7.0 METHOD OF ENFORCEMENT**

- 7.1 All enforcement will be undertaken in line with the Code of Practice for Operation of CCTV Enforcement Cameras as published by London Councils as detailed in Appendix B.

- 7.2 All staff undertaking enforcement of parking and traffic regulations using CCTV will have successfully completed a training course as required by London Councils and will have been briefed on the areas being enforced in the Borough, including any location-specific special considerations.

- 7.3 Officers are aware that enforcement could be viewed as unfair or unreasonable by motorists. Officers have planned a number of measures to ensure that this is not the case, and that enforcement practices are fair towards motorists. Officers will also ensure transparency of information available. Steps to be taken include the following:

- Relevant camera enforcement signs will be displayed in areas where the system operates to advising that CCTV camera enforcement is taking place in the area.
- Officers will conduct a publicity campaign prior to the commencement of enforcement, including advertisements in local newspapers and liaison with schools to be affected.
- Enforcement outside schools will only take place with the approval of the school and after confirmation that parents & carers have been informed.
- There will be detailed, clear information available on the Council's website on what constitutes a contravention, how to appeal and other areas deemed relevant
- Thanks to digitalisation, motorists will be able to clearly, quickly and easily view their contraventions online and so will clearly know when they have breached traffic regulations.
- Protocols will be written for officers carrying out enforcement. These protocols will take into account any special circumstances around particular sites which mean that PCNs should not be issued. Officers will also be trained not to issue PCNs for very minor transgressions (such as a small proportion of a wheel entering a yellow box). It is in the Council's interest only to issue PCNs when a clear, breach of the law has taken place and a definite contravention has occurred. Dealing with appeals is a costly waste of officer time and is to be avoided, to the benefit of both the Council and to motorists who have not actually acted irresponsibly.
- For the first two weeks of the scheme which is programmed to commence in January 2011, warning notices rather than penalty charges will be issued to give motorists some time to adjust to the changes.

## **8.0 FINANCIAL IMPLICATIONS**

- 8.1 The report of March 16<sup>th</sup> 2009 gave details of the £1,104,000 initial set-up costs of the scheme. This budget included allocations for the following areas: CCTV cameras, equipment, vehicles, project support, signs, surveys, lines and road marking.

- 8.2 In that report, it was stated that £964,000 of the total projected set-up costs were to be met by prudential borrowing and repaid over five years at £230k per annum to be met from additional revenue generated. The remaining £140,000 was due to come from the income generated by the scheme in the financial year 2009-10. However, due to a delay to the project, no income was generated in the year 2009-10. Therefore, officers now recommend that the full set-up costs (£1,104,000) are funded from prudential borrowing. The debt charges arising from this investment would be £255k per annum over 5 years which it is forecast can be met from revenue generated.
- 8.3 It was originally envisaged that there would be 12 fixed cameras, 8 deployable cameras and two mobile enforcement vehicles. In order to ensure that the set-up costs do not exceed the agreed budget, officers now recommend that one less fixed camera is purchased during the initial phase of the scheme. The final camera will be installed providing if contingency sums are not utilised and sufficient funding remains.
- 8.4 In the financial year 2009/10 capital scheme costs of around £70,000 arose associated with the initial set-up of the scheme. Debt charges arising on this amount would be limited to an interest liability only, of approximately £3,500, which will fall in this financial year (2010/11) and be met from income generated. Once operation commences in 2010/11, it is envisaged that the operational costs of the scheme will be paid for by the income generated by penalty charges.
- 8.5 Officers have recently conducted further research into the experience of other London Boroughs enforcing MTCs to consider the level of charges and the effect of the economic downturn. Eight Boroughs were contacted during the research period. Officers conducted detailed case studies of two London Boroughs. The main points of these are listed in Appendix D.
- 8.6 It is important to note the following points when interpreting the data:
- The data gathered from other Boroughs was not comprehensive and it would therefore be unwise to draw solid conclusions from it
  - Each Borough has its own reporting methods and criteria. It was therefore not possible to draw direct comparisons between them
  - The Boroughs detailed in the case studies have larger, more established CCTV networks and therefore Brent cannot expect to receive comparable levels of income in the near future. (N.B. Brent currently will have only 14 CCTV cameras being used for enforcement, and 4 CCTV monitoring staff)
- 8.7 However, from the data gathered it can be inferred that there is, unsurprisingly, a strong positive correlation between number of cameras in operation, number of CCTV staff and number of PCNs issued.
- 8.8 Officers have also commissioned case studies of some of the high priority yellow box junctions in Brent. The results of these surveys, which are due in the near future, will determine the level of contraventions.
- 8.9 Fixed cameras will only be installed where the case studies indicate current high levels of contravention and where there is a continual need for enforcement to reduce the risks of irresponsible or illegal driving. Other sites will be enforced using deployable cameras and mobile enforcement vehicles, allowing periodic enforcement to be carried out when high levels of contraventions are taking place.

- 8.10 Officers are of the opinion that the financial projections outlined in the previous report are achievable and the project costs will be recovered within the five year repayment period.
- 8.11 It is recommended that the scheme is monitored from the appointed start date and that a review is carried out following six and twelve months of operation. These reviews will then provide officers with detailed information about the levels of compliance achieved and the financial implications of the scheme.
- 8.12 Performance of the parking enforcement contractor APCOA will also be closely monitored to determine the outputs compared with benchmark information received from other Authorities and for adopting best practice. This will include a review of the level of the recovery of charges levied.
- 8.13 It is recommended that a proportion of any surplus is reinvested into the scheme so that operations can be expanded to enforce further sites, therefore extending the expected benefits to other areas of the Borough. Future sites will be identified through future surveys to determine the levels of contraventions and accident data and these will be prioritised through the preparation of site-specific business cases.
- 8.14 It is recommended that if income forecasts are exceeded, that a proportion is allocated to early repayment to reduce the liability in future years when levels of income are reduced.

## **9.0 STAFFING IMPLICATIONS**

- 9.1 The introduction of the new enforcement approach will lead to an estimated one additional member of staff being employed within the Parking Enforcement section of StreetCare to process the CCTV enforced cases. The current Parking Enforcement Contractor will need to employ (or reallocate) an estimated four additional members of staff both in the CCTV control room and in specialist vehicles to monitor and detect contraventions.

## **10.0 DIVERSITY IMPLICATIONS**

- 10.1 Officers have screened this report and do not believe that there are any diversity implications.

## **11.0 ENVIRONMENTAL IMPLICATIONS**

- 11.1 It is expected that there will be a reduction of traffic congestion and consequently, emission levels, which should result in improved traffic flow and a cleaner and healthier environment. There will also be a safer and better managed public environment leading to reduced road casualties.
- 11.2 Improvements in road safety and the reduction of traffic congestion will also help promote the use of sustainable transport modes by improving bus journey times and increasing the road confidence of cyclists.
- 11.3 The expansion of the CCTV network and the use of mobile enforcement vehicles on community safety initiatives will benefit the community.

## **12.0 LEGAL IMPLICATIONS**

- 12.1 The London Local Authorities and Transport for London Act 2003 introduced provisions for the civil enforcement of certain moving vehicle contraventions (set out in Appendix A) by decriminalising the offences, thereby transferring the enforcement responsibility from the

Police to the Council. The whole of the Metropolitan Police Area has been designated a civil enforcement area. The Police will no longer enforce the contraventions set out in Appendix A.

- 12.2 The London Councils Transport and Environment Committee is responsible for regulating the scheme in London and its approval is required to commence MTC enforcement. It also administers the Code of Practice, which sets out the operational procedures that must be adhered to by any Borough included in the scheme.
- 12.3 A formal resolution now needs to be taken to make legal the transfer of powers. The necessary preliminary work has now been carried out by officers, with a view to commencing on or shortly after 1 January 2011.
- 12.4 Once this formality and the other necessary steps have been carried out, an application can be made to London Councils for approval. In granting approval the Transport and Environment Committee will need to be satisfied that the London Borough of Brent has carried out all the required steps.
- 12.5 It is intended that Brent will carry out enforcement on boundary roads within neighbouring Boroughs. It will be necessary for neighbouring boroughs to formally resolve that the enforcement to the parts of the boundary roads which fall within their areas will be exercised by Brent. They have the power to make such arrangements under the local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000. The Executive is accordingly asked to authorise officers to enter into the necessary agreements/arrangements with neighbouring boroughs as necessary.

### **13.0 FURTHER INFORMATION**

Details of Documents:

- Action plan






Any person wishing to inspect the above papers should contact Sandor Fazekas or Tim Jackson, Transportation Service Unit, Brent House, 349-357 High Road, Wembley, Middlesex, HA9 6BZ

Telephone: 020 8937 5113 / 5151



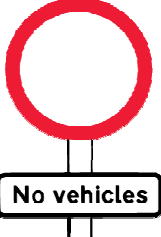



**Richard Saunders**  
**Director of Environment & Culture**



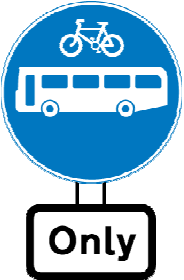
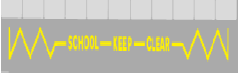
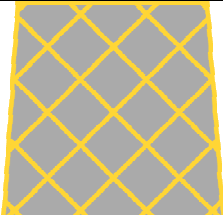
## APPENDIX A

### Schedule of Road Traffic Offences that are to be decriminalised as part of the London Local Authorities and Transport for London Act 2003

Description of traffic sign	Diagram number <sup>1</sup>	Sign
Vehicular traffic must proceed in the direction indicated by the arrow	606	
Vehicular traffic must turn ahead in the direction indicated by the arrow.	609	
Vehicular traffic must comply with the requirements prescribed in regulation 15.	610	
No right turn for vehicular traffic	612	
No left turn for vehicular traffic	613	(reverse of above)
No U turns for vehicular traffic	614	

<sup>1</sup> Diagram number for traffic sign in the Traffic Signs and General Directions 2002 (S.I. 2002 No. 3113)

Priority must be given to vehicles from the opposite direction	615, 615.1	
No entry for vehicular traffic N.B. There is a condition attached to this sign which effectively means that it can only be included in this schedule where there is a traffic order to support its use.	616	
All Vehicles prohibited except non – mechanically propelled vehicles being pushed by pedestrians	617	
Entry to pedestrian zone restricted (Alternative types)	618.2	
Entry to and waiting in pedestrian zone restricted (Alternative types)	618.3	
Entry to and waiting in pedestrian zone restricted (Variable message sign)	618.3	
Motor vehicles prohibited	619	
Motor vehicles except solo motorcycles prohibited	619.1	
Solo motorcycles prohibited	619.2	

Goods vehicles exceeding the maximum gross weight indicated on the goods vehicle symbol prohibited	622.1A	
One way traffic	652	
Route for use by buses and pedal cycles only	953	
Part of the Carriageway outside a school entrance where vehicles should not stop.	1027.1	
Marking Conveying the requirements prescribed in regulation 29(2) and Part II of Schedule 19 of the Traffic Signs Regulations and General Directions 2002	1043,1044	

APPENDIX B

**Code of Practice for Operation of CCTV**  
**Enforcement Cameras in the**  
***[Enforcement Authority]***

**Version 3.3 – December 2009**



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## **INTRODUCTION**

### **1.1 Background**

1.1.1 Since 1999 the London Boroughs and Transport for London have been using CCTV cameras to enforce traffic regulations. The introduction of enforcement of traffic regulations by CCTV cameras is one part of a wide-ranging programme of measures to improve the reliability and punctuality of public transport, reduce congestion and pollution. The aim of most traffic management measures, such as bus lanes and parking regulations is to give priority to certain groups of road users by excluding others during prescribed hours. The introduction of CCTV monitoring of traffic regulations is intended to reduce the level of contraventions and so reduce delays on the highway network.

1.1.2 An essential and integral part of any CCTV system is a Code of Practice, which sets out the objectives of the system and the rules by which it will be operated. This Code of Practice ensures that issues such as privacy, integrity and fairness are properly dealt with. It sets a minimum standard which must be adhered to by all those authorities in London enforcing traffic regulations using CCTV cameras to ensure public confidence in the scheme.

1.1.3 This Code of Practice is designed to operate within the framework of the relevant pieces of legislation and to complement the Statutory and Operational Guidance produced by the Department for Transport. If there are any contradictions between this document and the relevant legislation or guidance documents then those should take precedence.

### **1.2 Commitment and Responsibility**

1.2.1 The London Councils Transport & Environment Committee supports this Code of Practice and the CCTV monitoring scheme, which it regulates. Permission to operate the scheme will be granted only to London local authorities, which commit to and take responsibility for its fair, legal and widespread implementation and its maintenance, review and improvement as appropriate within this Code of Practice.

1.2.2 Within this overall framework for London individual local authorities will operate separate monitoring schemes in conjunction with the local police and other partners. The addresses of the authorities responsible for operating these particular schemes are given in Appendix 1 paragraph 1.

1.2.3 All data shall be processed fairly and lawfully and the operators of the system will ensure that appropriate security measures shall be taken against unauthorised access to, alteration, disclosure or destruction of, personal data and against accidental loss or destruction of personal data.

### **1.3 *Code of Practice***

#### **Key Purpose of Code**

1.3.1 This Code of Practice applies to the use of the CCTV systems for the purposes of enforcing parking and traffic regulations only.

- 1.3.2 This Code of Practice has been drawn up to ensure that the use of CCTV to monitor traffic is consistent throughout London and in accordance with current best practice. The Code ensures that issues such as privacy and integrity are properly respected. CCTV in public places must be operated with regard to the advice and guidelines issued by the Home Office, Police Scientific Development Branch, Local Government Association, Office of Data Protection Registrar, the Local Government Information Unit the CCTV User Group and London Councils Traffic Camera Enforcement Group.

#### Availability of the Code to the Public

- 1.3.3 Copies of this Code of Practice are publicly available in accordance with the Local Government (Access to Information) Act 1985. The Code can be inspected at many addresses throughout London – the most local are given at Appendix 1 paragraph 2.

#### Monitoring and Review of Code

- 1.3.4 The operation of this Code will be regularly reviewed by each of the London local authorities operating CCTV monitoring. Authorities are required to report on CCTV operations as part of the annual report produced under the Traffic Management Act 2004. These reports will be made available for public inspection at the address given in Appendix 1 paragraph 3.
- 1.3.5 The London Councils Transport & Environment Committee will also monitor the scheme in respect of its wider operation across London.

#### Changes to Code

- 1.3.6 It is intended that this Code will be amended as necessary to ensure that it continues to reflect current best practices. Changes to the Code will be classified as minor and major.
- 1.3.7 Minor changes are those that only affect the operation of the scheme locally and may only be made after the agreement of senior representatives of all parties concerned in the operation of the local scheme. Examples of minor changes are amending nominated officers or areas of application. Minor changes do not need to be reported to London Councils.
- 1.3.8 Major changes are those that affect more than one authority and usually involve a change in overall London policy. Major changes may only be made with the authority of the London Councils Environment & Transport Committee.

#### Detailed Objectives of Code

- 1.3.9 The Code of Practice has been designed to meet the following detailed objectives: -
- To satisfy the community that the camera enforcement system is being operated competently and honestly by its operators.
  - To reassure the community over the privacy of private areas and domestic buildings.
  - To ensure that operating staff are aware of and follow the correct procedures in the case of an 'incident'.
  - To use cameras as a deterrent and improve driver compliance with traffic regulations.
  - To facilitate the detection and prosecution of offenders in relation to non-compliance with existing regulations.
  - To assist with achieving the key objectives of other town centre CCTV schemes operated by the local authority.

## Queries and Complaints about Code

- 1.3.10 Queries and complaints about this Code or its general operation should be sent to the address given in Appendix 1, Paragraph 4.
- 1.3.11 Queries or appeals against any specific Penalty Charge Notice (PCN) shall be made to the address shown on that PCN. Further details appear in paragraph 2.4.8.

## **2. THE OPERATION OF CCTV ENFORCEMENT CAMERAS**

### **2.1 CCTV Camera Surveillance**

- 2.1.1 Closed Circuit Television (CCTV) cameras operated by local authorities in public places are used for a wide variety of purposes including the prevention and detection of crime, protection of public and private property, town centre management, traffic monitoring and the enforcement of traffic regulations. A single CCTV camera may be used for a number of these purposes at different times of the day.
- 2.1.2 The CCTV cameras operated by a local authority may be owned or leased by that authority or by Transport for London. The police may also have access to some of the CCTV cameras owned and/or operated by the local authority and Transport for London. Each authority may use the cameras for any of the purposes specified in paragraph 2.1.1.
- 2.1.3 The cameras used for the enforcement of traffic regulations may be used for more general street surveillance when traffic restrictions are not in operation by the Police, TfL or by CCTV systems operated by other Departments of the local authority.
- 2.1.4 This Code of Practice specifically relates to the use of CCTV cameras when they are being used to enforce traffic regulations. It is supplemented by a procedural manual containing specific instructions on the use of the camera and recording equipment and control room procedures. Separate Codes of Practice exist covering the other purposes for which CCTV cameras are used.
- 2.1.5 Mobile, transportable and handheld cameras may be used within an area for the purposes of the enforcement of traffic regulations. The use of such cameras will be governed by this Code of Practice and any procedures ancillary to it.

### **2.2 The Legal Framework**

#### Legislation governing the operation of CCTV systems

- 2.2.1 The operation of CCTV systems must be undertaken with due regard to the following legislation:
- The Data Protection Act 1998
  - The Human Rights Act 1998
  - The Regulation of Investigatory Powers Act 2000
  - The Freedom of Information Act 2000

#### Legislation governing the enforcement of traffic regulations using CCTV cameras

- 2.2.2 The enforcement of traffic regulations by CCTV cameras is regulated under the following legislation:
- Road Traffic Regulation Act 1984
  - Road Traffic Offenders Act 1988
  - Road Traffic Act 1991
  - London Local Authorities Act 1996
  - The Road Traffic Offenders (Additional Offences and Prescribed Devices) Order 1997
  - London Local Authorities Act 2000
  - The Transport for London (Bus Lanes) Order 2001
  - London Local Authorities and Transport for London Act 2003

- Traffic Management Act 2004
- The Civil Enforcement of Parking Contraventions (England) General Regulations 2007
- The Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007
- The Civil Enforcement of Parking Contraventions (Approved Devices) (England) Order 2007

2.2.3 Together these Acts allow a London Local Authority to install structures and equipment on or near a highway for the detection of contraventions of Traffic Regulation Orders and to use the information provided by them, to serve a Penalty Charge Notice (PCN) on the registered keeper of a vehicle which contravenes the Traffic Regulations.

2.2.4 Relevant Traffic Regulation Orders must be made available on request.

2.2.5 Records of the keepers of vehicles that contravene traffic regulations will be obtained in accordance with the Driver and Vehicle Licensing Agency enquiry procedures.

## 2.3 Enforcement of Traffic Regulations by CCTV

2.3.1 The primary objective of any CCTV camera enforcement system ('the system') is to ensure the safe and efficient operation of the road network by deterring motorists from breaking road traffic restrictions and detecting those that do. To do this, the system needs to be well publicised and indicated with lawful traffic signs.

2.3.2 In order to encourage compliance with traffic regulations the system enables fully trained staff:–

- to monitor traffic activity in accordance with relevant legislation and guidance, including this Code of Practice;
- to identify vehicle registration number, colour and type of unauthorised vehicles contravening traffic regulations;
- to support the serving of Penalty Charge Notices (PCNs) to the registered keeper of vehicles identified contravening the regulations;
- to record evidence of each contravention to ensure that representations and appeals can be fully answered;
- to enable timed and dated pictorial evidence of such unauthorised driving or stopping to be produced for adjudication or as information to the owner of such vehicles;
- to enable the despatch of a Civil Enforcement Officers and / or a secondary enforcement team for targeted enforcement of vehicles contravening traffic regulations.

2.3.3 The system is intended to view activity on public carriageways and footways. It will not be used to invade the privacy of any persons in domestic, business or other private premises, buildings or land.

### Extensions and changes to the area surveyed

2.3.4 The operating London local authority can extend or change the areas covered by the CCTV system subject to normal internal procedures.

### Signs

2.3.5 Relevant camera enforcement signs should be displayed in areas where the system operates. The signs will not define the field of view of the cameras but will advise that CCTV camera enforcement is taking place in the area.

## Systems, Equipment and Enforcement

- 2.3.6 This section gives a general description of systems and their uses. It is not exhaustive in nature, nor does it supersede or replace any legislative requirements.
- 2.3.7 CCTV enforcement systems fall into two generic types:
- Attended Systems
  - Unattended Systems
- 2.3.8 These are currently used across three enforcement streams although not all system types can necessarily be used against all work streams.
- Parking
  - Bus Lanes
  - Moving Traffic

### Attended System

- 2.3.9 Attended systems are operated in real time by a camera operator who views the images from roadside equipment. The operator may be located in a central control room or locally, such as a vehicle-based control room. Contraventions are observed by the operator and PCNs are issued primarily on the basis of the operator's observations and supported by the image recordings.

### Unattended System

- 2.3.10 Unattended systems are automated CCTV systems which operate without operator intervention. They record contraventions from which PCNs are issued on the basis of the recorded images. The recorded images must be reviewed by an operator before a PCN is issued.

### Parking Enforcement

- 2.3.11 Equipment that can be used for the enforcement of parking contraventions via CCTV is regulated by the Traffic Management Act 2004 and the associated legislation. The 2004 Act provides a system approval scheme for CCTV systems used for parking enforcement known as "Approved Device Certification". From 31 March 2009 all systems used for the enforcement of parking contraventions must be certified by the Department for Transport (or its appointed agents) under this scheme. The scheme specifies how changes in the system must be carried out and recorded.

### Bus Lanes

- 2.3.12 Unlike Parking Enforcement, there is no requirement for an approved device under London Local Authorities Act 1996. The 1996 Act requires that the equipment be a prescribed device, described in the Road Traffic Offenders Act 1988 (as amended) as:

"a camera designed or adapted to record the presence of a vehicle on an area of road which is a bus lane or route for use by buses only."

It is therefore the responsibility of each enforcing authority to ensure that the equipment they use fits within the description of the 1988 Act.

- 2.3.13 If bus lane enforcement is being performed under the Transport Act 2000 then an approved device is required. Approval is similar to that for parking enforcement except that the system must additionally comply with the Bus Lanes (Approved Devices) (England) Order 2005.
- 2.3.14 Authorities should also be mindful of the possibility for harmonisation of legislation under the Traffic Management Act when specifying camera systems for bus lanes.

### Moving Traffic

- 2.3.15 There is currently no specific legislation governing CCTV equipment that can be used for the enforcement of moving traffic contraventions.
- 2.3.16 Authorities should be mindful of the requirements of systems used for parking enforcement when carrying out moving traffic enforcement and should consider their features as an indication of the requirements of systems that would be considered fit for purpose. That is not to say however that a system used for moving traffic enforcement under the London Local Authorities and Transport for London Act 2003 must conform to or be approved by the Department for Transport.
- 2.3.17 Authorities should also be mindful of the possibility for harmonisation of legislation under the Traffic Management Act when specifying camera systems for moving traffic enforcement.

## 2.4 Operation of the System

### Monitoring of Traffic

- 2.4.1 Only properly trained and qualified operators (see section 2.9 – Operating Personnel) will operate the system.
- 2.4.2 A contravention of traffic regulations will be identified depending on whether the system is attended or unattended.
- 2.4.3 Contraventions will be identified from attended systems by monitoring the screen and operating the cameras in real time. The operator must obtain the most effective images of a vehicle and its surrounding circumstances at the time when any contravention may be occurring. Contraventions must be identified at the time when they are committed. Pre-recorded video images will not be studied to identify contraventions committed at some earlier time.
- 2.4.4 Unattended systems identify contraventions automatically and store them for later processing. Such images must be verified by operators prior to notices being issued.
- 2.4.5 When a non traffic 'incident' is caught on camera, operators will follow procedures agreed locally with the police and other scheme partners. All such incidents are to be recorded on a Control Room Log Sheet. An example of this document, which can also be used to record equipment faults, is included in Appendix 2.
- 2.4.6 When a contravention is observed using an attended system and sufficient evidence has been recorded, the operator will record the time and sufficient vehicle identifier information in an electronic or handwritten logbook or by utilising approved audio equipment (see 2.3.13). The operator will then continue monitoring. An example of the layout for a Camera Enforcement logbook is included in Appendix 3.



## Issue of Penalty Charge Notices (PCNs)

- 2.4.7 The Secretary of State recommends that all PCNs should be issued within 14 days of the contravention. A PCN should be sent by first class post and must not be sent by second class post. Any notice served by first class post is deemed to have been served on the second working day after posting unless the contrary is proved.
- 2.4.8 Reasons for not serving the PCN within 14 days should be restricted to those that are outside of the control of the authority, for example where details from the DVLA have not been received in time.
- 2.4.9 In any case, PCNs must be served within 28 days of the date of contravention unless keeper details have not been received from DVLA.

## Representations

- 2.4.10 With regard to bus lane contraventions, formal representations specifically concerned with the issue of any Penalty Charge Notice (PCNs) from this system can only be made once the Enforcement Notice has been issued to the keeper of the vehicle. An Enforcement Notice will seek details of any Police Notice of Intention to Prosecute (NIP), which may have been issued in relation to the same alleged infringement. With regard to moving traffic contraventions formal representations can be made once the Penalty Charge Notice has been issued to the keeper of the vehicle.
- 2.4.11 In all cases, the enforcing authority must consider the representations and, if it does not accept them, issue a Notice of Rejection. If the keeper is not satisfied by this outcome, there is a right of further appeal to the independent adjudicators at the Parking and Traffic Appeals Service (see section 2.6 – Guidelines for Appeals).

## 2.5 Retention and Use of Evidence

### Ownership, copying and release of recordings

- 2.5.1 All recordings are the property of the Authority operating the scheme and may not be copied or released from the Control Room or from secure storage without the formal written agreement of the Senior Officer nominated in Appendix 1 paragraph 5. A copy of the section of footage, relevant to a particular contravention, will only be released:–
- to the appellant in whatever means the authority deems appropriate
  - to the Parking and Traffic Appeals Service (and copied to the appellant)
  - to the Police
  - to Lawyers acting for appellants in Traffic Appeals
  - to Lawyers acting for defendants/victims in connection with criminal proceedings
  - to a third party prosecuting authority, such as Customs & Excise or the Health & Safety Executive.
  - by court order, in connection with civil proceedings
  - in the case of VHS video and DVD's, to be magnetically erased and properly disposed of after twelve cycles of use. Authorities and any of their agents undertaking the disposal should ensure safe destruction. They should also keep recordings for an adequate amount of time in line with the policy of the authority.
- 2.5.2 Recordings (or copies of a section of a recording) will only be released over signature to representatives of the above organisations after proof of identity. Recordings (and copies of recordings), which are released, remain the property of the Local Authority. Any recording

released to the Police will be dealt with by the Police as an exhibit and shall not be used for anything other than the purpose specified and identified when released to the Police. A detailed record must be kept of the recording (or section of it) that has been released and the reason for its release.

- 2.5.3 The Local Authority will provide the Police with a statement confirming the integrity of the recording, if required for evidential purposes.
- 2.5.4 Under no circumstances will recordings be released to members of the public except as per section 2.5.15 below, or to media or other commercial organisations except where such recordings are to be used for educational or training purposes or where release is required under relevant legislation.
- 2.5.5 Recorded material will only be used for the purposes defined in this Code of Practice and will only be accessed as defined in this Code of Practice. In no circumstances will recorded material (or any copies or still prints generated from it) be sold or lent for any purpose other than those set out above. Copyright of all recorded material and stills printed from such material remain totally with the operating authority.

#### Viewing of recording media

- 2.5.6 A person who has received a PCN or the keeper of the vehicle is entitled to view that section of the media recording showing the contravention for which the PCN was issued. Viewing of videotapes, DVD's or other recording medium, will only be arranged following formal agreement of the Senior Officer nominated in Appendix 1 paragraph 5. Viewing of the media evidence should be arranged as soon as possible after a request has been made by the person in receipt of the PCN. The viewing area should not only be secure, but it should be designed and laid out so that only those in the viewing room can see the images. A still image may be supplied at no charge, as an alternative, in a situation where it is not possible to arrange a viewing of media evidence. Authorities may agree to send the media recording to the keeper of the vehicle upon request, which may incur a small cost. Recordings may also be viewed on-line if the authority has this facility. The PCN number and VRM would need to be entered to activate this service.
- 2.5.7 Viewing of recordings will only be permitted in the following circumstances:–
- to support the issue of a PCN
  - as an alternative to releasing a recording to one of the parties nominated in paragraph 2.5.1 above
  - as part of internal audit, review or disciplinary procedures
  - as part of the training process for control room staff
  - for education and road safety training.
- 2.5.8 Viewing of recordings will only take place in a secure area except where the recipient of the Penalty Charge Notice or his nominated agent has specifically signed a waiver stating otherwise. This waiver will only be valid for viewings by the recipient or his agent. Whether in a secure area or not, the viewing will be supervised by properly authorised staff. Only the 'working media' recording will be viewed. 'Evidence media' recordings will not be viewed.
- 2.5.9 The person supervising the viewing must enter full details of the event in the Control Room Records including:–
- time, date and location of viewing
  - the serial numbers of all tapes or discs viewed, the sections of those tapes or discs which were viewed (using the start and finish frame numbers) if applicable
  - the reasons for viewing each tape or disc

- details of the people present at the viewing.
- 2.5.10 In the case of digital storage media it is sufficient for the system to log, with the video image:
- time, date and location of viewing
  - the reasons for viewing
  - details of the people present at the viewing.
- 2.5.11 These records should be subject to regular audit, at least once a year, by officers specified in Appendix 1, paragraph 7.

### Still Images

- 2.5.12 Still images must be provided in accordance with the relevant legislation. Notwithstanding this, authorities should include such still images on the PCN to show sufficient grounds for the PCN being issued. Still images should be sent upon request. No charge is to be made for the provision of such images. The image then becomes the property of the person who received the PCN. All other still images will remain the property of the operating Authority.
- 2.5.13 A still image is a print onto paper of the picture held on a single field or frame of the video recording. The equipment will be used to generate these still images and each image produced will contain its unique frame number and the time (HH MM SS) and date (DD MM YY – or similar format) of the occurrence.
- 2.5.14 Still images will only be generated at the discretion of the Senior Officer indicated in Appendix 1 paragraph 5 and only for the following purposes:–
- to support the issue of a PCN
  - as evidence for an Appeal
  - if the Police or other organisation with appropriate authority request such an image with detailed written reasons for their request.
- 2.5.15 Each still image will be given a unique serial number and will be logged and accounted for at all times. Still images will only leave the Control Room when requested by the recipient of the relevant PCN or signed out as evidence in the possession of the Police or other relevant organisation.
- 2.5.16 Still images produced outside the normal progression of a case must only be made by properly authorised staff, and must be logged and auditable.
- 2.5.17 Still images, which are no longer required, are to be destroyed in the Control Room and the destruction of each image will be recorded in the Control Room records.
- 2.5.18 The procedure for production, release and destruction of still images will be subject to regular audit.

## 2.6 Guidelines for Appeals

### The Appeal Form

- 2.6.1 The relevant appeal form, as produced and supplied by the Parking and Traffic Appeals Service, must be enclosed with every Notice of Rejection of Representations issued by an enforcing authority.

- 2.6.2 The official use box must be completed by an authorised official of the enforcing authority. This must state the PCN number, the Vehicle Registration Number, the name of the keeper to whom the Notice of Rejection was sent and the date the Notice of Rejection was sent. This information must be completed for an appeal to be registered and enables the appeal service to check that the right person is lodging an appeal and that it has been submitted in time.
- 2.6.3 Evidence should be submitted to PATAS at least seven days before the hearing date and must also be sent to the appellant.
- 2.6.4 The following items will be required as mandatory evidence by the Traffic Adjudicators:
- a) Authorised Officer Witness Statement – a declaration that at the time the contravention was observed, the monitoring and recording equipment used was of a type approved by the Secretary of State and was in full working order. Examples of Authorised Officer Witness Statements that should be used for parking contraventions and bus lane contraventions are included in Appendices 5 and 6 respectively. The Authorised Officer Statement also includes details of the evidence that is being produced (e.g. stills from video recording) and confirmation that these were produced in accordance with the Code of Practice. In order for the Authorised Officer to sign the declaration reference should be made to the Control Room Log Sheet to determine the status of the equipment at the time at which the contravention was witnessed. An example of a Control Room Log Sheet is included in Appendix 2.
  - b) Copy of the Penalty Charge Notice
  - c) A case summary - This should include the relevant part of the regulation allegedly contravened and deal with any exemption claimed by the appellant.
  - d) Copy of the Enforcement Notice (where applicable)
  - e) Copies of any representations made and all correspondence
  - f) Copy of the Notice of Rejection
  - g) Colour Images of the Contravention – the images must show the context of the contravention and the identification of the target vehicle. All pictures must display the location, date and time of the contravention. The Adjudicators do not expect footage except in particular cases where there is a strong conflict of evidence. If the Council produces video evidence to the Adjudicators, they must also supply the appellant with a copy. The footage for the Adjudicators must be of a type approved by PATAS however the footage for the appellant must be in a format agreed with the appellant. Even if the appellant has already viewed the Council's recorded evidence of the contravention, the Adjudicator would expect to see images in evidence. A copy of the images would therefore have to be served on the appellant. A digital photograph would be acceptable, providing that the accompanying statement explains that it is a digital photograph, taken by an approved device, a true copy, not enhanced etc.
  - h) Certificate of Service – the evidence submitted to the Adjudicator must be accompanied by a certificate confirming that the appellant has been sent copies of the evidence submitted to the Adjudicator not less than 7 days before the hearing. This requirement is in line with Article 6 of the Human Rights Act 1998. The evidence copied to the appellant must be in the same format as that submitted to the Adjudicator.
- 2.6.5 The list above is not exhaustive. As with any case, the Adjudicator may ask for other forms of evidence not mentioned above. The Councils will be given at least 21 days notice to submit evidence for Appeals.

## Witness Attendance at an Appeal Hearing (Bus Lane Appeals)

2.6.6 Paragraph 7 (6) of Schedule 1 of the London Local Authorities Act 1996 relating to bus lane contraventions, states that documentary evidence as described above will not be admissible if the appellant, not less than 3 days before the hearing (or such other time specified by the Adjudicator) serves a notice on the Council requiring attendance at the hearing of the person who signed the document. The Adjudicators have taken this to mean that if the appellant does not accept such evidence as provided in written or photographic format by the Council, and if the Council wishes to proceed with the appeal, the person who provided the evidence may have to attend the hearing. The Council must inform the appellant that he/she can require the attendance at the hearing of the person who signed the Authorised Officer Witness Statement. The Adjudicator may also direct the attendance of a witness at a hearing if he considers it necessary. A copy of the suggested wording, which should be used to inform the appellant that they have the opportunity to request the attendance of the person signing the Authorised Officer Witness Statement, is included in Appendix 6. This paragraph should be included in the Notice of Rejection sent to the Appellant. This requirement only applies to bus lane appeals and does not apply to appeals for parking or moving traffic contraventions.

## 2.7 Security of Operations

2.7.1 The CCTV traffic monitoring, recording and storage operations will be carried out in a secure environment.

2.7.2 Visitors may only access the Control Room when authorised by the Senior Officer indicated in Appendix 1 paragraph 6.

2.7.3 A log detailing all events and visits should be maintained in the Control Room.

2.7.4 If the Control Room is left unattended for any amount of time, no matter how short, the monitoring, storage and control room equipment must be securely locked and inaccessible to any unauthorised person. Any alternative secure storage room must be subject to the same conditions of attendance.

2.7.5 Technical, maintenance and repair work will only be carried out with the authorisation of a responsible officer or agent of the authority.

## 2.8 Procedures Manual

2.8.1 A Control Room Procedures Manual listing duties, responsibilities and procedures to be followed will be available in the Control Room at all times. Access to that manual shall be restricted to officers who have responsibility for operating the system. The manual will be regularly updated to reflect current agreed practice.

## 2.9 Operating Personnel

### Responsibilities

2.9.1 Management responsibility for the operation of the system and observance of this Code of Practice and Control Room Procedures Manual resides with the Officers listed in Appendix 1 Paragraph 7.

2.9.2 All staff operating the system will be responsible for working in full accord with this Code of Practice and the Control Room Procedures Manual. They will be subject to their employer's

normal disciplinary procedures and will sign an acknowledgement that they have been trained in and understand the Code of Practice and the Procedures Manual. Breaches of this Code of Practice or of the Procedures will result in disciplinary action.

### Selection and Training

- 2.9.3 All personnel permitted to operate the System will be selected in accordance with the Employer's Standard Recruitment Procedures for personnel who are obliged to work to rules of confidentiality.
- 2.9.4 They will be fully instructed in their responsibilities and role in operating CCTV.
- 2.9.5 All staff undertaking enforcement of parking and traffic regulations using CCTV cameras must have successfully completed an approved training course. A list of the courses that have been approved for this purpose is contained in Appendix 9.
- 2.9.6 Training will include: -
- all aspects of this Code of Practice
  - all aspects of Control Room Procedures
  - all aspects of equipment operation
  - system audit procedures
  - issue of PCNs
  - knowledge of the areas of application in the Borough
  - the necessary underpinning knowledge of Traffic Law
  - Health & Safety
- 2.9.7 Full records of training and of assessments of competence will be kept according to the Employer's Standard procedures.

Operators will only be permitted to operate the system unsupervised when they have proved their competence according to the Employer's Standard Procedures.

## APPENDIX C

### Phase One of Moving Traffic Contravention Locations

Yellow Box Junctions		
Road	Junction with	Type
Anson Road	Chichele Road	A
Blackbird Hill	Birchen Grove	A
Bridgewater Road	Station Approach	B
Chamberlayne Road	Chevening Road	A
Chamberlayne Road	Station Terrace	A
Chamberlayne Road	Harvis Road	A
Chamberlayne Road	Banister Road	A
Dudden Hill Lane	Tanfield Avenue	A
Dudden Hill Lane	Dollis Hill Lane	A
Ealing Road	Alperton Lane	B
East Lane	Llanover Road	C
East Lane	Sudbury Avenue	A
East Lane	Harrowdene Road	A
Forty Avenue	Barn Hill	B
Forty Avenue	Bridge Road	B
Forty Avenue	The Paddocks	A
High Road	Brondesbury Park	C
High Road (A414 SRN) <b>3Boxes</b>	Wembley Hill Road	A C
High Road (A414 SRN)	Ealing Road	A
Kilburn High Road (A5 SRN)	Christchurch Avenue	A
Kilburn High Road (A5 SRN)	Cavendish Road	A
Kilburn High Road (A5 SRN)	Cambridge Avenue	C
Kilburn High Road (A5 SRN)	Brondesbury Road	C

Kilburn High Road (A5 SRN)	Victoria Road	A
Kilburn High Road (A5 SRN)	Willesden Lane	B
Salisbury Road	Hartland Road	B
Shoot-up Hill	Mapesbury Road	C
Sidmouth Road	Brondesbury Park	A

<b>Width Restrictions</b>	
<b>Tubbs Road</b>	passing on the wrong side of sign (through the emergency vehicle access area)
<b>Banned Right Turns</b>	
High Road, Wembley	into St. John's Road.
St. John's Road.	into High Road Wembley
Harrow Road	into Maybank Avenue
Barn Hill	into Forty Avenue
Harrow Road	into Elms Lane
Kenton Road	into Draycott Avenue
Forty Lane	into Kings Drive
Kenton Road	into Draycott Avenue
Kenton Road	into Kenton Lane
Kings Drive	into Forty Lane
Kingsbury Road	into Slough Lane
High Road, Wembley	into Lancelot Road
<b>Banned Left Turns</b>	
Ealing Road	into High Road, Wembley.
Woodcock Hill	into Kenton Road.



<b>Banned U Turns</b>	
Watford Road	at either end of the median strip which lies opposite the access road to Northwick Park Golf Centre, Watford Road.
Harrow Road, Wembley	either end of the island site adjacent to its junction with Elms Lane & Maybank Avenue
<b>Compulsory Left Hand Turn</b>	
Brondesbury Park	into High Road, Willesden Green
Oakington Manor Drive	Harrow road, Wembley
London Road	High Road, Wembley
<b>Compulsory Straight Ahead</b>	
Slough Lane	in a northerly direction along Roe Green
Forty Lane	into Forty avenue
<b>No Entry</b>	
Donaldson Road	into Lonsdale Road
Harrow Road	into Maybank Avenue
Watford road	into southern access way which provide access to and from Northwick Park Hospital
<b>One Way Working</b>	
Carey Way	the northern arm; (west to east)
Carey Way	the north-western arm; (south-west to north east)
St John's Road	One Way Traffic
<b>No Entry Except Buses</b>	
Watford Road	into the southern access way which provide vehicular access from Watford road to and from Northwick Park Hospital

<b>Bus Route at Any-Time</b>	
Bodium Way	(north-westward and south-eastward).
THE UNNAMED ROAD LINKING BIRSE CRESCENT AND NEASDEN LANE UNDERPASS	(south-eastward).

<b>School Keep Clear</b>		
Bridge Road, Stonebridge	East Lane	Slough Lane
Christchurch Avenue, NW6	Longstone Avenue	The Avenue, Willesden
College Road, Kensal Green	Mount Pleasant	The Mall
Coniston Gardens NW10	Mount Stewart Avenue	Uffingham Road
Crest Road	Northview Crescent	Wembley Park Drive
Curzon Crescent	Oakington Manor Drive	Woodcock Hill
Dollis Hill Lane	Park Avenue	
Doyle Gardens	Park Lane	
Ealing Road	Salisbury Road	

<b>Weight restrictions 7.5 Tonnes</b>	<b>Extent</b>
Bridge Road	The bridge over the canal feeder
Brondesbury Area	Algernon Road, Brondesbury Road, Brondesbury Villas, Cherteris Road, Donaldson Road, Esmond Road, Glengall Road, Hartland Road, Hazelmere Road, Honiton Road, Lynton Road, Tennyson Road (between its junction with Donaldson Road and the south-eastern kerb-line of Priory Park Road), Victoria mews, Victoria Road and Woodville Road.
Highfield Avenue	
Roe Green	
Stag Lane	
Thurlow Gardens	
Valley Drive Lorry Ban	Inc, Crundale Avenue, Mersham Drive, Valley Drive, Waltham Avenue, Wyndale Avenue

## APPENDIX D

### Case studies:

#### Borough A

- There are 51 cameras in use in Borough A and 8 FTE CCTV monitoring officers. Of these 51 cameras, only 23 are being used to enforce MTCs due to location/view. Borough A is not currently using any mobile enforcement vehicles.
- In 2009<sup>i</sup>, Borough A issued an average of 2696 PCNs through CCTV per month (including parking, bus lane and moving traffic contraventions).
- It can therefore be estimated that an average of 53 PCNs was issued per camera per month in 2009.
- In 2009, MTCs accounted for 52% of all PCNs issued by CCTV monitoring staff. (Bus lane contraventions accounted for 10% and parking contraventions accounted for the remaining 38%).
- Exact financial revenue was not available from Borough A, but using an estimated overall recovery rate of 60% and assuming that the PCNs issued were recovered at the £60 rate, monthly income in 2009 for MTCs in Borough A can be estimated as £50,472.00.
- In 2009, each CCTV monitoring officer issued an average of 337 PCNs per month, of which, an average of 176 were for MTCs.
- The average number of PCNs issued by Borough A increased by 3% between 2008 and 2009.

#### Borough B

- Borough B is comparable to Brent in terms of geography and economy.
- There are 43 cameras in use in Borough B and 12 FTE CCTV monitoring officers. Borough B has two mobile enforcement vehicles.
- In 2009<sup>ii</sup>, Borough B issued an average of 5737 PCNs through CCTV per month (including parking, bus lane and moving traffic contraventions).
- It can therefore be estimate that an average of 127 PCNs was issued per camera (including those in vehicles) per month in 2009.
- Borough B has a recovery rate of around 86%.
- Exact financial revenue was not available from Borough B, but assuming that 86% of the total monthly PCNs issued were recovered at the £60 rate, monthly income in 2009 for all contravention types in the Borough can be estimated as £296,039.20.
- In 2009, each CCTV monitoring officer issued an average of 478 PCNs per month (for all contravention types).
- In 2009, an average of 727 PCNs per month was generated through the two mobile enforcement vehicles combined.
- The average number of PCNs issued by Borough B decreased by 5.6% between 2008 and 2009.

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<sup>i</sup> Figures based on January – September 2009

<sup>ii</sup> Figures based on April 2009 – January 2010

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## Appendix E

### Different Designs of Yellow Box Junctions

A box junction is a traffic measure that is used to keep busy road junctions flowing freely. Box Junction can be used according to the DfT to mark an area of carriageway that cannot be blocked unless the vehicle is turning right and then it must stop in the box until the traffic has passed and the road is clear to cross.



**TYPE A**

The picture above is one of the most common designs of Yellow Box Junction which can be seen within London Borough of Brent. It is located at a busy four arm traffic light junction on the Edgware Road that forms part of the Strategic Route Network.



**TYPE B**

At staggered junctions it would be inappropriate to have one very large box junction. The photograph to the right shows two half boxes that have been staggered to protect the junction mouths from obstruction by stationary traffic.



**TYPE C**

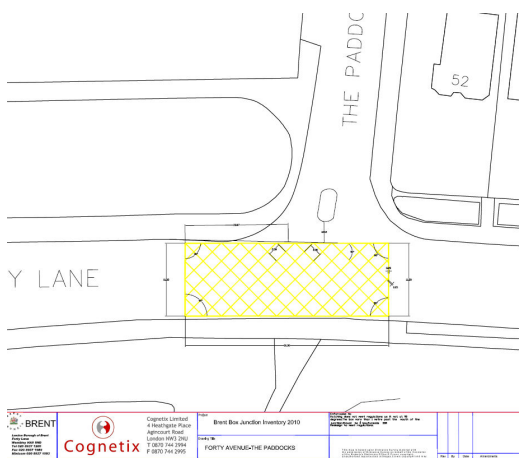
The picture above shows a half box junction located at a junction. Yellow Box markings can also be found outside police, fire ambulance stations or hospitals but only where there is an access road forming a junction with the main road.

All signs and lines must comply with the Traffic Regulations and General Directions 2002. However, in some situations variations maybe agreed by the Department for Transport.

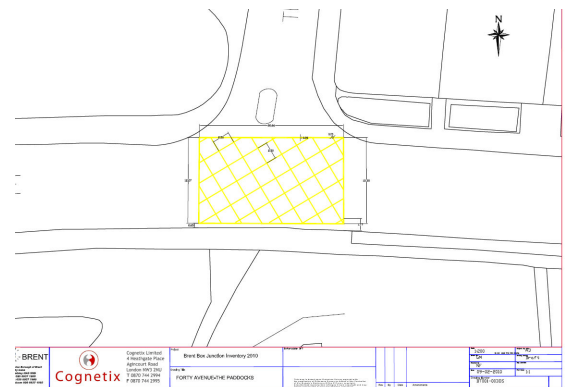
### **Type for Special Approval**

The Traffic Signs Regulation General Directions (TSRGD) does not cater for yellow box junctions at complex or non-standard junctions, so the majority of yellow box junction designs need to be submitted to the Department for Transport (DfT) to receive special signs authorisation to ensure they are legal and enforceable. This submission process can take up to 6 months.

Figure 1 below shows the current layout of the yellow box marking at Forty Lane junction with The Paddocks. The size of the yellow box is too large, making it difficult for motorists to see whether the exit is clear. Figure 2 shows a revised drawing with the yellow box reduced in size. The drawing in Fig.2 has been submitted to the DfT to seek type approval.



**Fig 1**



**Fig 2**

Figure 3 below show the current size and configuration of the yellow box located in East Lane junction with Harrowdene Road. Figure 4 shows the proposed layout with the size of the box reduced.

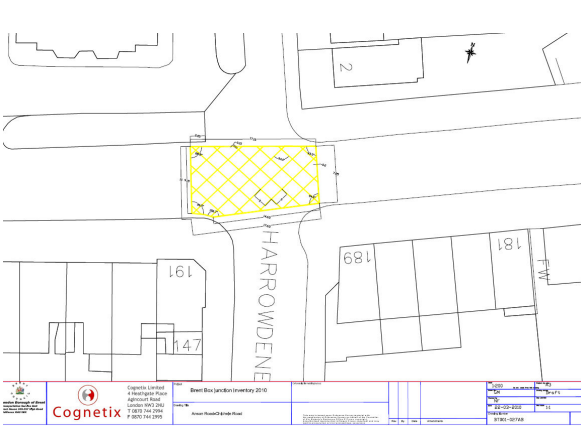


Fig 3

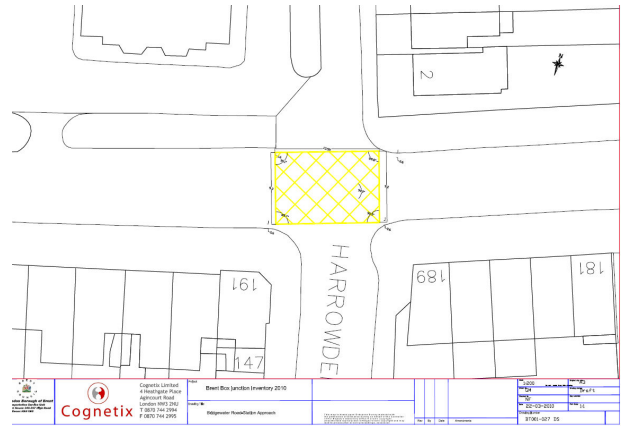


Fig 4

Figure 5 below shows the current yellow box layout in Chamberlayne Road junction with Banister Road. The revised layout as shown in figure 6 shows a reduction in size from a full box (Type A) to a half box (Type C).

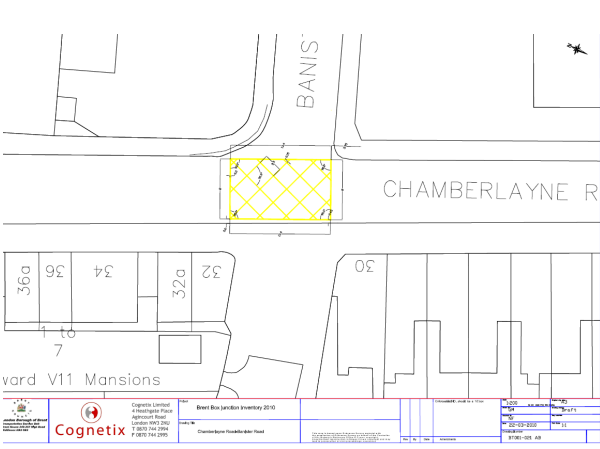


Fig 5

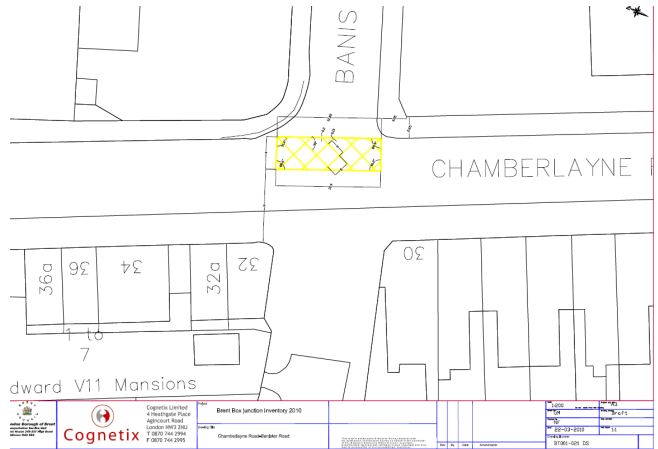


Fig 6



**Executive**  
23 June 2010

## **Report from the Director of Housing and Community Care**

Wards Affected:  
ALL

### **Main Programme Grant Funding 2010/11**

#### **1.0 Summary**

- 1.1 This report provides the Executive with details of local voluntary organisations that has applied for renewal of their one year funding from the Council's Main Programme Grant (MPG) for 2010/11.
- 1.2 In November 2008, the Executive agreed that each year they will provide a grant to currently funded organisations not affected by the new three-year funding programme. The groups recommended in this report have been in receipt of the MPG for some time and pending the change in the funding process, will continue to receive funding until they are eligible to apply for the new three-year programme
- 1.3 This report provides details of the funding that will be renewed for 2010/11.

#### **2.0 Recommendations**

- 2.1 Members to note and approve recommendations for allocation of the Main Programme Grants for 2010/11 as summarised in Appendix A and detailed in individual reports attached as Appendix B.
- 2.2 Note that the funding recommendations in this report will commence on 1<sup>st</sup> July 2010. (Further details are provided in 3.15 below).
- 2.3 Members to confirm that all funding made is subject to the Council's Grant Conditions, and that the funding is subject to each organisation agreeing and abiding by a statement of purpose with the Council.

2.4 Members to note that of the 12 organisations that previously received funding in 2009/10 have re-applied. One organisation did not re-apply and therefore has not been recommended for the grant. Another organisation also applied for the three-year funding and has been recommended and therefore its one-year grant has not been recommended.

### **3.0 Detail**

3.1 The Council has provided grant funding to a range of voluntary organisations for a number of years. Some of these organisations provide services which supplement those provided by the Council and assist in ensuring that specific local needs are met.

3.2 Over the years much of the funding has been allocated on a historical basis and there has been very little change in the organisations that receive MPG funding or the amounts allocated to them. This has made it very difficult for new organisations to access Council funding from this source.

3.3 In April 2007, a Scrutiny Task Group made up of a member from each political party was asked to review voluntary sector funding. Proposals were made to change the funding process and the following were included

- That the MPG should be made more accessible to organisations not currently funded by the Council
- That future funding from the MPG should be linked to corporate priorities
- That we should identify ways of funding voluntary sector organisations for periods longer than a year

3.4 The recommendations made by the Task Group were agreed by the Executive in July 2007, and officers were asked to explore possible new approaches for allocating the Main Programme Grant.

3.5 Officers had to take into consideration the issues relating to the current funding process (as stated in the Task Group report) and explore options that would ensure that the MPG would deliver services that meet locally identified needs and priorities, whilst minimising disruption to local voluntary agencies and the services they provide.

3.6 Officers carried out intensive work over a period of time on this task and reported back to the Executive in November in 2008. The report proposed an allocation of up to £260,000 from the MPG budget to a theme selected from the Council's Strategy. The proposed themes were

- children and young people services,
- crime/community safety, regeneration and
- sustainability.

3.7 The report also detailed the implications of funding each priority and the subsequent effect of reducing or withdrawing funding from currently funded groups to resource the new programme.



- 3.8 The proposals to develop a new funding process were accepted . The Children and Young People's Services was the first theme for the new programme which started in April 2009.
- 3.9 The Executive in November 2008 also agreed that existing organisations, not affected by the three-year funding would have their funding renewed each year until they became eligible to apply for the three-year programme. This will allow them to continue their service and prepare their organisation for the new funding process.
- 3.10 The 12 organisations were invited to re-apply for their grant.

Assessment Process

- 3.11 In assessing the grant applications, officers ensured that every application was treated fairly, according to the grant conditions and Council's funding priorities. Officers noted the aims and objectives of each organisation, the activities or projects for funding, the outcomes and outputs to be achieved and the internal monitoring arrangements for the funded activity.
- 3.12 Performance information held by the Voluntary Sector Team for previously funded groups was also considered. In addition to the above, each application was assessed by a management accountant to ascertain the financial viability of the organisation. This process was carried out in accordance with guidance from the Council's contract standing orders and included a detailed financial analysis of each organisation.
- 3.13 Of the 12 groups invited to re-apply, 11 have been recommended for funding. One organisation, Middlesex Association for the Blind decided not to apply and therefore was excluded from the process. African Women's Care has also made an application for three year funding and their application has been recommended. Their one year grant has therefore not been recommended. The total amount recommended for re-allocation in 2010/11 is £393,844
- 3.14 Funding has been recommended for projects that complement and support the Council's overall aims and objectives. Also, where organisations indicated that they could deliver a number of services, officers assessed each project and selected the one that best met the Council's priorities. Appendix A shows the organisations recommended for funding, the funding level and details of the project or activity to be provided. Individual assessment reports of all organisations that have applied for the grant is attached as Appendix B.
- 3.15 If members agree to the funding recommended in this report the Voluntary Sector Team will monitor each organisation regardless of funding level. Organisations will be monitored according to established procedures which will include planned and unannounced visits to administrative offices and service locations, feedback from service users and regular analysis of service targets set out in the original grant application.
- 3.16 A large number of applications were received for the MPG three-year funding and the assessment process for this programme i.e. one year funding took longer than anticipated. To compensate for this, organisations were given

one quarter of their funding in advance of the decisions being made. This payment was made in April 2010.

#### 4.0 Financial Implications

4.1 The MPG budget for 2010/11 is £1,970,749. A payment of £929,051 will be made from this budget to the London Councils Grant Programme.

4.2 Based on the proposals in this report the table below shows how the current resources will be allocated.

<b>Main Programme Grant Budget 10/11</b>	<b>£1,970,749</b>
Less London Council allocation for 10/11	£929,051
Less funding awarded in 09 for - Children and Young People Services (year 2)	£253,467
Less allocation to new theme i.e. <b>Crime/Community Safety and Regeneration (20 organisations)</b>	£365,479
Less allocation to currently funded groups not within the theme (at the same level as 2009/10)	£393,844
Exit Fund and Capacity Building fund	28,908
<b>Total</b>	<b>£1,970,749</b>

4.3 It is proposed that the balance of £23,308 from the voluntary sector budget should contribute to funding initiatives to enable effective liaison and engagement with the voluntary sector, such as the Voluntary Sector Forum, annual voluntary sector conference and Funders Fair. Also a proportion of this fund will be used as an exit fund for the 9 organisations previously funded but not recommended for the 3 year programme.

4.4 If the proposals in this report are accepted the Main Programme Grant budget for 2010/11 will be allocated and funding will commence in July 2010. The recommendations made in this report can be implemented within the available budget.

#### 5.0 Legal Implications

5.1 Responsibility for making decisions on the allocation of funding from the Main Programme Grant currently rests with the Executive of the Council.

- 5.2 Officers in the Council's Legal Services Unit have considered the individual reports on the grant applications and noted that the Council has the power to make the grants recommended.
- 5.3 The Council has powers under s137 Local Government Act 1972 and s2 Local Government Act 2000 to make grants to voluntary organisations.
- 5.4 The decision to award a grant is discretionary. The Council discretion must not be fettered by previous commitments they may have given. It should make its decision in the light of present circumstances.
- 5.5 The Council is bound to act reasonably and must take into account only relevant considerations and consider its fiduciary duty towards local taxpayers.
- 5.6 As a public authority the Council has general duties to promote equal opportunities relating to race, disability and gender and to remove discrimination. These duties are set out in the:
- Disability Discrimination Act 2005 (DDA 2005);
  - Equality Act 2006;
  - Equal Pay Act 1970;
  - Race Relations (Amendment) Act 2000 (RRAA 2000);and
  - Sex Discrimination Act 1975.
- 5.7 The DDA 2005 requires public authorities, when considering disabled people, to promote positive attitudes towards them and take positive steps, even if that involves treating them more favourably than others.
- 5.8 To provide guidance on the duty there is a Statutory Code of Practice. The general duty is not absolute but it does require authorities in respect of all their functions to give due regard to disability equality.
- 5.9 The core general duties are similar for race and gender i.e.:
- To promote equality of opportunity; and
  - To eliminate harassment and unlawful discrimination.
- 5.10 The Race Relations Act 1976 (as amended) places a statutory duty on public authorities to work to eliminate unlawful discrimination, and to promote race equality in all its functions. There are three complementary parts to the general duty:
- Eliminating unlawful racial discrimination
  - Promoting equal opportunities
  - Promoting good relations between people from different racial groups
- 5.11 The Code of Practice issued under s71C Race Relations Act 1976 (as amended) is relevant and the council must have regard to it.

## **6.0 Diversity Implications**

- 6.1 As part of the application process organisations were asked to submit a copy of their Equal Opportunities Policy. These were evaluated by officers to identify how each organisation will promote equality and eliminate discrimination. Details of the Equal Opportunities Policy assessment are included in the appraisal reports in Appendix B.
- 6.2 Given the demographic profile of the borough, a number of community specific projects based on identified need and Council priorities have been recommended for funding. Due consideration has been given to ensure that a broad spectrum of projects are funded reflecting the very diverse service issues and needs within the borough.
- 6.3 Steps will be taken to ensure that all funded projects are duly supported and monitored for achieving equality outcomes thereby encouraging all projects to mainstream equality across all aspects of employment and service delivery. Such an approach, whilst strengthening partnership working will result in creating a positive impact across the voluntary sector.

## **7.0 Staffing Implications**

- 7.1 The new monitoring arrangements for grants will be met from existing resources.

### **Background Papers**

Voluntary Sector Funding – A report of the Overview and Scrutiny Task Group – May 2007

Voluntary Sector Funding – Allocation of Main Programme Grant 2008/09 - 18<sup>th</sup> March 2008

Process for Allocating Main Programme Grant 2009 – 17<sup>th</sup> November 2008

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**Martin Chessman**

**Director of Housing and Community Care**

**APPLICATIONS RECEIVED FOR MAIN PROGRAMME FOR 2010/11**

**Appendix A**

	<b>Organisation</b>	<b>Amount Requested</b>	<b>Link officer</b>	<b>Amount recommended in 2010/11</b>	<b>Reasons for Recommendations</b>
1	African Women's Care	4,160.00	DB	£0.00	To provide the following activities: <ul style="list-style-type: none"> <li>• Provision of quarterly community information workshops - 30 women benefitting per workshop with at least 5 new participants attending.</li> <li>• Provision of monthly discussion group meetings – 20 women benefitting per month with at least 3 new women attending every month.</li> </ul>
2	Age Concern Brent	90,474.00	AM	£90,474.00	To provide the following services <ul style="list-style-type: none"> <li>• Information and advice services to older people and their carers</li> <li>• Social inclusion – arranging welfare benefits and advocacy for BME members and refugees</li> <li>• Recruitment and support for volunteers to provide services for older people in Brent</li> <li>• Listening to the views of older people and making them known to service providers and campaigning on their behalf for adequate services</li> <li>• Raising funds to help develop new initiatives to support and improve the quality of life and well being of older people living in Brent</li> <li>• Collaboration and partnership working in Brent</li> </ul>
3	Association of Muslims With Disabilities	10,404.00	DB	£10,404.00	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.
4	Brent Advocacy Concerns	28,735.00	AM	£28,735.00	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.

					Towards services as follows:																		
					<table border="1"> <thead> <tr> <th>Activitiy</th> <th>Cost (£)</th> <th>Number of users</th> </tr> </thead> <tbody> <tr> <td>Core Activities</td> <td>55,606</td> <td>6,900</td> </tr> <tr> <td>Welfare Rights</td> <td>47,944</td> <td>1,800</td> </tr> <tr> <td>Resource Centre</td> <td>29,990</td> <td>600</td> </tr> <tr> <td>Information and Advice Service</td> <td>25,840</td> <td>4,434</td> </tr> <tr> <td><b>TOTAL</b></td> <td><b>159,380</b></td> <td></td> </tr> </tbody> </table>	Activitiy	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	<b>TOTAL</b>	<b>159,380</b>	
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5	Brent Association of Disabled People	159,380.00	AM	£159,380.00																			
					Towards:																		
					<ul style="list-style-type: none"> <li>• core costs including covering the following activities: <ul style="list-style-type: none"> <li>o Volunteer bureau</li> <li>o Organisational development support and outreach appointments</li> <li>o BrAVA newsletter production/information and administration</li> <li>o Partnership working</li> <li>o Capacity Building advice and Training</li> <li>o Resource Centre</li> </ul> </li> <li>• Monitoring LAA contribution to community work</li> </ul>																		
6	Brent Association of Voluntary Action	31,312.00	AM	£31,212.00																			
					<ul style="list-style-type: none"> <li>• Towards hire of premises for twice weekly cardiac exercise session at Bridge Park</li> <li>• Exercise instructor's fees for sessions at Bridge Park</li> <li>• Contribution towards additional exercise and sports sessions at Vale Farm.</li> </ul>																		
7	Brent Heart of Gold Support Group	4,692.00	AM	£4,692.00																			
8	Brent Indian Community Centre	14,014.00	AM	£14,014.00	Towards health activities, festival celebrations, computer classes and trips.																		

					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.
9	Brent Mencap	52,020.00	AM	£52,020.00	
10	Kingsbury Asian Elders Group	3,800.00	JS	£1,665.00	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.
11	Magnolia Senior Citizens Club	1,248.00	AM	£1,248.00	Contribution towards activities of older people
	<b>Total</b>	400,239.00		£393,844.00	

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**LONDON BOROUGH OF BRENT  
MAIN PROGRAMME GRANT – 2010-11**

<b>1.</b>	<b>Name of Organisation</b>	<b>AFRICAN WOMEN'S CARE</b>
<b>2.</b>	<b>Aims, objectives, services provided by organisations</b>	<p>African Women's Care (AWC) aims to relieve poverty, sickness, distress and social isolation amongst BME women of African unemployed refugee and asylum seekers especially women, children and families. It aims to:</p> <ul style="list-style-type: none"> <li>• Provide outreach work for women enabling them to access health and social care resources.</li> <li>• providing health awareness and prevention discussions, focus groups in order to reduce long-term illness</li> <li>• Advance the education of African Refugee women, children &amp; families</li> </ul> <p>It is currently funded to provide quarterly community workshops and monthly discussion group meetings.</p>
<b>3.</b>	<b>Current funding from Brent Council</b>	£4,160 – Main Programme Grant
<b>4.</b>	<b>Amount Requested</b>	£4,160
<b>5.</b>	<b>Contribution from other sources (State amount and details of funders)</b>	£36,020 (City Parochial and Comic Relief)
<b>6.</b>	<b>Project theme and details of services to be provided including number of users benefiting</b>	<p>AWC is requesting contribution towards the cost of providing quarterly community information workshops and monthly discussion group meetings targeted at BME women of Brent.</p> <p>30 women will benefit per information workshops and 20 women will benefit per quarterly discussion group meetings.</p>
<b>7.</b>	<b>Proposed outcomes and achievements, evaluating methods and joint working with other organisations</b>	<p>AWC states that it will achieve the following outcomes:</p> <ul style="list-style-type: none"> <li>• Achieve 5% increase of early diagnosis among African women against present baseline</li> </ul>

	<ul style="list-style-type: none"> <li>• 30% reduction in common illnesses e.g. coronary heart diseases, diabetes etc within BME communities (long term outcome)</li> <li>• 120 mainstream health service providers have improved knowledge and ability to deliver appropriate health services to African women</li> <li>• Immediate safety of domestic violence victims' and their children (for proposed refuge services)</li> <li>• Domestic violence victim's increased knowledge about domestic violence</li> <li>• Integrate activities about domestic violence into the life of the community</li> </ul> <p>AWC states that it will monitor the effectiveness of its services through the use of face to face interviews, telephone interviews, written feedback on surveys and discussions among individuals.</p> <p>AWC states that they work in partnership with the following organisations:</p> <ul style="list-style-type: none"> <li>• Refers women to Addaction</li> <li>• Receives referrals from African Child</li> <li>• Brent Mind – Nutrition &amp; diet, medication management</li> </ul>
8.	<p><b>Financial Analysis</b></p> <p>Approval is sought for a revenue grant of £4,160 for 2010/11 from the Main Programme Grant Monies. Based on the organisation's accounts for the year ended 31/03/2009, this organisation is considered to be Financially viable.</p>
9.	<p><b>Equality and Diversity</b></p> <p>AWC states that 220 people use their services of which 130 are residents of Brent and are of Black African origin. 209 of their users are Women.</p> <p>AWC has in place an equal opportunities policy and it states that it applied this in all aspect of its work – from recruiting staff to delivering services and activities. It ensures that it uses appropriate methods of advertising its services and appropriate images are used which will appeal to the targeted community. It ensures that its services are provided at venues that are easily accessible for people with young children and are provide at times to fit in with child care responsibilities.</p>
10.	<p><b>Monitoring Information</b></p> <p>AWC has stated in its six months monitoring report that between April 09 to September 09 organised two information workshops – one on focusing on the implication of culture on sexual health including family planning and women's wellbeing and the other aimed at raising awareness of healthy living and educating participants on the importance of regular exercise and healthy eating. A total of 84 people participated in these workshops.</p> <p>4 Monthly discussions group meetings were held and topics covered healthy eating and living, child protection and parenting and raising awareness of mental health problems. Average attendance has been approximately 12-20 people each session.</p>
11.	<p><b>Officers Assessment</b></p> <p>AWC has been in operating since 1998 and runs drop in advice session on a number of issues for refugee women living in Brent. Issues include welfare benefits,</p>

	<p>domestic violence, depression, medical care etc. It also runs various workshops and sits on steering groups such as Health and housing project and BRMF event planning committee.</p> <p>AWC currently receives Main Programme grant of £4,670 to provide quarterly community information workshops and monthly discussion group meetings and based on the information submitted as part of its six months monitoring, it has aimed to meet the targets set.</p> <p>AWC has also made an application for three year funding from the Crime and Community Safety and Regeneration theme to provide Health &amp; Wellbeing workshops which has been recommended for funding. If the recommendations for 3 year funding are approved, then it is proposed that the organisations one year funding will cease.</p>				
11.	<p><b>Recommendations, reasons and any conditions</b></p> <p><b>Nil</b> – Group recommended for funding for 3 year under Crime, Community Safety and Regeneration</p>				
<b>Report Author</b>		Devbai Bhanji			
<b>Date</b>		4 March 2010			
<b>GOOD</b>		<b>AVERAGE</b>	✓	<b>POOR</b>	

**LONDON BOROUGH OF BRENT  
MAIN PROGRAMME GRANT – 2010-11**

<b>1.</b>	<b>Name of Organisation</b>	<b>AGE CONCERN BRENT</b>
<b>2.</b>	<b>Aims, objectives, services provided by organisations</b>	<p>Age Concern Brent aims to:</p> <ul style="list-style-type: none"> <li>• Promote the well-being of older people living in Brent to ensure that their later lives are fulfilling and enjoyable by: <ul style="list-style-type: none"> <li>○ Direct provision of services to help older people in need</li> <li>○ Campaigning on behalf of and transmitting their views and needs across to policy makers and the general public</li> <li>○ Innovation and research to identify new and unmet needs</li> <li>○ Providing co-ordination and support for voluntary organisations in Brent to work with older people</li> </ul> </li> <li>• ACB forms part of national Age Concern Federation, which aims to help older people to: <ul style="list-style-type: none"> <li>○ Maximise their income</li> <li>○ Maintain health and independence</li> <li>○ Remain actively involved in community and economic life</li> <li>○ Minimise fear of crime and lack of safety</li> <li>○ Reduce isolation and promote social inclusion and healthy lifestyles</li> </ul> </li> <li>• ACB's work is currently concentrated in South Brent but would like to extend to all parts through weekly surgeries and befriending schemes</li> </ul> <p>ACB's work picks up on the following Brent service areas of concern:</p> <ul style="list-style-type: none"> <li>• Adult &amp; Social Care</li> <li>• Housing services</li> <li>• Community safety</li> <li>• Educational services</li> <li>• Environmental services</li> <li>• Sporting services</li> </ul> <p>Service areas addressed by ACB include:</p> <ul style="list-style-type: none"> <li>• Adults and social care</li> <li>• Housing services</li> </ul>

		<ul style="list-style-type: none"> <li>• Community safety</li> <li>• Environmental services</li> <li>• Sporting services</li> </ul>
3.	<b>Current funding from Brent Council</b>	£90,474 Main Programme Grant £1,925 Edward Harvist Trust Fund
4.	<b>Amount Requested</b>	£90,474.00
5.	<b>Contribution from other sources (State amount and details of funders)</b>	£127,526.00
6.	<p><b>Project theme and details of services to be provided including number of users benefiting</b></p> <ul style="list-style-type: none"> <li>• Age Concern Brent will serve a maximum number of 8,000 older people all from Brent</li> <li>• Services to be provided from MPG applied for include: <ul style="list-style-type: none"> <li>○ Information services to older people and their carers to be provided from main ACB office in Harlesden and other different venues to be arranged</li> <li>○ Promote social inclusion by making welfare benefits, advocacy and services available to older people especially from BME and refugee communities</li> <li>○ Recruit and support volunteers and volunteering in services for older people</li> <li>○ Listening and collecting views of older people and making them available to service providers and campaigning on behalf of older people for adequate services</li> </ul> </li> <li>• Other services offered by ACB include: <ul style="list-style-type: none"> <li>○ Raise funds to help develop initiatives to help older people and improve the quality of their lives</li> <li>○ Collaboration and partnership working</li> </ul> </li> </ul>	
7.	<p><b>Proposed outcomes and achievements, evaluating methods and joint working with other organisations</b></p> <p>Proposed outcomes from this proposal include:</p> <ul style="list-style-type: none"> <li>• ACB will provide information and advice to reach older people from diverse backgrounds targeted to deal with 3000 enquirers</li> <li>• In benefits and claims: <ul style="list-style-type: none"> <li>○ Raise approximately £200,000 through take up of benefits, new claims and adjusted benefits</li> <li>○ Deliver talks to encourage older people from the most deprived areas to take up their benefits. ACB expects to give at least 10 talks within the year</li> </ul> </li> <li>• ACB expects to recruit an additional pool of 40 volunteers to take on activities that support older people to remain in the community by providing befriending service to elderly, isolated and vulnerable people</li> <li>• Listen to views of older people, take them forward to service providers and campaigning on behalf of older people for adequate services</li> <li>• Endeavour to match fund the MPG to support provision of quality services for older people</li> </ul> <p>Monitoring and evaluating services will include the following methodology:</p>	

	<ul style="list-style-type: none"> <li>• Keeping daily statistics on a database of service users to use as evaluation and monitoring for each service <ul style="list-style-type: none"> <li>○ Work with service users to assess their situation before and after input to analyse whether their goals have been met</li> <li>○ Holding regular feedback sessions with older people where they are interviewed about their experiences of incidence of crime, health services and income received</li> <li>○ Requesting evaluation details of effectiveness of services provided to the community</li> <li>○ Measuring income generated through ACB activities</li> <li>○ Recording extent to which ACB is included in regional and national initiatives, e.g. development of CLS partnership</li> <li>○ Recording extent to which ACB services are used by BME organisations that provide services to older people</li> <li>○ ACB has a database to evaluate feedback and produce reports for their trustees</li> </ul> </li> </ul>
<b>8.</b>	<p><b>Financial Analysis</b></p> <p>Approval is sought for a revenue grant of £90,474.00 for 2010/11 from the Main Programme Grant Monies. Based on the organisation's accounts for the year ended 31/03/2009, this organisation is considered to be Financially viable.</p>
<b>9.</b>	<p><b>Equality and Diversity</b></p> <p>Age Concern Brent has a total membership of 8,000, the largest percentage of which are from black and ethnic minority communities. The organisation has an equal opportunities policy that prevents discrimination and makes its services available to all elderly people, and include:</p> <ul style="list-style-type: none"> <li>• Recruitment, induction ad supervision practices</li> <li>• Communication</li> <li>• Partnership development, and</li> <li>• Advocacy – supporting older people’s campaign</li> </ul>
<b>10.</b>	<p><b>Monitoring Information</b></p> <p>ACB was monitored in November 2008 and found to be delivering services as indicated. Most particularly ACB was planning a consultation of as many older people as possible in the Borough, starting with consultation meetings in four major sections of the Borough. Findings will then be used at a major consultation conference made up of members of the statutory and voluntary sectors. ACB continues to provide services in collaboration with the following sections of the Council:</p> <ul style="list-style-type: none"> <li>• Older People Services</li> <li>• Neighbourhood Renewal</li> <li>• Community Safety and Crime Prevention Team</li> <li>• Environmental Services</li> </ul>
<b>11.</b>	<p><b>Officers Assessment</b></p> <p>ACB was set up in 1982 as a charitable company limited by guarantee and forming part of the National Age Concern. It is managed by a committee of four and a total membership of 8,000 with a volunteer base of 40 people. ACB continues to provide services for older people and uses monies received from Brent to attract funds from</p>

	elsewhere. Services fall within the corporate priorities and therefore can be recommended.				
<b>11.</b>	<b>Recommendations, reasons and any conditions</b>  <b>Recommended £90,474 for the following services:</b> <ul style="list-style-type: none"> <li>• Information and advice services to older people and their carers</li> <li>• Social inclusion – arranging welfare benefits and advocacy for BME members and refugees</li> <li>• Recruitment and support for volunteers to provide services for older people in Brent</li> <li>• Listening to the views of older people and making them known to service providers and campaigning on their behalf for adequate services</li> <li>• Raising funds to help develop new initiatives to support and improve the quality of life and well being of older people living in Brent</li> <li>• Collaboration and partnership working in Brent</li> </ul> <p>Subject to:</p> <ul style="list-style-type: none"> <li>• Adhering Brent Conditions of Grant Aid, and</li> <li>• Continued efforts to seek external funding</li> </ul>				
<b>Report Author</b>		Augusta Morton			
<b>Date</b>		Feb 2010			
<b>GOOD</b>	✓	<b>AVERAGE</b>		<b>POOR</b>	

**LONDON BOROUGH OF BRENT  
MAIN PROGRAMME GRANT – 2010-11**

<b>1.</b>	<b>Name of Organisation</b>	<b>ASSOCIATION OF MUSLIMS WITH DISABILITIES</b>
<b>2.</b>	<b>Aims, objectives, services provided by organisations</b>	<p>AMD is set up to provide services to disabled and elderly people and aims to support and assist Muslim disabled people and their families by providing the following services:</p> <ul style="list-style-type: none"> <li>• Drop-in centre which provides respite/entertainment and break isolation</li> <li>• Luncheon club at the weekend</li> <li>• Arrange seminars for common interests and health</li> <li>• Outings</li> <li>• Open discussion</li> <li>• Computer training on basic skills</li> <li>• provide advice and welfare services</li> </ul>
<b>3.</b>	<b>Current funding from Brent Council</b>	£10,404 – Main Programme Grant
<b>4.</b>	<b>Amount Requested</b>	£10,404
<b>5.</b>	<b>Contribution from other sources (State amount and details of funders)</b>	£3,600
<b>6.</b>	<b>Project theme and details of services to be provided including number of users benefiting</b>	<p>Contribution is requested towards the following activities:</p> <ul style="list-style-type: none"> <li>• Drop-in Centre (respite break) – every Saturdays (48 in a year) 10am – 3pm at Willesden Centre for Health &amp; Care. On average 25 people will benefit per session. Approximately 265 users will benefit from the services funded by Brent.</li> </ul>
<b>7.</b>	<b>Proposed outcomes and achievements, evaluating methods and joint working with other organisations</b>	<p>The Association states that it will achieve the following outcomes:</p> <ul style="list-style-type: none"> <li>• Reduce social isolation between members by bringing people out of their homes and bringing them together at the weekend.</li> <li>• Offers them respite and means of identification with other members of the community</li> <li>• Disabled and older members provided with a platform to exchange views and</li> </ul>



	<p>benefit from each other's experiences</p> <ul style="list-style-type: none"> <li>• Contribution towards a better quality of life</li> </ul> <p>The Association states that their outputs will be monitored by using the following methods:</p> <ul style="list-style-type: none"> <li>• Recording attendance at the drop-in centre</li> <li>• All activities regularly monitored through surveys</li> <li>• Reporting to management committee</li> <li>• Regular discussions with users</li> </ul> <p>The Association works closely with Brent Association for Disabled People as it uses their centre for their Drop-in centre.</p>
<b>8.</b>	<p><b>Financial Analysis</b></p> <p>Approval is sought for a revenue grant of £10,404 for 2010/11 from the Main Programme Grant Monies. Based on the organisation's accounts for the year ended 31/03/2009, this organisation is considered to be Financially viable.</p>
<b>9.</b>	<p><b>Equality and Diversity</b></p> <p>Equal Opportunities policy is in place. The Policy is also printed on the application form. Services are advertised widely in various languages.</p> <p>AMD states that 265 people use their services of which 154 are women. 164 people have a disability. The ethnic breakdown of its users is as follows: Mixed White and Black African 25, Asian Indian 35, Asian Pakistani 190, Asian Bangladeshi 10 and other 5. It has seven members on its management committee and 12 volunteers.</p>
<b>10.</b>	<p><b>Monitoring Information</b></p> <p>AMD has submitted its six months monitoring report for April – September 09 in which it states that it provided 26 drop-in sessions and the average attendance each Saturday continued to be 25 people. The Association also arranged 3 outings to Woburn Safari Park, History and Science Museum.</p>
<b>11.</b>	<p><b>Officers Assessment</b></p> <p>The Association has been operating since 1994 and is a registered charity. It provides a Drop-in Centre respite care/break every Saturday giving the disabled person the opportunity to come out of their homes. The drop in Centre is unique in Brent as it provides services on the weekends which are not normally available in the area. It also gives the carer the opportunity to have a break at the weekend.</p> <p>The Association also operates the Floating Housing Support Project which is funded by Brent. It provides support to older, disabled people and people with mental health concerns. This is provided through regular assessment of their needs, planning, goal setting and revising them at regular intervals.</p>
<b>12.</b>	<p><b>Recommendations, reasons and any conditions</b></p>

<p><b>£10,404</b> - Drop-in Centre (respite break) – every Saturdays (48 in a year) 10am – 3pm at Willesden Centre for Health &amp; Care. On average 25 people will benefit per session</p>					
<b>Report Author</b>		Devbai Bhanji			
<b>Date</b>		4 March 2010			
<b>GOOD</b>		<b>AVERAGE</b>	✓	<b>POOR</b>	

**LONDON BOROUGH OF BRENT  
MAIN PROGRAMME GRANT – 2010-11**

1.	Name of Organisation	<b>BRENT ADVOCACY CONCERNS</b>
2.	<b>Aims, objectives, services provided by organisations</b>	<p>The main aims of Brent Advocacy Concerns include:</p> <ul style="list-style-type: none"> <li>• Bringing relief to disabled people in Brent achieved through: <ul style="list-style-type: none"> <li>○ Provision of different types of advocacy and training</li> <li>○ Addressing the social exclusion of disabled people in Brent through promotion rights, and</li> <li>○ Individual and group empowerment of disabled people</li> </ul> </li> <li>• Services provided include: <ul style="list-style-type: none"> <li>○ One-to-one advocacy</li> <li>○ Group and collective advocacy</li> <li>○ Radio group discussion through Radio Omega</li> </ul> </li> <li>• Brent Advocacy participated in collective advocacy by helping to set up nationally issues around: <ul style="list-style-type: none"> <li>○ welfare reform</li> <li>○ Local housing allowances</li> <li>○ Safeguarding the Future of Social Care</li> </ul> </li> <li>• Setting up national conference in Brent to develop a position statement for Disabled People's Organisations through the UK Disabled People's Council and Disability Lib</li> </ul> <p>Service areas addressed include:</p> <ul style="list-style-type: none"> <li>• Adults and Social Care</li> <li>• Housing Services</li> <li>• Community Safety</li> <li>• Educational Services</li> <li>• Children &amp; Families</li> </ul>
3.	<b>Current funding from Brent Council</b>	£28,735 Main Programme Grant
4.	<b>Amount Requested</b>	£28,735.00
5.	<b>Contribution from other sources (State amount and details of funders)</b>	£15,000.00
6.	<b>Project theme and details of services to be provided including number of users benefiting</b>	

	<p>Some of the services that the MPG is expected to cover include:</p> <ul style="list-style-type: none"> <li>• Coordination of advocacy services for disabled people in Brent</li> <li>• Provision of advocacy support where advocates are not matched to a disabled partner</li> <li>• Recruitment of volunteer advocates, training and support for volunteers</li> <li>• Disability equality training for disabled advocacy partners especially those associated with the BME radio group</li> <li>• Facilitation of BME radio group</li> <li>• Support for disabled peoples' advocate</li> <li>• Continuation of funding advocacy programme</li> </ul>
7.	<p><b>Proposed outcomes and achievements, evaluating methods and joint working with other organisations</b></p> <p>Outcomes expected from include:</p> <ul style="list-style-type: none"> <li>• Fair access to advocacy for disabled people in Brent</li> <li>• Allocation of advocacy services to disabled people in Brent</li> <li>• Management of the advocacy waiting list</li> <li>• Effective contact and support for disabled people on the waiting list for an advocate leading to resolution of issues impinging upon the disempowerment of disabled people in Brent</li> <li>• Direct involvement in advocacy relationships</li> <li>• Monitoring and evaluation on Advocacy services</li> <li>• Continual recruitment, training and support for volunteer advocates</li> <li>• Enhancing the knowledge and ability of disabled people to participate in programmes relating to disability equality issues</li> </ul> <p>Monitoring and evaluation methods include:</p> <ul style="list-style-type: none"> <li>• Main use is monitored and evaluated by database</li> <li>• Inclusivity is monitored through equal opportunities on monitoring grounds of impairment, gender, age and ethnicity</li> <li>• Reasons for the need of advocacy, resolution of issues and waiting lists</li> <li>• Monitoring evaluated on quarterly basis and presented to management communities who use it as a basis to judge membership</li> <li>• Leads to satisfaction of services</li> <li>• Training is measured by evaluation at beginning and end of the course</li> <li>• These methods will be repeated with the proposed projects</li> </ul>
8.	<p><b>Financial Analysis</b></p> <p>Approval is sought for a revenue grant of £28,735.00 for 2010/11 from the Main Programme Grant Monies. Based on the organisation's accounts for the year ended 31/03/2009, this organisation is considered to be Financially viable.</p>
9.	<p><b>Equality and Diversity</b></p> <p>BAC has an equal opportunities policy in place. Service enhanced by:</p> <ul style="list-style-type: none"> <li>• Active monitoring of service use in advocacy provision, employment and training evaluation presented to management committee who make all decision around targeting</li> </ul>

	<ul style="list-style-type: none"> <li>Monitors and upholds social model promoting inclusion of disabled people</li> </ul> <p>Strategies being adopted to improve diversity of staff team – an under-represented level of its hierarchy.</p>				
<b>10.</b>	<p><b>Monitoring Information</b></p> <p>BAC will be monitored in March 2009 however the last monitoring visit in 2007 found that the organisation is managing services. An investigation by PCT revealed some anomalies within the organisation especially involving a management committee member. PCT is collaborating with the Council to work out this anomaly which included producing an action plan and a review of policies. Also CRB checks for all advocates a review of membership of its management committee.</p>				
<b>11.</b>	<p><b>Officers Assessment</b></p> <p>BAC is a registered charity set up in 1988 and managed by a committee of 14 members and a total membership of 399. BAC continues to provide advocacy services for disabled people within Brent. BAC requests funding to support its work in providing advocacy services to Brent members and can be recommended.</p>				
<b>11.</b>	<p><b>Recommendations, reasons and any conditions</b></p> <p><b>£26,735</b> for advocacy services</p>				
<b>Report Author</b>		Augusta Morton			
<b>Date</b>		February 2010			
<b>GOOD</b>	✓	<b>AVERAGE</b>		<b>POOR</b>	

**LONDON BOROUGH OF BRENT  
MAIN PROGRAMME GRANT – 2010/11**

<b>1.</b>	<b>Name of Organisation</b>	<b>BRENT ASSOCIATION OF DISABLED PEOPLE</b>
<b>2.</b>	<b>Aims, objectives, services provided by organisations</b>	<p>BADP's overall aim is to improve the quality of life of for all disabled people, their carers, and particularly those living and/or working in Brent, based on the Social Model of Disability.</p> <p>BADP's objectives are to:</p> <ul style="list-style-type: none"> <li>• Improve access to local services for disabled people</li> <li>• Enable individual disabled people to develop their own potential</li> <li>• Promote equality of opportunity</li> <li>• Enable disabled people to participate in planning and delivery of local services</li> <li>• Reduce social exclusion for disabled people</li> <li>• Support disabled people to make informed decisions about their lives and lead an independent life</li> <li>• Raise awareness of public and local statutory agencies to the needs of disabled people and their carers</li> </ul> <p>Service areas addressed were not ticked.</p>
<b>3.</b>	<b>Current funding from Brent Council</b>	£159,380.00 Main Programme Grant
<b>4.</b>	<b>Amount Requested</b>	£159,380.00
<b>5.</b>	<b>Contribution from other sources (State amount and details of funders)</b>	£90,620.00
<b>6.</b>	<b>Project theme and details of services to be provided including number of users benefiting</b>	<p>BADP requests contribution towards the following projects:</p> <ul style="list-style-type: none"> <li>• Core activities <ul style="list-style-type: none"> <li>○ Provide leadership, management and strategic direction for BADP including: <ul style="list-style-type: none"> <li>▪ Staff, project and financial management</li> <li>▪ Fundraising</li> <li>▪ Partnership working</li> <li>▪ Networking and liaison</li> </ul> </li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• Welfare rights service covering (two part-time staff) providing: <ul style="list-style-type: none"> <li>○ Advice and information</li> <li>○ Support to access to welfare support <ul style="list-style-type: none"> <li>▪ Completing application forms, and</li> <li>▪ Representation at independent tribunals</li> </ul> </li> </ul> </li> <li>• Debt, housing support and advice including <ul style="list-style-type: none"> <li>○ Debt counselling and advice</li> <li>○ information on claiming housing benefits</li> </ul> </li> <li>• Resource centre accessible and available to: <ul style="list-style-type: none"> <li>○ Disabled people's groups and individuals, housing <ul style="list-style-type: none"> <li>▪ Computing suite</li> <li>▪ Access to internet</li> <li>▪ Training and meeting space for groups</li> <li>▪ Development and delivery of a membership recruitment strategy to create new opportunities for members to engage with BADP and increase membership participation</li> </ul> </li> </ul> </li> <li>• Information and advice service: <ul style="list-style-type: none"> <li>○ Provision of up-to-date information, internet and website</li> <li>○ Personal callers on a wide range of issues affecting disabled people's lives including: <ul style="list-style-type: none"> <li>▪ Health and social care</li> <li>▪ Self-help groups and</li> <li>▪ Social activities</li> </ul> </li> </ul> </li> <li>• Brent Volunteer Disabled Peoples Practical support project provides <ul style="list-style-type: none"> <li>○ Help with practical tasks such as: <ul style="list-style-type: none"> <li>▪ Gardening</li> <li>▪ Shopping escorts</li> <li>▪ Befriending to disabled people in their homes</li> <li>▪ Services delivered by volunteers</li> </ul> </li> </ul> </li> </ul> <p>BADP's services will benefit 6,900 users in Brent with five outside Brent. There is a fair spread of genders although all of them are disabled.</p>
7.	<p><b>Proposed outcomes and achievements, evaluating methods and joint working with other organisations</b></p> <p><b>Outcomes will include:</b></p> <ul style="list-style-type: none"> <li>• Increased involvement and participation of disabled people in local service planning and delivery, i.e. active citizens</li> <li>• Raise awareness of disabled people and increase their access to welfare rights benefits and local statutory services</li> <li>• Support and promote independent living for disabled people</li> <li>• Create a safer community through tackling harassment, hate crime and bullying that disabled people face</li> <li>• Improve and increase job opportunities for disabled people through completing job applications and CVs</li> <li>• Improve local education, health, housing and social care services, i.e. ensure that these are accessible and appropriate to the needs of disabled people.</li> </ul> <p>BADP has not indicated how its services will be monitored.</p>

8.	<p><b>Financial Analysis</b></p> <p>Approval is sought for a revenue grant of £159,380.00 for 2010/11 from the Main Programme Grant Monies. Based on the organisation's accounts for the year ended 31/03/2009, this organisation is considered to be Financially viable.</p>																		
9.	<p><b>Equality and Diversity</b></p> <ul style="list-style-type: none"> <li>• BADP adheres to the Social Model of Disability that discourages discrimination in any form by providing equality of opportunity in: <ul style="list-style-type: none"> <li>○ In job opportunities through the process of recruitment development</li> <li>○ Staff/volunteers etc</li> </ul> </li> </ul>																		
10.	<p><b>Monitoring Information</b></p> <p>Organisation was monitored in October 2008 and found to be delivering services as indicated as follows:</p> <ul style="list-style-type: none"> <li>• Keeping statistics on the numbers of clients using services such as age, disability, gender, race, religion and type of advice and support provided</li> <li>• Feedback on activities/events held using standard forms and providing help to complete if needed</li> <li>• Using focus groups to gain qualitative data on how services have improved the quality of life for disabled people</li> <li>• Annual feedback from users and members on services and activities</li> <li>• Feedback from groups using resource centre facilities, i.e. computer suite, meeting space, etc.</li> </ul>																		
11.	<p><b>Officers Assessment</b></p> <p>BADP has been working on behalf of disabled people in Brent since 1970. It is a charitable organisation limited by guarantee and managed by a committee of 10 people with a total membership of 6,895 from Brent. BADP requests assistance with the running the organisation and providing services to its members to cover general and housing information and advice, use of resource centre, and other core activities.</p>																		
12.	<p><b>Recommendations, reasons and any conditions</b></p> <p><b>£159,380</b> towards services as follows:</p> <table border="0" data-bbox="327 1547 1348 1794"> <thead> <tr> <th style="text-align: left;"><b>Activitiy</b></th> <th style="text-align: right;"><b>Cost (£)</b></th> <th style="text-align: right;"><b>Number of users</b></th> </tr> </thead> <tbody> <tr> <td>Core Activities</td> <td style="text-align: right;">55,606</td> <td style="text-align: right;">6,900</td> </tr> <tr> <td>Welfare Rights</td> <td style="text-align: right;">47,944</td> <td style="text-align: right;">1,800</td> </tr> <tr> <td>Resource Centre</td> <td style="text-align: right;">29,990</td> <td style="text-align: right;">600</td> </tr> <tr> <td>Information and Advice Service</td> <td style="text-align: right;">25,840</td> <td style="text-align: right;">4,434</td> </tr> <tr> <td><b>TOTAL</b></td> <td style="text-align: right;"><b>159,380</b></td> <td></td> </tr> </tbody> </table> <p>Subject to:</p> <ol style="list-style-type: none"> <li>1. Brent Council's condition of grant aid</li> <li>2. The project should be actively seeking funds from external sources and if successful the organisation is required to inform Brent Council</li> </ol>	<b>Activitiy</b>	<b>Cost (£)</b>	<b>Number of users</b>	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	<b>TOTAL</b>	<b>159,380</b>	
<b>Activitiy</b>	<b>Cost (£)</b>	<b>Number of users</b>																	
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																	
<b>TOTAL</b>	<b>159,380</b>																		
<b>Report Author</b>	Augusta Morton																		



<b>Date</b>		March 2010			
<b>GOOD</b>	✓	<b>AVERAGE</b>		<b>POOR</b>	

**LONDON BOROUGH OF BRENT  
MAIN PROGRAMME GRANT – 2010-11**

<b>1.</b>	<b>Name of Organisation</b>	<b>BRENT ASSOCIATION FOR VOLUNTARY ACTION (BRAVA)</b>
<b>2.</b>	<b>Aims, objectives, services provided by organisations</b>	<p>The main aims of BRAVA include:</p> <ul style="list-style-type: none"> <li>• Helping local voluntary organisations and community groups enable people to contribute to a just and participatory society by playing an active role within their communities</li> <li>• Provide organisational developmental services to Brent voluntary organisations and community groups through services in training, advice and information, practical support and volunteering</li> </ul> <p>Services addressed by BrAVA fall under the following areas:</p> <ul style="list-style-type: none"> <li>• Adults and social care</li> <li>• Housing services</li> <li>• Community safety</li> <li>• Educational services</li> <li>• Children and families</li> <li>• Environmental services</li> <li>• Sporting services</li> <li>• Cultural services, and</li> <li>• Organisational development and volunteering</li> </ul>
<b>3.</b>	<b>Current funding from Brent Council</b>	£10,000 - VST for training £31,212 – Main Programme Grant
<b>4.</b>	<b>Amount Requested</b>	£31,212
<b>5.</b>	<b>Contribution from other sources (State amount and details of funders)</b>	£464,999
<b>6.</b>	<b>Project theme and details of services to be provided including number of users benefiting</b>	
	<p>BRAVA is seeking funds to provide the following services:</p> <ul style="list-style-type: none"> <li>• Volunteer centre service <ul style="list-style-type: none"> <li>○ Building capacity of organisations that involve volunteers</li> <li>○ Volunteer brokerage</li> <li>○ Good practice information and advice, and</li> <li>○ Supported volunteering and youth volunteering</li> </ul> </li> <li>• Organisational development and support including: <ul style="list-style-type: none"> <li>○ Skills based training</li> <li>○ One to one support</li> </ul> </li> </ul>	

	<ul style="list-style-type: none"> <li>○ Fundraising support</li> <li>○ Resource centre</li> <li>● Information and advice <ul style="list-style-type: none"> <li>○ BrAVA newsletter</li> <li>○ Fortnightly e-mail bulletin</li> <li>○ Database administration</li> </ul> </li> <li>● Partnership working</li> <li>● Capacity building training, and</li> <li>● Development of resource centre</li> </ul>
7.	<p><b>Proposed outcomes and achievements, evaluating methods and joint working with other organisations</b></p> <p>A wide range of outcomes are achieved from BrAVA services including:</p> <ul style="list-style-type: none"> <li>● Improved health</li> <li>● Increased inclusion, and</li> <li>● Improved environmental welfare</li> </ul> <p>Specific outcomes however include the following:</p> <ul style="list-style-type: none"> <li>● Volunteer centre <ul style="list-style-type: none"> <li>○ 1000 residents given information and guidance</li> <li>○ local volunteering with support to 90 adult residents, and</li> <li>○ tailored support for 400 young people</li> </ul> </li> <li>● organisational development <ul style="list-style-type: none"> <li>○ 150 one-to-one intensive support sessions with voluntary/community organisations in Brent</li> </ul> </li> <li>● BrAVA newsletter information and administration <ul style="list-style-type: none"> <li>○ 10 monthly issues mailed out to 1300 subscribers</li> </ul> </li> <li>● Partnership working <ul style="list-style-type: none"> <li>○ 1200 organisations helped to engage in partnership working</li> </ul> </li> <li>● Capacity building training <ul style="list-style-type: none"> <li>○ 10 training sessions delivered to an anticipated 80 voluntary organisations and community groups</li> </ul> </li> <li>● Resource Centre development <ul style="list-style-type: none"> <li>○ Library and internet services used by 120 voluntary and community organisations</li> </ul> </li> </ul> <p>Monitoring and evaluation methods will include:</p> <ul style="list-style-type: none"> <li>● User feedback – membership monitoring by numbers and organisations</li> <li>● Staff supervision and appraisals – feedback from staff members, board members and staff discussions</li> <li>● Working/steering groups to oversee projects set up in response to the articulated needs of the voluntary and community sector <ul style="list-style-type: none"> <li>○ These include: ChangeUp Steering Group, and Strength in Numbers for youth volunteering</li> </ul> </li> <li>● Evaluation and feedback forms from BrAVA events, training, etc</li> <li>● Open discussions at events such as the Open Forum and the AGM</li> <li>● Aim to consolidate these feedback mechanisms and learn from what works</li> </ul>
8.	<p><b>Financial Analysis</b></p> <p>Approval is sought for a revenue grant of £31,212.00 for 2010/11 from the Main Programme Grant Monies. Based on the organisation's accounts for the year ended</p>

	31/03/2009, this organisation is considered to be Financially viable.
<b>9.</b>	<p><b>Equality and Diversity</b></p> <p>BrAVA has an equal opportunities policy that covers all its service as well as internal management of the organisation in areas such as:</p> <ul style="list-style-type: none"> <li>• Recruitment and selection</li> <li>• Induction programme for new staff</li> <li>• Membership of their management board</li> <li>• Accessibility of their buildings, and availability of services to all</li> </ul> <p>2.9 and 2.10</p>
<b>10.</b>	<p><b>Monitoring Information</b></p> <p>BrAVA was monitored in December 08 and found to be providing services as indicated. Self assessment proposed the following for monitoring:</p> <ul style="list-style-type: none"> <li>• Through user feedback, monitoring membership by numbers and types of organisation</li> <li>• Staff supervision and appraisals, feedback from board members, and discussions at staff meetings</li> <li>• Setting up working/steering groups to oversee projects set up in response to articulated needs of voluntary and community sector</li> </ul> <p>Evaluation and feedback forms from BrAVA events and training</p>
<b>11.</b>	<p><b>Officers Assessment</b></p> <p>BrAVA was established as a registered charity limited by guarantee in 1999 to serve the needs of the voluntary and community sector in Brent. It has since been established as the official CVS in Brent. BrAVA is managed by a committee of 12 with a total membership of 1040 individuals and 1050 voluntary and community organisations.</p> <p>BrAVA is requests a contribution towards its main activities including managing the volunteer centre, providing information and advice to the community, newsletter production, capacity building, support and management of a resource centre for the community and is recommended.</p>
<b>11.</b>	<p><b>Recommendations, reasons and any conditions</b></p> <p>Recommended <b>£31,212</b> towards:</p> <ul style="list-style-type: none"> <li>• core costs including covering the following activities: <ul style="list-style-type: none"> <li>○ Volunteer bureau</li> <li>○ Organisational development support and outreach appointments</li> <li>○ BrAVA newsletter production/information and administration</li> <li>○ Partnership working</li> <li>○ Capacity Building advice and Training</li> <li>○ Resource Centre</li> </ul> </li> <li>• Monitoring LAA contribution to community work</li> </ul> <p>Subject to: Brent Council's condition of grant aid</p>
<b>Report Author</b>	Augusta Morton
<b>Date</b>	February 2010

<b>GOOD</b>	✓	<b>AVERAGE</b>		<b>POOR</b>	
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**LONDON BOROUGH OF BRENT  
MAIN PROGRAMME GRANT – 2010-11**

<b>1.</b>	<b>Name of Organisation</b>	<b>BRENT HEART OF GOLD</b>
<b>2.</b>	<b>Aims, objectives, services provided by organisations</b>	<p>BHOG aims to:</p> <ul style="list-style-type: none"> <li>• Provide relief to sufferers (and their families) who have had: <ul style="list-style-type: none"> <li>○ heart attacks</li> <li>○ type 2 diabetes</li> <li>○ cardiac surgery, and</li> <li>○ other heart-related problems</li> </ul> </li> <li>• Assistance includes: <ul style="list-style-type: none"> <li>○ Provision of advice, support and information</li> <li>○ Support and other services</li> </ul> </li> <li>• Aimed at improving health conditions of such persons to prevent further attacks and other health issues</li> <li>• To advance public education and promote awareness of heart disorders and issues in collaboration with the British Heart Foundation, North West London Cardiac Network and NHS (PCT)</li> </ul> <p>Service area targeted include:</p> <ul style="list-style-type: none"> <li>• Adults and social care, and</li> <li>• Cardiac rehabilitation</li> </ul>
<b>3.</b>	<b>Current funding from Brent Council</b>	£4,692 – Main Programme Grant
<b>4.</b>	<b>Amount Requested</b>	£4,690.00
<b>5.</b>	<b>Contribution from other sources (State amount and details of funders)</b>	£2,260.00
<b>6.</b>	<b>Project theme and details of services to be provided including number of users benefiting</b>	<p>BHOG requests a contribution towards:</p> <ul style="list-style-type: none"> <li>• Payment for Cardio vascular exercise sessions for cardiac and diabetic patients who have been discharged after hospital treatment and their carers</li> <li>• General fitness exercise sessions for cardiac patients and carers</li> <li>• Other services provided include: <ul style="list-style-type: none"> <li>○ Monthly education sessions for cardiac and diabetic patients and their carers covering topics such as risk factors for cardiac diseases, stroke awareness, relevant medication, heart failure, exercise, healthy eating and stress management</li> </ul> </li> <li>• All activities take place at Bridge Park Community Centre, Vale Farm Sports Centre and Wembley Centre for Health and Care with speakers from Brent NHS Trust for educational presentations</li> </ul>

<p><b>7.</b></p>	<p><b>Proposed outcomes and achievements, evaluating methods and joint working with other organisations</b></p> <p>BHOG expects the following outcomes from their projects:</p> <ul style="list-style-type: none"> <li>• Regular participation in cardio vascular exercise sessions in the community will speed up recovery of cardiac and diabetic patients following their treatment and initial rehabilitation in hospital.</li> <li>• Also help prevent recurring incidence of heart problems, as well as improve the general fitness and self-confidence participants and enhance their quality of life</li> <li>• Cardiac and diabetic patients will have a better understanding of their condition and receive expert advice on how to manage their long-term condition more effectively</li> <li>• Participants will also be encouraged to make lifestyle changes to improve their well-being through proper diet, regular physical activities and group walks, resulting in fewer visits to GPs</li> </ul> <p>Quality of service will be monitored through:</p> <ul style="list-style-type: none"> <li>• Attendance register to monitor exercise sessions for assessing the impact on participants including monitoring their blood pressure, body weight and their overall well-being during the programme</li> <li>• Feedback will also be sought from participants to implement suggested improvements</li> <li>• Register of attendees for each session will be maintained and feedback sought about their welfare satisfaction levels and usefulness of the education programme, with suggestions for improvements</li> <li>• Committee members will monitor the overall success of the project through number of attendees at events and frequency of visits to GPs</li> </ul>
<p><b>8.</b></p>	<p><b>Financial Analysis</b></p> <p>Approval is sought for a revenue grant of £4,690.00 for 2010/11 from the Main Programme Grant Monies. Based on the organisation's accounts for the year ended 31/03/2009, this organisation is considered to be Financially viable.</p>
<p><b>9.</b></p>	<p><b>Equality and Diversity</b></p> <p><b>The organisation has an equal opportunities policy that</b></p> <ul style="list-style-type: none"> <li>• promotes diversity and equality of opportunity for all people</li> <li>• welcomes all people to participate in group meetings and events</li> <li>• Group members encouraged to invite friends and well-wishers</li> <li>• Significant proportion of users are from BME backgrounds</li> </ul> <p>The service serves 80 users made up mainly of Asian Indians, Black Caribbean and White UK.</p>
<p><b>10.</b></p>	<p><b>Monitoring Information</b></p> <p>BHOG was monitored in October 2008 and was found to be delivering services as indicated including the following:</p> <ul style="list-style-type: none"> <li>• Maintenance of an attendance register for all activities</li> <li>• Feedback and evaluation forms for participants to complete to indicate effectiveness of activities</li> <li>• Improved social outlook and decrease in isolation to be monitored through</li> </ul>

	continued involvement of participants in group activities <ul style="list-style-type: none"> <li>• Services have not been expanded to include Vale Farm</li> <li>• Annual report on outcomes will be produced at end of funding period in March 07</li> </ul>				
<b>11.</b>	<b>Officers Assessment</b>				
	BHOG was set up as a registered charity in 2004 to provide health education and training for cardiac and diabetic patients. The organisation is managed by a committee of 12 with a total membership of 80. The organisation requests funding to help support its health programme for recovering cardiac and diabetic patients.				
<b>11.</b>	<b>Recommendations, reasons and any conditions</b>				
	<b>£4,692</b>				
<b>Report Author</b>		Augusta Morton			
<b>Date</b>		February 2010			
<b>GOOD</b>	✓	<b>AVERAGE</b>		<b>POOR</b>	



**LONDON BOROUGH OF BRENT  
MAIN PROGRAMME GRANT – 2010-11**

<b>1.</b>	<b>Name of Organisation</b>	<b>BRENT INDIAN COMMUNITY CENTRE</b>
<b>2.</b>	<b>Aims, objectives, services provided by organisations</b>	<p>The main aims of the Brent Indian Community Centre (BICC) are mainly to:</p> <p>Improve the quality of life for Brent residents, by educating and promoting a healthy regime of activities, thus reducing long term dependency on local services</p> <p>Increase integration of the largely ethnic population in Brent, with particular emphasis on equal opportunity for women. This will enable them the opportunity to get out of their “closed” environment and join other members of the community in safe and secure surroundings</p> <p>To prioritise long term unemployed of Brent to become computer literate, by concentrating the effort on those people with the most needs and enable them to reintegrate into the working environment</p> <p>To support and educate young members of the Brent community to broaden their knowledge and ensure a tie in with their traditions thus making them better citizens in the community.</p>
<b>3.</b>	<b>Current funding from Brent Council</b>	£1,351 - Edward Harvist Trust Fund £14,014 – Main Programme Grant
<b>4.</b>	<b>Amount Requested</b>	£14,014
<b>5.</b>	<b>Contribution from other sources (State amount and details of funders)</b>	£101,600
<b>6.</b>	<b>Project theme and details of services to be provided including number of users benefiting</b>	<p>BICC proposes to provide the following services for older people:</p> <ul style="list-style-type: none"> <li>• Elders daily activities</li> <li>• Computer classes for elders</li> <li>• Outings and day trips for elders</li> <li>• Elders health seminars</li> <li>• Elders luncheon club</li> <li>• Yoga, reflexology, etc.</li> </ul>

	<p>Other services provided by BICC includes:</p> <ul style="list-style-type: none"> <li>• Gujarati classes for beginners</li> <li>• Summer project for young people</li> <li>• Dancing classes</li> </ul>
7.	<p><b>Proposed outcomes and achievements, evaluating methods and joint working with other organisations</b></p> <p>Some of the outcomes expected from the proposed project include:</p> <ul style="list-style-type: none"> <li>• One-to-one computer skills training aimed at helping users to job search thereby increasing their chances of employment and confidence</li> <li>• Promote family integration by enabling elders interacting with their grandchildren through the use of computers</li> <li>• Promoting an inclusive community by supporting children and young people in language classes, festivals, summer project and dancing classes</li> <li>• Summer project activities will create specific differences for the youth by: <ul style="list-style-type: none"> <li>– reducing social exclusion of all young people</li> <li>– better citizenship in the community</li> </ul> </li> <li>▪ promoting health and education of members</li> <li>▪ supporting heritage values</li> <li>▪ facilities in participation (opportunity) in sport activities</li> <li>▪ leadership opportunities to participate in different activities</li> <li>▪ traditional music and dancing activities</li> </ul> <p>Evaluating methods include:</p> <ul style="list-style-type: none"> <li>▪ six-monthly review of all activities by management committee</li> <li>▪ verbal feedback from members and users</li> <li>▪ feedback from other statutory organisations</li> <li>▪ feedback from parents</li> <li>▪ legislation</li> <li>▪ attendance at various activities</li> <li>▪ tutor appraisals</li> <li>▪ test results (language tests, etc)</li> <li>▪ annual user survey</li> </ul>
8.	<p><b>Financial Analysis</b></p> <p>Approval is sought for a revenue grant of £14,014.00 for 2010/11 from the Main Programme Grant Monies. Based on the organisation's accounts for the year ended 31/03/2009, this organisation is considered to be Financially viable.</p>
9.	<p><b>Equality and Diversity</b></p> <p><b>BICC ensures equality of opportunity in:</b></p> <ul style="list-style-type: none"> <li>• employment practices</li> <li>• Service delivery to users discouraging discrimination or harassment of disabled users and confronting prejudice on grounds of gender, age and religion, etc.</li> </ul>
10.	<p><b>Monitoring Information</b></p> <p>Monitored in October 2008 and found to be providing services as indicated. However proposed self-monitoring will include:</p> <ul style="list-style-type: none"> <li>• Verbal feedback from members and users</li> </ul>

	<ul style="list-style-type: none"> <li>• Feedback from other statutory organisations</li> <li>• Feedback from parents</li> <li>• Legislation</li> <li>• Attendance</li> <li>• Tutor appraisal</li> <li>• Test results</li> <li>• Request from teachers and students for educational benefit</li> <li>• Annual user survey</li> </ul>				
<b>11.</b>	<p><b>Officers Assessment</b>  BICC was set up in 1978 to provide services for Indian people living in Brent through the provision of language training, drama classes for children and young people, adult services for elderly people including health information, social activities, etc. and skills training and job search skills for the unemployed.  BICC is managed by a committee and 360 Brent residents.  The services for which BICC is requesting funding will benefit a wide cross section of the Indian community in Brent.</p>				
<b>11.</b>	<p><b>Recommendations, reasons and any conditions</b></p> <p><b>£14,014</b></p>				
<b>Report Author</b>		Augusta Morton			
<b>Date</b>		March 2010			
<b>GOOD</b>		<b>AVERAGE</b>	✓	<b>POOR</b>	

**LONDON BOROUGH OF BRENT  
MAIN PROGRAMME GRANT – 2010-11**

<b>1.</b>	<b>Name of Organisation</b>	<b>BRENT MENCAP</b>
<b>2.</b>	<b>Aims, objectives, services provided by organisations</b>	<p>Brent Mencap mainly aims to enable Brent residents with learning disability of all ages to live as independent a life as possible.</p> <p>Services provided by Brent Mencap include:</p> <ul style="list-style-type: none"> <li>• Campaigning on behalf of people with learning disabilities of all ages and their carers</li> <li>• Influencing service providers and members</li> <li>• Working in partnership with statutory and independent sector organisations</li> <li>• Developing innovative services not offered by mainstream services</li> <li>• Providing a range of other services to people with learning disabilities who do not meet the strict eligibility criteria for services</li> <li>• Tackling many of the council's corporate issues among a particularly disadvantaged group of people in areas such as housing, employment, social inclusion and play and leisure</li> <li>• Provision of support to carers</li> </ul>
<b>3.</b>	<b>Current funding from Brent Council</b>	£15,250 - VST three-year MPG 09/12 £52,020 – Main Programme Grant
<b>4.</b>	<b>Amount Requested</b>	£52,020.00
<b>5.</b>	<b>Contribution from other sources (State amount and details of funders)</b>	£7,230.00
<b>6.</b>	<b>Project theme and details of services to be provided including number of users benefiting</b>	<p>Brent Mencap requests a total of £52,020 to provide social activities and user involvement for people with a learning disability and carers including:</p> <ul style="list-style-type: none"> <li>• Bonanza fortnightly on Saturday evenings</li> <li>• Social events including summer barbecue, Christmas social event and other outings</li> <li>• Development of other activities or discussion groups</li> <li>• Three consultations with users regarding policies, quality of service evidence, and</li> <li>• Summary reports and user involvement</li> </ul>

	<ul style="list-style-type: none"> <li>• Provision of general and specialist advice and signposting</li> <li>• Recruitment and development of volunteers within Brent Mencap</li> <li>• Awareness raising and training</li> <li>• Provision of information about learning disability issues to PWLD, carers and partners</li> </ul> <p>A total of 650 users will benefit from the service.</p>
7.	<p><b>Proposed outcomes and achievements, evaluating methods and joint working with other organisations</b></p> <p>The main outcomes that Brent Mencap expects from the project include the following:</p> <ul style="list-style-type: none"> <li>• People with learning disabilities and their carers will: <ul style="list-style-type: none"> <li>○ Experience of a wider range of activities</li> <li>○ Develop new friendships and interests, and</li> <li>○ Been signposted to new services and activities run by BM</li> </ul> </li> <li>• They would have been consulted on a range of issues and would have given their views about the services they receive</li> <li>• They would have accessed: <ul style="list-style-type: none"> <li>○ a range of relevant information through BM's website, e-mails, newsletter and annual reports</li> <li>○ used these to improve their lives, that of their relatives and their users</li> </ul> </li> <li>• create more awareness about issues facing people with learning disabilities in all aspects of their lives so that services provided would be more inclusive</li> <li>• BM would have influenced current services and local strategies or developed new services for people with learning disabilities with a range of partners and funders based on feedback received or casework undertaken</li> <li>• Awareness would have been raised to the needs and wishes of people with learning difficulties and the barriers they face with professionals and the public</li> <li>• Developed and provided a range of training sessions</li> <li>• Recruited volunteers to assist with activities for people with learning disabilities</li> </ul>
8.	<p><b>Financial Analysis</b></p> <p>Approval is sought for a revenue grant of £52,020.00 for 2010/11 from the Main Programme Grant Monies. Based on the organisation's accounts for the year ended 31/03/2009, this organisation is considered to be Financially viable.</p>
9.	<p><b>Equality and Diversity</b></p> <p>Brent Mencap has demonstrated an ability to provide high quality services to people with a learning disability. They have good systems in place for monitoring the effectiveness of its services.</p>
10.	<p><b>Monitoring Information</b></p> <p>Monitored in October 2008 and found to be providing services as indicated. However proposed self-monitoring will include:</p> <ul style="list-style-type: none"> <li>• Verbal feedback from members and users</li> <li>• Feedback from other statutory organisations</li> <li>• Feedback from parents</li> </ul>

	<ul style="list-style-type: none"> <li>• Legislation</li> <li>• Attendance</li> <li>• Tutor appraisal</li> <li>• Test results</li> <li>• Request from teachers and students for educational benefit</li> <li>• Annual user survey</li> </ul>				
<b>11.</b>	<p><b>Officers Assessment</b></p> <p>BM was established in 1966 as a registered charity and company limited by guarantee to provide services for people with learning difficulties. It is managed by a committee of 9 with a total membership of 650 users. BM continues to provide services for people with learning difficulties, social inclusion activities, volunteer recruitment etc.</p> <p>Brent Mencap is seeking a contribution towards a programme of providing services for people with LD, by helping them to live independently. Services included designing social activities, raising awareness to the lives and needs of people with learning disabilities and participating in discussion of policies, strategies and related to the lives of people with learning disabilities.</p> <p>This request meets with the criteria of the MPG and is recommended.</p>				
<b>11.</b>	<p><b>Recommendations, reasons and any conditions</b></p> <p><b>£52,020</b></p>				
<b>Report Author</b>		Augusta Morton			
<b>Date</b>		March 2010			
<b>GOOD</b>	✓	<b>AVERAGE</b>		<b>POOR</b>	

**LONDON BOROUGH OF BRENT  
MAIN PROGRAMME REPORT 2009/10**

<b>1.</b>	<b>Name of Organisation</b>	<b>KINGSBURY ASIAN ELDERS GROUP</b>							
<b>2.</b>	<b>Aims of the Organisation</b>	<p>Kingsbury Asian Elders Group is a locally based organisation who aims to improve the quality of life for elderly people through promoting awareness in social and health issues.</p> <p>Current services include:</p> <ul style="list-style-type: none"> <li>• Celebrate cultural programmes;</li> <li>• Share information;</li> <li>• Socialise with other members;</li> <li>• Various card games and</li> <li>• Reading newspapers or magazines</li> </ul>							
<b>3.</b>	<b>Current Funding from Brent Council</b>	£1,665 –Main Programme Grant							
<b>4.</b>	<b>Amount Requested</b>	£2,500							
<b>5.</b>	<b>Contribution from other sources</b>	£500							
<b>6.</b>	<p><b>Project theme and details of services to be provided including number of users benefiting</b></p> <p>Funding is sought to provide a programme of social activities for the elderly Asian people aged 56 – 65+ years. Approximately 150 people will benefit from the delivery of the proposed services outlined below.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Activity</th> <th style="text-align: left;">Frequency</th> <th style="text-align: left;">Location</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;"> <ul style="list-style-type: none"> <li>• Celebrate cultural programme:                             <ul style="list-style-type: none"> <li>○ Diwali</li> <li>○ Xmas</li> </ul> </li> <li>• Playing cards</li> <li>• Reading magazines or newspapers</li> </ul> <p>Increase to services to include:</p> <ul style="list-style-type: none"> <li>• Cookery classes</li> <li>• Yoga sessions</li> <li>• Consultants give talks on health issues</li> </ul> </td> <td style="vertical-align: top;">Monday to Friday</td> <td style="vertical-align: top;">BIA, Ealing Rd</td> </tr> </tbody> </table>			Activity	Frequency	Location	<ul style="list-style-type: none"> <li>• Celebrate cultural programme:                             <ul style="list-style-type: none"> <li>○ Diwali</li> <li>○ Xmas</li> </ul> </li> <li>• Playing cards</li> <li>• Reading magazines or newspapers</li> </ul> <p>Increase to services to include:</p> <ul style="list-style-type: none"> <li>• Cookery classes</li> <li>• Yoga sessions</li> <li>• Consultants give talks on health issues</li> </ul>	Monday to Friday	BIA, Ealing Rd
Activity	Frequency	Location							
<ul style="list-style-type: none"> <li>• Celebrate cultural programme:                             <ul style="list-style-type: none"> <li>○ Diwali</li> <li>○ Xmas</li> </ul> </li> <li>• Playing cards</li> <li>• Reading magazines or newspapers</li> </ul> <p>Increase to services to include:</p> <ul style="list-style-type: none"> <li>• Cookery classes</li> <li>• Yoga sessions</li> <li>• Consultants give talks on health issues</li> </ul>	Monday to Friday	BIA, Ealing Rd							

7.	<p><b>Proposed outcomes and achievements and evaluating methods</b></p> <p><u>Proposed outcomes</u></p> <ul style="list-style-type: none"> <li>▪ Regular attendance of members at social gathering to engage them in activities and cultural festivals</li> <li>▪ Users participation services offered to improved quality of life</li> </ul> <p>Services delivery will be monitored through maintaining the following:</p> <ul style="list-style-type: none"> <li>▪ Regular meetings are held to discuss any areas of concern and ways in which to resolves situation amicably</li> <li>▪ Users are able to discuss personal problems in confidence</li> </ul>
8.	<p><b>Financial Analysis</b></p> <p>Approval is sought for a revenue grant of £3,800 from 2010/11 from the Main Programme Grant Monies. The organisation does not meet the criteria set to be deemed to be financially viable due to :-</p> <ol style="list-style-type: none"> <li>1. The organisation has insufficient working capital against the required standard of 2 months.</li> <li>2. The organisation has made a loss of £90.</li> </ol>
9.	<p><b>Equality and Diversity</b></p> <p>The Group is committed to equality of opportunity as their services are open to everyone regardless of their cultural background or sexual orientation. Services are currently provided to 135 of whom 89% are resident of Brent and 11% live outside the borough. All of their users are of Asian Indian origin.</p>
10.	<p><b>Monitoring Information</b></p> <p>A monitoring visit was not carried out for this financial year, due to the changes in the grants programme. The organisation was invited to re-apply for the one year grant.</p>
11.	<p><b>Officers Assessment</b></p> <p>The Group has been established for the past 28 years as an unregistered organisation. Services continue to be provided to the elderly community aged 60 – 85 years who enjoy attending the weekly social activities such as engaging with other members exchanging ideals, playing cards, reading magazines and newspapers. Their services are provided with the support of 11 management committee members and approximately 5 volunteers who ensure members are made to feel comfortable through meeting their individual needs.</p> <p>The organisation has expanded their services delivery to include ladies meetings held between 1.00 p.m. to 4.00 p.m. on the last Friday of the month. They also intend to their services to include social activities, celebration of cultural events, yoga sessions and meditation activities once a week.</p>




	In view of the above officers are satisfied the Group continue to provide a valuable service to the Asian community and have demonstrated an ability to meet agreed target and condition of grant aid.				
<b>12.</b>	<b>Recommendations, reasons and any conditions</b>				
	£1,665				
<b>Report Author</b>		Jacqueline Smith			
<b>Date</b>		Feb 2009			
<b>GOOD</b>		<b>AVERAGE</b>	√	<b>POOR</b>	

**LONDON BOROUGH OF BRENT  
MAIN PROGRAMME GRANT – 2010-11**

<b>1.</b>	<b>Name of Organisation</b>	<b>MAGNOLIA SENIOR CITIZENS CLUB</b>
<b>2.</b>	<b>Aims, objectives, services provided by organisations</b>	The main aim of Magnolia Senior Citizen's Club is to try and bring the elderly and vulnerable community together, promote their welfare, socialise, make friends and interact
<b>3.</b>	<b>Current funding from Brent Council</b>	£1,770 -Edward Harvist Trust Fund. £1,248 – Main Programme Grant
<b>4.</b>	<b>Amount Requested</b>	£1,248.00
<b>5.</b>	<b>Contribution from other sources (State amount and details of funders)</b>	£3,352.00
<b>6.</b>	<p><b>Project theme and details of services to be provided including number of users benefiting</b></p> <p>Magnolia Senior Citizen's Club seeks a contribution of £1,248.00 towards activities for older people such as:</p> <ul style="list-style-type: none"> <li>• festivities</li> <li>• outing</li> <li>• affiliation</li> <li>• administration</li> <li>• celebrations</li> <li>• minibus</li> <li>• games, and</li> <li>• bingo</li> </ul> <p>A total of 40 senior citizens will benefit from these activities</p>	
<b>7.</b>	<p><b>Proposed outcomes and achievements, evaluating methods and joint working with other organisations</b></p> <p>Activities proposed will ensure that senior citizens, who are frail, elderly and disabled, will enjoy the following outcomes:</p> <ul style="list-style-type: none"> <li>• social inclusion from weekly attendance at the club</li> <li>• meetings with other elderly people to ensure that they are not forgotten in their later years</li> <li>• socialise and make friends</li> <li>• exchange news, advice, information and attack</li> </ul> <p>Success of the work of the organisation will be measured through continued weekly attendance of the older people at the club, their comments and participation.</p>	
<b>8.</b>	<p><b>Financial Analysis</b></p> <p>Approval is sought for a revenue grant of £1,248.00 for 2010/11 from the Main</p>	

	Programme Grant Monies. Based on the organisation's accounts for the year ended 31/03/2009, this organisation is considered to be Financially viable.				
<b>9.</b>	<b>Equality and Diversity</b> Club has an equal opportunities policy which opens membership to all, male and female and all are eligible to serve on the committee				
<b>10.</b>	<b>Monitoring Information</b>  This organisation was monitored in October 2008. In addition its self-monitoring assessment states that:  <ul style="list-style-type: none"> <li>▪ Quality of work will be assessed through the attitude of members and weekly attendance</li> <li>▪ Members are consulted on their needs and requirements from the club</li> </ul>				
<b>11.</b>	<b>Officers Assessment</b> Magnolia is a registered charity established in 1977 to provide recreational services for older people in Brent. It is managed by a committee of 10 and a total membership of 50. Magnolia requests a contribution towards its programme of providing luncheon, outings, parties, etc. for pensioners. Request falls within the criteria of this fund and is recommended.				
<b>11.</b>	<b>Recommendations, reasons and any conditions</b>  <b>£1,248</b> as contribution towards activities of older people  Subject to: <ol style="list-style-type: none"> <li>1. Confirmation of service targets</li> <li>2. Brent Council's condition of grant aid</li> <li>3. The project should be actively seeking funds from external sources and if successful the organisation is required to inform Brent Council</li> </ol>				
<b>Report Author</b>		Augusta Morton			
<b>Date</b>		February 2010			
<b>GOOD</b>		<b>AVERAGE</b>	✓	<b>POOR</b>	

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	<p style="text-align: center;"><b>Executive</b> 23rd June 2010</p> <p style="text-align: center;"><b>Report from the Director of Housing and Community Care</b></p>
<p style="text-align: right;">Wards Affected: ALL</p>	
<p style="text-align: center;"><b>Main Programme Grant - Three Year Funding for Crime, Community Safety and Regeneration Services 2010/13</b></p>	

## 1.0 Summary

- 1.1 This report provides members with details of local voluntary organisations that have applied for funding from the Council's Main Programme Grant (MPG) for three years - 2010/13.
- 1.2 A new funding process which links funding from the MPG each year to Council service priorities was introduced in April 2009. The funding priorities for 2009/12 were Children and Young people Services, 22 organisations received funding of £258,197 under this theme. The theme for 2010/13 is Crime, Community Safety and Regeneration services. Members agreed to fund these services at the Executive Meeting in October 2009
- 1.3 Members are asked to agree funding recommendations detailed in this report. Members should note that funding for this programme should have commenced on 1<sup>st</sup> April 2010, however decisions were deferred from March Executive meeting. As a result funding will now commence on 1<sup>st</sup> July 2010. Further details are contained within the report

## 2.0 Recommendations

Members are asked to:

- 2.1 Note and approve the schemes and funding allocations recommended in paragraph 3.16 of this report. These allocations will be made from 1<sup>st</sup> July 2010 until 31<sup>st</sup> March 2013.

- 2.2 Note Officers' individual assessment reports for all the organisations that applied for funding in Appendix E. A summary of these reports including officers' recommendations is attached as Appendix D.
- 2.3 Note that all funding will be made subject to the Council's Grant Conditions and that each organisation approved will sign an agreement with the Council, stating the purpose of the grant and expected outcomes before funding is released.
- 2.4 Note that an exit fund of approximately £48,908 will be created for organisations previously funded from the MPG but were unsuccessful in their bid for the new fund.
- 2.5 That in cases where an organisation either declines their grant during the funding period or the grant is withdrawn for performance reasons, that the decision to re-allocate the fund is delegated to the Director of Housing and Community Care.

### 3.0 Detail

#### Background

- 3.1 A review of the Council's Main Programme Grant (MPG) was carried out by a Scrutiny Task Group in May 2007. The review found that, over a number of years funding from the MPG was allocated on a historical basis and relatively the same organisations received annual allocations from the fund. This made it impossible for other organisations providing essential community services to access Council funding. The review recommended various changes to the MPG process including:
  - Allocating a proportion of the MPG (at least £250,000 per year) to a specific theme taken from the corporate strategy to ensure that future funding is linked to council priorities.
  - Making funding available to currently funded organisations as well as those that previously did not have access to Council funding
  - Awarding funding on a three-year basis thereby offering longer term grants and better financial stability to organisations
- 3.2 It was also proposed that the historical funding pattern should be phased out within three to four years. These proposals were broadly supported by the voluntary sector, who welcomed the greater stability provided by three- year grants and recognized the need for a fair and transparent process for allocating the grant.

Based on the above recommendations members approved a new funding process in November 2008. This funding process was based on the following:

- Allocate funding over the next three years to themes taken from the Council's Corporate Strategy. The initial three themes agreed were ***children and young people services, crime/community safety, regeneration and sustainability.***
- Existing funded groups to re-apply for their funding when the theme under which they were classified was advertised.
- Award funding of up to £25,000 each year (£75,000 over three years)

- Develop an open bidding process to make the grant accessible to new and existing organisations

3.3 The Council remains committed to maintaining the current Main Programme Grant allocation which effectively represents an increased commitment to the voluntary sector, especially when set against the low and negative inflation rates and the Council's requirement for savings of £75 million over the next four years. We continue to regard the sector as crucial to the Council's Transformation Programme and to other important areas of the Council's service delivery. We anticipate that as well as maintaining the MPG there will be increased investment in the sector via the normal commissioning routes.

3.4 The following table shows how many groups were classified into each theme and the total amount of funding that was allocated to the organisations.

Theme	Number of organisations receiving funding before the 3 year bid round	Funding level (£)
<b>Year 1</b> - Children and Young People's Services	12	260,821
<b>Year 2</b> - Crime/community safety, Regeneration	19	340,217
<b>Year 3</b> - Sustainability	12	401,064

3.5 Based on the above, funding to **all** currently funded organisations will cease over the next three years. Each year a new theme will be advertised and organisations providing services within the theme will be required to re-submit applications for the funds available within that theme.

3.6 The first phase of the new process was introduced in April 2009. The theme was children and young people's services. 22 organisations received funding totalling £760,401 over three years.

3.7 At the Executive meeting on 19<sup>th</sup> October 2009, Members agreed to allocate funding to the second phase and selected crime/community safety and regeneration services. These services were selected on the basis that they met council priorities and MPG will offer additional resources to strengthen our commitments to develop safer and stronger communities. This report provides details of the organisations and projects that have applied for funding.

#### **Assessment Process**

3.8 Organisations were invited to apply for the grant on 4<sup>th</sup> November 2009. Details appeared in the local press, Council's website, BRAIN and direct mail was sent to the 17 previously funded organisations that provided similar services from MPG.

Organisations were invited to attend workshops held by officers in the voluntary Sector Team, Community Safety Unit and the Regeneration Unit, where the funding process was discussed in detail and where organisations had the opportunity to discuss their proposed projects with officers. These workshops were held on 24<sup>th</sup> November 2009.

3.9 Organisations that expressed an interest in the grant were sent the following documents

- MPG application form
- Criteria for the grant – Appendix A
- Summary of the Council's Corporate Strategy – Appendix C
- Standard Conditions of Grant Aid – Appendix B.

The closing date for receiving completed applications was 7<sup>th</sup> December 2009.

3.10 67 organisations applied but a total of 69 applications were received. Two organisations submitted more than one application. A total of £4,521,448 over three years has been requested.

3.11 Of the 69 applications received

- 17 were from organisations previously funded by the MPG
- 53 were new organisations
- 5 were from organisations that were already funded from the three years MPG for children and young people services.

3.12 All applications were assessed against the criteria. Officers noted the activities to be provided, their location, links with existing services and the outcomes and outputs to be achieved. All organisations were required to submit references to verify their experience and ability to provide services within the proposed theme.

3.13 Officers from Community Safety and Regeneration also participated in the assessments and provided valuable feedback on the contribution each project would make to the Council's plans to develop safer and stronger communities and improve services to people living in deprived neighborhoods.

3.14 All applications were also assessed by a management accountant to ascertain the financial viability of the organisation. This process was carried out in accordance with guidance from the Council's contract standing orders. The assessment included detailed financial analysis for each organisation.

3.15 Funding has been recommended for 20 projects. These projects meet the funding criteria, offer value for money and complement and support the Council's priorities for Crime, Community Safety and Regeneration. Also, preference has been given to organisations not previously funded from the Main Programme Grant.

3.16 Details of the projects, including funding levels are as follows:



No	Organisation	Annual funding (£)	Total funding (3 years) (£)	Project
1	Addaction	21,500	64,500	<u>Brent Break Free Project</u> Workshops and one-to-one sessions for people with substance misuse
2.	Advance	21,500	64,500	<u>Advance Advocacy</u> Services for women experiencing domestic violence
3	African Women's Care	17,126	51,379	<u>Health Advice and Guidance</u> Health and wellbeing workshops for BME women in priority areas
4.	Bosnia and Herzegovina Community Advice Centre	19,888	59,664	<u>Local Active Healthy Elders in Brent</u> Services to improve the quality of life of elderly people from West Balkans living in Brent
5	Brent Addiction Counseling Service	21,500	64,500	<u>Addiction Services</u> Counseling services for people with drugs and alcohol addiction
6.	Brent Indian Association	21,500	64,500	<u>Being Safe and Staying Safe</u> To provide advice, information and training on crime awareness and prevention to the Asian community
7.	Brent Irish Advisory Service	21,500	64,500	<u>Housing Community Project -</u> to provide specialist information, advice and support to vulnerable older people on various housing issues
8	Brent Neighborhood Watch Association	7,164	21,492	<u>Training Co-ordinators and Members</u> Providing support and training to volunteers to keep them up to date on crime prevention issues
9.	Cricklewood Homeless concern	20,867	62,601	<u>STEPS</u> Support, training, employment and personalized services to homeless people
10.	Elders Voice	18,869	56,607	<u>The Whole Community</u> To provide intergenerational activities for older people and young people in priority areas
11.	Energy Solutions	21,500	64,500	<u>Home Energy Support</u> Provide fuel debt and fuel poverty advice and support to people in priority areas

No	Organisation	Annual funding (£)	Total funding (3 years) (£)	Project
12.	Groundwork London	20,640	61,920	<u>Growing Greener Stronger Communities</u> Establish gardening activities in deprived areas
13	Kilburn Youth Centre / P3	21,153	63,459	<u>Jobshop</u> Information, advice and guidance to unemployed young people in South Kilburn
14.	Mayhew Animal Home	21,500	64,500	<u>Responsible Dog Ownership</u> 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	<u>Families Without Fear Project</u> 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	<u>Realising Potential in Brent</u> To enable young people to set up their own business and compete for community cash awards
17.	Relate London West	12,900	38,700	<u>Relationship Counseling in Brent</u> Family counseling service to people living in priority areas
18.	St Raphael's Youth Football and Sports Club	8,330	24,990	<u>Learn and Earn Project</u> 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	<u>Waterway Action Co-ordinator</u> Engage volunteers to clean up Brent waterways, particularly within the priority areas
20.	Toucan Employment	17,200	51,600	<u>Employability</u> To run workshops that will target jobseekers with special needs
	<b>Total</b>	<b>371,567</b>	<b>1,114,701</b>	

3.17 A large number of applications were received for this programme and the assessment process has taken longer than anticipated. As a result the funding period will need to be adjusted and it is proposed that funding will now commence on 1<sup>st</sup> July 2010 for a period of 2 years and 9 months. Also due to the large number of eligible applications received it is not possible to award the maximum grant of

£25,000. Officers propose that the funding level is reduced by 14% making a maximum allocation of £21,500 per organisation.

- 3.18 If members agree to the funding recommendations in this report, each funded organisation will be issued with a written agreement clearly stating the services to be provided and the outputs to be achieved. Due to the reduction in funding levels officers will need to re-negotiate outputs and outcomes prior to issuing these agreements.
- 3.19 The Voluntary Sector Team will monitor each organisation's performance against the output and outcomes set out in their funding agreement. As part of this process the team will have regular meetings with organisations and will carry out planned and unannounced inspection of services. Officers will work closely with organisations to ensure links with the statutory organisations providing services within the proposed themes are established and that the services continue to support the council's priorities.
- 3.20 By awarding funding from the 1<sup>st</sup> July 2010 a saving of £92,891 has been made. This saving has been allocated to previously funded organisations in order that they can continue providing services until a decision about this grant process has been taken. This funding was paid on 1<sup>st</sup> April 2010 and will be the equivalent of three month's funding (£86,803).
- 3.21 With regard to the 15 groups that re-applied 6 have been recommended. All were currently funded organisations and were eligible to apply however, African Women's Care did not fall under this theme but their application met the funding criteria and has been recommended. If they are approved for the 3 year funding, they have agreed that their one year funding is withdrawn.
- 3.22 With regard to Brent Arts Council, the Voluntary Sector team is currently working with the Creative Development Team in Libraries, Arts and Heritage to set up a capacity building programme specifically for arts organisations in Brent. The project will be delivered by Brent Business Ventures and Brent Arts Council will be invited to take part in this programme. This programme will provide one to one support enabling them to improve their business and respond to the needs of the community they serve.
- 3.23 Members should note that of the 11 organisations that will have their funding withdrawn only 9 have re-applied and therefore eligible for an exit fund. Middlesex ITEC and Samaritans of Brent did not re-apply for funding.
- 3.24 Due to the large number of eligible applications only £28,908 is available as an exit fund and for capacity building projects for the sector. This amount is significantly less than required and the Service Development and Commissioning team will allocate approximately £20,000 from existing resources to Voluntary Sector budget to create an appropriate fund. Funding to the 9 groups will be allocated on a pro-rata basis, as there is insufficient funding to award the usual 3 months exit fund. Those organisations that are eligible for this fund are listed in Appendix F.

3.25 It is proposed that where an organisation declines their grant or the grant is withdrawn for performance reasons during the period of the grant; this funding is re-allocated to an appropriate organisation providing similar services. In order for the re-allocation to take place as quickly as possible it is recommended that the Director of Housing and Community Care is given delegated powers to make this decision. The delegation of powers would be for the period of the funding programme.

#### 4.0 Financial Implications

4.1 The budget will be £1,970,749. We estimate that a payment of £929,051 will be made from this budget to the London Councils Grant Programme. This represents a saving of £6,000 from previous years that has been deducted from the budget that was reported to Executive in October 2009.

4.2 Based on the proposals in this report the table below shows how the current resources will be allocated.

<b>Main Programme Grant Budget 10/11</b>	<b>£1,970,749</b>	
Less London Council allocation for 10/11	£929,051	
Less funding awarded in 09 for - Children and Young People Services (year 2)	£253,467	
Less allocation to new theme i.e. <b>Crime/Community Safety and Regeneration (20 organisations)</b>	Rollover £86,803  Allocation for 9 months £278,676	£365,479
Less allocation to currently funded groups not within the theme (at the same level as 2009/10)	£393,844	
Exit Fund and Capacity Building fund	28,908	
<b>Total</b>	<b>£1,970,749</b>	

4.3 It is proposed that the balance of £28,908 from the voluntary sector budget will contribute to funding initiatives that will enable effective liaison and engagement with the voluntary sector, such as the Voluntary Sector Forum, annual voluntary sector conference and Funders Fair. Also a proportion of this fund will be used as an exit fund for the 9 organisations previously funded by not recommended for this programme.

4.4 As stated above there is insufficient monies in the MPG to create the usual exit fund, to affected organisations. To meet this budget shortfall £20,000 will be allocated from the Service Development and Commissioning budget for this purpose.

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

## 5.0 Legal Implications

5.1 The Council has powers under s137 Local Government Act 1972 and s2 Local Government Act 2000 to make grants to voluntary organisations.

5.2 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.

5.3 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.

5.4 As a public authority the Council has general duties to promote equal opportunities relating to race, disability and gender and to remove discrimination. These duties are set out in the:

- Disability Discrimination Act 2005 (DDA 2005);
- Equality Act 2006;
- Equal Pay Act 1970;
- Race Relations (Amendment) Act 2000 (RRAA 2000);and
- Sex Discrimination Act 1975.

5.5 The DDA 2005 requires public authorities, when considering disabled people, to promote positive attitudes towards them and take positive steps, even if that involves treating them more favorably than others.

5.6 To provide guidance on the duty there is a Statutory Code of Practice. The general duty is not absolute but it does require authorities in respect of all their functions to give due regard to disability equality.

5.7 The core general duties are similar for race and gender i.e.:

- To promote equality of opportunity; and
- To eliminate harassment and unlawful discrimination.

5.8 The Race Relations Act 1976 (as amended) places a statutory duty on public authorities to work to eliminate unlawful discrimination, and to promote race equality in all its functions. There are three complementary parts to the general duty:

- Eliminating unlawful racial discrimination
- Promoting equal opportunities
- Promoting good relations between people from different racial groups

5.9 The Code of Practice issued under s71C Race Relations Act 1976 (as amended) is relevant and the council must have regard to it.

## 6.0 Diversity Implications

- 6.1 The Scrutiny Task Group supported by a widespread consensus had identified a need to change the allocation of the MPG. The changes mean that
- All community and voluntary organisations are entitled to bid, and this has resulted in a widening of access to Council funding across the sector
  - Successful bidding organisations have much more funding stability as the grants are paid for over three years. This also increases their chances of accessing external funding and ensures that they can run projects that can deliver greater benefits over a longer period
  - Council expenditure is focused on areas of greatest need and in line with corporate and departmental priorities.

Overall there was a consensus that there was a need to change the process for allocating the Main Programme Grant. .

- 6.3 Following the first phase of the new process, a Predictive Equality Impact Needs Assessment was carried out and the outcome showed that:
- The new process is likely to affect some organisations in the short to medium term but will have a positive impact on promoting equality for both service users and voluntary organisations
  - No adverse impact on people from diverse background will be affected by the new process
  - Will ensure information relating to all seven equality strand are collected within the community
- 6.4 With regard to the four organisations that had their funding discontinued last year under the theme of Children and Young people services, officers have worked closely with these groups and have supported them to obtain alternative funding.
- 6.5 Projects recommended in this round will reflect the diverse needs of service users that live in deprived neighborhoods. Funding crime community safety and regeneration services will provide additional resources to areas where the council has identified that significant improvements are needed. Funding from the MPG will directly contribute and support our existing priorities, and our strategic plans for crime and regeneration.
- 6.6 It will strengthen our commitment to develop safer and stronger communities and will provide opportunities for the voluntary sector to work in partnership with the statutory sector. This funding round will also support the new local performance framework (CAA) which is primarily about two things; improving quality of life in places and better public services (DCLG).
- 6.7 With regard to this programme 17 previous funded organisations applied and six were recommended. To address any adverse impact loss of funding may have on these groups officers will ensure additional support is provided to enable them to access alternative sources of funding. The work with Brent Business Venture will commence in July 2010 and art organisations that have applied for the MPG will be invited to take part in this programme.

## 7.0 Staffing/Accommodation Implications (if appropriate)

7.1 There will be no staffing or accommodation implications resulting from this report.

### Background Papers

- Voluntary Sector Funding – a report of the Overview and Scrutiny Task Group – May 2007
- Theme for Main Programme Grant funding 2010/13 - 19<sup>th</sup> October 2009.

### Contact Officers

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MARTIN CHEESEMAN

Director of Housing and Community Care

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**London Borough of Brent  
Main Programme Grant 2010-13**

**PROPOSED FUNDING CRITERIA**

**Introduction**

The Council has agreed that the second theme for its three year funding programme commencing on 1<sup>st</sup> April 2010 to 31 March 2013 will be **Crime/Community Safety and Regeneration**. We are therefore pleased to announce that the Main Programme Grant is now open for bids from community and voluntary organisations that provide projects in these categories. The ceiling for this grant is £25,000 per year.

**The following are an example of the projects the Council would wish to fund under this theme.**

**Regeneration**

Projects that are based on the strategic priorities of the Council's Regeneration Strategy including:

- Regeneration projects that benefits one or more of the following priority areas i.e. South Kilburn, Harlesden, Stonebridge, Church End and Roundwood, St Raphael (including Brentfield and Mitchelbrook) or Chalkhill
- Projects that break down barriers, bring people together and build a sense of community in a local area
- Activities that improve the physical or mental health of residents e.g. sporting activities, encouraging cycling, walking and other activities to support health and wellbeing
- Increase the use of green and or open spaces by residents; this could include new activities or physical improvements
- Providing work experience and/or training that help residents get the job they want and raising the aspirations and confidence of adults and young people around entering employment
- Support around identifying, applying for and sustaining work, volunteering or apprenticeships
- Provision of information, advice and guidance to resolve issues around debt, benefits and tax credits advice (including those in employment and on a low income)

**Community Safety**

Services/projects must have active links to the Brent Crime Reduction Strategy and have knowledge of the partnership priorities and are able to:

- Evidence crime or the fear of crime issues and provide solutions, that follow best practice, reassure residents and reduce the fear of crime to the most vulnerable
- Involve community members and groups in joint action to reduce crime and the fear of crime
- Raise the knowledge and awareness of crime prevention in Brent through the enhanced use of Information Technology
- Actively involved in crime prevention events, that match National events e.g. Not in my Neighbourhood Week, tackling drugs week etc.,
- Skill local people to become more active in the field of crime prevention and encourage others to become involved
- Support victims and witness of Anti-Social Behaviour, burglary and other crimes, particularly those most vulnerable.

## **Criteria**

Organisations must comply with the following criteria:

- Provide projects relating to crime/community safety and regeneration as stated above
- Good organisational structure with an effective management committee of minimum 6 people
- Effective financial management
- Provide quality services that gives value for money
- Commitment to equal opportunities in staff management and service delivery
- Involve users in management and service development
- Be either based in Brent or deliver services for residents of Brent
- Be able to produce an Exit Strategy of how the project will continue after the three year funding has ceased.
- The organisation must be a non profit making organisation and must have been in operation for at least 12 months.
- The organisation must be able to provide clear details of how the grant will be used over 3 years i.e. provide clear outcomes and outputs and how these will be monitored.

In assessing applications the Council will also consider the following:

- Projects that involve partnership working with either the statutory or voluntary sector e.g Tenants and Residents groups, statutory agency partners such as Primary or Secondary Schools (particularly those with extended services); Children's Centres; Libraries; Leisure Centres; Housing Associations; Brent in 2 Work (employment support service); Safer Neighbourhood Teams and the South Kilburn Partnership.
- Other sources of funding that will contribute to the service or project
- Quality systems such as feedback from users, quality assurance systems and quality standards
- Preferences will also be given to organisations that raise match funding towards the proposed project.

The following should also be noted:

- Organisations will be required to comply with the Council's Standard Conditions of Grant Aid
- The funding period is from **1 April 2010 to 31 March 2013**, and the grant will be paid in quarterly instalments.
- Organisations will be required to complete self assessments and progress reports about their services to enable the monitoring of their services.
- **Priority will be given to organisations not currently in receipt of the 3 year MPG funding programme**
- Organisations are advised to include all the documents stated in the application form and any necessary additional information about their service or project to support their application
- CRB checks will be required
- As part of the assessment process officers may carry out a site visit to meet staff, users and members of your management committee. These visits will take place week commencing **19 January 2010**.

Voluntary Sector Team  
October 2009

STANDARD CONDITIONS OF GRANT AID TO VOLUNTARY ORGANISATIONS  
(Under Revision)  
**LONDON BOROUGH OF BRENT**

This document must be read in conjunction with the Guidance Notes which provides further explanations of Brent Council's Standard Conditions of Grant Aid.

**1. DEFINITIONS:**

- 1.1 **Organisation** means the person or the voluntary Organisation to whom 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.
- 1.7 **Report** means the report entitled [The Main Grant Report] which specifies the level of funding and the outcomes to be delivered by the Organisation through its use of the Grant Aid.

**2. PART A General Conditions**

Part A of the Conditions applies to all Organisations in receipt of Grant Aid.

- 2.1 The Organisation shall use Grant Aid wholly and exclusively for the purposes specified by the Council, and for the benefit of the inhabitants of the London Borough of Brent.
- 2.2 If the Organisation fails to deliver the outcomes specified in the Report or uses the Grant Aid for unauthorised purposes the Council reserves the right to recover all or part of the Grant Aid awarded.

- 2.3 The Organisation shall keep the Council informed of all matters relating to the need for and the use of the Grant Aid and in particular shall notify the Council in writing of any changes to the factors that formed the basis on which the Grant Aid was awarded.
- 2.4 Where the Grant Aid awarded is a contribution towards the costs of agreed activities, the Organisation shall take all reasonable steps to seek and obtain from sources other than the Council, funding for the Organisation's activities including those which are the subject of the Grant Aid award.
- 2.5 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 the furtherance or propagation of a religious faith.
- 2.6 The Organisation 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.
- 2.7 The Organisation shall submit an adopted constitution or its equivalent and an equal opportunities policy, accounts, annual report, insurance and CRB disclosures the provisions of which need to be acceptable to the Council, as advised by the their Legal Services.
- 2.8 The Organisation shall satisfy the Council as advised by the their Legal Services, that the activities to be carried out with the Grant Aid fall within the ambits of the Organisation's powers and meet the legal requirements for the services provided.
- 2.9 The Organisation shall have a properly constituted management committee, which meets regularly, and not less than four times a year. The Organisation shall hold an annual general meeting and must inform the Council in writing of any changes to its management structure. It shall provide the Council within 10 working days with the names and addresses of the Chair, Secretary, Treasurer and other members of the management committee.
- 2.10 No member of the management committee of the Organisation shall take up employment with the Organisation within one year after his/her resignation.
- 2.11 Where Grant Aid is approved for up to one year, this shall be limited to the maximum amount agreed in the Executive Report and shall not imply any commitment or agreement by the Council to provide Grant Aid to the Organisation for more than that year or for any further period.
- 2.12 Without prejudice to paragraph 2.13 below, the Grant Aid shall not be released in the second subsequent year following the year in respect of which it is first

awarded unless and until the Council, having received a monitoring report from the Council that he/she is satisfied that the Organisation has complied with the undertaking and agreement referred to in paragraph 3.1 below.

- 2.13 The Council will review the award of Grant Aid on an annual basis. The Council reserves the right to decide that Grant Aid should not be paid in the second or subsequent years notwithstanding any provision in the original Executive Report to the contrary.

### **3. PART B**

This Part B of the Standard Conditions of Grant Aid applies to all Grant Aid funded Organisations and must be complied with before the first quarter of the Grant Aid is paid.

#### **3.1 Written Undertaking And Agreement**

- 3.1.1 The Organisation shall complete and submit to the Council, an agreement to comply with the Council's Standard Conditions of Grant Aid and any additional conditions which may be imposed by the Council in respect of the Grant Aid in question. Two Committee Members shall duly sign this written undertaking and agreement on behalf of the Organisation within three months of notification of the Grant Aid awarded.
- 3.1.2 Where the Grant Aid is not claimed by the end of September in the year in which Grant Aid is allocated to the Organisation and/or no written undertaking and agreement is received by the Council, the Grant Aid shall be withdrawn and reallocated to other Organisations.

#### **3.2 Budget**

- 3.2.1 The Organisation shall submit to the Council a full income and expenditure budget for the year in which the Grant Aid is expected. This budget shall include all income from other sources and associated running expenditure.

#### **3.3 Previous Year's Audited/Certified Accounts**

- 3.3.1 Before any payment of Grant Aid is made the Organisation shall submit to the Council a full set of audited/certified accounts for the previous financial year, signed by two officers of the Organisations management committee one of whom shall be the Treasurer. This condition is not applicable where the Organisation has supplied these documents to the Council when the application for Grant Aid was made or in compliance with paragraph 4.3 below in respect of a previous year's Grant Aid.

#### **4. PART C**

All Grant Aid funded Organisations must comply with the following conditions and terms (where applicable) before the third quarter's Grant Aid is released.

##### **4.1 Six month report**

- 4.1.1 The Organisation shall, not less frequently than every six months after payment of Grant Aid, submit detailed written reports on the activities of the Organisation in particular, those activities in respect of which the Grant Aid monies are used. Such reports shall include relevant statistics on numbers of persons assisted by the Organisation or who have used the Organisation's services and details of all steps taken to obtain funding from other sources for the Organisation's activities.

##### **4.2 Revised Budget**

- 4.2.1 All Organisations receiving Grant Aid from the Council shall submit a revised income and expenditure statement by 15 October in each year. This revised income and expenditure statement shall show six months actual income and expenditure in each year to 30 September in that year and estimated income and expenditure for the following six months to 31 March on the form provided.

##### **4.3 Audited / Certified Accounts**

- 4.3.1 All Organisations receiving Grant Aid from the Council shall submit statements of accounts to the Council as specified below:
- 4.3.2 All Organisations with gross income of less than £20,000 per annum shall submit to the Council, as soon as possible, and in any event not later than six months after the end of the financial year in respect of which the Grant Aid is received or expended, a set of accounts of the Organisation certified by an independent examiner for that financial year. Two members of the Organisation's management committee shall sign the accounts, one of whom shall be the Treasurer of the Organisation.
- 4.3.3 All Organisations with gross income of £20,000 and over per annum shall submit to the Council, within six months of the end of each financial year, externally and independently audited accounts for the financial year of the Organisation during which any Grant Aid is received or expended. It shall further provide him/her on request with such information regarding the Organisation's activities as he/she may reasonably require to satisfy him/her as to the manner in which the Grant Aid or any part of the Grant Aid has been used.

#### **4.4 Equipment, Furniture, Vehicles, Computers, Training and Premises costs (Accommodation, Support & Training Grants)**

- 4.4.1 Organisations in receipt of Grant Aid for equipment, furniture, vehicles, computers and premises costs shall produce receipted invoice(s) before Grant Aid payment is made. Where the Organisation has insufficient funds, the Council may pay the supplier(s) direct on the Organisation's behalf at the Organisation's written request.
- 4.4.2 The Organisation shall keep and maintain an inventory of all assets purchased with the Council's grant monies. This inventory shall include a brief description of the asset, serial number, and date of purchase and on any sale, date and income received on such sale.
- 4.4.3 The Organisation shall not dispose of any item of equipment or furniture etc., purchased with Grant Aid monies without the prior written consent of the Council.
- 4.4.4 Where items are disposed of, in accordance with condition 4.4.3 above, the Organisation shall repay the Council forthwith, on demand, such part of the Grant Aid as the Council may determine. Such sum shall not exceed the level which the Council considers to be equivalent to the market value of the items at the time of disposal.

#### **4.5 Insurance**

- 4.5.1 The Organisation shall take out insurance policies to cover all risks, but not limited as appropriate:
- i) Public and employer's liabilities;
  - ii) Fire and other risks to the property;
  - iii) Risks arising from the use of Vehicles; and
  - iv) Theft or damages to property and its contents;

And shall produce evidence of such insurances to the Council if so requested.

- 4.5.2 The Council accepts no liability whatsoever to the Organisation or to any third party for any costs, claims, damages or losses however they are incurred. The Organisation shall not be or be deemed to be, an agent of the Council and shall not hold itself out to any third party as such.

#### **4.6 Dissolution**

- 4.6.1 In the event that the Organisation is dissolved or, being a limited company, goes into liquidation, any of its assets which have been bought with Grant Aid monies and/or any unexpended Grant Aid monies shall be returned to the Council. Unless the Council agrees otherwise such agreement shall be on terms as decided by the Council.
- 4.6.2 No further Grant Aid shall be payable to the Organisation with effect from the date upon which the dissolution/liquidation occurred.

#### **4.7 Payment Methods**

Grant Aid shall be paid in four equal instalments quarterly in April, July, October and January respectively as specified in the guidance note except that Grant Aid of up to £500 shall be paid in two equal half yearly instalments in April and October.

May 2008



## Guidance Notes on Conditions of Grant Aid For Voluntary Organisation

### THESE GUIDANCE NOTES SHOULD BE READ IN CONJUNCTION WITH BRENT COUNCIL'S STANDARD CONDITIONS OF GRANT AID.

#### Introduction

- 1a. The London Borough of Brent Standard Conditions of Grant Aid for voluntary organisations is based on the Statements of Recommended Practices (SORP) by the Charity Commission. SORP affecting the way in which a charity report annually on the resources entrusted to it and the activities it undertakes.
  - b. Brent Council (refers to as the Council) recognises that compliance with the Conditions of Grant Aid and other legal requirements and regulations is very costly. As you will appreciate, the Council must exercise its statutory powers (including its grant-making powers) in accordance with the law. It is accountable to the Council Community charge payers of London Borough of Brent for all the expenditure it incurs, including grants to other bodies. It is necessary, in order that it may comply with its legal obligations and good management, that a full account is kept of all the money disbursed in the form of grants.
  - c. The payment of grant is therefore conditional upon the organisation entering into an agreement with the Council to comply with all conditions attached to the grant aid. These guidelines set out in general the Council's expectations of grant aided organisations in complying with the terms and conditions of grant aid. You are therefore advised to read these guidelines carefully and where necessary **a copy should be given to your accountants/auditors.**
2. **Part A** of the Standard Conditions of Grant Aid are those conditions which all funded voluntary organisations must adhere to at all times.
    - 2.1 **Clause 2.9** is self-explanatory. The Council expects potential applicants to have one form of rules governing the conducts of its management and memberships.
    - 2.2 **Clause 2.10** requires your organisation to have at least 6 to 12 management committee members (depending on the size of the organisation). You must ensure that you submit the names and addresses of the management committee to the Council (Voluntary Sector Team) annually or a letter to that effect if there is no change.

**3. Part B** of the Standard Conditions applies to all funded organisations and must be complied with before you can receive first quarter of your grants award except where the grant excludes wages/salaries either in full or in part.

**3.1** Undertakings and agreements (**Clause 3.1.1**) forms the major part of the Council's Standard Conditions of Grant Aid. It requires the funded organisation to submit a Signed Agreement.

The agreement will normally be sent to your organisation together with the letter confirming the level of grant awarded to your organisation. Please send the completed form to Voluntary Sector Team immediately to avoid any delay in making your grant payment. If you do not receive one, contact your link officer immediately for a copy to be sent to you.

**3.2.** The Council expects all funded organisations to have basic accounting systems in place. Accounting systems are basic management tools necessary to make an organisation successful in the operation of its activities. In order to plan finances and monitor performance, these systems should incorporate the following:

- a) Financial controls and procedures
- b) Security of all accounting records. This should be sufficient to show and explain all the organisation's transactions
- c) It should be sufficient to disclose with reasonable accuracy, the financial position of the organisation at any particular time
- d) It must show details of all daily receipts and payments and records of assets and liabilities
- e) All accounting records must be kept for at least seven years after the end of the relevant financial year

**3.3** Business Plan or Financial Plan set out the basic objectives of the organisation over the 12 months period for which funding is requested. These objectives should be quantified in terms of income expectation, the range of services to be provided, detailed costing of all services to be provided, capital and equipment requirements and total estimated cashflow during the whole period covered by the plan.

Please note that this is not a condition of grant aid, but will assist you in complying with Clause 3.2 (see below).

**3.4** Annual Budget (**Clause 3.2**) forms part of the requirements of the Conditions of Grant Aid and it stems out of the business plan in 3.3 above. The Council expects this budget to set out in greater detail the information contained in the business plan on the form provided (appropriate budget sheet for the grant). This

should include all expected income and related expenditure. It is important to note that the annual budget is used as a basis of monitoring the activities of funded organisations in financial terms. It is therefore important that this form is completed satisfactorily and submitted to the Council otherwise payment will be delayed.

- 3.5** Revised Budget (Clause 4.2) can also be referred to as management accounts. Six months into the Council's financial year, the Council expects voluntary organisations under **Clause 3.2.1** of the conditions of grant aid to provide a revised budget which demonstrates how effectively and efficiently the organisation has applied its resources in achieving its objectives. The revised budget is expected to show actual income and expenditure over the first half of the financial year and expected income and expenditure for the second half of the year. This document is used by officers to measure the performance of the organisation by comparing this with the original budget statement supplied at the beginning of the financial year (see above). This assists the Council in evaluating the performance of the organisation and whether it has provided value for money.
- 3.6** Financial Statements (Annual Accounts) These cover **Clauses 3.3, 4.3.1 to 4.3.3**. All voluntary organisations in receipt of grant aid are required to submit a set of audited accounts to the Council. The financial statements should demonstrate how the trustees or management committee have managed their finances during the financial year and that any grant aid provided by the Council has been properly applied by the organisation for the purpose for which it was approved.

The financial statements expected will depend on the organisation's total level of income or assets.

- 3.6.1** All organisations with total income of £20,000 or more must submit audited financial statements and must show the following:

(i) Income and Expenditure Statement

The statement must be prepared on accrual basis. It must show the main sources of income, where separate funds are shown, details of restrictions on how they may be used and how any income is spent must be given under appropriate headings.

(ii) Balance Sheet

The balance sheet is expected to show the state of affairs of the organisation as at the end of the financial year in respect of which the statement of accounts is prepared. It should include:

Fixed Assets i.e. tangible and intangible assets and investments

Current Assets i.e. stocks and work-in-progress, debtors, short-term investments and cash at bank and in hand.

Short-term creditors or liabilities and including any long-term liabilities

Funds of the organisation – these should include unrestricted and restricted funds and capital funds

Comparable figures for the previous financial year

Management and auditors' report

**3.6.2** The Council will use the information contained in the Financial Statements to assess the performance of the organisation by considering the changes in the nature as well as the amount of the net resources of the organisation. These include other information such as six monthly reports and annual reports. Where further explanations are required, finance or grant officers, responsible for the administration of your grant will contact your organisation and if necessary with the permission of the organisation, contact the auditors direct. Annual reports are not explicitly part of the requirements of the Conditions of Grant Aid but if grant aided organisations are either registered under the Charities Act or Companies Act, the Council will expect these to form part of the audited accounts or financial statements.

**3.6.3** These statements must be supported by details on accounting policies and notes to the accounts. Notes which provide information on funds (particularly restricted funds) and tangible and intangible assets are useful and necessary. These should be provided by your organisation.

**3.7** **Clause 4.3.2** of the Conditions of Grant Aid requires those organisations with total income of less than £20,000 to submit a statement of accounts certified by an independent examiner. The independent examiner is a person who is reasonably believed by the Management Committee to have the requisite ability and practical experience to carry out a complete examination of the accounts.

This independent person should have no connection with the organisation's management committee that might inhibit the impartial conduct of the examination.

**3.7.1** The Council will consider the following persons to have such a connection, and therefore to be unable to certify the accounts:

- a) A member of the management Committee or anyone else who is closely involved in the administration of the organisation;
- b) A major donor to or major beneficiary of the organisation;

- c) Close relative, partners, business partner or employee of any person who falls within a) and b) above.
- d) An employee of the organisation

If you are in doubt on any of the above, please contact the grant or finance officers responsible for the administration of your grant.

**3.8** It is important to stress the need to comply with the governing instrument of your organisation. That is if your memorandum and articles of association or constitution requires you to have your accounts audited, it is important that you do so regardless of the limitations on your income.

**4.** **Clause 4.1** of the Conditions of Grant Aid requires the organisation to submit six monthly report *i.e. in October and April*. This should set out the following information;

- a) -a review of the development, activities, problems and achievements of the organisation during the relevant period
- b) -a review of the results of any trading or other non-charitable companies which have been included in the financial statements, availability of assets to fulfil obligations on fund-by-fund basis
- c) -statistical information on the users of the organisation's services

Please note that this information will be useful when you apply for renewal of your grant.

**5.** Arrangements for payments of grants (**Clause 4.7**)

**5.1** The payment of grant shall be made within ten working days of satisfactory compliance with the conditions of grant aid;

**5.2** Organisations receiving grants of up to £500 shall receive their grants in two equal instalments in April and October of the financial year (or as soon thereafter as conditions of grant have been complied with).

**5.3** Organisations receiving grants of over £501 shall receive the grants quarterly in April, July, October and January respectively (or as soon thereafter as conditions of grant have been complied with).

**6.** **Dissolution (*i.e. resolution to wind up*)**

A signed copy of any resolution to wind up the organisation must be submitted to the Council. All funded organisations with total grant of £10,000 and over per annum are expected to appoint a liquidator or accountant/s who will ensure that the affairs of the organisation are brought to a conclusion and all debts and liabilities are paid off within three months of cessation. Subject to audited accounts and level of grant awarded, any unexpected grant monies must be refunded to the Council.

## **7. Debts and Liabilities**

The debts and liabilities of the organisation are the responsibility of the management committee who must ensure that these debts are met from within the grant and the organisation's own resources.

**The audited accounts and lists of creditors must be submitted to the Council. Any disposal of equipment is subject to Clauses 4.4.3 and 4.4.4 of Conditions of Grant Aid.**

## **8 Insurance (Clause 4.5)**

**Clauses 4.5 to 4.5.2** of the Conditions of Grant Aid requires an organisation to insure its property and contents against all risks of physical loss, damage including fire and theft and to take out insurance in respect of public liabilities and employer's liabilities. The Council expects organisations to make sure that the necessary insurance has been taken out and from time to time the organisation may be required to produce the evidence that appropriate insurance cover has been taken out.

May 2008



**LONDON BOROUGH OF BRENT**  
**CORPORATE STRATEGY 2006-2010**

**Introduction**

This document gives a brief summary of the Council's priorities outlined in the Corporate Strategy 2006-2010 which was agreed by Full Council on 26 November 2006. The Corporate Strategy document sets out the Council's priorities and ambitions for Brent over the next four years. A full copy of the Corporate Strategy will be available on the Internet from February 07 at [www.brent.gov.uk](http://www.brent.gov.uk).

The Council will consider funding from the Main Programme Grant for 07/08. Applications from voluntary and charitable organisations must demonstrate how their work will complement the service and the Council's key priorities as set out in the Corporate Strategy.

The following are 3 key priorities that the Council wants to achieve over the next 4 years.

- A great place
- A Borough of Opportunity
- An Inclusive Community

A Summary of each is set out below.

## **A Great Place**

Creating a borough that is a great place to live, which is safe, clean and green with an accessible range of leisure and recreational facilities is a high priority for the council. The quality of the local environment has a significant influence on the quality of residents' lives and the Council believes that all the communities should benefit from safe, well-designed streets and open spaces maintained to a high standard. Design will be a major factor in the decisions about how Brent accommodates the increase in new households that will be required in the borough. The Council will ensure that all large scale development in Brent is accompanied by appropriate local infrastructure.

<b>A Safe Place</b>	<b>Our Priorities for 2006-2010</b>
Improve and extend programmes to tackle environmental crime, decreasing the negative impact of graffiti, fly posting abandoned vehicles and fly-tipping.	<ul style="list-style-type: none"><li>• Improve the co-ordination and effectiveness of measures to tackle environmental crime and improve consumer protection.</li><li>• To increase the effectiveness of the warden services provided by the Council, widening their role to improve their contribution to active management of the environment and public reassurance.</li><li>• Implement the Brent Crime, Disorder and Misuse of Drugs Strategy in Partnership with the Metropolitan Police Service and other partners on the Crime and Disorder Reduction Partnership.</li><li>• Maximise the effectiveness of existing CCTV installations and develop criteria for the future extension of its use through partners</li></ul>



	<ul style="list-style-type: none"> <li>• Continue to reduce casualties caused by road traffic accidents.</li> </ul>
<b><u>A Clean Place</u></b>	
Clean, well maintained neighbourhood.	<ul style="list-style-type: none"> <li>• Improve street cleaning through a new waste management contract to start in April 2007 to provide the borough with a service that meets resident's and Members expectations for service and value for money.</li> <li>• Develop a programme to provide access to more public toilet facilities.</li> <li>• Develop a prioritised programme of road and pavement repairs taking into account the need to promote road safety and green travel options.</li> <li>• Improving the co-ordination of environmental enforcement activity to ensure maximum impact and efficiency.</li> <li>• Ensuring that our regulatory services support the development of safe, effective and economic local businesses.</li> </ul>
<b><u>A Green Place</u></b>	
Expand the recycling service to enable more residents to recycle their rubbish.	Improve waste recycling performance to achieve our local and national targets for increased recycling of waste.

<p>Raise the standards of provision for playground and youth facilities in local parks and improve access to pocket parks and open spaces across the borough.</p>	<p>Review and develop a clear transport policy within the context of the Mayors Transport strategy for London that promotes real choice for residents and others through a clear view about the place of the car within the available range of travel options.</p> <p>Make Brent Council an exemplar of environmental practice and performance on sustainability issues</p> <p>Maintaining the quality of parks and open spaces and upgrading the current range of facilities available within them</p> <p>Develop a programme of green activities – such as tree planting, developing pocket parks and other open spaces.</p>
<p><b><u>A Lively Place</u></b></p>	
<p>Host a multitude of arts and cultural events which enhance the local quality of life and reflect the rich diversity of our community.</p> <p>Continue to modernise the library service to reflect the information and leisure needs of a diverse, urban community particularly through greater use of new communication technology and new ways to access other council services.</p> <p>High quality, affordable sports facilities is critical to maintaining health and well-being</p> <p>Work with schools and clubs to increase the range of sporting</p>	<p>Modernising the provision of library services in Brent along side the development of an integrated approach to customer services across the borough.</p> <p>Continue to develop the Brent Museum and Archive</p> <p>Securing the best possible range of retail, leisure, housing and employment opportunities within the redevelopment of Wembley and ensure local residents can access these opportunities.</p> <p>Creating a broader retail offer within the boroughs high</p>

activities available in the borough with a particular focus on under-represented sports and groups.	streets and town centres.  Increase sports opportunities and participation across the borough.
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### **A Borough of Opportunity**

As a location Brent has a huge amount to offer residents and businesses. The borough has excellent transport links both to central London and the rest of the Country, while existing local businesses make a significant contribution to the London economy and have great potential for future business growth. It is the Council's belief that everyone in Brent should be able to participate in and benefit from growth in the local economy. The Council will ensure that its residents are able to lead healthy lives with the right skills and opportunities to enable them to prosper.

<b>Local Employment and Enterprise</b>	<b>Our Priorities for 2006-2010</b>
<p>A place where businesses want to locate and can succeed.</p> <p>Reduce deprivation and rejuvenate the priority neighbourhoods.</p> <p>Support people to gain the skills and employment which will secure their long-term prosperity and well-being through programmes such as Brentin2work.</p>	<p>Promote investment across the Borough, and in particular in the opportunity areas of Wembley and Park Royal, to ensure a diverse and strong local economy.</p> <p>Ensure the delivery of the South Kilburn NDC programme for the long-term sustainable regeneration of the area and local communities</p> <p>With our partners implement our programmes to promote employment in the borough and reduce the barriers to employment experienced by the most deprived communities.</p>

	<p>Through our planning, development and regulatory activities create the conditions for the local economy to thrive.</p> <p>To make Brent a place where people want to stay and settle</p> <p>Provide better regulation for local businesses which supports their development while meeting our statutory responsibilities.</p> <p>Secure the maximum local benefits for local business and residents from the 2012 London Olympic Games.</p> <p>Continue to reduce the gaps in achievement, health and opportunity between the most deprived wards in the borough and average levels in line with the aims of the Neighbourhood Renewal Fund. During the period NRF aims will be integrated to mainstream service provision through the Local Area Agreement.</p>
<p><b><u>Health and Well-being</u></b></p>	
<p>Reduce the gap in life expectancy, which is 10 years less in the south of the borough than in the north by encouraging and supporting local people to make healthier life choices, through programmes to reduce smoking, promote healthy eating and take part in physical activities.</p>	<p>Produce a partnership Health Strategy for the borough which reduces the health inequalities experienced within Brent and supports general improvement in standards of public health for all communities.</p> <p>Develop an integrated strategy to address the full range</p>

<p>Together with the PCT and health service providers develop more integrated approaches that help people to live independent lives, give them greater choice in the care they receive and prevent the need to use long-term residential care.</p>	<p>of older peoples needs including care services, leisure activities, inclusion and choice.</p> <p>Provide effective Member Scrutiny of health issues and the provision of health services to facilitate improvement in public health across the borough.</p>
<p><b><u>Help When You Need It</u></b></p>	
<p>Promote and protect the independence and health of people with physical disabilities, mental health difficulties or learning disabilities</p> <p>Provide tailored care packages for those with the greatest need and engage in preventative work so that need does not escalate unnecessarily.</p> <p>Provide social care services that enable people to maintain an active life, participating in leisure and recreation activities within an inclusive local community.</p>	<p>Develop the provision of adult social care services to enhance peoples' quality of life and enable greater choice and flexibility in the type of care received.</p> <p>With the PCT explore the options for greater integration of adult social care and health services to improve provision and seek increased efficiencies.</p>

### **An Inclusive Community**

The Council believes that Brent is an inclusive community that is welcoming to all. The Council will provide services which reflect the diverse nature of the community and respond to the different needs of young and old alike. The Council will aim to support their service users and local communities to achieve independence, enabling them to fulfil their potential and participate in the opportunities available to them locally to improve their quality of life.

<b>Settled Homes</b>	<b>Our Priorities for 2006-2010</b>
<p>Maintain the supply of affordable new housing being built in the borough and achieve the Council's targets for reducing the use of temporary accommodation for families with children.</p> <p>Bring more empty properties back into use and work with private landlords to provide high quality rented accommodation.</p>	<p>Ensure an appropriate supply of new housing (market and affordable) is created in the borough within the context of regional and sub-regional housing policy.</p> <p>Agree an appropriate policy for the level of housing densities acceptable within the borough while ensuring continuity in the supply of new accommodation and necessary capital income.</p> <p>Achieve our targets for reducing the use of temporary accommodation for homeless families.</p> <p>Provide an appropriate level of support and regulation to private landlords to create a sustainable private rented housing sector.</p> <p>Agree a future strategy and priorities for the management of the Council's housing stock by Brent Housing Partnership (ALMO).</p> <p>Develop effective partnerships with boroughs in the west London sub-region.</p> <p>Ensure that delivery of housing services is responsive to Brent's diversity.</p>

<b>Early Excellence</b>	
<p>A safe, healthy environment for children in Brent with access to excellent facilities to learn, play and develop to their full potential. The Council aims to achieve this through the targets set in the three-year Children's and Young People's Plan.</p>	<p>Create the conditions in which children and young people thrive</p> <p>Early years development</p> <p>Educational achievement and school improvement</p> <p>Support for young people and teenagers</p> <p>Focus on excluded and vulnerable groups</p> <p>Safeguarding health and well being</p>
<b>Civic Leadership</b>	
<p>Civic leadership is about pride in the borough, in the people that the Council serves and in the services provided.</p> <p>Champion the interests of Brent and its communities at the national and regional level to secure the resources and opportunities that</p>	<ul style="list-style-type: none"> <li>• Building a shared vision for Brent through the Local Strategic Partnership.</li> <li>• Implement the plans for the creation of a new state-of-the-art Civic Centre in Wembley which will</li> </ul>

<p>local people and businesses deserve and need.</p> <p>The Council will work with its partners in the Local Strategic Partnership to build a strong and enduring vision of the borough; a shared commitment to a borough that has excellent public services, offering a great quality of life within an inclusive community. To deliver this vision the Council will engage with and lead the implementation of its joint Community Strategy and Local Area Agreement through relationships with other public agencies, the voluntary and business sector.</p>	<p>bring together council and other key public services in a community focused facility at the heart of the borough.</p> <ul style="list-style-type: none"> <li>• Ensure continued probity, standards and transparency in the conduct of all our business and decision-making at both the officer and Member levels</li> </ul>
<p><b>Community Engagement</b></p>	
<p>Listening to the opinions of local people and reflecting their views in all the Council's decisions.</p> <p>The Council uses a wide range of ways of consulting and engaging people to ensure that the Council's priorities and services are informed by an understanding of communities and service users needs and preferences. Include a new Citizen's Panel which is representative of the local population, five Area Consultative Forums, formal consultation exercises and regular service based surveys and forums.</p> <p>Voluntary and community groups play a critical role within Brent, frequently providing vital local services, engaging with those individuals that are most difficult to reach as well as building the capacity of the local community. The Council will continue to strengthen its joint working with the voluntary sector through its contractual arrangements, shared priorities and grant funding</p>	<p>Agree and implement an appropriate neighbourhood working structure supported by ward Members and local communities.</p> <p>Deliver our Consultation Strategy with a range of opportunities for local people to influence council policies, services and decisions</p> <p>Ensure residents are kept well informed of council activities and decisions.</p> <p>Improve and develop relationships with the voluntary sector support the effective functioning of the voluntary sector and the achievement of community priorities.</p> <p>Promote active citizenship projects that encourage local</p>



<p>programmes. Support and encourage individuals to take an active role within their communities and work with the voluntary sector to promote volunteering and citizenship projects.</p>	<p>volunteering and support community engagement.</p> <p>Positively celebrate the diversity of our local community and promote good community relations.</p> <p>Create a borough that is internationally welcoming and reflects the rich diversity of Brent's cultural heritage.</p>
<p><b>Building Our Capacity</b></p>	
<p>Have excellent standards of management and administration in order to deliver an ambitious programme of change and improvement that meets the needs of a diverse, urban, population</p> <p>Train and develop staff to effectively deliver the Councils Corporate Strategy through the new Human Resources structure and programmes.</p> <p>The Council will continue to refine its approach to procurement to ensure that it gets the best possible value for money without compromising on service standards. Currently the Audit Commission rates the Council as a strong 3 for its use of resources; The Council plan to improve that performance to the highest rating of 4 by 2008.</p>	<p>Continue to improve the performance of the Revenue and Benefits service to achieve upper quartile performance for:-</p> <ul style="list-style-type: none"> <li>• Benefit processing times.</li> <li>• Collection of Council Tax revenue.</li> </ul> <p>Fully implement the verification framework and maximise take-up of benefits by eligible people</p> <p>Implement the Strategic HR Transformation programme to create an HR function that serves the business needs of the organisation and improves the performance of all staff.</p> <p>Create a People Centre to deliver improvements in the efficiency and effectiveness of personnel related transactions.</p> <p>Improve our capacity to deliver high performing services</p>

	<p>through effective future workforce planning.</p> <p>Develop flexible working arrangements that meet the business objectives of the Council and enable the most effect use of staff resources.</p> <p>Implement the single status agreement and equal pay findings.</p> <p>Develop and deliver an integrated Customer Service Strategy for the council and its partners to ensure customer focus, modern access arrangements, increased effectiveness and value for money.</p> <p>Review our property and asset portfolio to ensure the sustainability of our asset management strategy to support the effective delivery of council services.</p> <p>Work with our partners both within the borough and at the sub-regional level to identify the scope for shared services and greater efficiency savings.</p> <p>Improve our approach to purchasing and commissioning of services to secure quality and value for money from local resources.</p> <p>Maintain effective stewardship of our resources to achieve value for money, transparency in decision-making and increased outcomes from our expenditure.</p>
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**MAIN PROGRAMME 2010-13 RECOMMENDATIONS**

**Appendix D**

No	Organisation	Amount Requested Over 3 years £	Amount Recommended Year 1 £	Theme	Type of Project - Brief description
1	Addaction	75,000	21,500	Regeneration and Community Safety	<u>Brent Break Free Project -Drugs, Gangs and Violence</u> - To provide group workshops and one to one treatment sessions for people with substance misuse issues.
2	Advance	75,000	21,500	Regeneration and Community Safety	<u>Advance Advocacy</u> To employ independent domestic violence advisor to deliver services to women experiencing domestic violence
3	African Women's Care	75,000	17,126	Regeneration	<u>Advice and Guidance Project</u> - To provide quarterly Health & Wellbeing workshops annually benefitting 50 women per quarter
4	Albanian Union Mother Teresa	69,476	0	Regeneration	<u>To work together for a better life for all communities on Brent Area</u> Request for salary of part-time worker to provide services for older people
5	Asian People's Disability Alliance	75,000	0	Regeneration	<u>Asian Women Mental health Project</u> - To provide drop-in support for Asian women aged 18 - 25 (living in the priority areas) with mild to moderate mental health needs
6	Asian Women's Resource Centre	75,000	0	Community Safety	<u>To provide support to ex offenders affected by domestic abuse</u> - Provide advice and information to women offenders and at risk of offending.
7	B. HUG and Brent Mencap	75,000	0	Regeneration and Community Safety	<u>Together in Safety - Together in Safety-</u> Skills training for homeless people and people with learning disabilities

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No	Organisation	Amount Requested Over 3 years £	Amount Recommended Year 1 £	Theme	Type of Project - Brief description
8	Beat Bullying	75,000	0	Regeneration and Community Safety	<u>BB PAYP</u> . Team sport and peer mentoring to help children address issues relating to bullying
9	Bosnia and Herzegovina Community Advice Centre	72,014	19,888	Regeneration	<u>Local Active Healthy Elderly in Brent</u> . P/T worker to co-ordinate volunteers to provide services to improve the quality of life of elderly people from West Balkans living in Brent
10	Brent Addiction Counselling Service	75,000	21,500	Regeneration and Community Safety	<u>Brent Addiction Services</u> - towards provision of counselling services to Brent residents suffering from drug and alcohol addiction, their carers and provision of training for trainee counsellors.
11	Brent Artist Resource Co. Ltd	45,000	0	Regeneration and Community Safety	<u>Educational Scheme and Exhibitions for young people</u> - toward salary of the Gallery coordinator who will manage the educational training program.
12	Brent Arts Council	75,000	0	Regeneration	<u>Brent Arts Council Gallery and Arts Centre Provision of Services to the Public - Salary of Centre Manager's post and to deliver art exhibitions where artist are able to exhibit their work.</u>
13	Brent Black African and Caribbean Mental Health Consortium	73,000	0	Regeneration	<u>Active Elders Brent</u> - salary of a worker to co-ordinate MH services for older people
14	Brent Carers Centre	70,268	0	Regeneration	<u>Benefit Advisory for Brent Carers</u> - To employ a part time worker to provide advice and information services to carers
15	Brent Centre for Young People	70,635	0	Community Safety	<u>Adolescents at Risk</u> - To provide weekly, psychosocial support to young offenders through group and individual therapy work
16	Brent Citizens Advice Bureau	41,668	0	Regeneration	<u>Brent CAB Advice Café</u> - IAG for new arrivals in Brent, specifically from BME groups

No	Organisation	Amount Requested Over 3 years £	Amount Recommended Year 1 £	Theme	Type of Project - Brief description
17	Brent Community Safety Board	75,000	0	Regeneration and Community Safety	<u>Outreach Community Engagement Officer</u> - to employ a community engagement officer 21hrs, 3 days a week to use range of methods to engage and consult with communities in Brent
18	Brent Elders Group	15,000	0	Community Safety	<u>Social Inclusion for Elderly People</u> - to provide community safety programmes by providing trips/awareness programmes/meditation/yoga classes
19	Brent Indian Association (1)	77,084	21,500	Community Safety	<u>Being Safe and Staying Safe</u> - employ a part time officer and a counsellor to provide ongoing specialist support for victims
20	Brent Indian Association (2)	76,571	0	Regeneration	<u>Community Outreach Project</u> - expand its ongoing advice service by funding the post of part time outreach worker/ESOL tutor
21	Brent Irish Advisory Service	75,000	21,500	Regeneration and Community Safety	<u>Health &amp; Welfare Promotion</u> - toward employing a Health and Welfare Promotion Worker assist with the delivery of the Gardening Club & Local Allotments and Tea Dances for Elderly client in the priority areas.
22	Brent Neighbourhood Watch Association	75,000	7,164	Community Safety	<u>Set up of Neighbourhood Watch Schemes &amp; provision of crime prevention information &amp; merchandise</u> - Provide support and training to volunteers to keep them up to date on crime prevention issues.
23	Brent Private Tenant's Rights Group	68,924	0	Regeneration	<u>Money and Homes</u> - an expansion their existing Homeplan project to support families in insecure accommodation living in Brent
24	Brent Refugee and Migrants Forum	75,000	0	Regeneration	to deliver a range of improved services to include advice, guidance and training to refugees and migrants across the borough. The training programme will include ESOL entry level 1,2 & 3.

No	Organisation	Amount Requested Over 3 years £	Amount Recommended Year 1 £	Theme	Type of Project - Brief description
25	Building Bridges Careers Service	75,000	0	Regeneration and Community Safety	<u>Building Bridges Careers Services</u> - To fund careers services and library workshops an recruitment and employment services
26	Caribbean Cultural Organisation	75,000	0	Regeneration	NO details submitted
27	Centre for Peaceful Solutions	58,147	0	Regeneration and Community Safety	<u>Anti-social behaviour mediation</u> - To provide early intervention mediation service of people living in social housing and on low income groups
28	City Mission Community	24,246	0	Regeneration	<u>Breakfast Club</u> - to provide a early morning activities for children at John Keble School, Harlesden.
29	Cricklewood Homeless Concern	74,995	20,867	Regeneration	<u>STEPS (Supporting Training, Employment Personalised Services)</u> - delivery of an educational program to include basic skills, support in to work, job search and work experience placement/work trials.
30	Elders Voice	71,941	18,869	Regeneration	<u>The Whole Community</u> - to set up an intergenerational (older people and young people) project
31	Energy Solutions	75,000	21,500	Regeneration	<u>Home Energy Support</u> - to deliver fuel debt and fuel poverty advice and suport to households in the priority areas.
32	Ethiopian Community In Britain	72,000	0	Regeneration	<u>Bridging the Gap</u> - to establish an older people project for BME migrant and refugees in Brent
33	Federation of Patidar Association	48,000	0	Regeneration	<u>Breakout</u> - To deliver a 20 week Outreach project for each year in partnership with Copland School and additional Brent schools
34	FORWARD	75,000	0	Regeneration	<u>BMER Women's Health and Empowerment Project</u> . to establish a project that will improve the sexual and reproductive health and wellbeing of BMER women.
35	Groundwork London	72,000	20,640	Regeneration	<u>Growing Greener Stronger communities</u> - community gardening and food-growing project

No	Organisation	Amount Requested Over 3 years £	Amount Recommended Year 1 £	Theme	Type of Project - Brief description
36	Hammersmith and Fulham Volunteer Centre	75,000	0	Regeneration and Community Safety	<u>Brent Active Citizens Youth Project</u> - to employ a project co-ordinator to provide employment focused activities
37	Help Somalia Foundation	75,000	0	Regeneration	<u>Make a Change</u> - to employ a family advice support worker who will work with teachers parents and other service providers in Brent
38	I Serve Ltd	55,700	0	Regeneration	<u>Bridging the Gap</u> - to employ a youth workers to organisation various activities i.e. dram, sports volunteering for young people living in Stonebridge,, St Raphael and harlesden
39	Kilburn Youth Centre - P3	73,421	21,153	Regeneration	<u>Jobshop</u> - Job services including IAG and training for young people in South Kilburn
40	Kongolese Centre & Mission Evangelique	74,560	0	Regeneration	<u>Brent Welfare Rights Project</u> - to provide IAG services to French Portuguese and Lingala speaking refugees.
41	London Action Trusts	74,982	0	Community Safety	<u>Changes Lanes - Brent</u> - for young people to create and maintain an anti-crime website to share experiences.
42	London Pioneers Basketball Club	75,000	0	Regeneration and Community Safety	<u>Basketball in Brent with the London Pioneers</u> - to operate a basketball programme for children and young people.
43	London Tigers	75,000	0	Regeneration	<u>Step Up Project</u> - to deliver 1-2-1 support and mentoring for adults to develop them in preparation for sports coaches.
44	Mayhew Animal Home	75,000	21,500	Regeneration and Community Safety	<u>Responsible Dog Ownership</u> - to delivery of information services and education about registration and the responsibility of dog ownership
45	Minister Centre Families without Fear Project	75,000	21,500	Community Safety	<u>Families Without Fear Project</u> - delivery of a range of session to include therapetic support, therapeutic group work and post group follow up work.

No	Organisation	Amount Requested Over 3 years £	Amount Recommended Year 1 £	Theme	Type of Project - Brief description
46	Outreach Taekwondo	74,989	0	Regeneration and Community Safety	<u>Outreach Taekwondo</u> - training sessions in self-defence skills to promote confidence and develop social skills.
47	Pakistan Welfare Association	75,000	0	Regeneration and Community Safety	<u>PWA/PCC Youth Development</u> - To offer preventative programmes and a safe space for young people
48	Place2Be	75,000	0	Regeneration and Community Safety	<u>The Place2Be: Improving wellbeing and supporting social inclusion in Brent</u> - Delivery of therapeutic and emotional support to improve the emotional wellbeing of CYP and their parents/carers in 13 primary schools in Brent.
49	PLIAS Resettlement	60,000	0	Regeneration and Community Safety	<u>Second Chances</u> - To employ a F/T worker to provide employment IAG and training for ex-offenders and people with criminal record
50	Polish Saturday School	17,505	0	Regeneration and Community Safety	<u>Supporting Polish children in their learning and integrating in the community</u> - Saturday School and organise educational trips for Polish CYP.
51	Princes Trust the	72,667	20,432	Regeneration	<u>Realising Potential in Brent</u> - to deliver a Community Cash Awards and Business programme to promote social inclusion through engaging young people activities to include setting up own business, employment, education and training.
52	Project Obama Young Leaders Campaign	24,900	0	Regeneration	<u>Project OB: Yes We Can! Young Leaders Campaign</u> - to deliver Young Leaders activities to include: Leadership experience, Universal suffrage, Debate session on current affairs, Guest speaker and Community involvement.



No	Organisation	Amount Requested Over 3 years £	Amount Recommended Year 1 £	Theme	Type of Project - Brief description
53	Relate London West	46,500	12,900	Regeneration	<u>Relationship counselling in Brent</u> - to offer relationship and family counselling services to individuals, couples and families in Brent priority areas.
54	Safe Start Foundation	75,000	0	Regeneration and Community Safety	<u>Safe Start Community Centre</u> - to deliver a range of services to include: Safe Start Employment, Health & Independent Living, Elderly Services, Housing & Accommodation Advice, Irish Culture and General Advice Services.
55	Seed of Hope Family Project	64,330	0	Regeneration and Community Safety	<u>Strengthening Families Strengthening Community / Intergenerational Project</u> - to deliver an accredited training and practical workshops on 'Strengthening Families Strengthening Communities'.
56	Seric Advisory & Support Agency	72,630	0	Regeneration	<u>Somali Community Training</u> - to deliver Employment, Education or Training programme to Somali elderly, single mothers and unemployed people.
57	Skills Active Forward	70,200	0	Regeneration	<u>Sustainability through employment and mentoring</u> - to provide employment, training and welfare services to create an integrated city and prevent social exclusion.
58	Somali Youth League (SYSL)	15,875	0	Regeneration	<u>Youth Health talk workshop and sport</u> - to deliver 3 workshops to include: Summer activities, local young people competitions and Active Sports.
59	Society for the Advancement of Black Arts	72,000	0	Regeneration	<u>Brent Youth Radio Training Centre</u> - to deliver a training programme to learn about radio broadcasting and further develop their skills.
60	Sport London E Benefica Youth FC	73,400	0	Regeneration	<u>Benefica Academy</u> - Provide football training during the week, after school hours and at the weekend.
61	St Raphael's Youth Football and Sports Club	72,000	8,330	Regeneration and Community Safety	<u>St. Raphs Learn and Earn Project - Building a safer Community</u> - to provide a rolling training programme of Introduction Certificate in Event Stewarding leading to NVQ2 Spectator Safety and the BIIB Door Supervisors Awards

No	Organisation	Amount Requested Over 3 years £	Amount Recommended Year 1 £	Theme	Type of Project - Brief description
62	Tamil Association of Brent	75,000	0	Regeneration and Community Safety	<u>Education and Good Citizenship</u> - build on current services and educate young & old so that they are socially inclusive
63	Tamil Cultural Centre	42,000	0	Regeneration and Community Safety	<u>Cultural values</u> - to provide range of ongoing activities
64	Thames21	61,820	14,998	Regeneration and Community Safety	<u>Waterway Action Co-ordinator</u> - to engage communities as volunteers to clean up Brent Waterways particularly in the priority areas.
65	Toucan Employment	63,000	17,200	Regeneration	<u>Employability</u> - run a series of ongoing workshops that will target prospective jobseekers with special needs
66	Tricycle Theatre	75,000	0	Regeneration	<u>Changing young people's lives through visual and performing arts</u> - Provide free visual and performing arts based workshops for children and Young people
67	Victim Support	75,000	0	Regeneration and Community Safety	<u>Serious Crimes Co-ordinator</u> - Co-ordinator to recruit, manager and retain a team of 10 specialist trained volunteers who will provide a minimum of 20 hrs a week
68	West London Sports Trust	63,000	0	Regeneration and Community Safety	<u>Track Academy</u> - run a mentor programme and an innovative study support programme that will improve numeracy and literacy
69	Witness Service (Victim Support)	75,000	0	Regeneration and Community Safety	<u>Community Engagement Officer</u> - To raise the awareness of the Witness Service and the criminal justice
	<b>TOTAL</b>	<b>4,596,448</b>	<b>371,567</b>		

No	Organisation	Amount Requested Over 3 years £	Amount Recommended Year 1 £	Theme	Type of Project - Brief description

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APPENDIX F

**MPG funded organisations not recommended for funding in 10-13**

<b>No</b>	<b>Name of Organisation</b>	<b>Annual funding £</b>	<b>3 months £</b>	<b>exit fund 66%</b>
1	Asian Women's Resource Centre	4744	1186	787
2	Brent Arts Council	10404	2601	1726
3	Brent Refugee and Migrants Forum	25500	6375	4231
4	Federation of Patidar Association	10404	2601	1726
5	Help Somalia Foundation	6428	1607	1067
6	Horn of Africa Refugee Welfare Group	3413	853	566
7	Middlesex ITEC	13514	3378	2242
8	Pakistan Welfare Association	18036	4509	2992
9	Safestart Foundation	30141	7535	5001
10	Samaritans of Brent*	16961	4240	2814
11	Victim Support	40055	10014	6646
	<b>TOTAL</b>	<b>179600</b>	<b>44899</b>	<b>29798</b>

\*Samaritans and Middlesex ITEC did not re-apply

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	<p style="text-align: center;"><b>Executive</b> 23 June 2010</p> <p style="text-align: center;"><b>Report from the Director of Housing and Community Care</b></p>
<p style="text-align: right;">Wards affected: ALL</p>	
<p style="text-align: center;"><b>Amendment to Housing and Social Care Non HRA PFI Project – Authority to Award Phase 2 of Contract Report</b></p>	

## 1.0 SUMMARY

- 1.1 This report notifies the Executive of an amendment that is required to be made to a recommendation approved by Members in relation to the Housing and Social Care Non HRA PFI Project at Executive Committee Meeting held on 15<sup>th</sup> March 2010. The Executive is asked to give approval to the number of units to be delivered under Phase 2 of the PFI scheme.

## 2.0 RECOMMENDATIONS

- 2.1 The Executive is asked to note that the revised total of units to be delivered at Phase 2 of the scheme is **169 units** instead of the 165 units that were reported to Members in the report present to the Members on 15<sup>th</sup> March 2010.
- 2.2 The Executive is asked to approve the following recommendation to replace the recommendation which was set out in paragraph 2.2 of the report in respect of this matter to the Council's Executive meeting on 15 March 2010::

***To agree to the revised total of 169 units at Phase 2 of the scheme – taking total units for Phase 1 and Phase 2 to 384 – as set out in paragraph 4.6 of the report submitted to the Executive on 15 March 2010.***

## 3.0 BACKGROUND

- 3.1 The Executive is referred in particular to recommendation in paragraph 2.2 of the main report in relation to the Housing and Social Care Non HRA PFI Project which attached to Appendix 1. The total number of units to be delivered under phase 2 of the scheme is 169 units instead of 165 units that were reported to Members at the Executive meeting held on 15<sup>th</sup> March 2010.

Members are asked to note that the reference to 165 units in the recommendation was made in error.

3.2 Paragraph 3.6 of the March report confirmed that 169 units are to be delivered under phase 2 of the scheme and a breakdown of the 169 units and the sites were they were to delivered from had been provided in Table 2.

3.3 This amendment to the recommendation is necessary as the Council will need to satisfy the lenders who are funding this Housing and Social Care PFI scheme that the Executive has provided the correct authority in order to enter into the scheme. At present, as the current Executive approval refers to 165 units it is necessary to make an amendment to the recommendation set out in paragraph 2.2 of the March 2010 as follows:

***“Agree to the revised total of 169 units at Phase 2 of the scheme – taking total units for Phase 1 and Phase 2 to 384 – as set out in paragraph 4.6 of the report”.***

3.4 Officers are working towards achieving financial close of Phase 2 of the scheme by the end of June 2010. In order achieve this officers are finalising the contract documentation to support the variation to the Contract in order to deliver 384 units under Phase 1 and Phase 2 of the PFI scheme. In order for the Contract to be valid, the Council is required to provide a certified copy of the Executive’s decision and related documents approving entry in the scheme. The proposed amendment to the recommendation set out in paragraph 2.2 of the March report is intended to correctly reflect the number of units being delivered under Phase 2 of the PFI scheme. If Members do not approve this amendment, then the Council will not be able to provide the necessary certification to enable financial close of the variation to the contract to be achieved by the end of June 2010.

#### **4.0 FINANCIAL IMPLICATIONS**

4.1 There are no additional financial implications to those set out in the main report which was submitted to the Executive on 15 March 2010.

#### **5.0 LEGAL IMPLICATIONS**

5.1 There are no additional legal implications to those set out in the main report and the supplementary report which were submitted to the Executive on 15 March 2010.

#### **6.0 DIVERSITY IMPLICATIONS**

6.1 There are no additional diversity implications to those set out in the main report which was submitted to the Executive on 15 March 2010.

#### **7.0 STAFFING/ACCOMMODATION IMPLICATIONS**

7.1 There are no staffing/accommodation issues arising in this report.

#### **8.0 BACKGROUND PAPERS**




8.1 Background papers are available from Manjul Shah, Head of Affordable Housing, 7<sup>th</sup> Floor, Mahatma Ghandi House, 34 Wembley Hill Road, Wembley, Middlesex HA9 8AD.

## **9.0 CONTACT OFFICERS**

Assistant Director of Housing – Maggie Rafalowicz

MARTIN CHEESEMAN  
Director of Housing and Community Care

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	<p style="text-align: center;"><b>Executive</b> 15 March 2010</p> <p style="text-align: center;"><b>Report from the Director of Housing and Community Care</b></p>
<p style="text-align: right;">Wards affected: ALL</p>	
<p><b>Housing and Social Care Non HRA PFI Project – authority to award Phase 2 of contract</b></p>	

Forward Plan ref: H&CC -09/10- 37

Appendix 2 is not for publication as this contains the following categories of exempt information as specified in the Local Government Act 1972, namely:

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

and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

## **1.0 SUMMARY**

- 1.1 The Housing and Social Care PFI was developed to provide social housing and replacement residential facilities for people with learning disabilities with the aid of a government grant. The Council appointed Brent Co-efficient (BCE), which is now a wholly owned subsidiary of Hyde Housing Association, as preferred bidder in October 2006 and provided delegated authority to the Director of Housing and Community Care in October 2007 and July 2008 to agree the PFI Project Agreement.
- 1.2 Financial close was reached on Phase 1 of the the project in December 2008 and this included the provision of 195 housing units and 20 units for people with learning disabilities. Since December 2008, there have been negotiations on the provision of further housing units as part of Phase 2 of the scheme. Changes to interest rates and bank margins since December 2008 have required measures to be taken, as part of these negotiations, to ensure Phase 2 of the scheme remains affordable. One of these measures is a reduction in the number of planned units for Phase 2 from 185 reported previously to 169, reducing total units for both phases of the scheme from 400 to 384.

- 1.3 Negotiations are now complete and financial close on Phase 2 is scheduled for 31<sup>st</sup> March 2010. The Phase 2 contract is an extension of Phase 1 and most of the documentation remains the same as Phase 1. However, new requirements from the banks have meant that arrangements for paying off residual debt at the end of the contract period have had to be changed, as have the arrangements for compensation on early termination of the contract.
- 1.4 The full background to, and details of, the scheme were included in reports to the Executive on 8<sup>th</sup> October 2007 and 14<sup>th</sup> July 2008. Copies of these earlier reports are available should members wish to refer to them.

## **2.0 RECOMMENDATIONS**

The Executive is asked to:

- 2.1 Note the progress on delivery of Phase 1 of the scheme in paragraphs 3.3 to 3.5.
- 2.2 Agree to the revised total of 165 units at Phase 2 of the scheme – taking total units for Phase 1 and Phase 2 to 384 – as set out in paragraph 4.6 of the report.
- 2.3 Delegate authority to the Director of Housing and Community Care, in consultation with the Director of Finance and Corporate Resources and the Borough Solicitor, to agree the variation to the PFI Project Agreement and all other related documents including those which shall be entered into by the Council with any of Brent Co-Efficient's funders or subcontractors, in order to enable financial close on Phase 2 of the project.
- 2.4 Authorise the Borough Solicitor, or authorised delegate on her behalf, to execute all of the legal agreements, contracts and other documents on behalf of the Council in relation to Phase 2 of this project (and such other legal agreements and documentation which may be necessary to give full effect to the variation to the PFI Contract), subject to her receiving confirmation of credit approval from the Department for Communities and Local Government or, executing such contracts and other documentation with a pre-condition that they shall only come into full effect upon the issuing of such PFI credit approval by the CLG.
- 2.5 Agree that the Director of Finance and Corporate Resources can issue, on behalf of the Council, such certificate or certificates under the Local Government (Contracts) Act 1997 in respect of:
  - a. the Deed of Amendment to give effect to the variations to the PFI Project Agreement;
  - b. the Direct Agreement Amendment Deed to give effect to the variations to the Direct Agreement entered into between the Council, the funders and Brent Co-Efficient; and
  - c. the Residual Value Amendment Deed to give effect to the revised Residual Value Deed to be entered into between the Council, Hyde Housing Association and the funders.

- 2.6 Agree that the Director of Finance and Corporate Resources will be fully indemnified by the Council in the event of any claim against him arising from the provision of any Certificate he may issue in accordance with recommendations/decisions in 2.5 above.

### **3.0 BACKGROUND**

- 3.1 The Executive received reports in October 2007 and July 2008 on the Housing and Social Care PFI. These detailed the background to the scheme and sought delegated authority for the Director of Housing and Community Care to reach final agreement on the scheme.
- 3.2 The scheme included 380 social housing units and 20 learning disability units. The social housing units included properties at market rents and affordable rents with a gradual transfer from market rent to affordable rent during the 20 year contract period and nomination rights in perpetuity to a minimum of 158 affordable housing units. The Council would be entitled to more than 158 nomination rights if the value of the properties at the end of the contract period exceeded the amount of debt on the properties. The 20 learning disability units are being built under licence on land transferred to the Council as part of the scheme. Facilities management of the units is provided as part of the contract.
- 3.3 The need to identify suitable sites for the scheme meant that it had to be in two phases. Phase 1, which reached financial close in December 2008, included the delivery of 195 social housing units and 20 units for people with learning disabilities. Phase 2 was intended to deliver a further 185 units, taking the total to 400. It had originally been intended that financial close on Phase 2 would be reached 12 months after financial close of Phase 1.
- 3.4 The scheme was one of only a relatively small number of PFI schemes to reach financial close in 2008 and its innovative nature led to it being awarded best 'Housing or Regeneration Project' at the national Public Private Finance awards in May 2009.
- 3.5 Units for Phase 1 of the scheme are in the process of being delivered. The 15 units for people with learning disabilities on Tudor Gardens are complete and are due to be occupied with effect from 31<sup>st</sup> March 2010. Work is progressing on the 57 PFI housing units on Empire Way which is due to complete later this year. In addition, works have commenced on four of the other sites to deliver 76 PFI units. It is anticipated that the construction programme to deliver the remaining three sites will commence over the next few weeks. The timetable for delivery of Phase 1 units is set out in Table 1.
- 3.6 Phase 2 of the scheme is now close to being finalised. Sites have been identified and schemes developed which would provide a total of 169 units, 16 short of the original target of 185. All but one of the sites have planning permission. The final site – The Mall in Kenton – is due to be considered at Planning Committee on 17th March. Revisions required to Phase 2 of the PFI scheme as a result of changes in the financial markets have been negotiated. Subject to members' approval of the revisions, and decisions of the Planning Committee on The Mall, the scheme is on target for financial close at the end of March. Details of Phase 2 are described in Section 4 of this report.

**Table 1 Phase 1 sites, including expected date of completion**

Site	Number of units	Expected date of completion
Tudor Gardens (learning disability units)	15	10/03/10
Empire Way	57	30/09/10 – 01/11/10
167 Willesden Lane (including 5 learning disability units)	11	31/07/10
Winchelsea Road	31	01/02/11
9 Willesden Lane	13	28/02/11
Melrose House	21	30/06/11
Barnhill Cottages	15	21/06/11
Fawood Avenue	45	01/07/11-29/08/11
191 Willesden Lane	7	01/11/11
<b>Total Phase 1 units</b>	<b>215</b>	

#### 4.0 Phase 2 proposals

##### *Sites*

- 4.1 Phase 2 proposals include provision of up to 169 housing units on five sites as set out in Table 2.

**Table 2 Phase 2 sites, including expected date of completion**

Site	Number of units	Expected date of completion
Perrin Road	9	31/07/11
Campbell House	7	31/10/11
Fawood Avenue	21	31/10/11
Brook Avenue	44	29/02/12
The Mall	88	31/05/12
<b>Total Phase 2 units</b>	<b>169</b>	

- 4.2 All sites are owned by Hyde Housing Association, apart from The Mall for which the sale to Hyde by the current owner has been agreed subject to planning permission being granted.

##### *Affordability*

- 4.3 The ripple effect of the banking crisis has affected affordability of Phase 2 of the scheme. There are three main factors that have contributed to reducing affordability, as follows:
- Bank margins (which are the amount banks charge above long term interest rates to reflect risk) have gone up. They were under 1% when BCE was originally appointed as preferred bidder, had reached about 1.5% when financial close was reached on Phase 1 in December 2008, and are now in excess of 2%.

- b. Long term interest rates have gone up. These were at a historic low of under 4% when financial close was reached for Phase 1 (offsetting to some extent the impact of higher margins) but more recently have fluctuated within a 4% to 4.5% band.
- c. Banks' willingness to take on risk has reduced. This has affected the scheme in two main ways, as follows: (1) the banks are not willing to fund as high a proportion of the debt as they were prepared to when Phase 1 closed; (2) the banks are now requiring some of the debt to be paid back over the contract period whereas for Phase 1 they were willing to provide an interest only loan on the basis that the value of the properties at the end of the contract period would be sufficient to repay the debt.

4.4 In order to address these changes, measures have been taken to review other costs – in particular construction costs for Phase 2 have been reviewed to reflect changes in construction prices as a result of recession - with the balance of the affordability gap being addressed by a reduction in the number of units (from 400 to 384). In addition, Hyde Housing Association have increased the level of their own financial resources being used to fund the scheme to offset the reduced proportion of funding provided by the banks.

4.5 The result is that the scheme is now affordable. Details of the Council's contribution to the scheme following these changes are included in the financial implications section of this report.

*Outputs*

4.6 The outputs from the combined Phase 1 and 2 are now 384 units in total. The table below sets out changes since the position reported to the Executive in July 2008. Total units have been reduced from 400 to 384. The number of units for people with learning disabilities – 20 – remains as before. In addition the Council will retain guaranteed nomination rights in perpetuity to a minimum of 158 affordable housing units at the end of the contract period, which is in line with what was approved when the scheme included 400 units in total. There is a gradual transfer of properties at market rents to properties at affordable rents. The number of properties at affordable rents at the end of the project has now been aligned with the number of affordable housing units to which the Council has guaranteed nomination rights in perpetuity. This has helped secure affordability of Phase 2, ensure that the Council has a financial contingency (see financial implications), and will mean that the Council is guaranteed to maintain properties that are at affordable rents at the end of the contract in perpetuity.

**Table 3 Change in proposed outputs from the project since July 2008 (assuming a Phase 2 variation)**

	Number of units:	
	July 2008 position	Current Position

	Start of contract	Expiry of contract	Start of contract	Expiry of contract
Social housing unit at affordable rents (includes 15 semi-independent care units)	130	183	125	158*
Social housing units for homeless people at market rents	250	197	239	206
Registered care home places	15	15	15	15
Respite beds	5	5	5	5
<b>Total</b>	<b>400</b>	<b>400</b>	<b>384</b>	<b>384</b>

\*Subject to the terms of the Residual Value Deed.

### *Approvals*

- 4.7 In addition to Council approval, approvals are needed from the banks, the Hyde Board, and the government.
- 4.8 The banks that funded Phase 1 of the project, Barclays and Nord LB (a German Bank), will be funding Phase 2 of the project. The final funding decisions are subject to agreement by the banks' credit committees. The banks are however supportive of the project and it is expected that they will receive credit committee approval for the funding.
- 4.9 The Hyde Board approved the scheme at their meeting on Thursday 4<sup>th</sup> March 2010 based on the project arrangements set out in this report.
- 4.10 The government has approved £37m of PFI credits for this scheme. £21.2m has been allocated to Phase 1 and will start to be paid from the date that the Tudor Gardens service commences, which is expected to be 31<sup>st</sup> March 2010. The other £15.8m will be paid once financial close on Phase 2 has been reached. The original PFI credit approval was based on a total of 400 units being delivered with a pro-rata reduction if the number was below 400. However, Council officers met officials from the Homes and Communities Agency on 20 November 2009 to explain the changes proposed to the scheme financing requirements and the consequential change to outputs. Following this meeting, the HCA notified the Council that that they would agree to apply the existing level of PFI credits if there was a reduction of up to 20 units from the originally agreed 400 units. This approval is subject to financial close being reached on Phase 2 and the Council continuing to receive guaranteed nomination rights to a minimum of 158 units at the end of the contract. A copy of this letter is attached in Appendix A.

### *Risks*

- 4.11 The main risks associated with Phase 2 and means of addressing them are set out in Table 4:



**Table 4 – Key Project Risks**

Risk	Means of addressing it
<p>1. Planning approval is not granted on The Mall. If planning approval is not granted, this would lead to delay in Phase 2 of the PFI scheme which could lead to additional costs and the overall scheme becoming unaffordable.</p>	<p>The proposed scheme has been designed following detailed consultation with the Planning Department. Additionally, there has been a series of consultation exercises held with residents. The plans incorporate recommendations and address comments that have been raised by planning officers under the pre-planning consultation process. Planning officers consider that the proposed scheme complies with planning policy requirements and are making a recommendation for planning permission to be granted. The Planning Committee was briefed in 2007 on the PFI scheme and is aware of the wider benefits it brings to meeting housing need in the borough.</p>
<p>2. Other approvals – eg the banks, government – are not granted leading to the scheme having to be abandoned.</p>	<p>All parties involved in the scheme have been kept fully aware of developments and remain supportive. There are currently no indications that any of the other parties will not approve Phase 2.</p>
<p>3. Movements in interest rates make the scheme unaffordable.</p>	<p>This risk is primarily Hyde's since the financial model used for Phase 2 adjusts the Hyde return on their investment should other elements of the model change. If however there were to be a large upward movement in interest rates, this might make the return to Hyde insufficient to justify the investment in which case Phase 2 could not go ahead as currently agreed and may have to be renegotiated.</p>

Risk	Means of addressing it
<p>4. Legal challenge to granting of planning applications would mean work would have to stop on site until the issue had been resolved. This would lead to delay and additional costs which the Council would have to meet.</p>	<p>The risk of successful legal challenge is low so long as the Council has followed correct planning procedures. Any legal challenge would be confined to The Mall and Brook Avenue because planning permission for all other sites was granted more than three months ago. The Council has agreed to take on this risk to enable the scheme to</p>

	<p>proceed prior to expiry of the period for legal challenge. Neither Brook Avenue nor The Mall are scheduled to start on site until after the 3 month legal challenge period together with the standard time for a challenge being heard expires. There would be costs to the Council if a legal challenge succeeded.</p>
<p>5. Rents assumed in the model cannot be sustained. The rents assumed in the model are based on social housing target rents (permanent units) and assumed market rents (temporary units). There is little risk with the rents for permanent units but sustainability of rents for the temporary units depends on them being assessed as being at an acceptable level for housing benefit subsidy purposes.</p>	<p>As part of Phase 2 negotiations, market rents for temporary units included in the PFI model have been changed from an average rent applied to all property sizes to a differential rent based on property size. The rents are linked to the costs of the scheme and do not include any element of profit for the Council. This is a reasonable basis for setting the rents but there is an element of risk if government policy on application of housing benefit subsidy to this kind of scheme changes. In that case, there is the opportunity for the Council to review the speed at which units change from temporary to permanent or the balance of temporary units between the north and the south of the borough.</p>

4.12 There is one commercially sensitive risk that is set out in Appendix B.

*Phase 3*

4.13 Previous reports referred to the possibility of Phase 3 of the scheme if additional PFI credits were available. Council and BCE discussions have focused on achieving financial close of Phase 2 in difficult funding conditions. In addition, there have been no further discussions with HCA about the possibility of funding a Phase 3 although reduced resources available to them as a result of public spending reductions makes that more unlikely than before. Officers will continue to explore the possibility of a Phase 3 and report back to members should funding opportunities be available.

**5.0 FINANCIAL IMPLICATIONS**

5.1 This section of the report addresses financial implications of the scheme.

*Funding of the scheme*

5.2 The total estimated unitary charge to the Council varies from year to year depending on the number of properties and the profile of costs incurred by BCE. It averages £4.6m per annum (in cash terms) over the 19 years over which payments are made. £3.4m per annum of these costs are met from the conversion of £37m of PFI credits into an annual revenue grant. The balance of £1.2m per annum is met from the

Council's budget contingency of £150k per annum and has been retained by the Council to fund client costs (including legal and technical as well as housing's own client function), impact of change notices, adaptations which had been agreed as a pass through cost, and rent risk.

- 5.3 Table 5 below shows the Council's budgeted contribution up to 2013/14. From 2014/15 onwards the Council's contribution increases by 2.5% per annum until contract completion in December 2028. The budgeted contribution is sufficient to meet the Council's contribution to the unitary charge and fund the Council's contingency.

**Table 5 Council contribution to Phase 1 and 2 of the scheme**

	2009/10 £'000	2010/11 £'000	2011/12 £'000	2012/13 £'000	2013/14 £'000
2010/11 budget and medium term financial plan	576	1,003	1,159	1,188	1,218

*Accounting treatment*

- 5.4 At the time of financial close of phase 1, the accounting treatment indicated that the PFI properties would not be on the Councils balance sheet. Local authorities are now obliged to account for PFI projects using international accounting standards. Officers have asked BDO, the Council financial advisers on this project, to advise on the accounting treatment and whether the scheme will remain off the council's balance sheet. Their preliminary view is that nomination rights to the housing units will not be considered on balance sheet but the care home units will be on balance sheet. There is also now a requirement to report to government on the National Accounts balance sheet treatment. Subject to the Homes and Communities Agency being satisfied with the proposed treatment, and therefore PFI grant not being affected, the accounting treatment should not affect the affordability of the project.

*Costs incurred by the Council on Phase 2*

- 5.5 The Council has to employ professional advisers and meet other costs associated with delivery of Phase 2 of the scheme. These are estimated to amount to £231k in 2009/10 and can be funded from the 2009/10 budget provision for the PFI. In addition, the Council has incurred £160k staffing costs and other clienting costs in 2009/10 in respect of managing the delivery of contract during the construction phases which have been funded within existing budgets.

**6.0 LEGAL IMPLICATIONS**

- 6.1 Financial Close in respect of Phase 1 of the non HRA PFI contract was reached on 19 December and this resulted in the release by the Communities and Local Government Department of confirmation of the formal issue of PFI credits for the total amount of £37 million subject to the following (amongst other) conditions:

- payment of full subsidy generated by credits of £37 million will be triggered by the first Phase 1 units becoming operational provided the Phase 2 variations to bring the total number of units up to 400 have been signed by the Council and the Contractor by the date that the PFI grant claim form is submitted to the department;

- if no variations are agreed the credits to the scheme will be reduced to £21.2 million;
- if agreed variations do not bring the total number of units up to 400, the credits will be calculated according to a specific formula identified in the PFI credit letter. This formula seeks to pro-rata the additional £15.8 million credits to the number of units constructed under a Phase 2 variation.

6.2 The report at paragraph 4.10 confirms that CLG (through the Homes and Communities Agency who are charged with the responsibility of facilitating housing PFI arrangements) has confirmed that the full amount of additional PFI credits (£15.8 million) will be available despite the fact that the number of units identified in the proposed Phase 2 of the PFI project are less than initially anticipated when the PFI credit approval was obtained. It is clearly important for the Council to receive formal confirmation of this by way of letter from CLG.

### *Procurement*

6.3 The PFI Contract entered into between the Council and Brent Co-Efficient provides a contractual mechanism to vary the contract to incorporate the changes proposed to facilitate the introduction of the Phase 2 units into the project. The Council is entitled to vary the contract to give effect to the Phase 2 element of the project without subjecting the variation to a new procurement process under the European Union procurement regime as the Phase 2 variation is an extension of an opportunity in the Official Journal of the European Union. The OJEU notice advertised the proposed contract for the construction of (as initially anticipated) 500 units and thus the proposed variation to incorporate Phase 2 is not in excess of the opportunity that was advertised to the market. Despite this, Brent Co-Efficient's funders are concerned about the potential risk (albeit small) that awarding a variation of the existing contract might give rise to a challenge from an aggrieved contractor and in particular for the variation to be declared ineffective under the new Public Contracts (Amendment) Regulations 2009. These Regulations introduce the remedy of "ineffectiveness", which effectively obliges a court to order that a contract is ineffective in the event that a contracting authority has directly awarded a contract to a contractor without first advertising in the OJEU. This extends to variations of existing contracts where a variation could be said to be a material difference to the existing contract, thereby creating a new contract for the purpose of the EU procurement regulations.

6.4 The remedy of "ineffectiveness" can be claimed by an aggrieved contractor up to six months after the contract (or the variation/amendment) has been entered into. This can mean that the status of a variation is at risk for a long period of time. Therefore, the Public Contracts (Amendments) Regulations 2009 provide that a contracting authority, i.e. in this case the Council, can lodge a voluntary transparency notice in the OJEU in order to reduce the time limits that an aggrieved contractor can challenge the variation of the existing contract.

6.5 By publishing a voluntary transparency notice in the OJEU, announcing its intention to award the variation directly to Brent Co-Efficient and explaining why it believes that a lack of prior publicity was justified and provided that the Council waits at least ten calendar days from the publication of that voluntary transparency notice before

entering into the Contract, a third party will not be able to claim that the contract is ineffective.

- 6.6 In those circumstances the Council proposes to issue a voluntary transparency notice and wait the ten days standstill period before giving effect to the Phase 2 variation.
- 6.7 Additionally the Public Contracts (Amendment) Regulations 2009 (in particular 47M) introduce the ability for parties to a contract which is declared ineffective by the court to agree provisions to regulate their mutual rights and obligations in the event that a declaration of ineffectiveness is made. To that end the funders for Brent Co-Efficient have also requested that a so called "Procurement Deed" be entered into which would set out the consequences for the Council and Brent Co-Efficient in the event that a declaration of ineffectiveness is made. The Procurement Deed will provide that in the event that a court declares the Phase 2 variation ineffective then the Council and Brent Co-Efficient agree that compensation payable in circumstances where the Council voluntarily terminates or is in default of the agreement shall apply. The terms of the Procurement Deed are not yet finally agreed.

#### *Residual Value*

- 6.8 The treatment of residual value in the properties and in particular how the residual value of the temporary and permanent dwellings would impact on the Council and Brent Co-Efficient (and Hyde Housing Association as Landlord in particular) was a unique feature of the Phase 1 PFI Contract. The Council and Hyde and Brent Co-Efficient entered into a Residual Value Deed at the close of the Phase 1 PFI Contract which, amongst other things, sought to capture the residual value of the dwellings which remain in the ownership of Hyde at the expiry of the contract.
- 6.9 At the end of the 20 year contract period the Council will retain the freehold ownership of the 15 registered care home places and have a 999 year lease on the 5 learning disability respite units (see Table 1 on Page 4). The Council also have nomination rights in perpetuity to all permanent units provided as part of the scheme, subject to the provisions of the Residual Value Deed. At expiry the permanent and temporary units will be valued by an independent valuer on the basis of the existing use value for social housing in respect of the permanent units and market value for the temporary units. In calculating the value the valuer will apply a 2% discount on temporary units to be sold on the open market to reflect the costs of disposal and 10% on permanent units. The 10% on permanent units is used to meet the cost of refinancing. If the value of the properties (the Residual Value Sum) is greater than the Residual Value Sum (ie in other words, the Senior Debt Outstanding) then there will be a conversion of temporary units into permanent units of accommodation to enable greater, in perpetuity, nomination rights to the Council. If the value is less than the Residual Value Sum then an assessment will be made on the number of permanent units (in addition to the temporary units) which would need to be sold to cover the Residual Value sum. It has been agreed that the Council will have a minimum of 158 units permanent units upon which it will have nomination rights to at the expiry of the contract.
- 6.10 On early termination a similar valuation exercise is undertaken in accordance with the terms of the Residual Value Deed. It is worth highlighting that no properties can be disposed of during the contract term whilst the Council continues to pay a Unitary Charge. Where the Residual Value of the properties exceeds the Residual Value

Sum the balance is used to convert additional properties into permanent units at affordable rents upon which the Council retains in perpetuity nomination rights over. In cases where termination results from contractor default, Hyde Housing Association must make up any shortfall between the Residual Value of the properties and the Residual Value Sum.

- 6.11 The parties have agreed commercially that the Council will retain nomination rights to the minimum number of 158 units, in line with the requirements of the Homes and Communities Agency. However, the Residual Value Deed variation itself has not yet been agreed and will have to be in place prior to financial close of Phase 2.

#### *Contract Act Certificates*

- 6.12 When Phase 1 of the PFI project was entered into by the Council the Director of Finance and Corporate Resources issued certificates under the Local Government (Contracts) Act 1997 in respect of the Project Agreement, the Direct Agreement entered into between the Council and the Brent Co-Efficient funders and the Residual Value Deed. The effect of a Contract Act Certificate is to provide comfort to the other party to the contract (and its funders) that even if the contract is declared void or ultra vires then a certificate issued under the Local Government (Contracts) Act 1997 will have the effect of rendering such contract intra vires. It is necessary for the Council as is recommended in paragraph 2.5 of the report that the Director of Finance and Corporate Resources certify the agreements referred to paragraph 2.5 of the report.

## **7.0 LEGAL POWERS**

- 7.1 The Council has a number of powers which enable it to procure the accommodation and services envisaged within this variation to the existing contract namely:

- Part VII of the Housing Act 1996 places various duties on a local housing authority to secure that accommodation is available for persons who are homeless or threatened with homelessness including, Section 188: requiring the local authority shall secure that accommodation is available for a persons occupation if it believes that the applicant maybe homeless, eligible for assistance and have a priority need and section 193 where, unless the local authority can refer the applicant to another local housing authority it shall secure that accommodation is available for occupation by an applicant where it is satisfied that an applicant is homeless, eligible for assistance and has a priority need and is not satisfied that he become homeless intentionally;
- Section 21 of the National Assistance Act 1948 provides that a local authority may with the approval of the Secretary of State and to such extent as he may direct, make arrangements for providing residential accommodation to persons aged 18 or over who by reasons of age, illness, disability or any other circumstances are in need of care and attention which is not otherwise available to them;
- Section 2 of the Local Government Act 2000 provides that every local authority has the power to do anything which they consider is likely to achieve any one or more of the following objects- (a) the promotion of improvement of the economic well-being of their area; (b) the promotion or improvement of the social well-being

of their area; and (c) the promotion or improvement of the environmental well-being of their area. The power may be exercised In relation to or for the benefit of: (a) the whole or any part of the local authority's area, or (b) all or any persons resident or present in a local authority's area. This power includes the power for the local authority to amongst other things provide staff, goods, services or accommodation to any person. The power to promote well-being does not enable a local authority to do anything which they are unable to do by virtue of any prohibition, restriction or limitation on their powers which is contained in the enactment nor does it enable a local authority to raise money. Before exercising the power a local authority must have regard to the guidance that has been issued by the Secretary of State about the exercise of that power.

- Section 1 of the Local Government (Contracts) Act 1997 provides that ever statutory provision conferring or imposing a function on a local authority confers power on the local authority to enter into a contract with another person for the provision or making available of assets or services, or both, (whether or not together with goods) for the purposes of, or in connection with, the discharge of the function by the local authority. Members are also reminded that in exercising the well being power in section 2 of the Local Government Act 2000 that regard must be had to the provisions of the Council's community strategy and the authority must show that there is sufficient nexus between the strategy's aims and the intended outcomes of the contract to be entered into.

## **8.0 DIVERSITY IMPLICATIONS**

- 8.1 Bidders' policies and procedures in respect of diversity issues formed an element of the evaluation methodology that was applied in determining appointment of the preferred bidder. Furthermore, policies, procedures and practices of the preferred bidder have been checked to ensure that all tenants are treated with respect and dignity. An Impact Needs and Requirement Assessment (INRA) has been completed for this scheme.

## **9.0 STAFFING/ACCOMMODATION IMPLICATIONS**

- 9.1 There are no staffing/accommodation issues arising from this report.

## **10.0 BACKGROUND PAPERS**

Background papers are available from Manjul Shah, Head of Affordable Housing, 7<sup>th</sup> Floor Mahatma Gandhi House, 34 Wembley Hill Road, Wembley, Middlesex HA9 8AD.

## **11.0 Contact Officers**

Director of Housing & Community Care – Martin Cheeseman  
Assistant Director of Housing – Maggie Rafalowicz  
Director of Finance & Corporate Resources – Duncan McLeod

MARTIN CHEESEMAN  
Director of Housing and Community Care

**LETTER FROM HOMES AND COMMUNITIES AGENCY CONFIRMING PFI CREDITS FOR  
PHASE 2**

**From Steve Trueman, Chief Operating Officer at HCA, to Maggie Rafalowicz,  
Assistant Director of Housing at Brent Council, dated 27<sup>th</sup> November 2009**

**Brent Non - HRA Housing and Social Care PFI Scheme**

Thank you for meeting last Friday, it was helpful to hear about the work that is ongoing to reach an affordable and deliverable 2<sup>nd</sup> Phase for the above scheme. I undertook to come back to you on some broad principles following our discussions. I appreciate that there is some way to go before all of the discussions with your PFI Operator are concluded and a demonstrably affordable position reached and I would want to keep the HCA position under review until that point.

The HCA is agreeable to a small re-scoping of the overall original scheme outputs whilst retaining the existing total level of PFI credits, as part of the solution to achieving an affordable scheme in the current funding market conditions. Your paper of 23 October 2009 indicates a reduction of 20 units, 5% of the original total, and this level of change is acceptable. We would however want to be re-assured that in the final analysis, unaffordability is as a direct result of terms offered by funders and not due to some other reason.

We discussed the 'floor' in the number of guaranteed properties in the context of the above overall reduction in outputs and you indicated that there was some desire on the part of Hyde to see a pro-rata reduction of the floor to say around 151 properties. The original floor was key to the acceptability of this deal for CLG/HCA and the agency would find it difficult to accept any reduction in the number of properties guaranteed at the end of the scheme. We recommend you push back strongly on this point.

We discussed the timing of the close of Phase 2 and we note that you are still planning for Phase 2 close to coincide with Phase 1 service commencement - at 31 March 2010. However, should there be a delay to Phase 2 close, we will need to allocate Phase 1 credits at service commencement, with Phase 2 credits to follow at close of the second Phase. CLG will in any case need to re-issue the PFI credit letter at the point at which a final affordable position has been reached.

We agreed that Ellie would look at the documentation requirements pre close of Phase 2 and she will get back to you on this.


You were going to let us have regular updates on progress and aim to provide an updated paper in December.

Yours sincerely







	<p><b>Executive Committee</b>  Monday 15<sup>th</sup> March 2010</p> <p><b>Report from the Director of Housing and  Community Care</b></p>
For Action/Information * delete as necessary	Wards Affected: ALL
<p><b>Report Title: Supplementary Report relating to Housing  and Social Care Non HRA PFI Project –  Authority to Award Phase 2 of Contract</b></p>	

Forward Plan ref: H&CC-09/10-28

## 1.0 SUMMARY

- 1.1 This report is supplementary to the main report in relation to the Housing and Social Care Non HRA PFI Project which is also on the 15 March Executive Committee Agenda. The purpose of this report is to propose two additional recommendations which have come to light subsequent to the preparation of the main report and result from a request by the funders of the PFI scheme. Recommendation 2.5 of the main report requests authority to be given to the Director of Finance and Corporate Resources to issue certificates under the Local Government (Contracts) Act 1997 in respect of 3 amendment documents to give effect to the award of Phase 2 of the contract and recommendation 2.6 requests authority to indemnify the Director of Finance and Corporate Resources in respect of the giving of those certificates.

## 2.0 RECOMMENDATIONS

The funders have requested that an additional Contract Act Certificate be given in respect of the proposed Procurement Deed and the Executive is therefore asked to agree the following additional recommendations:

- 2.1 Agree that the Director of Finance and Corporate Resources can issue, on behalf of the Council, a Certificate under the Local Government (Contracts) Act 1997 in respect of the Procurement Deed to be entered into between the Council, Brent Co-Efficient and Hyde Housing Association.
- 2.2 Agree that the Director of Finance and Corporate Resources will be fully indemnified by the Council in the event of any claim against him arising from

the provision of any certificate he may issue in accordance with recommendation/decision in 2.1 above.

### **3.0 BACKGROUND**

The Executive is referred in particular to paragraph 6.3 – 6.7 of the legal implications in the main report in relation to the Housing and Social Care Non HRA PFI Project. These paragraphs set out the procurement issues which will result in the publication by the Council of a voluntary transparency notice (paragraph 6.5) and the agreement by the Council, Brent Co-Efficient and Hyde in relation to the Procurement Deed. The Procurement Deed will set out the agreement of the Council, Brent Co-Efficient Limited and Hyde in the event that a court declares that the award of Phase 2 ineffective.

### **4.0 FINANCIAL IMPLICATIONS**

There are no additional financial implications to those set out in the main report.

### **5.0 LEGAL IMPLICATIONS**

The Procurement Deed is a certifiable contract in accordance with the terms of the clause 4(4) of the Local Government (Contracts) Act 1997. The effect of a Contract Act Certificate is to provide comfort to the other parties to the contract that even if the contract is declared void or ultra vires then a certificate issued under the Local Government (Contracts) Act 1997 will have the effect of rendering such contract intravires.

### **6.0 DIVERSITY IMPLICATIONS**

There are no additional diversity implications to those set out in the main report.

### **7.0 STAFFING/ACCOMMODATION IMPLICATIONS**

There are no staffing/accommodation issues arising in this report.


### **8.0 BACKGROUND PAPERS**

Background papers are available from Manjul Shah, Head of Affordable Housing, 7<sup>th</sup> Floor, Mahatma Gandhi House, 34 Wembley Hill Road, Wembley, Middlesex HA9 8AD.

### **9.0 CONTACT OFFICERS**

Assistant Director of Housing – Maggie Rafalowicz

MARTIN CHEESEMEN  
Director of Housing and Community Care

	<p style="text-align: center;"><b>Executive</b> <b>23 June 2010</b></p> <p style="text-align: center;"><b>Report from the Director of</b> <b>Communication and Diversity</b></p>
<p style="text-align: right;">Wards Affected: ALL</p>	
<p><b>Brent Council Becoming a National Beacon of Diversity</b> <b>Best Practice</b></p>	

## 1.0 Summary

1.1 This report has three main sections;

1.2 Section 1: is an introduction outlining Brent Council's aspiration to become a national beacon of diversity best practice and some of our achievements to date.

1.2 Section 2: identifies the eight key indicators to achieving our aspiration, these are:

1. Monitoring performance, understanding and knowing
2. Involvement, engagement and consultation
3. Focusing on outcomes
4. Exploiting the business benefits of equality and diversity
5. Delivering quality services for all
6. Investing in all our communities
7. Progressing outcomes through partnerships
8. Best and next practice

1.3 Section 3: focuses on the main priority for this year, achieving the Equality Framework for Local Government (EFLG)

The Corporate Diversity Team have adopted a five staged approach to the EFLG Assessment (see appendix 2):

- Stage 1 Gap analysis
- Stage 2 Initial Self Assessment
- Stage 3 Development of Improvement Plan
- Stage 4 Full Self Assessment
- Stage 5 Peer Challenge

Although we are still at stage 1 of preparing for the EFLG assessment, early indications are that there are significant gaps in our evidence base that would have a negative impact on our ability to achieve the Excellence level. These gaps have been identified in the areas of:

- The use of Equality Impact Assessments to inform policy and strategic decisions
- The analysis and use of equality monitoring data to strengthen equality objectives relating to service delivery and employment
- Consistent levels of baseline equality data for all diversity strands

Currently, Brent Council is at level 4 of the old Equality Standard for Local Government which equates to 'moving towards excellence' in the new EFLG. However, from April 2009, the council has two years in which it must undertake a peer challenge or they will be down graded to Achieving status. (See appendix 1 for further details).

## **2.0 Recommendations**

2.1 Members of the Executive are asked to note this report.

2.2 Members of the Executive are asked to endorse the eight key indicators which will ensure that Brent Council becomes a national beacon of diversity best practice.

2.3 As part of achieving our aspiration for Brent Council to become a national beacon of diversity best practice, Members of the Executive are asked to endorse the five stage approach to meeting the EFLG assessment.

## **3.0 Detail**

### **3.1 Introduction**

As part of the One Council transformation programme, one of the key objectives for Brent Council is to become a national beacon of diversity best practice.

The equality and diversity agenda presents enormous challenges, but also extraordinary opportunities to tap into underused talent in the workforce and to

focus on all users and their experiences in order to enhance and improve the quality and the effectiveness of our services.

Within Brent, equality and diversity is not a minority issue, without listing all our achievements in relation to equality and diversity, Brent is the most diverse council in the country. Brent has a BME majority resident and staff base, we have already been recognised for our diversity achievements – we were listed in The Times Top 50 Places Where Women Want to Work in 2006 and in 2007 and won the Opportunity Now public sector award for gender equality. Also, our Work Life Balance initiative won an Employee Benefits award in 2005. In March 2009 we achieved level four of the five level Equality Standard for Local Government and we have a good track record in mainstreaming equality and diversity into our service provision. Therefore we are in a good position to achieve the aim of becoming a national beacon of diversity best practice.

### **3.2 What next? - The Eight Key Indicators for Success**

First of all we need to unpick what we actually mean by a national beacon of diversity best practice, before identifying our next steps. For if there is no clear discernible picture of what a national beacon of diversity best practice looks like, how do we know whether we have achieved it?

A key element of being a national beacon of diversity best practice is to lead from the front, to take an active role in dismantling inequality and disadvantage and in a real sense promote the benefits of diversity and inclusivity. That is not to say that there are no challenges to being the most diverse borough in the country and arguably in the world. For example, how do you satisfy so many different community groups, when their ideas of satisfaction are at polar opposites? On a Brent scale of diversity, this is dilemma that for most boroughs is outside of their experience. So with regards to diversity, there is a lot to be learnt from this densely populated North West London borough with its significant levels of deprivation and migration, but high levels of cohesion. Brent is a lesson in diversity which needs to be heard because we are already a success story.

This is not to say that there isn't any more for us to do. In fact the more ahead we are, the more we need to do and our challenges are unique and unparalleled. Therefore, to truly achieve the status of a national beacon of diversity best practice we need to take an inclusive leadership approach, shaping the best practice, going beyond thinking outside of the box to defining the box. We have more than ample resources in terms of the range of our diverse communities and the challenges that each particular community faces, to identify different opportunities to be a national beacon in our actions and approaches. However, this hinges on everyone, but in particular the leadership being signed up to following key indicators;

#### **1. Monitoring performance, understanding and knowing**

Monitoring performance, satisfaction, understanding, knowing and mapping our diverse communities particularly in relation to inequalities which affect life chances i.e. educational attainment.

## **2. Involvement, engagement and consultation**

Ensuring that there is active involvement by the communities in the work and responsibilities of the council. That there is positive and proactive consultation and engagement by the council so that our communities are at the very heart of decision- making.

## **3. Focusing on outcomes**

Dismantling and challenging discrimination and barriers with a focus on sustainable priority targeting of outcomes and delivering change.

## **4. Exploiting the business benefits of equality and diversity**

Ensuring that the business benefits of diversity translate into organisational benefits and that the benefits of a modern, representative and diverse workforce are seen as key to delivering a quality service to our diverse communities.

## **5. Delivering quality services for all**

Ensuring that the services which we provide are responsive and take account of the diverse needs of our diverse community, and recognise multiple disadvantage and discrimination.

## **6. Investing in all our communities**

Ensuring that there is a strategy of inward investment into the borough, to gain economic benefits and build capacity for disadvantaged communities, this includes procurement and commissioning exercises by the council.

## **7. Progressing outcomes through partnerships**

Developing partnerships and relationships with key stakeholders and public bodies to ensure that there is a joined-up approach to progressing equality and diversity targets and outcomes.

## **8. Best and next practice**

Ensuring that we go beyond compliance in our equality legislative duties and instead focusing on 'best and next practice', taking the opportunity to obtain the maximum benefit of the legislation.

We are already engaged in many of the above activities, but, it is important to both map out the journey to national beacon status and to assess and review our performance. However, in equality and diversity one size does not fit all and so it is recommended that we use a number of mechanisms. The Equality Framework for Local government (previously the Equality Standard) will ensure our focus is on performance, improvement and outcome and will give us a strategic approach.



To get a more detailed national analysis of equality strands, what we have achieved and where we should focus and target, we should utilise the external assessment process of Race for Opportunity, Opportunity Now, the Stonewall Index, the Disability Standard Assessment and the Disability Two Ticks Symbol assessments.

For a Service Area equality and diversity assessment we should utilise the CAA framework of assessment, in particular the Key Lines of Enquiry i.e. in Housing one of the KLOE's is specifically on diversity.

See the appendices of this report for more details on the above assessment processes.

### **3.3 Next Steps and Actions – The Equality Framework for Local Government**

Our main priority for this year is to achieve the Equality Framework for Local Government Excellence level (see appendix 1). This is a considerable as Brent council will need to provide evidence around five key performance areas (see appendix 3):

- Knowing your communities and equality mapping
- Place shaping, leadership, partnership and organisational commitment
- Community engagement and satisfaction
- Responsive services and customer care
- A modern and diverse workforce

For each of the performance areas Brent Council will need to demonstrate:

- How the evidence was developed and what the evidence is
- What stakeholders and community members say
- Evidence outcomes

The Corporate Diversity Team have adopted a five staged approach to the assessment, (see appendix 2)

- Stage 1 Gap analysis
- Stage 2 Initial Self Assessment
- Stage 3 Development of Improvement Plan
- Stage 4 Full Self Assessment
- Stage 5 Peer Challenge

## **4.0 Financial Implications**

4.1 The cost of the assessment is £4,000.00 plus vat. We will also be required to pay the cost of the expenses for the assessors such as for example, hotel costs or travel expenses.

4.2 There may also be additional costs associated with achieving certain targets set out in the Improvement Plan, such as for example, the cost of providing specific training to meet an identified gap. This cost will need to be met from specific Directorate budgets.

## **5.0 Legal Implications**

- 5.1 The EFLG is a mechanism to support and provide the evidence base that Local Councils are fulfilling their equality legislative duties.

## **6.0 Diversity Implications**

- 6.1 A positive impact on Equality and Diversity for Brent Council.

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

- 7.1 The corporate Diversity Team will be co-ordinating the EFLG Peer Assessment. Members of the Diversity Reference Group will be responsible for gathering the evidence from their respective directorates and carrying out the self assessment process, which will then be signed off by the Leadership Group on Equality, Diversity and Community Cohesion.
- 7.2 Additional rooms, PC's and equipment will be needed by the external Peer Assessment Team.

## **Background Papers**

Appendix 1: The Equality Framework for Local Government

Appendix 2: A Five Staged Approach to Meeting the EFLG Excellence Level Assessment

Appendix 3: Example of Template for Delivering Excellence Improvement Plan

## **Contact Officers**

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## The Equality Framework for Local Government

### Background

The Equality Framework for Local Government (EFLG) is a performance and improvement framework which enables local authorities to mainstream equality and diversity. However, since its introduction in 2001, the weaknesses of the then Equality Standard have become clear. In particular it's over emphasis on process rather than outcomes. The new framework builds on and recognises the work that councils have already undertaken under the old standard, but contains many new features and aspires to be:

- simpler
- smarter
- proportional and relevant

### The Three Levels of Achievement and Assessment

The Framework is based on three levels of achievement; **developing**, **achieving** and **excellent** rather than the five levels of the old standard. This reduces the actions from 167 to 88, which authorities can implement in ways that are relevant and proportionate to their needs.

Authorities that have reached levels 1 and 2 will be treated as 'developing'. Those at level 3 will be treated as 'achieving'. Those at level 4 will be classified as 'moving towards excellence' and those at level 5 as 'excellent'. The 'moving towards excellence' classification is intended to recognise the achievements of level 4, but it is not a level under the new framework. It is a transitional stage that will be phased out within two years and authorities like Bent Council, currently at level 4, will be expected to start working towards the 'excellent' stage of the Framework.

The Diversity Peer Challenge that is already working for level 3 of the old standard has been revised to provide a means of benchmarking achievements under the Framework. It will consist of two parts:

- a review by peers of the authority's own self-assessment, including appropriate supporting evidence
- an on-site visit by peers to conduct interviews and focus groups with employees, councillors and other stakeholders

Self-assessments at the 'achieving' and 'excellent' levels will be validated by the peer challenge. Authorities will be given a framework recognition award for reaching the achieving and excellent levels. It is expected that all local authorities will be reassessed every three years, or in line with their business cycle if that is earlier.

From April 2009, those claiming to be either 'achieving' or 'excellent', but have not had any external assessment to date will have two years before they will be expected to undertake a peer challenge.

## The Definition of Equality

The Framework uses a wider definition of equality, which was originally set out in 'The Equalities Review', based on the idea of equal life chances.

*“An equal society protects and promotes equal, real freedom and opportunity to live in the way people value and would choose, so that everyone can flourish. An equal society recognises people’s different needs, situations and goals, and removes the barriers that limit what people can do and be.”*

This definition is more aspirational than the formal legal definitions of equality. It is about what we can do to create a fairer society and recognises that:

- equality is an issue for us all
- we don't all start from the same place
- to create a fairer society we need to recognise different needs

This definition includes the groups that are protected by discrimination law. Local authorities will therefore need to continue to consider the impact that race, gender, gender reassignment, disability, age, sexual orientation and religion and or belief may have on the life chances of members of their communities. But the definition encourages councils to understand the relationship between these characteristics and socio-economic status and the experience of other vulnerable groups. This definition is similar to the way inequality and vulnerability is defined by the Audit Commission and other inspectorates for the purposes of the CAA.

'The Equalities Review' also suggested that the life chances of different groups could be measured against ten 'domains' or outcomes. These are very similar to the outcome approach of 'Every Child Matters', they are;

- **Longevity** – including avoiding premature mortality
- **Physical security** – including freedom from violence and physical and or sexual abuse
- **Health** – including wellbeing and access to high-quality healthcare
- **Education** – including being able to be creative, to acquire skills and qualifications and having access to training and lifelong learning
- **Standard of living** – including being able to live with independence and security and covering: nutrition, clothing, housing, warmth, utilities, social services and transport
- **Productive and valued activities** – such as access to employment, a positive experience in the workplace, work-life balance, and being able to care for others
- **Individual, family and social life** – including self-development, having independence and equality in relationships and marriage
- **Participation, influence and voice** – including participation in decision-making and democratic life
- **Identity, expression and self-respect** – including freedom of belief and religion
- **Legal security** – including equality and non discrimination before the law and equal treatment within the criminal justice system

## **A Five Staged Approach to Meeting the EFLG Excellence Level Assessment**

### **Stage 1 gap analysis:**

The first part of this work began in March 2010. The Diversity Team looked at the 34 criteria of the Eflg and identified sources of evidence from across the organisation that could be used as suitable evidence of meeting the criteria. This information was presented to the Diversity Reference Group on 27 April 2010.

The second part of the gap analysis involved members of the DRG being tasked with building upon the initial evidence base by providing more detailed information to support our achievements against the criteria. Particular attention has been given to identifying evidence in diversity areas that are already known to be challenging for Brent such as Disability. The DRG leads have also been asked to highlight any activities that could be considered as examples of good practice suitable for development into case studies. This stage will be completed by 31 May 2010.

### **Stage 2 Initial Self Assessment:**

This stage will involve the evidence being viewed by a group consisting of representatives from the Diversity Team, DRG members, Directorate Equality Leads and other key stakeholders.

This initial self assessment will allow us to scrutinise the returns from each Directorate and assess our progress against the 34 criteria. It will inform the Improvement Plan for achieving the 'Excellent' level and will determine the timing of the Peer Challenge. This stage will take place week commencing 11 June 2010.

### **Stage 3 Development of Improvement Plan**

The purpose of the Improvement Plan is to target areas where gaps have been identified or where issues need to be resolved. The Improvement Plan will also contain long term targeted activities that will extend beyond the date of the Peer Challenge and these will be monitored through the Equality Scheme Action Plan. The action plan will be presented to the Leadership Group on 22 June. DRG members will be required to report back on progress against the Improvement Plan targets and the Improvement Plan will be monitored monthly by the Diversity Team.

### **Stage 4 Full Self Assessment:**

This process will involve Brent Council conducting its own form of Peer challenge by looking at all the evidence submitted including case studies and the 'Excellence' narrative that has been developed to establish whether or not we are ready for the Peer Challenge. It will provide a final opportunity to decide whether or not any further activity will be needed before the Peer Challenge. This assessment will take place in September / October 2010.

### **Stage 5 Peer Challenge**

The Peer Challenge process involves Brent Council undergoing an external assessment by representatives from the Improvement and Development Agency (I&DeA) accompanied by representatives from other councils. The Peer Challenge must be booked with the I&DeA 12 weeks ahead of the

required date. At this point in time it is anticipated that the Peer Challenge will take place in January 2011.

Prior to the assessment Brent council must submit its evidence portfolio to the I&DeA for scrutiny. Upon receipt of the evidence the council may be contacted by the I&DeA and asked questions based on the evidence submitted.

The actual assessment will take place over three days and the assessors will be on site. The process will involve looking at evidence and interviewing key stakeholders and leads such as the Chief Executive, Chief Officers and Members.

Appendix 3:

**Example of Template for Delivering Excellence Improvement Plan**

(Please note that there may be more than one target for each criterion)

Area identified for improvement	Priority 1-10 (1 is high)	Who does this improvement activity relate to? (individual or team)	Resources needed	Potential barriers	Potential Solutions	If appropriate, how are we planning to involve stakeholders and community members
EFLG criteria <b>Knowing your community and Equality Mapping</b>						
Description of target 1.						
EFLG criteria <b>Place Shaping, Leadership, Partnership and Organisational Commitment</b>						
Description of target 2.						
EFLG criteria <b>Community Engagement and Satisfaction</b>						
Description of target 3.						
EFLG criteria <b>Responsive Services and customer care</b>						
Description of target 4.						
EFLG criteria <b>Modern and Diverse Workforce</b>						
Description of target 5.						

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**Executive**  
23 June 2010

**Report from the Directors of  
Policy and Regeneration and  
Housing and Community Care**

Wards Affected:  
Kilburn, Queens Park

**South Kilburn Regeneration progress update**

**APPENDIX 2 AND APPENDIX 3 ARE NOT FOR PUBLICATION**

**1.0 Summary**

1.1 This report summarises the progress made since February 2010 on the regeneration of South Kilburn, and sets out proposals for building on the momentum established by the Council over the past year. Specifically the report sets out proposals for re-investing the capital receipts secured through the advance stages of South Kilburn's regeneration, as agreed by the Executive in February 2010.

**2.0 Recommendations**

2.1 That the Executive note the progress made on the South Kilburn Regeneration project as set out in the report.

2.2 That the Executive agrees to progress the remainder of Phase 1 of the regeneration proposals in line with the overall phasing strategy, incorporating the redevelopment of Cambridge Court, Wells Court, Hicks Bolton House, Bond House and Ely Court.

2.3 That the Executive notes that officers are working with the Homes and Communities Agency to prepare a short, medium and long term investment strategy for South Kilburn.

- 2.4 That the Executive agree to officers progressing a detailed planning application for Cambridge Court (Zone 6i) and Wells Court (Zone 6D) for approximately 105 new homes.
- 2.5 That the Executive agree to officers progressing a detailed planning application for the Ely Court site (Zones 6iii and 6iv).
- 2.6 That the Executive agree to officers progressing a detailed planning application for the Bond House and Hicks Bolton House sites (Zones 13N and 13S).
- 2.7 That the Executive note that the new social rented housing developed as part of the above sites has the primary purpose to deliver decant accommodation for residents from blocks within Phase 2 of the regeneration programme.
- 2.8 That the Executive authorises officers to begin the procurement process to assemble an EU compliant framework of prospective developer partners to bring forward the remaining Phase 1 sites, and future Phase 2 and 3 sites.
- 2.9 That the Executive approve the assessment criteria set out in paragraph 3.24 which will be used to select prospective development partners for inclusion on the framework.
- 2.10 That the Executive authorise the making of compulsory purchase orders (CPOs) to acquire (a) the leasehold interests listed in appendix 2 (the CPO Land) and (b) any new rights in the CPO Land which may be required under section 13 of the Local Government (Miscellaneous Provisions) Act 1976.
- 2.11 That the Executive authorise the submissions of the CPOs, once made, to the Secretary of State for confirmation whilst at the same time seeking to acquire the land by private negotiated treaty on such terms as may be agreed by the Director of Finance & Corporate Resources.
- 2.12 That Members authorise the:
  - 2.12.1 Director of Housing and Community Care to enter into agreements and make undertakings on behalf of the Council with the holders of interests in the CPO Land or parties otherwise affected by the Scheme setting out the terms for the withdrawal of their objections to the confirmation of the CPOs and including the offering back of any part of the CPO Land not required by the Council after the completion of the development or the acquisition of rights over the CPO Land in place of freehold acquisition, where such agreements are appropriate;

- 2.12.2 Making of one or more general vesting declarations or service of Notices to Treat and Notices of Entry (as appropriate) pursuant to the Compulsory Purchase (Vesting Declarations) Act 1981 and the Compulsory Purchase Act 1965 respectively should the CPOs be confirmed by the Secretary of State;
  - 2.12.3 Service of all requisite notices on the holders of the CPO Land relating to the making and confirmation of the CPOs;
  - 2.12.4 Director of Housing and Community Care to remove from the CPOs any plot (or interest therein) no longer required to be acquired compulsorily for the scheme to proceed and to amend the interests scheduled in the CPOs (if so advised) and to alter the nature of the proposed acquisition from an acquisition of existing property interests to an acquisition of new rights (if so advised);
  - 2.12.5 Director of Housing and Community Care within the defined boundary of the CPO Land, to acquire land and/or new rights by agreement either in advance of the confirmation of compulsory purchase powers, if so advised, or following the confirmation of compulsory powers by the Secretary of State;
  - 2.12.6 Director of Housing and Community Care, if so advised, to seek to acquire for the Council by agreement any interest in land wholly or partly within the limits of the CPO Land for which a blight notice has been validly served.
- 2.13 That the Executive agree to enter into a legal agreement with the South Kilburn Neighbourhood Trust (SKNT) requiring the repayment to SKNT of New Deal for Communities (NDC) Grant of up to £2.5m in 2009/10 and 2010/11 used to fund leaseholder buy backs in the next demolition phase of the South Kilburn redevelopment programme.
- 2.14 That the Executive notes the proposals set out in paragraphs 3.9-3.13 of this report to establish a consistent, effective and efficient approach to neighbourhood management in South Kilburn.
- 2.15 That the Executive delegate authority to the Director of Housing and Community Care in conjunction with the Lead Member for Housing, to agree the proposed allocation policy for phase 1 as set out in Appendix 1 to this report or with such amendments as he sees fit following consultation with residents and stakeholders.
- 2.16 That the Executive agree the ongoing community engagement and consultation approach set out in paragraphs 3.29-3.33 of this report.
- 2.17 That Members authorise the Director of Housing and Community Care to seek the Secretary of State's consent to the disposal and redevelopment of phase 1 sites on the estate for the purposes of ground 10A of Schedule 2 to the

Housing Act 1985 to enable the Council to apply for a court order to obtain vacant possession of residential dwellings let under secure tenancies.

### **3.0 Detail**

3.1 This report sets out the progress made in relation to the regeneration of South Kilburn since July 2009, the date of the last update report to Executive on this topic. At that point the Executive agreed a revised delivery strategy, which can be summarised as follows:

- Ongoing revision of the South Kilburn master-plan, to include the inclusion of a new three form entry primary school, revised larger space standards for new housing, lower densities through reduced private housing, improved sustainability thresholds, new energy and waste strategies and improved open spaces.
- A revised phasing plan which aimed to bring forward a number of advanced sites specifically for decanting purposes, which in turn would allow the Council to prioritise moving existing tenants from homes in the poorest condition first.
- Specifically, for the Council to bring forward two sites – Albert Road East (Zone 11a) and Carlton Vale Roundabout (Zone 3c) – by securing detailed planning consent and then disposing of them as vacant sites to an RSL through an EU compliant procurement process.
- To support the necessary land assembly (including leaseholder buy backs) with Compulsory Purchase Orders as necessary.
- To progress proposals for community facilities, including a new sports hall in partnership with Westminster City Council and a proposed new healthy living centre.
- To support the establishment of the South Kilburn Neighbourhood Trust as a key component of the succession strategy for the South Kilburn New Deal for Communities programme.

3.2 Subsequently over the course of the year significant progress was made against this strategy. Since July 2009 the following has been achieved:

- Planning consent has been secured for a total of 153 new homes (113 of which will be social rented) at Albert Road (Zone 11a), together with 133 new homes (75 of which will be social rented) at Carlton Vale Roundabout (Zone 3c)
- London & Quadrant (L&Q) have been chosen as the Council's delivery partner for both of these sites, subject to securing Secretary

of State's consent (now received), vacant possession, enabling works on both sites to prepare them for development to be undertaken by the Council and grant funding from the Homes & Communities Agency (HCA)

- The Council entered into a Sale and Development Agreement with L&Q on 25 March 2010 conditioned on the above matters.
- The Sale and Development Agreement provides that on satisfaction of the conditions for the relevant site, L&Q will be granted a 999 year leasehold interest and shall develop the properties thereafter on the terms of the Agreement.
- Marshall House, on the Albert Road site, has been demolished and vacant possession secured. The enabling works on this site are due to be completed imminently. A stopping up order has been consulted on with regards to the Carlton Vale roundabout site, and officers are currently in discussion with officers from Westminster City Council in an attempt to resolve outstanding concerns raised by Westminster. The enabling highways works are expected to commence later in 2010. The Sale and Development Agreement is also conditional, in so far as it relates to the Carlton Vale Site, on obtaining the stopping-up order.
- Planning permission has also been granted for new homes to provide decant accommodation at Gordon House (to Network Housing Association) and the former Texaco garage site (to South Kilburn Neighbourhood Trust).
- HCA grant funding has been secured for all four of the above mentioned sites, and work is expected to begin on site for each of them within the next few months.
- The new sports hall, built in partnership with Westminster City Council and St Augustine's School, is now open and fully operational.
- The South Kilburn Neighbourhood Trust has been established and has built up an asset base which will ensure ongoing resources for social and economic regeneration.

3.3 At its meeting on the 15<sup>th</sup> February 2010 the Executive agreed to 'ring fence' the capital receipts secured from the disposal of the Albert Road and Carlton Vale sites into the ongoing regeneration of South Kilburn. This is both a condition of the grant secured from the HCA, but more importantly also allows us to continue to pro-actively deliver the next phase of regeneration in South Kilburn. The remainder of this report sets out how this resource will be invested to ensure that the Council builds on the momentum established over the last year and continues to drive forward the regeneration programme.

## **Development Programme for 2010-11**

- 3.4 The regeneration of South Kilburn is guided by a phasing and business plan which works, both in terms of decanting existing tenants to new homes and in terms of generating an ongoing cashflow to allow the Council to progress regeneration. Accordingly the work programme for 2010 / 11 can be split into four main areas:
- (i) Beginning the decanting process for tenants who will be moving into the new homes being developed over the next two years at Albert Road, Carlton Vale, Texaco and Gordon House.
  - (ii) Putting in place arrangements to ensure consistent, co-ordinated and high quality neighbourhood management across South Kilburn.
  - (iii) Progressing a number of area wide studies, including a revised masterplan, a public realm strategy, proposals for a new school, arrangements for localised energy, and a comprehensive car parking strategy.
  - (iv) Securing planning consent for at least three further housing sites, and subsequently securing developer partners and grant funding to ensure their delivery

Each of these work areas will be underpinned by community engagement and consultation, ensuring that local people continue to be at the centre of the regeneration programme.

### **Decanting**

- 3.5 A key principle of the phasing strategy for South Kilburn is that residents who currently live in some of the worst homes in the estate are amongst the first to be decanted into new homes. On this basis, the new homes which will be developed at Albert Road, Carlton Vale Roundabout, Texaco Garage and Gordon House will primarily be for existing residents in Bronte House and Fielding House. This in turn will ensure vacant possession of a subsequent (and significant) development site.
- 3.6 For the remaining new homes, priority will be given to any remaining tenants of blocks identified for the next phases of regeneration – namely Bond House, Hicks Bolton House, Ely Court, Cambridge Court and Wells Court.
- 3.7 The process for allocating tenants new homes is set out in the proposed Allocation Policy for Phase 1, at Appendix 1 to this report.
- 3.8 Transfer of the tenants is subject to permission being granted by the Secretary of State on Ground 10A of Schedule 2 to the Housing Act 1985. Although every effort will be made to obtain possession of the secure

tenanted properties with the tenant's consent, the Council will need, as a fallback position, to obtain the Secretary of State's consent to the disposal and redevelopment of the Estate for the purposes of obtaining vacant possession of the secure tenanted dwellings on ground 10A of Schedule 2 to the Housing Act 1985. The procedure required to obtain possession of the properties through these means is set out in Part V of Schedule 2 to the Housing Act 1985.

### **Neighbourhood Management**

- 3.9 One consequence of a more fragmented delivery approach is that the Council needs to take a much stronger role in setting clear standards for both housing and neighbourhood management to ensure residents are provided with consistent, co-ordinated and high quality services.
- 3.10 In the case of housing management, this is dealt with through the processes for procuring delivery partners which places an emphasis (amongst other things) on the quality of housing management. The local Tenants Steering Group have also produce a model tenancy agreement, and all bidders are encouraged to use this as a template for the tenancies in the new homes.
- 3.11 Neighbourhood management is more complex and involves the arrangements for managing the public realm, open spaces and streets, as well as potentially in the future localised energy, construction training and community development.
- 3.12 The Council, in partnership with South Kilburn Partnership and South Kilburn Neighbourhood Trust, is taking the lead on developing the necessary partnership arrangements with RSL's operating in South Kilburn to ensure a consistent and co-ordinated approach. In essence this will mean a common specification for the level of service required, together with common or consistent arrangements for the delivery of these services. For all future delivery partners, it will be a condition of their selection that they sign up fully to the emerging proposals.
- 3.13 Residents will be fully involved in this process through the Tenants Steering Group, Homeowners Group and South Kilburn Housing & Infrastructure Committee. Officers are considering setting up a multi-landlord residents panel to focus on neighbourhood management and public realm issues.

### **Area Wide Strategies**

- 3.14 There are a number of area wide strategies which need to be reviewed and/or progressed over the course of the next 6 months, in order to update the context for individual site developments in South Kilburn. These include:
  - (i) Refreshing and updating the masterplan for South Kilburn to take account of developing policy as appropriate.

- (ii) Initiating a public realm strategy for the whole of South Kilburn, setting out design guidance for existing and proposed open spaces, play areas, streetscapes and communal areas.
- (iii) Undertaking a full review of car parking arrangements across South Kilburn, and defining car parking requirements for future phases of the development. This strategy will also need to consider accessibility to alternative modes of transport, including rail, tube and buses.
- (iv) Bringing forward proposals for localised energy centres that will provide low carbon energy solutions to all residents in South Kilburn.
- (v) Undertaking a full feasibility study for a new three form entry primary school (combined infant and juniors) on a new site at the eastern end of Kilburn Park, to replace the existing Carlton Vale Infants and Kilburn Park Junior schools – as previously reported to Executive in July 2009.
- (vi) Continuing to work with local GPs and NHS Brent to bring forward a new Healthy Living Centre within Peel Precinct.

3.15 In bringing these area wide proposals forward, it will be critical that local residents are involved and consulted at appropriate times. The key vehicle for discussing these matters will be the well established Housing & Infrastructure Committee of the South Kilburn Partnership, which in turn will discuss when to undertake more formal and widespread consultation.

### **Development Sites**

3.16 In February 2010, and as part of the condition of receiving grant funding from the Homes & Communities Agency for the initial housing sites, the Executive agreed to re-invest the capital receipts secured from the sale of both the Albert Road and Carlton Vale Roundabout sites into progressing the remaining Phase 1 sites in South Kilburn.

3.17 In line with this decision, it is proposed that the Council progress designs on the following sites with a view to submitting planning applications in the autumn of 2010:

- (i) Cambridge Court and Wells Court
- (ii) Ely Court
- (iii) Bond House and Hicks Bolton House

These sites have been chosen in line with the overall South Kilburn phasing plan. Taken together they will continue to deliver the necessary decant capacity to ensure the regeneration programme can continue to roll forward. Due to its proximity to Kilburn Park tube station, the Cambridge and Wells Court site in particular also has the potential to deliver a significant amount of private dwellings which will help to both re-dress the tenure balance of South Kilburn and generate further capital receipts to maintain the cashflow of the scheme overall.



- 3.18 Design teams will be appointed to take each scheme through to full planning permission (RIBA Stage C or D), with payments on a staged basis pending sign off by the South Kilburn Project Board at each stage. The contract values are all within the delegated threshold for officer approval.

### **Delivery Mechanisms**

- 3.19 Previous Executive reports have identified the potential of a local asset backed joint venture vehicle as being one possible delivery method for South Kilburn. This would entail the Council establishing a new company with a private sector developer (or RSL) on a 50:50 shareholding basis. This approach has been soft market tested throughout the last year, and it is officers view that in the light of the current market conditions this approach is unlikely to offer the Council the best value for money, largely due to the high cost of equity. It also cedes control of the delivery process and timescale to a new organisation in which the Council only has a 50% stake. Whilst not ruling out the potential for the Joint Venture vehicle to be an attractive proposition at a later date, it is quite clear that in the medium term it is more advantageous to the Council to continue to act as ‘master developer’ and to bring to the market de-risked sites – ie. sites with vacant possession and the benefit of detailed planning consents.
- 3.20 In adopting this approach the Council needs to be aware of how to maximise its potential market in order to ensure the best possible choice of developer partners for each of the future sites. Following extensive advice and research, it has been determined that the best way of achieving this is to procure an EU compliant framework of prospective partners, from which the Council can ‘call off’ organisations on a needs basis, usually through the use of a mini competition restricted to members of the framework panel. The framework will predominantly be assembled on the basis of ‘quality’ criteria, with the call off arrangements weighted between ‘price’ and ‘quality’ based criteria to ensure the Council maximises its receipts.
- 3.21 Framework agreements can last for a maximum of four years, and so therefore the Council needs to identify all possible sites that may come forward over this period in order to signal to the market the prospective scale of the contracts. The framework itself must contain at least three prospective partners – although the optimum number to ensure choice and diversity for the Council would be five or six.
- 3.22 The framework would be procured using the EU Restricted procedure, and would initially require the Council to publish an advertisement in the OJEU, following which a standard two stage EU procurement process would ensue.
- 3.23 Call-off Contracts let under the EU compliant Framework Agreement in respect of particular sites would not need to be separately advertised, irrespective of their value.

3.24 In accordance with Contract Standing Orders 89 and 90, pre-tender considerations have been set out below for the approval of the Executive.

Ref.	Requirement	Response								
(i)	The nature of the contract.	Development of future sites within the London Borough of Brent, predominantly in South Kilburn which are in accordance with the master plan for South Kilburn and form part of the South Kilburn regeneration strategy.								
(ii)	The estimated value.	Sites to be included could include, but may not be limited to: Cambridge & Wells Courts - £11m Ely Court - £5m Hicks Bolton and Bond House - £11m Bronte and Fielding House - £16m Durham Court - £7m Carlton House - £7m Peel Precinct – 26m Hereford House - £10m Albert Road west - £16m Queens Park Roundabout site - £25m								
(iii)	The contract term.	The framework panel will be appointed for a 4 year period. Call-off contracts let under the framework may extend beyond the four year term.								
(iv)	The tender procedure to be adopted including whether any part of the procedure will be conducted by electronic means and whether there will be an e-auction.	OJEU compliant restricted procedure procurement route. Once the framework is established, call off will normally be by way of mini competitions which will include both price and quality components.								
v)	The procurement timetable.	<table border="1"> <thead> <tr> <th>Indicative dates are:</th> <th></th> </tr> </thead> <tbody> <tr> <td>Adverts placed</td> <td>July 2010 OJEU</td> </tr> <tr> <td>Expressions of interest returned</td> <td>Mid September 2010</td> </tr> <tr> <td>Shortlist drawn up in accordance with the Council's approved criteria</td> <td>Mid October 2010</td> </tr> </tbody> </table>	Indicative dates are:		Adverts placed	July 2010 OJEU	Expressions of interest returned	Mid September 2010	Shortlist drawn up in accordance with the Council's approved criteria	Mid October 2010
Indicative dates are:										
Adverts placed	July 2010 OJEU									
Expressions of interest returned	Mid September 2010									
Shortlist drawn up in accordance with the Council's approved criteria	Mid October 2010									

		Invite to tender	October 2010
		Deadline for tender submissions	End November 2010
		Panel evaluation and interviews	End November – mid December 2010
		Panel decision	December 2010
		Report recommending Contract award circulated internally for comment	January 2011
		Executive approval	
		Mandatory minimum 10 calendar day standstill period – notification issued to all tenderers and additional debriefing of unsuccessful tenderers (contracts covered by the full EU Regulations only)	February 2011
		Framework Agreement entered into and initial sites "called off"	15 <sup>th</sup> March 2011
(vi)	The evaluation criteria and process.	<p>Shortlists are to be drawn up in accordance with the Council's Contract Procurement and Management Guidelines namely the pre qualification questionnaire and thereby meeting the Council's financial standing requirements, technical capacity and technical expertise. The panel will evaluate the tenders from shortlisted bidders on the basis of "most economically advantageous tender criteria" (MEAT), on the basis of 60% quality and 40% price. The quality considerations will include (but not necessarily be limited to) the following:</p> <ul style="list-style-type: none"> <li>• Shared vision for South Kilburn</li> <li>• Large scale development capacity</li> <li>• Proposals relating to mixed tenure residential development including intermediate housing</li> <li>• Proposals relating to place making including mixed use development</li> </ul>	

		<ul style="list-style-type: none"> <li>• Commitment to high quality residential design</li> <li>• Sustainability commitment to and proposals for developing to a minimum level of Sustainable Homes Code Level 4;</li> <li>• Commitment to and proposals for the provision of localised energy solutions</li> <li>• Proposals as to sound construction management and health &amp; safety</li> <li>• Commitment to employment and training initiatives</li> <li>• High standard of housing management proposals independently assessed.</li> <li>• Proposals as to developing neighbourhood management arrangements in a multi landlord estate including management of high quality public realm.</li> <li>• Application of equal opportunities and diversity policies in social housing development and management</li> <li>• Proposals for effective tenant and resident liaison and capacity to deliver in South Kilburn</li> <li>• Added value – eg tenant relocation support, leaseholder relocation support, on and off site decant support</li> <li>• Ability to secure additional resources, including HCA grant funding</li> </ul>
(vii)	Any business risks associated with entering the contract.	By establishing a framework the Council is not committing to utilising the framework for any sites, including those listed in section (i) above.
(viii)	The Council's Best Value duties.	The Procurement process will ensure Best Value is achieved.
(ix)	Any staffing implications, including TUPE and pensions.	No staffing implications relating to TUPE or pensions.
(x)	The relevant financial, legal and other considerations.	This procurement process is in line with The Council Standing Orders and EU Procurement Regulations. Trowers & Hamblins are currently retained to give specialist legal advice.

### Land and Property Issues

- 3.25 In order to underpin the regeneration of South Kilburn it is important that the Council continue to acquire property that it critical to its regeneration plans. Across the estate there are a number of sites which the Council is seeking to acquire in order to aid regeneration, and these will be reported to Executive to secure the necessary authorisation at the appropriate time.
- 3.26 There are also over 200 leaseholders across the blocks in South Kilburn which have been identified for demolition. It is clearly in the Council's interest

to acquire these properties as early as possible, in order to assist in assembling sites with vacant possession. The Council will attempt to secure these properties by negotiation wherever possible, but this report also seeks authorisation for officers to make use of Compulsory Purchase powers for properties within Phase 1 and some of Phase 2 of the regeneration programme if necessary. These properties are listed at Appendix 2.

- 3.27 Since 2009 a number of leaseholder buy backs have been funded through the use of New Deal for Communities (NDC) grant, to the value of £2.5million. It is a condition of the use of NDC grant, as stipulated by the Government Office for London, that the Council enter into a legal agreement to repay this sum back to the South Kilburn Neighbourhood Trust (SKNT) to ensure it is recycled back into the regeneration of South Kilburn. Officers are currently working with the SKNT Board to prepare a capital strategy for the Trust which will ensure the funding is spent on contributing to the regeneration programme.
- 3.28 In the process of bringing forward the Marshall House and Carlton Vale sites issues relating to the Council's title came to light. These predominately centred around areas of unregistered land and generic rights granted by Right To Buy Leases on the South Kilburn estate which could be infringed by the re-configuring of the estate and development of open spaces. These issues were dealt with in respect of the above sites by way of a speculative Land Registry application (resulting in registration of the relevant land) supported by a statutory declaration and, in the case of the rights, an indemnity insurance policy.

### **Community Consultation**

- 3.29 Community participation, engagement and consultation has consistently been at the heart of the Council's approach to regenerating South Kilburn. The coming year will require the Council to enter into an increasingly complex set of dialogues with local residents with regards to a plethora of issues. It is therefore essential that the Council has a clear strategy for consultation moving forward, and that a range of consultation techniques are employed to ensure continued and re-invigorated community engagement.
- 3.30 The first area of community dialogue is specifically with those residents who will be moving into the new homes at Albert Road, Carlton Vale Roundabout, Texaco and Gordon House. A significant majority of these tenants will come from Bronte and Fielding House. In order to facilitate this dialogue a new Bronte & Fielding Residents Association is proposed to be established by August 2010. The South Kilburn Housing Team will co-ordinate dialogue with individual tenants with regard to their future needs and decanting arrangements.
- 3.31 The second area of community dialogue is with leaseholders from across South Kilburn, and particularly those who own homes in the remaining Phase 1 blocks. Again, the South Kilburn Housing Team will maintain regular communications.

- 3.32 The third area of community engagement will be around the design of the proposed new homes on the remaining Phase 1 sites. The proposition is that each site will have its own design group which will meet at key points in the design process and act as a sounding board for the architects and design teams. These groups will be facilitated by the project managers for each site, and will comprise of residents from the blocks slated for decanting into the new buildings (ie. prospective future tenants of the new homes) as well as residents from adjoining blocks. Over and above this there will be a formal exhibition at pre-planning stage and the usual planning application consultations.
- 3.33 The Housing & Infrastructure Committee of the South Kilburn Partnership will be the overarching group considering the area wide proposals (car parking, energy, public realm). This group will advise on when more intensive and estate wide consultation is required on any particular issue.

#### **4.0 Legal Implications**

##### *General*

- 4.1 The Council has the power (under section 123 of the Local Government Act 1972) to dispose of any of its land. However, unless it grants a lease of 7 years or less, it must obtain the best consideration reasonably obtainable, unless it obtains the consent of the Secretary of State to the transfer. Hence any transfer of the freehold or grant of a lease of any land within the South Kilburn area would require Secretary of State's approval, unless it was for best consideration. There is a General Consent available, but this only applies to sales at an undervalue of less than £2 million, and is therefore unlikely to be applicable. However, officers consider that by seeking offers for the sites from a number of RSLs, best consideration will in fact be secured.
- 4.2 As a result of recent rulings in the European Court of Justice, if the Council utilise a development agreement in order to set out detailed specifications in respect of development of any of the land, it will need to undertake an EU procurement process to find a partner to carry out the development. The ECJ has ruled that development agreements (which contain such detailed specifications) cannot be viewed as merely part of a land transfer, because they impose detailed requirements as to the development to be constructed and are therefore a form of procurement of works.
- 4.3 Supplementary planning documents (SPD) can be adopted in order to expand on the Council's adopted policies in its UDP and the emerging Local Development Framework in order to provide more detailed information than can be contained in the policies themselves. There are detailed regulations made under the Planning and Compulsory Purchases Act 2004 setting out the procedure for consulting on, and subsequently adopting SPD's. Provided the correct procedure is followed, SPD's can be given considerable weight in determining planning applications. Accordingly if an amended

masterplan for South Kilburn is adopted as an SPD then it will be a weighty material consideration in considering future developments within the South Kilburn area.

#### *Procurement of Developer Partner*

- 4.4 This tender is being procured in accordance with EU Regulations and specialist advice has been sought from Trowers & Hamlins the Council's legal advisors on this project. The Framework Agreement will also be subject to the Council's Contract Standing Orders in respect of High Value contracts and Financial Regulations.
- 4.6 Once the tendering process is undertaken Officers will report back to the Executive in accordance with Contract Standing Orders, explaining the process undertaken in tendering the framework and recommending those parties to be included on the Framework Agreement.
- 4.7 As this procurement is subject to the full application of the EU Regulations, the Council must observe the requirements of the mandatory minimum standstill period imposed by the EU Regulations before the Framework Agreement can be concluded. The minimum period is 15 days where the Council notifies bidders of its decision by post or 10 days where the Council gives notice by electronic means.
- 4.8 The requirements include notifying all tenderers in writing of the Council's decision to conclude the Framework Agreement and the reasons for its decision including an explanation as to the characteristics and relative advantages of the successful bids and the successful bidder's scores (as well as the score of the recipient of the notice).
- 4.9 The standstill period provides unsuccessful tenderers with an opportunity to challenge the Council's decision if such challenge is justifiable. However if no challenge or successful challenge is brought during the period, at the end of the standstill period the Council can issue a letter of acceptance to the successful tenderers and the Framework Agreement can be entered into.

#### *Use of the HCA Framework*

- 4.10 As advised in the detail of the report the contracts for Architects are being procured under a Framework Agreement set up by the HCA. The EU Procurement Regulations allow the use of framework agreements (call-off contracts) and prescribe rules and controls for their procurement. Contracts may then be called off under such framework agreements without the need for them to be separately advertised and procured through a full EU process.
- 4.11 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. However, this is subject to the Borough Solicitor advising that participation in

the Framework Agreement is legally permissible and approval to participate in the Framework being obtained from the Director of Finance and Corporate Resources. Such approval is currently being sought from the Borough Solicitor and the Director of Finance and Corporate Resources.

- 4.12 The contracts for architects have individual values of less than £500k each and as such officers have delegated authority to award the contracts pursuant to paragraph Paragraph 2.5 of Part 4 of the Constitution.

#### *Compulsory Purchase Orders*

- 4.13 The Council has power to make a compulsory purchase order under section 226 (1)(a) of the Town and Country Planning Act 1990 if it thinks that the acquisition will “facilitate the carrying out of development, redevelopment or improvement or in relation to the land”. Under section 226(1)(A) the Council must not exercise the power under sub paragraph (a) unless it thinks that they development, redevelopment or improvement is likely to contribute to the achievement of any one or more of the following objects – (a) the promotion or improvement of the economic wellbeing of their area; (b) the promotion or improvement of the social wellbeing of their area; (c) the promotion or improvement of the environmental wellbeing of their area.
- 4.14 Compulsory purchase orders must only be made if the Council is satisfied that there is a compelling public interest to do so. Para. 17 of Part 1 of the Memorandum to ODPM Circular 06/04 states:

*“A compulsory purchase order should only be made where there is a compelling case in the public interest. An acquiring authority should be sure that the purposes for which it is making a compulsory purchase order sufficiently justify interfering with the human rights of those with an interest in the land affected. Regard should be had, in particular, to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and, in the case of a dwelling, Article 8 of the Convention.”*

For the reasons set out in this report, it is considered that there is such a compelling case for properties within Phases 1 and 2 of the proposed regeneration programme and that the public interest requires that the order be made in order to carry through the necessary redevelopment of the CPO Land.

- 4.15 Further, in making the order there should be no impediments to its eventual implementation. Para’s 22 and 23 of Part 1 of the Memorandum to ODPM Circular 06/04 advise (in part):

*“22. In demonstrating that there is a reasonable prospect of the scheme going ahead, the acquiring authority will also need to be able to show that it is unlikely to be blocked by any impediments to implementation. In addition to potential financial impediments, physical and legal factors need to be taken into account. These include the programming of any infrastructure*



*accommodation works or remedial work which may be required, and any need for planning permission or other consent or license. Where planning permission will be required for the scheme, and has not been granted, there should be no obvious reason why it might be withheld...*

Members will note that there will be sufficient funds available to meet the compensation costs for the acquisition of the land as South Kilburn Partnership has approval from Government Office for London. Officers consider that there is a reasonable prospect of the Scheme going ahead subject to HCA funding being obtained. Whilst planning permission has not been granted for the development, it is considered that there is no obvious reason why it might be withheld, taking into account that a Masterplan has already been approved albeit that it is now intended to revise this slightly. Accordingly, it is considered that there are unlikely to be any impediments to implementation.

4.16 It is necessary to consider the human rights implications of making CPOs. The Convention Rights applicable to the making of any CPO orders are Articles, 6 and 8 and Articles 1 of the First Protocol. The position is summarised in para. 17 of Part 1 of the Memorandum to ODPM Circular 06/04.

4.17 Article 6 provides that:

*“In determining his civil rights and obligations...everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law”*

4.18 Consultation has already taken place with communities that will be affected by any orders made, and further consultation is proposed as set out in this report.

4.19 All those affected by the Orders will be informed and will have the right to make representations to the Secretary of State and to be heard at a Public Inquiry. Those directly affected by the Order will also be entitled to compensation for any losses that they may incur as a result of the acquisition.

4.20 Article 1 of the First Protocol states that:

*“Every natural or legal person is entitled to peaceful enjoyment of his possessions” and “(n)o one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by the law and by the general principles of international law....”*

4.21 Whilst occupiers and owners will be deprived of their property if an Order is confirmed, this will be done in accordance with the law. It is being done in the public interest as required by Article 1 of the First Protocol. The reasons for this are set out in this Report.

4.22 Members need to ensure that there is a reasonable prospect of the Scheme

underpinning the CPO proceeding. This is addressed in paragraph 12.10 below

- 4.23 The consequences of abandoning a confirmed CPO depends on:
- (a) whether a notice to treat or entry has been served on the owner of the land or not; and
  - (b) whether the Council has entered the land following the service of the notice or made a General Vesting Declaration in respect of the land.
- 4.24 The passing of a resolution to make a CPO does not trigger the right to serve a blight notice. However, residential occupiers could claim blight after a CPO has been submitted to the Secretary of State for confirmation and notices have been served on owners and occupiers.
- 4.25 If the CPO is not acted upon at all, then no compensation is payable. Where notice to treat and entry have been served, and then not acted upon, the Council is under an obligation to inform the owner of the withdrawal of the notices or expiry as the case may be (as notice to treat has a life span of three years from date of service) and will be liable to pay compensation to the owner for all losses and expenses occasioned to him by the giving of the notice and its ceasing to have effect. The amount of compensation shall in default of agreement be assessed by the Lands Tribunal. Interest is payable on the compensation.
- 4.26 The acquisition procedure is governed by the Acquisition of Land Act 1981, the Compulsory Purchase of Land Regulations 2004 and the Compulsory Purchase of Land (Vesting Declarations) Regulations 1990.
- 4.27 The CPO must be advertised locally and copies served on any owners, lessees, tenants (whatever the tenancy period), occupiers, all persons interested in, or having power to sell and convey or release, the land subject to the CPO. In addition the CPO must be served on persons whose land is not acquired under the CPO but nevertheless may have a claim for injurious affection under Section 10 of the Compulsory Purchase Act 1965, such as owners of rights of access to and from the public highway, easements and covenants that are affected by the CPO. Officers will prepare a detailed Statement of Reasons setting out the justification for compulsory acquisition. This statement will cover all the issues set out in this Report.
- 4.28 If any duly made objections are not withdrawn, the Secretary of State must hold an Inquiry and consider the conclusions and recommendations of the Inspector before confirming the Order.
- 4.29 Before and during the compulsory acquisition process, the Council is expected to continue the process of seeking to acquire the properties sought by negotiation and private agreement: see Part 1 of the Memorandum to Circular 06/04 Paras. 24 and 25. Para. 25 notes that “undertaking informal negotiations in parallel with making preparations for a compulsory purchase

order can help to build up a good working relationship with those whose interests are affected by showing that the authority is willing to be open and to treat their concerns with respect...”.

- 4.30 Any dispute as to the amount of compensation to be paid is referred to the Lands Tribunal for determination.

*Ground 10A*

- 4.31 The Council is required to obtain the approval from the Secretary of State when seeking to re-housing secure tenants who will not leave the properties that are due to be demolished. Before seeking approval the Council is required to consult with tenants. Approval will enable the Council to use Ground 10A of Schedule 2 to the Housing Act 1985 to obtain possession of the dwellings let under secure tenancies and provide the tenants with suitable alternative accommodation.

## **5.0 Financial Implications**

- 5.1 The resource envelope for taking forward the South Kilburn regeneration programme in 2010/11 is determined by the level of the capital receipts to be secured for the disposals (by way of the 999 year lease) of the Albert Road site and the Carlton Vale roundabout site to L&Q. The Council expects to receive the receipt for Albert Road in June 2010 whilst the timing of the receipt for Carlton Vale roundabout site is dependent on satisfying all conditions precedent, including completing the highways stopping up order and subsequently the enabling works. The earliest this is likely to be achieved at the end of 2010 to 2011.
- 5.2 In effect the financial model for South Kilburn is for the regeneration scheme to ‘wash its face’ from this point forward. In other words the Council should be able to progress the scheme on an ongoing basis within the cash envelope generated from ongoing disposals, provided it remains committed to ring fencing these receipts into South Kilburn. This delivery strategy has been agreed and endorsed by the Homes & Communities Agency, and is a condition of their grant funding for both the Albert Road and the Carlton Vale roundabout sites. A consequence of this approach is that the Council makes a saving on the previous £1m per annum expenditure identified within the capital budget for South Kilburn.
- 5.3 Other sources of income for the South Kilburn programme over the course of the year include New Deal for Communities funding, funding from the South Kilburn Neighbourhood Trust (including the Council’s share of the receipt from the sale of the Texaco site), and growth area funding.
- 5.4 The key expenditure items for the year will be:
- Leaseholder buy backs – a full paper will be prepared in collaboration with the Director of Finance and Corporate Resources setting out proposals for

prudential borrowing arrangements to facilitate the early buy backs of leaseholder properties. This will be through an Invest to Save approach whereby this enabling expenditure will allow capital receipts to be generated which will be utilised to repay the debt and end interest incurred.

- Design fees – it is proposed to appoint three design teams from the Homes & Communities Agency consultants' panel to bring forward design work for the three sites (Cambridge & Wells, Ely, and Bond & Hicks Bolton). All initial contracts will be for less than the £500,000 threshold for Executive approval and both will be resourced from the resource envelope outlined above. Depending on end sales values it should be possible to recoup these costs when the sites are ultimately disposed.
- Strategic acquisition of property – there are a number of opportunities within South Kilburn for the Council to acquire property that will be required to bring forward both the next and future phases of the scheme. Individual acquisitions will need to be approved by Executive in the usual way throughout the year.
- Repayment of £2.5m of resources expended by the New Deal for Communities grant during the period since 2009 and used for leaseholder buybacks, to the South Kilburn Neighbourhood Trust. This is a condition imposed by government on the NDC expenditure and is designed to ensure the resources are recycled back into South Kilburn. Officers are currently working with the Trust Board to prepare an ongoing capital strategy for the Trust to ensure that the resources make a positive contribution to the programme.

5.5 The key challenge for the programme is to ensure that the cashflow remains positive, or within acceptable tolerances. New project management arrangements are being introduced to ensure that officers are equipped to manage the cashflow, and that there are clear lines of responsibility and accountability for doing so.

5.6 Clearly the key funding risk for the regeneration programme is the ongoing level of grant funding that can be secured from the government (through the Homes & Communities Agency) to support future development sites in South Kilburn. The Council is well advanced with its 'single conversation' discussions with the HCA, and South Kilburn is identified as a key priority within the Local Investment Framework that both the Council and the HCA will ultimately sign up to. The HCA are supportive of the Council's overall approach to regeneration in South Kilburn, and its specific delivery strategy of incremental development, supported by a recycling of capital receipts.

5.7 Nevertheless in the current economic and political climate it would be prudent to assume that there will be less grant funding available for access by the Council in the immediate short term. South Kilburn is fortunate in that it is located in an area of high potential land value. With the Council firmly in control of the regeneration process, it would be possible at a future date to

dispose of sites identified for predominantly private housing on the open market, thus generating a receipt to cover expenditure and potentially maintain the regeneration momentum. Experience from the initial sites has demonstrated the additional value that can be secured for sites if they are de-risked – ie. with planning permission secured and with vacant possession.

5.8 Based on the sales values secured for Albert Road and Carlton Vale sites, it is estimated that the three remaining Phase 1 sites to be taken forward in 2010/11 could realise capital receipts of up to £12million. Officers remain confident that the overall phasing strategy will ultimately deliver a significant final capital receipt.

5.9 Appendix 3 sets out a draft headline income and expenditure budget for the South Kilburn regeneration project for the coming two years. Expenditure against this budget will only begin to be defrayed once the capital receipt for the Albert Road residential site is received.

## **6.0 Diversity Implications**

6.1 South Kilburn is a designated New Deal for Communities area and as such all interventions are specifically targeted at those people who suffer disadvantage in society. South Kilburn Partnership has a Race & Equality strategy, and through its widening participation theme seeks to find ways of involving and engaging with all local residents and particularly those who traditionally are 'hard to reach'. There has been and will continue to be widespread consultation and community engagement as proposals for the physical regeneration of the area are developed and delivered.

6.2 At a project level, each South Kilburn Partnership sponsored and supported project is subject to a full and independent appraisal undertaken by a panel of local residents and relevant officers. Part of the appraisal process is to test each activity against the Partnership's Race & Equality strategy to ensure full compliance. In line with the Council's Equality standards, all expenditure is monitored against equalities indicators on a regular basis.

## **7.0 Staffing / Accommodation Implications**

7.1 There are no specific staffing or accommodation implications associated with the proposals contained within this report.

## **APPENDICES**

Appendix 1: Draft allocations policy for South Kilburn

Appendix 2: Proposed CPO land

*(This appendix is not for publication as it contains the following category of exempt information as specified in paragraph 3, schedule 12(A) of the Local Government Act 1972 namely "information relating to the financial or business affairs of any*

*particular person (including the Authority holding the information).*

Appendix 3: Draft Income & Expenditure Profile for Phase 1

*(This appendix is not for publication as it contains the following category of exempt information as specified in paragraph 3, schedule 12(A) of the Local Government Act 1972 namely "information relating to the financial or business affairs of any particular person (including the Authority holding the information).*

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## **ALLOCATION POLICY FOR PHASE 1 SOUTH KILBURN**

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5. Options for re-housing – including the new build sites.
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12. Number of Offers
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14. Splitting Households
15. Compensation for decanting tenants
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17. Leaseholder Process
18. Appeals Procedure

## **1. Introduction**

This document covers the decanting of secure tenants on the South Kilburn estate. This document sets out good practice and rights that tenants can expect to be delivered.

## **2. Definition of a Decant**

The definition of a **decanting tenant** is defined as one who is eligible for home loss and disturbance payments because the **Council requires them to move** from their property in order for the Council to redevelop South Kilburn. The tenant could be moved to the designated new build sites, move permanently either within South Kilburn or elsewhere and those who move temporarily to return to the designated new build sites within South Kilburn (**double decants**).

## **3. HOMES AFFECTED**

Bond House  
Bronte House  
Cambridge Court  
Ely Court  
Fielding House  
Hicks Bolton House  
Wells Court  
Wood House

## **4. Mandatory moves**

The Council will apply the mandatory process in order to move tenants  
The Council will make use of ground 10A of the Housing Act 1985.

### **Grounds 10A**

Under Ground 10A and Part V of Schedule 2 to the Housing Act 1985, the Council may (1) serve consultation notices on the secure tenants explaining the proposed scheme (i.e. redevelopment, disposal) for the land of which the premises forms part (allowing 28 days to consider representations from tenants) and considering and dealing with any objections raised, (2) apply to the Secretary of State for approval of the scheme (for the purposes of Ground 10A) and (3) serve notices of seeking possession on all affected residents making offers of suitable alternative accommodation – and (4) apply to the Court for repossession of the premises if tenants fail to accept the “suitable alternative” property. The prescribed procedure for applying to the Secretary of State for approval is set out in Part V of Schedule 2 of the Housing Act 1985.

## **5. Options for Re-housing**



All households living in the homes affected listed above of the South Kilburn proposed redevelopment program will be offered one “suitable alternative” property.

The first phase South Kilburn development sites are:-

1. Gordon House
2. Texaco Site
3. Carlton Vale Roundabout, and
4. Albert Road

The first phase South Kilburn development provides 362 new homes of which 264 are for affordable renting. The remainder of the units will be a mix of outright sale and shared ownerships units which will be sold within five years.

## **6. PRIORITY BLOCKS**

Priority for the first lettings of the new South Kilburn Homes will be ring-fenced to existing tenants living in the following blocks listed below:-

1. Bronte House
2. Fielding House
3. Cambridge Court
4. Ely Court
5. Wells Court
6. Hicks Bolton House
7. Bond House
8. Wood House

## **7. HOUSING NEEDS ASSESSMENT**

The allocation process will be made on the basis of housing need with priority in relation to choice of the different blocks being determined by length of tenancy.

All eligible tenants will be required to fill out the transfer form so that they are entered on the Locata bidding systems. This system will be used as an audit trail to ensure that a clear record is kept of those requiring rehousing. All offers will be logged through this mechanism.

The size and type of property offered will receive will depend household composition.

<b>BASIC FRAMEWORK FOR ASSESSMENT</b>	
▪ Single person	1 bedroom
▪ Couple	1 bedroom
▪ 2 adults not living together as a couple	2 bedroom
▪ 1 or 2 adults + 1 child	2 bedroom
▪ 1 or 2 adults + 2 children	2 bedroom/3 bedroom
▪ 1 or 2 adults + 3 children	3 bedroom
▪ 1 or 2 adults + 4 children	3 bedroom/4 bedroom
▪ 1 or 2 adults + 5 children or more	4 bedroom/5 bedroom

## **Children**

- Children under the age of 18 will be expected to share with siblings of the same sex, unless there is a five year difference between them- in which case they will be allocated a separate bedroom.
- Children of different sex will be expected to share a bedroom up to the age of 7. Where children of different sexes are above 7 years of age, they will then be allocated separate bedrooms..

## **9. NEEDS PLUS**

This will be targeted to tenants living in 3 bed+ accommodation for example a single person living in a 3 bedroom accommodation, will be offered a two bedroom property. The offer converts to current need plus an additional bedroom (Needs Plus) as an incentive for the loss of a larger accommodation. Tenants currently living in a two bedroom who only qualify for a one bedroom property will not be offered the same size accommodation unless there are medical reasons to allocate a larger size. Those who move from a family size accommodation to a smaller home will not be eligible for the current housing incentive scheme which offers £4,000 to those moving to a one bedroom – as they will be eligible for the statutory homeless payment – currently £4700.

## **9. CHANGE IN CIRCUMSTANCES**

Once an assessment of the housing needs are carried out, this information will be included in the detail planning of the allocation of properties available in the new development sites at South Kilburn. The Council will require all changes of circumstances to be documented by filling in the change of circumstances form and forward all relevant confirmatory documentation. The Council reserves the right to refuse to accept any changes to the family composition which may require us to provide larger accommodation to that which we had been previously agreed. However such consideration would only be considered in exceptional circumstances.

## **10. REHOUSING PROCESS**

The rationale of the South Kilburn Regeneration programme is to contain the decanting programme within South Kilburn. If it is necessary, Brent will seek alternative opportunities to re-house those tenants who wish to move elsewhere within the Borough but no guarantees can be given that accommodation matching tenants' needs can be found within an appropriate timescale.

The Council will be reliant upon our partners to source alternative accommodation for those who wish to move outside of South Kilburn or Brent. In this regard, our partners will be required to offer an annual quota to assist the decanting process for the South

Kilburn Regeneration programme. The Council will not be able to guarantee any move that is **not** within the area of development, as we will be wholly dependent on our partners or opportunities given by other Boroughs.

Tenants who wish to move to specialist housing such as sheltered housing will be assisted by way of contact and help to complete the appropriate applications.

Tenants who may wish to move to the private sector will also be assisted and given a relocation incentive which is likely to be equivalent to the full value of the home loss and disturbance payment. These tenants will be required to sign a declaration form giving an undertaking not to approach the Council for Housing in the future and will be removed from the Council's Housing register.

## **11. DOUBLE DECANTING PROCEDURE**

Those tenants living within the phase one development area, whose only option is to be temporarily rehoused (either within or outside South Kilburn) will be given the option to return to a new property within South Kilburn. They will be targeted for a new home in one of the later phases of the development programme. This is termed as “double decanting”. Where a tenant occupies a temporary property in excess of twelve months then they will be entitled to another set of home loss payment once they move to their new home within the development.

Some improvements works may be carried out to temporary accommodation, to assist tenants to settle in. In some cases some fixture and fittings may be offered as a gift, and in such cases the Council will not be liable to maintain or repair those items.

## **12. NUMBER OF OFFERS**

- (a) One offer for the new homes that matches the needs of the tenant on South Kilburn **or**
- (b) One offer of an existing property which matches the tenants needs elsewhere **or**
- (c) A temporary move that matches the needs of the tenant within South Kilburn until a new property becomes available.

### **Definition of Reasonable**

The offer policy is dependent on the test of reasonableness. The definition of reasonableness, for the purpose of South Kilburn regeneration, is that:-

- A) It is considered reasonable to make alternative offers within the estate that meets the housing need of the tenant and their household **or**
- B) It is considered reasonable to make alternative offers outside South Kilburn that meets the housing need of the tenant and their household.

Offers which do not fully meet the tenants needs (i.e. on medical grounds or the recommended household composition table) will **not** be deemed as a reasonable offer.

### **13. TENANTS CHOICE**

Those tenants, who choose to move to a new home in South Kilburn, will be invited to select from a range of tenants choice items available such as kitchen and bathroom units, colours / tiling, and floor coverings. Each landlord will have a different range of choices for their specific developments.

### **14. SPLITTING HOUSEHOLDS**

We could consider **households which are willing to be split** in return for ‘down-trading’ in size where there is a shortage of larger units. For example, a four or five bedroom household could be considered for a smaller unit if one adult member is rehoused separately. This would only be considered if it facilitates the availability of a family size unit for another household and if there are available units of the required size. Homeloss and disturbance payment would be paid to the existing tenant only.

### **15. COMPENSATION FOR DECANTING TENANTS**

Secure Tenants moving from South Kilburn will be entitled to homeloss and disturbance payments in accordance with the Land Compensation Act 1973. Secure tenants who move out of their homes, provided that they have lived there for at least 12 months and it is their only or principal home will be eligible for £4,700 home loss payment (or whatever is the approved rate at the time of implementation). Reasonable disturbance payments are also payable; however tenants who wish to claim for these items will be required to produce evidence of the costs incurred.

The following are examples of disturbance payments that we have a legal duty to meet:-

- Removal van to move furniture
- Redirection of mail
- Dismantling and re-assembly of residents owned furniture such as wardrobes
- Telephone disconnection and reconnection

Home loss payments will be processed after tenant moves to the new accommodation and within 28 working days of receipt of a claim form.

### **16. RENT ARREARS**

Tenants with rent arrears will be expected to clear the full sum of monies owed to the Council. The Council will diligently pursue all rent arrears in line with its arrears procedure. Where the tenant is keeping to the terms of the court order, then the Council will off-set any remaining arrears against the compensation of £4,700.

Where the level of arrears exceeds the home loss payment of £4700, the Council reserves the right not to include the tenant in the new development.

## **17 LEASEHOLDER PROCESS**

Leaseholder options will be made available for each phase. Either the new Landlord or the Council will seek to purchase all leasehold properties within the development phase and offer each leaseholder the following options:

- a) To buyout the leaseholder at market value with all applicable compensation.
- b) To buyout the leaseholder and they purchase back into the scheme

There may be other options available from each landlord which will be made clear for development site.

The Council will also use its Compulsory Purchase powers for each phase as part of the overall process.

## **18.APPEALS PROCEDURE**

If a tenant appeals on the grounds that an offer of alternative accommodation made is unreasonable there will be a time limit of ten working days in order to lodge an appeal.

Appeals should be made in the first instance by writing to:

The Project Director  
South Kilburn Housing Project Team  
21-22 Peel Precinct  
Kilburn  
London  
NW6 – 5BS


who will respond within ten working days.

Tenants can also seek the advice from a Citizens Advice Bureau/ Law Centre Solicitor or the Tenants Advisor who can be contacted on xxxx xxxxx xxxxxx

### **Grounds for appeals**

Medical

Management transfer

 <p>The logo of Brent Council, featuring a central coat of arms with a shield, a crown, and two lions, surrounded by the words 'BRENT COUNCIL' in a circular arrangement.</p>	<p><b>Executive</b> 23 June 2010</p> <p><b>Report from the Director of Finance and Corporate Resources and Borough Solicitor</b></p>
<p>Wards Affected: ALL</p>	
<p><b>Code of Corporate Governance</b></p>	

## 1 Summary

- 1.1 This report seeks approval from the Executive for the adoption of a new Code of Corporate Governance.

## 2 Recommendations

- 2.1 The Executive agree to the adoption the Code of Corporate Governance.

## 3 Detail

- 3.1 The council's existing "Local Code of Corporate Governance" was approved by the Executive in December 2003<sup>1</sup> and adopted into the constitution at the full council meeting of 17<sup>th</sup> May 2004<sup>2</sup>. At that time the code was not a statutory requirement although had been strongly recommended by the Chartered Institute of Public Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives (SOLACE) as good practice. This recommendation was set out in a document released in autumn 2001 entitled "Corporate Governance in Local Government, A Keystone for Community Governance - Framework".<sup>3</sup>
- 3.2 This publication set out a framework of principles, including the adoption of a local code, which were seen as being fundamental to good governance in local government and subsequently became key benchmarks within the Comprehensive Performance Assessment (CPA) and latterly the Comprehensive Area Assessment (CAA), principally within the Use of Resources (UoR) judgement.
- 3.3 The driver behind the initial framework arose, mainly, from governance failures within the private sector and a desire, from the government, to ensure good governance was embedded across local authorities in a systematic and evidenced way. The three fundamental principles of openness, integrity and accountability were relatively simple

concepts and not particularly new to local government. The framework was somewhat complicated by five separate dimensions of council business into which these principles should be embedded.

- 3.4 In response, the council adopted a local code and documented its corporate governance framework in a more systematic way than it had previously done. The documented framework reflected the requirements of the CIPFA/SOLACE publication and identified any gaps or weaknesses with an action plan for improvement. The document became known as the corporate governance action plan and has been reviewed, annually, and been reported as part of the Statement on Internal Control (SIC) and latterly the Annual Governance Statement (AGS), both included within the published annual accounts
- 3.5 Since the original local code was adopted there have been a number of key developments. These require a revised code to be adopted. The changes are detailed below.
- 3.6 The Accounts and Audit Regulations 2003<sup>4</sup> placed a new responsibility on the Council, making it explicit for the first time, that it is responsible for ensuring that financial management is adequate and effective and that there is a sound system of internal control which is regularly reviewed. This originally meant that a statement on internal control had to be added to the financial statements, certifying that the Council has an effective system in place. In 2006<sup>5</sup> these regulations were amended to give statutory backing to an Annual Governance Statement, replacing the SIC. This, together with a circular from the DCLG<sup>6</sup> meant that any CIPFA guidance issued as “proper practice” also has statutory backing. The proper practice was identified as the 2001 document referred to above and a 2003 publication about the SIC<sup>7</sup>. It is, therefore, a statutory requirement to have a code of corporate governance.
- 3.7 In 2007 CIPFA and SOLACE published a new governance framework, “Delivering Good Governance in Local Government Framework<sup>9</sup>”. CIPFA has confirmed that this now represents proper practice and formally replaced the earlier documents. This new framework replaced the SIC with an Annual Governance Statement (AGS) from the 2007/08 reporting year.
- 3.8 The new framework is more complex. Rather than three basic principles, there are now six as detailed below:
  - Focusing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the local area
  - Members and officers working together to achieve a common purpose with clearly defined functions and roles
  - Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour
  - Taking informed and transparent decisions which are subject to effective scrutiny and managing risk
  - Developing the capacity and capability of members and officers to be effective



- Engaging with local people and other stakeholders to ensure robust accountability
- 3.9 Each of the six principles has a set of up to 12 requirements which should be “reflected” within the code of corporate governance. The guidance document suggests the documents which the council could rely upon to evidence compliance. Previously, the detailed framework was not included within the council’s original local code. A reference to it was included. The full framework and action plan is now included within the published AGS and it would overcomplicate the new code of corporate governance were it to be included therein. It is, therefore, recommended that the council’s code of corporate governance, as adopted within the constitution, reflect a simplified framework with key headings.
- 3.10 A suggested code of corporate governance is attached at appendix 1.

## **4 Financial Implications**

- 4.1 None

## **5 Legal Implications**

- 5.1 Regulation 4(2) of the Accounts and Audit Regulations 2003<sup>4</sup> (as amended 2006<sup>5</sup>) requires the Council to review its system of internal control and Regulation 4(3) requires the preparation of a statement on that review in accordance with “proper practice”.
- 5.2 On 18<sup>th</sup> August 2006 the Department for Communities and Local Government issued further guidance to clarify what they deemed as “proper practice”. Section 7 of circular 03/2006<sup>6</sup> stated that “proper practice” in relation to internal control relates to guidance contained in the following documentation:
- Statement on Internal Control in Local Government: meeting the requirements of the Accounts and Audit Regulations 2003, published by CIPFA in 2004
  - Corporate Governance in Local Government: A Keystone for Community Governance (Framework and Guidance Note), produced by CIPFA/SOLACE in 2001 (recently updated)
- 5.3 Circular 03/2006 clears the way for the annual governance statement (originally intended as part of the 2001 framework) to be assigned proper practice status and, therefore, have statutory backing.
- 5.4 CIPFA has also confirmed that such status was assigned to the annual governance statement from 1<sup>st</sup> April 2007. This means that it formally replaced its proper practice association with the Statement on Internal Control with effect from the 2007/8 reporting year. CIPFA’s earlier proper practice document of April 2004 has now been replaced by the “Delivering Good Governance in Local Government Framework” 2007<sup>9</sup>. governance framework.

## 6 Diversity Implications

6.1 None

## 7 Background Papers

1. Report from the Director of Finance to the Executive 8<sup>th</sup> December 2003. *Corporate Governance Framework*. Retrieved from: [http://democracy.brent.gov.uk/celestdocuments.aspx?MID=588&DF=08%2f12%2f2003&A=1&R=0&F=embed\\$Corporate%20Governance%20Framework.htm](http://democracy.brent.gov.uk/celestdocuments.aspx?MID=588&DF=08%2f12%2f2003&A=1&R=0&F=embed$Corporate%20Governance%20Framework.htm).
2. Report from the Borough Solicitor to a special meeting of Full Council 17<sup>th</sup> May 2004. *Proposed Revisions to Brent's Constitution*. Retrieved from: <http://democracy.brent.gov.uk/Data/Council/20040517/Agenda/Constitution%20report.pdf>
3. CIPFA/SOLACE (2001). *Corporate Governance in Local Government: A keystone for Community Governance – Framework and guidance note*.
4. Accounts and Audit Regulations 2003
5. Accounts and Audit (Amendment) (England) Regulations 2006
6. Department of Communities and Local Government (2006). *Guidance on the Accounts and Audit regulations 2003*
7. CIPFA (2004). *Statement on Internal Control in Local Government: meeting the requirements of the Accounts and Audit Regulations 2003*
8. Report from the Director of Finance and Corporate Resources to the Audit Committee 18<sup>th</sup> December 2007. *New CIPFA / SOLACE Corporate Governance Arrangements*
9. CIPFA/SOLACE (2007). *Delivering Good Governance in Local Government – Framework*.

## 8 Contact Officer Details

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Borough Solicitor

## CODE OF CORPORATE GOVERNANCE

### 1 Introduction

1.1 This code sets out the Council's approach to Corporate Governance, defined as the way the council is controlled and accounts to, engages with and leads the community of Brent.

1.2 There are six core principles which underpin good governance. These are:

<b>Focus:</b>	Staying focussed on the purpose of the council and outcomes for the community
<b>Purpose:</b>	Members and Officers working together, effectively, toward a common purpose
<b>Probity:</b>	Upholding high standards of conduct and behaviour
<b>Transparency:</b>	Taking informed decisions which are subject to effective scrutiny
<b>Capacity:</b>	Ensuring members and officers have the capacity and capability to be effective
<b>Accountability:</b>	Engaging with the community and reporting accurately and openly

### 2 How the Council will conduct its business

2.1 The Council provides many different services and undertakes many different functions. Across all service areas the council will conduct itself in accordance with the core principles of good governance. The council will set out its plans in a corporate strategy, which will be set within the context of a strategy for the whole community developed in partnership with the key public sector bodies in Brent.


2.2 In providing a diverse range of services and functions, members and officers will work together towards a common purpose of delivering the corporate strategy whilst respecting each others different roles. Three key officer roles will be maintained to account to the council for all aspects of operational management, finance and law.

2.3 The council will establish and maintain the highest standards of integrity, conduct and behaviour and set these out within various codes. Where officers or members fall short of those standards, appropriate action will be taken.

- 2.4 The council's business will be conducted in an open and transparent manner. Committee reports, minutes, discussion and decision will be made publicly available where permissible. Decisions will be subject to scrutiny and challenge and appropriate legal and financial advice will be taken.
- 2.5 Our Members and Officers will have the necessary skills and knowledge to deliver effective and high performing services. Where necessary we will procure external expertise
- 2.6 All sections of the community will be encouraged to participate in the work of the council through formal consultation, feedback and clear reporting.

### **3 Annual Review of Compliance**

- 3.1 Each year the council will review its compliance with this code and report the results in its Annual Governance Statement which will be published with the annual accounts. This review will focus on a Corporate Governance Framework, which sets out how the council complies with the six key principles, where evidence of compliance is located and what actions are needed to improve the arrangements.

	<p style="text-align: center;"><b>Executive</b> <b>23 June 2010</b></p> <p style="text-align: center;"><b>Report from the Director of Business Transformation</b></p>
Wards affected: ALL	
<b>Authority to Award a contract for Office Supplies</b>	

## 1.0 Summary

- 1.1 This report requests approval to award a contract in the form of a call off contract from a framework agreement established by the London Contracts and Supply Group for office supplies.
- 1.2 This report details briefly the procedure followed leading to the award of the framework agreement and why there has been a decision to call off from the framework agreement.

## 2.0 Recommendations

- 2.1 The Executive approve the award of the contract for office supplies to Office Depot (UK) Ltd for a term of 3 years 9 months commencing on 1 July 2010.

## 3.0 Background

- 3.1 The Council, as a member of the London Contracts and Supply Group (“LCSG”) has since 1<sup>st</sup> September 2005 purchased office supplies by way of call off contracts from a framework agreement set up by LCSG
- 3.2 The LCSG framework agreement expired on 31 August 2009. Prior to its expiry, the London Borough of Camden (“LBC”) on behalf of the LCSG commenced a tendering process for a replacement office supplies framework. LBC subsequently withdrew from managing the tendering exercise and the London Borough of Havering (“LBH”) took over the process on behalf of the LCSG. As it was required to commence the tendering procedure for the framework afresh, the Council was informed by LBH that the LCSG framework agreement would not be in place until 1 April 2010.
- 3.3 Given the LCSG framework expired on 31 August 2009 with a new LCSG framework not available until 1 April 2010, the Council entered into correspondence with the Office of Government Commerce (“OGC”) regarding calling off from the OGC framework that was being established. The OGC subsequently contacted the Council and informed Officers that the OGC Buying Solutions framework would not be available to use from 1 September as originally intended.

- 3.4 As the OGC framework would not be available for use by the Council on the termination of the LCSG framework on 31 August 2009 and given the very limited notice available to the Council to arrange for the alternative provision of office supplies, Officers did not have time to seek Executive approval and instead sought Chief Executive approval for the exercise of delegated powers in cases of extreme urgency namely, an exemption from the requirements of Standing Order 86(b) (the requirement to seek at least three written quotes for a low value contract) and the award of two month contracts to its pre-existing suppliers, Office Depot UK Ltd and The Paper Company, from 1 September 2009. Chief Executive approval to enter these low value contracts was subsequently given.
- 3.5 On 9 September 2009 the Council was informed by the OGC that it had decided to withdraw from the award of the framework agreement. Given that the procurement process for the award of the OGC framework had stalled, Officers took steps to try to identify measures to meet the Council's requirement for office supplies for the period from 1 November 2009 to 31 March 2010. Due to the lack of commercial alternatives and in order to receive continuing services and avoid the risk of operational problems, maverick spending outside a Council-wide contract, additional costs and damage to the council-wide Oracle AEP programme, Officers sought and obtained Chief Executive approval for the exercise of delegated powers in cases of extreme urgency namely, that there were good operational reasons for not tendering contracts for the provision of office supplies and for the extension of its existing office supply contracts for five months, to expire on 31 March 2009.
- 3.6 During the five month extension period, LBH proceeded with the procurement of a new LCSG framework for office supplies using an EU compliant procurement process involving advertising the framework in the Official Journal of the European Union. Officers were informed by LBH that the framework was to be awarded in February 2010, to commence on 1 April 2010. Following a review of alternative frameworks available, Officers concluded that the LCSG framework was the most suitable framework to use.
- 3.7 On 25 February 2010, Officers were advised by LBH that an error had been identified in the evaluation of quality scores for one of the suppliers and as a result, LBH indicated that they would be re-opening the auction with the error corrected. Whilst LBH indicated that the re-opened auction was likely to occur on 2 March 2010, it was unlikely that the framework would be let and available for use by expiry of the Council's current contractual arrangements on 31 March 2010.
- 3.8 Given delay in letting the LCSG framework, Officers considered that a three month extension of the Council's existing contracts with Office Depot (UK) Ltd and The Paper Company to cover the period 1 April 2010 through to 30 June 2010 was appropriate. Officers therefore sought and obtained from the Executive on 15 March 2010 approval to not tender contracts for the provision of office supplies on the basis of good operational reasons and for the extension of its existing office supply contracts for three months to 30<sup>th</sup> June 2010.
- 3.9 Despite the fact that LBH had indicated they were unlikely to be able to let the framework by 1 April 2010, this date was achieved, with LBH appointing a single contractor to each of the 4 different lots under the framework. The Council has subsequently obtained pricing and contractual information from LBH in relation to the various lots. This has confirmed Officer's original views that the LCSG framework is the most suitable framework for the Council to use and offers the Council best value

for money. In the circumstances Officers recommend the award of a call off contract for the supply of office stationary, office machines and electronic office supplies to the single contractor appointed to the relevant LCSG framework lots, namely Office Depot (UK) Ltd. The call-off contract shall commence on 1 July 2010 and shall terminate on 31 March 2014.

- 3.10 It is proposed that it will be mandatory for all Officers in all service areas who have responsibility for the purchase of office stationary to use the call-off contract. Purchases of office stationary would be through the Oracle AEP system and will assist the Council to closely monitor spending on stationary. The anticipated savings over the duration of this contract are £35 640, based on an annual saving of £9720. This information has been reported on the Strategic Procurement Units savings workstream spreadsheet, which is provided by the Category Manager responsible for the Office Services Category.

#### **4.0 Financial Implications**

- 4.1 The Council's Contract Standing Orders state that contracts for supplies exceeding £500k shall be referred to the Executive for approval of the award of the contract.
- 4.2 The estimated annual value of this call-off contract with Office Depot (UK) Ltd is £276k giving an estimated annual value over the contract term of £1.035 million. The value of the call-off contract is thus over this threshold.
- 4.3 It is anticipated that the cost of this contract will be funded from existing budgets.
- 4.4 In accordance with Contracts Standing Order 86(d)(ii), the Director of Finance and Corporate Resources has given approval to participate in this framework.

#### **5.0 Legal Implications**

- 5.1 LBH has confirmed that the procurement of the LCSG framework has been in accordance with the Public Contracts Regulations 2006 ("EU Regulations") and LBH's own Standing Orders. A restricted procedure was used for the procurement with appointment of a single contractor to the 4 lots under the framework on the basis of the most economically advantageous tender. The procurement of the framework was advertised in the Official Journal of the European Union in May 2009, the Contract Notice indicating that the framework agreement would be available for use by all LCSG members. Following the decision to award, LBH observed a standstill period in accordance with EU Regulations and received no notification of potential challenge to the award. In accordance with the EU Regulations, the LCSG framework agreement is for a term of 4 years commencing on 1 April 2010 and as a member of LCSG, the Council is permitted to call off from the framework agreement at any time during this term.
- 5.2 Officers wish to call off from the LCSG framework a contract for a term of 3 years 9 months from 1 July 2010. The value of the call off contract for the entire term is estimated to be in excess of £500k. As the estimated value of the contract is above the Council's Standing Orders threshold for High Value Supply Contracts (of £500k), the award of the call-off contract is subject to the Council's Standing Orders and Financial Regulations in respect of High Value contracts and Executive approval is required for the award of the contract.

5.3 In accordance with Contracts Standing Order 86(d)(ii), the Borough Solicitor has confirmed that participation in the LCSG framework agreement is legally permissible.

## **6.0 Diversity Implications**

6.1 It was a requirement of all companies wishing to tender to have a suitable equal opportunities policy in place. Each organisation that submitted a PQQ was required to submit a copy of their relevant policies, and only organisations that provided evidence that they met the selection criteria passed to the next stage. An Equalities Impact Assessment will be carried to highlight any potential issues and the relevant steps will be taken to mitigate against these as appropriate.

## **7.0 Staffing Implications**

7.1 As the current contract is being delivered by an external contractor, there are no TUPE implications for Council staff.

### **Background Papers**

Report to Executive – 15 March 2010


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	<p style="text-align: center;"><b>Executive</b> 23 June 2010</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 style="text-align: center;"><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.
- 1.2 This report includes applications received since the Executive last considered relief in December 2009.

## 2.0 Recommendations

- 2.1 Members are requested to agree the discretionary rate relief applications in appendices 2, 3 and 4.

## 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 local charities that meet the criteria. It also shows the cost to the Council if 100% discretionary relief is awarded, which is the Council's normal policy.
- 3.4 Appendix 3 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.

- 3.5 Appendix 4 lists new application from non profit making organisations that meet the criteria. It also shows the cost to the Council if 25% discretionary relief is granted which is the Council's normal policy
- 3.6 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 2010/11 will be for a three-year period which follows the policy previously agreed by the Executive.
- 3.7 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.
- 3.8 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 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 2010/11 budget available for discretionary spending is £91,000. £82,759 of the budget has already been committed in respect of applications approved for 2010/11. If Members agree relief as set out in Appendices 2, 3 and 4, it would result in a further spend of £6,580 for 2010/11, this would bring the total spend for 2010/11 to £89,339. In addition, there would be a further 2009-10 spend of £4,617 if the retrospective applications are supported.

## **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 legal advice is that the operation of blanket decisions to refuse relief across the board might be ultra vires and 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

DUNCAN McLEOD  
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>

## LOCAL CHARITIES

Financial year: 2010-11

	100% Relief to be awarded	2010-11	Bill net of statutory relief	Cost to Brent at 75%
	<b><u>New Applications</u></b>			
32864166	Chalk Hill Community Centre	£12730.50	£2546.10	£1909.58
32864836	Loud & Clear Mental Health Advocacy	£10867.50	£2173.50	£1630.12
32860360	Brent Community Transport Ltd	£6971.47	£1394.29	£1045.72
3286037X	Brent Community Transport Ltd	£1444.79	£288.96	£216.72
32874557	Brent Community Transport Ltd	£1444.79	£288.96	£216.72
32874548	Brent Community Transport Ltd	£1368.69	£273.74	£205.30
32874379	Brent Private Tenants Rights Group Ltd	£4864.50	£972.90	£729.65
32793945	Brent Homelessness User Group	£2235.60	£447.12	£335.34
	<b><u>Renewal Applications</u></b>			
30489200	37 <sup>th</sup> Willesden Scout Group	£683.10	£136.62	£102.47
<b>Total</b>		<b>£42610.94</b>	<b>£8522.19</b>	<b>£6391.62</b>



## Financial year: 2009-10

	100% Relief to be awarded	2009-10	Bill net of statutory relief	Cost to Brent at 75%
	<b><u>New Applications</u></b>			
32864166	Chalk Hill Community Centre	£12003.75	£2400.75	£1800.56
32864836	Loud & Clear Mental Health Advocacy (part year)	£5743.60	£1148.72	£861.54
32860360	Brent Community Transport Ltd (part year)	£5024.40	£1004.88	£753.66
3286037X	Brent Community Transport Ltd (part year)	£1151.24	£230.25	£172.69
32874557	Brent Community Transport Ltd (part year)	£749.82	£149.96	£112.47
32874548	Brent Community Transport Ltd (part year)	£1090.65	£218.13	£163.60
32874379	Brent Private Tenants Rights Group Ltd (part year)	£1719.09	£343.82	£257.86
32793945	Brent Homelessness User Group	£2182.50	£436.50	£327.37
	<b><u>Renewal Applications</u></b>			
30489200	37 <sup>th</sup> Willesden Scout Group	£800.25	£160.05	£120.04
<b>Total</b>		<b>£30465.30</b>	<b>£6093.06</b>	<b>£4569.79</b>

## NON-LOCAL CHARITIES

Financial year: 2010-11

None – South Kilburn CAB only occupied during 2009/10

Financial year: 2009-10

Non-Local Charities (25% relief awarded)		2009-10	Bill net of statutory relief	25% relief awarded	Cost to Brent at 75%
	<b><u>New Applications</u></b>				
32871971	South Kilburn CAB Service	£419.09	£83.82	£20.95	£15.72
<b>Total</b>		<b>£419.09</b>	<b>£83.82</b>	<b>£20.95</b>	<b>£15.72</b>

## Non-Profit Making Organisations

### Financial year 2010-11

Non Profit Making Organisations (25% relief awarded)		Rate Charge 2010/11 (no mandatory relief)	Amount of discretionary relief at 25%	Cost to Brent at 25%
	<b><u>New Applications</u></b>			
32877310	Tabot Centre	£2450.07	£612.52	£153.13
32868551	Brent Community Center	£558.90	£139.73	£34.93
<b>Total</b>		<b>£3008.97</b>	<b>£752.25</b>	<b>£188.06</b>

### Financial year 2009/10

Non Profit Making Organisations (25% relief awarded)		Rate Charge 2009/10 (no mandatory relief)	Amount of discretionary relief at 25%	Cost to Brent at 25%
	<b><u>New Applications</u></b>			
32868551	Brent Community Center (part year)	£500.95	£125.24	£31.31
<b>Total</b>		<b>£500.95</b>	<b>£125.24</b>	<b>£31.31</b>

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