



Brent

Cabinet

Monday 14 December 2015 at 7.00 pm

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

Membership:

Lead Member Councillors:

Portfolio

Butt (Chair)
Pavey (Vice-Chair)
Denselow
Hirani
Mashari
McLennan
Moher
Southwood

Leader of the Council
Deputy Leader of the Council
Lead Member for Stronger Communities
Lead Member for Adults, Health and Well-being
Lead Member for Employment and Skills
Lead Member for Housing and Development
Lead Member for Children and Young People
Lead Member for Environment

For further information contact: Anne Reid, Principal Democratic Services Officer
020 8937 1359, anne.reid@brent.gov.uk

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democracy.brent.gov.uk

The press and public are welcome to attend this meeting

Agenda

Introductions, if appropriate.

Apologies for absence.

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 - 12

3	Matters arising	

Central Reports

4	Budget Proposals to 2017/18 and medium term outlook	13 - 86

This report sets out Budget Proposals for 2017/18 and the medium term outlook.

Ward Affected:
All Wards

Lead Member: Councillor Pavey
Contact Officer: Eamonn McCarroll,
Operational Director, Finance
Tel: 020 8937 2468
eamonn.mccarroll@brent.gov.uk

5	Brent Corporate Plan 2015 – 2016, April – September 2015 – progress update	87 - 94

This report sets out the progress update on the implementation of the Brent Corporate Plan for 2015 – 2016 with details against each objective included in the attached Appendix A. The objectives, milestones and success measures set out in the plan have been developed to provide a clear programme of operational activities to deliver the ambitions and outcomes agreed in the 'Brent Borough Plan 2015 – 2019' by the Cabinet and Full Council in March 2015.

Ward Affected:
All Wards

Lead Member: Councillor Butt
Contact Officer: Cathy Tyson, Head of Policy
and Scrutiny
Tel: 020 8937 1045 cathy.tyson@brent.gov.uk

As part of the Council Tax setting process for 2016/2017 the Council is required to estimate the amount of any surplus or deficit on the Collection Fund as at 31 March 2016. This must be done by 15 January 2016 in relation to Council Tax, and this report asks Members to approve the estimated balance for both Council Tax and Business Rates (NNDR).

Ward Affected:
All Wards

Lead Member: Councillor Pavey
Contact Officer: Eamonn McCarroll,
Operational Director, Finance
Tel: 020 8937 2468
eamonn.mccarroll@brent.gov.uk

Children and Young People reports

7 **Award of contracts with Academy Schools and Independent Special School for Special Educational and Alternative Education Provision** 101 - 108

In April 2015 Cabinet approval was obtained to negotiate contracts between the council and Brent schools for the continued provision of specialist places for children with special education needs. These are places in Additionally Resourced Provisions (ARP) and English as an Additional Language (EAL) projects. Approval was also gained to negotiate block contracts in independent schools for the academic year 2015/16. The report sets out the outcome of the negotiations and seeks approval to award one year contracts for the academic year 2015/16.

Ward Affected:
All Wards

Lead Member: Councillor Moher
Contact Officer: Cate Duffy, Operational
Director, Early Help and Education
Tel: 020 8937 3510 cate.duffy@brent.gov.uk

Adult Social Care reports

8 **Commissioning of an Integrated Rehabilitation and Reablement service** 109 - 128

This report relates to one of the key projects within Brent's Better Care Fund (BCF) Programme: the development of an Integrated Rehabilitation and Reablement Service (IRRS). The new service will provide a single point of entry to integrated, short term, intensive assistance support to help people achieve independence in daily living skills and rehabilitation goals in their own home.

Ward Affected:
All Wards

Lead Member: Councillor Hirani
Contact Officer: Yolanda Dennehy,
Reablement and Safeguarding
Tel: 020 8937 4325

Regeneration and Growth reports

9 Adoption of Revised Planning Design Guide for the Sudbury Court Conservation Area 129 - 154

A review of Brent's Conservation Area Design Guides is being undertaken. Its overall aim is to produce up-to-date documents to give clear guidance primarily to residents on acceptable types of development to sustain and where possible enhance conservation areas. This process includes a revised Planning Design Guide for the Sudbury Conservation Area. Extensive public consultation on the draft Guide took place over a number of stages. The responses to the consultation have been considered and proposed amendments to the final document proposed for adoption by Cabinet. On 14th October 2015 the Planning Committee considered the consultation responses and proposed amendments and resolved to support the document's consideration and adoption by Cabinet.

Ward Affected:
Northwick Park

Lead Member: Councillor McLennan
Contact Officer: Aktar Choudhury, Operational Director, Planning and Regeneration
Tel: 020 8937 1764
aktar.choudhury@brent.gov.uk

10 Building Control Fees and Charges 2015-17 155 - 194

Current Building Control Charges have been in force since 1 April 2013 and have not been subject to review / variation for approximately three years. This report puts forward proposals and seeks agreement for amendment and uplift of Building Regulation and other existing charges together with the introduction of new charges across various work areas. Approval of Brent Building Regulations charging scheme which includes clarification / amendment of charging policy, where required, is also sought.

Ward Affected:
All Wards

Lead Member: Councillor McLennan
Contact Officer: Aktar Choudhury, Operational Director, Planning and Regeneration
Tel: 020 8937 1764
aktar.choudhury@brent.gov.uk

Chief Operating Officer's reports

11 Brent Stronger Communities Strategy 195 - 228

This report sets out the thinking towards a strategy for a community-led response to protecting communities from the threat of extremist

behaviour.

Ward Affected:
All Wards

Lead Member: Councillor Denselow
Contact Officer: Cathy Tyson, Head of Policy
and Scrutiny
Tel: 020 8937 1045 cathy.tyson@brent.gov.uk

12 London Sexual Health Transformation Project

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268

This report provides an update on the collaboration between London boroughs on Genitourinary Medicine (GUM) services and sets out the main findings of the market engagement developed by the pan London Sexual Health Transformation Project. It also sets out the next steps of the project consisting of a collaborative procurement plan for GUM services and Contraception and Sexual Health Service (CaSH) Services.

Ward Affected:
All Wards

Lead Member: Councillor Hirani
Contact Officer: Dr Melanie Smith, Director
Public Health
Tel: 0208 937 6227 melanie.smith@brent.gov.uk

13 CCTV Strategy

269 -
330

This report summarises the Brent CCTV strategy 2015-18 and highlights the key elements within.

Ward Affected:
All Wards

Lead Member: Councillor Denselow
Contact Officer: Chris Williams, Community
Safety and Public Protection
Tel: 020 8937 3301 chis.williams@brent.gov.uk

14 Reference of item considered by Scrutiny Committee (if any)

15 Any other urgent business

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

Date of the next meeting: Wednesday 20 January 2016



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

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

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LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET Monday 16 November 2015 at 2.00 pm

PRESENT: Councillor Butt (Chair), Councillor Pavey (Vice-Chair) and Councillors Denselow, Hirani, McLennan, Moher and Southwood

Also present: Councillors Ahmed, Tatler and Warren

Apologies for absence were received from: Councillor Mashari

1. **Welcome**

The Chair, on behalf of the Cabinet, welcomed students of The Crest Academies to the meeting and thanked the Academy for hosting the meeting.

2. **Declarations of personal and prejudicial interests**

None made.

3. **Minutes of the previous meeting**

RESOLVED:

that the minutes of the previous meeting held on 19 October 2015 be approved as an accurate record of the meeting.

4. **Matters arising**

None.

5. **Determination of the proposal to permanently expand Leopold Primary School from January 2016**

The report from the Strategic Director, Children and Young People reminded the Cabinet that, in October 2014, in line with the School Place Planning Strategy, the alteration to permanently expand Leopold Primary School by two forms of entry (2FE) had been proposed by the Governing Body of Leopold Primary School in partnership with the council. The report informed the Cabinet of the outcome of the statutory consultation on the proposal to alter the school from January 2016 through permanent expansion and recommended that the statutory proposal to expand be approved.

Councillor Moher (Lead Member, Children and Young People) reminded the Cabinet that the school had already expanded to another site at the former Gwenneth Rickus Building and as extra school places were still required, the

change would be made permanent. The Cabinet noted the responses to the consultation.

RESOLVED:

that approval be given to the permanent expansion of Leopold Primary School, a community school, by two forms of entry from January 2016, (conditional upon the grant of full planning permission under the Town and Country Planning Act 1990 and any related conditions granted on 6 October 2015). The alterations would provide sufficient permanent primary school places in this region in line with the council's statutory duties and its School Place Planning Strategy 2014-2018.

6. School Place Planning Strategy 2014-18 - update

Councillor Moher (Lead Member, Children and Young People) introduced the report which provided an update to the School Place Planning Strategy 2014-18, approved by the Cabinet in October 2014. The report updated Cabinet with regard to pupil projections and sought approval for a number of amendments to the Strategy. Councillor Moher stated that the demand for primary places continued to increase, although at a slower rate than previously and the additional places would help to achieve the recommended 5% surplus. Demand for secondary school places was expected to increase in 2016 and to exceed supply by 2018. Demand for Special Educational Need places was also expected to increase and 140 SEN specialist places would need to be provided to reduce reliance on out borough placement. The Cabinet noted that the borough's secondary schools all had Academy status and hence were outside of local authority control. Councillor Moher drew attention to the proposed changes to the strategy.

With the Chair's consent, Councillor Warren referred to concerns raised at a recent Teachers' JCC meeting by the Teachers' Panel over the council's stance on the government policy on Academies and Free Schools and asked if the Cabinet was in support. Councillor Moher responded that the council had duty to comply with government policy and to provide school places. The Chair (Councillor Butt, Leader of the Council) drew attention to the council's duty to work with statutory partners including Free Schools and Academies.

RESOLVED:

- (i) that approval be given to the refresh of the Brent Pupil Place Planning Strategy provided as Appendix 1 of the report from the Strategic Director of Children and Young People;
- (ii) that approval be given to the amendments to five of the sixteen operating principles which underpin the strategy outlined in section 3 of the report;
- (iii) that it be noted that whilst primary school place projections indicate that demand for reception places would slow down from 2016, recent changes in the birth rate meant that future projections were likely to be revised upwards. There would be a continued growth in demand for places in primary years other than Reception. All current planned expansions remain necessary;

- (iv) that it be noted that the demand for secondary places would increase from September 2016 with demand outstripping supply from 2018. Depending on the size of sites, the equivalent of two or three additional secondary schools would be needed by the 2022/23 academic year;
- (v) that approval be given to officers working with the Education Funding Agency (EFA) to secure sites for new secondary schools to meeting the anticipated growth in demand for additional secondary places;
- (vi) that the need to provide an additional 140 Special Educational Needs specialist places be noted;
- (vii) that approval be given to the strategy of meeting the need for Special Educational Needs places by providing 40 Additional Resources Provision (ARP) places in mainstream schools together with 100 places at new specialist Free School provision at the site of the former Avenue School in NW6;
- (viii) that approval be given to the revised financial profile;
- (ix) that authority for the allocation of capital funding for future projects and programmes be delegated to the Chief Finance Officer in consultation with the Lead Members for Regeneration and Growth and Children and Young People.

7. Community Infrastructure Levy – procedural matters

The report from the Chief Operating Officer reminded the Cabinet that the Community Infrastructure Levy ("CIL"), introduced by the Community Infrastructure Levy Regulations ("CIL Regs") in 2010 (as amended) made under the Planning Act 2008, was approved by Full Council in 2013 and came into force on 1 July 2013. The CIL Regs introduced CIL as a levy on development charged in accordance with an approved scheme. The report now before members sought approval for the council to accept some of the discretionary provisions included in the regulations and set out the procedural process for the same.

Councillor McLennan (Lead Member, Housing and Development) welcomed the proposals which would allow the council more flexibility over discretionary social housing relief, infrastructure payments and the procedure for deciding reviews for exceptional circumstances relief. The Strategic Director, Regeneration and Growth confirmed that that there would be a further report back.

RESOLVED:

- (i) that Discretionary Infrastructure Payments be made available in Brent and authority to accept or refuse to accept land and infrastructure as payment of CIL in lieu of money be delegated to the Operational Director Planning and Regeneration;
- (ii) that the decision to accept or refuse claims for exceptional circumstances relief be delegated to the Strategic Director Regeneration and Growth in consultation with the Lead Member, Housing and Development;

- (iii) that Discretionary Social Housing Relief Cabinet made available in Brent be noted.

8. Contaminated Land Inspection Strategy

Councillor Denselow (Lead Member, Stronger Communities) introduced the report which proposed a revised Contaminated Land Strategy and drew attention to the council's statutory duty inspect land to identify contaminated land and publish a Contaminated Land Inspection Strategy. He pointed out that the funding pot available from central government to support survey work had reduced.

RESOLVED:

that agreement be given to a revised Contaminated Land Inspection Strategy at Appendix A to the report from the Strategic Director, Regeneration and Growth.

9. Statement of Gambling Principles

The Cabinet noted that as a licensing authority under the Gambling Act 2005, Section 349, the council had a duty to prepare and publish every three years a Statement of Principles that set out the policy for dealing with applications and regulating gambling premises within the borough. The Act also required licensing authorities to keep the Statement under review from time to time. The Cabinet noted that the Alcohol and Licensing Committee had agreed the Statement of Gambling Principles on 26 October 2015. The Cabinet in approving the report, agreed on the need for a future wider review of gambling practices in the borough.

RESOLVED:

- (i) that the draft revised Statement of Gambling Principles (31 January 2016 – 31 January 2019) at Appendix 1 of the report from the Strategic Director, Regeneration and Growth be noted;
- (ii) that approval be given to the revised Statement of Gambling Principles (31 January 2016 – 31 January 2019).

10. 2015 Parking Strategy

Councillor Southwood (Lead Member, Environment) introduced the report on the 2015 Parking Strategy which had been developed to provide a strategic foundation for the council's parking policies and operational practice. It drew together existing policy in a coherent baseline document, with the aim of establishing a firm foundation for future policy development. The Strategy reflected the priorities and objectives set out in the new Long Term Transport Strategy, the council's Local Plan and the Borough Plan. Councillor Southwood stated that the Strategy sought to affirm the approach to on-street parking and also to complement the work of other service areas leading, for example, on: transportation; economic development; planning; air quality; and carbon reduction policy. A review of CPZs would be a huge undertaking and there was also a need for a clear offer for business parking and consistency over areas of worship and gatherings.

Councillor Denselow (Lead Member, Stronger Communities) referred to the recent European Directive on air quality plans and Councillor Southwood agreed that this placed an increased incentive on local authorities to be more engaged.

Councillor Pavey (Deputy Leader) thanked Councillor Southwood for the efforts made to consult members on the Strategy and questioned what additional information was available to help discussions over transportation assessment and travel plans. Councillor Hirani (Lead Member, Adults, Health and Well-being) expressed the wish for CPZs to be fit for purpose and updated to meet needs. Regarding a review of CPZs, Councillor Southwood advised that the next step would be to explore funding options.

RESOLVED:

- (i) that approval be given to the 2015 Parking Strategy as set out in Appendix A to the report from the Chief Operating Officer, superseding the council's 2006 Parking and Enforcement Plan;
- (ii) that the priority hierarchy for on-street parking as set out in section 2.25 of the 2015 Parking Strategy (as reproduced in paragraph 3.4 in the report) be re-adopted;
- (iii) that the policy and operational objectives set out in section 2.27 of the 2015 Parking Strategy (as reproduced in paragraph 3.5 in the report) be specifically confirmed.

11. Visitor Parking Charges

The Cabinet considered the report from the Chief Operating Officer which set out a range of options for changes to Brent's visitor parking pricing scheme. The report also provided background information, the policy context, benchmarking comparisons and usage patterns of daily visitor parking in Brent.

Councillor Southwood (Lead Member, Environment) in introducing the report, stated that the proposals were intended to improve the management of parking demand within the borough's CPZs, to enable more realistic choices to be made by visitors when considering the options of driving or using more sustainable modes of travel, and to ensure that charges stood comparison with adjoining boroughs. She referred to problems of congestion near schools and difficulties in finding parking spaces experienced by those providing support to residents. The option of half day parking would help parking turnover. Councillor Southwood clarified that the annual household permits would continue at the same price to aid residents who had essential visitors.

With the consent of the Chair, Councillor Warren addressed the meeting and referred to the £9m surplus in the parking account in 2014/15, putting the view the parking charges were a money making opportunity. The Chair responded, drawing attention to the annual parking account and the cost of providing a service. Charging was a means of meeting these costs. A student from Crest Academy addressed the meeting and spoke in support of providing a good parking service. Councillor Pavey added that the charges covered the revenue cost of the

Transportation Service and covered less than half of the total expenditure incurred by the council on concessionary fares.

Members welcomed the proposals in particular the four hour permit, the opportunity to help those in receipt of informal care, emphasised the need to make parking available where possible and to provide a good quality, fair service.

The Cabinet supported Option B in the report.

RESOLVED:

- (i) that approval be given to proceed to formal consultation on the proposals set out in the from the Chief Operating Officer report for a standard all-day charge for visitor parking permits of £4.50; and an increase in the charge for an Annual Visitor Household permit to £165 for a full year, £99 for six months, and £66 for three months;
- (ii) that included in the preferred option be the offer of a lower price visitor parking permit of £3 (linked to the cost of a return bus fare and other off-peak public transport fares outside of Zone 1) in option (b) namely:

The option of offering a visitor permit valid for up to 4 hours at a £3 charge rate;

- (iii) that authority to implement the proposed price changes including amending any relevant Traffic Management Orders, following consultation, be delegated to the Chief Operating Officer in consultation with the Lead Member for Environment.

12. **Order of business**

RESOLVED:

that the order of business be varied so as to take later in the meeting, that item for which members of the public were expected to be present.

13. **Flood Risk Strategy**

Councillor Southwood (Lead Member, Environment) introduced the report from the Chief Operating Officer which advised of the duties placed onto Local Lead Flood Authorities (LLFAs) by the Flood Risk Regulations 2009 including the requirement to prepare a Flood Risk Strategy. The Flood Risk Strategy before the Cabinet detailed actions the council and other key stakeholders were taking to manage flood risk in Brent and the objectives. The Flood Risk Strategy has been drafted and a consultation had taken place with key stakeholders, including local residents/businesses, neighbouring boroughs, Thames Water and the Environment Agency. The Strategy has been amended to take on board feedback. Councillor Southwood stated that the exercise had been a useful opportunity to take stock, manage and mitigate risks and look to the future.

Councillor Denselow referred to fines imposed on Thames Water in the last twelve months under the London Permit Scheme relating to Chamberlayne Road for

working without a permit, failures to submit permits within prescribed timescales and a breach of permit conditions. He questioned whether additional sanctions could be levied and Councillor Southwood agreed that this could be investigated but also efforts be made ensure proper usage. The Cabinet agreed that it would be useful to establish where developments had been built over historic water sources such as streams, increasing flooding risks.

RESOLVED:

that approval be given to the Flood Risk Strategy for Brent as described in Section 3 and appended to the report from the Chief Operating Officer.

14. Brent Financial Inclusion Strategy

On behalf of Councillor Mashari (Lead Member, Employment and Skills), Councillor Butt (Leader of the Council), in introducing the report from the Chief Operating Officer, summarised the aims of the Financial Inclusion Strategy which sought to assist residents to improve their financial health by enhancing their financial capability to plan for and make the right decisions, reduce living costs particularly for those on low incomes or on benefits, particularly in the light of recent changes to the benefits system and the introduction of Universal Credit. The strategy drew on a number of issues for Brent in relation financial inclusion and set out the strategic objectives, as informed by consultation with partners, to deliver the Financial Inclusion Strategy and Action Plan.

RESOLVED:

- (i) that the strategic approach as set out in the Financial Inclusion Strategy and Action Plan at Appendix 1 to the report from the Chief Operating Officer be endorsed;
- (ii) that the content of the Equality Impact Assessment which as set out in Appendix 2 to the report be noted.

15. Authority to tender contracts for local advice and guidance services

The report from the Chief Operating Officer concerned commissioning arrangements for local advice and guidance services. Current arrangements for the provision of generalist and specialist legal advice would end on 31 March 2016. The report set out the requirements and options considered in remodelling and commissioning advice and guidance services with the aim of enabling better access, earlier intervention to limit escalation of problems and better outcomes for people requiring advice and guidance.

With the consent of the meeting, Jacky Peacock addressed the Cabinet on behalf of Advice for Renters and Brent CAB, two members of the Brent Advice Matters (BAM) consortium, and referred to a crisis in demand for advice services. Jacky Peacock commended the consortium's website launched in May 2015 and which currently provided information and referral pathways for work, money, benefits and housing issues with sections for health and immigration planned for the future. The website was currently funded through a Big Lottery grant but this was due to end shortly. In any event, she felt that face to face advice would always be required and

drew attention to the number of private tenants which was expected to quadruple in coming years. She requested information on the tender process and hoped there would be a facility for small grants for organisations.

The Cabinet agreed on the value of flexibility and also that the Chief Operating Officer should take appropriate advice from community representatives in advance of going to tender.

RESOLVED:

- (i) that approval be given to the invite of tenders for local advice and guidance services in two separate lots on the basis of the pre - tender considerations set out in paragraph 3.28 of the report from the Chief Operating Officer;
- (ii) that approval be given to the evaluation of the tenders referred to in (i) above on the basis of the evaluation criteria set out in paragraph 3.28 of the report;
- (iii) that approval be given to an exemption from Contract Standing Order 104(b) to permit evaluation of bids on the basis of quality criteria alone, for the reasons set out in paragraph 3.29 of the report;
- (iv) that authority be delegated the Chief Operating Officer to consult with community representatives on the final detail of the tenders in advance of the tender exercise.

16. **Play Streets**

The Cabinet received a report on plans to introduce Play Streets in the borough and to close certain residential streets to allow children to play safely near to where they live. This initiative, which would promote community cohesion and a healthier lifestyle for children, had already been introduced by many Local Authorities across London since it was first introduced in London by Hackney in 2012. The report considered relevant legislation and guidance for the provision of regular road closures for designated Play Streets.

With the consent of the Chair, Liz Unna, (head of the Kempe Road Play Street Working Group) addressed the meeting in support of the introduction of Play Streets in the borough which had been found to help children develop life skills and also to bring communities together.

Councillor Southwood (Lead Member, Environment) thanked the working group for their contribution and help with the pilot scheme and looked forward to the opportunity to increase physical exercise and community development. Cabinet members joined Councillor Southwood in thanking the working group and noted that the projected annual cost of providing Play Streets within the borough would be funded from the 2016/17 LIP budget with cones and signs provided free of charge by the LoHAC (London Highways Alliance Contracts) contractor.

RESOLVED:

- (i) that approval be given to the scheme detailed in the report from the Chief Operating Officer to support the setting up of Play Streets in Brent;

- (ii) that authority be delegated to the Head of Transportation, in consultation with the Lead Member, upon receiving requests for regular road closures for a play street in Brent:
 - (a) to decide whether to approve or reject the application or to refer the matter to the Highways Committee;
 - (b) to undertake statutory consultation and consider any objections or representations to such requests;
 - (c) to sign, make or revoke the necessary Traffic Management Orders;
 - (d) to provide the associated signs required to implement the changes
- (iii) that the Local Implementation Plan budget be used to fund this scheme.

17. **Joint ICT work with London Borough of Lewisham**

The Cabinet considered the report from the Chief Operating Officer which set out proposals for working with the London Borough of Lewisham to establish a shared service for ICT by April 2016. Councillor Pavey (Deputy Leader) drew attention to the potential savings for the borough and the need to establish a joint committee.

RESOLVED:

- (i) that approval be given to the establishment of a shared ICT Service with the London Borough of Lewisham by April 2016, with Brent acting as the host Authority for the service;
- (ii) that approval be given to the creation of a Joint Committee consisting of two elected members from each council to discharge certain of their ICT functions (as specified) jointly and to oversee the shared service; noting that Brent would be represented on that committee by two members (or substitute members) of the Cabinet appointed by the Leader;
- (iii) that approval be given to the creation of a Shared Management Board, accountable to the Joint Committee, to manage the service, with an appointed director from each council amongst other key members of staff to be appointed from each council; and that Brent would be represented on the board by the Operational Director for Strategic Commissioning (or suitable alternative);
- (iv) that Brent be the host council and agreement given to the proposed staffing arrangements set out in section 3.4 of the report;
- (v) that it be noted that Brent would manage ICT procurement for both councils and that the proposed shared service arrangements allow for contract awards with a value of less than £500,000 to be made;
- (vi) that approval be given to the terms and conditions set out in the Collaboration Agreement between Brent and Lewisham Councils and the Chief Operating Officer be authorised to finalise the Agreement and agree

any appropriate amendments to it in consultation with the Chief Legal Officer;

- (vii) that it be noted that any changes to the council's Constitution to reflect the proposed creation of a Joint Committee with the London Borough of Lewisham for the shared ICT service would be reported to Full Council for approval;
- (viii) that it be noted that Lewisham officers would be presenting a report with similar recommendations to their Mayor and Cabinet meeting on the 11 of November.

18. Performance Report, Q1 and Q2 2015/16

Councillor Pavey (Deputy Leader) introduced the performance report for Quarter 1 and 2, the purpose of which was to provide Cabinet with a corporate overview of performance information linked to the current priorities for Brent, to support informed decision-making, and to manage performance effectively. He drew attention to the revised format, and Cabinet members in turn addressed the areas of improved performance and those below and under target in their respective service areas. Councillor Pavey responded to the view put by Councillor Warren on whether the targets in the new format were sufficiently challenging and commenting on areas of concern including landfill and complaints, stating that the format had been revised to make it more accessible and Cabinet members would be monitoring closely. The Cabinet noted that the Chief Executive would be writing to the Chair of Brent Housing Partnership over the service's performance.

RESOLVED:

- (i) that the performance information contained in this report be noted and agreement given to remedial actions as necessary;
- (ii) that the current and future strategic risks associated with the information provided be noted and agreement given to remedial actions as appropriate.

19. 2014/15 Treasury Management Outturn Report

The report from the Chief Finance Officer updated members on Treasury Management activity and confirmed that the Council has complied with its Prudential Indicators for 2014/15.

RESOLVED:

that the 2014/15 Treasury Management outturn report, which has been seen by the Audit Committee and is also to be submitted to the Council, in compliance with CIPFA's Code of Practice on Treasury Management (the Code) be noted.

20. 2015/16 Mid-Year Treasury Report

The report from the Chief Finance Officer provided an update on recent treasury activity.

RESOLVED:

that the 2015/16 mid-year Treasury report which has been seen by the Audit Committee and is also to be submitted to the Council be noted.

21. **Reference of item considered by Scrutiny Committee**

None.

22. **Any other urgent business**

None.

The meeting ended at 3.40 pm

M BUTT
Chair

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 Brent	Cabinet 14 December 2015 Report from the Chief Finance Officer
Wards affected: ALL	
Budget Proposals to 2017/18 and medium term outlook	

1.0 Introduction

- 1.1 Cabinet considered the medium-term financial outlook at its meeting of 19 October 2015. At that time a savings target for the period 2017/18 to 2018/19 was set in a broad range from £40m to £55m. Cabinet noted at that time that the financial uncertainties were such that more precise targets could not reasonably be set, and the problems this posed for the budget planning process.
- 1.2 In the light of the Spending Review 2015 (SR15), which was published on 25 November 2015, it is now possible to update these estimates. However, these will remain subject to change until the local government finance settlement is announced, which is expected in the week commencing 14 December. Officers have therefore now brought forward a series of new proposals which, if approved following consultation, would be implemented from 2017/18 onwards.
- 1.3 This approach will place the council in a strong financial position, as further set out below. If the settlement is announced at the worst-case end of expectations the council will have a set of proposals that may be brought forward, if required, and if not the approach to planning the budgets for future years well in advance will enable sensible phasing of the implementation of proposals to minimise the impact on services.
- 1.4 As previously advised, in March 2015 there was a gap of £0.9m in the budget for 2016/17. The outcome of SR15 and other adjustments to the budget assumptions means that this has now been closed, despite the council needing to factor in additional costs to reflect demographic and other pressures, including those arising from the impact of recent legislative changes.

- 1.5 In March 2015 the council agreed its budget for the current year, and a number of other proposals to be built into the budget from 2016/17. No changes to these are proposed. Taken together with the new proposals introduced by way of this report, if these were all to be agreed, the budget for 2017/18 would most probably be substantially balanced. However, some details have yet to be resolved, including most importantly the detail of the local government finance settlement which has not yet been announced.
- 1.6 It is worth reflecting on the strength of this financial position. The council has faced significant reductions in government funding and the challenges posed by new legislation, perhaps most significantly in respect of welfare reform. Since 2010/11 expenditure per head in Brent has fallen by 16% in cash terms, and by substantially more in real terms. This is the third highest fall in outer London over that period, and significantly greater than the outer London average. This reflects the shift, since 2010, away from local government funding formulae based on relative need. This disproportionately affected boroughs such as Brent with relatively high levels of deprivation, whereas elsewhere in London boroughs such as Sutton and Bromley have seen their expenditure per head of population rise in cash terms.
- 1.7 As funding has been cut the population has grown and this has been particularly pronounced in the very oldest and very youngest age groups, which are statistically most likely to require services from the council, thus adding to the cost pressures. Coupled with the impact of legislative change, especially changes to welfare systems and payments, this has created substantial financial pressures.
- 1.8 Despite dealing with these pressures, and subject to the remaining uncertainties in the financial planning assumptions, some of which are simply inherent in any budgeting process, the council has sufficient options at its disposal to balance the budget for 2016/17 already, without introducing any new service proposals for that year. This report also brings forward initial options for 2017/18 and 2018/19, which, if adopted, will leave the council close to balancing its 2017/18 budget as well as making inroads to the remaining gap for 2018/19.
- 1.9 Having confronted difficult decisions early in the financial planning cycle the council is now able to build into its financial plans the benefits of significant efficiency gains. The new proposals for 2017/18 and 2018/19, for example, include expected gains from re- procurement of major contracts of over £8m and management efficiency savings of nearly £5m. This does not mean that delivering these planned savings, if approved, will be managerially straightforward, or that front-line services will be entirely unaffected, or that they can be achieved without staffing redundancies, but it is nonetheless the case that the new proposals set out in this report do not include the wholesale cuts to services that many councils are considering and indeed implementing. Indeed, section six of this report focuses on investment options for the council, focusing the resources re-directed from earlier decisions onto key priorities.
- 1.10 Setting budgets for more than a single year will also allow the council to continue its longer-term approach to financial planning, identifying more opportunities to reduce costs without commensurate reductions to services out into 2018/19 and beyond.
- 1.11 This approach will be essential. As is also set out in more detail in this report, SR15 confirmed the broad approach outlined in the October budget strategy update: that

is, that funding reductions by 2018/19 and future years will be as significant, if not more so, than those assumed when the council set its last budget in March 2015, but that the early pace of these reductions will be somewhat slower. There is no doubt, therefore, that significant savings will still need to be identified for 2018/19 and beyond. From this it follows that the right strategy must be to bank as many efficiencies as possible as early as possible in the process, in order to free up time to work on the more demanding service transformations that will be necessary to mitigate the impact of further cuts in 2018/19 and beyond. This is the strategy set out in this report.

- 1.12 No position has yet been reached on council tax, and more options on this are available in the light of the announcement in SR15 of the power to increase council tax by an additional 2%, ring-fenced for adult social care. This will be in addition to the presumed (but not yet formally confirmed) ability to raise the basic level of council tax by up to 2% without a referendum. As set out in more detail in the report, taken in any single year the financial impact of the legal maximum council tax rise of 4% would therefore be about £3.6m, assuming, as seems likely, that no freeze grant will be available. However, decisions on budgets, and council tax in particular, need to be considered over the medium-term. Despite the strong approach to efficiency adopted the budget will be under considerable pressure by 2018/19 and beyond, so it will be necessary to consider the cumulative impact of increasing council tax in 2016/17 to alleviate those pressures. These decisions will be taken as part of the process for finalising the budget in February 2016. Pending the local government finance settlement and Member led deliberations, as council tax levels are ultimately a political decision, this report does not recommend one approach over another at this stage.
- 1.13 For now, in line with the council's normal approach to financial planning, Cabinet is not being asked to recommend a final budget. This report sets out the impact of SR15 on the council's strong financial position and sets out a draft set of officer proposals for implementation, if agreed, from 2017/18 onwards. It sets out the remaining steps necessary to complete the 2016/17 budget and the indicative business plans for 2017/18 and beyond, including the consultation processes to be followed, and it updates the medium term financial outlook to 2018/19 and beyond.

2.0 Recommendations

- 2.1 To note the budget proposals previously agreed for 2016/17 and 2017/18, as set out in Appendix One.
- 2.2 To confirm that the proposals referred to in Appendix One, having already been extensively consulted upon, should remain part of the council's budget and business plans.
- 2.3 To note the impact of SR15 on the overall financial position, as set out in section four of this report, and to note the remaining uncertainties, including that the local government finance settlement is not expected to be released until week commencing 14 December..
- 2.4 To note the new budget and business plan proposals, as set out in section five, with a summary in Appendix Two and detailed proposals in Appendix Three.

- 2.5 To agree that the proposals referred to in 2.4 should be consulted upon, in line with the timetable set out in section seven, and referred back to Cabinet for its February 2016 meeting for decision.
- 2.6 To agree the schools' budget set out in section eight of this report.
- 2.7 To agree the approach to developing an investment strategy set out in section six.

3.0 Technical funding update since October 2015

- 3.1 The latest projection for New Homes Bonus (NHB) funding for the Council have been uprated slightly to reflect additional forecast housing completions. This adds £0.3m to the value of the NHB previously assumed. However, as set out in section four, one impact of SR15 will be to reduce and perhaps eventually eliminate NHB as a source of funding. As a result the financial planning model has now been updated to remove NHB from the main revenue budget over time, and re-divert any remaining resources from this source to funding capital investment, which was always the original policy intention behind the NHB funding source.
- 3.2 The October Cabinet report identified greater confidence in the accelerated house building estimates and made additional allowance in the budget. This confidence has continued to strengthen. This has allowed the Council to make a number of updates to its council tax income projections. Overall the Council is now looking at an improvement of 1,540 in its band D properties reflecting the underlying improvement in the number of projected new properties and the full year impact of the new properties. This will add an additional £1.6m to Brent's forecast council tax income in 2016/17. In addition a further review of collection rates point to the long term rates edging up and that a more realistic rate would be 97.5% an increase of 0.5% from the October assumptions. This would generate an additional £0.5m giving an overall improvement of £2.1m in 2016/17 and future years as detailed in Table One.
- 3.3 No technical changes are required to the assumptions for RSG, BRTU and NDR. The impact of changes to these is picked up in section four of this report, which deals with SR15.

Table One: Technical changes to funding assumptions since October 2015

The resources available in 2016/17 and future years will be £2.4m more than assumed in October 2015, before the impact of SR15 is taken into account

Funding source	Funding assumed by year in October 2015			Funding assumed by year in December 2015		
	2016/17	2017/18	2018/19	2016/17	2017/18	2018/19
	£m	£m	£m	£m	£m	£m
Council tax	92.4	93.6	94.8	94.5	95.7	96.9
NHB	7.0	7.0	7.0	7.3	7.3	7.3
Total	99.4	100.6	101.8	101.8	103.0	104.2
Change on previous assumption				2.4	2.4	2.4

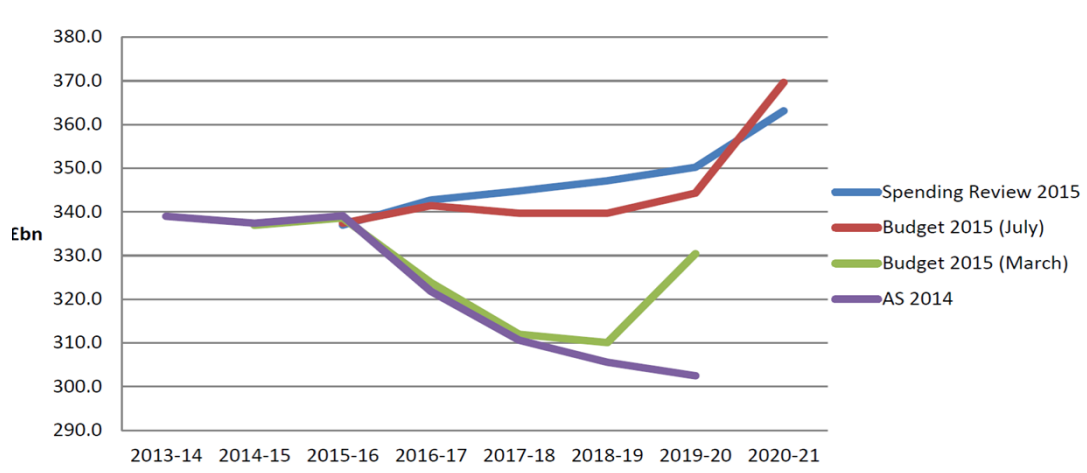
4.0 Spending Review 2015 (SR15)

4.1 SR15 was announced on 25 November 2015. Until the local government finance settlement is announced, expected in week commencing 14 December, it will not be possible to be specific about the precise impact of SR15 and the changes to the financial planning assumptions that will be required as a result. However, SR15 provides significantly more information than was available in October, and it is therefore possible to update the assessment of the financial position, as set out below.

4.2 The headline, national, figures, are best represented by the government departments' "Resources Departmental Expenditure Limits" (RDELs), which show planned expenditure over the period to 2020/21. In aggregate, these are as set out in Chart One, overleaf.

Chart One: Aggregate RDELs 2013/14 to 2020/21

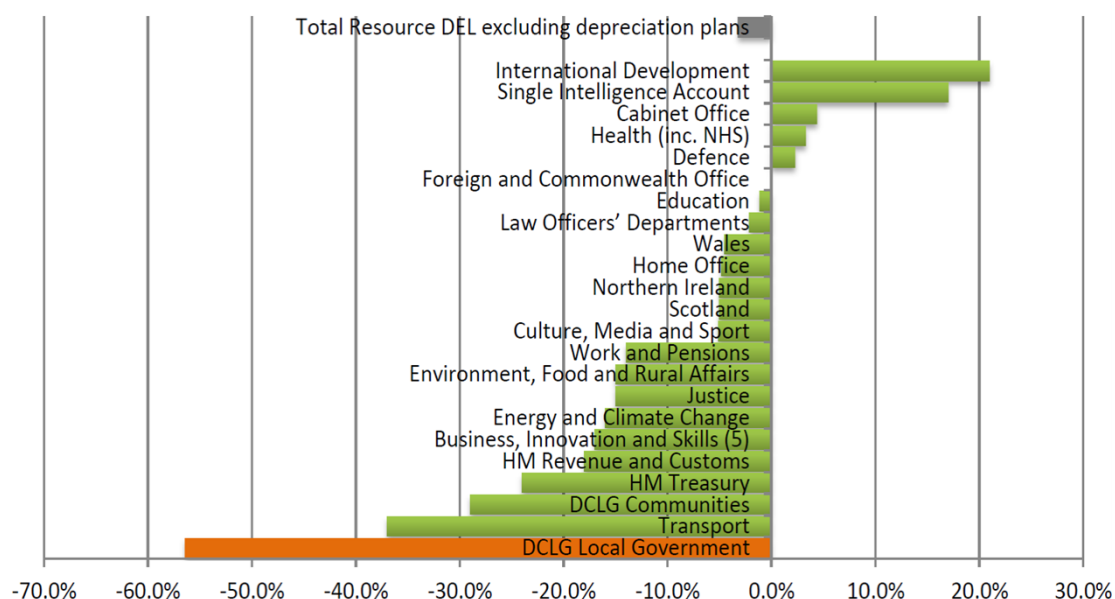
Planned government expenditure to 2019/20 has increased since the July budget, but by 2020/21 it will have fallen below previous estimates



4.3 Chart One shows that the Chancellor's decision to take account of anticipated future strong tax receipts and other economic factors has translated into increased total government expenditure. The Institute for Fiscal Studies (IFS) commented that this strategy has risks associated with it, as if future economic performance dips below that anticipated by the independent Office for Budget Responsibility (OBR) then the scope to absorb this without requiring additional cuts in expenditure will be restricted. The IFS placed the risk of this happening over the planning period as around 50/50. However, even if these forecasts are delivered, Chart Two, overleaf, shows that this does not translate into increased funding for local government.

Chart Two: Relative RDEL reductions by spending department

Local government spending will be cut by significantly more than for any other area of departmental expenditure



4.4 Although detailed analysis is yet to be concluded the initial estimates from the LGA and London Councils were that this 56% reduction in local government funding would translate into a 54% reduction in revenue support grant (RSG) over the period to 2019/20. As noted above, as the national RDEL figures for 2020/21 are below those estimated in the July budget the position may worsen after this.

4.5 The council's previous estimate of the reduction in RSG over this period was 66%, based on the average of the LGA and London Councils models. In the short-term, therefore, the immediate impact of SR15 is to improve the budgetary position for the next two to three years. However, looking beyond this, RSG is expected to be phased out by approximately 2020, to be replaced with the full localisation of business rates. For clarity, our current understanding is that this will mean that local authorities retain locally collected business rates, but have the power only to cut tax rates, not increase them. In principle this presents local government with significant opportunities to take charge of their own revenue and to direct it more towards local priorities. However, unless there is a satisfactory form of transitional arrangement for re-distribution boroughs such as Brent, where current government grants exceed the total business rates tax take, will be disadvantaged.

- 4.6 It is difficult, therefore, to anticipate with any precision what the long-term financial position will look like, until the details of the business rates localisation are announced. Officers expect a consultation on this to be published in the new year. Financial modelling will be carried out in the early months of 2016 to try and assess the impact, and to inform the council's responses to the consultation process for these radical reforms to local government finance.
- 4.7 However, for the purposes of budgeting up to 2018/19, which is a reasonable medium-term horizon then, subject to the inevitable caveats until final funding announcements are announced, the council could reasonably conclude that the savings required are now more likely than not to be towards the lower end of the previously announced estimates, i.e. closer to £40m than £55m.
- 4.8 In addition, although all of the implications of SR15 are not yet clear, it contained a number of clear policy announcements that will impact either directly on the council's financial position or will clearly have an impact on residents that will in turn impact on demand for services and hence costs. Members will appreciate that there have only been a few working days between the announcement of SR15 and the publication of this report. Therefore this section of the report may not be entirely comprehensive and will need to be updated as the detail emerges.

Measures that can impact directly on the council's finances

- 4.9 Council tax can now be increased by 2%, ring-fenced to social care, plus the standard 2% discretion that councils have always had without a referendum. Technically, this latter element still requires confirmation and a separate Ministerial announcement will be made in later in the planning cycle. However, the strong indications appear to be that this general cap will be set at 2%, and that no freeze grant will be payable.
- 4.10 A council tax increase of 1% currently raises about £0.9m, so the council could generate approximately £3.6m in 2016/17 by raising council tax by the maximum 4%. We understand that the precept for social care will require some form of technical validation, but given the cost pressures in adult social care officers do not anticipate that this will be problematic, should Members wish to exercise this power.
- 4.11 In considering council tax in February 2016 Members will formally be making a decision about the level for 2016/17. However, for financial planning purposes it is important to understand that council tax could in principle be increased in each of the three years 2016/17 to 2018/19. With the increasing council tax base and the cumulative impact of annual increases this means that the council now has the option to generate, by 2018/19, close to around £12m additional revenue from council tax. When the financial target of £40m to £55m was set no additional council tax increases were assumed, so this could contribute significantly to the target, and the impact on residents would also have to be closely considered by Members.
- 4.12 On housing, there will be a consultation on the New Homes Bonus, which will include a "preferred" option of saving at least £800m. There is therefore a strong presumption that these resources will be diminished in future years. To avoid

creating 'cliff-edges' in future funding reductions officers plan to anticipate the likely outcome by removing NHB from the base revenue budget in order to use the remaining resources generated to fund the capital programme, reducing the need for more short-term borrowing and the pressure that this in turn would place onto the revenue budget.

- 4.13 SR15 also contained an announcement that the management fee for temporary accommodation will no longer be administered through housing benefit from April 2017, and other technical changes to the local housing allowance. Officers have not yet been able to complete financial models of the impact of these changes, as detail of the alternative funding is yet to be announced. However, SR15 suggested that a national fund of £10m would be sufficient to compensate local authorities for the cost of this change, which on the face of it is very significantly below the true cost. This should therefore be regarded as a major risk and will be closely monitored as more detail emerges.
- 4.14 The public health budget will be reduced by an average 3.9% per year in real terms to 2020. On the face of it this affords some relative degree of protection for these services, although it would still amount to a cut of some £2m for Brent over this period, assuming that the reductions were applied as a simple flat rate. Potentially of more concern was the announcement that government will consult on *"options to fully fund local authorities' public health spending from retained business rates receipts"*. In the worst-case this could be read as implying that, in time, the ring-fenced public health grant may disappear altogether, and it is not clear how councils could fund the expenditure from business rates receipts without having to cut other services by the same amount. However, if a satisfactory redistribution mechanism for business rates is adopted then this may be more manageable.
- 4.15 The Better Care Fund will be increased nationally to £1.5bn by 2019/20. This will presumably mean more resources for Brent, but the detail will need to be worked through. Health and adult social care will be required to be "fully integrated" by 2020, but the practical implications of this, and detail of what the test of "fully integrated" means are not yet known. However, on the face of it, this, together with the doubling of the national funding for disabled facilities grants, must provide some relief of the pressure on the council's adult social care budgets.
- 4.16 The council's formal schools budget is presented in draft in section eight of this report. SR15 confirmed that a national funding formula will be introduced from 2017/18. The current assumption is that this is likely to divert funding away from London, possibly significantly. Excluding this, SR15 confirmed that the core schools budget will be protected in per pupil cash terms.
- 4.17 An apprenticeship levy of 0.5% of paybill will be introduced in April 2017. If this applies to Brent it would add around £0.5m to the cost pressures. Whether or not it applies will depend on how the legislation is framed and the extent to which it recognises the role that local authorities already play in creating apprenticeships, either directly or through their supply chains.
- 4.18 Funding for the first year costs of resettling Syrian refugees will also be provided, tapering down over the period to 2019/20.

Other policy proposals that may indirectly impact on the council's finances

- 4.19 SR15 contained a number of other policy announcements. These may not directly impact on the council's core funding, but can be assumed, in time, to have a significant impact on residents, which in turn will impact on the demand for council services and hence costs. Three of these are worth highlighting at this point.
- 4.20 Cuts to tax credits have been reversed. For many, this was perhaps the headline announcement in SR15 but, as has been pointed out by many commentators, reversing the cuts at this stage merely results in a delay, as the existing regime will be significantly changed when universal credit becomes operational. Members have already been briefed on the possible impact on residents of universal credit, and the potential it has to create demand for other local authority services.
- 4.21 SR15 confirmed previous announcements in housing policy, with some more detail about timetable for introduction. Extending the RTB to housing association tenants will be trialled during 2016/17, and as previously advised this will be funded, at least in part, by local authorities. Coupled with reductions to social rents the impact on the HRA will be substantial.
- 4.22 Finally, SR15 also confirmed previous announcements about childcare places for children aged under three and the means tests for residents to test eligibility. These will in turn affect demand for nursery places and so impact on other local authority costs in time.
- 4.23 It is not easy to sum up SR15 or its impact on Brent. Clearly, in the short-term the immediate reductions to core government funding look towards the lower end of officers' assumptions. This is helpful, because it will allow the council a little time to adjust to what remains an exceptionally challenging longer-term financial position. The LGA summed up the overall impact on local government by pointing out that *"even if councils stopped filling in potholes, maintaining parks, closed all children's centres, libraries, museums, leisure centres and turned off every street light they will not have saved enough money to plug the financial black hole they face by 2020"*.

5.0 New budget proposals

- 5.1 The new budget proposals are set out in Appendix Two, and full details of each proposal are in Appendix Three. At this stage these are officer-led proposals, and authority at this stage is sought only to consult on these. Following consultation these will be put to the February 2016 meeting so that decisions on whether to adopt, amend or reject these can be taken informed by the results of that consultation.
- 5.2 However, officers' preliminary assessment is that the impact of adopting these proposals on front-line services would be relatively minor, certainly in comparison to some of the more drastic proposals that other councils are being forced to consider. This is not to imply that implementing the proposals would be straight forward or that there would be no impact on services: it is not possible to achieve

significant reductions in the council's budget with no impact on services or staffing.

- 5.3 At a summary level the proposed new savings, and their phasing, are as set out below. Significantly more detail is provided in Appendices Two and Three.
- 5.4 Firstly, Members will recall that when the budget for 2015/16 was set in March 2015 a significant number of savings were agreed for 2016/17 and future years. These have already been consulted on extensively, and so no further action is required other than to build these into the budgets and business plans as appropriate, which is:
- Savings of £23.4m for 2016/17
 - Savings of £4.3m for 2017/18; and
 - Savings of £1.6m for 2018/19 (taken together these last two bullets total £5.9m, which was the figure referred to in the March 2015 report)
- 5.5 New savings of £4.8m are proposed under the heading of '*driving organisational efficiency*'. The profile of these is anticipated to be split evenly between 2017/18 and 2018/19, that is, £2.4m in 2017/18 and a further £2.4m in 2018/19. These savings will be achieved through cutting management and support costs, improving systems and processes, further delivering our digital by default agenda, as well as efficiency savings in CYP through the regionalisation of adoption services (mandated by government), improving retention of qualified social workers and hence driving down agency staffing costs and re-shaping early years' support. Staff consultation will of course be essential to achieve these savings, but the current expectation is that they will not impact significantly on the delivery of front-line services.
- 5.6 These savings will be consulted upon in line with the timetable set out in section six of the report. The results of that consultation will be made available for decision in February 2016.
- 5.7 New savings of £5.7m are anticipated, under the heading of '*civic enterprise*'. The profile of these is expected to be £3.5m in 2017/18 and £2.2m in 2018/19. 'Civic enterprise' is a broad term intended to cover those activities where the council can either generate better returns on its existing assets, for example through better marketing, advertising and sponsorship or increasing usage, more equitable contributions from partners and, where appropriate, reviewing charging regimes for paid for services that more realistically reflect the true economic cost of providing the service and/or the market.
- 5.8 The appendices contain fuller detail, but in summary the expectations are that:
- It will be possible to generate £0.75m p.a. in additional income from the council's assets by 2018/19. Of this, approximately £0.25m is expected to be generated by making more commercial use of the council's civic centre, in particular the Grand Hall, £0.3m through advertising and sponsorship and £0.2m through allowing wireless concessions to roof tops and lamp posts. The council currently receives relatively little advertising revenue, despite the obvious

possibilities inherent in its location. By adopting a more business-like approach to selling advertising space it will be possible to generate additional income, reducing the need for cuts to other services, with an ethical policy to ensure the council's values remain at the heart of all we do. Similarly, the council has developed a strong IT service, which is now recognised as a market leader in London local government, providing services to the LGA and another council. There is every reason to assume that this model can be extended, which again would generate additional income to offset the need to generate savings elsewhere. The current assumption is that £0.75m additional income would be a realistic target.

- The council is committed to ensuring its residents get a fair deal when we work in partnership with other councils and agencies. Two areas have been identified where officers believe that the existing share of costs is not reasonable, and where re-balancing this should increase partners' contributions by £1.1m p.a.
- The council can also improve its approach to managing debts owed to it. Building on the successful pilot in adult social care, which has improved collection rates without presenting unreasonable demands to residents, officers now anticipate that additional income of £1m p.a. could be generated from tackling existing arrears better. This work will be carried out in the context of our financial inclusion strategy to make sure vulnerable residents are properly supported.
- Lastly, under this heading, benchmarking against CIPFA data shows that the council tends to generate less income from fees and charges to residents than other outer London boroughs. Increasing income to the 2014/15 average would generate an additional £2m income. In practice this would still mean that these services were tending to be subsidised, since this would not cover the full costs, and by 2017/18 it is also reasonable to assume that other boroughs will have increased prices. At this stage, approval is being sought to consult on the principle of achieving this level of income across a range of paid for services, from 2017/18 onwards. Once detailed proposals for individual pricing regimes are developed further specific consultation may be necessary. For the avoidance of doubt, no new proposals in respect of parking income are being brought forward by way of this budget.

5.9 New savings of £8.3m are proposed under the heading '*Making our money go further*'. The current anticipated profile of these is that £3.65m would be delivered in 2017/18 and £4.65m in 2018/19. Officers recommend that these can be built into the business plans for these years because the initial success of the shared service procurement arrangement with Harrow has demonstrated that this is realistic and achievable without significant impact on service outcomes.

5.10 Of these savings, the significant majority, £8m, are anticipated to be achieved through the re-procurement of a variety of contracts over the period up to

2018/19. Analysis shows that 161 contracts with a current combined annual value of £76m will be due for renewal between now and the end of March 2019.

- 5.11 The aim will be to approach the market with a cost envelope of current contract price less 10%. There will be some contracts where this will not be achievable and some areas where there will be a double count with department savings targets which has been allowed for in the target. Work will be ongoing with departments in advance of contract renewals to ensure that there is minimal impact on users of services whilst achieving the required savings. Pre market engagement with providers of services will also take place to identify innovative methods of service delivery to achieve savings targets
- 5.12 Additionally, Brent's street lighting PFI contract ends on 30 November 2018. This was the first UK street lighting PFI contract to be signed and, compared to later PFI deals, the contract is relatively favourable to the private sector partner and correspondingly less so to the local authority. Despite this, it has delivered its core requirement, new street lighting columns, which at the end of the contract will be handed back with five years' life guaranteed. In practice the average useful life will be longer. The nature of PFI (service concession) contracts is that the cost of the capital investment is spread over the length of the contract, and so the current annual cost, excluding clienting and energy costs is just under £3.2m. Once the contract ends a smaller capital maintenance and replenishment budget will need to be retained, as well as minimal costs to replace luminaires and so on. Even the costs of scouting will largely be met by the already agreed capital investment in a central management system. Consideration will need to be given to an appropriate sinking fund model to ensure that future replacement costs are spread evenly over the next 25 year period, but clearly there is the potential to deliver substantial savings to the revenue budget, provided that the long-term capital needs are not overlooked.
- 5.13 We will need to strike a careful balance between planned and reactive maintenance, in terms of roads and pavements, and will need to look at our criteria and priorities to ensure that our main thoroughfares and town centres are properly maintained. Detailed consideration of the current state of the highways and pavements will inform future plans to ensure that the impact on residents, pedestrians, cyclists and motorists is kept to a minimum. Officers are confident that savings of £0.3m can be driven out of the LOHAC contract and related budgets and that efficiencies can be driven out of the contract.
- 5.14 In summary, the impact of these savings, if they were all subsequently to be agreed, would be as set out in the table two.

Table Two: Summary savings

Savings of ££48.1m are set out in this report. This includes £29.3m of savings that have previously been consulted on and built into the budgets and business plans accordingly.

Description	2016/17	2017/18	2018/19	Total
	£m	£m	£m	£m
Savings previously agreed	23.4	4.3	1.6	29.3

Driving organisational efficiency	0.0	2.4	2.4	4.8
Civic Enterprise	0.0	3.5	2.2	5.7
Making our money go further	0.0	3.7	4.6	8.3
Total	23.4	13.9	10.8	48.1

6.0 Spending pressures, reserves and capital investment

- 6.1 The cabinet considered spending pressures in the round at its October meeting. At that stage costs were only estimated fairly generally, on the basis that these would be firmed up later in the process. Some further work is still required to finalise all of these estimates, and in particular it will be necessary to take full account of SR15 once this has been fully analysed. Although the headline messages are reasonably clear indications of the likely direction of travel it has not been possible to conduct a full analysis of the likely new responsibilities and costs for local authorities in the few days between the announcement and despatch of this report. Equally, changes in policy direction, or the pace of change, for example in respect of tax credits, will have an impact on the council's funding position and the likely implications for the cost of services which cannot yet be fully estimated. Accordingly, a comprehensive update will be brought to the final budget setting meeting, which is in any event in line with the council's normal financial planning process.
- 6.2 Of more significance, therefore, at this stage, are the council's investment plans for 2016/17 and, more importantly, for 2017/18 onwards, to which this report now turns.
- 6.3 The capital budget for 2016/17 was set in March 2015. This is in line with the minimum standards for capital budgeting: that it should be at least one year ahead of the main revenue budget plans. Work has been underway, led by the new officer Capital Investment Panel, to extend this out by at least three years if not further, and the results of this will be presented in the February budget report. At this stage the table below shows the capital budget originally approved in March 2015, adjusted for changes already agreed through the normal decision making process.

Table Three: Current capital programme*The approved general fund capital budget is approximately £240m*

Capital programme	Original 2016/17	Revised 2016/17	2017/18	2018/19	2019/20
	£m	£m	£m	£m	£m
Schools	38.8	53.3	50.1	41.2	21.7
Highways & Footways	7.2	7.2	0.0	0.0	0.0
Street lighting	0.0	6.5	0.0	0.0	0.0
South Kilburn	21.7	14.8	21.5	6.4	8.7
GF Housing (ex NAIL)	4.9	6.2	0.0	0.0	0.0
NAIL	0.7	0.7	0.0	0.0	0.0
All others	2.0	2.6	0.0	0.0	0.0
Total	74.4	91.4	71.6	47.7	30.5

- 6.4 What is striking about the capital programme is how little of it is strategically determined by the council. This reflects the national funding position, where increasingly capital resources have, over the last few years, been essentially directed nationally, or at least regionally. It is a planned feature of the capital programme that the only allocations past 2016/17 at this stage are for ongoing major schemes: the council has deliberately chosen to defer budgeting for further ongoing investments over the last couple of years in order to facilitate a major review of the programme and its funding, and to reduce borrowing costs.
- 6.5 The schools programme is essentially funded nationally. In recent years the council has made difficult choices to allocate its own capital resources to supplement the national programme, but these are a relatively small proportion of the total. The council lacks the revenue resources to supplement this in the future without adding further pressure to its strained revenue budget, unless schools' forum agrees to add further resources from the DSG to meet the need.
- 6.6 Similarly, the programme for highways and footways has largely been funded from TfL resources. Again, the council has in the past chosen to borrow additional funds to finance upkeep and maintenance, but the revenue cost of this is again unsustainable in the medium term.
- 6.7 Where the council has chosen to act as a catalyst for regeneration it has a good record to date. Significant developments, for example at Wembley and in South Kilburn have been enabled through leveraging in private resources and by imaginative recycling of the council's own assets, through disposal of non-core assets. This is a good model for regeneration, and should continue, but as more and more non-core assets have been disposed of it becomes harder and harder to sustain this into the future. Even the, largely welcome, changes to development finance for local authorities, with increasing reliance on CIL and less use of s106 agreements have not wholly offset the issues this gives rise to. The council is still mostly in the position of using its capital programme to mitigate the impact of development rather than driving it.
- 6.8 There are noteworthy exceptions to this. The council has invested its own capital resources in the NAIL project, which has helped to transform aspects of the adult social care service, generating significant revenue savings whilst enhancing the

independence of service users. More recently investment has been approved in street lighting, which again will generate significant revenue savings whilst reducing the carbon footprint through more modern and efficient street lighting apparatus.

- 6.9 However, to meet the challenges of the next few years, which have been set out more fully in this report, it is clear that the approach to capital investment will need to change. Many local government services are capable of being transformed through capital investment. Although it is still the case that the nature of many services remains, and will remain, rooted in daily costs such as for social workers and street cleaners, it is possible to transform these by applying capital resources in more cases than is often assumed. The NAIL project is merely one good example of this.
- 6.10 The current macro economic climate strongly favours capital investment, with interest rates at historically low rates. In addition, the council has sensibly maintained a strong balance sheet through the first few years of the austerity programme. The easy choice would have been to use this to delay revenue savings. Whilst this would have preserved a few services for a brief period of time it would not have been sustainable, and as a strategy would only have left the council facing much more drastic cuts now. As these budget proposals show, the council is now in a position to achieve at least most of the savings it now needs to balance its 2017/18 budget (in addition to 2016/17) with relatively little further reductions to services.
- 6.11 This is not to suggest that the new proposals introduced by way of this report will have no impact on services, but merely shows that this strong approach to long-term planning has served the council well. In addition, a review has been carried out of the balance sheet. This has shown that a number of risks were being counted on departmental balance sheets and also covered by some of the corporate provisions that any well run organisation needs to preserve. By centralising these resources it will be possible to release funds for further capital investment.
- 6.12 Going further, the council may also need to develop a greater appetite for taking on modest and well managed financial risks in its capital programme. Brent holds significant opportunities for financial investment. Its population is well served, in the main, by transport links, and property prices have risen accordingly. Although this presents significant and substantial issues in delivering services, and for residents, especially as property prices rise beyond affordability for all but a handful of residents, it also means that taking on a more acquisitive property strategy is likely to help secure the council's longer-term financial future. By investing now in the right property assets the council can, through its unique combination of regeneration powers and functions and ability to borrow at very low rates, generate reductions to its ongoing costs.
- 6.13 This investment strategy will need to be developed over the budget cycle. It will have a variety of different features, balancing immediate service needs and long-

term investment opportunities and the mix of revenue and capital funding for each area. As proposals are worked up they will be brought forward for decision.

7.0 Budget process and consultation

- 7.1 The council's minimum legal duty in February 2016 will be to set a budget and council tax for 2016/17. As set out in this report, although decisions about council tax have still to be fully considered and taken, the service budget for 2016/17 can largely be set on the basis of savings proposals which have already been consulted on extensively, subject to the results of the local government settlement.
- 7.2 For clarity, these are the proposals set out in Appendix One. These were agreed in March 2015, following consultation at each Brent Connects meeting, two large scale externally hosted public Q&A events and a well-publicised campaign on the council's website which attracted many responses.
- 7.3 Clearly, in the consultation process set out below, it will be open for respondents to raise issues about these proposals if they so choose. However, on the basis that they have already been consulted on extensively, and agreed to go forward when other budget proposals were explicitly rejected through that process, the reasonable working assumption is that these proposals will proceed unchanged. Respondents will, instead, be invited to focus their attention on the new proposals for 2017/18 and 2018/19. These are summarised in Appendix Two and set out in detail in Appendix Three.
- 7.4 Brent Connects is a well established consultation mechanism. It is therefore proposed that the proposals in Appendix Two should be taken to each of the Brent Connects meetings and to two further public meetings.

8.0 Schools

- 8.1 This section of the report sets out the school budget proposals for 2016/17 which is provisionally estimated as £221.6m. This relates only to the schools funding formula which covers mainstream schools in years' reception to eleven. The provisional budgets have been calculated assuming the same funding total as 2015/16.
- 8.2 In 2015/16 the DfE distributed additional £390m revenue funding to the least fairly funded local authorities with Brent receiving a share of £11m. The DfE has confirmed that this funding will continue to be included within DSG allocations.
- 8.3 The Schools Forum was consulted on the provisional budget in October and as a result recommends the 2016/17 provisional budget.
- 8.4 The provisional schools' funding calculations for 2016-17 are based on:
- The October 2014 NOR (Number on Roll);
- Any known changes such as rates, amalgamations, growing

free schools and pupil number adjustments for expansions.

- 8.5 The total funding for distribution is assumed to be the same in these calculations, however as the number of pupils in Brent grows, the funding is required to stretch further. In order to distribute funding across a greater number of pupils, the amount per pupil for all pupil-led funding factors had to be reduced. As a result all schools, except new schools and those that are being permanently expanded, will realise reductions in funding for 2016/17. It may however be the case that when provisional DSG allocations are announced in December that Brent will receive more funding due to growing pupils on roll at October 2015, and an increase will be applied to the funding pot which would reduce the level of funding reductions shown.
- 8.6 In addition, the Schools Forum previously agreed for Brent's primary: secondary ratio to remain inline with the national ratio in response to Brent having the lowest ratio in England in 2013/14. Pupil-led funding factor adjustments described in the above paragraph have therefore taken this into account.
- 8.7 No further changes were applied to the funding formula for 2016/17.
- 8.8 As a result of the changes explained above, whilst a small minority of schools received protection through the minimum funding guaranteed (MFG) in 2015-16, the majority of schools would receive MFG in 2016-17. The MFG ensures that mainstream schools are guaranteed to not lose more than 1.5% per pupil for pupils in years' reception to 11.
- 8.9 The schools' provisional budget is calculated based on the principles above, using pupil numbers as at October 2014 census. The final schools' budget will be calculated in December based on the most current pupil numbers as at October 2015 census.

9.0 Financial Implications

- 9.1 There are no direct financial implications of agreeing the recommendations of this report. However, the entire report is clearly highly relevant to the council's overall financial standing.
- 9.2 The overall budget setting timetable for the 2016/17 is set out overleaf:

Date	Activity
23/11/15	Full Council: First Reading debate
14/12/15	Cabinet: Collection Fund Surplus
25/01/16	General Purposes: Council Tax Base and Business Rates Estimate
08/02/16	Cabinet: Budget Proposals 2016/17
22/02/16	Full Council: Budget and Council Tax Setting

10.0 Legal Implications

- 10.1 A local authority must budget so as to give a reasonable degree of certainty as to the maintenance of its services. In particular, local authorities are required by the Local Government Finance Act 1992 to calculate as part of their overall budget what amounts are appropriate for contingencies and reserves. The Council must ensure sufficient flexibility to avoid going into deficit at any point during the financial year. The Chief Financial Officer is required to report on the robustness of the proposed financial reserves.
- 10.2 Under the Brent Member Code of Conduct members are required when reaching decisions to have regard to relevant advice from the Chief Finance Officer and the Monitoring Officer. If the Council should fail to set a budget at all or fail to set a lawful budget, contrary to the advice of these two officers there may be a breach of the Code by individual members if it can be demonstrated that they have not had proper regard to the advice given.
- 10.3 In accordance with the Local Government Finance Act 1992, where a payment of Council Tax that a member is liable to make has been outstanding for two months or more at the time of a meeting, the member must disclose the fact of their arrears (though they are not required to declare the amount) and cannot vote on any of the following matters if they are the subject of consideration at a meeting: (a) any decision relating to the administration or enforcement of Council Tax (b) any budget calculation required by the Local Government Finance Act 1992 underlying the setting of the Council Tax or (c) any recommendation, resolution or other decision which might affect the making of the Annual Budget calculation. These rules are extremely wide in scope so virtually any Council decision which has financial implications is one which might affect the making of the budget underlying the Council Tax for next year and thus is caught. The former DoE (now DCLG) shared this interpretation as it made clear in its letter to the AMA dated 28th May 1992. Members who make a declaration are not entitled to vote on the

matter in question but are not prevented by the section from taking part in the discussion. Breach of the rules is a criminal offence under section 106 which attracts a maximum fine of £1,000.

11.0 Diversity Implications

- 11.1 Under the Public Sector Equality Duty (PSED) in the Equality Act 2010, Brent Council is required to pay due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different protected groups when making decisions. The PSED does not prevent decision-makers from making difficult decisions in the context of the requirement to achieve a significant level of savings across all operations. It supports the Council to make robust decisions in a fair, transparent and accountable way that takes into account the diverse needs of all our local communities and/or workforce.
- 11.2 Members are reminded that the budget can be described as a financial plan of the Council's current operational intent. Where known, the equality impact of change must be disclosed. In March 2015 the Council agreed its budget for the current year, and a number of other proposals to be built into the budget from 2016/17 (Appendix One). These proposals went through extensive consultation and were subject to full Equality Impact Assessments. No changes to these are proposed.
- 11.3 The new saving proposals for 2017/18 and 2018/19 are set out in Appendix Two, with more detailed information on each proposal available in Appendix Three. All saving proposals have been subject to the Council's Equality Impact Assessment screening process to assess their potential/likely impact on service users and/or staff with protected characteristics. The results of this screening is shown in the appendices.
- 11.4 This report is seeking authority to consult on these proposals. The final proposals will be put to the February 2016 meeting, and will be informed by the consultation and full Equality Impact Assessments so that Members can make informed decisions on whether to adopt, amend or reject these.

12.0 Staffing Implications

- 12.1 None directly as a result of this report.

13.0 Background Information

- 13.1 Report to Cabinet, October 2015 – Budget Strategy and Financing Update
- 13.2 Report to Council, 3 March 2015 – Budget and Council Tax 2015/16

14.0 Contact Officer

- 14.1 Conrad Hall, conrad.hall@brent.gov.uk

CONRAD HALL
Chief Finance Officer

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Savings Agreed in 2015/16 Budget Process

Ref No	Unit /Service	Description:	Item	2016/17 (£'000)	2017/18 (£'000)	2018/19 (£'000)
ASC001	Residential & Nursing	Usual rates	Negotiations with Residential and Nursing care providers to ensure value for money. Savings of £410k included in 2015/16	420	0	0
ASC002	Residential & Nursing	Reduce residential care to necessary minimum and increase extra care/supported living housing	Transform the accommodation based care market in line with the Council's Market Position Statement. Reducing to a minimum the focus on residential and nursing care and developing Extra Care Sheltered/Supported Living Accommodation to give the vast majority of people who need accommodation based care greater independence and improved quality of life. Savings of £370k included in 2015/16	4,110	1,400	1,400
ASC007	Direct Services	Outsourcing of direct services	The proposal is to close Kingsbury Resource Day Centre, subject to full consultation, and re-provide the service for individuals in the independent sector. Options appraisals for the building will take place as part of the consultation process to identify the best use for them going forward. This could include: sale, re-use for supported living, or community hubs. In addition, subject to full consultation, we will change Tudor Gardens Residential home to Supported Living accommodation in line with the Market Position Statement. Savings of £432k included in 2015/16.	323	0	0
ASC009	Home Care	Increase Direct Payments	Doubling the number of Direct Payments over the two years from 384 currently and significantly increasing the employment of Personal Assistants (PA) with a Direct Payment. A PA is usually a home carer directly employed by the service user. It means the service user can ensure their carer is the right person for them and that they get the same person for every call. Savings of £120k included in 2015/16.	187	0	0
ASC016	Mental Health	Transformation of mental health social care operating model	Phase 2 of the Mental Health redesign project will re-design the workforce and the operating model for mental health social care and will present options for saving £750k as part of this process. Savings of £500k included in 2015/16.	250	0	0
CYP001	Early Help & Education	Children's Centres review	Implement a partnership model for the Children's Centres by tendering the management and day to day delivery in centres to an external provider. Savings of £237k included in 2015/16.	263	0	0
CYP002	Early Help & Education	Early Years	Review future resource requirements in general workforce budgets. Savings of £20k included in 2015/16.	35	0	0

CYP003	Early Help & Education	Youth Services	Reduce management and infrastructure costs in 2015/16, and establish a new delivery model by 2016. Savings of £100k included in 2015/16.	900	0	0
CYP010	Children's Social Care	Children's Placements	Changing the placement mix between residential placements, Independent Fostering Agencies (IFA) and Brent Foster Carers. Saving to be achieved by moving 9 of the lowest need Looked After Children in residential placements to high end IFA placements, followed by a similar move of low end IFA placements to Brent Foster Carers. Savings of £300k included in 2015/16.	700	0	0
CYP020	Children's Social Care	Staffing redesign in Children's Social Care	Reduction in managerial posts as part of revised managerial and supervisory structures resulting from the redesign of Children's Social Care over the next 18 months as part of the DfE Innovations Project. Savings of £171k included in 2015/16.	170	0	0
R&G001	Regeneration & Growth	Updated TA forecast based on 13/14 performance	The £1.0m figure is under review in the light of ongoing trends in homeless presentation and acceptances. Savings of £1.3m included in 2015/16.	500	500	0
R&G008	Regeneration & Growth	Property Strategy & Projects	Reduction in revenue budget to support capital projects – the main implication will be a reduction in the capacity of the Council to bring forward capital projects, resulting in either fewer projects or slower delivery times. Alternative models of project delivery will also be explored. Savings of £200k included in 2015/16.	100	0	0
R&G011	Regeneration & Growth	Investment Team	Use the CIL administration charge to fully fund the development fund and information manager. Savings of £61k included in 2015/16.	20	20	0
R&G012	Regeneration & Growth	Planning & Building Control	Increase income through generating more trading business. Prioritise resources on non-ringfenced income generation work – particularly targeting and securing work through cross-boundary working via partnership schemes. Savings of £50k included in 2015/16.	50	25	0
R&G014	Regeneration & Growth	Private Housing	Increased cost recovery following on from introduction of additional and selective licencing. Licensing income is subject to a statutory ring fence however there are some activities already carried out within Private Sector Housing which can legitimately be funded from income, thereby releasing General Fund. Savings of £50k included in 2015/16.	50	0	0
R&G017	Regeneration & Growth	Facilities Management & Civic Centre	To be read in conjunction with R&G26. This proposal assumes further letting of space in the Civic Centre to a third party with a resulting service charge for the cost of FM. The saving assumes a further floor of the Civic Centre can be made available and let by 2016.	124	124	0

R&G018	Regeneration & Growth	Housing Needs	Shared service arrangements for housing register and allocated scheme - £100k to £200k. Initial work being undertaken with neighbouring borough where the use of common approaches and systems has been identified. This may offer potential for shared service savings and the spreading of back office/overhead costs. Initial arrangements to be in place during 15/16 (part-year saving). Savings of £20k included in 2015/16.	140	40	0
R&G020	Regeneration & Growth	Capital Portfolio Office	Removal of service manager post and closure of capital portfolio office. The capital portfolio office provides programme management office services to the proportion of the capital portfolio that is consolidated within Regeneration & Growth – namely schools, estate regeneration and the provision of new Council buildings. The proposal is to cease this service in 2016/17, when the Verto project management software is fully embedded. An alternative proposition would be to transfer responsibility for this service to another part of the Council, most obviously the One Council PMO. This is currently being reviewed as part of the wider review of Capital Projects. Savings of £77k included in 2015/16.	70	0	0
R&G021	Regeneration & Growth	Supporting People	Revised arrangements for the START plus service as a consequence of the Supporting People Fundamental Review. Savings of £50k included in 2015/16.	150	0	0
R&G022	Regeneration & Growth	Private Housing	A notional saving from Private Housing Services as a consequence of the proposed wider regulatory services review. One option to be explored is a shared service with one or more neighbouring borough.	100	0	0
R&G025a	Regeneration & Growth	Income Generation through gaining "Approved Inspection" status	Enabling Brent to undertake Building Regulation work throughout England. Explore the potential for increasing the level of income generated by Building Control through gaining "Approved Inspector" status. This would enable Brent to undertake Building Regulation work throughout England without need to obtain the host local authority's agreement to work within their area. This ability will allow Brent to market the services in the same way as the private sector company and compete with Private Sector AI's. In taking forward this model we will review our charges to reflect market rates but ensure they remain competitive and need to develop mechanisms whereby inspection of works can be effectively resourced / undertaken.	65	35	0
R&G025b	Regeneration & Growth	Increase of income through charging	Increase of income through charging or expanding current charges for some services e.g. pre-application advise for domestic applications. Explore the possibility of introducing a premier service subject to legal constraints and resourcing. Savings of £10k included in 2015/16.	100	0	0

R&G025f	Regeneration & Growth	Letting Agency	BHP will be establishing a lettings agency in 2014. The business plan projects completed additional surpluses of £350k per annum being generated from year five (2018/19). The saving represents increased income from the provision property and tenancy management services to private sector properties.	0	175	175
R&G025g	Regeneration & Growth	Increased Income and Efficiencies from Disabled Facilities Work	Efficiencies in relation to the administration and supervision of Disabled Facilities Grant in areas such as services to self funders / partnership working better integration with BHP.	20	40	0
R&G026	Regeneration & Growth	Income from the Civic Centre	Proposals will be developed for increased income from the Civic Centre. The additional income assumed from 16/17 onwards assumes that an additional floor being made available and a tenant found to occupy the space on a commercial basis from 2016. To be read in conjunction with R&G17 which represents the service charge that could be achieved and the FM costs that could then be offset.	150	150	0
R&G027	Regeneration & Growth	Fundamental Review of Supporting People	Supporting People resources are used to sustain housing tenancies for the most vulnerable residents in the Borough through the provision of 'floating support services' and specialist hostel accommodation. A fundamental review of the effectiveness of these preventative services is underway and services will be reconfigured in the light of this review to deliver the saving.	1,200	0	0
R&G027a	Regeneration & Growth	Supporting People	This would significantly reduce support to the most vulnerable people in Brent to retain their tenancies. It is likely to result in increased homelessness with consequential costs arriving elsewhere in the housing budget.	1,000	0	0
R&G029	Regeneration & Growth	Regeneration Investment Service	Significant reduction in scale of the dedicated regeneration capacity of the Council. To be read in conjunction with R&G10. The key implication would be the shift to a model based on project specific assignments.	200	100	0
R&G035	Regeneration & Growth	Housing Needs Service Redesign and Efficiencies	Reduce the number of Housing Options Officer posts by 4, over a two year period from 2016/17. Current approaches can be streamlined and operational efficiencies gained.	100	100	0
R&G036	Regeneration & Growth	Reduction of Welfare Reform Mitigation Team	It is forecast that the bulk of the households impacted by Overall Benefit Cap will have had their housing issues resolved by April 2015, and that the remaining workload and new cases will be dealt with by the established Housing Needs Teams.	100	0	0
ENS022	Regeneration and Growth	Regulatory Services	Fundamental review of regulatory services including planning and building control, looking at all options including shared services with other local authorities. Savings of £50k included in 2015/16.	100	0	0

ENS004	Community Services	Environment Policy and Projects Team	Close Welsh Harp Education Centre. The proposal would cease the provision of education for schoolchildren at this centre. Savings of £13k included in 2015/16.	14	0	0
ENS008	Community Services	BTS - One Council Project - updated as per new proposals - one council programme – changed in light of recent report to CMT	This reflects savings associated with a review of Brent Transport Service. Savings of £583k included in 2015/16.	100	0	0
ENS010	Community Services	Community Safety and Emergency Planning	To consider a new approach to managing Anti-Social Behaviour services across the borough, including consideration of a joint arrangement between the Community Safety Team and the BHP Community Safety Team.	100	0	0
ENS011	Community Services	Civil Contingency Post	To reduce the Emergency Planning Team by one post leaving only two posts. This is likely to require a shared service arrangement with another borough in order to maintain 24/7 cover. Savings of £25k included in 2015/16.	27	0	0
ENS012	Community Services	Charging for garden waste	Introduction a charge for garden waste via a subscription service at £40 per year per household. This was agreed by Cabinet in July 2014. Savings of £140k included in 2015/16.	238	0	0
ENS015	Community Services	Parking Service	Cost reduction and income generation opportunities. Consider CEO deployment, unattended enforcement, visitor parking charges and a number of other initiatives. Savings of £2,160k included in 2015/16.	921	134	0
ENS016	Community Services	Street Lighting	Replace existing street lighting with LED lighting to new British Standards and , optionally, a Central Managed System - This would require investment of around £7m.	0	750	0
ENS018	Community Services	Libraries, Art and Heritage	Transfer management of libraries to an established library trust resulting in business rates savings.	160	0	0
ENS020	Community Services	Libraries, Art and Heritage – grants	Gradually taper down Tricycle Theatre grant to zero by 2017/18. This would result in no outreach work to young people and schools. The arts service of two people is required to operate cultural facilities at Willesden Green Cultural Centre. This work to cease in 2017/18. Savings of £50k included in 2015/16.	75	205	0
ENS023	Community Services	Registration and Nationality	Extend current joint service with Barnet to at least one other council. Savings of £50k included in 2015/16.	50	0	0

ACE002	Strategic Commissioning	Review of grant funding to London Councils	The Council cannot withdraw from, or unilaterally reduce its funding to, the Grants Programme. On the contrary, s.48(7) Local Government Act 1985 provides that a grants scheme such as this one, once agreed by the majority of the London borough councils, may be binding upon a dissenting London Borough council in the absence of its agreement. We have explored the legislative scope for this. Section 48 of the Local Government Act 1985, which established the London Councils grant scheme, stipulates that councils can only vary their contribution to the grant scheme with the agreement of at least two thirds of London Boroughs. The time available to implement any agreed change would significantly limit the level of savings achieved in 2015/2016. The Council could start conversations now with leaders of other councils with a view to introducing a reduction in funding to London Councils at the end of this cycle of projects i.e. April 2017.	0	340	0
ACE004	Strategic Commissioning	Review of Grants and contracts to voluntary and community sector	This proposal sets out to do two things: 1. Streamline and refocus the funding available through the Themed Grants stream. Options are provided for the level of cut which might be applied. 2. Carry out a review on the current corporate spend on advice and guidance and look for opportunities to eradicate duplication, harmonise funds and deliver savings. The Partnership & Engagement Unit currently distributes c£2.1million (includes the funding to London Councils set out in ACE2 proforma) to the voluntary and community sector through grants and contracts. This funding is distributed through a variety of streams which run to different timescales.	410	0	0
F&IT005	Finance	Finance	Substantial cost reductions achieved by focusing on core tasks and by adopting a far more risk based approach	1,500	0	0
F&IT006	Strategic Commissioning	IT	Substantial cost reductions through a mixture of sharing services and reducing the application and other IT footprint within Brent to a core offering, with increased standardisation for users to lower costs. Savings of £1.7m to be achieved by a mixture of reducing staff numbers, stopping out-of-hours support, renegotiating contracts, reducing the IT application footprint to a core offering, with increased standardisation for users to lower costs.	1,620	0	0

HR001	Human Resources	Reconfiguration of function	It is proposed to carry out a major reconfiguration of the HR service in 2015/16 saving £1.4m by 2016/17. This will result in the merging of some areas in order to reduce the number of managers required in the new structure. It is the intention to devolve responsibility for some existing activities undertaken by the Learning and Development team to HR Managers. Other activities will be accommodated by a new performance team with a broader remit which will include resourcing, workforce development, policy and projects. In addition it is proposed to cap the existing trade union facilities time allocation awarded to GMB and Unison to a maximum of 1 x PO1 post per trade union, to move the occupational health service inhouse saving £60k and reduce the learning and development budget by £67k. In year 2016/17 further reductions in staffing can be potentially achieved through shared service arrangements within payroll, pensions, HR management information and recruitment. Savings of £696k included in 2015/16.	743	0	0
HR002	Human Resources	BIBS	This will have a significant impact on staffing as the budget is predominantly made up of staffing costs. It remains the intention to consider alternative models of delivery which will transform the service; ensure greater efficiency and improve the customer experience but in the short term an immediate reduction in posts will enable BIBS to generate savings of £700k in 2015/16. This will be achieved through reviewing the Executive Assistant arrangements in light of the senior manager restructuring; ceasing the provision of some administration activities such as AskHR & AskBIBS; and carrying out a cross service reduction in headcount. This is part will be assisted by reductions in service provision across the council's departments. Savings of £700k included in 2015/16.	1,180	0	0
L&P001 & 002	Legal	Legal Services	Different options of service delivery – outsourcing – private legal firm / buying from local authority that sells legal services and also London Wide work of setting up a shared service. Proposal to enter a shared service for legal. Savings of £400k have been brought forward from future years to 2016/17. Savings of £458k included in 2015/16.	900	0	0
L&P003 & 004	Members	Mayor Support / Service Committee	Review of support to elected Members, including reconfiguration of the democratic function. Savings of £140k included in 2015/16.	427	0	0
PRO001	Strategic Commissioning	Procurement -Reduced Service	Staff Reductions	270	0	0

R&G005	Community Services	Capita Savings	The Capita contract for Revenues & Benefits provides for 3% savings to be delivered year on year. The proposal here represents the full outcome of the renegotiation of the Capita contract price undertaken as part of the decision to extend the current contract for a further 3 years from 1st May 2016 to 30th April 2019. Savings of £321k included in 2015/16.	105	207	0
PH002	Strategic Commissioning	Public Health	Contribution to Childrens Centre Service. Savings of £375k included in 2015/16.	375	0	0
PH003	Strategic Commissioning	Public Health	Agreed that efficiencies would be made within public health once the grant ceased to be ring fenced and further opportunities sought to use grant to deliver across Council functions	1000	0	0
R&G032	Community Services	Customer Access Service	Implementation of new customer access strategy with a specific aim to reduce the current costs of contact handling by migrating customer contact on line, improve the efficiencies of telephone handling arrangements and optimising use of shared data to reduce the need for customers to have to contact multiple services with the same information. There is a £1.5m of savings which will be achieved across the Council and held as a central saving in 2016/17.	1,500	0	0
Total				23,412	4,345	1,575

SUMMARY**ANALYSIS OF SAVINGS BY BUDGET THEME**

Budget Theme	2017/2018 £'000	2018/2019 £'000	Total £'000
Driving Organisational Efficiency	2,425	2,425	4,850
Civic Enterprise	3,450	2,197	5,647
Making Our Money Go Further	3,650	4,650	8,300
TOTAL	9,525	9,272	18,797

Driving Organisational Efficiency

Ref No	Unit /Service	Description:	Item	2017/18 (£'000)	2018/19 (£'000)	Theme
DOE001	Support Planning, Reablement & Mental Health	Increase Direct Payments	This will mean that people pay for their home care/community support through independent Personal Assistants or direct purchasing of support from providers. A market for Independent Personal Assistants will continue to be developed in the local area to maximise the benefit.	50	50	Driving Organisational Efficiency
DOE002a	Early Help	Transformation of the design and delivery of early help	Effective and co-ordinated early intervention will build resilience and independence which will in turn move cases out of high risk and high cost services. As far as possible there will be a one worker to one family approach. Savings will be achieved through three main workstreams: 1. More effective co-ordination and signposting and to early intervention services delivered by partners including schools and the voluntary sector; 2. Improved use of research to ensure a greater strategic focus on high impact interventions and more effective assessment of individual need. Savings will be achieved by reducing delivery of low impact or repeat interventions; 3. Planned structural change across CYP. In the first instance this will enable the delivery of a more coherent offer which is expected to reduce demand for high cost services. Any reduction in demand will then enable a further reduction in headcount.	350	550	Driving Organisational Efficiency
DOE002b	Children's Social Care	Signs of Safety and Social worker recruitment	Increased efficiencies of £200k driven by the Signs of Safety programme and a linked, but separate, reduction in the reliance on agency staff across the division. There are approximately 70 agency social workers, deputy and team managers in children's social care currently. Over the two year period the plan is to reduced this by 40, this would realise a saving of approximately £300k.	300	200	Driving Organisational Efficiency
DOE002c	Children's Social Care	Regionalising Adoption	Government has indicated its intention to regionalise some or all of local authority adoption services by 2017. In London the preparatory work is being led by the London Adoption Consortium which is currently conducting a scoping exercise on the model that this regionalisation could take and the scale and type of services that could be regionalised. This piece of work is due to conclude in March 2016 with a view to delivering from April 2017. Local Authorities will not be able to stop providing adoption services but they will be delivered differently; whether through a collection of Local Authorities or commissioned with a single provider. This will lead to some efficiencies – particularly in the area of the recruitment and assessment of adopters as well as the provision of post-permanency support. Current estimates are that it will be 15% of the budget £100k.	100	0	Driving Organisational Efficiency

Driving Organisational Efficiency

Ref No	Unit /Service	Description:	Item	2017/18 (£'000)	2018/19 (£'000)	Theme
DOE003	Community Services	To review staffing structures and spans of control across the eight services divisions	Savings of £2.25m would come from a 20% reduction in FTE across all eight services. The review would particularly include contract management and strategy development arrangements so that these can be standardised and rationalised across all large operational contracts in a way that creates consistency of approach and improved service outputs.	1,125	1,125	Driving Organisational Efficiency
DOE004	Corporate Business Support	Review support service costs	The proposal is to review the level of support services provided within the council– human resources, legal, IT, business support and finance – in the future to create a leaner more efficient service to users. The options for achieving the saving are: restructuring, merging, outsourcing, shared services, and driving greater efficiency through technology and self-service.	500	500	Driving Organisational Efficiency
Total				2,425	2,425	

Civic Enterprise

Ref No	Unit /Service	Description:	Item	2017/18 (£'000)	2018/19 (£'000)	Theme
CE001	Support Planning & Reablement	Additional Continuing Health Care (CHC) Funding	The saving comes from the CCG funding care packages rather than the council. It should mean a better service for users with complex needs. The CCG should fund this care as they have the necessary skills to meet these needs. Previously a move to CHC funding has meant a loss of choice and control for the user that they had with a social care package, but this is no longer the case as they can now have a Personal Health Budget.	400	400	Civic Enterprise
CE002	Cross Department	Income Generation	The generation of advertising and sponsorship income of £300k from increasing the number of on street (large and small format) billboards, lamppost banner, advertising on the council's website/intranet and roundabout sponsorship. Put in place concession contracts for the installation of wireless equipment on lampposts and review current position on rooftops and small spaces/buildings generating £210k. Carry out a review of fees and charges comparing Brent to neighbouring authorities in order to bring our charges in line including for services that were previously free with a view to raising £1.99m of additional revenue.	1,250	1,250	Civic Enterprise
CE003	Digital Services	IT Sales	Following the successful provision of ICT services to the LGA and the establishment of the shared service with Lewisham. The Lewisham service will start in April 2016 covering infrastructure support and in 2017/18 will be extended to other applications. Digital services would be looking to offer ICT services on a commercial basis to other organisations. The service is already in discussion with a number of London boroughs that have expressed interest in what we can do for them and are looking to develop this so that we can have something in place for April 2018.	375	375	Civic Enterprise
CE004	Parking & Lighting/Parking	Eliminate the additional overhead costs of the Serco parking contract	It was originally intended that the cost of the overheads for the Serco parking contract would be apportioned on a 60:38:2 ratio between the three participating boroughs: LB Brent; LB Hounslow; and LB Ealing; respectively. The ratio was calculated in proportion to the value of the overhead costs being transferred to Serco at the commencement of the contract. Immediately prior to the letting of the contract, LB Hounslow identified a shortfall on the savings target required by their administration. It was agreed between the boroughs that, on a temporary basis, the ratio would be amended to 80:18:2 (Brent: Hounslow: Ealing), with a review in January of each year to assess whether the additional contribution from Brent to Hounslow could still be justified. Brent's additional contribution is £347k p.a. and this will be reviewed.	300	47	Civic Enterprise

Civic Enterprise

Ref No	Unit /Service	Description:	Item	2017/18 (£'000)	2018/19 (£'000)	Theme
CE005	Finance	Better collection of debts and arrears	To generate at least £1m per annum from better collection of debts and arrears across the range of council paid for services and taxes. A review of the balance sheet and underlying processes has indicated that this is a realistic but stretching target at this stage. Following a detailed review by the One Council programme office and consultation with managers across the council officers have identified opportunities to improve debt collection, including through more efficient processing, better management of arrears, improved cross-council working through a newly established debt board and better management of clients with multiple debts. This work follows the successful pilot in adult social care debt that demonstrated the potential is one service area, and this model is now proposed to be extended across the council.	1,000	0	Civic Enterprise
CE006	Regeneration and Growth	Civic Centre - Rental Income	Additional income could come from additional lets eg Library café space, increased income from the basement car park or from further release of office space	125	125	Civic Enterprise
Total				3,450	2,197	

Making Money Go Further

Ref No	Unit /Service	Description:	Item	2017/18 (£'000)	2018/19 (£'000)	Theme
MGF001	Procurement	Contract Renewal Savings	There are 161 contracts due for renewal over the next three years (2016/17 - 2018/19). This includes 63 contracts above £500k and 98 contracts below £500k. The aim will be to approach the market with a target of 10% savings against current contract prices. In addition savings to be achieved on the end of the Streetlight PFI contract by replacing the current contract requirements by a repairs only contract	3,500	4,500	Making Our Money Go Further
MGF002	Transportation	Saving in combined budgets for core highways maintenance work within the Lohac contract and for separate reactive maintenance work.	The saving is a 10% reduction in budgets for highways reactive repairs (roads, pavements, signs, street furniture, markings), gulley cleansing, inspections and call outs.	50	50	Making Our Money Go Further
MGF003	Regeneration and Growth	FM Contract	Savings in FM contract. This could flow from a further reduction in buildings within the contract or from a revision to the contract. The alternative option which is unlikely to be acceptable to CMT, is to negotiate a reduction in the contract in return for triggering the additional period which is available at the end of the current contract period.	100	100	Making Our Money Go Further
Total				3,650	4,650	

Driving Organisational Efficiency
Budget Options Information

Reference:	DOE001
Budget theme(s):	Driving organisational efficiency
Service(s):	Support Planning, Reablement, Mental Health
Lead Member(s):	Councillor Hirani

Savings Proposals:	Increased use of direct payments

Financial and Staffing Information

2015/16	
Total budget for the service(s) £'000:	Support Planning £39,990 Reablement £32,059 Mental Health £ 5,412
Total post numbers in the services(s) (FTE):	Support Planning 63.0 Reablement 72.0 Mental Health 67.8

	2017/18	2018/19
	£'000	£'000
Proposed saving:	50	50
	FTE	FTE
Proposed staffing reduction	-	-

Proposed savings

This will mean that people pay for their home care/community support through independent Personal Assistants or direct purchasing of support from providers. A market for Independent Personal Assistants will continue to be developed in the local area to maximise the benefit.

How would this affect users of this service?

Direct Payments should give people more choice and control, but as outlined above it will also transfer some of the addition transactions to the service user or their carer, which they are not always keen to do.

Key milestones

To be confirmed.

Key consultations

This is not a change of policy, so we will continue to work with our service user and carer group to develop these changes, but we are not proposing a formal consultation.

Key risks and mitigations

The key risk in this project is whether we can set up a thriving Independent Personal Assistant market. The mitigation will be to support more people to move to Direct Payments through providers – the saving is slightly less, so we would need to move more people. There is also a limit to the people we can move to Direct Payments with providers without needing to change (increase) our Direct Payment rate.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups:	
	No
Disabled people	
Particular ethnic groups	
Men or Women (include impacts due to pregnancy/maternity)	
People of particular sexual orientation/s	
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	
People in particular age groups	
Groups with particular faiths/beliefs	
Marriage / civil partnership	

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment.

EIA required?:	No. This is not a change in policy. It will still be a choice to take up Direct Payments, and if someone does take them up they will have more choice about the services and support they receive.

EIA to be completed by:	N/A
Deadline:	N/A
Lead officer for this proposal:	Amy Jones

Budget Options Information

Reference:	DOE002a
Budget theme(s):	Driving organisational efficiency
Service(s):	Children & Young People
Lead Member(s):	Cllr Ruth Moher

Savings Proposals:	CYP Efficiency savings - Early Help Transformation

Financial and Staffing Information

2015/16	
Total budget for the service(s) £'000:	4,200
Total post numbers in the services(s) (FTE):	129

	2017/18	2018/19
	£'000	£'000
Proposed saving:	£350	£550
	FTE	FTE
Proposed staffing reduction	TBC	TBC

Proposed savings

How would this affect users of this service?

This proposal assumes a transformation of the design and delivery of Early Help to children and families in Brent. Effective and co-ordinated early intervention will build resilience and independence which will in turn move cases out of high risk and high cost services. As far as possible there will be a one worker to one family approach. Savings will be achieved through three main workstreams:

1. More effective co-ordination and signposting and to early intervention services delivered by partners including schools and the voluntary sector. The local authority will achieve savings by reducing direct delivery in some areas which are already well supported by partners. We will however increase the quality of professional supervision to ensure that we have a strong oversight of safeguarding

2. Improved use of research to ensure a greater strategic focus on high impact interventions and more effective assessment of individual need. Savings will be achieved by reducing delivery of low impact or repeat interventions.
3. Planned structural change across CYP. In the first instance this will enable the delivery of a more coherent offer which is expected to reduce demand for high cost services. Any reduction in demand will then enable a further reduction in headcount.

Key milestones

Early Help Project Board to be established by December 2015 – Chaired by Strategic Director Children and Young People.

The objectives of the board will be to plan and design a transformed early intervention offer that is able to manage demand, signpost effectively, engage with key partners to realign services (schools, voluntary sector, charities, etc) share costs and reduce duplication.

Key consultations

Initial capture of current early intervention offer – NGDP Graduate interviews with key staff across CYP and with main delivery partners.
Further consultations will be directed by the board.

Key risks and mitigations

Key Risks: There is ongoing growth in the numbers of children and young people in Brent and therefore an increase in demand for services at the same time as we are trying to transform the service offer and reduce demand.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups:	
	Yes/No
Disabled people	YES
Particular ethnic groups	YES
Men or Women (include impacts due to pregnancy/maternity)	
People of particular sexual orientation/s	
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	
People in particular age groups	YES
Groups with particular faiths/beliefs	

Marriage / civil partnership	

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment.

EIA required?:	Yes
EIA to be completed by:	EIA will be completed once more detailed proposals have been developed
Deadline:	TBC

Lead officer for this proposal:	Gail Tolley

Budget Options Information

Reference:	DOE002b
Budget theme(s):	Driving organisational efficiency
Service(s):	Children & Young People
Lead Member(s):	Cllr Ruth Moher

Savings Proposals:	CYP efficiency savings – Signs of Safety and Social worker recruitment

Financial and Staffing Information

2015/16	
Total budget for the service(s) £'000:	£6,341
Total post numbers in the services(s) (FTE):	184

	2017/18	2018/19
	£'000	£'000
Proposed saving:	£'300	£'200
Proposed staffing reduction	0 FTE	0 FTE

Proposed savings

The proposed savings are related to increased efficiencies from within children's social care driven by the Signs of Safety programme and a linked, but separate, reduction in the reliance on agency staff across the division.

The department has been working with the Signs of Safety England Innovations Programme to introduce the Signs of Safety approach to the work of the Children and Young People's Department since November 2014. The approach takes a strength based approach to working with families, supporting staff to develop a more robust approach to their work with children, young people and their families. The approach will create a more efficient and effective department and will make Brent a more attractive authority to work for, hopefully attracting more high calibre permanent staff to the borough.

Linked to the Signs of Safety approach is the need to increase the number (and percentage) of permanent staff working in the department and decrease our reliance on those employed on an agency basis. There is a national and London wide issue

in relation to the recruitment of social workers and social work managers, one aspect of which, being the increasing reliance on agency staff to fill vacancies. Agency staff are of variable quality, are by their nature transitory (on the whole) and expensive. There are approximately 70 agency social workers, deputy and team managers in children's social care currently. The proposal is to reduce this number over the two year period.

If the number of agency staff could be reduced by 40, this would realise a saving of approximately £300k. This will link into the work on Signs of Safety, creating a more efficient and effective department staffed by a more stable, committed and high quality staff group, which will in turn mean that cases can be closed more quickly (greater throughput), that only the right cases require allocation (reduced input) and that social workers are able to manage greater caseloads (greater capacity). We anticipate a further saving of £200k in 18/19 linked to these efficiencies.

How would this affect users of this service?

This proposal will only have a positive effect on service users who will benefit from more continuity with permanent staff with whom they are better able to develop an effective working relationship.

Key milestones

Nov 2015. An external partner will be recruited to assist with a permanent recruitment campaign for social workers and social work managers.
Other key milestones will be identified following discussion with preferred provider.

Key consultations

The process of recruitment is being jointly managed between HR and children's social care.

Key risks and mitigations

The key risk relates to the failure to hit the agreed target reduction of agency social work staff due to the national staff shortage and the fact that all local authorities are in completion for the same limited numbers of staff. This will be mitigated by working alongside a well reputed national recruitment expert targeting social work recruitment in the borough.

Equality impact screening

There will be no differential effect on protected groups as there is little difference between the profile of agency and permanent social work staff.

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups:	
	Yes/No
Disabled people	no
Particular ethnic groups	no
Men or Women (include impacts due to pregnancy/maternity)	no
People of particular sexual orientation/s	no
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender	no

reassignment	
People in particular age groups	no
Groups with particular faiths/beliefs	no
Marriage / civil partnership	no

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment.

EIA required?:	No
EIA to be completed by:	
Deadline:	

Lead officer for this proposal:	Gail Tolley

Budget Options Information

Reference:	DOE002c
Budget theme(s):	Driving organisational efficiency
Service(s):	Children & Young People
Lead Member(s):	Cllr Ruth Moher

Savings Proposals:	CYP efficiency savings – Regionalising Adoption

Financial and Staffing Information

2015/16	
Total budget for the service(s) £'000:	680
Total post numbers in the services(s) (FTE):	13.5

	2017/18	2018/19
	£'000	£'000
Proposed saving:	100	-
Proposed staffing reduction	TBC	

Proposed savings

The proposed savings are as follows:

1. Adoption staff reduction resulting from the regionalisation of adoption services. Government has indicated its intention to regionalise some or all of local authority adoption services by 2017. In London the preparatory work is being led by the London Adoption Consortium which is currently conducting a scoping exercise on the model that this regionalisation could take and the scale and type of services that could be regionalised. This piece of work is due to conclude in March 2016 with a view to delivering from April 2017.
2. Whilst the regionalisation programme will progress, what it will actually involve and whether it leads to a whole London adoption agency or one that is delivered sub regionally is as yet unclear.
3. The Local Authority will not be able to stop providing adoption services but they will be delivered differently; whether through a collection of Local Authorities or commissioned with a single provider. This will lead to some

efficiencies – particularly in the area of the recruitment and assessment of adopters as well as the provision of post-permanency support.

4. On the basis of this rationalisation, our analysis at this stage indicates that we will be able to deliver a £100,000, which is 15% of the total current budget for the service.

How would this affect users of this service?

This proposal is unlikely to have any significant effect on service users as the efficiencies created by rationalising the deliver model combined with the decreasing number of adoptions means that we fully expect service standards to be maintained. There is risk, but this is linked to the regionalisation, rather than the reductions, and this is outside of local control.

Key milestones

March 2016. Scoping for the regionalisation programme completed by London Adoption Board and decisions will be made by the DfE about the delivery model.
March 2017: Implementation of new approach, aligned to staff reductions (2 SW posts).

Key consultations

This process is being managed in the first instance by the London Adoption Board. Once a decision has been made about the delivery model, Brent will follow its own Managing Change procedures.

Key risks and mitigations

The risks are minimal as the reductions are linked to the increased efficiencies that will be derived from a pan London approach to adoption.

Equality impact screening

It is not anticipated that there will a differential impact on any of the protected groups as the impact of the reductions should be minimal.

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups:	
	Yes/No
Disabled people	no
Particular ethnic groups	no
Men or Women (include impacts due to pregnancy/maternity)	no
People of particular sexual orientation/s	no
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	no
People in particular age groups	no
Groups with particular faiths/beliefs	no

Marriage / civil partnership	no

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment.

EIA required?:	No
EIA to be completed by:	
Deadline:	

Lead officer for this proposal:	Gail Tolley

Budget Options Information

Reference:	DOE003
Budget theme(s):	Driving Organisational Efficiency
Service(s):	Community Services
Lead Member(s):	Cllrs Southwood, Denselow, Mashari

Savings Proposals:	To review staffing structures and spans of control across the eight services that comprise the Community Services Division. This will particularly include a review of contract management and strategy development arrangements so that these can be standardised and rationalised across all large operational contracts in a way that creates consistency of approach and improved service outputs.

Financial and Staffing Information

2015/16	
Total budget for the service(s) £'000:	38,614
Total post numbers in the services(s) (FTE):	459

	2017/18	2018/19
	£'000	£'000
Proposed saving:	1,125	1,125
	FTE	FTE
Proposed staffing reduction	46	46

Proposed savings

Savings of £2.25m would come from a 20% reduction in FTE across all eight services.

How would this affect users of this service?

It is not anticipated that users of the services will be adversely affected. The intention is to reduce FTE so that services are more efficient but no less effective. Currently, contract management, policy work and projects are managed independently of each other and in silos. A centralisation of contract management, policy and projects resource would reduce numbers, standardise our approach to create better consistency, create integration, create expertise and drive excellence.

A busy programme of strategy development work this year will see the need diminish in key areas from 2016.

Key milestones

- Restructure proposals drafted April – August 2016
- Restructure consultation from September 2017
- Revised staffing arrangements implemented from April 2017

Key consultations

- With all staff within Community Services.
- With any staff in other departments on whom there may be an impact.
- With Members.
- With any service users on whom there may be an impact.

Key risks and mitigations

- A key risk is the impact on staff morale through the restructure period.
- A key risk is the loss of key personnel.
- A key risk is the potential for adverse impact on service delivery during and after implementation.
- A key mitigation is full and meaningful consultation with all staff affected.
- A key mitigation is to use the process to create career opportunity for ambitious and talented staff.
- A key mitigation is to use vacancies and the offer of VR to offset the need for compulsory redundancies.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups:	
	Yes/No
Disabled people	Y
Particular ethnic groups	Y
Men or Women (include impacts due to pregnancy/maternity)	Y
People of particular sexual orientation/s	Y
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	Y
People in particular age groups	Y
Groups with particular faiths/beliefs	Y
Marriage / civil partnership	Y

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment.

EIA required?:	Yes
EIA to be completed by:	TBC
Deadline:	<i>TBC</i>

Lead officer for this proposal:	Chris Whyte

Budget Options Information

Reference:	DOE004
Budget theme(s):	Driving Organisational Efficiency
Service(s):	All Support Services
Lead Member(s):	TBC

Savings Proposals:	The proposal for Support Services savings of up to £500k per annum can be achieved through challenging and innovative approach to modernised services. The savings meet the external financial pressures for change whilst addressing efficiencies for the future of our Support Services. We are proposing to review the level of support services provided within the council– human resources, legal, IT, business support and finance – in the future to create a leaner more efficient service to users. Our support services makes significant contribution to our frontline delivery so, if we can make savings in the “back office”, we can spend more money on delivering services direct to our residents. The options are: restructuring, merging, outsourcing, shared services, and driving greater efficiency through technology and self-service.

Financial and Staffing Information

2015/16	
Total budget for the service(s) £'000:	TBC
Total post numbers in the services(s) (FTE):	TBC

	2017/18	2018/19
	£'000	£'000
Proposed saving:	500	500
	FTE	FTE
Proposed staffing reduction	TBC	TBC

Proposed savings

- £500,000 - 2017/18
- £500,000 – 2018/19

How would this affect users of this service?

A leaner more effective and efficient service

Key milestones

- Benchmarking cost/quality - (March 2016)
- Define core service offer and future vision - (April 2016)
- Review options for shared services/efficiency - (July 2016)
- Move into shared service models - (by end March 2017)
- Build on what works [review] - (December 2017)
- Further changes agreed + implemented - (March 2018)

Key consultations

Directors consulted on future needs (Jan – March 2016)

Key risks and mitigations

Service unable to meeting organisational demand

Equality impact screening

TBC

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Civic Enterprise
Budget Options Information

Reference:	CE001
Budget theme(s):	Civic Enterprise
Service(s):	Support Planning, Reablement
Lead Member(s):	Councillor Hirani

Savings Proposals:	Additional CHC contributions

Financial and Staffing Information

2015/16	
Total budget for the service(s) £'000:	Support Planning £39,990 Reablement £32,059
Total post numbers in the services(s) (FTE):	Support Planning 63.0 Reablement 72.0

	2017/18	2018/19
	£'000	£'000
Proposed saving:	400	400
	FTE	FTE
Proposed staffing reduction	-	-

Proposed savings

Continuing Health Care funding is a right for anyone whose needs are so complex that they have a 'primary health need'. Supporting people to access this funding will remain a priority, and so an additional target set for transferring financial responsibility for eligible care packages to CHC CCG funding has been included. The saving comes from the CCG funding care packages rather than the council.

How would this affect users of this service?

It should mean a better service for users with complex needs. The CCG should fund this care as they have the necessary skills to meet these needs. Previously a move to CHC funding has meant a loss of choice and control for the user that they had with a social care package, but this is no longer the case as they can now have a Personal Health Budget. There should be no negative impact on users.

Key milestones

To be confirmed.

Key consultations

There are no consultations for this work as it is about supporting people to get their entitlement.

Key risks and mitigations

The key risks are:

- There are unintended consequences of the Care Act which change the eligibility requirements for CHC funding – this is being highlighted at a national level
- This saving is about the local authorities entitlement based on national criteria. There is a risk however that the CCG perceive this as cost shunting by the council.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups:	
	No
Disabled people	
Particular ethnic groups	
Men or Women (include impacts due to pregnancy/maternity)	
People of particular sexual orientation/s	
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	
People in particular age groups	
Groups with particular faiths/beliefs	
Marriage / civil partnership	

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment.

EIA required ?:	No
EIA to be completed by:	N/A
Deadline:	N/A

Lead officer for this proposal:	Helen Duncan-Turnball

Budget Options Information

Reference:	CE002
Budget theme(s):	Civic Enterprise
Service(s):	Across Departments
Lead Member(s):	Cllr Pavey

Savings Proposals:	This saving proposal focuses on two key areas: Revenue Generation To be sought from following areas:- <u>Advertising</u> (£300K) – examination has identified opportunities to increase advertising and revenue through increasing the number of on street (large and small format) billboards, lamppost banners, advertising on the council's website / intranet and roundabout sponsorship. <u>Wireless</u> (£150K) – put in place concession contracts for the installation of wireless equipment on lampposts and spaces and review current position on rooftops. Fees and charges • A complete review of all fees and charges will be undertaken. • Recently published CIPFA guide on Income Maximisation will be used to assist to ensure that all costs that can be properly be levied are identified to ensure full cost recovery. • Review will include analysis to determine how Brent's charges compare to other councils and other competitors in the market – initial study of 8 areas will be undertaken to show Brent's relative positions.

Financial and Staffing Information

2015/16	
Total budget for the service(s) £'000:	Across all departments
Total post numbers in the services(s) (FTE):	N/A

	2017/18	2018/19
	£'000	£'000
Proposed saving:	£1,250	£1,250
	FTE	FTE
Proposed staffing reduction	N/A	N/A

Proposed savings

The proposed savings are split down as per the below table. For some of the areas, such as fees and charges, wireless on lamp posts and advertising on the web and intranet, additional income will be achieved earlier than 2017/18.

	£'000
Advertising & Sponsorship	300
Wireless concessions (lamp posts)	50
Wireless concessions (roof tops)	100
Wireless concessions (small spaces / buildings)	60
Fees and Charges Review	1,990 **
TOTALS	2,500

Following on from a top level initial review, the below areas identify where Brent is below average for Outer London on income collected. Further work is being undertaken to look at where fees and charges can be increased or charges applied for services which were previously free, in line with our neighbouring boroughs.

** Fees and charges review table

Service	Income 2013/14			Additional Income if raised to OL Average*
	London Average	Outer London Average	Brent	
	£'000	£'000	£'000	
Waste Total	(1,805)	(2,688)	(1,123)	470
Planning & Development Total	(5,482)	(4,529)	(3,455)	322
Highways and Transportation (not including parking) Total	(3,611)	(3,770)	(2,222)	464
Culture, Sport and Recreation Total	(4,374)	(4,180)	(1,760)	726
Totals				1,982
*minus the cost of additional expenditure				

How would this affect users of this service?

Fees and charges – this will have an effect on users of the council's services as they will either be required to start paying for services which will have been previously free of charge, or pay increased charges.

Wireless – this will enable residents / visitors and businesses in areas of high footfall to have enhanced web access.

Lampposts banners / large and small advertising hoardings – residents will notice more advertising on routes throughout the borough.

Website / intranet advertising – users of the council's website and staff will notice adverts for the first time. Several councils have already gone down this route and they have reported a minimal effect on users.

Key milestones

Fees and charges – preliminary work on fees and charges is progressing with departments. Reviews will be taken forward in tranches and this will enable some of the additional income to be achieved earlier than 2017/18. Where relevant, we will be seeking approval to make amendments to fees and charges to reflect market conditions as and when required, without the need to go to cabinet.

Lamp posts banners / large and small advertising hoardings

Phase 1 – Initial report on proposals and opportunities – completed

Phase 2 – Commissioning of external organisation to take advertising sites to market – to be completed by April 2017.

Website / intranet advertising – in-house web team to undertake a procurement exercise to take this forward – to be completed by April 2016

Wireless – this will be split into three tranches

Tranche 1 – Wireless on lamp posts – to be completed by April 2016.

Tranche 2 – Wireless on small spaces / buildings – to be completed by mid 2016/17.

Tranche 3 – Wireless on rooftops – to be completed by August 2016.

Key consultations

Fees and charges – service user consultation will be undertaken where relevant as each area is reviewed.

Advertising – None.

Wireless – discussions with Communications to be held regarding branding of the wireless service.

Key risks and mitigations

Fees and charges – the risks associated with this key area are as follows:

- Failure to achieve additional income;
- Loss of current market share;
- Debt collection failure.

Advertising – the risks associated with this key area are as follows:

- Demand for advertising on sites available may not be as high as anticipated;
- Failure to achieve income;
- Reputation – users of website / intranet might feel products / services are a distraction from core council business.

Wireless – the risk associated with this key area is as follows:

- Failure to achieve income target.

Equality impact screening

Fees and Charges - an individual EIA will be completed for each service area as and when reviewed where appropriate.

Wireless – N/A.

Advertising – N/A.

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups:	
	Yes/No
Disabled people	TBA
Particular ethnic groups	TBA
Men or Women (include impacts due to pregnancy/maternity)	TBA
People of particular sexual orientation/s	TBA
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	TBA
People in particular age groups	TBA
Groups with particular faiths/beliefs	TBA
Marriage / civil partnership	TBA

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment.

EIA required?:	Yes/No
EIA to be completed by:	TBA
Deadline:	TBA
Lead officers for this proposal:	Terry Brewer / Rob Mansfield

Budget Options Information

Reference:	CE003
Budget theme(s):	Civic Enterprise
Service(s):	Digital Services
Lead Member(s):	Cllr Pavey

Savings Proposals:	Further IT sales

Financial and Staffing Information

2015/16	
Total budget for the service(s) £'000:	£5.5m
Total post numbers in the services(s) (FTE):	61

Net Budget taking into account savings agreed in future years

Financial Year	Net Budget £'M
2015/16	£5.5
2016/17	£3.9
2017/18	£3.9

	2017/18	2018/19
	£'000	£'000
Proposed saving:	£375	£375
	FTE	FTE
Proposed staffing reduction	None	None

Proposed savings

Following our successful provision of ICT services to the LGA and the establishment of the shared service with Lewisham we would be looking to offer ICT services on a commercial basis to other organisations. We are already in discussion with a number of London boroughs that have expressed interest in what we can do for them and are looking to develop this so that we can have something in place for April 2018.

How would this affect users of this service?

It is not envisaged that this will affect existing users of Digital Services

Key milestones

April 2016 – Shared Service with Lewisham comes in effect for Infrastructure services

April 2017 – Shared Service extended to also cover Applications

April 2018 – Provision of ICT services to other organisation(s)

Key consultations**Key risks and mitigations****Equality impact screening**

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups:	
	Yes/No
Disabled people	No
Particular ethnic groups	No
Men or Women (include impacts due to pregnancy/maternity)	No
People of particular sexual orientation/s	No
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	No
People in particular age groups	No
Groups with particular faiths/beliefs	No
Marriage / civil partnership	No

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment.

EIA required?:	No
EIA to be completed by:	N/A
Deadline:	N/A

Lead officer for this proposal:	Prod Sarigianis

Budget Options Information

Reference:	CE004
Budget theme(s):	Civic Enterprise
Service(s):	Parking and Lighting/Parking
Lead Member(s):	Cllr Southwood

Savings Proposals:	Eliminate the additional overhead costs of the Serco parking contract incurred by LB Brent.

Financial and Staffing Information

2015/16	
Total budget for the service £'000:	Expenditure: 7,188 Income: 16,145 Net Surplus: 8,957
Total post numbers in the service (FTE):	22 fte

	2017/18	2018/19 and future years
	£'000	£'000
Proposed saving:	300	47
	FTE	FTE
Proposed staffing reduction	-	-

Proposed savings

It was originally intended that the cost of the overheads for the Serco parking contract would be apportioned on a 60:38:2 ratio between the three participating boroughs: LB Brent; LB Hounslow; and LB Ealing; respectively. The ratio was calculated in proportion to the value of the overhead costs being transferred to Serco at the commencement of the contract. Immediately prior to the letting of the contract, LB Hounslow identified a shortfall on the savings target required by their administration. It was agreed between the boroughs that, on a temporary basis, the ratio would be amended to 80:18:2 (Brent: Hounslow: Ealing), with a review in January of each year to assess whether the additional contribution from Brent to Hounslow could still be justified. Brent's additional contribution is £347k p.a.

The review scheduled for January 2015 was not completed by LB Hounslow and, following an agreement reached in July 2015, the matter is now being led by the joint Internal Audit service for the three boroughs.

This savings proposal assumes that this outstanding issue can be resolved prior to the beginning of the fourth year of the contract which commences in July 2017. There would then be a partial saving in 2017/18, with the full saving accruing from 2018/19 onwards.

How would this affect users of this service?

There would be no impact on service users.

Key milestones

Negotiations are already under way with LB Hounslow and LB Ealing. The joint Internal Audit service is providing impartial advice to the three boroughs.

Key consultations

As this proposal relates to the joint parking contract with LB Hounslow and LB Ealing, consultation and negotiation with both boroughs will be required.

Key risks and mitigations

The main risk is that negotiation will not lead to agreement with LB Hounslow. The proposal would add £347k p.a. to Hounslow's costs in order to re-balance the contract overhead costs back to the 60:38:2 split originally agreed.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups:	
	Yes/No
Disabled people	No
Particular ethnic groups	No
Men or Women (include impacts due to pregnancy/maternity)	No
People of particular sexual orientation/s	No
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	No
People in particular age groups	No
Groups with particular faiths/beliefs	No
Marriage / civil partnership	No

EIA required?:	No
EIA to be completed by:	N/A
Deadline:	N/A

Lead officer for this proposal:	COO/OD Community Services/Head of Parking & Lighting

Budget Options Information

Reference:	CE005
Budget theme(s):	Civic Enterprise
Service(s):	All
Lead Member(s):	Cllr Pavey

Savings Proposals:	To generate at least £1m p.a. from better collection of debts and arrears across the range of council paid for services and taxes. A review of the balance sheet and underlying processes has indicated that this is a realistic but stretching target at this stage. Following a detailed review by the One Council programme office and consultation with managers across the council officers have identified opportunities to improve debt collection, including through more efficient processing, better management of arrears, improved cross-council working through a newly established debt board and better management of clients with multiple debts. This work follows the successful pilot in adult social care debt that demonstrated the potential is one service area, and this model is now proposed to be extended across the council.

Financial and Staffing Information

2015/16	
Total budget for the service(s) £'000:	n/a
Total post numbers in the services(s) (FTE):	n/a

	2017/18	2018/19
	£'000	£'000
Proposed saving:	1,000	0
	FTE	FTE
Proposed staffing reduction	n/a	n/a

Proposed savings

How would this affect users of this service?

By harmonising policies and procedures there is an opportunity to improve service quality. Clearly, this is in a challenging area, but fair application of collection techniques and escalation where necessary is a reasonable approach.

Key milestones

New debt board operational – December 2015

New arrangements in place and fully operational – March 2016

Key consultations

None, other than normal budget consultation

Key risks and mitigations

Risk that debt may prove harder to collect than anticipated, managed through debt board

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups:	
	Yes/No
Disabled people	No
Particular ethnic groups	No
Men or Women (include impacts due to pregnancy/maternity)	No
People of particular sexual orientation/s	No
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	No
People in particular age groups	No
Groups with particular faiths/beliefs	No
Marriage / civil partnership	No

No new charges are proposed: this is merely about collecting existing debts and income streams more efficiently, effectively and fairly. On that basis the preliminary conclusion of the screening is that there should not be adverse equality impacts, but the debt board will review this as a priority element of its work programme

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment.

EIA required?:	Yes/No
EIA to be completed by:	
Deadline:	

Lead officer for this proposal:	Conrad Hall - CFO

Budget Options Information

Reference:	CE006
Budget theme(s):	Civic Enterprise
Service(s):	Regen & Growth
Lead Member(s):	Cllr. McLennan

Savings Proposals:	Further Civic Centre rental income

Financial and Staffing Information

2015/16	
Total budget for the service(s) £'000:	TBC
Total post numbers in the services(s) (FTE):	TBC

	2017/18	2018/19
	£'000	£'000
Proposed saving:	125	125
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

This is in addition to the £300k already anticipated for 2017/18 from the release and third party letting of Level 8North. Therefore this additional sum will need to be apportioned across the Property unit. It could come from additional lets eg Library café space, increased income from the basement car park or from further release of office space

How would this affect users of this service?

Only in so far as any additional space is offered up to let to third parties

Key milestones

Key consultations

Key risks and mitigations**Equality impact screening**

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups:	
	No
Disabled people	
Particular ethnic groups	
Men or Women (include impacts due to pregnancy/maternity)	
People of particular sexual orientation/s	
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	
People in particular age groups	
Groups with particular faiths/beliefs	
Marriage / civil partnership	

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment.

EIA required?:	No
EIA to be completed by:	
Deadline:	

Lead officer for this proposal:	Sarah Choudhry

Making Our Money Go Further **Budget Options Information**

Reference:	MGF001
Budget theme(s):	Making Our Money Go Further
Service(s):	Procurement
Lead Member(s):	Cllr Pavey

Savings Proposals:	The key area for savings are as follows: • Price reductions on contract renewal – 161 contracts in scope:- • 63 contracts above £500k with expiry dates between 2016/17 - 2018/19 will look to be renewed with a savings target of 10% • 98 contracts below £500k with expiry dates between 2016/17 - 2018/19 will look to be renewed with a savings target of 10% • Savings on end of street lighting PFI – the PFI street lighting contract contains clauses that require the contractor, on contract termination, to have lamppost columns in place which have a minimum 5 year life. Together with a programme, currently on-going, of installing LED lights and a central management system, this provides the opportunity to replace the existing contract requirements with a repairs only contract.

Financial and Staffing Information

2015/16	
Total budget for the service(s) £'000:	N/A (cross Council)
Total post numbers in the services(s) (FTE):	N/A (cross Council)

Net Budget taking into account savings agreed in future years

Financial Year	Net Budget £'M
2015/16	across Council
2016/17	across Council
2017/18	across Council

	2017/18	2018/19
	£'000	£'000
Proposed saving:	£3,500 across departments	£4,500 across department
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

Contract Renewals

Includes all contracts which expire within the next 3 years; aim will be to approach the market with a cost envelope of current contract price less 10%. There will be some contracts where this will not be achievable and some areas where there will be a double count with department savings targets.

Area	No. of Contracts	
	Above £500k (2016/17 to 2018/19)	below £500k (2016/17 to 2018/19)
Adults Social Care	16	12
Chief Operating Officer's Department	33	50
Children & Young People's Service	10	26
Public Health Grant	2	2
Regeneration and Growth	2	8
TOTALS	63	98

	No. of Contracts	Total Contract value	Total Annual Value	10%
Above £500k 2016/17 to 2018/19	63	£489,322,246	£71,245,695	£7,124,569
below £500k 2016/17 to 2018/19	98	£13,484,154	£4,824,792	£482,479
Total that can be Influenced	161	£502,806,400	£76,070,486	£7,607,049

How would this affect users of this service?

Work will be ongoing with departments in advance of contract renewals to ensure that there is minimal impact on users of services whilst achieving the required savings.

Key milestones

A contract plan is being pulled together, in conjunction with departments, which will identify those contracts due for renewal to ensure that required preliminary work in relation to impact to quality and quantity of services being provided is identified.

Key consultations

As appropriate users of services will be consulted with to ensure that service impacts are identified and, where possible minimised.

Key risks and mitigations

The key risks are:

- Double counting with department's savings targets;
- ASC /CYPS – may not be able to deliver the 10% required;
- Impact on service in relation to delivery, offer or quality
- Ensure that the existing PFI contractor complies with the contract requirements for lifting of the lampposts at contract end.

Equality impact screening

EIAs will be completed as and when required as each contract is negotiated.

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups:	
	Yes/No
Disabled people	TBA
Particular ethnic groups	TBA
Men or Women (include impacts due to pregnancy/maternity)	TBA
People of particular sexual orientation/s	TBA
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	TBA
People in particular age groups	TBA
Groups with particular faiths/beliefs	TBA
Marriage / civil partnership	TBA

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment.

EIA required?:	TBA
EIA to be completed by:	TBA
Deadline:	<i>TBA</i>

Lead officer for this proposal:	Terry Brewer

Budget Options Information

Reference:	MGF002
Budget theme(s):	Making our money go further
Service(s):	Transportation
Lead Member(s):	Cllr Southwood

Savings Proposals:	This saving is a 10% reduction in combined budgets for core highways maintenance work within the Lohac contract and for separate reactive maintenance work.

Financial and Staffing Information

2015/16	
Total budget for the service(s) £'000:	£5,895 expenditure
Total post numbers in the services(s) (FTE):	69

	2017/18	2018/19
	£'000	£'000
Proposed saving:	50	50
	FTE	FTE
Proposed staffing reduction	N/A	N/A

Proposed savings

The saving is a 10% reduction in budgets for highways reactive repairs (roads, pavements, signs, street furniture, markings), gulley cleansing, inspections and call outs.

How would this affect users of this service?

This would likely see fewer reactive repairs undertaken so reports from service users may not be prioritised and/or undertaken within a reduced budget.

Key milestones

Through 2016 – negotiation with LoHac contractor on options for reducing core reactive maintenance budget.

Through 2016 – capital investment preparation to mitigate against highways deterioration.

Implementation from April 2017

Key consultations

With LoHac contractor

Key risks and mitigations

The main risks from undertaking fewer reactive repairs are:

- Open to public liability claims due to loss damage or injury from unidentified and unrepaired defects;
- Potentially, increased numbers of accidents;
- The above resulting in a reputational issue for the council;
- Poor visual amenity of street scene.

The key mitigation is the preparation of greater capital investment in the highways infrastructure to improve its robustness and to reduce the need for reactive maintenance, i.e. invest to save.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups:	
	Yes/No
Disabled people	Y
Particular ethnic groups	N
Men or Women (include impacts due to pregnancy/maternity)	N
People of particular sexual orientation/s	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
People in particular age groups	Y
Groups with particular faiths/beliefs	N
Marriage / civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment.

EIA required?:	Yes
EIA to be completed by:	March 2016
Deadline:	
Lead officer for this proposal:	Chris Whyte

Budget Options Information

Reference:	MGF003
Budget theme(s):	Making Money Go Further
Service(s):	Regen & Growth
Lead Member(s):	Cllr. McLennan

Savings Proposals:	Savings in FM Contract

Financial and Staffing Information

2015/16	
Total budget for the service(s) £'000:	TBC
Total post numbers in the services(s) (FTE):	TBC

	2017/18	2018/19
	£'000	£'000
Proposed saving:	100	100
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

Savings in FM contract. This could flow from a further reduction in buildings within the contract or from a revision to the contract. The alternative option which is unlikely to be acceptable to CMT, is to negotiate a reduction in the contract in return for triggering the additional period which is available at the end of the current contract period.

How would this affect users of this service?

Potential reduction in various FM services could lead to longer repair times, reduction in cleaning regime

Key milestones

End of current contract – July 2018

Key consultations

FM, HR and Unions if Tupe applies

Key risks and mitigations

Key risk is the inability to alter the contract mid-term such that any saving is not able to be realised until Summer 2018

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups:	
	No
Disabled people	
Particular ethnic groups	
Men or Women (include impacts due to pregnancy/maternity)	
People of particular sexual orientation/s	
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	
People in particular age groups	
Groups with particular faiths/beliefs	
Marriage / civil partnership	

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment.

EIA required?:	No
EIA to be completed by:	
Deadline:	

Lead officer for this proposal:	

 Brent	Cabinet 14 December 2015 Report from the Chief Executive
Brent Corporate Plan 2015 – 2016 April – September 2015 – Progress update	

1. Introduction

- 1.1 This report sets out the progress update on the implementation of the Brent Corporate Plan for 2015 – 2016 with details against each objective included in the attached Appendix A. The objectives, milestones and success measures set out in the plan have been developed to provide a clear programme of operational activities to deliver the ambitions and outcomes agreed in the 'Brent Borough Plan 2015 – 2019' by the Cabinet and Full Council in March 2015.
- 1.2 The Borough Plan constitutes a community strategy for Brent and sets out how the Council, its partner services, local residents, local business and the voluntary and community sector – will, working together, improve the quality of life for local people. The priorities and the promised outcomes identified are firmly rooted in what local people have told us they believe to be the most important things to be achieved during public consultation in 2014.
- 1.3 In order for the strategic objectives contained within the Borough Plan 2015 – 2019 to be translated into specific actions and tangible outcomes they must be embedded within the council's planning process and operational management, with progress regularly monitored through our performance management procedures.
- 1.4 The Corporate Plan 2015/16 sets out how the agreed priorities within the Borough Plan have been built into the council's planning for 2015/16. It details the key milestones that will be used to assess progress and the expected outcomes and success indicators that will be used to measure our effectiveness in creating positive change for people living and working in Brent. This report provides a progress report on the first six months of implementation for the period April – September 2015.
- 1.5 The Corporate Plan is supported by detailed team plans covering all aspects of the council's work. Each member of staff has targets relating to the delivery of their team plan so that each person can see how their unique contribution supports the overall delivery of the Borough Plan as agreed by members.

2. Recommendations

The Cabinet is asked to:

- 2.1 Note the progress made in delivering the Corporate Plan 2015 – 2016.
- 2.2. Note that quarterly and annual reports are brought to the Cabinet covering performance against key indicators. The indicator set which monitors the quarter performance outcomes is the subject of a separate report to Cabinet on a quarterly basis.

3. Detailed considerations

The Corporate Plan and the Planning Framework

- 3.1 The Brent Borough Plan 2015 – 2019 has three priority themes which underpin our ambition to make Brent a great place to live and work, where people feel that they have real opportunities to change their lives for the better. The three priorities are:-
- Better Lives
 - Better Place
 - Better Locally
- 3.2 The Corporate Plan 2015 – 2016 sets out in detail the operational actions that the council will take to deliver these priorities. In addition to the three Borough Plan priorities, the Corporate Plan 2015 – 2016 also includes those actions that the council will take to improve its internal management arrangements: these are collated under the theme 'Better ways of working'.
- 3.3 Effective planning is crucial in all organisations but especially during times of change. It enables us to set objectives and priorities, turn policy decisions into action, decide how best to allocate resources, and review results so that learning feeds back into the decision-making process.
- 3.4 It is through an effective planning framework, with clear processes for monitoring and evaluating progress that all stakeholders can understand exactly what goals are being worked towards and assess progress towards them. An effective planning framework also reflects the role of the organisation and each of its various services and teams – and of each individual within those services and teams – in achieving those goals, and it sets out how performance will be judged.
- 3.5 The Corporate Plan is actively managed by the CMT, managers and their teams. It is essential that performance against the plan is regularly monitored so that prompt management action can be taken, where necessary, if there is slippage or if an activity needs to be changed in the light of circumstances. This means departments and teams setting aside a specific time for monitoring progress against the plan as a whole. Once every three months should be the minimum requirement, some priorities could require more frequent monitoring. This feeds into the six-monthly monitoring of the Council's Corporate Plan reported to the Cabinet.
- 3.6 Where the council has set specific performance targets to be achieved it is imperative that departments ensure there are robust and reliable systems in place to collect necessary performance data. The Cabinet will receive each quarter a performance report setting out the council's performance against the measures and targets set out with the Corporate Plan.

Progress achieved during the period April to September 2015.

- 3.7 This section provides an outline of the key achievements under each of the four priorities within the corporate plan and the areas of risk currently rated as 'Red'.

Better Lives

This means:

- Supporting local enterprise, generating jobs for local people and helping people into work and promoting fair pay.
- Making sure that our children and young people have access to the best education and training, achieve to their potential and have the best start in life.
- Enabling people to live healthier lives and reducing health inequalities.
- Supporting vulnerable people and families when they need it.

3.8 Key achievements against this priority have been:-

- Completion of the investment plans for Wembley and Alperton growth areas Plans for Churchend and Burnt Oak are in draft stage. Negotiations with Old Oak Development Corporation have made positive progress with key objectives agreed.
- All New Homes Bonus and high street funded projects are now in implementation.
- The new Employment, Skills and Enterprise Partnership is now active, with joint working on improved referral pathways between the Council, CNWL and JCP in place.
- At the end of September 86% of primary, secondary and special schools were judged by Ofsted to be either good or outstanding. Our target is to reach 100% by 2017. Two schools are in special measures currently.
- 84% of private voluntary and independent early years settings were judged as good or outstanding by Ofsted.
- The Rapid Improvement Process implemented in schools has demonstrated good outcomes with the six schools who have used the process since 2014 being subsequently judged good.
- Progress has been made in rolling out public health programmes in relation to children's health, focused on reducing tooth decay and the Health Schools programme which achieved 'Silver' level.
- The transfer of responsibility to the council for health visiting and family nurse partnerships is now complete.
- Architects have been appointed to develop designs for the Healthy Living Centre in Kilburn with two public engagement events held.
- Implementation of the new model of service for day care services has commenced following the agreement of Cabinet at July 2015.
- 66% of all children's foster placements are now made with a Brent employed foster carers.
- The tackling social isolation project has been launched with partners.
- Successful partnership work has taken place on mapping dementia and developing a joint approach to becoming a dementia friendly borough

3.9 Areas of potential risk for this priority are summarised below:-

- There have been delays on one project for the primary school expansion. However as the demand for school places has changed slightly the profile of provision is still projected to meet demand with 2,000 additional places created by the end of April 2016 which is above the original target of 1785.
- There have been delays in creating additional in-borough, alternative provision in main stream schools for pupils with special education needs.
- Targets for smoking cessation have been low and it is thought this may be related to people 'vaping' as an alternative to stopping smoking. This pattern has been seen across London.

- 66% of children's social workers are on permanent contract. Actions are in place to undertake a focused recruitment campaign to seek permanent staff and increase the direct employment of permanent staff.

3.10 The DWP time scales for implementation of Universal credit have slipped. The council is working with partners on our response to further changes to welfare payments announced in the summer budget. These will particularly impact on families in receipt of benefits with the cap set at £23,000. However there is the potential for people in low waged employment to also be affected by a reduction in their level of tax credits.

3.11 **Better Place**

This means:

- Making sure that Brent is an attractive place to live with a pleasant, sustainable environment, clean streets and well-cared for parks and green spaces.
- Continuing to reduce crime, especially violent crime, making people feel safe.
- Increasing the supply of affordable, good quality housing.
- Providing good quality, accessible arts and leisure facilities.

3.12 Key achievements against this priority have been:-

- The cycling strategy has been the subject of wide public consultation since June 2015.
- The backlog of food premises inspections has been reduced from 1,726 to 100 and will have been cleared by December 2015.
- The procurement of the contractor to deliver the new park in Kilburn has been completed and work on site has started and is expected to be completed by April 2016.
- The crime level in the borough is below the London average at 76.8 crimes per 1000 people. The London average is 84.3 crimes per 1000 people. While ASB levels are now at the London average, although our target is to achieve lower quartile performance.
- 91% of women who have used domestic violence support services reported feeling safer as a result.
- 10 sites have been confirmed for new council housing developments, delivering 48 to 50 units. Of these 48 units 4 sites have received planning permission (21 units). Planning permission has been applied for further 21 units across 4 sites -decision pending. For the remaining GLA funded properties (52 properties) planning is due to be submitted by end of November 2015. An additional bid to the GLA to fund development of 150 properties is in development and was submitted at the end of October 2015.
- The remaining 6 units are at the stage of being in the planning application process. Consultation delays have occurred but this has not impacted the overall progress of the project.
- The initial stages of the introduction of the private rented housing licencing scheme has gone well with regards to the implementation of the scheme, establishing and developing a team and delivery of the services. However the number of applications received has been lower than forecast although it should be pointed out that the figure was speculative as this is the 1st year the scheme has been running. As of the end of September 5500 applications have been received and it is likely that less than 9000 will be received by March 2016, this figure is more likely to be around 7000. Nevertheless more than 1500 suspected properties that have failed to be licenced have been identified and proactive action is being taken against these to address this. The enforcement policy is still being worked on and being developed as the licensing scheme continues to be established. 6 cases

have already been forwarded to legal for prosecution with 3 successful, high profile prosecution's already completed

- The Willesden's Green Cultural Centre has successfully opened.

3.12 Areas of potential risk for this priority are summarised below

- There has been a reported increase in the incidence of fly-tipping within the borough. Partly this is attributable to improvements in the system for reporting through the introduction of the app. Residents have expressed considerable concern regarding the level of illegally dumped rubbish and a Member scrutiny task group has been working with the service and residents to develop solutions. There has however been an increase in enforcement actions in response to the increase in illegal dumping.
- The Wates Contract for planned housing maintenance has not achieved the agreed targets. An improvement plan has been agreed and put in place to bring performance back on track.
- The average number of households that are being accepted as homeless (57) is currently exceeding the average number of duties being ended in the private rented sector (35). This is primarily due to market conditions. Continued demand for private rented accommodation of rising costs has created challenges in sourcing affordable rented properties to minimise use of B&B accommodation. Although there has been a reduction in the overall number of homeless households in non self contained B&B (130 as at 27/09) the council are still accommodating families in non-self contained B&B for greater than 6 weeks. A review of the private rented sector procurement model is taking place to increase the number of units procured in Brent/London and the Home Counties, and more units are being secured in the West Midlands
- The next phase of the regeneration plans for South Kilburn have experienced delays caused by underground issues and the removal of the post office and ongoing negotiations with the private landowner partner. Necessary planning consents are now due to be achieved in mid 2016 for Phase 3. As a result the revised Masterplan will not be adopted until 2016.

3.13 **Better Locally**

This means:

- Building community resilience and promoting citizenship.
- Making sure that everyone in the borough is able to participate in local democracy, has a fair say in the way that services are delivered and is listened to and taken seriously.
- Working with partners to find new ways or providing services that are more finely tailored to individual, community and local needs.

3.14 Key achievements against this priority have been:-

- Quarterly figures for the number of new voluntary groups being provided with advice and support via CVS Brent were above target at 34.
- Use of the Voluntary Sector Resource Centre has expanded with both the volunteering service and Healthwatch now located at the centre. Training and develop sessions for local voluntary groups are being delivered on a regular basis and are well attended.
- The volunteering service with Groundwork was launched on 1st June 2015. During the first 4 months an additional 250 people have been recruited as new volunteers. The focus during the start-up phases is on securing volunteer placements as well as new volunteers. Development sessions for groups seeking volunteers are taking place and are well attended. The project is on track to deliver the first year targets.

A communications campaign has been agreed with partners and the website launched supported by an outreach programme across the borough in libraries, JCP offices, community events and Brent Connects Forums.

- The Community Safety Communication Strategy has been completed and work is progressing on the delivery.
- The annual canvass has begun; the canvass marks the second phase of the Individual Electoral Registration campaign. Canvass staffing posts have been recruited to and filled. The council received the Silver award for public campaigns for its work to encourage residents to register to vote following changes to the registration system.
- New partnership Advice Agency service and Financial Inclusion Strategy agreed by Cabinet in November 2015.
- Brent Youth Parliament is on track to ensure 11 meetings are held by March 2016. In this quarter there have been 3 full BYP meetings. BYP is on track to hold 22 Executive meetings by March 2016. In this Quarter we have held 6 executive meetings.
- Brent Youth Parliament has held two training sessions in the past quarter focused on 'Understanding Government' and 'Developing Debating Skills'.

3.15 **Better ways of working**

This means:

- Accessible and responsive customer services.
- Levels of public satisfaction with council-commissioned services amongst the highest in London.
- Performance indicators for all council-commissioned services amongst the best in London.
- Savings targets met.
- A public service workforce that reflects the community.

3.16 Key achievements against this priority have been:-

- The My Account (portal) for Council Tax and Benefits functionality has been fully released to Brent residents in November 2015 via the main Council website landing page, with amendments made to existing Council Tax and Benefits pages to promote availability of new online functionality. Since full release the take up has been encouraging and steady.
- Staff restructures in Strategic Commissioning, HR and BIBs now completed.
- 66 Apprentices have been recruited.
- New Intranet went live.
- Income from external use of the Civic Centre now on track to achieve target.
- Strategic Property Plan was agreed by Cabinet

4. Financial Implications

- 4.1 There are no direct financial implications arising from this report. However the Corporate Plan 2015 -2016 does provide the operational framework for the delivery of the council's Medium Term Financial and achieving greater efficiency in the use of our resources. Over the coming period the council will face a considerable reduction in its available resources and it is critical that actions set out within the corporate plan which contribute towards achieving budget efficiencies are delivered to timescale. It is also the case that the actions set out within the corporate plan will continue to be reviewed in the light of priorities and available funding, to ensure that the council is making the most appropriate use of its resources.

5. Legal Implications

- 5.1 Under section 4 of the Local Government Act 2000, every local authority in England must prepare a sustainable communities strategy for promoting or improving the economic, social and environmental well-being of their area and contributing to the achievement of sustainable development in the United Kingdom. A local authority may modify its sustainable communities strategy from time to time. When preparing or modifying its strategy, a local authority should consult with and seek the participation of “each partner authority” it considers appropriate, and any other person the local authority considers appropriate.
- 5.2 The Corporate Plan 2015 – 2016 sets out the detailed operational actions that the council will take in order to implement its community strategy the ‘Brent Borough Plan 2015 – 2019’.

6. Equalities Implications

- 6.1 Reducing inequality of opportunity and improving the quality of life experienced by all local people is the central objective of the Brent Borough Plan 2015 – 2019 and as such the council’s strategic equality objectives have been built into the actions set out in the Corporate Plan 2015 -2019. Each individual aspect of the plan or changes to services deriving from the plan will be supported by specific equality assessments.

Carolyn Downs
Chief Executive

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 Brent	Cabinet 14 December 2015 Report from the Chief Finance Officer
Wards Affected: ALL	
Collection Fund Report	

1.0 SUMMARY

- 1.1 As part of the Council Tax setting process for 2016/2017 the Council is required to estimate the amount of any surplus or deficit on the Collection Fund as at 31 March 2016. This must be done by 15 January 2016 in relation to Council Tax, and this report asks Members to approve the estimated balance for both Council Tax and Business Rates (NNDR).
- 1.2 For Council Tax, as a result of continued effective collection of amounts due to the council it is now possible to return the benefits of this as a one-off contribution to support the 2016/17 budget. Brent Council's share of the total surplus is £2.503m. This technical surplus relates to council tax due on or before 31 March 2016, where the council has been more effective than previously assumed in collecting arrears, and also reflects strong collection performance of debts relating to 2015/16, and a large increase in the net collectable figure during 2015/16.

2. RECOMMENDATIONS

- 2.1. To agree the estimated Collection Fund balance relating to Council Tax at 31 March 2016 as a surplus of £3.2m. (Brent's share being £2.503m)
- 2.2. To note the current estimated balance relating to NNDR at 31 March 2016 as zero (no surplus or deficit).
- 2.3 To delegate to the Chief Finance Officer authority to amend these figures, should material new information, such as debt collection performance, come to light in the intervening period.

3. DETAIL

3.1. COUNCIL TAX

- 3.1.1. Income from Council Tax is paid into the 'collection fund'. Brent and the Greater London Authority (GLA) make charges (formally known as 'precepts') on this fund to finance their budgets. If the eventual collection of Council Tax is greater than precepts on the collection fund, taking the cumulative position since the introduction of Council Tax in 1993, a surplus will be generated. If the reverse happens, there will be a deficit. Any surplus or deficit is shared between Brent and the GLA. It is normal and proper practice to estimate these surpluses or deficits in setting the budget and to make distributions to the preceptors, or to require contributions from them, according to those estimates.
- 3.1.2. Total arrears as at 31 March 2015 not covered by bad debt impairments were £2.1m. This means that if the council estimates that debts at this date of less than this amount will eventually be collected the fund will be in deficit, and that if future collection is anticipated to exceed this figure, a surplus can be declared.
- 3.1.3. In considering the Collection Fund position at 31 March 2016, it should be noted that the in-year collection of council tax has improved in recent years. It increased from 93.2% in 2006/07 to 95.9% in 2012/13. It had been anticipated that the collection rate for 2013/14 would be lower, following the introduction of the local Council Tax Support scheme, but there was only a slight reduction to 95.7% in 2013/14 and 95.6% in 2014/15. It is estimated that the final figure for 2015/16 will again be in the region of 95.6%. Collection of arrears will then continue for several years.
- 3.1.4. The shortfall as at 31 March 2015, as outlined in paragraph 3.1.2, was £2.1m. It is estimated that in the full 2015/16 financial year, around £1.8m of Council Tax arrears will have been collected in relation to earlier years, leaving a deficit of £0.3m. Based on projections of future years' collection of arrears, it is estimated that around a further £2.0m will eventually be collectable for years up to 2014/15, leaving a surplus of approximately £1.7m. This figure is dependent on the required collection level of 96.5% for 2015/16 debits eventually being achieved, which would seem likely. In fact collection figures for recent years indicate that eventual collection is more likely to be in the region of 97.5%, and it is the intention to use this assumption in calculating the tax base for 2016/17 and future years. This will reduce the likelihood of surpluses building up over a period of years due to final collection rates exceeding the allowance made in calculating each year's tax base figure.
- 3.1.5. During 2015/16 there has been a significant increase to the tax base, due mainly to a very large number of new properties coming in to rating over the last year. In the 12 months to September 2015, 2,395 new properties came in to rating (at Band D equivalent this figure was 2,217). This compares to an increase of 534 Band D equivalents in the previous 12 months. Some of these properties will only be in rating for part of the 2015/16 financial year. There

has also been a reduction in council tax support (CTS) of over £1m compared to 2014/15, largely due to an increase in full or part-time employment. The total for CTS could increase again however, if economic conditions deteriorate. The overall impact of this is estimated to increase the surplus available by a further £3.0m, bringing the total to £4.7m.

- 3.1.5. There is uncertainty over the government's plan to reduce working tax credits and the extent to which this will reduce the assessed income of Council Tax Support claimants on low incomes. This is very likely to lead to an increase in the total of CTS which will be granted. The extent of this cannot be accurately determined until the reductions are finalised and then come in to effect, as each claimants circumstances would have to be assessed. In addition, as mentioned above, there is the possibility that CTS may also rise if economic conditions deteriorate. It would therefore be advisable to allow a contingency of £1.5m to cover the possible increase in CTS. This would bring the surplus figure down to £3.2m. This contingency figure can be reviewed when calculating the surplus / deficit figure next year.
- 3.1.6. The surplus on the Collection Fund as at 31 March 2016 will be split with the Greater London Authority. The GLA share (based on its share of the total precept in 2015/2016) would be 21.79% of any surplus. If a surplus of £3.2m is declared, the GLA share would be £697,000, leaving Brent's share as £2,503,000.

3.2. BUSINESS RATES (NNDR)

- 3.2.1. Until the 2012/13 financial year, all business rates collected by local authorities were paid over to the national pool administered by central government, and then redistributed back to local authorities according to assessed spending needs. From 2013/2014 local authorities retain a proportion of the income raised. For London, the local authority keeps 30% of the income, the GLA receives 20%, and the remaining 50% is paid to the national pool to be redistributed as before. Therefore London authorities benefit from 30% of any additional rates income, or bear 30% of the cost of any reduction.
- 3.2.2. If the year-end income from NNDR is higher than estimated at the start of the year, a surplus would be declared, which would be shared in the same ratios as above. Therefore, if Brent had a surplus it would keep 30% of this. If income was lower than anticipated, there would be a deficit to shared in the same proportion (i.e. Brent would bear 30% of the deficit).
- 3.2.3. The estimate for the income figure (or net rate yield) for 2016/17, and the surplus or deficit figure as at 31 March 2016 will be taken from the NNDR1 return to be submitted in January. The Non Domestic Rating (Rates Retention) Regulations 2013 require that these figures be calculated and notified to preceptors (central government and the GLA) by 31 January, and the NNDR1 return is used to calculate the figures.

- 3.2.4. Estimating what the figures will be is complex, as there are many factors which can significantly affect the overall figure, including entitlement to reliefs and properties coming in to, or being taken out, of rating. The biggest uncertainty concerns revaluations arising from appeals against the Valuation Office (VO) determinations. These are very common and can lead to large refunds being backdated several years. At the end of 2014/15 a provision for the cost of backdated appeals to 31/3/2015 of £6.4m was included in the year end accounts. The overall reductions in cases that have been finalised to date indicates that this provision will prove fairly accurate, (even after allowing for a surge in appeals in March 2015, as outlined below) but appeals outstanding still account for approximately £99m of Rateable Value (35% of the total), and the bulk of any revaluation refunds will be backdated to 2010. Therefore this position could potentially still change significantly by the end of January 2016 (or later), which would have an impact on the surplus/deficit position at that date (or future dates). There was a deadline of 31/3/2015 for any appeals against the 2010 rating list, and appeals on RV's totalling approximately £60m were lodged in March 2015. Many of these will be speculative, as ratepayers have nothing to lose by lodging an appeal, and would have been encouraged to do so by rating agents, but the provision made may need to be increased.
- 3.2.5. There may also be other changes relating to new or demolished buildings, or changes in exemptions such as empty or charity relief. Given the uncertainties outlined above, it is recommended that a forecast of no surplus or deficit is assumed at present. As outlined above, the final figure will be taken from the NNDR1 form in January. The figures taken from this will have a direct impact on the 2016/17 budget, as Brent will have a 30% share of any surplus or deficit.

4. FINANCIAL IMPLICATIONS

- 4.1 The proposals in this report have a direct impact on the budget for 2016/2017, as any deficits or surpluses have to be taken into account in the calculation of the council tax requirement.

5. LEGAL IMPLICATIONS

- 5.1 Regulation 10 of the Local Authority (Funds) Regulation 1992, made under Section 99 of the Local Government Finance Act 1988, requires an estimate of the surplus or deficit on the Council's collection fund (Council Tax) to be made by 15 January each year (or the next working day). This estimate is one of the figures to be used in the budget and council tax setting process for 2016/17.

6. DIVERSITY IMPLICATIONS

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

7. STAFFING IMPLICATIONS

7.1 None directly.

8. BACKGROUND INFORMATION

General Purposes Committee Reports – 6 January 2015: Calculation of Council Tax Base 2015/16 and Calculation of Business Rates Income 2015/16

Any person wishing to inspect the above should contact David Huberman, Finance Manager, Civic Centre, Engineers Way, Wembley HA9 0FJ. Telephone 020-8937-1478.

Conrad Hall
Chief Finance Officer

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 Brent	Cabinet 14 December 2015 Report from the Strategic Director of Children and Young People
Wards Affected: ALL	
Award of Contracts to Independent Special Schools and Brent Schools for Special Educational Provision	

1. Summary

In April 2015 Cabinet approval was obtained to negotiate contracts between the council and Brent schools for the continued provision of specialist places for children with special education needs. These are places in Additionally Resourced Provisions (ARP) and English as an Additional Language (EAL) projects. Approval was also gained to negotiate block contracts in independent schools for the academic year 2015/16. The report sets out the outcome of the negotiations and seeks approval to award one year contracts for the academic year 2015/16.

2. Recommendations

- 2.1. That Cabinet notes the outcome of Officers negotiations with the schools detailed in Tables 3.1 and 3.2 of the report regarding the provision of specialist places for children with special education needs.
- 2.2. That Cabinet approves a one academic year contract (September 2015 to August 2016 between the council and the schools listed in table 3.1 and 3.2 for the continued provision of Additionally Resourced Provisions (ARP) and English as an Additional Language (EAL) projects at the negotiated rate.

3. Detail

- 3.1. The council has a statutory duty to provide full time education for all children and young people of statutory school age. This includes a duty to assess, identify and make appropriate provision for those with Special Educational Needs and Disabilities (SEND) as set out in the SEN Code of Practice 2014 (Children and Families Act

2014 – SEND Reforms). The majority of Brent children with SEND are placed in in-borough mainstream or special school provision. In a minority of cases there are children whose needs require specialist provision which is available in the independent sector.

- 3.2. The council needed to secure specialist provision for children and young people with social emotional behaviour difficulties (SEBD) and high functioning Autism. This led to high numbers of pupils placed with two independent providers, TCES North West London Independent School (TCES NWLIS) for SEBD placements and Centre Academy for pupils with high functioning Autism.
- 3.3. All placements of children with SEND are fully funded by the High Needs block of the DSG. There are no funding implications in this report for the General Fund, however, officers seek to obtain the best value for money for all placements.
- 3.4. The council has expanded its in borough specialist provision in the last four years and has created additional places for children with autism. This coupled with efforts to place children locally and in maintained provision wherever possible, has led to a reduction in the number of pupils placed in TCES NWLIS to 11 and Centre Academy to 25.
- 3.5. During the negotiations the maintained schools listed in table 3.1 have not sought fee increases. However, both TCES NWLIS and Centre Academy sought an increase in fee to cover the increasing cost of meeting the complex needs of pupils.
- 3.6 The ARPs provide specialist places as indicated below:
 - Alperton – Moderate Learning Difficulties (MLD)
 - Claremont High – provision for Year 10 and 11 students with EAL needs
 - Kingsbury High ARP – Hearing Impairment (HI)
 - Preston Manor ARPs – Autism (ASD) and Social, Language and Communication Needs (SLCN)
 - Queens Park –provision for Year 10 and 11 students with EAL needs

The independent schools provide specialist places as indicated below:

- Centre Academy (independent) – Autism (ASD)
- TCES NWLIS (Independent) – Social, Emotional, Behavioural and Mental Health

- 3.7. Tables 3.1 and 3.2 below summarises the final proposed negotiated rates for the schools and ARP's.

Table 3.1

School	Details of negotiated rate	2013/14 Contract Value (same rate from 2012-15 per year)	2015/16 Negotiated Value	Comments
Alperton, John Boyle Centre (MLD ARP)	20 students @ £18,852 per place	£205,710	£205,710	No fee increase
Claremont (EAL)	35 students @ £4,792 per place	£167,000	£167,720	No fee increase
Kingsbury High (HI ARP)	7 students @ £10,000 per place	£70,000	£70,000	No fee increase
Preston Manor (ASD and SLCN ARPs)	12 -S&L @£6276 12-ASD @ £12,673	£227,388	£227,388	No fee increase
Queens Park (EAL)	35 students @ £4,792 per place	£167,720	£167,720	No fee increase

- 3.8. The rates at which the places in the ARPs (schools in table 3.1 above) are funded is agreed by the Schools Forum. The schools are not seeking an increase in the place costs for 2015/16. These schools represent value for money and good quality provision within the borough, alongside a range of ARPs in maintained schools which are similarly funded. The arrangement is reviewed by the school forum on an annual basis.

Table 3.2

School	Details Negotiate rate	2013/14 Contract Value (same rate from 2012-15 per year)	2015/16 Negotiated Rate “agreed”	comments
Centre Academy (Independent – ASD)	2015/16 - Block 15 places @ £37,875	£525,000	£568,125	8% increase in fees per place for 15/16;
North West London Independent School TCES (NWLIS) (Independent – SEBD)	15/16 - Block 15 places @ £41,500 per place	£582,750	£622,500	7% increase in fees per place for 15/16;

- 3.9. The council's contractual arrangements for placement of individual pupils with Centre Academy and TCES NWLIS expired on 30th August 2015, and new fees have been negotiated subject to agreement of a block purchasing arrangement for the period 1st September 2015 to 31st August 2016.
- 3.10. Contractual negotiations have taken longer than anticipated due to turnover of staff. Discussions regarding the contract have taken place and the schools have agreed to wait for Cabinet approval to be granted to award the contract. If the cabinet approval is not granted, the Council will be charged the spot purchase rate. If the cabinet approval is forthcoming the agreed rate negotiated will be back dated to September 2015.
- 3.11. Pupils normally attend Centre Academy until they have completed Year 14, and are 19 years of age. As of September 2015, there are 25 pupils attending Centre Academy. Officers have negotiated a block contract for a minimum of 15 places with the arrangement that additional place over the 15 (minimum) could be purchased at the same rate as the block contract.
- 3.12. TCES NWLIS is a specialist independent provision for children and young people identified with SEN who may have extremely challenging behaviour, social emotional and/or mental health difficulties. Pupils are often placed here after other placements have failed. Pupils normally leave this provision after completion of NC Year 11.
- 3.13. As of September 2015 there were 11 pupils attending TCES NWLIS. This is below the proposed number of 15 commissioned places. The additional commissioned placed is to cover any additional placement likely to be made within the academic year. Furthermore, Officers have liaised with TCES NWLIS and the West London Alliance (WLA) and have secured an agreement to sell any Brent unfilled places across the WLA authorities.

- 3.14. Although the placement costs negotiated for 2015/16 with Centre Academy and TCES NWLIS is an increase on those secured for the previous three year contract (2012-2015), it is still lower than the current spot purchase placement fee charged by the schools. The negotiated rate Brent has achieved for TCES NWLIS and Centre Academy is lower than those of Ealing and Hounslow and other boroughs as shown in the comparison with WLA and other boroughs in Table 3.3. Data for boroughs other than WLA is not available as this is commercially sensitive and not published.

Table 3.3

	Brent	Hounslow	Ealing	Purchase rate for WLA other boroughs	Notes
TCES NWLIS	41.5K	43 – 48K	42K	48 - 54.5K	Hounslow - Block contract for ASD provision. Brent – Block Contract for BESD provision. Ealing (cost and volume deal) and not a block contract.
Centre Academy	37.8K	No contract	No contract	39 - 41K	Only Brent in WLA has students at Centre Academy. Other Boroughs pay the rate shown.

- 3.15. The placement costs negotiated for 2015/16 are as follows :-

- TCES NWLIS on a spot purchase is £54,000 per pupil. Officers negotiated a per place cost of £41,500 based on a minimum guarantee of 15 places, this represents a reduction of £13,000 per place on the spot purchase fee.
- Centre Academy on a spot purchase is £43,000 per pupil. Officers have negotiated a per place cost of £37,875 based on a minimum guarantee of 15 places, this represents a reduction of £5,125 per place on the spot purchase fee.
- Officers have also negotiated for any additional place over the 15 (minimum) to be purchased at the same rate as the block contract rate.

- 3.16. WLA is developing Careplace, a provider web solution that will allow local authorities to log their independent place requirements, which would then be sent to a wide range of providers to bid to be the provider. It is expected that as this develops the market it will increase competition among providers and help manage costs.

- 3.17. Schools that provide education for children with ASD and SEBD are highly specialised and there is growing demand for such places. Brent is working with the West London Alliance to work strategically with the key suppliers (increasingly companies running chains of special schools) and also to develop the maintained sector and free-school provision across the west London area.

- 3.18. There is an exemption in the Council's Standing Orders for 'spot' purchase arrangements 'CSO 86(f)(iii)' which enables individual packages of education and

care to be purchased for children who cannot be catered for within maintained schools or within the contractual arrangements detailed in this report.

4. Financial Implications

- 4.1. The Council's Contract Standing Orders provide that for contracts for services exceeding £250,000, these should be referred to Cabinet for approval.
- 4.2. Appendix 1 sets out the detail of contract costings with TCES NWLIS and Centre Academy. In summary, the contract negotiations have secured a price of £41,500 for TCES NWLIS per place. This is an increase of £2,650 (7%) compared to the previous contract price but a reduction of £13,000 (31%) on the current spot purchase price. In addition, for Centre Academy a price of £37,875 has been secured per place. This is an increase of £2,875 (8%) compared to the previous contract price but a reduction of £5,125 (14%) on the current spot purchase price.
- 4.3. On a like for like basis, based on the actual number of pupils in these schools, the total cost will be £111,625 higher than the previous contract price but £105,125 lower than the current spot purchase price.
- 4.4. If the contracts are awarded, the additional cost of the one year extensions will be contained within the SEND Education Placement Budget (£6.8m in 2015/16) with the aim of minimising any further premium spot purchase arrangements. The additional cost will also be mitigated by selling any spare capacity with boroughs within the WLA. This budget is entirely funded by the Dedicated Schools Grant and has been agreed by the Schools Forum.
- 4.5. There is a transport cost to take pupils to these schools. Currently there are six pupils receiving transport to TCES NWLIS and 22 pupils receiving transport to Centre Academy. Over the last four years the number of pupils transported to these schools has stabilised as we are placing fewer pupils at them. The refresh of the School Place Strategy 2015 recommended creating additional 140 SEN places to reduce reliance on out of borough provision.

5. Legal Implications

- 5.1 The Education Act 1996, as amended by the Education and Inspections Act 2006, and regulations subsequently issued under it, imposes a duty on local authorities to identify, assess and make provisions to meet the special educational needs ("SEN") of children within their areas by ensuring that sufficient primary, secondary and further education is available to meet their needs. Local authorities are to ensure that their education functions are exercised with a view to promoting high standards, ensuring fair access to opportunity for education and learning, promoting the fulfilment of learning potential; and securing that sufficient schools for providing primary and secondary education are available for their area. The SEN Provisions are also referred to in the Academies Act 2010 and the Education Act 2011.
- 5.2 Contracts for provision of education fall within Schedule 3 of the Public Contracts Regulations 2015. The contracts listed in Tables 3.1 and 3.2 are valued below the threshold for Schedule 3 contracts and as such are not subject to the requirements of EU procurement regulations. Nevertheless, the EU Treaty principle of transparency, non-discrimination and equal treatment would normally require advertising and some

form of competitive process to be undertaken before contract award, even where the value of the contract is below the relevant EU threshold, especially if the contract is likely to attract interest from overseas EU providers. Given the current limited market in the type of services provided by the schools and the short duration of the proposed contracts, it is considered that the award of the contracts will not contravene these general duties.

- 5.3 The value of the proposed contracts set out in Table 3.2 is such that the contracts are classed as High Value Contracts under the Council's Contract Standing Orders and Financial Regulations. As a result Cabinet approval is required to award such the contracts. The value of the proposed contracts set out in Table 3.1 are such that they are either classed as Low Value Contracts or Medium Value Contracts and as such would not ordinarily require Cabinet approval to award. However, the Cabinet Report dated 14th April 2015 indicated that Cabinet approval would be sought to the award of all contracts being negotiated

6. Diversity Implications

- 6.1. There are no direct diversity implications in awarding these contracts.

7. Staffing/accommodation implications

- 7.1. This service is currently provided by an external contractor and there are no implications for council staff arising from awarding the proposed contract.

8. Background Papers

- 8.1. There are no background papers associated with this report, however committee is directed to the previous Cabinet Reports (24th April 2015) for details about the original contracts with schools and approval to negotiate mentioned in this report.

Contact Officer(s)

Carmen Coffey
Head of Pupil and Parent Services
carmen.coffey@brent.gov.uk Tel: 020 8937 3033

Cate Duffy
Operational Director Early Help and Education, Children and Young People
cate.duffy@brent.gov.uk Tel: 020 8937 3510

GAIL TOLLEY
Strategic Director Children and Young People

Appendix 1– Detail of contract costings for contracts in Table 3.2

Centre Academy and North West London Independent Contract detail										
School	Block contract price per place	Block Contract <u>15 places</u> plus additional places at same price	Contracted number of pupils	Actual cost of places purchased at block contract rate	Spot purchase price per place	Reduced fee rate due to block contract per place	Total cost spot purchase	Savings per annum	Savings contract period	% fee increase
Centre Academy Contract (Sept 2012 to Aug 2015)	35,000	525,000	15	525,000	39,500	4,500	592,500	67,500	202,500	Nil fee increase for 3 year contract period
Centre Academy Contract One year extension (Sept 2015 to Aug 2016)	37,875	568,125	15	568,125	43,000	5,125	645,000	76,875	76,875	8.21
TCES North West London Independent School (Sept 2012 to Aug 2015)	38,850	582,750	15	582,750	48,000	9,150	720,000	137,250	411,750	Nil fee increase for 3 year contract period
TCES North West London Independent School Contract One year extension (Sept 2015 to Aug 2016)	41,500	622,500	15	622,500	54,500	13,000	817,500	Nil	Nil	6.82

 Brent	Cabinet 14 December 2015 Report from the Strategic Director of Adults
For Action	Wards Affected [ALL]
Commissioning of an Integrated Rehabilitation and Reablement service	

1.0 Summary

- 1.1 This report relates to one of the key projects within Brent's Better Care Fund (BCF) Programme: the development of an Integrated Rehabilitation and Reablement Service (IRRS). The new service will provide a single point of entry to integrated, short term, intensive assistance support to help people achieve independence in daily living skills and rehabilitation goals in their own home.
- 1.2 The IRRS will be jointly funded / commissioned by Brent Council and Brent Clinical Commissioning Group (CCG). There are two elements to the IRRS: the assessment and therapy elements which will be jointly provided by the Council and the London North West Hospital Trust (LNWHT); and the community based rehabilitation and reablement service provision which will be tendered for in the independent sector.
- 1.3 The new IRRS has been designed through a rigorous co-production process which has involved services users and residents and staff teams from the council, Brent CCG and LNWHT.
- 1.4 It is anticipated the new contract will commence in April 2016. This reports sets out the proposed process which ensure we can meet this deadline, including both the secondment of Brent Council staff to LNWHT, and the procurement of the new community based rehabilitation and reablement service provision from the independent sector.

July 2014

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2.0 Recommendations

- 2.1 That Cabinet notes this is the first new fully integrated service to be developed as part of the wider Better Care Fund programme, and is part of a broader strategic change for the department and the Council.
- 2.2 That Cabinet agrees to enter into an agreement pursuant to section 75 of the National Health Services Act 2006 with London North West Hospital Trust to enable the development and delivery of the new assessment and therapy elements of the IRRS, in which the Council's staff will be seconded to LNWHT.
- 2.3 That Cabinet notes that the service outlined in 2.2 will be funded as part of a wider proposal to enter into an agreement, pursuant to section 75 of the National Health Services Act 2006, with Brent NHS Clinical Commissioning Group, and that a further report will be brought to Cabinet that will outline the full details of this.
- 2.4 That Cabinet approves inviting tenders for the new community based rehabilitation and reablement service on the basis of the pre - tender considerations set out in paragraph 6.2 of this report.
- 2.5 That Cabinet gives approval for officers to evaluate the procurement referred to in 2.4 above on the basis of the evaluation criteria set out in paragraph 6.2 of this report.
- 2.6 That Cabinet delegates authority to award the contracts for the community based rehabilitation and reablement service provision to the Strategic Director, Adults in consultation with the Cabinet Member for Adults, Health and Well-being, and the Chief Legal Officer.

3.0 Background

- 3.1 The BCF programme in Brent pools resources between the Brent CCG and Brent Council through a Section 75 agreement. The CCG and Council have worked with a wider range of health, social care and voluntary sector partners on the Brent Integration Board, to identify, design and develop proposals to improve patient care and well-being outcomes in Brent.
- 3.2 By joining up commissioning activity across health (Brent CCG) and social care (Brent Council), Brent's BCF Programme is supporting the Systems Resilience Group (SRG), which is tasked with ensuring the health and social care system can deliver: effective hospital discharge; reducing the number of Delayed Transfers of Care (DTOCs) and; supporting the early discharge of medically fit people from an acute setting.

3.3 This BCF project, Integrated Rehabilitation and Reablement Service (IRRS) has been co-designed by a Design Team made up of staff from both of the Council's reablement teams and members of the STARRS team at both a managerial and operational level. A Steering Group of senior officers from both the NHS and the Council has undertaken day-to-day decision-making – see Appendix 1 for the governance chart. Consultation has also been undertaken with a wider group including residents, customers, service providers and other health professionals. All stakeholders have been fully engaged with the design at each step of the journey, and the plan is to replicate this model of service design across future BCF schemes.

3.4 The IRRS is made up of two elements:

- The assessment and therapy service – social workers, therapists (occupational therapists, physiotherapists, dieticians, speech and language therapists), care assessors and OT assistants who work with patients to set goals and lead the process
- The community based rehabilitation and reablement service provision - which will deliver the day-to-day support to patients under the guidance of the lead professionals and the patient.

4.0 Assessment and Therapy service

4.1 The current assessment and therapy services are provided to eligible residents across the London Borough of Brent, over the age of 18, and who require short term, intensive assistance to help them achieve independence in daily living skills and/or goals in their own home.

4.2 There are currently three teams delivering assessment and therapy services in relation to IRRS:

- Brent Council's core reablement service delivered through the Reablement team in Adult Social Care. This service is for people with less complex needs, who don't need therapy input during reablement
- The Enhanced Reablement team, which is based in Adult Social Care, but was set up by the CCG and Brent Council to pilot a hybrid approach in which people with more complex needs could get both social care reablement and therapy input in a single service, and
- The LNWHT STARRS rehabilitation team, which provides core rehabilitation health services.

4.3 There are currently 57.1 FTE across the teams and they receive 182 referrals per week. However, it has long been recognised that this split of service reflects organisational responsibilities rather than the needs of the patient. When analysed it is clear that this creates fragmentation (with

people having a rehabilitation service which does not talk to the reablement service), and duplication (almost 30% of all assessments are duplicated)

- 4.4 Therefore, the proposal, which is set out in more detail in Appendix 2, is to bring the current LNWHT-based STARRS Rehabilitation and the Council-based reablement and enhanced reablement services, into a single IRRS assessment and therapy service, which is jointly commissioned by Brent CCG and Brent Council, and delivered by the LNWHT and Brent Council.
- 4.5 The project has completed detailed workforce modelling and there will be 54.5 staff in the new service, with an overall reduction of 2.6 FTE across the teams. However, there will also be further staff displaced between grades due to the differing pay scales between the organisations and changes to roles. The detail of the impact on Council staff will only be fully understood through the recruitment process. However, Cabinet should note that there will be no compulsory redundancies within the Council resulting from this project. Council staff will have an opportunity either to move to the new service (to be seconded to LNWHT), or to take up a post in adult social care.
- 4.6 If the approach is approved by Cabinet, the team will focus the rest of 2015/16 on recruiting staff into roles, transferring staff from the Council into the LNWHT, training staff in the new ways of working, developing the community-based reablement market, and ensuring the IT, estates and funding arrangements are in place to support successful go live in April 2016. We expect to see benefits from these changes over winter 2016/17.
- 4.7 It is proposed that the rehabilitation and reablement, assessment and therapy service will be jointly funded / commissioned by the Council and CCG. It is proposed that cost of the service of £3.1 million per annum will be funded through contributions of £732,800 from the Council and £2,403,500 from the CCG. This will be managed as part of the wider Section 75 agreement for the BCF, which will be the subject of a further report to Cabinet in early 2016.
- 4.8 It is also proposed that the rehabilitation and reablement, assessment and therapy service will be jointly provided by the Council and the LNWHT. Officers have reviewed ways in which to effect joint provision of the service and favour entering into a Section 75 Agreement with LNWHT. Delegated authority to approve the final terms of the Section 75 Agreement with the LNWHT is sought for the Strategic Director of Adults in consultation with the Chief Finance Officer and Chief Legal Officer.

5. Community Based Rehabilitation and Reablement Service Provision

- 5.1 Currently if you are assessed through the core reablement service your community based reablement service will be provided by one of over twenty care providers. The core reablement service was commissioned as part of the main West London Alliance Home Support Framework which runs until 2018. There is no contractual commitment to continue to use the providers through this framework.
- 5.2 If you access the Enhanced Reablement Service, then your community based reablement service will be provided by one of four care providers who were awarded 1+1 year contracts in January 2015 as part of a mini-tender from the West London Alliance Home Support Framework. It was necessary to do this because the Enhanced Reablement Service requires the Assessment and Therapy service to provide day to day clinical leadership to the care providers which is not the case for core reablement.
- 5.3 During October 2014 to September 2015, 1175 core reablement packages were provided to service users at a cost of approximately £800,000. Between January 2015 and October 2015, 152 enhanced reablement packages were provided to Brent residents, at an annual value of £200,000.
- 5.4 In both the standard and enhanced reablement services there have been recurring issues with providers in relation to service continuity and missed calls; following the instruction of the health professionals; and effective communication between the providers and the health professionals. This has served to impede service quality and impact on the time of the health professionals and the contract manager.
- 5.5 Therefore, the proposal is to re-commission the community based service as a rehabilitation and reablement service with a smaller number of providers aligned to the new model of assessment and therapy service outlined in section 4 above. In this new model, the care provider will work much more closely with the lead professional from the assessment and therapy service, who will be much more proactive in directing the work.
- 5.6 At present, as described above, the Lots in the WLA home support framework have not successfully delivered the reablement service that is necessary to provide the level of service that will be required for the new integrated service. Therefore, new providers will be sourced independently of this framework.
- 5.7 It is proposed that the community based rehabilitation and reablement service contract will be split into several lots across North, South, East and West Brent to ensure that there is less travel time and stronger links can be made to other local services, such as GPs. (See Appendix 3 for the detailed analysis of geographical spread of patients). It is expected that one provider is appointed per lot, but it is possible that more than one provider may be appointed to each lot.

- 5.8 Ideally the new community based rehabilitation and reablement service would go live at the same time or as close to the new Assessment and Therapy Service in April 2016. Therefore, officers recommend Cabinet delegates authority to award the contracts for community based rehabilitation and reablement provision to the Strategic Director of Adults in consultation with the Cabinet Member for Adults, Health and Well-being, and the Chief Legal Officer.

6.0 Pre-tender considerations

- 6.1 This section of the report sets out, in accordance with Contract Standing Orders 88 and 89, the pre-tender considerations for the community based rehabilitation and reablement service for the approval of the Cabinet.
- 6.2 The Cabinet is asked to give its approval to these proposals as set out in the recommendations and in accordance with Standing Order 89.

Ref.	Requirement	Response
(i)	The nature of the service.	Community Rehabilitation and Reablement Service
(ii)	The estimated value.	£1,000,000 for the whole service for the initial one year contract term and £2,000,000 if the contract term is extended
(iii)	The contract term.	1 year with the option for the council to extend the contract term by a period or periods up to 1 further year
(iv)	The tender procedure to be adopted.	Restricted Procedure
v)	The procurement timetable.	Indicative dates are:
		Adverts placed 11/01/16
		Expressions of interest returned 08/02/16
		Shortlist drawn up in accordance with the Council's approved criteria 19/02/16
		Invite to tender 19/02/16

Ref.	Requirement	Response	
		Deadline for tender submissions	11/03/16
		Panel evaluation and shortlist for interview	21/03/16
		Interviews and contract decision	22/03/16
		Report recommending Contract award circulated internally for comment and Chief Officer approval	28/03/16
		Delegated Chief Officer approval	30/03/16
		Minimum 10 calendar day standstill period – notification issued to all tenderers and additional debriefing of unsuccessful tenderers in accordance with EU Regulations	01/04/16
		Contract Mobilisation	18/04/16
		Contract start date	18/04/16
(vi)	The evaluation criteria and process.	1. Stage 1 selection (pre-qualification stage) shortlists are to be drawn up in accordance with the Council's Contract Procurement and Management Guidelines and will require bidders to meet the Council's financial standing, technical capacity and technical expertise requirements. 2. Tender evaluation at Stage 2 will be used to identify the most economically advantageous tenderers using <u>Quality and Price criteria</u> whereby: Quality will constitute 50% of the evaluation criteria and will look at: • How the provider's previous experience in successfully delivering similar services will be applied to meet the required outcomes. • How the Service will be operated to provide a high quality service that results in improved outcomes for service users.	

Ref.	Requirement	Response
		• How the service provider will provide a high calibre of trained and experienced staff, recruited locally to meet the needs of those in receipt of the service. • How social value will be delivered through this contract. Price will constitute 50% of the evaluation criteria.
(vii)	Any business risks associated with entering the contract.	No specific business risks associated with the proposed contract have been identified.
(viii)	The Council's Best Value duties.	The evaluation criteria are based on a model where cost and quality will be evaluated to ensure that provider(s) are selected on best value grounds. The tendering documentation will also specify how the contracts will be managed to ensure on-going delivery of the outcomes.
(ix)	Consideration of Public Services (Social Value) Act 2012	The following Social Value assessments will be incorporated into the prequalification and tender evaluation processes: Qualification stage ▪ Involvement of Small and Medium Enterprises (SME's), particularly within Brent. ▪ Adoption of ethical practices: these will include Safety and Hygiene, Working Hours and payment of LLW. Tender stage ▪ Confirmation that London Living Wage will be paid. ▪ Number of additional jobs that will be created as part of the contract. ▪ Percentage of vacancies that will be targeted at unemployed in-borough people. ▪ Total anticipated spend with SME's (in and out of Brent). ▪ How policies and procedures regarding equality and human rights will be applied to the range of service users. ▪ What % of zero hours contracts the providers' will employ across their staff working on the contract. ▪ The types of funding arrangements that providers will put in place to cover travel costs for staff working on the contract. The weightings for Social Value will be at least 10% of the

Ref.	Requirement	Response
		total quality score.
(x)	Any staffing implications, including TUPE and pensions.	See section 10.0 below.
(xi)	The relevant financial, legal and other considerations.	See sections 7.0 and 8.0 below.

7.0 Financial Implications

7.1 Assessment and Therapy service

7.1.1 The new staffing structure, which would be jointly funded by the council and the CCG to support this service, would cost £3.1m. The councils contribution to the £3.1m cost will be limited to the current staffing spend on Reablement, which equates to £732,800. This is the same as the current revenue budget for staffing the reablement assessment function.

7.1.2 At present there are also a small number of Council posts within the Enhanced Reablement Service funded by the CCG on a non-recurring basis. In 2014/15 this equated to staffing costs of approximately £0.3m. The new Assessment and Therapy service will remove this arrangement and thus negate the existing risk of funding not being secured for these posts on an annual basis.

7.1.3 Via the new service, the Council will be managing the demand pressures of increased costs in home care, residential and nursing care, and the project will recoup benefits across the whole system rather than within this specific project. The maintenance of the investment will be measured in terms of the reduction and size of home care packages, hospital admissions and residential and nursing care costs, rather than a short-term immediate budget reduction from this service. Therefore, no specific financial benefit has been quantified.

7.2 Community Based Rehabilitation and Reablement Provision

7.2.1 The Council's Contract Standing Orders state that contracts for supplies and services exceeding £250,000 or works contracts exceeding £500,000 shall be referred to the Cabinet for approval of

the award of the contract.

- 7.2.2 The estimated value of the Integrated Rehabilitation and Reablement contract over the proposed 1 + 1 year contract term is £2 million. The contract value is equivalent to 70,000 hours of care per annum which compared to projected demand is expected to be sufficient.
- 7.2.3 The expected contract cost of the new service is £2 million for 1+1 years, will be met from within the Adult Social Care cash limit for each financial year of the contract. Should the cost of the contract be exceeded the additional cost will have to be contained within the Adult Social Care departmental budget as required.

8.0 Legal Implications

8.1 Rehabilitation and Reablement, Assessment and Therapy service

- 8.1.1 With regard to the assessment and therapy service, the intention is to enter into partnership agreements pursuant to s75 of the National Health Service Act 2006 on the basis that it will lead to an improvement in the way the council's, the CCG's and the LNWHT's functions are exercised. The s75 Agreement is the vehicle by which the services that are to be delivered, the mechanism for expenditure; and delivery of outcomes are clarified to ensure each party knows exactly how it will operate and to reduce the risk of disputes.
- 8.1.2 Contract Standing Order 85 provides that a formal agreement in respect of any partnership arrangement must be signed by the parties.
- 8.1.3 Contract Standing Order 85 also provides that the Chief Finance Officer must approve any partnership arrangements. Officers have been working with Finance in relation to partnership arrangements proposed and approval is sought to delegate authority to the Strategic Director, Adults in consultation with the Chief Finance Officer and the Chief Legal Officer to approve the final terms of the proposed partnership arrangements.

8.2 Community Based Rehabilitation and Reablement Provision

- 8.2.1 With regard to the procurement of community based rehabilitation and reablement provision, such services fall within the social and other specific services listed in Schedule 3 ("Schedule 3 Services") of the Public Contracts Regulations 2015 ("EU Regulations") and as

such are subject to a lighter touch regime. The estimated value of this proposed procurement is £2 million (including possible extension). The procurement will be broken down into four lots each of a value of circa £500,000. Whilst the contracts for each lot are below the threshold applicable to Schedule 3 Services (currently set at £625,050), Regulation 6 (11) of the EU Regulations requires that as the aggregate value of all lots together is in excess of the relevant threshold, the EU Regulations apply to the award of contracts for each lot.

- 8.2.2 The estimated value of the proposed procurement of community based rehabilitation and reablement provision and indeed the estimated value of the contracts for each lot are in excess of £250,000 making them High Value Contracts under the Council's Contract Standing Orders. As such the contracts are subject to the Council's own Standing Orders and Financial Regulations in respect of High Value Contracts and therefore the Cabinet must approve the pre-tender considerations set out in Section 6.0 of this report (Standing Order 89) and the inviting of tenders (Standing Order 88).
- 8.2.3 If delegated authority to award is granted, once the tendering process is undertaken, Officers will report back to the Strategic Director of Adult Social Care and the Lead Member for Adults, Health and Well-being and Chief Legal Officer, explaining the process undertaken in tendering the contracts and recommending award.
- 8.2.4 As the procurement is subject to the application of the EU Regulations, the Council must observe the requirements of the mandatory minimum 10 calendar day standstill period before contracts can be awarded. The standstill provides unsuccessful tenderers with an opportunity to challenge the Council's award decision if such challenge is justifiable. However if no challenge or successful challenge is brought during the standstill period, at the end of such period the council can proceed with the award of the contract.

9.0 Diversity Implications

- 9.1 The proposals in this report have been subject to screening and officers believe that there are no diversity implications, therefore there is no need for a full Equality Analysis to be completed.

10.0 Staffing/Accommodation Implications

- 10.1 With regard to the procurement of the community based rehabilitation and reablement contract, external contractors currently provide this service and there are no implications for Council staff arising from retendering the contract.
- 10.2 With regard to the assessment and therapy service, Members are referred to paragraphs 4.5 of the report for details regarding implications for council staff. It will be noted that the internal council Staff who are employed are all going to be redeployed and seconded to LNWHT and as such there are no anticipated redundancies arising from the reorganisation. A secondment agreement will be required if staff are seconded out of Brent.
- 10.3 With regard to accommodation implications of operating the joint service, staff will mainly be based within the LNWHT with satellite desks in other locations to be determined. The detail of this will be the subject of the Section 75 agreement.

11.0 Public Services (Social Value) Act 2012

- 11.1 The Council is under duty pursuant to the Public Services (Social Value) Act 2012 (the “Act”) to consider how the services being procured might improve the economic, social and environmental well-being of its area; how, in conducting the procurement process, the council might act with a view to securing that improvement; and whether the council should undertake consultation. Officers have commenced engagement with a range of service users to understand their views of the current service and how the future contract may be shaped to meet economic, social and/or environmental needs.
- 11.2 The services being procured have as their primary aim improving the social and economic well being of some of the most vulnerable groups in Brent. They are highly specialist with only a very limited number of suppliers who can meet the Council's requirements. Nevertheless, officers will endeavour to ensure the requirements of the Act are implemented as part of the procurement process.
- 11.3 Bidders will also be asked to submit pricing that includes the London Living Wage.

12.0 Background Papers

12.1 None.

Contact Officer(s)

Sean Girty
Better Care Fund Programme Director
Health and Social Care Integration
Email: sean.girty@brent.gov.uk

Yolanda Dennehy
Head of Service Safeguarding and Reablement
Adult Social Care
Email yolanda.dennehy@brent.gov.uk

PHIL PORTER
Strategic Director, Adults

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BCF Governance Structure

The approved BCF Governance structure

Governance Role

Sets the strategy for Integration. Delegates authority to the Implementation Board. Remains accountable for integration.

Financial sign off for pooled budgets and BCF investment based on recommendations from BCF Implementation Board

Joint Leadership and decision making on the BCF. Holds the Brent Executive Group to account.

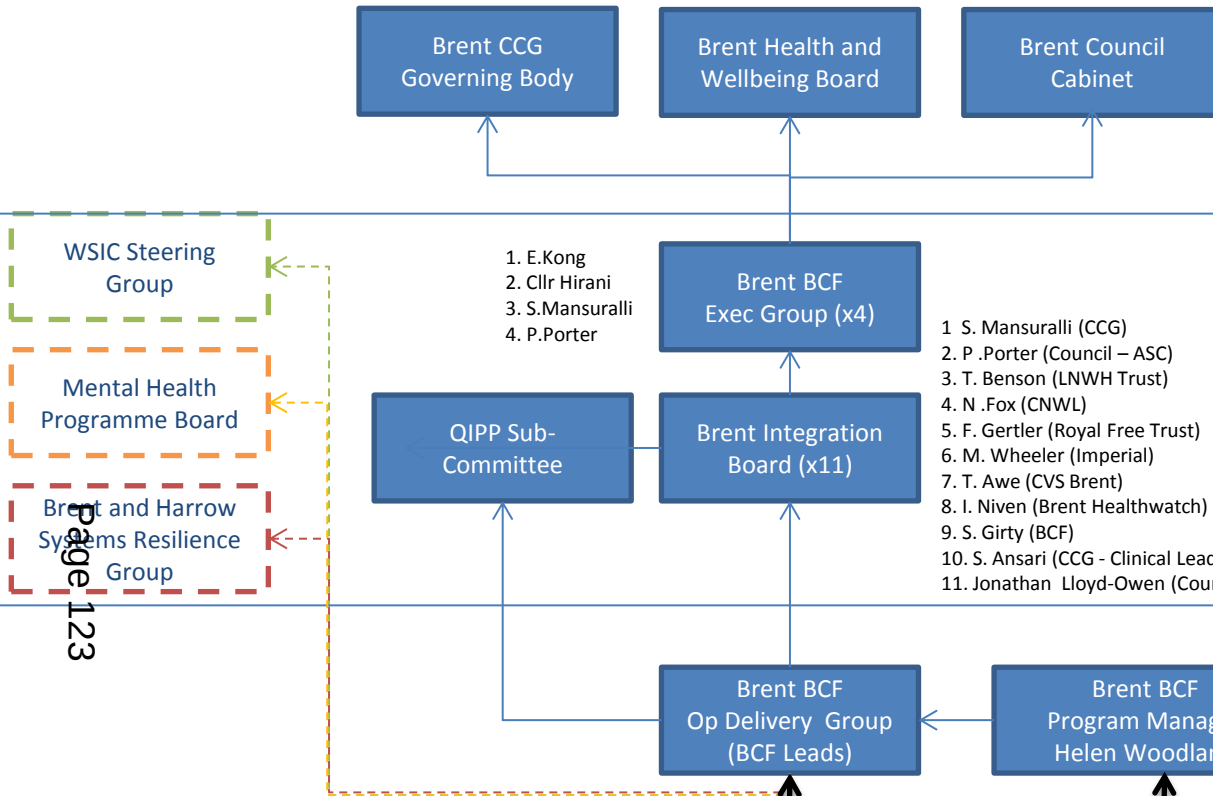
Responsible for monitoring and overseeing delivery of integrated care and implementation of the BCF plan.

Reports on progress, blocks and recommends mitigating actions to the H&WBB.

Holds BCF Steering Group to account and monitors interdependencies between activity across Brent.

Responsible for delivery of the BCF plan, including identification and management of interdependencies.

Responsible for monitoring and reporting progress to the Implementation Board.



Design & Implementation (Project Level)

Responsible for developing the detailed design of the new integrated rehab and reablement operating model and for implementation of that new operating model. Members include operational and managerial staff from both the LNWH and Brent Council

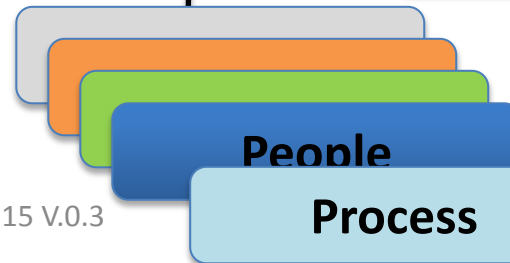
Responsible for project planning, design, highlighting governance decisions required, stakeholder engagement, managing project level risk & issues, escalating programme level risk & issues

The Sr Steering Group will scrutinise and challenge the design before papers go to the Brent Integration Board. Accountable to the BCF Steering Group

Note Terms of Reference

1. Y.Dennehy (Council and BCF Lead)
2. A.Jones (Council – commissioning)
3. I. Coombes (CCG)
4. P.Johnson (CCG – quality)
6. V.Baxter (LNWH Trust Rehab)

This illustrates the proposed project level structure and how it fits into the BCF governance. Endorsed by the Sr steering group on 21/04/15



Design and Implementation project work streams

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Rehabilitation and Reablement Operating Model

START

END

INTO the model

BCF Scheme 2

Pathway to prevent hospital admission

BCF Scheme 3

Pathway to support hospital discharge

BCF Scheme 1

Pathway to increase independence in community

Single, simplified referral route into the model

Screen against eligibility, determine most appropriate Lead Professional

DURING the Integrated Rehab and Reablement Community model



Continuum of Care

Reablement Only

Rehab and Reablement Rapid Recovery

Rehab and Reablement Slow Recovery Pathway

Lead Professional



Social Worker, OT, Physio, Care Assessor, Specialist OT, Specialist Physio, Dietician, Psychiatrist, Rehab Assistant, Care Assessor

Flexibility to involve others within the team as required, with the Lead Professional coordinating the care and support required and supervising any reablement support

High Level Process



Support / therapy interventions provided by:

- Therapists
- Rehab Assistants
- Reablement Support Workers
- Volunteers

OUT of the model

Self manage with no support

Self manage with equipment

Hand over to 3rd Sector for ongoing support from volunteers

Hand over to GP for ongoing support

Hand over to family/carer for ongoing support

Hand over to Physios in MSK for ongoing support

Hand over to ASC for ongoing support

Hand over Community Nurse for ongoing support

BCF Scheme 1



I feel ready/stable to begin my recovery. I know who is supporting me, what I can expect, and what is expected of me.

I know what my goals are

I know what needs to be done to achieve my goals

I'm receiving the support and encouragement I need to achieve my goals

I've achieved my goals and know what the next steps are

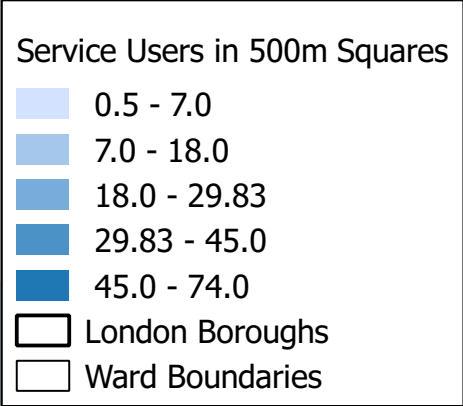
I know what needs to be done and where to go for support

I feel more empowered and more independent

Client/Patient Perspective

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Service User Density



Ward	All Clients	STARRS Clients
Alperton	106	90
Barnhill	250	211
Brondesbury Park	184	152.5
Dollis Hill	166.5	149
Dudden Hill	167	139
Fryent	141	124
Harlesden	197	168
Kensal Green	159.5	135.5
Kenton	169	144
Kilburn	178.5	144
Mapesbury	149.5	124.5
Northwick Park	140.5	121.5
Preston	225	184.5
Queens Park	149.5	123.5
Queensbury	177.3	152
Stonebridge	262.8	214.3
Sudbury	162	134
Tolkyngton	181.5	159.5
Welsh Harp	154.3	130.3
Wembley Central	176.5	140.5
Willesden Green	163.5	136.5

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Cabinet
14 December 2014

Report from the Strategic Director of Regeneration and Growth

For Action

Wards affected: Northwick Park

Adoption of Revised Planning Design Guide for the Sudbury Court Conservation Area

1.0 Summary

- 1.1** A review of Brent's Conservation Area Design Guides is being undertaken. Its overall aim is to produce up-to-date documents to give clear guidance primarily to residents on acceptable types of development to sustain and where possible enhance conservation areas. This process includes a revised Planning Design Guide for the Sudbury Conservation Area. Extensive public consultation on the draft Guide took place over a number of stages. The responses to the consultation have been considered and proposed amendments to the final document proposed for adoption by Cabinet. On 14th October 2015 the Planning Committee considered the consultation responses and proposed amendments and resolved to support the document's consideration and adoption by Cabinet.

2.0 Recommendations

- 2.1** That the Cabinet agrees the adoption of the revised Planning Design Guide for the Sudbury Court Conservation Area for development management purposes to guide the consideration of future planning applications in this area.

3.0 Detail

- 3.1** The existing Sudbury Court Conservation Area Design Guide dates from 1993. It does not provide clear guidance for existing residents and those proposing to move into the area about all types of works that are generally accepted. In the revised document issued for consultation the general approach to development remained unchanged. However, the updated

document is intended to be more 'user friendly'. It provides clearer advice on the interpretation of guidance given current legislation and the National Planning Policy Framework.

3.2 The following are the key changes to the Design Guide:

- More detailed text, illustrations, diagrams and examples. It should therefore be a far more useful document than the existing design guide which was very limited.
- Further clarification on replacement windows including examples of the plans and level of detail required as part of a planning application to assist applicants and ensure acceptable replacement windows are provided.
- Details on how to infill and extend porches in a way that is sensitive to the architecture of the host building.

First round of consultation

3.3 Letters were addressed to owner/occupiers in the Sudbury Court Conservation Area on 19th June 2014. These gave 28 days to comment on the draft Design Guide. A 'drop-in session' for residents was held at Vale Farm Sports Centre on 4th July 2014. This gave an opportunity to discuss the proposals with Officers.

3.4 A total of 12 comments were received from residents. In addition there were two petitions (one with 34 signatures and one with 27 signatures) supporting the enclosure of porches.

3.5 Recessed entrance porches and canopies contribute towards the special character of the Conservation Area. The infilling of recessed entrances and loss of canopies which are a significant architectural feature will harm the appearance of the host building and the conservation area. It is also considered that there are alternatives, for example internal alterations, that could improve energy conservation and security.

3.6 However, a survey undertaken by officers revealed that around 64% of existing properties within the Conservation Area already had enclosed porches - of varying degree of quality in terms of their design. These were spread out throughout the conservation area. Generally they were constructed prior to an Article 4 Direction covering the conservation area which came into force in November 1993.

3.7 The need for energy conservation and security must be balanced against conservation objectives, which suggests that there should be substantial public benefits to outweigh the overall harm to the Conservation Area.

Second round of consultation

3.8 Letters were addressed to owner/occupiers in the Sudbury Court Conservation Area on 14th November 2014 together with a questionnaire. 28 days was given to complete the questionnaire. The purpose of the

questionnaire was to focus on particular aspects raised as part of the first round of consultation. It therefore focussed on the infilling recessed/open porches and replacement front doors and roof extensions. A 'drop-in session' for residents was held at Vale Farm Sports Centre on 27th November 2014 providing an opportunity to discuss the proposals with Officers. A total of 138 completed questionnaires were received from residents.

- 3.10 In terms of infilling and creating porches, it has already been acknowledged that the recessed entrance porches and canopies contribute towards the special character of the Conservation Area. However, it is also evident that a large number of these features (around 64%) have been unsympathetically altered in the past. The results of the questionnaire indicate that a large proportion of the respondents supported the infilling of recessed entrances as well as the construction of new wooden porches beneath an existing canopy. In both cases it is important that the original front door should be retained or a sympathetically designed replacement installed to match the architecture of the house.
- 3.11 In terms of replacement front doors, a survey of existing properties within the conservation area indicates that of the properties that do not have porches, only around 11% had replacement front doors in alternative materials including PVCu and composite. It is generally considered that even the more modern doors in composite do not faithfully replicate the design and detailing of the original style of timber doors. This has an adverse impact and harms the character and appearance of the conservation area.
- 3.12 A number of residents were in support of hip to gable roof extensions, side dormers and front rooflights. The uniformity of the roofscape and gaps between properties forms part of the special character of the Sudbury Court Conservation Area. At present, only around 4% of properties have been extended with side dormer windows or hip to gable roof extensions. Allowing hip to gable roof extensions or side dormer windows at this stage would have a significant impact on the appearance of the houses. It will alter the original roof form and reduce the gaps between the properties. Many are semi-detached and symmetrical. Such roof extensions would harm the original proportions, design, symetricality and character of the houses and therefore the streetscape to no public benefit.

Third round consultation

- 3.13 Letters were addressed to owner/occupiers in the Sudbury Court Conservation Area on 24th August 2015 giving 6 weeks to comment on the final draft Design Guide. The document was made available to view at the local libraries or it could be downloaded from Brent's website. Comments could be made by either completing an online response form, by email or in writing.
- 3.14 A total of 5 responses were received. Three residents commented that infilling porches should be permitted to improve energy conservation, prevent heat loss and for shelter from the weather. It was also necessary to improve

security as well as for storage. Two residents commented that there were so many already and it should have been permitted before now.

- 3.15 One resident did not support replacement front doors in alternative materials to timber. The resident also considered that infilling porches is changing the character of a building's front more than the mere replacement of the door with a non-timber material. Furthermore, the resident considered that many modern door materials were capable of replicating timber. Full details of the responses to the consultation and suggested amendments to the Guide are set out in Appendix 1.

Conclusion

- 3.16 It is clear that there is general support for the infilling and the construction of porches beneath an existing canopy. It is recognised that the recessed entrance porches and canopies contribute towards the special character of the Conservation Area. However, it is also evident that a large number of these features (around 64%) have been unsympathetically altered in the past.
- 3.17 There are clear advantages and benefits for residents relating to the improvement of energy conservation, the prevention of heat loss and for shelter from the weather. There are also advantages to the improvement for security as well as for storage.
- 3.18 The Sudbury Court Design Guide has therefore been revised to include the construction of porches within certain parameters. These include allowing PVCu construction and double-glazed French doors, using clear glass and retaining the original front door behind or a suitable timber replacement. The porch must be constructed in sections reflecting the style of the architecture of the main house. The frame sections should be no more than 10cm by 10cm.
- 3.19 Consideration has been given to the comments made during the consultations as set out in the Planning Committee Report (dated 14th October 2015) appendices and minor amendments made to the guide.
- 3.20 On 14th October 2015, the Planning Committee gave its endorsement to incorporate the recommended revisions in the Sudbury Court Conservation Area Design Guide. The final document (as shown in Appendix 2) is presented to the Cabinet Committee for adoption.

4.0 Financial Implications

- 4.1 The guides are intended to provide more detailed guidance for residents, giving a greater level of certainty as to whether works are likely to be acceptable. This may help reduce the expense for residents of submitting multiple applications in order to gain an approval. It will also reduce time spent by officers in determining applications.

5.0 Legal Implications

- 5.1 Conservation Areas are subject to statutory provisions set out in the Planning (Listed Buildings and Conservation Areas) Act 1990. The designation does not preclude development from taking place, but does require that developments preserve or enhance the historic character of the area. If formally adopted by the Cabinet, the documents will replace the existing Design Guide and carry significant weight when determining planning applications on a case by case basis.

6.0 Diversity Implications

- 6.1 The Equality Act 2010 introduced a new public sector equality duty under section 149. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Council must, in exercising its functions, have “due regard” to the need to:
1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 2. Advance equality of opportunity between people who share a protected characteristic and those who do not.
 3. Foster good relations between people who share a protected characteristic and those who do not.
- 6.2 EAA screening did not identify any potential positive or negative impacts from the design guide in relation to the equality duty.

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 The updated documents are intended to be more ‘user friendly’ and may reduce the level of input required from officers both at pre-application stage and during the course of the application though seeking revisions.

Background Papers

Existing Design Guide: The Sudbury Court Design Guide, the guide to development, 1985

14 October Planning Committee Agenda, Decisions & Minutes:
<http://democracy.brent.gov.uk/ieListDocuments.aspx?Cld=115&Mid=2792&Ver=4>

Contact Officers

Mark Price, Principal Heritage Conservation Officer. 020 8937 5236

ANDREW DONALD
Strategic Director of Regeneration and Growth

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Appendix 1: Residents' responses & suggested changes to the Guide

First consultation - Individual responses, discussion and recommendations

Consultation Responses	Discussion	Recommendation
Front doors, Porches and Canopies		
Resident's Comments Infilling should be permitted to improve energy conservation and security; (x9) Petition – <i>'by residents to be able to have closed in porches to help with heating costs, security and the help the environment with the emissions'</i>; (x34) signatures from residents within the designated conservation area Petition – <i>'for enclosed porches'</i>; (x27) signatures from residents within the designated conservation area. It is a mixed area as some have already been infilled prior to conservation area designation; (x 3) Note: a number of name/addresses appear on both petitions.	The recessed entrance porches and canopies contribute towards the special character of the Conservation Area. The infilling of recessed entrances and loss of canopies which are a significant architectural feature will harm the appearance of the host building and the conservation area. It would not accord with conservation area guidance. It is also considered that there are alternatives, for example internal alterations, that could improve energy conservation and security. However, the need for energy conservation and security must be balanced against conservation objectives, which suggests that there should be substantial public benefits that outweigh the overall harm to the Conservation Area. A survey has been undertaken by officers, which reveals that around 64% of existing properties within the Conservation Area have enclosed porches of varying degree of quality in terms of their design. These are spread out throughout the conservation area and were mostly constructed prior to the Article 4 Direction coming into force in November 1993.	In light of the above survey, and the number of residents supporting porches and infilled entrances, an appropriate response was to carry out a further consultation exercise. This included residents, ward councillors and the Sudbury Court Residents Association (SCRA) and focus on this aspect.
Rear extensions (including conservatories)		
Resident's comments Rear extensions should be allowed to be full width of the existing dwelling; (x1)	Noted as this is current practice within the Sudbury Court Conservation Area for single storey rear extensions, and will continue to be supported.	Revise the design guide to be consistent with current practice.
Side extensions		
Resident's comments Allow side extensions right up to party wall/boundary perimeter, as allowing a gap of 1m would not make sufficient floor space area for an extension. When the dwellings were originally built, some	Where the side boundary of the application property adjoins the rear boundary of the neighbouring site, the draft guide advises that a 1m set in from the side boundary is still required to ensure a development does not appear cramped in its plot and create a	Revise guidance to follow current approach within the Conservation Area including: 1. existing garages to be retained/replicated at ground floor level; 2. 1m set in at ground floor level if no garage existing

garages were built up to the boundary; (x1) 2.5m is too large a setback from the front elevation above 1 st floor/garage is odd and out of character a 1m setback would be sufficient and blend better with the character of the area; (x1)	bulky unsymmetrical addition. It is noted that the current design guide allows a garage to be retained or replicated on the site boundary but for the first floor element to be set in 1m from the boundary. It is also noted that the current design guide allows a 1.5m set back from the front of the house.	3. in all cases 1m set in at first floor level to be provided. 4. 250mm set back at ground floor level and 1.5m set back at first floor level 5. Special attention to be paid to corner plots to maintain the open character and to prevent bulky, unbalanced additions.
Dormers, Roof Lights and Alterations to roofs		
Resident's comments. Permission to allow the full conversion of roofs from hip/gable to allow for loft conversions; (x2) More flexibility loft conversions to ease housing requirements/overcrowding; (x1)	The uniformity of the roofscape and gaps between properties forms part of the special character of the Sudbury Court Conservation Area. Allowing hip to gable roof extensions will have a significant impact on the character and appearance of the properties and harm the streetscene. It will also reduce the gaps between the properties.	As part of the response to additional consultation to be undertaken in association with porches as set out above, with residents, ward councillors and the Sudbury Court Residents Association (SCRA) related to extensions was considered appropriate.
Window repair and replacement		
Resident's comments. PVCu windows should be allowed due to high cost of replacing wooden/original look windows and sills. Would allow a higher standard of energy preservation for residents and reduce costs of energy consumption, as the current wooden windows (on some dwellings) lose heat during variant weather conditions; (x1)	Permitted development rights have been removed to those properties identified by an Article 4 Direction. As such, the guide seeks to provide clear guidance to residents on the type of window replacement that would be acceptable. This includes double glazing and PVCu. Externally mounted glazing bars, leaded detailing and drip rails are required to reflect the design of the original windows.	The design guide has been updated to confirm that replacements in alternative materials such as PVCu will be supported subject to complying with the requirements of the guide.
Solar panels and environmental installations		
Resident's comments Solar panels are not allowed on the highway facing roof slopes. The highway roof slopes receives the most sunlight, therefore the only roof slope that would make economical sense; (x1) Rear facing solar panels should be permitted; (x1)	The installation of solar panels is permitted development to the side and rear roof slopes where they do not face the highway. The guide already has information to assist householders when installing such equipment. Installing panels on the front roof slope or side that faces a highway would harm the appearance of the conservation area. It is not considered appropriate to amend the guide.	No change
Gardens		
Resident's Comments	The guidance on front gardens	No change

Provide 50% soft landscaping in front/highway facing gardens; (x1) The continued funding for tree planting on the road/public greeneries should be continued; (x1)	does seek to provide 50% soft landscaping within front gardens. Funding for tree planting on public highway/greeneries is outside the control of the guide.	
Other Issues		
Resident's Comments Enforcement of such strict design guide with more support/residents association given more support and consultation. More enforcement is seen to be taking place by the Local Authority; otherwise the guide is null and pointless. Other comments Further guidance is required on other matters not already picked up within the revised updated design guide.	The guidance is intended to make it simpler for resident to understand what works can be carried out without needing planning permission. Where planning permission is required, there is clear guidance on the type of proposals that are likely to be supported. The updated design guide does not include references to first floor rear extensions, basements and raised patios/terraces, which can be found in parts of the conservation area. Some of the area features changes in level between the house and rear garden. Advice on how to approach these alterations would be helpful.	The updated design guide to be amended to include guidance on first floor rear extensions, basements and raised patios/terraces.

Second consultation - Individual responses, discussion and recommendations

Consultation Responses	Discussion	Recommendation
Porches and Canopies		
Resident's Comments <i>Reasons why support and design suggestions:</i> Infilling should be permitted to improve energy conservation; (x9) Infilling should be permitted to improve security; (x8) Exterior door to match the original style of front door within the porch; (x14) To be predominantly glazed to allow timber frontage doors to be retained; (x11) Porches to be wooden; (x4) Materials and colour to match existing house; (x1) <i>Reasons why not support.</i> Adversely impact on appearance; (x1) Should not be justified for	It is recognised that the recessed entrance porches and canopies contribute towards the special character of the Conservation Area. However, it is also evident that a large number of these features (around 64%) have been unsympathetically altered in the past. The results of the questionnaire also indicate that a large proportion of the respondents supported the infilling of recessed entrances as well as the construction of new wooden porches beneath an existing canopy. In both cases the original door should be retained or a sympathetically designed replacement installed to match the architecture of the house.	It is recommended that the Sudbury Court Design Guide is revised to include a section that allows the infilling of recessed entrances and porches. This is subject to it being of an appropriate design solution. For example, this includes the need for it to be predominantly glazed to allow views through to original features (such as the timber entrance doors and frame) behind. Where lost, there should also be a requirement to reinstate the original front door design to enhance the character of the building as a public benefit.

energy efficiency reasons; (x1) Too many people get away with unauthorised works; (x1)		The above approach to be applied to properties that already have a porch and are seeking to replace it. This is to allow uniformity in the design of porches and sustain and enhance the character of the conservation area.
Replacement Front Doors		
Resident's Comments <i>Reasons why support and design suggestions.</i> Energy Conservation; (x5) Security; (x4) Less maintenance; (x1) Replica design of the original style of door in modern material; (x14) <i>Reasons why not support and design suggestions.</i> Timber door more secure; (x1) Timber door more durable if maintained; (x1) Modern materials out of keeping with character of conservation area; (x1) Original front door to be retained if porch provided; (x1) Replace with timber door to match original style; (x2) Enforcement of such strict design guide with more support/residents association given more support and consultation. More enforcement is seen to be taking place by the Local Authority; otherwise the guide is null and pointless.	A survey of existing properties within the conservation area indicates that of the properties that do not have porches, around 11% have replacement front doors in alternative materials including PVCu and composite. It is considered that even the more modern doors in composite do not faithfully replicate the design and detailing of the original style of timber doors. This has an adverse impact and harms the character of the conservation area.	No changes recommended.
Hip to gable roof extensions, Side Dormers, and Front Roof Lights		
Resident's comments <i>Specific comments on type of roof extensions supported/not supported</i> Support hip to gables generally; (x17) Support hip to gables with front roof lights; (x5) Supports hip to gables with no front roof lights; (x7) Supports hip to gables on shared driveway properties; (x1) Supports side dormers; (x17) Does not support hip to	The uniformity of the roofscape and gaps between properties forms part of the special character of the Sudbury Court Conservation Area. At present, only around 4% of properties have been extended with side dormer windows or hip to gable roof extensions. Allowing hip to gable roof extensions or side dormer windows will have a significant impact on the appearance of the houses, altering the original roof form and reducing the gaps	No changes recommended. If Committee are minded not to agree with this recommendation - by allowing such roof extensions - it would erode and harm the significance of the Sudbury Court Conservation Area to such an extent that it would not be worth pursuing its protection as a conservation area. In such instance, it will be

gables; (x4) Does not support side dormers; (x7) <i>Reasons why roof extensions supported</i> Increasing house prices and extended family; (x4) Hip to gable will allow uniform roof design if applied throughout the estate; (x1) <i>Reasons why roof extensions not supported</i> Out of character; (x2) First floor side and rear extensions should only be allowed; (x6) Rear dormers only; (x6)	between the properties. Many are semi-detached and symmetrical. Such roofs extensions will harm the original proportions, design and character of the houses and therefore the streetscape - to no public benefit.	recommended that the Sudbury Court Conservation Area is de-designated.

Charts

Chart A shows the response from properties within the Sudbury Court Conservation Area on the proposal for **infilling recessed entrances and porches** (nb numbers provided are actual numbers and not percentages)

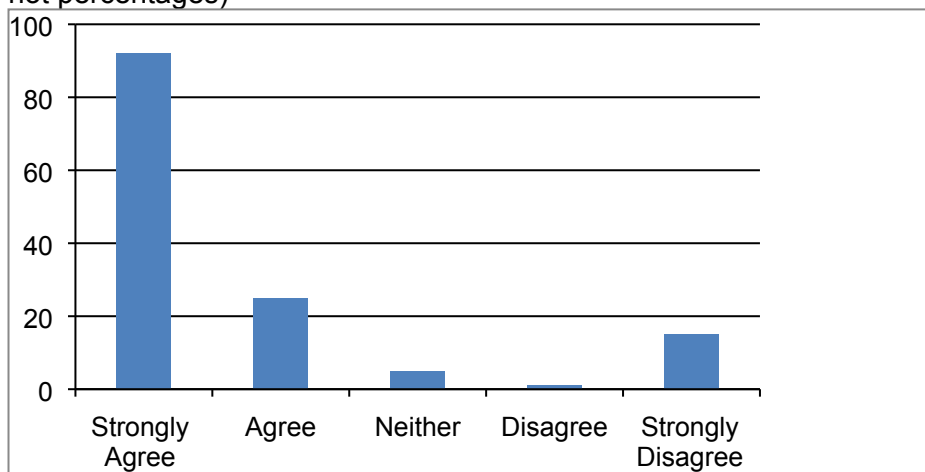


Chart B shows the response from properties within the Sudbury Court Conservation Area on the proposal for **replacement front doors in alternative materials to timber** (nb numbers provided are actual numbers and not percentages)

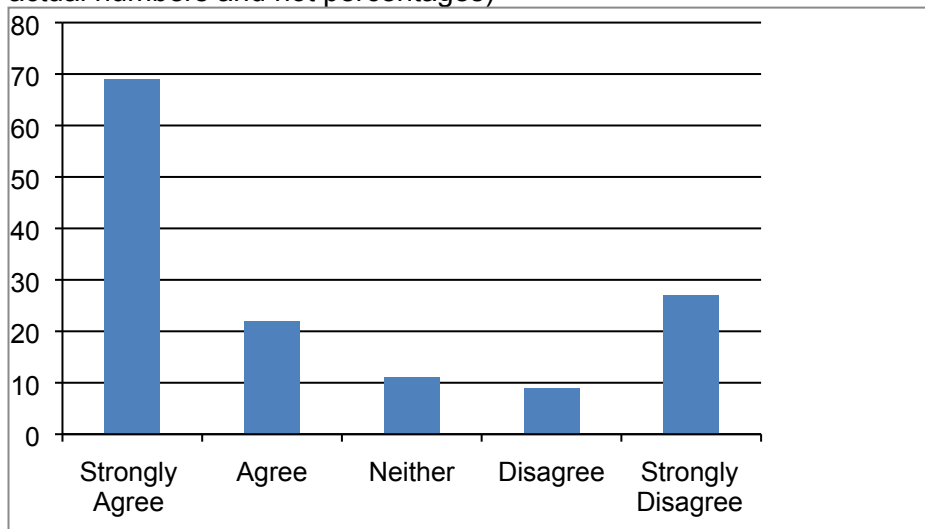
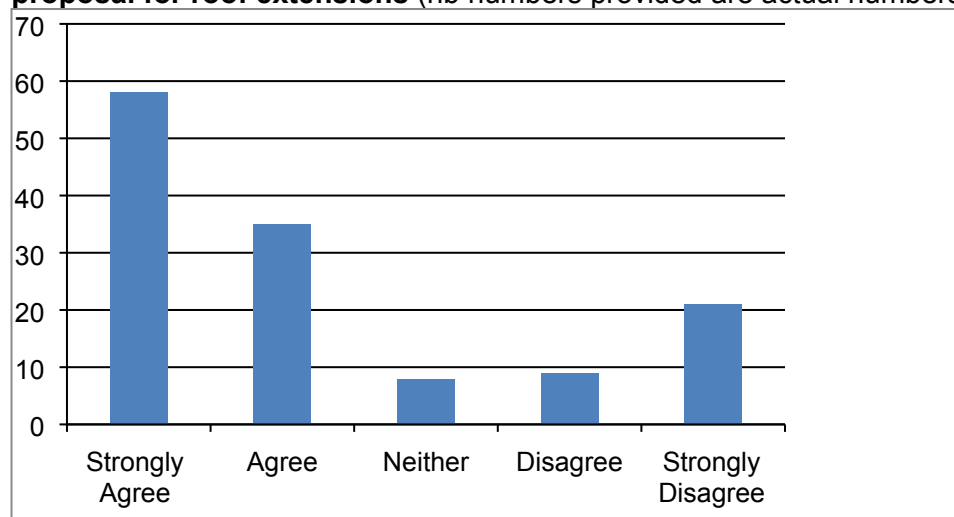


Chart showing the response from properties within the Sudbury Court Conservation Area on the **proposal for roof extensions** (nb numbers provided are actual numbers and not percentages)



Third consultation - Individual responses, discussion and recommendations

Consultation Responses	Discussion	Recommendation
Porches and Canopies		
Resident's Comments <i>Reasons why support and design suggestions:</i> Infilling should be permitted to improve energy conservation, prevent heat loss and shelter from weather; (x2) Infilling should be permitted to improve security; (x2) Infilling should be permitted to improve storage ; (x2) Infilling should be permitted because there are so many already; (x3) To be predominantly glazed with double doors to allow timber frontage doors to be retained; (x2) Porches to be wooden; (x1) Porches to match the style of architecture to match the existing house; (x1) Materials and colour to match existing house; (x1) Exterior door to match the original style of front door within the porch or original moved to front; (x1) Replacement original front door should be allowed in a composite material, replicating the wood grain effect; (x1) More clarity over design; (x1)	It is recognised that the recessed entrance porches and canopies contribute towards the special character of the Conservation Area. However, it is also evident that a large number of these features (around 64%) have been unsympathetically altered in the past. The results of the consultation also indicate that a large proportion of the respondents supported the infilling of recessed entrances as well as the construction of new porches beneath an existing canopy. The results confirm that the new porch should have double-glazed French doors. In both cases the original door should be retained or a sympathetically designed replacement installed to match the architecture of the house. The results also confirm that the porch should match the style of the existing house. Exterior doors need to be fully glazed to allow the original to be appreciated behind. It allows the original appearance of the building to be maintained. The original front door should not be moved forward as it would look	The Sudbury Court Design Guide has been revised to include a section that allows the infilling of recessed entrances and new porches. This is subject to it being of an appropriate design solution. For example, this includes the need for it to be predominantly glazed to allow views through to original features (such as the timber entrance doors and frame) behind. Where lost, there is a requirement to reinstate the original front door design to enhance the character of the building as a public benefit. New porches and double French doors are recommended in timber construction but PVCu double-glazed units/construction will be supported where there is a sympathetic design approach. The above approach to be applied to properties that

	unconventional in its new position. A composite material could be allowed if it can be proven to match the design of the original.	already have a porch and are seeking to replace it. This is to allow uniformity in the design of porches and sustain and enhance the character of the conservation area.
Reasons why not supported. The design guide is far too prohibitive and onerous and the Conservation Area status and rules for this locality should be repealed; (x1)	The Conservation Area and Design Guide is supported by the Sudbury Court Residents' Association and the residents.	No change proposed.
Front garden area		
Resident's Comments <i>Reasons why support and design suggestions.</i> Support the idea that no more than 50% can be hard standing. It would be nice to have some design ideas on what is acceptable for the hard standing and pathways; (x1) Allow appropriately designed side dormers to give staircase access for a roof addition; (x1)	It is important that there are guidelines on what is acceptable. Clearly robust materials and those in keeping with the style of Sudbury Court would be preferred. In terms of side dormers, only around 4% of properties have been extended with side dormer windows or hip to gable roof extensions. Allowing side dormer windows will have a significant impact on the appearance of the houses, altering the original roof form and reducing the gaps between the properties. Many are semi-detached and symmetrical. Such roofs extensions will harm the original proportions, design and character of the houses and therefore the streetscape - to no public benefit.	With reference to hardstandings, the guide will be updated for clarity to ensure it is clear about materials and layout. For example, the use of flagstones and the careful laying and setting out of materials. No changes recommended for side dormers. If Cabinet are minded not to agree with this recommendation - by allowing such roof extensions - it would erode and harm the significance of the Sudbury Court Conservation Area to such an extent that it would not be worth pursuing its protection as a conservation area.

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SUDBURY COURT | CONSERVATION AREA
DESIGN GUIDE



Final Draft Document Dec 2015



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1.0 INTRODUCTION

Conservation Areas (Heritage Assets) are places of special architectural and historic interest with a collective quality and character worth preserving or enhancing. The strength of their significance and value is dependent on the way the individual buildings, the spaces between them and gardens complement each other. The Local Planning Authority is responsible for designating Conservation Areas with the law set down in the Planning (Listed Buildings and Conservation Areas) Act 1990.

The Sudbury Court Conservation Area was initially designated in January 1990 and was subsequently extended in March 1990 and January 1993.

In November 1993, the Council, with the support of residents, applied additional planning controls known as an Article 4(1) Directions, to the Sudbury Court Conservation Area in order to provide extra protection from development that might damage the character of the area.

This guide provides information on the Sudbury Court Conservation Area’s specific planning constraints, as well as advice on ways to repair and improve an owner’s home so that it helps sustain and enhance the character or appearance of the area.

You may also require Building Regulations approval for alterations to a property and further advice is set out in Section 6.4 of this Design Guide.

1.1 What is Significant about Sudbury Court

Sudbury was once a hamlet within the parish of Harrow and developed at the turn of the century as an outlier of Sudbury Hill. The Sudbury Court estate was largely built in the late 1920s by the designers Comben and Wakeling.

Comben & Wakeling Ltd was founded in 1924 by James White Comben

and William Henry Wakeling. The partnership originated at Mortlake but expanded to Wembley and was responsible for much of the development within the area. They were pioneers of such estates, which featured bathrooms, and were reasonably priced so that occupants could purchase them on weekly repayments. Sudbury Court was the largest. Indeed, by 1936 the firm had built more than 4,000 homes in Wembley and had just finished the 200 acre Sudbury Court Estate which contained 1,500 homes. The best of the estate is designated as the Conservation Area.

The area is exceptional in that although the builders of the estate used standard building components, the character of the area emerges into one of individually designed and constructed houses. All the houses follow the same basic principle of an L or E shaped plan form with projecting bays which add to their attractiveness.

One of the key design features of the estate is the spacious positioning of the houses, set back from gently curved tree-lined roads. The properties are generally semi-detached with generous rear gardens. Special consideration was given to the design of the individual houses, paying particular attention to architectural composition and details such as windows, doors and porches. Many properties are part brick and half timbered, featuring painted “black and white” timbering to the first floor and bay gables. This mock-Tudor approach to suburban housing design was prominent from about 1924-1934 and is based on a revival of aspects of Tudor style.

1.2 Who is the Guide For?

This guide is for residents, consultants and builders working in the Sudbury Court Conservation Area. It provides information on Sudbury Court’s specific planning constraints, as well as advice on ways to repair, maintain and improve your home so that it helps sustain and enhance the character or appearance of the area.

Some of the technical terms you will come across are marked with an *. These are explained in section 7.

1.3 Is My Property in the Conservation Area?

The Sudbury Court Conservation Area is marked with a red line boundary in Figure 1. All the properties within the red line boundary are in the Conservation Area.

1.4 What is an Article 4 Direction?

An Article 4 Direction is a special control which gives extra protection to a Conservation Area by removing some of the property owner’s Permitted Development rights. This enables the Council to prevent insensitive development which would otherwise be out of its control. This does not mean that an owner cannot make any alterations to their home, but it does give the Council more control over the design and specification of proposed alterations to houses and gardens. This helps ensure the character of the area is preserved or enhanced and that the quality of the environment is sustained.

In areas with an Article 4 Direction (Table 1), owners may have to apply for planning permission for proposed building work that would not normally require planning permission. The extra effort that owners have to make to obtain the appropriate planning permissions is recognised by the Council. Therefore, within an Article 4 Direction area, the Council does not charge a fee for deciding Planning Permission.

Table 1: Properties in the Conservation Area with an Article 4 Direction

Street	House Number
Abbotts Drive	91, 111-197, 76-158
Audrey Gardens	1-39, 2A, 2-46
Blockley Road	33-83, 93, 42-108
Campden Crescent	1-27, 2-28
Carlton Ave West	83-145, 100-188, 204-212
East Lane	198-264, 1-18 Court Parade
Hill Road	1-7, 2-8
Holt Road	1, 2-6
Norval Road	1-107, 131, 12-74, 96
Pasture Close	1-30 Consec
Pasture Road	1-91, 2-60
Paxford Road	41-119, 42-118
Stapenhill Road	1-31, 2-32
The Crescent	1-19, 2-24
The Fairway	1-137, 2-138
The Green	1-3, and adj. open space
Watford Road	232-234, 268-278

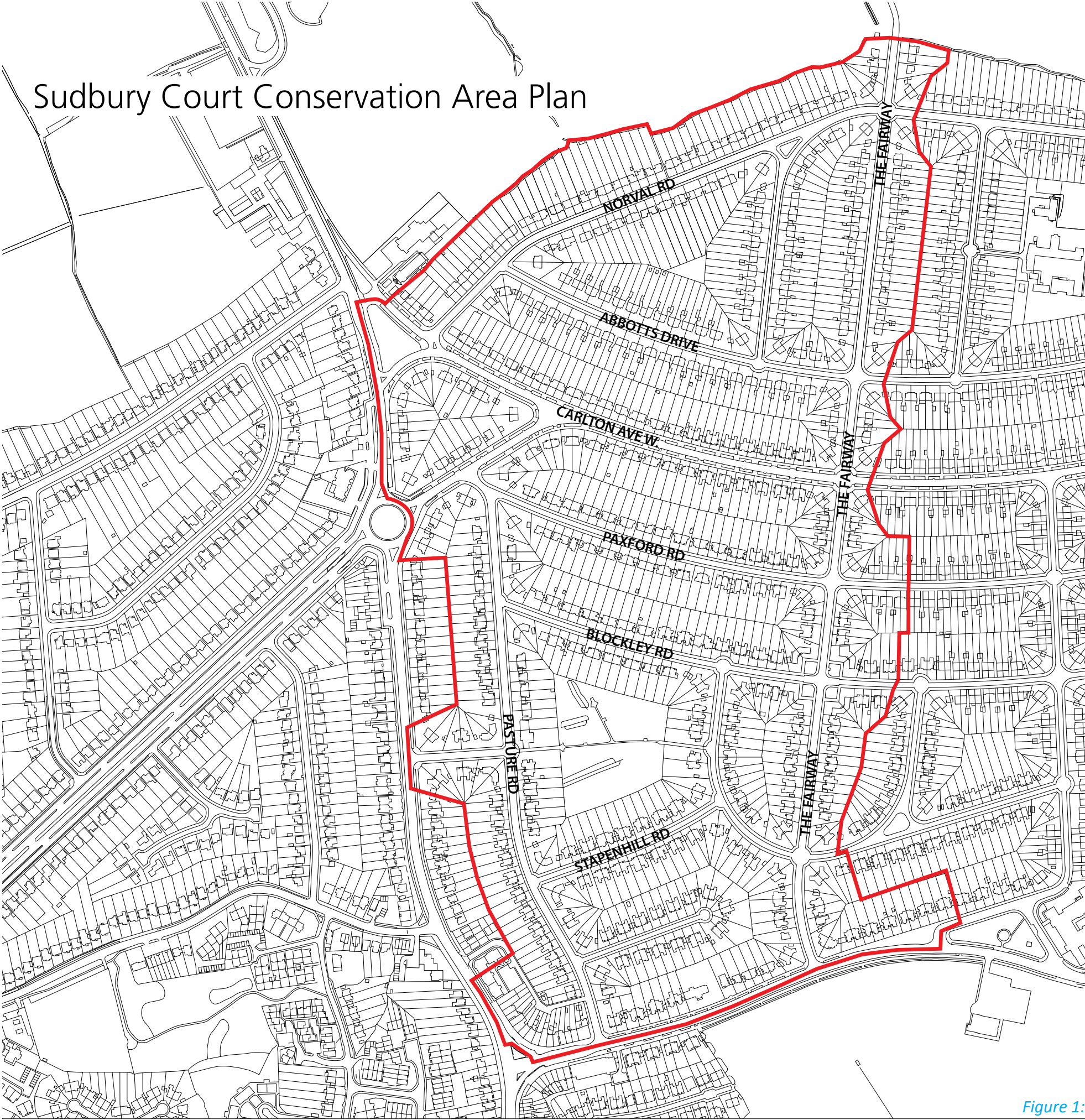


Figure 1:
Sudbury Court Conservation Area Plan



2.0 WHEN DO I NEED PLANNING PERMISSION?

2.1 General Controls within the Conservation Area

The Town & Country Planning (General Permitted Development) (England) Order 2015 allows owners of houses to carry out certain types of alterations and modest building work to their homes without the need to apply to the Council for planning permission.

Within a Conservation Area, the type of work allowed under Permitted Development is more limited, and there are greater restrictions over the amount a house can be extended or how much demolition can be carried out without planning permission.

All properties located within the Sudbury Court Conservation Area therefore require planning permission for the following works:

- The demolition of your house or a structure which is more than 115m3.
- To build any extension to the side of your house.
- Applying stone, artificial stone, pebble dash, render, timber, plastic or tiles to any part of the exterior of your house.
- Building any first floor extension.
- Extending the roof of your house.
- Fixing a satellite dish or aerial on a chimney, wall or roof slope which faces onto and is visible from a road.
- Fitting, altering or replacing external flue, chimney, or soil and vent pipe onto a principal or side elevation that fronts a highway. In other locations, it should not exceed the highest part of the roof by one metre.

All trees in Conservation Areas that have a trunk diameter of more than 75mm are subject to legal protection. If you want to cut down or carry out any work to a tree in a Conservation Area, you must notify Brent, giving us at least six weeks’ notice.

Permitted Development rights only apply to houses that have not been subdivided. They do not apply to flats, maisonettes or multiple-occupancy properties where planning permission is required for all external alterations and additions.

This is not a definitive list. Please see more on Permitted Development rights on the planning portal. You may also require Building Regulations approval for alterations to your property. The building control application process is explained on the Council’s website.

2.2 Additional Controls for Properties Covered by the Article 4 Direction

In consultation with local residents, the Council applied an Article 4 Direction on the Sudbury Court Conservation Area to further ensure its special character is sustained and enhanced. Properties covered by the Article 4 Direction will require planning permission for the following works:

- Extensions, alterations or improvements to any part of a property. This will include the front, side and rear of a property and all first floor extensions
- Changing the materials of a roof
- Installing a rooflight
- You will need planning permission to alter or extend areas of the property that face the street, this will include:
 - Alterations to chimneys
 - Applying render to existing brickwork
 - Erecting or enclosing a porch

- Alterations to window designs
- Building a driveway for vehicles (also known as a hardstanding)
- Forming, laying out or constructing an access point to the street (highway)
- Adding walls, gates, fencing or other means of enclosure that will front the street
- Painting the exterior of a building; this will include walls, piers, brickwork and rendered surfaces

Note:

Planning permission is not required to apply British Standard white or off-white to existing rendered surfaces. Equally, planning permission will not be required to paint entrance doors, window frames or sills the same colour.



3.0 EXTENDING AND ALTERING YOUR HOME

Most of the original houses in the Sudbury Court are relatively large, being situated in generous plots. Therefore, a modest and carefully designed extension will integrate with your property relatively successfully and provide valuable accommodation. Above all, it must either sustain or preferably enhance the character or appearance of the area. The following points may be helpful before submitting your planning application.

How will the extension affect the overall shape of the house?

A subordinate extension will harmonize with the building and will not be out of place within the streetscene.

Will the extension make the building too big in relation to the plot size?

A large extension is likely to harm the garden setting.



Does the proportion of the extension, position of openings (doors and windows) and roof pitch refer to the design of the house and to the prevailing character of the area?

All door and window openings on the extension must either be the same, or otherwise complementary to the proportions of those on the original house.

Originally, windows and doors of the houses in Sudbury Court were manufactured using timber. New double glazed, pre-treated, timber windows are not only the best way to preserve the original appearance of the property but are often more durable and have a longer manufacturers guarantee than other materials. However, PVCu windows are also acceptable if they reflect the existing design.

Roofs on extensions should complement the roof on the original house and identical materials should be used. The roof should be of traditional roof form and pitched.



Will the extension affect your neighbours’ view or daylight?

- Extensions to the side of the house should not excessively infill the space between houses. This is because it creates a ‘terraced’ effect and changes the individual nature of the street. The gaps between properties make up the areas special significance.
- Brickwork and bonding* - New construction work, especially the brickwork bonding, should match the original and where possible should tie into the existing brickwork.
- You are encouraged to use materials that are environmentally sustainable to construct an extension. In particular, recycled bricks and roofing materials can be cheaper and may match the original materials more easily.
- For properties on corner plots, the Council discourages the infilling of rear gardens with new buildings facing onto side streets.
- Guttering should be incorporated within your design and should not overhang property boundaries.



3.1 Dormers, Roof-Lights and Alterations to the Roof

Making use of the roof space for additional accommodation is a popular way of extending a property. However, poorly designed alterations to the roof can damage the character of Sudbury Court. If you wish to extend your property into the roof, the following guidance should be adhered to:

- The conversion of a hipped roof into a gable will not be permitted as this results in harm to the character and appearance of the house as well as the streetscene.
- Front dormers are also not acceptable within the Conservation Area for the same reasons.
- In addition, side dormers are not usually permitted as it is very difficult to detail this type of dormer window without compromising the character and appearance of the house as well as the wider Conservation Area.
- Rear dormers are usually acceptable in principle. However, they need to be in proportion and well articulated. They also need to be in the same style as the original house. They should be no wider than half the width of the original house, set well down from the roof ridge and well up from the eaves (Figure 2). The dormer window should match the windows on the house, the frame should fill the whole dormer and be predominately glazed.

Roof lights are not permitted on roof-slopes facing a road. On the side roof-slope, one roof light may be acceptable unless the property is located on a corner and fronts the street. At the rear of the property no more than one roof-light will normally be permitted and this should be kept as small as possible. Roof lights must also be set flush within the roof plane.

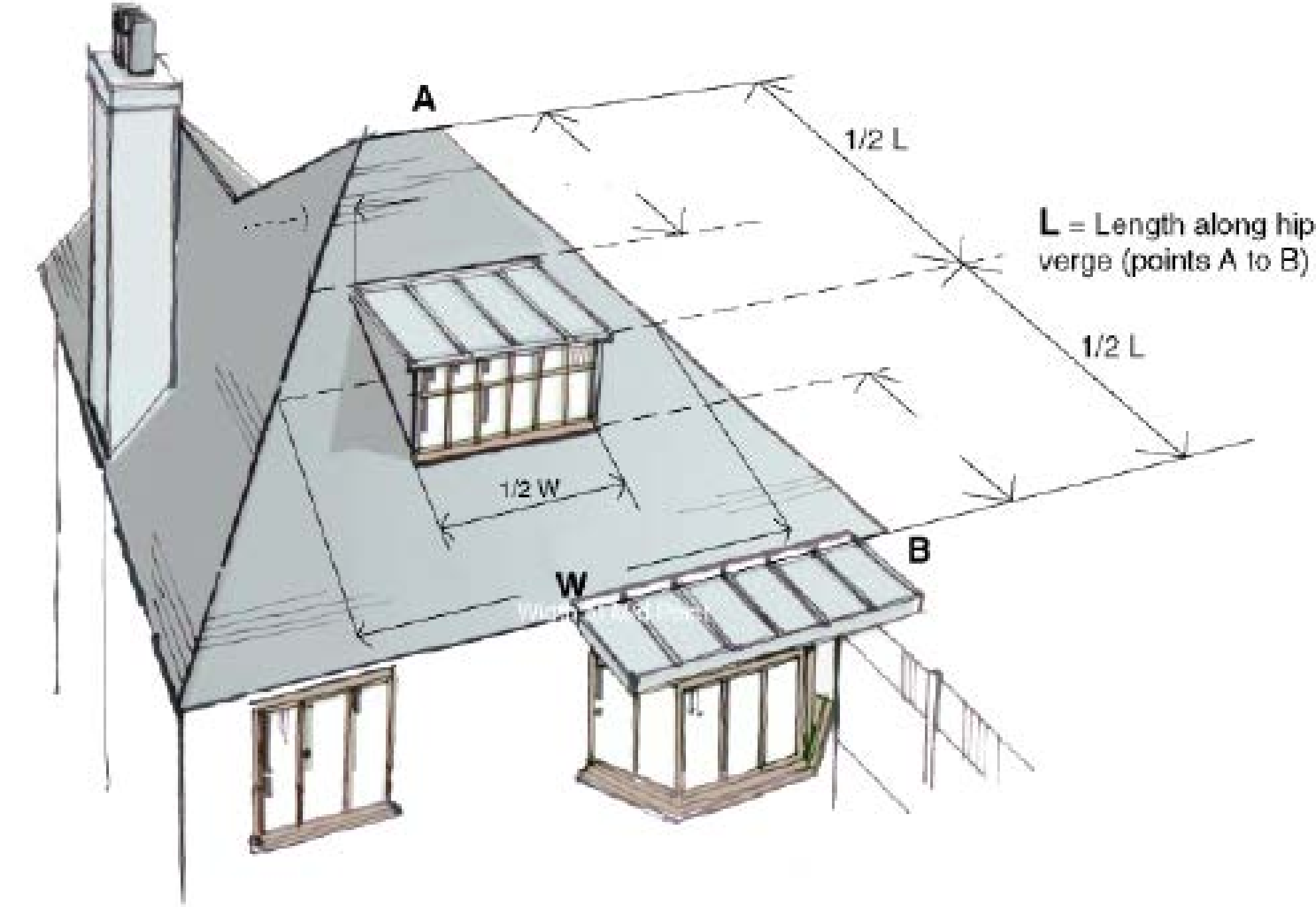


Figure 2: Rear dormer illustration guide

3.2 Rear Extensions (including Conservatories)

It is a common misconception that rear extensions are unlikely to cause any harm, but development in rear gardens can have a serious impact on the character of the Conservation Area and the amenity of your neighbours. The following paragraphs should be adhered to:

The height of a single storey extension should be kept to the lowest practical level whilst still complementing the character of the original house. The maximum height normally permitted for a flat roof extension is 3 metres (Figure 3). If a pitched roof is proposed, the maximum height normally permitted is 4m.

The maximum depth permitted for a single storey extension is 3 metres from the original rear elevation of a semi-detached house (Figure 3) or 4 metres from the original rear elevation of a detached house. Note: The depth of the extension may need to be reduced if you are also proposing a basement extension— See 3.4 Basement Extensions.

Two storey rear extensions may be acceptable in certain circumstances on semi-detached and detached houses. They should also be designed to respect the character and size of the house. Therefore, the depth of any two storey rear extension is restricted to half the distance between the side wall and the middle of both your neighbour’s nearest habitable

room window (this includes kitchens but excludes bathrooms, storage cupboards etc). This rule ensures that the loss of amenity and light to the neighbouring properties is kept within reasonable limits.

Where there is a flank wall window which provides sole light to a habitable room (including kitchens) any loss of light to this room will be taken into account. A further reduction in depth may be required.

To ensure that a two storey rear extension does not over dominate the character of the original house, the width is restricted to no more than 2/3 width of the house as extended at first floor level.

The ridgeline of a two storey rear extension should be set below the ridgeline of the original house to keep the roof of the existing house dominant over the roof of the extension. The design, shape and materials of the roof must complement the character of the original roof (Figure 4).

All rear extensions will generally be required to:

- Be constructed of materials to match the existing property; and,
- Have proportionate sized windows and doors that match the existing property.

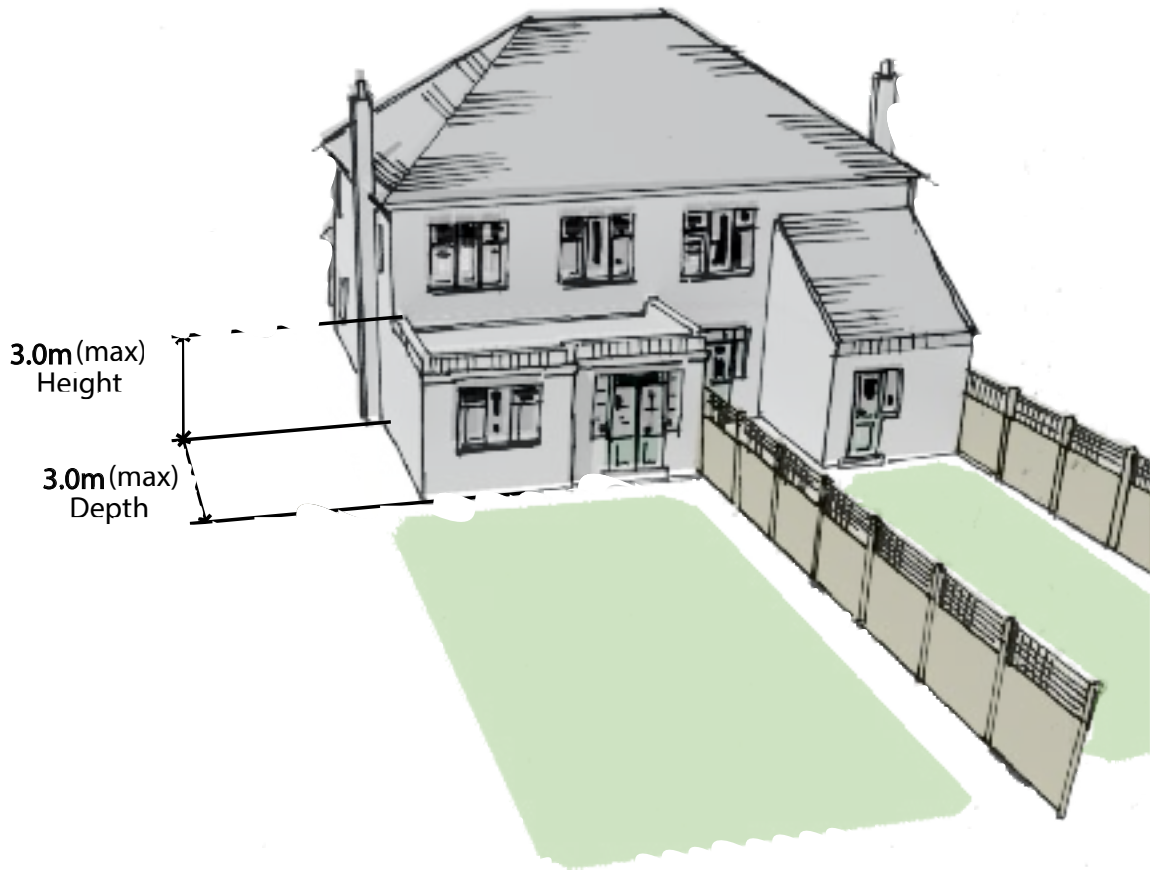


Figure 3: Illustration of a single storey rear extension

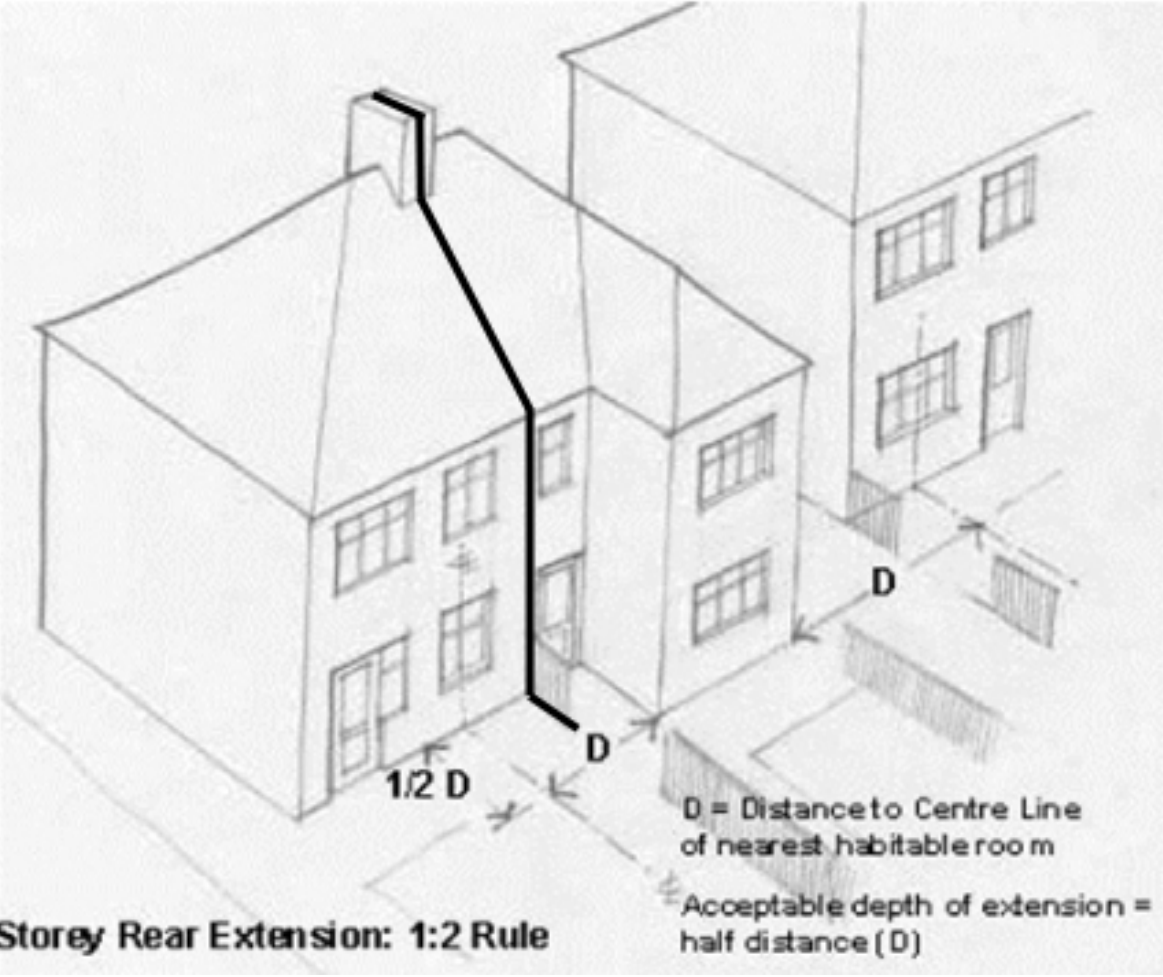


Figure 4: Illustration of a two storey rear extension

In some cases there may be differences in the levels of gardens. Where a neighbour’s garden is at a lower level, it is likely that your extension will be required to be of more modest proportions to reduce its impact. This maybe achieved by:

- reducing the height of the extension;
- reducing the depth of the extension; and/or
- increasing the set-in from the shared boundary.

Where the garden level is lower than your house, it is important that the single storey extension does not appear as a two storey addition. It may be necessary to site the proposed extension within a raised patio or terrace so that the lower proportion below the internal floor level is screened from the garden of your property or from the neighbouring gardens. This will ensure that the extension is viewed as a single storey extension and will preserve the character of the original property (Figure 9).

Well designed conservatories constructed using traditional materials, such as timber, will be considered on their individual merits. They should accord with the size criteria set out above.

3.3 Basement Extensions and Raised Patios / Terraces

The hillside nature of the Sudbury Court Conservation Area has resulted in an increased number of residents expressing an interest in excavating new basements below the rear of their property. Where rear gardens are sufficiently steep it may be possible to build an extension at both basement and ground floor level. When considering this type of extension it is important to comply with the following standards.

Basements will not be permitted if they are to provide habitable accommodation such as primary living areas and bedrooms. Nevertheless, uses such as utility rooms and play rooms are deemed acceptable.

Any basement extension should be no wider than the original house.

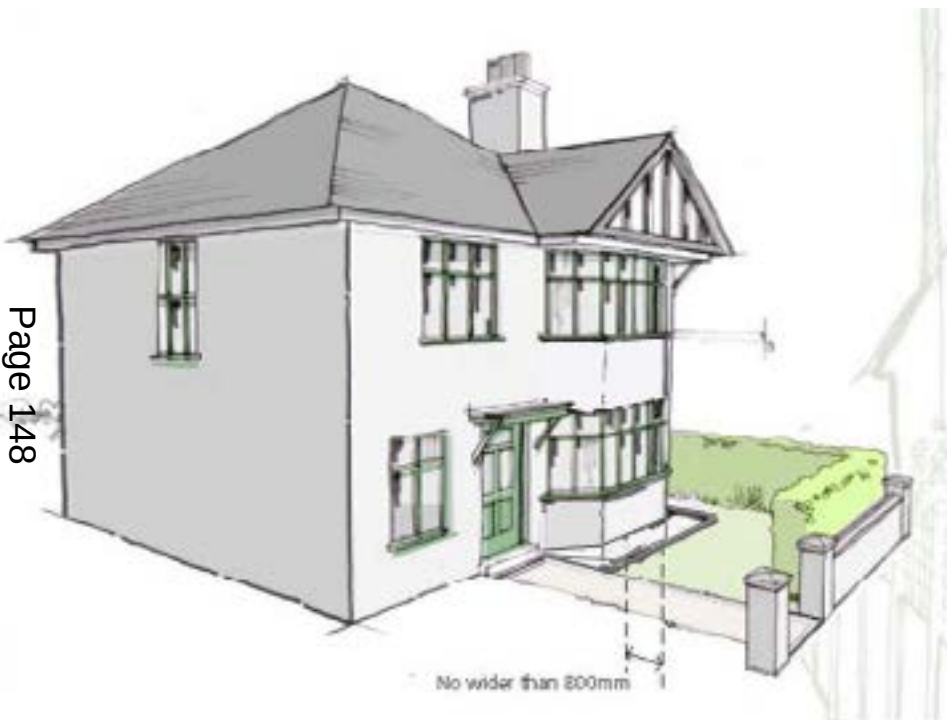


Figure 5: Lightwell illustration guide

Lightwells should be located to the rear, but where unavoidable new front lightwells should project from the front wall of the house by no more than 800mm (Figure 5). These can only be flat and must not exceed the length of the bay. Lightwells must be no wider than the bay or windows above. On some properties, especially ones set close to the road, it may be not possible to appropriately accommodate a light well.

If your property does not have a significant change in ground level to the rear, a lightwell with a maximum depth of 1 metre can be provided to allow natural light to the basement. If there is a change in ground level to the rear of your property, a lightwell can be set within the raised patio or terrace which would conceal the windows to the basement (Figure 6). This design approach can be adopted with or without a single storey rear



Figure 6: Illustration of a light well concealed in a raised patio or terrace

extension being proposed. The maximum depth of basement permitted is 3 metres from the original rear elevation of a semidetached house (Figure 7) or 4 metres from the original rear elevation of a detached house.

Please also be aware that a Party Wall Agreement with the neighbouring properties may be required. Further information can be found on the Council's website.

Raised patios and terraces can be problematic because they are open and are at an elevated position, allowing overlooking of neighbouring houses and gardens. The following guidance seeks to protect neighbouring residential amenity and the character of the area:

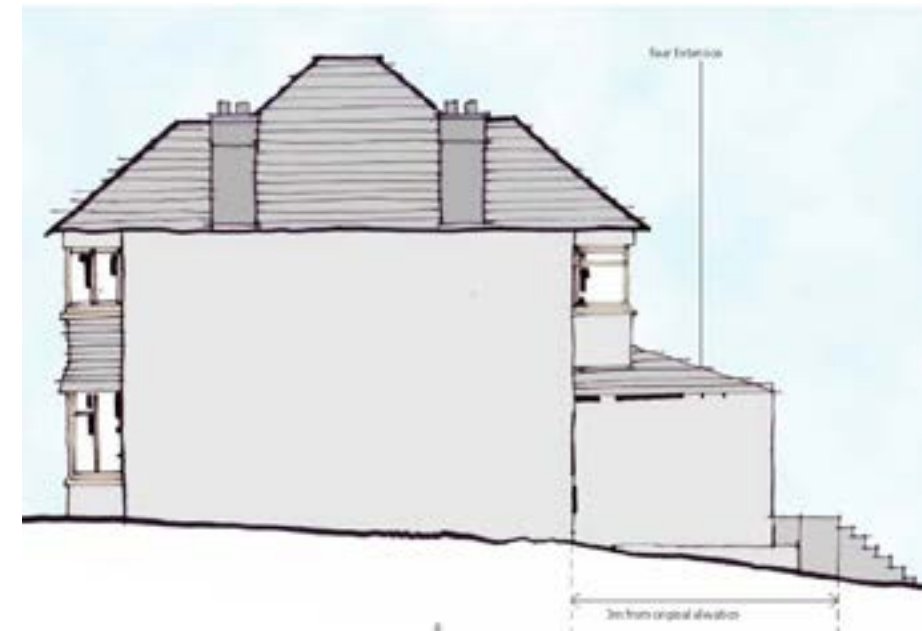


Figure 7: Illustration of a 3 metre rear extension from the side

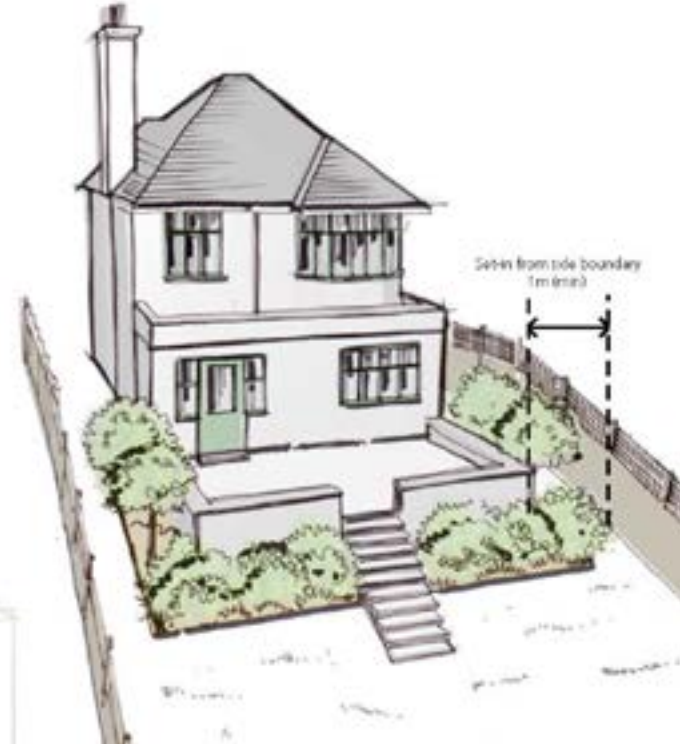


Figure 8: Illustration of a set-in from the side boundary of 1m

- Raised patios and terraces (above 0.3m high) should be set-in from side boundaries by at least 1 metre (Figure 8). An increased set-in will be required where changes in ground level are significant.
- Details of boundary planting between the raised patio or terrace is required to provide additional screening for neighbouring residents (Figure 9).
- The maximum depth permitted is 3 metres from the original rear elevation of a semi-detached house or 4 metres from the rear elevation of a detached house. It may be possible to increase the depth of the raised patio or terrace if it is set further in from site boundaries, however, this will be dependent on individual site characteristics.

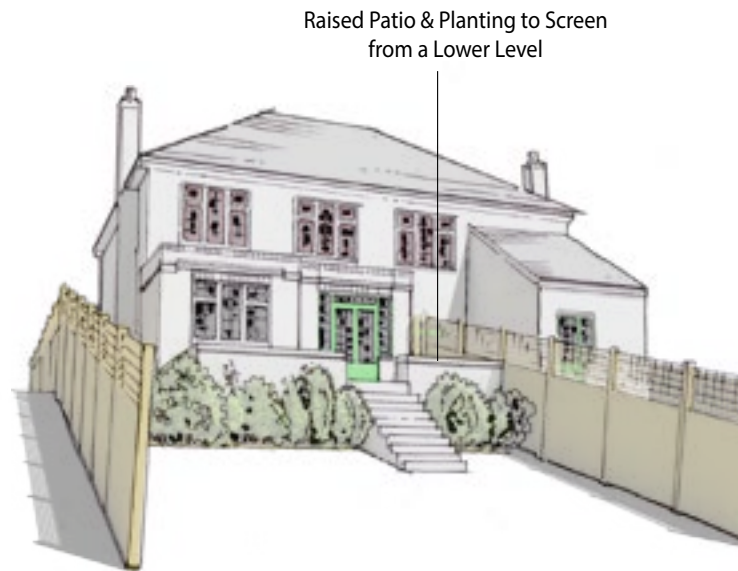


Figure 9: Illustration of a raised patio and planting to screen from a lower level

3.4 Side Extensions

Side extensions are a popular way of extending. However, they have a direct impact on neighbour amenity as well as a property, the character of the original house, the street and the wider Conservation Area. Poorly designed extensions can adversely harm the character of the building and the Sudbury Court Conservation Area. Inappropriate side extensions can, for example, unbalance a pair of properties and the symmetry of groups of houses. Furthermore, by infilling the gaps between properties the individuality and garden plots are lost.

Extensions should be designed to complement the original house and not impact on the amenity of the immediate neighbours. Please note that for properties that have prominent front gables and bay features, these elements do not form the main front wall of the house. The prominence of these features should be retained.

To preserve the important separation and views between houses a minimum gap of 1 metre needs to be maintained to the side boundary at all levels.

The only exception to the above is where there is an original detached garage on the boundary. In these instances, the garage should be retained and incorporated into the design of the extension or a suitable replacement that replicates the proportions and features of the original garage (including the retention or re-provision of side hung timber garage doors; see Figures 10 and 11). The existing relationship between the garage and the main house also needs to be maintained. Therefore the recessed linkage between the garage and the house should be set back at least 1 metre at ground floor from the front wall of the house (Figure 12).

Single storey side extensions will also be required to:

- Be constructed of materials to match the existing property;
- Have proportionate sized windows to match the existing property;
- The roof will match the existing property by using a pitched or a traditional back on edge and tile creasing parapet - which ever is appropriate in the context.



Figure 10: Illustration of a side garage with side hung timber doors



Figure 12: Illustration of a recessed linkage between the garage and the house

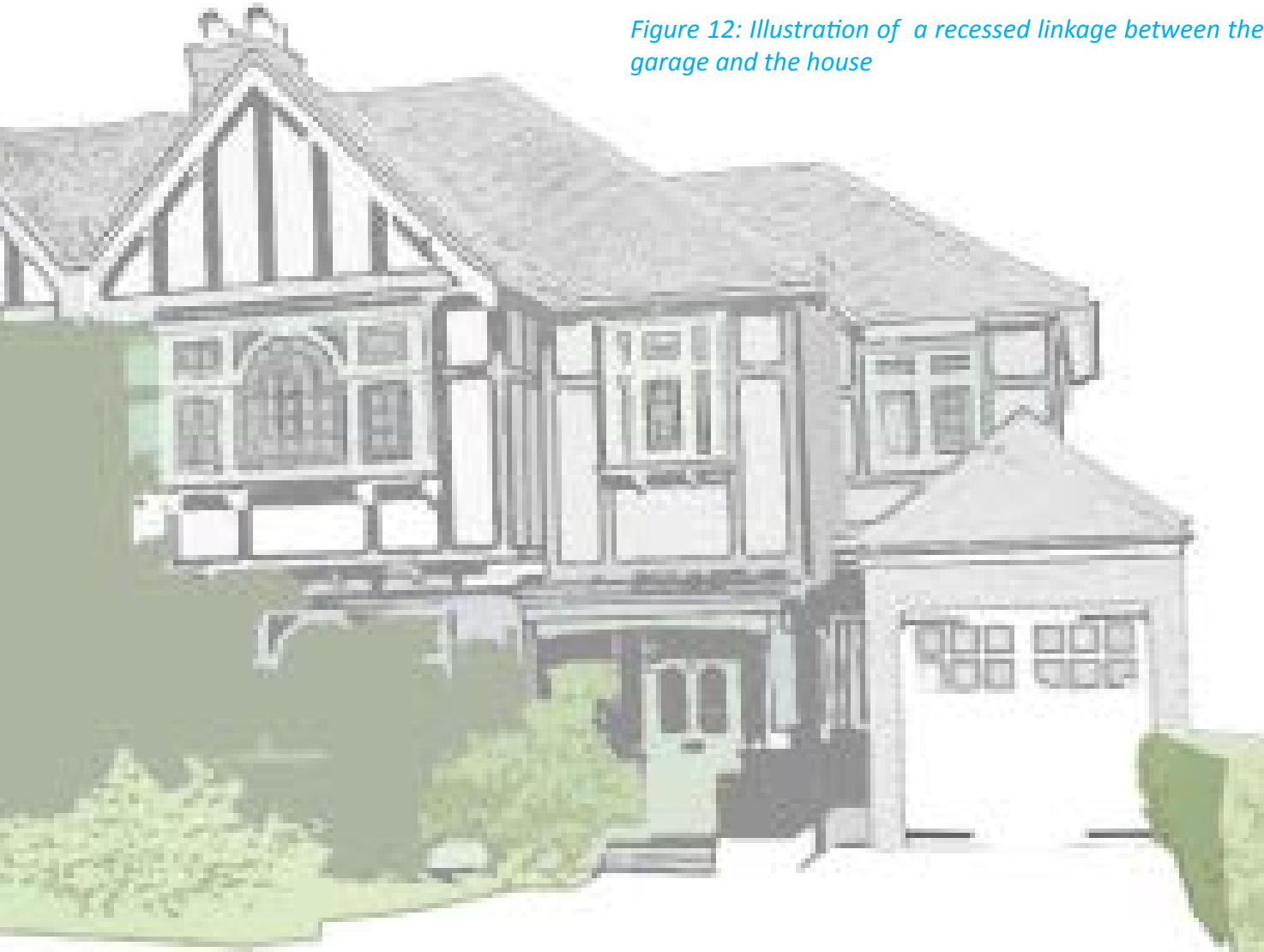


Figure 11: Illustration to show a side garage with side hung timber doors

For two storey side extensions, a set back of 25 cm from the main front wall of the house should be provided at ground floor level corresponding to a set back of 1.5 m (from the main front wall) at first floor level along the eaves line of the house (Figure 13).

In addition to these requirements, the width of the side extension is restricted to a maximum of 3.5m wide (measured externally). This is to ensure that it is of a size and scale that is subordinate to the original house (Figure 13).

Where your side extension will infringe on the site of an original detached garage (see section 3.7) you should either incorporate the original garage into the design of your extension or incorporate a suitable replacement that replicates the features of an original garage (Figure 13).

Two storey side extensions will also generally be required to:

- Be constructed of materials to match the existing property
- Have proportionate sized windows that match the existing property
- The roof set down from the original ridge line
- Where semi-detached, consider the symmetry of the pair

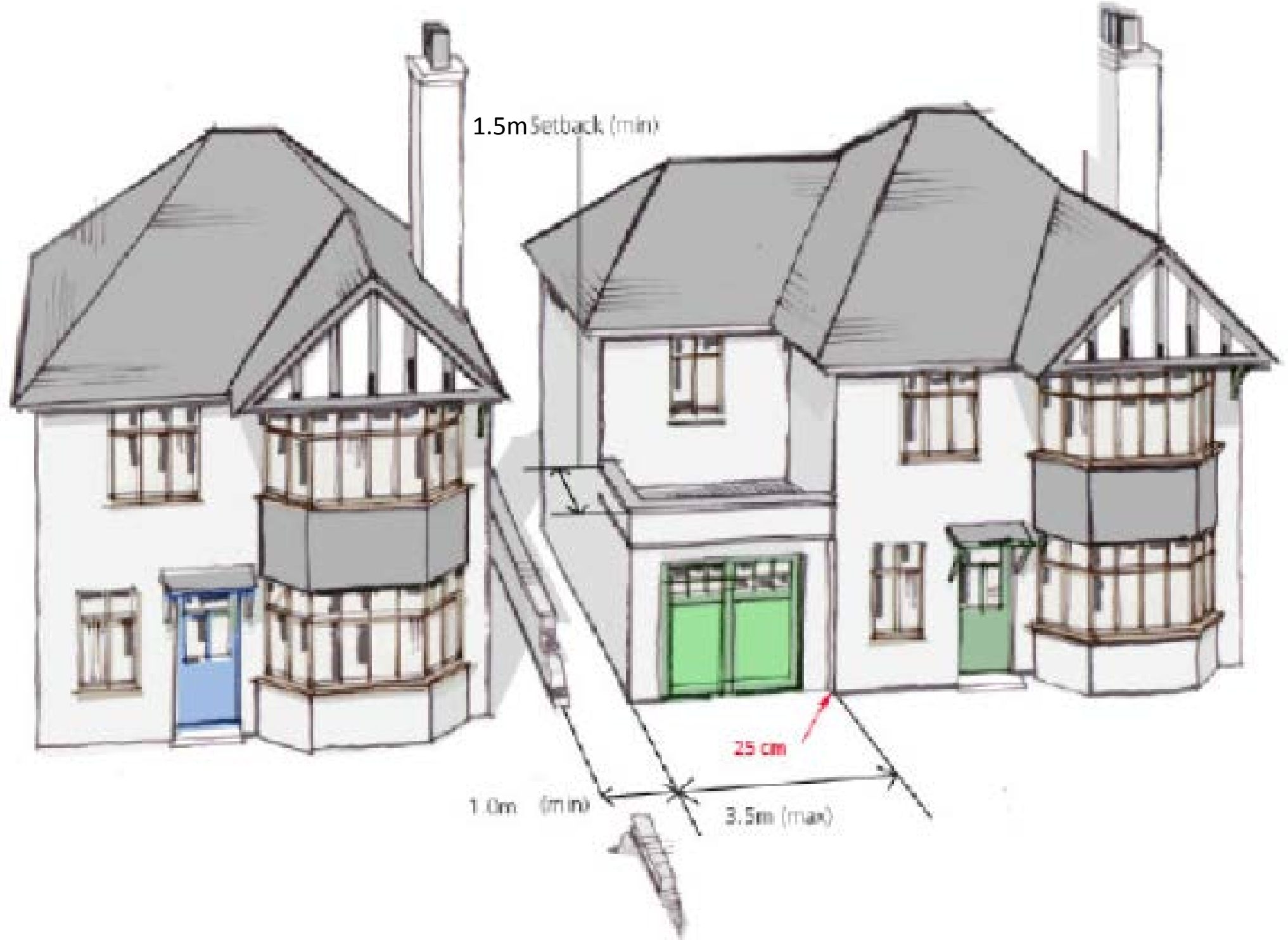


Figure 13: Illustration of a recessed two storey side extension

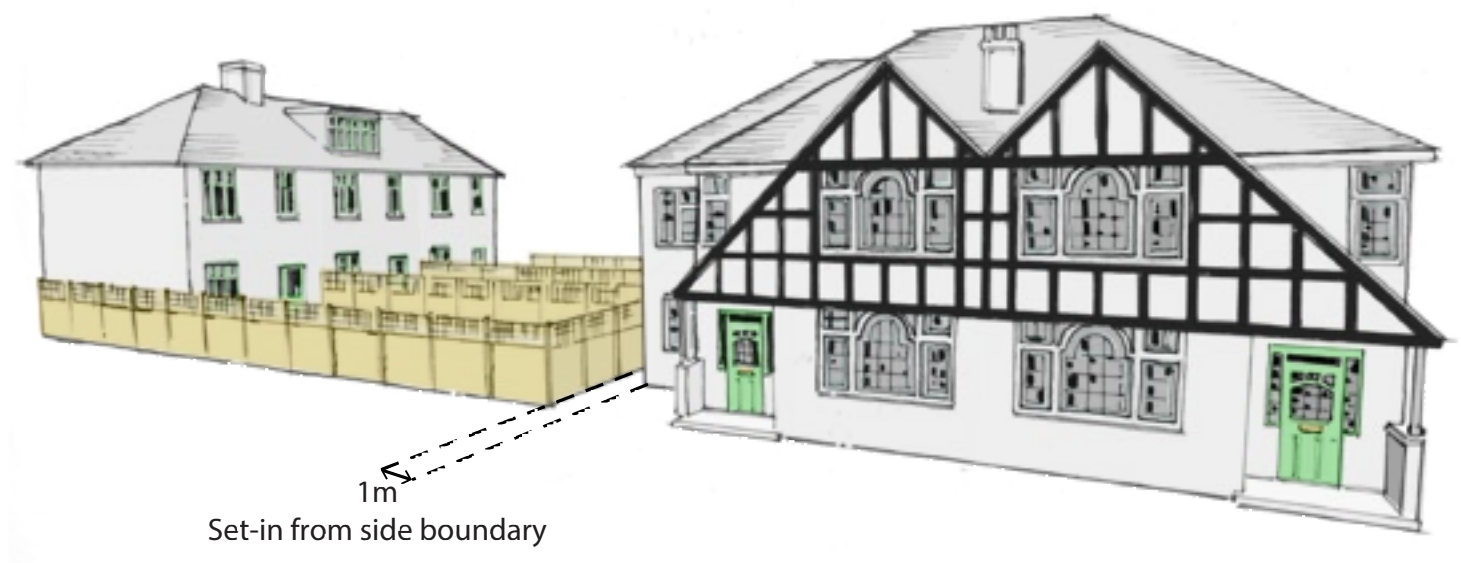


Figure 14: Illustration of a set-in from the side boundary

Where the side boundary of your property adjoins the rear boundary of the neighbouring site, the set in from the side boundary is still required to ensure a development does not harm the symmetry of a pair of semis or appear cramped in the plot (Figure 14).

3.5 Corner Plots

Where the side of a property faces a road, as this will be very visible, more care should be taken on the design of any extension. Over large or bulky extensions will not generally be acceptable as they will draw attention to themselves and detract from the appearance of the Conservation Area.

It is important to ensure that the gap for corner properties between the house and the detached garage is retained, as this contributes towards the open character of the Conservation Area (Figure 15).

Side extensions that link the dwelling house with a detached garage which is positioned away from the property will not normally be acceptable.



Figure 15: Illustration of a detached garage where the gap between the house is retained

3.6 Front Doors, porches and Canopies

Recessed porches are an important part of the character of the Sudbury Court Conservation Area. Unfortunately, in a number of cases, these porches have been infilled in an unsympathetic manner. It is always best to retain the original front door, porch or canopy in their original form as this is an architectural feature of the property.

Notwithstanding this general preference, following consultation with residents, it has been agreed that the Council shows some flexibility on this matter and consequently it is prepared to allow existing recessed porches to be infilled or canopies adapted to create an enclosure providing the final design is sensitive to the appearance of the building (Figure 16).

Porches and Doors

New porches and the infilling of recessed entrances will be supported subject to the following design principles being applied:

- The new porch or enclosure of a recessed entrance is predominantly glazed to allow views to the original front door behind. The design should always be a simple timber frame (no more than 10cmx10cm) with a pair of double French doors, with fan lights and side lights. The plinth should be in brick to match and the canopy adapted to form a porch.
- The original timber front door should always be retained, or if this has already been replaced with an inappropriate design or material, an original design must be reinstated. Similarly, the existing canopy should always be retained as part of a new porch design and the new timber construction beneath slim sectioned and carefully integrated with the existing structure. Again, the frame should be no more than 10cmx10cm.
- Where a property already has an infilled entrance or a porch, any replacement is required to follow the design principles set out above, to provide a more uniform design approach across the Conservation Area to sustain its character.
- The Council would prefer timber replacement French doors and porches, however, PVCu is accepted provided it is in keeping with the style of the existing property and follows the guidance above.
- Repainting doors periodically is recommended. Darker colours are traditionally used for doors on the estate.



Figure 16: Illustration of a recessed porch that has been infilled

3.7 Window Repair and Replacement

The original style of windows within Sudbury Court are casement (Figures 17, 18 and 19). These can be repaired and overhauled and this can usually be cheaper than replacing them and will maintain the appearance and value of the house. If leaded lights have been damaged, it is surprisingly inexpensive to have them restored to their original condition. Rotten areas of sills, sections and jambs can be cut out and replaced with new timber cut to the same size and shape.



Figure 17: Window details at Sudbury Court



Figure 18: Window details at Sudbury Court

Please note, replacement windows and doors to elevations fronting the highway will require planning permission as they are covered by the Article 4 Direction.

If you do need to replace windows then, ideally, they should copy the original exactly. It is unlikely that you will find standard off the shelf replacement frames that will give a close enough match the original windows. A good carpenter or timber window specialist will be able to make a replacement using the original window as a pattern so that no detailing is lost. Poor window replacement can have the single most negative impact on the character of the Conservation Area.

When submitting a planning application for replacement windows, the following information will be required:

- All window elevations to be replaced are required at a scale of 1:10 or with all dimensions clearly annotated. Property elevations or photographs of the whole of the property, with the windows to be replaced numbered to correspond with window elevations.
- A cross-section at a scale of 1:5 or preferably full size through the transom* showing the relationship of fixed and opening lights and drip rails*, with full size details of any glazing bars* or leaded lights* which must be mounted externally.



Figure 19: Window details at Sudbury Court

The Council will consider alternative materials to timber including PVCu* and metal framed, subject to the replacement windows replicating the design of the original windows (even if the windows have already been replaced previously). This also applies to windows within extensions. The following guidance should be adhered to:

- Replacement windows must have the same overall, section arrangement and proportions as the original windows, including the same number of uprights, the same number of horizontals and the same number of glazing bars/leaded light details all at the same position as the originals.
- A feature of many windows within the estate is the circular keyed and dented* transom and stained glass decoration. This can, and should, be carefully replicated.
- All glazing bars/leaded light detailing must be externally mounted and not sandwiched between double glazed units or internally mounted. A drip rail must be provided within the replacement windows if this is a feature of the original windows (Figure 20).

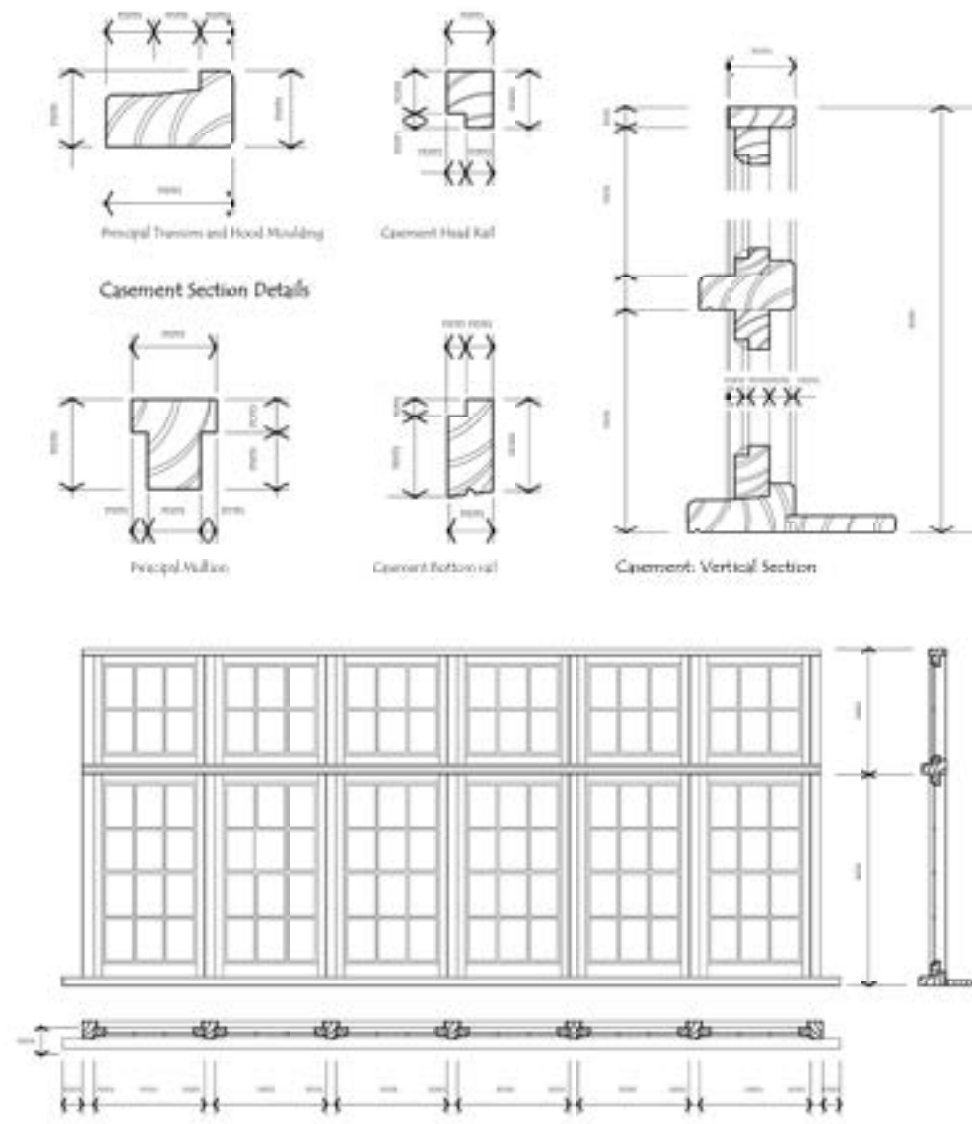


Figure 20: Illustrations of window details at Sudbury Court

3.8 Garages

Original garages make an important contribution to the character of the Sudbury Court Conservation Area and their retention will be encouraged. However, where it can be demonstrated that an original garage is too small to accommodate a modern car then the Council may consider proposals for a replacement. If you want to build a new garage or replace an existing one, the design must be in keeping with the house. It should have a steep pitched roof with wooden side hung doors that incorporate top hung windows. A decorative gable-end with half timbering will ensure that your garage will preserve the character of the Conservation Area. It should be set well back from the front wall of the house.



Figure 21: Illustrations of a garage on a side plot. The garage is detached from the house and has side hung timber doors

4.0 GENERAL REPAIRS AND OTHER MODIFICATIONS

There are many reasons why people want to make changes to their property. Repairs and alterations may be necessary due to weathering, families may need more space and new owners may wish to personalise their home.

Living in a Conservation Area does not mean that you cannot make alterations to your property but it does mean that the changes should sustain or enhance the character and appearance of the property and the area.

The houses in Sudbury Court Conservation Area were built to a variety of designs. However, they all blend together because similar building materials, similar overall sizes and architectural details were used.

Also, many streets and short runs of houses were built to consistent symmetrical or paired designs. This unity of design gives the area its unique character. Therefore, alterations to an individual building may affect the whole streetscene.

Some properties were altered before the strict controls of the Article 4 Directions were put in place. Where this has happened, the Council encourages residents to restore the original appearance of their property.

Costly repairs can be avoided by regular maintenance. For example, clearing blocked gutters, repainting woodwork and refitting roof tiles when they become loose. It is usually much more expensive to carry out repairs if problems are left unchecked.

However, where repairs are needed, it is important to use the right materials and methods. It is always recommended that you contact the Planning Service prior to commencing any work on your property for advice on whether planning permission is required. In the following section you will find some advice to help you carry out repairs to your home.



4.1 Decorative Features and Details

The original designers and builders working in Sudbury Court paid great attention to the architectural details and decorative elements of the houses. These include: console brackets*, block modillions*, dentils*, string courses*, decorative mouldings, terracotta details*, erns, shutters, stained and leaded glass, carved timber work, roof tiles, ridge tiles, chimney stacks and pots, brickwork panels, tile window sills and projecting eaves.

Once original details are lost, they are rarely replaced. Removal of building detail can spoil the appearance of individual buildings as it is often the quality of the decorative features that add to their significance. Furthermore, the cumulative loss of individual features will harm the overall appearance of the street and therefore the Conservation Area. If decorative features are beyond repair, specialists will be able to make an exact replica or a building materials salvage supplier may be able to trace an original replacement. Houses with original architectural detailing are more attractive to potential purchasers.



Figure 22: Decorative features at Sudbury Court

4.2 Repairing and Re-Pointing Brickwork

Where bricks have spalled*, chipped or decayed, they can be cut out and replaced with bricks of the same size, texture and colour. The brick bond* should also match exactly. Second-hand bricks from a building salvage supplier or a specialist brick manufacturer can be used. Re-pointing should be carried out to the highest standards. Poor re-pointing work can make the brickwork decay more quickly. The Council would always recommend a specialist contractor with knowledge of traditional brickwork and historic buildings to undertake such brickwork repairs. Ask for a method statement. A contractor should generally rake out loose and decayed mortar by hand using a hammer and chisel (not an angle grinder). The mortar should match the colour and texture of the

original. Generally, a Lime based mortar should be used as cement based products can cause decay of the brick in the longer term and care should be taken not to let mortar spread over the faces of the bricks.

4.3 Roughcast and Render

Roughcast* or render from walls should not be removed unless required for repair, in which case it should be replaced. Take care to match the existing colours and texture. The composition of the roughcast or render should be established before the right material can be chosen for repair. If it is possible, rendered surfaces should be left natural and not painted.



Figure 23: White render at Sudbury Court

4.4 Repainting and Other Wall Coverings

Original brickwork should not be painted or covered with any other finishes. If architectural details are covered over, this can spoil the appearance of the property. Moreover, this may trap moisture and cause serious damage to walls. It is usually possible to remove paint from original brickwork. Where roughcast or render is painted, colours should be traditional and in keeping. There are a number of colours that will preserve the character of the area - normally it is white for roughcast and render. The Council will not give Planning Permission for garish colours that stand out and break the uniformity of the streetscene.

4.5 Half Timbering

Half timbering* is an important part of the character of some houses (Figure 24). This should always be retained and repaired where possible. Replacement timbers should look exactly like the originals and be painted or stained to match.

4.6 Tile Hanging

Some houses have areas of vertical tile hanging, which are standard plain clay roof tiles applied to the walls on timber battens. Sometimes, bands of specially shaped tiles are added. Tile hanging can easily be repaired or replaced if necessary. It is important to ensure that new tiles match

the plain clay originals.



Figure 24: Half timbering at Sudbury Court

4.7 Roofs

Most roofs in the area are covered in clay tiles. Problems that arise are usually due to rotten fixing nails or wooden battens. If you need to carry out repairs, it is usually possible to reuse up to fifty percent of the original tiles. However, if replacement is necessary, care must be taken to match the colour, texture, size and materials of the originals as tiles come in many shapes and sizes. Where Building Regulations require that the roof space should be ventilated the traditional method is to ventilate from under the eaves* and at the ridge, do not use off-the-shelf plastic ventilator tiles.

Some properties in the Sudbury Court Conservation Area have roofs constructed from green tiles (Figure 25). These roofs add to the unique character of Sudbury Court and should be retained. Where repairs are necessary you should take extra care to ensure that any replacement tiles match the colour and finish of the existing roof.



Figure 25: Illustrations of a roof with green tiles

4.8 Chimneys

There are many different styles of chimney stacks in the Sudbury Court Conservation Area. In some cases they are relatively tall, were built using decorative bricks, are corbelled or have other ornate brick courses (Figure 26). They are an important part of the character of the area and must not be taken down or altered. Please keep the chimneys in good repair. A chimney helps ventilate the house. A new flue for a new central heating system can easily be run inside the existing chimney.

Planning Permission is required to demolish or make alterations to a chimney for houses covered by the Article 4 Direction.



Figure 26: Decorative brick chimney at Sudbury Court

4.9 Gutters and Drainpipes

It is good practice to keep gutters and drainpipes in good repair because leaks can cause damp problems in walls, which may cause expensive problems inside. The original gutters and drainpipes in the Conservation Area were cast iron.

If replacement gutters and drainpipes are required, painted cast aluminium, which can look similar to cast iron may be possible. Check it matches the original and paint it either black or another dark colour to match the paintwork. Decorative cast iron hopper heads should be retained in all circumstances.

4.10 Satellite Dishes and Aerials

Planning Permission is not required for regular sized satellite dishes and aerials if these are fixed to the back of the house. However, Planning Permission is required to fix these items to the front or side of the property, where they can be seen from the street, on the chimney, or on the roof. Because of the obtrusive nature of such fittings in these locations, the Council will not permit such additions. Please contact the Planning Service for advice on more appropriate options. Cable television should be considered as an alternative which does not require the installation of a dish.

4.11 Gas, Electricity and Water Services Boxes and Burglar Alarms

Please keep existing traditional boxes if you can. Position modern gas, electricity and water meter boxes so they are not too noticeable and please paint them a dark colour.

Try to make them blend in with the background. Burglar alarms should also be painted a dark colour and located in a position that enables them to be a deterrent, but does not dominate the front elevation of your home.

4.12 Solar Panels and Environmental Installations

The Council encourages environmental improvements, but also recognises that many installations may not be appropriate within Conservation Areas.

Careful consideration needs to be given to the siting of photovoltaic (PV) panels. Panels should not be sited on any roof slope that faces the street. You do not normally need Planning Permission to install PV panels on the rear roof slopes (providing the roof slope does not face the street and does not protrude more than 200mm beyond the plane of the roof). Many manufactures provide an in-roof system where PV panels are recessed flush with the roof tiles. It is always best to check with the Planning Service.

5.0 GARDENS

Gardens are as important to the character of Sudbury Court as the houses. In addition to their aesthetic and environmental value, plants can provide privacy and security. Where hedging would have been the original boundary treatment, the Council will always recommend it in place of tall walls.

5.1 Front Gardens, Walls and Boundaries

The original front gardens are a distinctive feature of Sudbury Court Conservation Area. Sadly, many of them have been paved over in recent years and boundary walls, hedges and fences removed. The traditional front garden plot within the Estate included a brick boundary wall and gate, post and chain link fencing together with soft landscaping such as hedges, planting, lawn and trees.

The removal of garden walls, gates and hedges and the formation of hard surfaces will only be permitted where they form part of an acceptable off-street parking scheme (see section 5.2).

Where they have been lost, the Council will encourage traditional front boundary walls to be replaced. The front boundary walls in Sudbury Court generally consisted of low castellated dwarf brick walls and timber posts and chain-link fencing (Figure 27). Replacements should match this original style. Due to the nature of these walls, consideration needs to be given to the ground levels.

Hedges play an important role by adding to the character and setting of the dwellings. These privet hedgerows typically trimmed to a height of 1.2-1.5 metres serve to define boundaries and identify access points (Figure 28). The removal of hedges would drastically alter the natural/urban balance within Sudbury Court. Where possible, hedges (if you have them) should be maintained as this is the best way to preserve the character of Sudbury Court.

5.2 Driveways and Off-Street Parking

In exceptional circumstances the Council may grant permission for a standard off-street parking space where at least 50% of the total front garden area will be retained and suitably landscaped with soft planting features. Any new hard surfaces should be formed using traditional materials and construction methods. Suitable materials would be stone, brick pavers or loose gravel and surface should be permeable. The use of tarmac and concrete is not considered acceptable. The reinstatement of an appropriate boundary will also be required.

If a new access point is permitted as part of the proposal the remaining walls should always be properly finished with piers. The removal of garden walls and hedges across the whole width of the front plot is not acceptable. Planning Permission for off-street parking spaces will also be



Figure 27: Illustration of a low front boundary wall at Sudbury Court; Accompanying photo of a chain-link fence

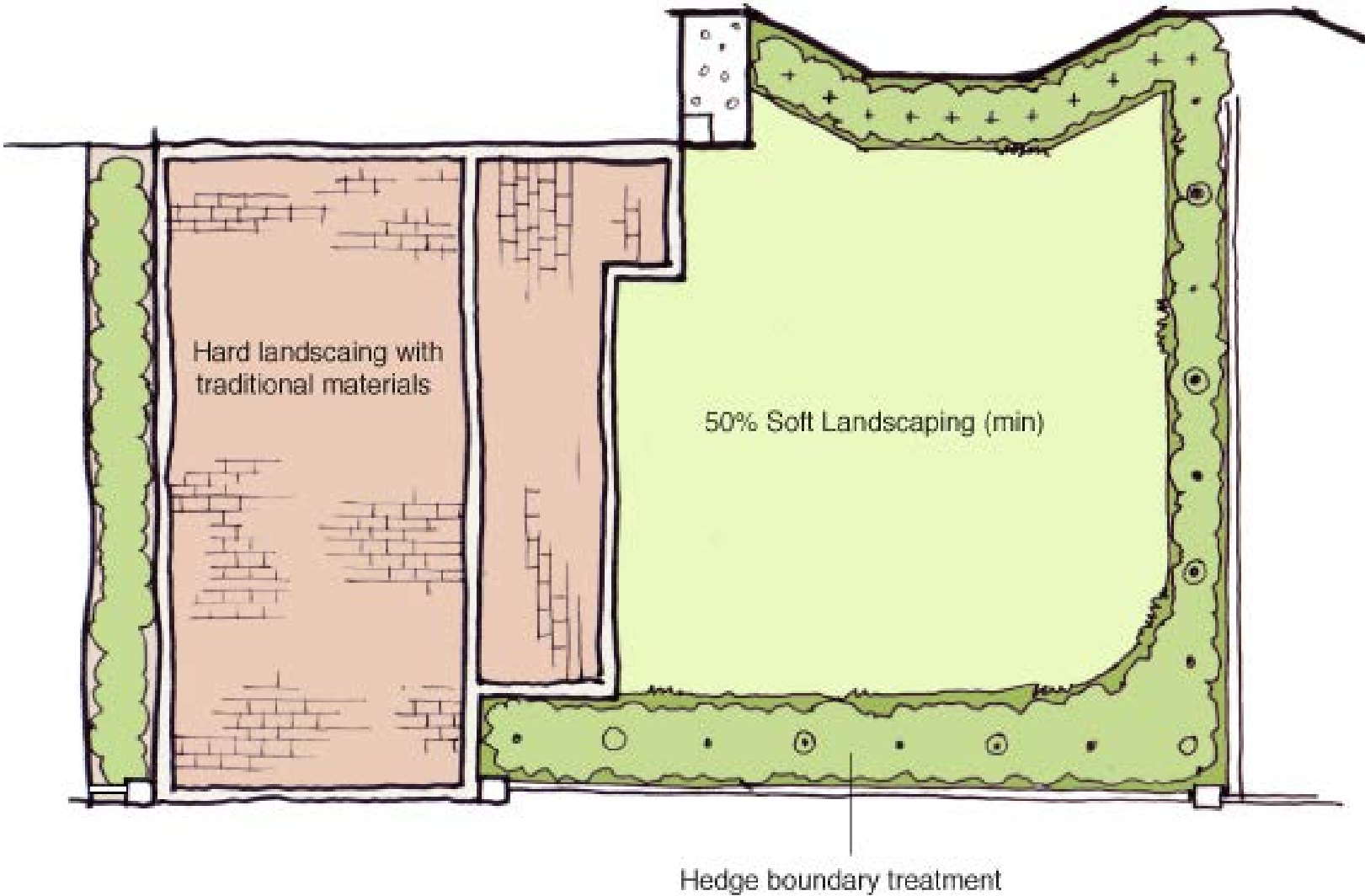


Figure 28: Illustration of a hedgerow plan at Sudbury Court

subject to assessment by the Council’s Transportation Service.

5.3 Trees

All trees in the Sudbury Court Conservation Area that have a diameter greater than 75mm, measured at a height of 1.5m, are protected.

Permission is required to carry out even the most minor of work to these trees. It is always best to contact Planning Service for advice on the best way to protect the trees in your garden. Contact details can be found on the council’s website.

5.4 Ramps for People with Disabilities

Access ramps may be necessary for some residents. A carefully considered design will always be acceptable.

You can soften the outline of a ramp with planting. Any brickwork should match the bricks used for the house and handrails are best painted a dark colour.

5.5 Garden Buildings

If your property is a single family house (i.e. not a flat, subdivided houses and multiple-occupancy properties) you can build some types of garden building in your rear garden without Planning Permission, using Permitted Development rights. However, permitted development rights do have limitations. You may need planning permission if the garden building is situated on land between a wall forming the side elevation of the house and the property boundary. Furthermore, a garden building is limited in height depending on the distance of the building to the site boundary. It is also required to be used for purposes incidental to the enjoyment of the house. It is therefore recommended that you check with the Planning Service whether Planning Permission is required prior to constructing any building.

Where Planning Permission is required, as with extensions and alterations to the main house, new buildings or structures within rear gardens of Conservation Areas must preserve or enhance the character or appearance of the area.

Subject to this, the following will be used by the Planning Service to guide its assessment of the acceptability of such proposals:

- In gardens of between 10 and 25 metres in length, the general maximum size of individual buildings should be no greater in plan (footprint) than 1/5 (20%) of the overall length and 1/2 (50%) of the width of the garden (Figure 29). The buildings should be located in the rear 1/4 (25%) of the garden and should have a maximum footprint of 15m2. Buildings of this size will normally be required to be set away from joint boundaries by at least 1m to reduce their

impact, promote further landscape development and allow future maintenance without having to enter your neighbour’s garden.

- New structures and buildings within gardens of longer than 25 m and less than 10 m will be assessed on their individual merits. In both circumstances the structures should be of a bulk and form that is in keeping with the style and proportion of the area and the garden plot.
- If you wish to position your building within the first 3/4 (75%) of your garden the Council will assess your application on its individual merits. However, it is likely that a building in this location will have to be significantly smaller. Where your garden abuts a neighbour’s garden you may also have to reduce the size and scale of your

proposed building to reduce the impact on the neighbouring garden and views out of your neighbour’s house.

- Existing trees and significant soft landscape features should not be removed or damaged to allow new buildings.



Figure 29: Garden building guide

6.0 GETTING PERMISSION

Whether you need Planning Permission depends on what you want to do. However, in many cases it is likely that you will need permission from the Council before you make any changes to the outside appearance of your house.

6.1 Planning Permission

It is very important to remember that the Article 4 Direction planning controls placed on the Conservation Area by the Council are legally binding. In addition to standard planning controls, you must apply for Planning Permission for any of the work listed in Section 2.2. It is always best to call the Planning Service to find out whether you need to make an application. The Council can take enforcement action against you if you carry out work without permission. You may be required to undo the work and reinstate original details at your own expense.

6.2 Tree Preservation Orders

In Conservation Areas it is necessary to give 6 weeks written notice to the Planning Service before removing or lopping a tree that has a trunk diameter exceeding 75mm at a height of 1.5 metres.

In the written notice you should include a description of the tree, its location, what work you intend to do and why. Some trees may also have Tree Preservation Order.

6.3 Building Regulations Approval

You will need Building Regulations Approval for most alterations and



extensions. You will need to check with the Council’s Building Control department before you start the work.

Please remember that you may need Planning Permission even if you do not require Building Regulations Approval and vice versa.

6.4 How to Apply

You will need to fill in a Planning Application form which can be obtained through the Planning Portal www.planningportal.gov.uk. Clear existing and proposed plans are required. The Council recommends that you use a qualified architect or similarly skilled professional to undertake the drawings.

As part of the application a Heritage Statement is required. This should include all of the following:

- An assessment of heritage significance of the heritage asset or assets which may be affected by the proposed development, including their setting;
- An assessment of impact of the proposed development on the heritage asset(s) and their setting; and
- A mitigation statement outlining a mitigation strategy to address any impacts of the proposed development on the significance of the heritage asset(s).

The amount of detail that is required in a heritage statement will vary according to the particular proposal.

A Design and Access Statement will also be required for the provision of one or more new houses or the construction of a building or buildings

where the floor space created by the development is 100m2 or more.

Please refer to the Council’s website for further guidance on submitting a planning application in a Conservation Area.

The Planning Service aims to determine minor planning applications within 8 weeks. It is likely that permission will be subject to providing additional information, such as material samples to be approved on site, before the work can be undertaken. A proposal which does not adhere to the guidance or a contemporary design may need further submissions to assist the Council. This may include larger scale drawings, perspectives, photomontage, models, details and samples.

6.5 Specialist Help

To make repairs and alterations that preserve or restore the character of the property, a specialist supplier or craftsmen may be required. Some of the materials and skills may no longer be in common use and may take time to find. Please check with the Council’s Planning Service if you are in any doubt. It might be able to source local specialist assistance.

Specialist services and supplies are sometimes more costly than the mass-market, ready-made alternatives, but not always. In most circumstances specialist help need not cost more. However, when it does, many residents view the extra expense as an investment. If you preserve or restore the original appearance of your house, this can help to maintain or even increase its value.



7.0 EXPLANATION OF TECHNICAL TERMS

Block Modillions

Ornamental blocks set at intervals under the eaves.

Brick bond

Arrangement of bricks in a wall, combining bricks laid lengthways (stretchers) and bricks laid widthways (headers).

Casement window

Made up of a frame with a smaller sub frame, called a casement, set within which is fixed with hinges at the top or sides to allow it to swing open.

Console bracket

A decorative wall bracket which supports a bay window, part of a roof or other feature that projects out from the house.

Drip rails

A sill like section mounted above or below the opening casements of windows to shed water away from the opening when it is opened.

Dentils

Square blocks set at interval to produce a decorative band that looks like teeth.

Eaves

The junction of the wall and the lower edge of the roof.

Glazing bars

The bars of wood or metal which separate individual glass panes in a window.

Half timbering

Often called 'timber framing', this means timbers applied vertically or horizontally to the walls of houses as a decorative feature.

Jambs

The side sections of a door or window frame.

Leaded light

A window made of small pieces of glass joined by strips of lead.

Parapet

A section of a wall that projects above the eaves of a flat roof.

PVCu

Unplasticised Poly Vinyl Chloride. This usually refers to plastic windows.

Rough cast

Rendered wall finish with small stones added to the mixture.

Reveal

The part of a wall that turns back towards the window frame in its opening.

Sill

The bottom section of a window frame that projects out from the wall to allow rain to run away.

Spalled bricks

Bricks that have lost their front faces through frost damage.

String course

A horizontal detail band of brickwork or stone, often projecting.

Terracotta details

Specially shaped and moulded bricks used as decorative features.

Transom

A horizontal structural beam or bar within a window frame.





Cabinet
14 December 2015

**Report of the Strategic Director,
Regeneration and Growth.**

Wards affected:
ALL

Building Control Fees and Charges 2015-17

1. INTRODUCTION

- 1.1. A report was taken to Cabinet in June 2015 in connection with general Fees and Charges for 2015/16 across the Council, including Building Control. However, a decision was taken at Cabinet that a separate report was required in respect of Building Control due to the complexities of the charging rules.
- 1.2. Local authorities levy a range of fees for a wide range of services. In some instances, charges are set by statute or are required to be set at a level to recover costs and, in other cases, the Council has discretion as to how to charge for its services.
- 1.3. In setting prices councils need to be aware of their market position, neither abusing the local authority monopoly position (where this applies) nor failing to respond to commercial pressures from private sector (or in some cases other public sector) competitors. This is particularly true of Building Control. However, pricing decisions can be difficult and complex, requiring careful balancing of statutory requirements, financial and policy choices and often responding to unknown and varied workloads.
- 1.4. A detailed review of the pricing arrangements across the local authority services is proposed, to report back as part of the budget making cycle. This will create the opportunity to engage with residents, community groups and their representatives about how the council should approach charging for services and Building Control will be included in this review. In the meantime, it is appropriate to reconsider the sources of income and charges for Building Control in 2015/16 and 2016/17 in order to reflect required uplift of inflationary pressures, ensuring recovery of costs and where appropriate generating income.
- 1.5. Building Control adopts a range of approaches to charging for services which reflect legislative requirements and constraints, local policy choices, custom and practice and, in the main, are generally aimed at achieving full cost recovery of providing of a particular area the service. However some areas of charging may be based on a more commercial approach whilst others encourage long term partnership arrangements, multiple works

schemes or attempt to use charging regimes to guide residents' and customers' behavior to more efficient ways of working than traditionally was the case.

- 1.6. Building Control, like many local authority services generates significant income through fees and charges in relation to its statutory functions and discretionary services. These charges are directed to those members of the public (including residents / homeowners), small business owners and large organisations / developers who use our services.
- 1.7. The largest income for Building Control relates to its statutory Building Regulation function. Building Control Fees and Charges may be grouped under the following service headings:
 - Building Regulations
 - Street Naming and Numbering
 - Dangerous Structures
 - Control of Demolition (Demolition Notices)
 - Miscellaneous services including Solicitors enquiries, copy certificates, etc.
 - Consultancy work.
- 1.8. Current Building Control Charges have been in force since 1 April 2013 and have not been subject to review / variation for approximately three years. This report puts forward proposals and seeks agreement for amendment and uplift of Building Regulation and other existing charges together with the introduction of new charges across various work areas. Approval of Brent Building Regulations charging scheme which includes clarification / amendment of charging policy, where required, is also sought.
- 1.9. It is proposed that new and revised fees and charges will be applied from 1 January 2016 (or as soon after as practically possible to implement) and are intended to apply for the remainder of 2015/16 **and** 2016/17 or until further reviewed. This is to avoid having to bring a further report to Cabinet or amend charges in the short term. It should be noted, however, that the local authority can amend, revoke or replace any charging scheme they make under the Charges Regulations 2010 at any time should the need arise.
- 1.10. In the significant majority of cases, particularly in respect of those projects usually undertaken by residents and small businesses, minor changes are proposed to existing charges to take account of inflation pressures since April 2013. In some instances, charges have been reduced where existing charges are considered to be higher than necessary to recover costs, particularly where works are undertaken involving more than one charging element. In other cases, higher increases are required to more accurately reflect the input required by Building Control, maintaining income in line with costs and ensuring full recovery of expenditure incurred by the Council in providing its statutory function. Higher increases have been limited to those areas requiring greater input or where nominal increases would not result in cost recovery. This generally applies to larger or more complex commercial projects.
- 1.11. There are instances, however, where additional charges are proposed in relation to new, expanded or previously non-charged services in order to generate income and recover costs of providing the service. Should additional services be developed beyond those outlined and covered by the report, then it may be necessary to bring a further report to Cabinet in due course.
- 1.12. In all cases, Building Control must be mindful of remaining competitive to ensure that any proposed increase in charges does not drive residents, small businesses or major developers away from the local authority Building Regulation service towards private sector competitors thereby potentially damaging our market share, cost recovery and income generation capabilities. It remains critical that Brent must continue to provide efficient,

effective and sustainable Building Control services to ensure that we can fulfil our statutory duties and responsibilities into the future.

- 1.13. It is anticipated that the charges proposed in this report, relating to the Building Regulations chargeable service, include all direct and indirect costs incurred by the Council as identified and permitted within the CIPFA Local Authority Building Control Accounting Guidance for England and Wales (Revised 2010).

2. RECOMMENDATIONS

- 2.1 To agree the revised Brent Building Regulation Charges Scheme No 11, incorporating revised policies, charges and guidance, as set out in Appendix 1. This is to come into effect on 1 January 2016 or as soon thereafter as the changes can practically be implemented. Concurrently to authorise the revocation of the existing Brent Building Regulation Charges Scheme No 10 for new applications received after 1 January 2016 or as soon thereafter as the changes can practically be implemented.
- 2.2 To agree new and revised Building Regulation and other Building Control charges as set out in Appendix 2, to come into effect on 1 January 2016 or as soon thereafter as the changes can practically be implemented.
- 2.4 To note those services provided by Building Control where there is no ability to raise a charge set out in Appendix 3.
- 2.5 In all cases, the agreed charges are to remain in effect until 31 March 2017 or until such time as reviewed.

3 Detail. Building Regulations Charges:

- 3.1 The Building (Local Authority Charges) Regulations 2010 came into effect on the 1st April, 2010 and provide the legal framework for local authorities to set a Building Regulations Charging Scheme. This allows Brent to fix charges through the publication of a Charging Scheme and to recover full costs of undertaking the Building Regulations function in accordance with legislation and the CIPFA Building Control Accounting guidance (2010). Regulations allow for the setting of specific charges in respect of the main application types to cover processing of the application and inspection of works on site and for chargeable advice. Charges relate directly to the recovery of costs incurred in providing the Building Regulations chargeable services on a project by project basis and the local authority is not permitted to make a profit on this element of its operation or use income received for other purposes. Income is effectively ring-fenced.
- 3.2 Building Control operates in an extremely competitive environment (and has since 1985). Homeowners, contractors, developers and architects may choose their Building Control provider, either Public sector (Local Authority) or Private sector (Approved Inspectors), to undertake the Building Regulation function on each and every project. This is significantly different to any other local authority service providing a statutory function. In addition, there are a number of areas of statutory Building Control work for which there is no ability to raise a charge. These non-chargeable works are indicated in Appendix 3.

- 3.3 Increasing charges beyond that which is reasonable could result in significant loss of workload and our income to the private sector resulting in a reduction in our capability to deliver the Building Regulation function and additional non-chargeable statutory services appropriately and effectively. It may also affect the Councils' reputation and standing and result in proportionately higher costs. In order to remain competitive and retain a reasonable market share, Building Control must deliver excellent services efficiently and provide value for money whilst, at the same time ensuring full cost recovery. Proposed amendments to charges are predominantly targeted to cover inflationary pressures since 2013 and to recover costs in relation to areas which do not currently / will not fully recover the cost of providing the service (reducing elements of cross subsidy). This is expected to have limited effect on residents / small businesses or further loss of market share to the private sector. Benchmarking has also been undertaken to ensure that Brent Building Regulation charges remain competitive and are comparable with adjacent authorities but taking full account of specific costs incurred in providing the service.
- 3.4 Building Control, like most local authority services, largely fund the service through fees and charges for its statutory and non-statutory services although there are certain statutory functions for which no fees can be charged. In relation to the Building Regulations function income is approximately £1.2m per annum with around £450-£500k deriving, essentially, from residents / homeowners (residential extensions, loft conversion and alterations, etc.) and £700-£750k from commercial work / organisations, including small / medium businesses and large developers (commercial extensions, flat conversion, new build residential, offices, shops, etc).
- 3.5 It should be noted that Building Regulation charges are exempted for those residents and businesses where the works undertaken can be demonstrated to be for the sole benefit of improving access arrangements and facilities for disabled people. This may, for example, apply where the provision of improved access is required via ramps, through floor lifts and widening of doors or better facilities are required including provision of ground floor sanitary arrangements, provision of a ground floor bedroom / treatment room or sleeping for a carer required 24/7. Where works are undertaken which are not for the sole benefit of a disabled person, the principles of exemption will be applied where appropriate and a reduced charge made. In other areas or categories of work, charges are based upon cost recovery from the users of the service and are not exempt due to disability or discretionary.
- 3.6 The revised Brent Building Proposed Charges Scheme has been amended to include the following:
- a) General updating.
 - b) Clarification regarding additional / supplementary charges (generally where input significantly higher than expected due to poor quality workmanship) and provision of pre-application advice (Note: 1st hour must be provided free of charge. This is usually sufficient to provide pre-application advice for most domestic works undertaken by residents);
 - c) Clarification regarding additional charges where use of specialist consultant required (e.g. Fire Engineers);
 - d) Clarification regarding administrative charge and refund policy regarding Building Regulation charge on withdrawal of application at various stages;
 - e) Clarification where projects are given partial exemption of Building Regulation charges where some of the work proposed relates to improving access or facilities for disabled people but additional works are undertaken at same time which would not be considered exempt fees.

- f) Clarification regarding the application of a discount in relation to multiple work schemes (repetitive work);
- g) Clarification regarding payment of fees and charges by instalment in particular (agreed) circumstances;
- h) Amendment to Table A where standard charges are applied to the number of new-build dwellings (houses and flats). Standard charges will no longer apply in relation to developments containing 16 to 20 dwellings (inclusive) and Building Regulation charges will now be individually assessed for all residential new-build developments above 16 No. Standard charges will continue to be applied where developments are comparatively small (up to 15 units).
- i) Increase in level at which applications are individually assessed for Building Regulation charges from £150k to £200k (Scale charges will apply below this level);
- j) Updating of hourly rate to be used in individually assessed charges;
- k) Introduction of administrative charge where payment of fees have been stopped / returned (NEW charge)
- l) Introduction of cross boundary working where project can be dealt with in other Local Authority areas by Brent Building Control (with adjoining boroughs agreement) under London District Surveyors Association MoU and Local Authority Building Control (LABC) Partnership scheme. Charges to be individually assessed and to include administration charge paid to host borough (NEW Charge)
- m) Introduction of charge for reinstatement of a Building Regulation application where it has laid dormant for two years (NEW Charge)
- n) Introduction of charge for consideration of “optional requirements” where required as Planning condition. (Note: No charge where “optional requirement” relates to increased access standards for disabled people (Part M) (NEW Charge).

3.7 A schedule of charges for domestic and non domestic Building Regulation works is contained in Appendix 2. This includes charges for various types of work where Building Control has determined standard charges (usually in respect of small scale residential or commercial works). Where works fall outside these standard charge categories or where the cost of works exceeds £200k the Building Regulation charge is individually assessed and a separate quotation provided. This is based on anticipated input / resources required using the hourly rate applied and is intended to recover full costs in accordance with CIPFA guidelines.

3.8 The charges have been increased to take account of inflationary pressures since 2013 and instances where existing charges do not recover full costs.

3.9 Changes to Fees and Charges All Tables have been updated / increased to reflect increased costs and additional resources required based upon cost recovery principles. Variable increases reflect situations where current charges do not cover costs of providing the service. Other changes proposed include:

Table A – New Dwellings (Houses and Flats):

- Increase in charges for 1-15 dwellings (emphasis on smaller number of dwellings)
- Reduction in floor band for “standard” charges from 300m² to 250m².
- Individually assess charges for all developments where it is proposed to erect greater than 15 units.
- Introduction of additional charge where new dwellings include basements to reflect increased site visits and resources required.

Table B – Standard Charges for extensions, loft conversions, etc.:

- Introduction of additional charge where domestic / commercial extensions include basement works to reflect increased site visits and resources required.
- Reduction in charge to residents where minor internal works undertaken at same time as extension / loft conversion works to ensure we remain competitive and reflect reduced input. This is in response to complaints from residents who consider this charge too high when undertaken at the same time as other works.

Table C – Standard Charges for Domestic Alteration work:

- Introduction of new bands and charge in relation to Part P electrical installations depending on number of circuits due to higher consultancy costs in relation to electrical testing larger properties.

Table D – Other works:

- Increase in level at which charges are individually assessed from £150k to £200k. Scale charges will apply below this level and will reduce costs in calculating individually assessed charges in most cases (although the local authority may individually assessed where it deems it appropriate to do so).

Table E - Individual assessment of Fees and Charges:

- Note change in level at which Building Regulation Fees and Charges are individually assessed.
- Amended to include individual assessment for residential developments greater than 15 units and where dwellings are >250m².
- Minor amendments in line with Charging Scheme
- Amended Hourly rate used in calculation of individually assessed charges.

- 3.10 It is anticipated that the proposed changes to Building Regulation charges would generate in the order of £48k in a full financial year across all areas of workload areas. Based on proportions of residential / commercial activity this would equate to approximately £19k increase in residential Building Regulation charges and £29k in respect of Commercial Building Regulation charges. Therefore an additional £12k would be generated in 2015/16 and £48k in 2016/17. This is already accounted for in the 2015/16 and 2016/17 budgets.

4 Detail: Street Naming and Numbering:

- 4.1 The Council has statutory responsibility to ensure that all streets are named and all buildings appropriately named and / or numbered within its locality. The legislation which underpins this function is contained in the London Building Acts (Amendment) Acts 1939 Part II, sections 5 – 15 which give certain powers / responsibilities to the authority in terms of assigning names / numbers to buildings within its area, requirements to keep records and also sets out its enforcement powers in respect of offences relating to wrongful setting up of naming / numbering. Only the local authority can undertake this work.
- 4.2 The Naming and Numbering service plays an important role in ensuring correct addressing of new residential / commercial premises within the borough, including new-build, those created by change of use or conversion and changes to naming / numbering of buildings due to change of ownership, etc.. Applications are received from owners and developers,

processed in accordance with established guidance and, where necessary, consultations undertaken with Royal Mail and Emergency Services. On agreement with address proposals, the addresses are officially recognised and confirmation sent to a large number of interested parties. This process has implications for income generation through Council Tax and other service areas.

- 4.3 Charging for Street Naming and Numbering uses powers contained in Section 3 of the Greater London (General Powers) Act 1982. Charging has been in place since 2009 and charges have not been reviewed since 2013 with some charges not having been increased since their introduction in 2009.
- 4.3 The majority of charges are received from commercial organisations and developers via applications for Naming and Numbering of new-build residential developments (some of which are particularly complex) rather than residents. Charges are based on cost recovery principals.
- 4.4 Proposed Changes to the Naming and Numbering charges include increases to existing charges to take account of increased costs and to ensure that income covers the full cost of providing the service – refer to Appendix 2.
- 4.5 The following new charges have been introduced:
 - a) Where there is a proposed name change to an existing premises which contains multiple occupancies requiring amendment of multiple addresses, and
 - b) Introduction of a new charge to regularise unauthorised use of an address. This charge is based upon the normal scale of charges + 30% due to the increased workload required.

5 Dangerous Structures:

- 5.1 Building Control is responsible for investigation and ensuring appropriate action is taken in respect of reported Dangerous Structures within the borough. We operate a standby arrangement whereby experienced Chartered Surveyors and Structural Engineers are available for call-out 24/7 365 days / year to safeguard members of the public from imminent danger from defective buildings and structures and to provide expert assistance with major emergencies.
- 5.2 Typical incidents to which we respond include:
 - a) Major fires,
 - b) Explosions,
 - c) Buildings damaged by vehicular impact,
 - d) Storm Damage (e.g. Tornado)
 - e) Defective buildings and garden walls due to general dilapidation, etc.
- 5.3 In most cases, Building Control are able to arrange for the responsible person to undertake necessary remedial action to remove immediate hazards and make the building safe and secure. However, there are instances where owners are not available or not in a position to take necessary action to remove the danger within appropriate time-frame and the local authority must step in to undertake remedial works in default. Building Control have entered into a framework agreement with other London Boroughs, through the London District Surveyors Association (LDSA), with Wates to act as our emergency contractors to undertake remedial works in hoarding, securing or removing the danger. Costs and expenses incurred by the Council may be recharged under London Building Act (Amendment) Act 1939. There

is, however, frequently a delay in recovery of costs or, in certain situations, the local authority may not be able to recover its costs in safeguarding the public under the statutory provisions.

5.4 Charges in respect of Dangerous structures relate to:

- a) Recovery of contractors costs in relation to remedial works undertaken including provision of hoarding, removal of the danger or otherwise securing the building;
- b) Supervision of contractor including processing / agreement of time-sheets, administration, etc. (15%)
- c) Surveying costs to determine and certification of Dangerous Structure
- d) Preparation of Court action.
- e) Miscellaneous expenses incurred.

Refer to Appendix 2

5.5 Charges are established on cost recovery principles and are based upon the revised hourly rate proposed. Previous charges used a particularly low figure which did not achieve full cost recovery of providing the service.

5.6 Building Control would not, generally, make a charge where Dangerous Structures are investigated in respect of residential premises where the owners undertake appropriate action within required time-frame without the local authority having to take formal action, carry out repeated inspections / follow up correspondence or undertake remedial work in default.

6 Detail: Control of Demolition:

6.1 The London Local Authorities Act 2004 (3) 'Dangerous Structures and Demolitions' confirms the Council may recover from a person on whom a notice is served under s81 of the Building Act 1984 any expenses reasonably incurred by them under that section, in addition to any expenses recoverable under s99 of that Act.

6.2 Currently no charges are made in respect of this workload and a new charge is proposed to come into effect from 1 April 2016 due to set up workload. Charges made for the demolition counter notices served by the Council are based on a cost recovery basis only. It is estimated that the expenses incurred by the Council in administering a demolition notice are in the region of £215.00. VAT is not chargeable on demolition counter notice fees.

6.3 Based on the number of demolition notices received each year, it is anticipated that charging for administration of notices on a cost recovery basis could generate £2500 per annum. The administrative and surveying work to deal with these notices will be carried out by existing staff. There are no additional costs envisaged other than set up costs to refine existing systems and documentation and to deal with income.

7 Detail: Miscellaneous Charges:

7.1 Miscellaneous Fees are charged in a number of instances. Primarily for the recovery and staff time taken to deal with requests for information in relation to Building Regulation matters as follow up to land charge responses but also where copies of Decision Notices or Completion Certificates are required, usually as a result of loss of original documentation or as part of a property transaction.

7.2 Charging for the supply of most building regulation information is regulated by the Environmental Information Regulations 2004. These regulations allow the Council to charge

reasonable disbursement costs as well as reasonable costs attributable to the time spent by staff on answering individual requests for information. This includes reasonable overhead costs attributable to the time spent by staff answering individual requests for information. However, provided the information is already publicly available and easily accessible, the Council can provide the option of a value added service (e.g. interpreting and explaining the source information as well as applying and presenting it in a manner which serves the applicant's practical purpose and providing additional assurance) for which it can charge on a full cost recovery basis. The miscellaneous fees have been calculated in accordance with these principles.

- 7.3 Additional (NEW) charges have been introduced for the following service requests:
- a) Additional copy of Decision Notice and marked up drawing in respect of Street Naming and Numbering Applications.
 - b) Copy of Approved Inspector Final Certificate (where available)
 - c) Confirmation of receipt and acceptance of Competent Persons record where written confirmation required. (Note: This is available on-line free of charge via public access to Property history).
 - d) Option to set up certificate / confirmation that certain works are exempted under Building Regulations and no application under Building Regulations is required – similar to Certificate of lawful use.
 - e) Ability to charge for additional (non ring-fenced) income through the provision of ad-hoc additional surveying services, based on market value and individually assessed using the standard hourly rate.
- 7.4 It is anticipated that increases proposed in relation to charges (other than Building Regulation Charges) would generate a further £8k income in a full year. Some of the income levels are low volume but necessary statutory services which are required to recovery the cost of providing the service including staff time, expenses, etc.

8 FINANCIAL IMPLICATIONS

- 8.1 In general fees and charges aim to recover the full cost attributable to providing the chargeable Building Control service directly from users of the service. Ability to charge is restricted in line with legislation and, in most cases, is limited to cost recovery. However, this generates considerable income for the service and helps maintain a healthy and sustainable Building Control service. The service operates in a competitive environment and must be mindful of balancing recovery of costs and competitive charging to ensure workload and income levels are maintained. Loss of income or workload could result in proportionately higher costs to maintain statutory functions. The service is aiming to extend its service provision into non-ring fenced income streams over the coming year which will improve income levels and potentially increase market share in relation to Building Regulation workload.
- 8.2 The Medium Term Financial Plan assumes that any additional general fund income generated through increases proposed within this report will contribute towards additional cost pressures within the service. Any additional income (over and above that anticipated in this report) that may be generated through areas such as Dangerous Structure, Street Naming and Numbering, demolition notices, etc. will need to be earmarked for those specific purposes and do not as such represent additional income to the general fund.

- 8.3 It is estimated that additional income through the proposals in this report would generate an additional £56k for a full year. With the assumed 1st January implementation date this would equate to approximately £14k additional income (part year effect) for 2015/16 and £56k for 2016/17. The Council's Medium Term Financial Plan anticipates cumulative additional income of £100k for Building and Control Fees for 2015/16 and 2016/17. The projected additional income for this period as per this report is £70k resulting to a budget pressure of £30k. This will need to be managed by the Service Unit.
- 8.4 If it is decided not to increase charges in line with inflation or to recover costs in relation to specific areas of workload which have been identified as not currently achieving cost recovery, this could have the implication of not achieving targeted income levels or full cost recovery, as required by legislation. In addition, service levels would need to be reduced which would give rise to increased risk of complaints, insurance claims or put residents and members of the public at risk from dangerous and non-compliant / defective buildings. This could also have the effect of driving more projects to the private sector, further reducing income levels through loss of market share.
- 8.5 It should be noted that the over-riding principle with regard to Building Regulation charges is that they should, as closely as possible, be calculated to achieve full cost recovery on a year on year basis. Any surplus generated from the income is effectively ring-fenced to invest in the service or used to maintain / reduce charges in following years.

9 LEGAL IMPLICATIONS

- 9.1 The report proposes amendment (increase or reduction) to existing statutory and other fees and charges imposed by the Council or the introduction of new charges.
- 9.2 Appendices 1 and 2 sets outs the proposed changes to the Building Regulation charging scheme and Building Regulation / Building Control charge increases which Cabinet has the power to approve.
- 9.3 The Council has various powers to impose charges under specific legislation relating to particular services either on a cost recovery basis or otherwise. The Council also has general power under section 93 of the Local Government Act 2003 ("LGA 2003") to charge a person for discretionary services, that is, the provision of a service where the Council is authorised, but not required, to provide the service and the person has agreed to its provision. The power applies where there is no other specific statutory power that covers the proposed charge. The income from charges for a service should not exceed the cost of providing the service. Charges may be set differentially, so that users are charged different amounts for different levels of service.
- 9.4 The Council has power under section 1 of the Localism Act 2011 to do anything that individuals generally may do, subject to specified restrictions and limitations imposed by other statutes. The general power of competence extends to charging for services, but limits on charging are imposed by section 3 of the Localism Act. The Council may only charge for a service under the general power of competence if: (a) it is a discretionary service; (b) the person agrees to the service being provided; and (c) there is no other power to charge for the service, including in section 93 of the LGA 2003. Taking one financial year with another, the income from charges must not exceed the costs of providing the service.
- 9.5 The Council also has the power to charge for information under the Environmental Information Regulations 2004 as explained in paragraph 7.2 of this report.

10 EQUALITIES IMPLICATIONS

- 10.1 Under the Equality Act 2010, the Council has a duty to have due regard to the need to: eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Act; advance equality of opportunity between people who share a protected characteristic and people who do not share it; and foster good relations between people who share a protected characteristic and people who do not share it. The protected characteristics covered by the Equality Duty are as follows: Age, disability, gender reassignment, marriage and civil partnership (but only in respect of eliminating unlawful discrimination), pregnancy and maternity, race (this includes ethnic or national origins, colour or nationality), religion or belief (this includes lack of belief), sex and sexual orientation.
- 10.2 All proposed fees and charges are in accordance with legislative requirements and are principally based on full cost recovery from all users of our services except where exemptions to Building Regulation charges apply in respect of provision of access and facilities for disabled people apply.
- 10.3 Regulation 4 of The Building (Local Authority Charges) Regulations 2010 (as amended) include provision for exemption of Building Regulation charges where the local authority are satisfied that works are undertaken (in relation to an existing dwelling or building to which members of the public are admitted) and are required solely to improve necessary access and / or improved facilities for disabled persons. "Disabled Person" means a person who has a disability within the meaning given by s6 of the Equality Act 2010. Where the local authority are of the view that some but not all of the works (if undertaken in isolation) would be exempt then an appropriate reduction will be made to any charge made exempting disabled adaptations from Building Regulation charges. It should be noted that approximately 15-20 Building Regulation applications are received each year in respect of disabled adaptations. We work closely with Private Housing Services
- 10.4 Consideration has been given to charging proposals and the impact of proposed changes in respect of equalities. Reference has been made to the Councils' Equalities section, equalities policies and guidelines. Exemptions from charges for works solely for disabled people have been retained. The majority of charges affecting residential extensions and alterations affecting homeowners have limited increases and, in some cases, have been reduced where appropriate to do so. Review shows that the proposals will not have any differential or disproportionate impact on any equality groups and do not require a full equality analysis.

11 BACKGROUND INFORMATION

CIPFA – Local Authority Building Control Accounting (2010)

CONTACT OFFICERS

John Humphries
Head of Building Control, email john.humphries@brent.gov.uk, tel 020 8937 5477

ANDREW DONALD.
Strategic Director, Regeneration and Growth

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**London Borough of Brent Building Control Charging Scheme
No.11
Effective from 1st January 2016**

The Building [Local Authority Charges] Regulations 2010

To be read in conjunction with the following documents:

- [Circular letter: The Building \(Local Authority Charges\) Regulations 2010 \(S.I. 2010/404\)](#)
- [Circular 01/2010: The Building Act 1984, The Building \(Local Authority Charges\) Regulations 2010: New Provision for Local Authority Building Control Charges](#)
- [The Building \(Local Authority Charges\) Regulations 2010 \(S.I. 2010/404\)](#)
- **Local Authority Building Control Accounting Guidance for England and Wales (Fully Revised Second Edition 2010)**

SCHEME FOR THE RECOVERY OF BUILDING REGULATION CHARGES

1. 'This scheme is to be known as the **“London Borough of Brent (Building Regulations) Charges Scheme No. 11. 2016”** (the “charges scheme”)
2. This “charging scheme” is made under the **Building (Local Authority Charges) Regulations, 2010** (the “Charges Regulations”) and is effective from 1st January 2016 (or as soon afterwards as practically possible) until further notice. The charging scheme sets out the Councils charging policy relating to the Councils Building Regulation service and includes Tables of charges as set out in Annex A. It also contains advice on calculation of charges on major projects and cross boundary working where projects fall outside of the standard charges determined in Annex B and require individual assessment. (NOTE: It may be advisable to read the charges scheme in conjunction with the charges regulations and guidance).
3. **Interpretations and Definitions [Regulation 2]**

The charges scheme includes the following clauses and definitions:

‘building’

means any permanent or temporary building but not any other kind of structure or erection, and a reference to a building includes a reference to part of a building.

‘building notice’

means a notice given in accordance with regulations 12(2)(a) and 13 of the Principal Regulations [Building Regulations 2010 (as amended)].

‘building work’ has the meaning given in Regulations 3(1) of the Principal Regulations [Building Regulations 2010 (as amended)] and includes:

- (a) the erection or extension of a building;
- (b) the provision or extension of a controlled service or fitting in or in connection with a building;
- (c) the material alteration of a building, or a controlled service or fitting, as mentioned in paragraph 3(2);
- (d) work required by Building Regulation 6 (requirements relating to material change of use);
- (e) the insertion of insulating material into the cavity wall of a building;
- (f) work involving the underpinning of a building;
- (g) work required by Building Regulation 22 (requirements relating to a change of energy status);
- (h) work required by Building Regulation 23 (requirements relating to thermal elements);
- (i) work required by Building Regulation 28 (consequential improvements to energy performance);

‘chargeable function’ means a function relating to the following –

- (a) the passing or rejection of plans of proposed building work which has been deposited with the London Borough of Brent in accordance with section 16 of the Act [Building Act 1984] (**a “Plan charge”**).
- (b) the inspection of building work for which plans have been deposited with the London Borough of Brent in accordance with the Principal Regulations [Building Regulations 2010 (as amended)] and with section 16 of the Act [Building Act 1984] (**an “Inspection charge”**)
- (c) the consideration of a building notice which has been given to the London Borough of Brent in accordance with the Principal Regulations [Building Regulations 2010 (as amended)] (**a “Building Notice charge”**).
- (d) the consideration of building work reverting to the local authority under the Approved Inspectors Regulations [Building (Approved Inspectors etc.) Regulations 2010 (as amended)] (**a “Reversion charge”**); and
- (e) the consideration of a regularisation application submitted to the local authority under Regulation 18 of the Principal Regulations [Building Regulations 2010 (as amended)] and the inspection of any building work to which that application relates (**a “Regularisation charge”**).

‘cost’ does not include any professional fees paid to an architect, quantity surveyor or any other person.

‘cross-boundary working’ means Building Regulation work undertaken by Brent Building Control in relation to premises located outside of the borough. This can include projects dealt with under the Local Authority Building Control (LABC) Partnership scheme or where works are undertaken in relation to the London District Surveyors Association (LDSA) Memorandum of Understanding and may involve Plan Checking / vetting only (where the host borough undertakes site inspections) or both Plan Checking **and** Site Inspections by Brent Building Control (regardless of where the project is located outside of the borough boundary).

‘disability’ and “disabled person” A person has a disability if that person has a physical or mental impairment and the impairment has a substantial and long term adverse effect on the persons ability to carry out normal day to day activities. A reference to a “disabled person” is a reference to a person who has a disability within the meaning given by section 6 of the Equality Act 2010 (disability)

‘estimated cost’ means the amount accepted by the local authority as that which a person engaged in the business of carrying out building work would reasonably charge for carrying out the work in question, excluding VAT and professional fees.

‘dwelling’ includes a dwelling-house and a flat.

‘dwelling-house’ does not include a flat or a building containing a flat.

‘flat’ means a separate and self-contained premises constructed or adapted for use for residential purposes and forming part of a building from some other part of which it is divided horizontally.

‘floor area of a building or extension’

- (a) the floor area of:
 - (i) any storey of a dwelling or extension; or
 - (ii) a garage or carport,is the total floor area calculated by reference to the finished internal faces of the walls enclosing the area, or if at any point there is no enclosing wall, by reference to the outermost edge of the floor;
- (b) the total floor area of any dwelling is the total of the floor area of all the storeys which comprise that dwelling, and
- (c) the total floor area of an extension of a dwelling is the total of the floor areas of all the storeys in the extension, and
- (d) the floor area relating to a domestic loft conversion or basement extension is the total internal floor area, calculated by reference to internal faces of walls/partitions forming the loft conversion / basement extension and includes the stairwell opening and any loft / basement storage area.

‘new dwelling’ includes a dwelling that is formed by a material change of use of a building within the meaning of Regulation 5(a), (b) or (g) of the principal Regulations.

‘optional requirement’ means an optional requirement as described in Regulation (1A)(b) or in Regulation 36(2)(b) of the principal regulations and shall apply to building work in any case where the Planning permission under which the building work is carried out

- a) specifies that optional requirement by reference to those regulations; and
- b) makes it a condition that the requirement must be complied with.

‘planning permission’ has the meaning given in s336(1) (interpretation) of the Town and Country Planning Act 1990

‘relevant person’ means:

- a) in relation to a plan charge, inspection charge, reversion charge or building notice charge, the person who carries out the building work or on whose behalf the building work is carried out;
- b) in relation to a regularisation charge, the owner of the building; and
- c) in relation to chargeable advice, any person requesting advice for which a charge may be made pursuant to the definition of ‘chargeable advice’ [refer Regulation 5(2)]

4) Principles of the Scheme: Authority to fix and recover charges [Regulation 3] payment [Regulation 8]

4.1 The London Borough of Brent is authorised [Regulation 3(1)] subject to and in accordance with the Charges Regulations and their charges scheme to fix charges as they may determine from time to time and to recover such charges from relevant persons for, or in connection with, the performance of

their functions relating to Building Regulations. However, the local authority shall not fix or recover any charges where the whole of the building work in question is solely for the benefit of a disabled person in accordance with Regulation 4 [Building (Local Authority Charges) Regulations 2010 (as amended)]. Please refer to Building Control before assuming exemption from charges.

4.2 The London Borough of Brent is authorised, subject to and in accordance with the Charges Regulations, to amend, revoke or replace the Charges Scheme, which has been made by them in accordance with clause 2 above.

5) Exemption from charges for building work solely required for disabled persons [Regulation 4]

5.1 The London Borough of Brent has not fixed by means of its scheme, nor intends to recover a charge in relation to an existing dwelling that is, or is to be, occupied by a disabled person as a permanent residence; and where the whole of the building work in question is solely-

- (a) for the purpose of providing means of access for the disabled person by way of entrance or exit to or from the dwelling or any part of it, or
- (b) for the purpose of providing accommodation or facilities designed to secure the greater health, safety, welfare or convenience of the disabled person. Regulation 4(1)]

5.2 The London Borough of Brent has not fixed by means of its scheme, nor intends to recover a charge for the purpose of providing accommodation or facilities designed to secure the greater health, safety, welfare or convenience of a disabled person in relation to an existing dwelling, which is, or is to be, occupied by that disabled person as a permanent residence where such work consists of-

- (a) the adaptation or extension of existing accommodation or an existing facility or the provision of alternative accommodation or an alternative facility where the existing accommodation or facility could not be used by the disabled person or could be used by the disabled person only with assistance; or
- (b) the provision or extension of a room which is or will be used solely
 - (i) for the carrying out for the benefit of the disabled person of medical treatment which cannot reasonably be carried out in any other room in the dwelling; or
 - (ii) for the storage of medical equipment for the use of the disabled person; or
 - (iii) to provide sleeping accommodation for a carer where the disabled person requires 24-hour care. [Regulation 4(2)]

5.3 The London Borough of Brent has not fixed by means of its scheme, nor intends to recover a charge in relation to an existing building to which

members of the public are admitted (whether on payment or otherwise); and where the whole of the building work in question is solely-

- (a) for the purpose of providing means of access for disabled persons by way of entrance or exit to or from the building or any part of it; or
- (b) for the provision of facilities designed to secure the greater health, safety, welfare of disabled persons. [Regulation 4(3)]

Note: 'disabled person' means a person who has a disability within the meaning given by section 6 of the Equality Act 2010 (disability).

In some cases, it will be required to obtain a letter from a Doctor, Occupational Therapist or similar medically qualified person before exemption may be granted.

5.4 Where the works cannot be considered to be **solely** for the benefit of a disabled person or the works provide additional facilities than required or justified for exemption under 5(1), 5(2) or 5(3) above (e.g. larger kitchen area than required as replacement, unrelated internal works, etc) partial exemption may be applied and a reduced Building Control charge made. This is to be determined in relation to the individual case and is at the discretion of the local authority.

6) Chargeable functions and advice [Regulation 5].

6.1 The set charges or method of establishing the charge have been established in this scheme for the functions prescribed in the Building (Local Authority Charges) Regulations 2010 [Regulation 5(1) referred to as the "chargeable functions", namely:

- **A Plan charge** for, or in connection with, the passing or rejection of plans of proposed building work which have been deposited with the local authority in accordance with the Principal Regulations and Section 16 of the Building Act 1984. [Regulations 5(1)(a)]. (NOTE: A Plan Charge is payable when plans of the building work are deposited with the Local Authority [Regulation 8(1)(a)]),
- **An Inspection charge** for, or in connection with, the inspection of building work for which plans have been deposited in accordance with the Principal Building Regulations and Section 16 of the Building Act 1984. [Regulation 5(1)(b)]. (NOTE: An Inspection charge is payable on demand after the authority carry out the first inspection in respect of which the charge is payable [Regulation 8(1)(b)])
- **A Building Notice charge** for, or in connection with, the consideration of a Building Notice which has been given to the local authority in accordance with the Principal Building Regulations. [Regulation 5(1)(c)]. (NOTE: A Building Notice charge is payable when the building notice is given to the authority [Regulation 8(1)(c)])
- **A Reversion charge** for, or in connection with, the consideration of building work reverting to local authority control under the Approved Inspectors Regulations [Regulation 5(1)(d)] in relation to a building:

- a) which has been substantially completed before plans are first deposited with the Authority in accordance with Regulation 20(2)(a)(i) of the Approved Inspectors Regulations [Regulation 8(1)(d)(i)], or
 - b) In respect of which plans for further building work have been deposited with the Authority in accordance with the Regulation 20(3) of the Approved Inspectors Regulations, on the first occasion on which those plans are or have been deposited [Regulation 8(1)(d)(ii)].
(NOTE: A Reversion Charge is payable when plans are submitted to the local authority [Regulation 8(1)(d)])
- **A Regularisation charge** for or in connection with the consideration of an application under Building Regulation 18 (unauthorised building work) of the Principal Building Regulations [Building Regulations 2010 (as amended)] and the inspection of any building work to which the application relates. [Regulation 5(1)(e)]. (NOTE: A Regularisation charge is payable at the time of the application to the authority [Regulation 8(1)(e)]) and, as works have commenced, refund shall not be payable.
- **Chargeable advice.** The local authority are authorised by means of a charging scheme to make a charge for giving advice in anticipation of the future exercise of their chargeable functions (i.e. pre-application advice before an application or notice is received for a particular case). No charge will be made for the first hour of time spent in providing "chargeable advice" [Regulation 5(2)]. The charge is payable on demand after the authority has given notice required by Regulation 7(7) of the Building (Local Authority) Charges Regulations 2010 (i.e. the charge has been confirmed in writing following an individual determination) and is based on the principal of cost recovery @ £86.00 + VAT per hour (per surveyor / engineer) plus expenses. This charge may be discounted from a subsequent application or notice received for the work in question **at the discretion of the local authority**. Additional charges shall apply where research or review of projects is required prior to providing chargeable advice or where consultants are required to provide specialist advice (e.g. Fire Engineering).

Such charges are set out in Appendix 1

7. Principles of the Charging scheme: Overriding objective in determining charges
[Regulation 6].

- 7.1 The overriding objective is that the London Borough of Brent must ensure, taking one financial year with another, that the income derived by the Council from performing chargeable functions and providing chargeable advice ("chargeable income") as nearly as possible equates to the costs incurred by the Council in performing chargeable functions and providing chargeable advice ("chargeable costs") [Regulation 6(3)].
- 7.2 At the end of the financial year in which the local authority first make a charging scheme (2010/11), and each subsequent financial year, the authority shall conduct a review of the level of charges set under

the scheme in accordance with Regulation 7, for the purpose of achieving the overriding objective given above [Regulation 6(2)].

- 7.3 Immediately following the review, the authority shall prepare a Building Control statement which sets out, as regards the financial year to which it relates:-
- a) The chargeable costs;
 - b) The chargeable income; and
 - c) The amount of any surplus or deficit. [Regulation 6(4)]
- 7.4 The statement shall be published not more than six months after the end of the financial year to which the statement relates [Regulation 6(5)] and must be approved by the person having responsibility for the administration of the financial affairs of the local authority under section 151 of the Local Government Act 1972 [Regulation 6(6)(a)]. Generally this is the Director of Finance.
- 7.5 A financial year is the period of 12 months beginning with 1st April [Regulation 6(9)]

8. Principles of Charging scheme: Calculating Charges [Regulation 7]

- 8.1 Charges in relation to chargeable functions and advice are payable by the relevant person (see definition above) [Regulation 3(1)(b)].
- 8.2 Any charge which is payable to the authority may, in a particular case, and with the agreement of the authority, be paid by instalments of such amounts payable on such dates as may be specified by the authority. If the applicant and an authority are agreeable, an inspection charge can be fully or partly paid up front with the plans charge. In addition, in certain circumstances, the local authority may agree to invoice for payment of a Plan Charge, Building Notice Charge or Regularisation Charge instead of receiving the charge on submission of the application.
- 8.3 The charge for providing a chargeable function or chargeable advice is based on the principle of achieving full cost recovery having regard to the overriding objective outlined in clause 7.1 above.
- 8.4 In calculating standard (fixed) charges or individually assessed charges, these will be calculated taking account of the hourly rate at which the time of local authority officers will be charged (currently £86.00 + VAT) in accordance with CIPFA guidance and some or all of the factors listed below [Regulation 7(5)] to estimate the time required to perform the chargeable function or providing chargeable advice given in the charging scheme [Regulation 7(2)],
- a) the existing use of a building, or the proposed use of the building after completion of the building work;
 - b) the different kinds of building work described in regulation 3(1) of the Building Regulations 2010 (as amended);
 - c) the floor area of the building or extension;

- d) the nature of the design of the building work and whether innovative or high risk construction techniques are to be used;
- e) the estimated duration of the building work and the anticipated number of inspections to be carried out;
- f) the estimated cost of the building work [refer Regulation 7(10)];
- g) whether a person who intends to carry out part of the building work is a person mentioned in regulation 12(6) or 20(4) of the Building Regulations (i.e. related to competent person / self certification schemes);
- h) whether in respect of the building work a notification will be made in accordance with regulation 20(4) of the Building Regulations (i.e. where design details approved by Robust Details Ltd have been used);
- i) whether an application or building notice is in respect of two or more buildings or building works all of which are substantially the same as each other;
- j) whether an application or building notice is in respect of building work, which is substantially the same as building work in respect of which plans have previously been deposited or building works inspected by the same local authority. (NOTE: Discounts to published charges may be applied at the local authorities' discretion for multiple work packages relating to similar works, undertaken over a period using the same contractor(s) as part of a long term regeneration / refurbishment project);
- k) whether chargeable advice has been given which is likely to result in less time being taken by a local authority to perform that function;
- l) whether it is necessary to engage and incur the costs of a consultant to provide specialist advice in relation to a particular aspect of the building work.

In addition, charges will be determined to take account of any additional works required due to "optional requirements" applied under Planning conditions, etc. In such circumstances, any additional requirements applied will be individually determined.

- 8.5 Where the London Borough of Brent consider it necessary to engage and incur the costs of a consultant to provide specialist advice or services (e.g. Fire / Structural engineer) in relation to particular aspect(s) of building work, those costs will be included in the determination of the charges referred to in this charging scheme [Regulation 7(3)] unless the need for such consultants was not known until after submission of the application. In this instance, an additional charge will be made to cover costs and expenses incurred.
- 8.6 The London Borough of Brent have determined that charges for particular building work or building work of particular descriptions will attract a standard (fixed) charge, taking account of such

relevant factors listed above, and these standard charges are contained within Appendix 1.

- 8.7 Charges have been assessed assuming, where applicable, electrical works being carried out in connection with any building work for which a standard charge has been identified that the works are to be undertaken by a suitably qualified and registered electrician and that the local authority is notified through a relevant Competent Persons Scheme (such as NICEIC – Domestic Installer). Where notifiable electrical works under Part P are not undertaken through a Competent Person Scheme, an additional charge will be made. If the local authority is originally notified that works will be subject of CPS notification but this turns out not to be the case a Regularisation charge will be applied.
- 8.8 Where any building work comprises or includes the erection of more than one extension / outbuilding to a building, the total floor areas of all such extensions / outbuildings shall be aggregated to determine the relevant charge payable, providing that the building work for all aggregated extensions is contained within the same application and carried out at the same time. Loft conversions, extensions and basement extensions are to be charged separately and floor areas are not to be aggregated.
- 8.9 Where Building Regulation charges relating to a Full Plans application are to be split between Plan Charge and Inspection Charge these will generally be in 40% / 60% proportion.
- 8.10 A Building Notice Charge is equal to the aggregate of the Plan Charge and Inspection Charge for the corresponding building work given in standard charges or calculated on an individual basis.
- 8.11 A Regularisation Charge is 30% greater than the aggregate of Plan Charge and Inspection Charge for the corresponding building work given in standard charges or calculated on an individual basis (Note: Currently VAT is not applicable to Regularisation Charges)..
- 8.12 Where multiple standard (fixed) charges would apply to the building work in question, the local authority may, with the agreement of the relevant person, determine the charge on an individual assessment basis [Regulation 7(8)] or apply a CAP to the charge which will effectively reduced the BC Charge. Any reference to number of storeys includes each basement level as one-storey and floor areas are cumulative. Where multiple works relating to Single Family Dwellings ONLY which are subject to Table B charges (including extensions, loft conversions, basement extensions, conversion of garage and minor internal alterations) the Building Control Plan, Inspection, Building Notice and Regularisation Charge for multiple works may be CAPPED. **This applies ONLY where the final floor area of the dwelling (including extensions and additions) is less than 300m².**

- 8.13 The Building Regulation charges for the following types of building work will be individually determined and the authority will state which factors in regulation 7(5) of the charges regulations it has taken into account in establishing a standard or individually determined charge.
- a) A Reversion charge (this should always be included as an individually determined charge);
 - b) The work consisting of alterations to any use of building where the estimated cost exceeds £200,000; or
 - c) The work consists of the erection or conversion of 16 or more dwellings; or
 - d) The work consists of the erection or conversion of dwellings where the floor area of each dwelling exceeds 300m²; or
 - e) The work consists of the erection or conversion of dwellings which include extensive basement works (multiple levels or extends outside of building envelope).
 - f) The work consists of a domestic extension, loft conversion or basement extension / conversion and the floor area (of each) exceeds 100m²; or
 - g) The work consists of a domestic garage with a floor area over 100m²; or
 - h) The project relates to cross-boundary working, or
 - i) The building work is in relation to more than one building where multiple (similar) projects are being undertaken at the same time and/or by the same contractor as part of a wider redevelopment / regeneration scheme.
 - j) Dealing with "optional requirements"
- 8.14 Individually determined charges will be confirmed in writing specifying the amount of the charge and the factors that have been taken into account in determining the charge.
- 8.15 When the charge is individually determined the authority shall calculate the charge in the same way a standard charge was set by taking account of the average hourly rate of officers' time, multiplied by the estimated time taken to carry out their building regulation functions in relation to that particular piece of building work and taking into account the applicable factors listed in regulation 7(5) of the charges regulations.
- 8.16 Where works are undertaken involving cross-boundary working (particularly in respect of cross boundary site inspections) Building Regulation charges may be determined using standard charges or under individual assessment rules. The basis of charge will be as above but additional charges may be made to ensure full cost recovery for the project. Charges should not be less than Brent scale of charges and additionally include any administrative charge made by the host authority.
- 8.17 Where works have not progressed or inspected for more than 3 years and the local authority is called upon to revisit / resurrect the application either an additional charge of £215.00 + VAT or Regularisation charge (as appropriate) will be made. Determination of the additional charge shall be determined taking account of the

particular circumstances and will be at the discretion of the local authority.

9. Principles of Charging scheme: Payment of Charges [Regulation 8]

9.1 Payment is required for various chargeable functions at the following times:

- a) **A Plan Charge** is payable when plans of the building work are deposited with the Local Authority [Regulation 8(1)(a)].
- b) **An Inspection charge** is payable on demand after the authority carry out the first inspection in respect of which the charge is payable [Regulation 8(1)(b)]
- c) **A Building Notice charge** is payable when the building notice is given to the authority [Regulation 8(1)(c)]. The Building Notice Charge is equal to the Plan Charge PLUS the Inspection Charge for the corresponding building work using the Tables of Standard Charges or Individually assessed charge.
- d) **A Reversion Charge** is payable when plans are submitted to the local authority [Regulation 8(1)(d)]. The Reversion Charge is equal to the Plan Charge PLUS the Inspection Charge for the corresponding building work using the Tables of Standard Charges or Individually assessed charge. However, it should be noted that (currently) no VAT is payable.
- e) **A Regularisation charge** is payable at the time of the application to the authority [Regulation 8(1)(e)]. The Regularisation Charge is 30% greater than the Building Notice Charge for the corresponding building work using the Tables of Standard Charges or Individually assessed charge
- f) **Chargeable Advice:** The charge is payable on demand after the authority has given notice required by Regulation 7(7) of the Building (Local Authority) Charges Regulations 2010 (ie the charge has been confirmed in writing following an individual determination).

9.2 Where a Building Notice, Full Plans, Reversion or Regularisation application is given and no Building Notice, reversion or Regularisation charge has been paid or agreed charges instalments have not been made, the Building Notice, Reversion or Regularisation application is not considered as being valid in accordance with the Building Regulations. In certain circumstances, the local authority may agree to invoice for payment of a Plan Charge, Building Notice Charge or Regularisation Charge instead of receiving the charge on submission of the application.

9.3 The charges payable in accordance with 9.1 (a to f) above are payable by the “relevant person” [Regulation 8(1)(g) and Regulation 2]

9.4 There shall be paid with any charge payable to the authority under this Charges Scheme (in accordance with Charges Regulations) an amount equal to any VAT payable in respect of that charge (NOTE: At present

(1st July 2015) no VAT is chargeable on Regularisation or Reversion applications).

- 9.5 Notwithstanding 9.1 (a to f) any charge which is payable to the authority may, in a particular case, and with the agreement of the authority, be paid by instalments of such amounts payable on such dates as may be specified by the authority. Payment by instalments will, generally, not be available in respect of any Plan charge, Building Notice, Reversion or Regularisation charge payable but may be where considered appropriate. Payments of inspection charges by stage payments will not be entertained for Charges less than £10000 (excluding VAT). In no case shall the amount of any instalment be less than £500 and all instalments must be paid to London Borough of Brent before completion of the work.
- 9.6 Where an individual assessment of charges is to be made and the local authority have not advised of the charge prior to submission of a Full Plans or Building Notice application, the Plan Charge or Building Notice Charge, will become payable immediately following notification of the charge. In all other cases payment must be made on submission of the application.
- 9.7 All charges must be paid in full prior to the giving of a final certificate of completion.

10. Information required for determining charges [Regulation 9]

- 10.1 If the authority requires additional information to enable it to determine the correct charge the authority can request the information under the provisions of Regulation 9 of The Building (Local Authority Charges) Regulation 2010.
- 10.2 The standard information required for all applications is detailed on the authority's Building Regulation application forms. This includes the existing and proposed use of the building and a description of the building work, contact details, etc.
- 10.3 Additional information may be required in relation to –
- The floor area of the building or extension
 - The estimated duration of the building work and the anticipated number of inspections to be carried out.
 - The use of competent persons, Type approval or Robust Details Ltd.
 - Any accreditations held by the builder or other member of the design team.
 - The nature of the design of the building work and whether innovative or high-risk construction is to be used.
 - The estimated cost of the building work. If this is used as one of the factors in establishing a charge the 'estimate' is required to be such reasonable amount as would be charged by a person in business to carry out such building work (excluding the amount of any value added tax chargeable).
 - Details regarding use of complex designs and / or use of

- innovative material / fire engineered buildings.
- The location of the site

11. Non-Payment of a Charge

Your attention is drawn to Regulation 8(2) of the Building (Local Authority Charges) Regulations 2010, which explains that plans are not treated as being deposited for the purposes of Section 16 of the Building Act or Building Notices given unless the London Borough of Brent has received the correct charge. In other words, relevant timescales do not start until the agreed payment has been made. The debt recovery team of the authority will also pursue any non-payment of a charge.

12. Complaints about Charges [Regulation 10]

If you have a complaint about the level of charges you should initially raise your concern with the **Head of Building Control**. The London Borough of Brent has a comprehensive complaint handling process. If your complaint is not satisfactorily responded to by the officer concerned, details of how to resolve your complaint is available on request (contact 020 8937 5210) and can be viewed on the London Borough of Brent's web site.

13. Refunds and supplementary charges [Regulation 11]

- 13.1 Where the London Borough of Brent has determined a charge in relation to a chargeable function or chargeable advice, payment of the charge has been made to the Council and the actual amount of work required by officers of the Council is significantly less than that which was originally assessed, the London Borough of Brent will make a refund on request in respect of the proportion of the charge relating to excess payment. An additional amount equal to one hour time (£86.00 + VAT) will be applied in relation to calculation of the refund. [Regulation 11(5)]
- 13.2 Where the London Borough of Brent has determined a charge in relation to a chargeable function or chargeable advice, payment of the charge has been made to the Council and the actual amount of work required by officers of the Council is more than that which was originally assessed, the London Borough of Brent may make a supplementary charge (hourly rate) in respect of any additional work or service carried out by its officers.
- 13.3 If the basis on which the charge has been set or determined changes, the LA will provide a written statement setting out the basis of the refund/supplementary charge and also state how this has been calculated. In the calculation of refunds/supplementary charges no account shall be taken of the first hour of an officer's time and, in certain circumstances, an administration charge may be applied.
- 13.4 Where the local authority fail to give notice or passing of plans within the statutory required period (including such extended period as may be agreed) under section 16 of the Building Act 1984 they shall refund the Plan Charge paid [Regulation 11(1)].

- 13.5 No refund will be given by the London Borough of Brent where the reason for not giving notice of passing or rejection of plans within the period required by section 16 of the Building Act, 1984, is due to the failure by the person by whom, or on whose behalf, the plans were deposited to supply information within a reasonable time, necessary to meet the Councils duties.
- 13.6 No refund will be given by the London Borough of Brent in respect of Regularisation applications where it has not been possible to progress the application to satisfactory completion and issue of a Regularisation certificate, particularly where this is due to the failure of the owner , or such other person, to undertake the reasonable request by the local authority to provide information or expose works carried out to ascertain compliance with the Building Regulations and associated legislation.
- 13.7 Where works have not progressed or inspected for more than 2 years and the local authority is called upon to revisit / resurrect the application an additional charge of £215.00 + VAT (max 3 Visits) or Regularisation charge (as appropriate) at the discretion of the local authority. Additional visits required will, at the discretion of the local authority, be charged at an hourly rate.
- 13.8 Where it is determined that works are substantially changed or additional works are proposed during the progress of the works an additional charge may be applied in accordance with the Building Regulation charges scheme and charges guidance or individually assessed, as appropriate.
- 13.9 Where it is determined that an additional service, such as 3rd party review of fire engineering scheme or CFD modelling is required an additional charge (individually assessed in each case) may be required to cover costs incurred, including administration costs.
- 13.10 Cancellation charge: Where a Full Plans or Building Notice application is cancelled by the applicant or their representative the following cancellation charges shall apply and any refund of Building Regulation charge paid on submission of the application will be reduced by the following amounts:
- a) Cancellation before validation - £65.00 + VAT
 - b) Cancellation after validation but before plans / calculations checked - £86.00 + VAT
 - c) Cancellation after plans / calculations checked – Full Plan (submission) charge paid or 50% of equivalent Building Notice charge or
 - d) Where works have commenced at any stage before application for cancellation – no refund shall apply
- 13.11 Where payment has been made in respect of Building Regulation Charges and the payment is cancelled or cheque payments returned “Refer to Drawer”, an invoice shall be forwarded to the responsible person together with an additional charge of £43.00 + VAT to cover additional costs incurred.

14. Publicity

The local authority will, not less than 7 days prior to the date on which this charging scheme comes into effect, publish in their area on Building Control Website the fact that a scheme has been made, the date it comes into effect and the address where it may be inspected (free of charge).

15. Transitional Provisions [Regulation 15]

The London Borough of Brent's previous schemes for the recovery of charges continue to apply in relation to building work for which plans were first deposited, a building notice given, a reversion charge becoming payable, or a regularisation application is made during relevant period under those schemes.

For clarity:

The Building (Prescribed Fees) Regulations 1994 will continue to apply to building work within the London Borough of Brent area for which plans were first deposited, a Building Notice or Initial Notice was given before the 1 April 1999. The Building (Prescribed Fees) Regulations 1994 are revoked by the Building (Local Authority Charges) Regulations 1998 from the 1 April 1999.

- a) **The LBBrent Charges Scheme No 1** and associated Charge Tables will continue to apply in relation to building work for which plans were first deposited or a building or initial notice given between 1st April 1999 and 30th April 2001 (inclusive) regardless of when the work on site commences.
- b) **The LBBrent Charges Scheme No 2** and associated Charge Tables will continue to apply in relation to building work for which plans were first deposited or a building or initial notice given between 1st May 2001 and 31st May 2004 (inclusive) regardless of when the work on site commences.
- c) **The LBBrent Charges Scheme No 3** and associated Charge Tables will continue to apply in relation to building work for which plans were first deposited or a building or initial notice given between 1st June 2004 and 31st March 2006 (inclusive) regardless of when the work on site commences.
- d) **The LBBrent Charges Scheme No 4** and associated Charge Tables will continue to apply in relation to building work for which plans were first deposited or a building or initial notice given between 1st April 2006 and 31st March 2007 (inclusive) regardless of when the work on site commences.

- e) **The LBBrent Charges Scheme No 5** and associated Charge Tables will continue to apply in relation to building work for which plans were first deposited or a building or initial notice given between 1st April 2007 and 31st March 2008 (inclusive) regardless of when the work on site commences.
- f) **The LBBrent Charges Scheme No 6 (effective 1st April 2008 - 17.5% VAT) and 6A (effective 1st December 2008 - 15.0% VAT)** and associated Charge Tables will continue to apply in relation to building work for which plans were first deposited or a building or initial notice given between 1st April 2008 and 31st March 2009 (inclusive) regardless of when the work on site commences.
- g) **The LBBrent Charges Scheme No 7 (effective 1st April 2008 - 15.0% VAT) and 7A (effective 1st January 2010 – 17.5% VAT)** and associated Charge Tables will continue to apply in relation to building work for which plans were first deposited or a building or initial notice given between 1st April 2009 and 31st March 2010 (inclusive) regardless of when the work on site commences.
- h) **The LBBrent Charges Scheme No 8 (effective 1st April 2010)** and associated Charge Tables will continue to apply in relation to building work for which plans were first deposited or a building or initial notice given between 1st April 2010 and 31st September 2010 (inclusive) regardless of when the work on site commences.
- i) **The LBBrent Charges Scheme No 9 and 9A (effective 1st April 2010)** and associated Charge Tables will continue to apply in relation to building work for which plans were first deposited or a building or initial notice given between 1st April 2010 and 31st March 2013 (inclusive) regardless of when the work on site commences.
- j) **The LBBrent Charges Scheme No 10 (effective 1st April 2013)** and associated Charge Tables will continue to apply in relation to building work for which plans were first deposited or a building or initial notice given between 1st April 2013 and 30th June 2015 (inclusive) regardless of when the work on site commences.
- k) **The LBBrent Charges Scheme No 11 (effective 1st January 2016)** and associated Charge Tables will apply in relation to building work for which plans were first deposited or a building or initial notice given after 1st January 2016 and will continue until further notice or the charging scheme is replaced regardless of when the work on site commences.

16. Contravention

Contravention of any of the Building (Local Authority Charges) Regulations 2010 and or the non- payment of any charge which becomes payable are not treated as offences under Section 35 / 35A of the Building Act 1984 (penalty for contravening building regulations) (as amended).

17. Revocation

The Building (Local Authority Charges) Regulations 1998 are revoked by the Building (Local Authority Charges) Regulations 2010.

18. Further information.

Further information and advice concerning building regulation charges and the London Borough of Brent Charging Scheme, can be obtained from

John Humphries
Head of Building Control
Planning and Regeneration,
7th Floor Brent Civic Centre,
Engineers Way
Wembley, HA9 0FJ.

Telephone: 020 8937 5477

Email: john.humphries@brent.gov.uk

Website: www.brent.gov.uk/bccs.nsf



Signed.....

John Humphries
Head of Building Control.
(The officer appointed for this purpose).

Dated: 16 October 2015.

APPENDIX 2 - BUILDING CONTROL - PROPOSED CHARGES from 1 January 2016

Explanation:

There are 3 main application types under Building Regulations **Building Notice** (residential), **Full Plans** (Residential of Commercial) and **Regularisations** (Retrospective)

The Building Notice Charge (Col J) = Total Full Plans Charge (Col K + Col L) and VAT APPLIES TO BOTH

The Regularisation Charge (Col M) = 130% Building Notice Charge but VAT DOES NOT APPLY since this work is not subject to competition.

The Building Notice and Regularisation Charges are collected on submission of the application

The Full Plans Charges may be collected in 2 parts. Fee Part 1 (Col K) on submission and Fee Part 2 (Col L) following commencement on site and 1st inspection and is usually invoiced to applicant. Fee Part 1 is usually 40% and Fee Part 2 is usually 60% of TOTAL FEE Payable.

Column (A) to Column (I) are the BASE (NET) charges for various Building Regulations and other Building Control Charges .

Fees and Charges are generally based on cost recovery principles (unless otherwise stated)

Where Fees and Charges have been increased beyond normal inflationary pressures (Building Control charges were last reviewed in 2013) this is due to an increase in charge required to ensure full cost recovery of providing the particular service. Charges in respect of residential / domestic projects (extensions / loft conversions, etc) and projects generally undertaken by small businesses (extensions, refurbishments, etc) have limited increases.

Service Provided	Charging Policy	Cost Centre	VAT Rate	Existing (Net) Charge (2014/15) £	Proposed 2015/16 (Net) Charges £	Percentage Change In Fees	Unit of Charge	COMMENTS	Building Notice Application	Full Plans Application		Regularisation Application
									Full Fee Submitted with application (incl VAT)	Fee Part 1 Fee Paid on Submission (incl VAT)	Fee Part 2 Fee paid following first Inspection (incl VAT) (Invoiced)	Full Fee Submitted with application (No VAT)
(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)
BUILDING REGULATIONS:												
TABLE A - New Dwellings:												
Table A. New Dwellings (<250m ²) - 1 unit	cost recovery	B08096 / 517320	20%	£800.00	£1,000.00	25.0%	schedule	Commercial	£1,200.00	£480.00	£720.00	£1,300.00
Table A. New Dwellings (<250m ²) - 2 units	cost recovery	B08096 / 517320	20%	£1,000.00	£1,300.00	30.0%	schedule	Commercial	£1,560.00	£624.00	£936.00	£1,690.00
Table A. New Dwellings (<250m ²) - 3 units	cost recovery	B08096 / 517320	20%	£1,200.00	£1,700.00	41.7%	schedule	Commercial	£2,040.00	£816.00	£1,224.00	£2,210.00
Table A. New Dwellings (<250m ²) - 4 units	cost recovery	B08096 / 517320	20%	£1,400.00	£2,000.00	42.9%	schedule	Commercial	£2,400.00	£960.00	£1,440.00	£2,600.00
Table A. New Dwellings (<250m ²) - 5 units	cost recovery	B08096 / 517320	20%	£1,600.00	£2,200.00	37.5%	schedule	Commercial	£2,640.00	£1,056.00	£1,584.00	£2,860.00
Table A. New Dwellings (<250m ²) - 6 units	cost recovery	B08096 / 517320	20%	£1,760.00	£2,345.00	33.2%	schedule	Commercial	£2,814.00	£1,125.60	£1,688.40	£3,048.50
Table A. New Dwellings (<250m ²) - 7 units	cost recovery	B08096 / 517320	20%	£1,920.00	£2,490.00	29.7%	schedule	Commercial	£2,988.00	£1,195.20	£1,792.80	£3,237.00
Table A. New Dwellings (<250m ²) - 8 units	cost recovery	B08096 / 517320	20%	£2,080.00	£2,635.00	26.7%	schedule	Commercial	£3,162.00	£1,264.80	£1,897.20	£3,425.50
Table A. New Dwellings (<250m ²) - 9 units	cost recovery	B08096 / 517320	20%	£2,240.00	£2,780.00	24.1%	schedule	Commercial	£3,336.00	£1,334.40	£2,001.60	£3,614.00
Table A. New Dwellings (<250m ²) - 10 units	cost recovery	B08096 / 517320	20%	£2,400.00	£2,925.00	21.9%	schedule	Commercial	£3,510.00	£1,404.00	£2,106.00	£3,802.50

Table A. New Dwellings (<250m ²) - 11 units	cost recovery	B08096 / 517320	20%	£2,560.00	£3,070.00	19.9%	schedule	Commercial	£3,684.00	£1,473.60	£2,210.40	£3,991.00
Table A. New Dwellings (<250m ²) - 12 units	cost recovery	B08096 / 517320	20%	£2,720.00	£3,215.00	18.2%	schedule	Commercial	£3,858.00	£1,543.20	£2,314.80	£4,179.50
Table A. New Dwellings (<250m ²) - 13 units	cost recovery	B08096 / 517320	20%	£2,880.00	£3,360.00	16.7%	schedule	Commercial	£4,032.00	£1,612.80	£2,419.20	£4,368.00
Table A. New Dwellings (<250m ²) - 14 units	cost recovery	B08096 / 517320	20%	£3,040.00	£3,505.00	15.3%	schedule	Commercial	£4,206.00	£1,682.40	£2,523.60	£4,556.50
Table A. New Dwellings (<250m ²) - 15 units	cost recovery	B08096 / 517320	20%	£3,200.00	£3,650.00	14.1%	schedule	Commercial	£4,380.00	£1,752.00	£2,628.00	£4,745.00
Table A. New Dwellings (including Basements). Additional charge.	cost recovery	B08096 / 517320	20%	£0.00	£250.00	NEW	per dwelling	Commercial	£300.00	£120.00	£180.00	£325.00
New Dwellings (>300m ²) - Individually assessed (but min Table A)	cost recovery	B08096 / 517320	20%	£81.55	£86.00	5.5%	per hour	Commercial	£103.20	£41.28	£61.92	£111.80
New Dwellings (>15 units) - Individually assessed (but min Table A)	cost recovery	B08096 / 517320	20%	£81.55	£86.00	5.5%	per hour	Commercial	£103.20	£41.28	£61.92	£111.80
TABLE B - Standard Charges for Detached Garages, extensions, Loft Conversions, etc.												
Table B. Garages/Carport <40m ²	cost recovery	B08096 / 517320	20%	£300.00	£325.00	8.3%	schedule	Residential	£390.00	£390.00	included	£422.50
Table B. Garages/Carport <60m ²	cost recovery	B08096 / 517320	20%	£400.00	£425.00	6.3%	schedule	Residential	£510.00	£510.00	included	£552.50
Table B. Domestic Extension <10m ²	cost recovery	B08096 / 517320	20%	£400.00	£430.00	7.5%	schedule	Residential	£516.00	£516.00	included	£559.00
Table B. Domestic Extension <40m ²	cost recovery	B08096 / 517320	20%	£525.00	£560.00	6.7%	schedule	Residential	£672.00	£672.00	included	£728.00
Table B. Domestic Extension <60m ²	cost recovery	B08096 / 517320	20%	£680.00	£725.00	6.6%	schedule	Residential	£870.00	£348.00	£522.00	£942.50
Table B. Domestic Extension <100m ²	cost recovery	B08096 / 517320	20%	£770.00	£820.00	6.5%	schedule	Residential	£984.00	£393.60	£590.40	£1,066.00
Table B. Add charge for basement to extension	cost recovery	B08096 / 517320	20%	£250.00	£250.00	0.0%	schedule	Residential	£300.00	£120.00	£180.00	£325.00
Table B. Loft Conversion <60m ²	cost recovery	B08096 / 517320	20%	£525.00	£560.00	6.7%	schedule	Residential	£672.00	£672.00	included	£728.00
Table B. Loft Conversion <100m ³	cost recovery	B08096 / 517320	20%	£680.00	£725.00	6.6%	schedule	Residential	£870.00	£348.00	£522.00	£942.50
Table B. Conversion of garage to habitable room	cost recovery	B08096 / 517320	20%	£300.00	£325.00	8.3%	schedule	Residential	£390.00	£390.00	included	£422.50
Table B. Domestic alterations (with extension) <£10k	cost recovery	B08096 / 517320	20%	£230.00	£210.00	-8.7%	schedule	Residential	£252.00	£252.00	included	£273.00
Table B. Domestic alterations (with extension) <£20k	cost recovery	B08096 / 517320	20%	£300.00	£280.00	-6.7%	schedule	Residential	£336.00	£336.00	included	£364.00
Table B. Convert Garage (with extension)	cost recovery	B08096 / 517320	20%	£260.00	£280.00	7.7%	schedule	Residential	£336.00	£336.00	included	£364.00

Table B. Multiple works (capped) family dwelling <300m2 (excluding electrical works + basement)	cost recovery	B08096 / 517320	20%	£1,600.00	£1,700.00	6.3%	schedule	Residential	£2,040.00	£816.00	£1,224.00	£2,210.00
Table B. Commercial Extension <10m2	cost recovery	B08096 / 517320	20%	£450.00	£480.00	6.7%	schedule	Commercial	£576.00	£576.00	included	£624.00
Table B. Commercial Extension <40m2	cost recovery	B08096 / 517320	20%	£600.00	£640.00	6.7%	schedule	Commercial	£768.00	£768.00	included	£832.00
Table B. Commercial Extension <60m2	cost recovery	B08096 / 517320	20%	£750.00	£800.00	6.7%	schedule	Commercial	£960.00	£384.00	£576.00	£1,040.00
Table B. Commercial Extension <100m2	cost recovery	B08096 / 517320	20%	£900.00	£960.00	6.7%	schedule	Commercial	£1,152.00	£460.80	£691.20	£1,248.00
Table B. Add charge for basement to extension	cost recovery	B08096 / 517320	20%	n/a	£250.00	NEW	schedule	Commercial	£300.00	£120.00	£180.00	£325.00
Table B. Flat Conversions - 1 or 2 flats	cost recovery	B08096 / 517320	20%	£500.00	£570.00	14.0%	schedule	Commercial	£684.00	£684.00	included	£741.00
Table B. Additional Flat Conversion (up to 8)	cost recovery	B08096 / 517320	20%	£180.00	£200.00	11.1%	schedule	Commercial	£240.00	£96.00	£144.00	£260.00
TABLE C - Standard Charges for domestic alteration work												
Table C.Underpinning <10m	cost recovery	B08096 / 517320	20%	£300.00	£330.00	10.0%	schedule	Residential / Commercial	£396.00	£396.00	included	£429.00
Table C.Underpinning each additional 10m or part	cost recovery	B08096 / 517320	20%	£175.00	£185.00	5.7%	schedule	Residential / Commercial	£222.00	£222.00	included	£240.50
Table C. Recovering roof (terraced/semi)	cost recovery	B08096 / 517320	20%	£265.00	£265.00	0.0%	schedule	Residential	£318.00	£318.00	included	£344.50
Table C. Recovering roof (detached <150m2)	cost recovery	B08096 / 517320	20%	£345.00	£345.00	0.0%	schedule	Residential	£414.00	£414.00	included	£448.50
Table C. Replacement Windows <5 Not CPS	cost recovery	B08096 / 517320	20%	£130.00	£130.00	0.0%	schedule	Residential	£156.00	£156.00	included	£169.00
Table C. Replacement Windows <20 Not CPS	cost recovery	B08096 / 517320	20%	£225.00	£225.00	0.0%	schedule	Residential	£270.00	£270.00	included	£292.50
Table C. Domestic Electrical works <10 circuits	cost recovery	B08096 / 517320	20%	£250.00	£265.00	6.0%	schedule	Residential	£318.00	£318.00	included	£344.50
Table C. Domestic Electrical works >10 circuits	cost recovery	B08096 / 517320	20%	n/a	£330.00	NEW	schedule	Residential	£396.00	£396.00	included	£429.00
Table C. Installation of Gas appliance / UVHW	cost recovery	B08096 / 517320	20%	£160.00	£165.00	3.1%	schedule	Residential	£198.00	£198.00	included	£214.50
TABLE D - Other works												
Table D. Other works <£5000	cost recovery	B08096 / 517320	20%	£230.00	£245.00	6.5%	schedule	Residential / Commercial	£294.00	£294.00	included	£318.50
Table D. Other works £5000 - £10000	cost recovery	B08096 / 517320	20%	£265.00	£290.00	9.4%	schedule	Residential / Commercial	£348.00	£348.00	included	£377.00
Table D. Other works £10000.01 - £20000	cost recovery	B08096 / 517320	20%	£345.00	£370.00	7.2%	schedule	Residential / Commercial	£444.00	£444.00	included	£481.00
Table D. Other works £20000.01 - £30000	cost recovery	B08096 / 517320	20%	£440.00	£465.00	5.7%	schedule	Residential / Commercial	£558.00	£558.00	included	£604.50
Table D. Other works £30000.01 - £40000	cost recovery	B08096 / 517320	20%	£530.00	£560.00	5.7%	schedule	Residential / Commercial	£672.00	£268.80	£403.20	£728.00

Table D. Other works £40000.01 - £50000	cost recovery	B08096 / 517320	20%	£625.00	£655.00	4.8%	schedule	Residential / Commercial	£786.00	£314.40	£471.60	£851.50
Table D. Other works £50000.01 - £60000	cost recovery	B08096 / 517320	20%	£720.00	£755.00	4.9%	schedule	Residential / Commercial	£906.00	£362.40	£543.60	£981.50
Table D. Other works £60000.01 - £70000	cost recovery	B08096 / 517320	20%	£815.00	£855.00	4.9%	schedule	Residential / Commercial	£1,026.00	£410.40	£615.60	£1,111.50
Table D. Other works £70000.01 - £80000	cost recovery	B08096 / 517320	20%	£910.00	£955.00	4.9%	schedule	Residential / Commercial	£1,146.00	£458.40	£687.60	£1,241.50
Table D. Other works £80000.01 - £90000	cost recovery	B08096 / 517320	20%	£1,005.00	£1,055.00	5.0%	schedule	Residential / Commercial	£1,266.00	£506.40	£759.60	£1,371.50
Table D. Other works £90000.01 - £100000	cost recovery	B08096 / 517320	20%	£1,100.00	£1,155.00	5.0%	schedule	Residential / Commercial	£1,386.00	£554.40	£831.60	£1,501.50
Table D. Other works £10000.01 - £110000	cost recovery	B08096 / 517320	20%	£1,145.00	£1,205.00	5.2%	schedule	Residential / Commercial	£1,446.00	£578.40	£867.60	£1,566.50
Table D. Other works £11000.01 - £120000	cost recovery	B08096 / 517320	20%	£1,190.00	£1,255.00	5.5%	schedule	Residential / Commercial	£1,506.00	£602.40	£903.60	£1,631.50
Table D. Other works £120000.01 - £130000	cost recovery	B08096 / 517320	20%	£1,235.00	£1,305.00	5.7%	schedule	Residential / Commercial	£1,566.00	£626.40	£939.60	£1,696.50
Table D. Other works £130000.01 - £140000	cost recovery	B08096 / 517320	20%	£1,280.00	£1,355.00	5.9%	schedule	Residential / Commercial	£1,626.00	£650.40	£975.60	£1,761.50
Table D. Other works £140000.01 - £150000	cost recovery	B08096 / 517320	20%	£1,325.00	£1,405.00	6.0%	schedule	Residential / Commercial	£1,686.00	£674.40	£1,011.60	£1,826.50
Table D. Other works £150000.01 - £160000	cost recovery	B08096 / 517320	20%	n/a	£1,455.00	NEW	schedule	Residential / Commercial	£1,746.00	£698.40	£1,047.60	£1,891.50
Table D. Other works £160000.01 - £17000	cost recovery	B08096 / 517320	20%	n/a	£1,505.00	NEW	schedule	Residential / Commercial	£1,806.00	£722.40	£1,083.60	£1,956.50
Table D. Other works £170000.01 - £180000	cost recovery	B08096 / 517320	20%	n/a	£1,555.00	NEW	schedule	Residential / Commercial	£1,866.00	£746.40	£1,119.60	£2,021.50
Table D. Other works £180000.01 - £190000	cost recovery	B08096 / 517320	20%	n/a	£1,605.00	NEW	schedule	Residential / Commercial	£1,926.00	£770.40	£1,155.60	£2,086.50
Table D. Other works £190000.01 - £200000	cost recovery	B08096 / 517320	20%	n/a	£1,655.00	NEW	schedule	Residential / Commercial	£1,986.00	£794.40	£1,191.60	£2,151.50
TABLE E - Individually Assessed projects												
Individually assessed projects >£200k estimated costs (Table D), extension / loft conversion > 100m2 or Flat Conversions (Table B), Dwellings >15 or >300m2 (Table A) , Cross Boundary working, etc.	cost recovery	B08096 / 517320	20%	£81.55	£86.00	5.5%	per hour	Residential / Commercial	£103.20	£41.28	£61.92	£111.80
Miscellaneous												
Cancellation / Withdrawal Charge before validation	cost recovery	B08096 / 517320	20%	£50.00	£65.00	30.0%	per application	Residential / Commercial				
Cancellation Charge after validation	cost recovery	B08096 / 517320	20%	£50.00	£86.00	72.0%	per application	Residential / Commercial		FULL CHARGE PAID ON SUBMISSION		
Cancellation Charge after plans / calcs checked	cost recovery	B08096 / 517320	20%	Plan charge	Plan Fee or 50% BN Charge	0.0%	per application	Residential / Commercial				

[illegible]

Removing Danger in accordance with London Building Acts (Contractors Costs)	cost recovery	B08096 / 516460 (recharge able)	20%	Contractors Costs	Contractors Cost	0.0%	as agreed	Residential / Commercial
Removing Danger in accordance with London Building Acts (Administration of WID by Contractor)	cost recovery	B08096 / 516460	0%	15% Net Contractors cost	15% Net Contractors cost	0.0%	as invoice	Residential / Commercial
Surveying Costs 09:00 to 17:00 - Mon-Fri (minimum 2 hours) where charged	cost recovery	B08096 / 516460	0%	£60.00	£86.00	43.3%	per hour	Residential / Commercial
Surveying Costs 17:00 to 09:00 - Mon-Fri and weekends / Bank Holidays (minimum 2 hours) where charged	cost recovery	B08096 / 516460	0%	£60.00	£105.00	75.0%	per hour	Residential / Commercial
Certify and Service of formal DS Notice requiring immediate action	cost recovery	B08096 / 516460	0%	n/a	£150.00	NEW	per notice	Residential / Commercial
Additional charge where excessive number of visits required to gain compliance	cost recovery	B08096 / 516460	0%	n/a	£172.00	NEW	per DS	Residential / Commercial
Court Action	cost recovery	B08096 / 516460	0%	n/a	individually assessed - minimum £500	NEW	per case file	Residential / Commercial
Miscellaneous Expenses	cost recovery	B08096 / 516460	20%	varies	At cost + 15%	15.0%	as agreed	Residential / Commercial
Mileage	cost recovery	B08096 / 516460	20%	£0.50	£0.55	15.0%	per mile	Residential / Commercial
DEMOLITION NOTICES:								
Demolition Notice and inspections. (Effective Date 1/4/2016)	cost recovery	B08096 / 516460	0%	n/a	£215.00	NEW	per notification	Residential / Commercial
MISCELLANEOUS (INCLUDING SOLICITORS ENQUIRIES, ETC)	Note: Limited information available FREE of charge through Public Access system. Building Control records are not considered as public records.							
Retrieval of microfiche record	cost recovery	B08096 / 516460	0%	£15.00	£15.00	0.0%	per case file	Residential / Commercial
Correspondence requiring technical research / review of casefile	cost recovery	B08096 / 516460	0%	£50.00	£65.00	30.0%	per question per address	Residential / Commercial
Complex queries requiring extensive research (individually assessed - hourly rate)	cost recovery	B08096 / 516460	0%	£50.00	£86.00	72.0%	per hour	Commercial
Copy of BC Final Certificate (pre 2002) + Retrieval if req'd	cost recovery	B08096 / 516460	0%	£40.00	£45.00	12.5%	per Certificate	Residential / Commercial
Additional copy of BC Final Certificate (post 2002) + Retrieval if req'd	cost recovery	B08096 / 516460	0%	£40.00	£40.00	0.0%	per Certificate	Residential / Commercial
Additional copy of Decision Notice (pre 2002) + Retrieval if req'd	cost recovery	B08096 / 516460	0%	£20.00	£20.00	0.0%	per Certificate	Residential / Commercial

Copy of Decision Notice (post 2002) + Retrieval if req'd	cost recovery	B08096 / 516460	0%	£20.00	£20.00	0.0%	per Certificate	Residential / Commercial
Copy of s25 PHA - Notice (Build over sewer)	cost recovery	B08096 / 516460	0%	£20.00	£20.00	0.0%	per Certificate	Commercial
Additional Copy of SN Decision and marked up plans (electronic only)	additional service	B08096 / 516460	0%	n/a	£40.00	NEW	per application	Residential / Commercial
Copy of AI Final Certificate (where available)	additional service	B08096 / 516460	0%	n/a	£20.00	NEW	per Certificate	Residential / Commercial
Confirmation regarding acceptance of CPS record (Optional)	additional service	B08096 / 516460	0%	n/a	£30.00	NEW	per application	Residential / Commercial
Certificate / Confirmation regarding BC (Building Regulation) exemption. (Effective Date 1/4/2016)	additional service	B08096 / 516460	0%	n/a	£130.00	NEW	per application	Residential / Commercial
Additional (non-ringfenced) earnings through provision of additional services	additional service (non ring-fenced)	B08096	20%	n/a	individually assessed (min £86.00 per hour)	NEW	per project	Commercial

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Appendix 3.

Statutory Building Control work for which there is no ability to raise a charge.

- a) Investigation and enforcement of Building Regulations when contravention found. (Note: Regularisation charge for retrospective application under Building Regulations is to recover cost of processing the Regularisation application from receipt to issue of Regularisation Certificate and not for prior investigation or any formal / informal enforcement required). (No charge allowed)
- b) Investigation and enforcement (formal or informal), including site visits to investigate neighbour complaints relating to Building regulation matters. (No charge allowed)
- c) Maintain statutory register of submitted Initial Notices from Approved Inspectors, undertaking required checks and administration / processing of Initial Notices, Plan Certificates, Amendment Notices and Final Certificates, etc. (No charge allowed)
- d) Processing of applications under Building Regulations (including Plan checks and site inspections undertaken) where works are for sole use of disabled people. (No charge allowed)
- e) Maintain statutory register of works undertaken by Competent Persons under the Government Competent Persons Scheme (e.g. for electrical installations, replacement windows / doors, cavity wall insulations, installation of gas boilers, replacement of roof covering, etc). (No charge allowed)
- f) General enquiries including certain FOI / EIR requests. (No charge allowed)
- g) Provide a Building regulation advice service to residents and businesses. Legislation prohibits local authority from making charge for 1st hour of advice. Note: A duty surveyor service is provided to answer queries and is available for face to face meeting on appointment basis).
- h) Resolution of Naming and Numbering address queries including clarification and liaison between Property Database, Royal Mail and confirmation of official addresses which do not require creation of new address under Naming and Numbering legislation. (No charge allowed)
- i) Monitoring / liaison in respect of planning conditions / enforcement activities or in respect of overlapping duties with other Council services.

Please note: Building Regulation and other charges based upon the principal of full cost recovery of providing the particular service cannot be used to cross-subsidise or used to pay for non-chargeable workloads.

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 Brent	Cabinet 14 December 2015 Report from the Chief Operating Officer
Wards affected: ALL	
Brent Stronger Communities Strategy	

1.0 Summary

- 1.1 This report sets out the thinking towards a strategy for a community-led response to protecting communities from the threat of extremist behaviour.

2.0 Recommendations

- 2.1 That Cabinet agree the strategic approach as set out in the Stronger Communities Strategy at Appendix 1.
- 2.2 That Cabinet consider and note the content of the Equality Impact Assessment which is set out in Appendix 2 to this report.

3.0 Detailed Considerations

- 3.1 Brent is a highly diverse borough with high levels of risk of:
- General crime, ASB and Hate Crime
 - Extremism and radicalisation;
 - Gangs and CSE; and
 - DV and Harmful Practices.
- 3.2 Crime and hate crime
It must be recognised that global events have repercussions, not just in Britain but in London and in Brent in particular. It is, therefore, unsurprising that the number of incidents of race and religious hate crime, islamophobia and anti-Semitism are all on the rise across Europe.
- 3.3 Extremism and Radicalisation
Brent is one of 43 Home Office “Prevent Priority Areas”, indicating that intelligence suggests Brent is of particular national concern for fermenting extremism and radicalisation. Brent

receives funding from the Home Office to tackle radicalisation through a range of projects including working with religious and educational establishments, young people and parenting. This strategy will be positioned to work in a currently unfilled space for effectively engaging with communities and to up-skill communities to 'spot the signs' and empower parents, teachers and Community Champions to act a robust challenge to extremist behaviour.

3.4 Protecting Communities and 'Grooming'

There are significant similarities between the processes used to "groom" young and vulnerable people into gangs, sexual abuse, harmful practices and extremism.

The techniques used in grooming are common across the issues, and may include:

- Offering free drugs and alcohol
- Buying gifts and unexplained money
- Older individuals befriending younger girls/boys
- Young person acts out in an inappropriate sexual way for their age, or with toys/objects
- Inviting children to parties, which are mostly attended by men
- Talk of a new, older friend
- Becoming unusually secretive
- Running away/ going missing
- Online grooming - using usernames or comments that are flirtatious or have a sexual meaning; and pretending to be someone they are not, for example saying they are the same age online.

There is also an element of cross-pollination between these issues, including, at times, individuals (in terms of both victims and offenders). This is captured in the table below:

	Domestic abuse and harmful practices	Gangs	Extremism and radicalisation	Child Sexual Exploitation
Domestic abuse and harmful practices		Research suggests that the risk of violence against women and girls is substantially higher where one or both parties are gang-associated. Gang members are more likely to perpetrate violence against women and girls, compared to a non-gang	People involved with any radicalised person could be at greater risk of Honour BV and FM.	Young female victims of domestic abuse are at a greater risk of CSE due to their added vulnerabilities as a young controlled DA victim. Men can use sexual abuse through sexual exploitation to maintain control of their partner.

		member. "County Lines" activity exploits the use of vulnerable women, relating to the vulnerability of victims of violence against women and girls		
Gangs	Research suggests that the risk of violence against women and girls is substantially higher where one or both parties are gang-associated. Gang members are more likely to perpetrate violence against women and girls, compared to a non gang member. 'County Lines' activity exploits the use of vulnerable women and girls.		Radicalisation and gang membership have a good deal of common ground and some gang members have been known to become radicalised. The practices of "grooming" for gang membership are similar to those being used to radicalise	Gangs operate "County Lines" which can include CSE as a tool of coercion. County Lines involve exploitation and/or human trafficking of boys and girls.
Extremism and radicalisation	People involved with any radicalised person could be at greater risk of harmful practices such as Female Genital Mutilation or Honour based	Radicalisation and gang membership have a good deal of common ground and some gang members have been known to become radicalised.		Radicalisation can target and prey upon the most vulnerable members of society, including young people being exploited.

	violence.			
Child Sexual Exploitation	Young female victims of domestic abuse are at a greater risk of CSE due to their added vulnerabilities as a young controlled DA victim. Perpetrators can use sexual abuse through sexual exploitation to maintain control of their partner.	Gangs operate "County Lines" which can include CSE as a tool of coercion. County Lines involve exploitation and/or human trafficking of boys and girls.	Radicalisation can target and prey upon the most vulnerable members of society, including young people being exploited.	

3.5 Extremist behaviour, in all its forms, requires a response - by professionals and by communities themselves – to ensure that there are appropriate referral pathways for those who are vulnerable to extremist behaviour.

4.0 Developing a community-led approach

4.1 The purpose of the community-led approach is twofold:

- to enable the community to become aware of and resilient to issues and tensions that are currently happening; and
- to ensure that there is an appropriate community-level response to any potential incident.

4.2 It is proposed that Brent adopt a similar approach undertaken in Manchester. Last year, Manchester City Council worked with the Foundation for Peace to initiate a 'Big Questions' event to get communities together to speak about what no-one is talking about. To follow up the conference, they held several further workshops on radicalisation across the city and involved young people. The workshops themselves formed the basis for a number of community-derived activities.

Brent could hold a similar series of events, with community leaders to lead discussions. This is important for two reasons: by invoking a community-led response, we empower communities to tackle the issues in their own way; and there is no issue of buy-in or the feeling that council owns the work – they own it from day one. The council only enables the discussions to happen.

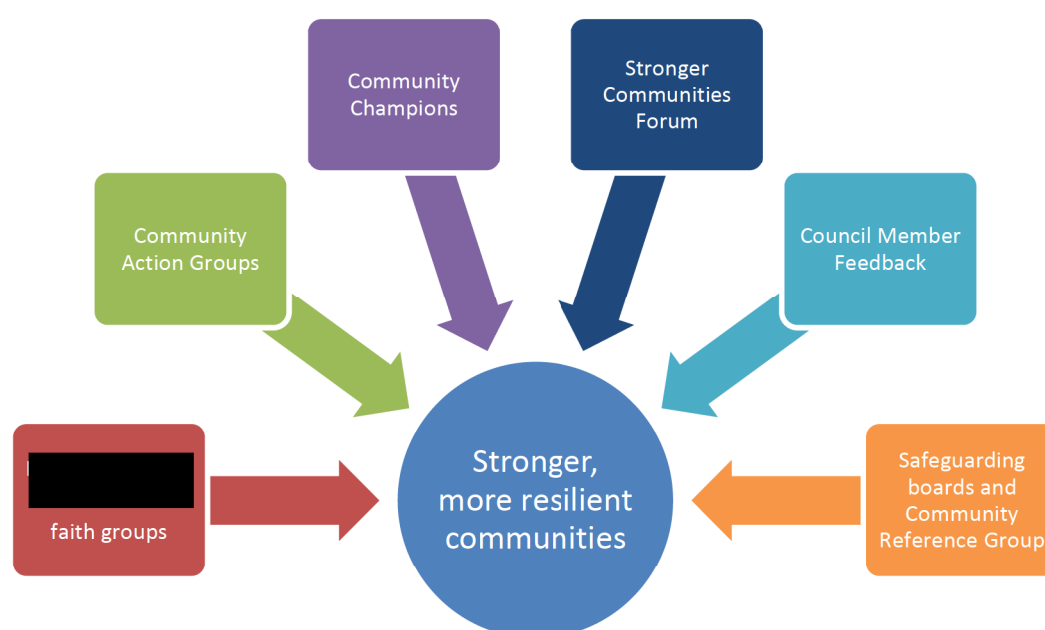
4.3 Engagement alongside the Big Questions events

Engagement with our community leaders, faith groups and residents will be intrinsic to developing this programme of work. The newly formed Community Action Groups and faith groups [REDACTED] will provide the pathways to engagement on cohesion and resilience work. It is, therefore, proposed that the [REDACTED] forums be

reviewed and/or widened to include new members so that it is more representative of the wider faith community and improve action tasking and outcomes.

Council members will also have a key role to play in gaining regular insight from residents and feeding back on council and partnership activities. Throughout the year of engagement, we will prioritise finding our 'Community Champions'. The new Community Champions will form part of a small network of non-statutory partners who will help other partners to act as eyes and ears in the community relaying messages in both directions. The aim here is to ensure that tensions are spotted early on and that adequate responses may be developed with community leaders themselves, working alongside statutory services.

The diagram below shows how these, and other groups, will inform the work programme for building stronger, more resilient communities.



5.0 Governance

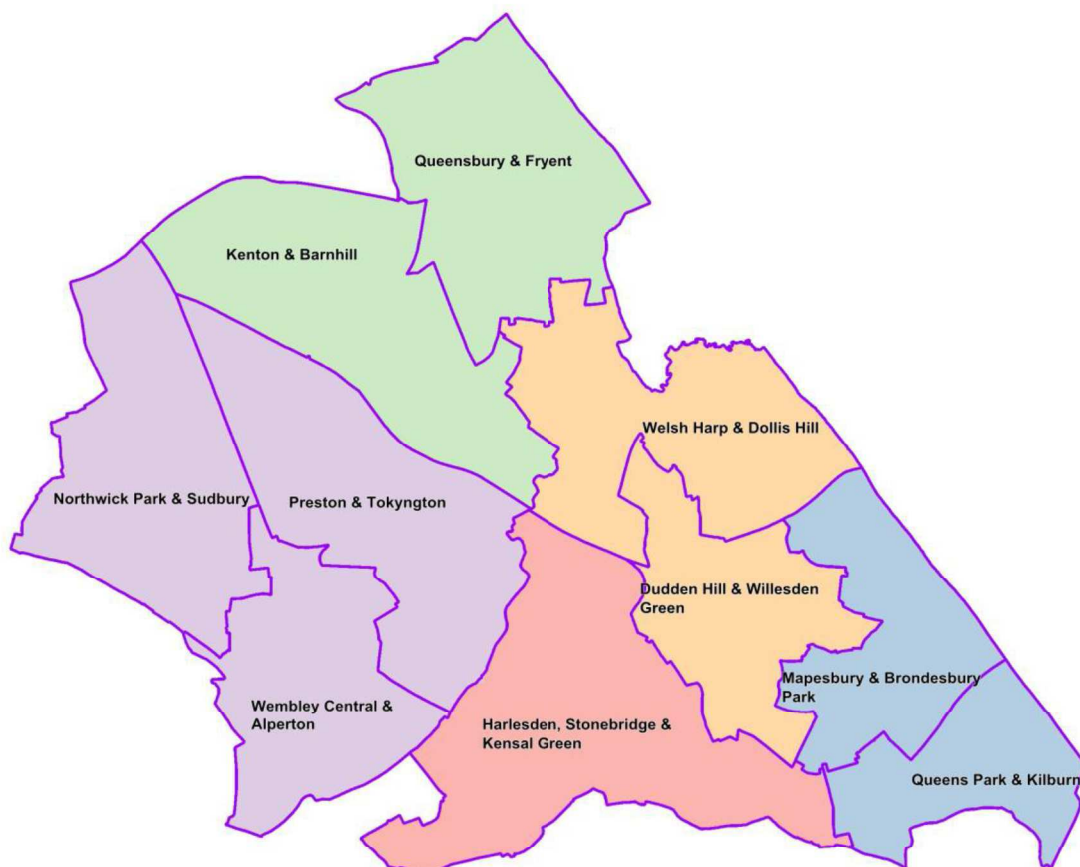
- 5.1 At the strategic level, this strategy must be owned and overseen by Brent's Local Strategic Partnership, Partners for Brent. The revised structure and terms of reference for the partnership provides the best platform for this type of joined-up approach. Ultimately, this means mainstreaming cohesion where possible. At the delivery level, this strategy will sit under the Safer Brent Partnership to oversee delivery and report on progress to Partners for Brent, as illustrated below.



5.2 Ultimately, the real work of this will be derived and delivered by and for communities. The Community Action Groups, here, will have the flexibility to determine priorities and projects of interest to them.

6.0 Community Action Groups

6.1 Community Action Groups will be empowered to take on the learning from the workshops and deliver further workshops or network with others within their localities to produce locally derived ideas to tackle these issues. Importantly, what is done in Queens Park and Kilburn will not be the same in Queensbury and Fryent.



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7.0 Financial Implications

- 7.1 The costs for the consultation events will be covered within the existing COO budget envelope. This proposal presents a community led approach to protecting the residents and communities of Brent from extremism and radicalisation. The strategy does not require any additional resources and will influence how our existing resources can be used to best effect.

8.0 Legal Implications

Hate Crimes

- 8.1 Hate crimes are essentially crimes committed against someone because of their disability, gender-identity, race/ethnicity/nationality, religion/faith/belief or sexual orientation. Crimes which are ruled to be hate crimes enable the Court to impose tougher sentences on offenders under the Criminal Justice Act 2003.

Anti-Social Behaviour

- 8.2 The law on anti-social behaviour was modified by the Anti-Social Behaviour, Crime and Policing Act 2014 ("the 2014 Act") which abolished anti-social behaviour orders (ASBOs). The 2014 Act allows local authorities and certain other public bodies to apply for civil injunctions relating to anti-social behaviour. Under the 2014 Act, local authorities have powers to issue community protection notices to seek to stop a person aged 16 years or over or a business or organisation committing anti-social behaviour which spoils the community's way of life. Local authorities have powers to make Public Space Protection Orders, after consultation with the Police and other relevant persons and bodies, to seek to stop individuals or groups committing anti-social behaviour in a public space. Local authorities and the Police have powers to issue a closure notice to last up to 48 hours and apply to the court for a closure order to last up to 6 months which are designed to allow local authorities and the Police to quickly close premises which are being used, or are likely to be used to commit nuisance or disorder. The 2014 Act also introduced the "community trigger" which gives victims and communities the right to request a review of their case relating to anti-social behaviour to local authorities, the Police, Clinical Commissioning Groups and certain registered providers of social housing and according to the Home Office's Statutory Guidance regarding the 2014 Act, the purpose of the community trigger is to bring agencies together to take a joined up, problem-solving approach to find a solution.

Prevent Duty and Radicalisation

- 8.3 Section 26 of the Counter-Terrorism and Security Act 2015 has introduced a duty on local authorities and schools to "have due regard to prevent people from being drawn into terrorism" in the exercise of their functions – also known as the "Prevent Duty". Statutory guidance has been provided by the Home Office regarding the Prevent Duty and in that guidance, "radicalisation" is described as referring to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.

FGM

- 8.4 Offences of female genital mutilation (“FGM”) are set out in the Female Genital Mutilation Act 2003 (“the 2003 Act”) and further offences were added to the 2003 Act by the Serious Crime Act 2015 which include failing to protect a girl from risk of FGM and assisting or carrying out acts of FGM outside the UK. The 2003 Act has also been amended to make provision for the anonymity of victims of FGM.

Forced Marriage

- 8.5 Under the Forced Marriage (Civil Protection) Act 2007, a person who is being forced into a marriage or has been forced into a marriage may apply to the court for a Forced Marriage Protection Order (“FMPO”). The Anti-Social Behaviour, Crime and Policing Act 2014 made forced marriage and breach of FMPOs criminal offences.

CSE

- 8.6 Although there is no specific criminal offence for Child Sexual Exploitation (“CSE”), perpetrators can be convicted under a range of offences under the Sexual Offences Act 2003. The Children Act 1989 imposes a range of responsibilities on local authorities for the care and protection of young people under the age of 18, including a duty to safeguard and promote the welfare of children within their area who are in need (section 17) and a requirement to make enquiries where they have reasonable cause to suspect that a child is suffering, or is likely to suffer significant harm, to enable them to decide what action they should take to safeguard or promote the child’s welfare (section 47). Under section 11 of the Children Act 2004, local authorities must make arrangements for ensuring that their functions are discharged having regard to the need to safeguard and promote the welfare of children. In 2009, the Department for Children, Families and Schools provided detailed guidance regarding CSE entitled “Safeguarding Children and Young People from Sexual Exploitation - Supplementary Guidance to working together to safeguard children”.

9.0 Diversity Implications

- 9.1 Brent’s Stronger Together strategy will have a positive equalities outcome for the following groups protected by the Equality Act 2010: age; race; disability; sex; gender re-assignment and variance; sexuality, marriage and civil partnership, and religion-belief. It will likely have a neutral impact on pregnancy and maternity where no equalities implications have been identified.
- 9.2 Whilst the strategy has positive equalities outcomes for the groups outlined above, it affects different groups in different ways. For example, research has shown that young people are the age group most at-risk of falling victim to radical and extremist ideology; therefore the strategy would have a positive equalities outcome insofar as it would aim to prevent a certain age range from becoming radicalised. However, for LGBT residents for example, the strategy would have a more general positive equalities outcome in the context of promoting greater overall cohesion in the borough and reducing the likelihood of LGBT hate crime.
- 9.3 Key outcomes from the strategy include inter-faith and inter-generational dialogue which will likely have a positive equalities outcome for the nine protected groups and cohesion in the borough overall.
- 9.4 At this stage no negative equalities implications of the strategy have been

identified, see Appendix 2 for the full equalities impact assessment.

10.0 Staffing/Accommodation Implications (if appropriate)

10.1 N/A

11.0 Background Papers

11.1 Brent Stronger Communities Strategy

11.2 Brent Stronger Communities Strategy – Equality Impact Assessment

Contact Officers

Christopher Young
Senior Policy Officer
christopher.Young@brent.gov.uk

Cathy Tyson
Head of Policy and Scrutiny
cathy.tyson@brent.gov.uk

LORRAINE LANGHAM
Chief Operating Officer

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Brent Stronger Communities

November 2015

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FOREWORD



Brent draws its strength as a community both from its proud traditions and its rich diversity.

Together, we face a number of challenges, ranging from the impact of the wider economic downturn to the risks to our young people of gang culture or sexual exploitation, the threats to our communities of extremism and radicalisation, the too-frequent incidence within families of domestic abuse and other harmful practices.

Some of these issues are born of causes very close to home; others are influenced by affairs around the world, such as the recent terrorist attacks in Paris which have deeply affected us all. These challenges are very different in their source, and their impact but the safeguarding principles to prevent such incidents are similar. Indeed, the 'grooming' technics used by those recruiting young people to gangs is eerily similar to those of an extremist ideology, for instance.

These are not abstract issues that we can afford to ignore, or imagine that they are just problems faced by other people – they are challenges facing real families, in every part of Brent, and on an everyday basis.

We must also acknowledge that the council cannot tackle these challenges alone. There's a lot of good work already in place addressing each of these challenges. However, the only way we are going tackle these challenges comprehensively is if the community comes together and takes wider ownership of these issues and comes together to develop real, community-led solutions.

The right place to start is with an honest, open and wide conversation. Only once we share an understanding of the nature and scale of these challenges can we begin to build a more comprehensive and lasting solution.

Together, we can build on what is in place and turn it into a new strategy that really works. Brent is already a great place to live. It's everyone's responsibility to make it even better.

A handwritten signature in black ink, appearing to be 'J. Denselow', written in a cursive style.

Councillor James Denselow, Lead Member for Stronger Communities

INTRODUCTION

Brent is a borough of contrasts. Brent is now the fifth largest London borough with a population of 325,400¹, a quarter of whom are 19 years old or younger. It is also widely accepted to be among the most diverse local authority areas in the country, with 65 per cent of the total population from the black and minority ethnic background alone, and we continue to welcome new communities, such as the growing Eastern European, Filipino and Somali populations. The cultural diversity of the borough and the cohesion between its different communities are major factors in Brent's characteristic vibrancy and dynamism.

Despite having high levels of community cohesion² Brent, and its diverse communities, remains at high risk of incidents of the following challenges:

- Hate crime;
- Extremism and radicalisation;
- Domestic abuse and harmful practices;
- Child sexual exploitation; and
- Gang-related crime.

The approaches to these different issues are specific and tightly focused. All too often, however, those involved are at risk across a number of these headings. Instances in Brent of child sexual exploitation are quite often linked to the activities of local gangs, for instance. Drugs, gang activity and organised crime are also often intertwined.

As well as outlining the contribution of the statutory agencies – the council, the police, the NHS, the Probation Service, schools etc. – this strategy focuses on the central role of the community – not only in identifying these issues, but in constructing effective, community-led approaches.

This strategy sets out a snapshot of the evidence we have on the nature and extent of these issues. It also sets out our partnership vision for tackling these complex challenges by working with communities and residents, alongside professionals within the statutory services, to develop a community-based approach. Finally, this strategy document sets out our strategic objectives and the measures by which we will know how effective we are in addressing these challenges.

The over-arching aim of this strategy is to work with our partners, communities and residents to make Brent stronger, more resilient and cohesive.

¹ GLA estimated population 2015.

² At the time of the Residents Attitude Survey 2014, 84% agreed that Brent was a place where people of different backgrounds got on together.

STRATEGIC CONTEXT

Brent's vision for 2015 - 2019

The development of this strategy has been rooted in research and discussions with residents and communities, the findings of which strongly reinforce the position that our incredible diversity is a strength, not a weakness. For example, residents overwhelmingly agree (84%) that Brent is a place where people of different backgrounds get long well with one another. But this can and should be improved.

A great place to live and work

Our vision is to make Brent a great place to live and work, where people feel that they have real opportunities to change their lives for the better, where they feel that they and their children are safe and cared for and achieve well, and where they receive excellent services when they need them. A place where business and enterprise can prosper and where local people can find employment; a place with plentiful access to arts, leisure and cultural activities; a place where people from different backgrounds feel at ease with one another; a place where the principles of fairness, equality, good citizenship and respect for people and place are valued.

To achieve this vision, the Borough Plan has set three strategic priorities to deliver the vision above: Better Lives, Better Place and Better Locally. This strategy is closely aligned to the priorities under Better Locally.

Better locally

- Building resilience and promoting citizenship, fairness and responsibility amongst local people and strengthening the sense of community amongst the people who live and work here
- Promoting cohesion and integration amongst our communities
- Making sure that everyone has a fair say in the way that services are delivered, that they are listened to and taken seriously
- Making sure that inequalities in the quality of life in different parts of the borough are tackled by a stronger focus on local needs
- Building partnerships – between local service providers and between local services and residents – to find new ways of providing services that are more finely tailored to individual, community and local needs

EVIDENCE BASE

Strong and cohesive communities foster a sense of belonging – to a place, to a group or to a community. When people feel they have a say in their community, they are more likely to get on well together, which can also help to feel safer and more secure in their surroundings. Strong and cohesive communities can also act as a deterrent against anti-social behaviour, hate crimes, gang activity and violent extremism.

Crime and community safety

Whilst the Mayor's Office for Policing and Crime (MOPAC) data show that across the seven target offences,³ reports are falling by 2.3% across London and 5.6% in Brent. However, there are a worrying number of offences which are increasing (including religious and other hate crime), in Brent and across London. These are highlighted in figure 1 below.

Figure 1: MPS recorded crime in Brent (and London) from July 2015⁴

Offence (TNO)	2013/14	2014/15	Brent - % Change	London - % Change
MOPAC 7	11,838	11,178	-5.6%	-2.3%
Other Crimes	2013/14	2014/15	Brent - % Change	London - % Change
Violence Against the Person	6,816	8,377	22.9%	24.4%
Assault with injury	1,673	1,794	7.2%	12.8%
Robbery (Business)	34	49	44.1%	-0.9%
Rape	152	196	28.9%	16.1%
Other sexual offences	246	323	31.3%	31.2%
Youth violence	484	581	20%	13.6%
Serious youth violence	216	223	3.2%	6.5%
Gun crime	69	80	15.9%	10.1%
Knife crime	328	330	0.6%	1.9%
Knife crime with injury	106	134	26.4%	14.4%
Domestic abuse	2,364	2,585	9.3%	16.9%
Homophobic crime	34	58	70.6%	29.2%
Racist and religious hate crime	429	518	20.7%	26.8%
Disability hate crime	1	4	300%	63.1%
Transgender hate crime	1	1	0%	28.6%
Faith hate crime	31	45	45.2%	76%

Hate Crime

Hate crime is unique in that victims are often targeted, not as individuals but because they belong to a certain group, based on their race, faith, sexuality, gender or disability. Hate crime can have crippling affect, not only on victims directly but also on communities as a whole. Hate crimes in Brent – and across London - are not decreasing but increasing. This may be due to local tensions or from geo-political tensions being manifested here in the UK. There is a need to be vigilant to ensure that instability elsewhere does not affect our own communities here in Brent.

We will need to ensure that residents are empowered to report hate crimes to the police as well as having victim support in place to help people and communities deal with the emotional needs of the victims.

³ MOPAC 7: Violence with Injury, Robbery (total), Burglary (total), Theft from Person, Theft of Motor Vehicles, Theft from MV and Criminal Damage.

⁴ The table shows a sample of offences having increased in the over a rolling 12 month period Aug – July compared with previous year's data.

Extremism and radicalisation

The jointly produced guidance on cohesion from Communities and Local Government and the National Policing Improvement Agency notes that ‘experience has shown that violent extremism can emerge from even the most cohesive communities, but that extremist messages are less likely to find support in this environment.’⁵

The 7/7 bombings in London brought home the reality of terrorism and the very real threat posed by ‘home grown’ extremists. Following these events, the Government introduced its over-arching counter-terrorism strategy, CONTEST. Part of the CONTEST strategy is Prevent, the government’s strategy for preventing individuals from becoming radicalised.

Although approaches have changed over the last four years, the three key objectives of Prevent remain unchanged. They are:

- Challenging the ideology that supports terrorism and those who promote it;
- Protecting vulnerable people; and
- Supporting sectors and institutions where there are risks of radicalisation.

The Counter Terrorism and Security Act places all specified authorities, including the council, schools, colleges and health providers, among others, under a duty to have ‘due regard to the need to prevent people from being drawn into terrorism’⁶ – this is known as the Prevent duty. The Prevent duty means that the council and its statutory partners must – and rightly so – work with the Home Office and law enforcement agencies to ensure that our residents are both informed of the current threat level, which is ‘severe’, and how to challenge the types of violent extremism which seek to harm the UK and disrupt community cohesion.

The Queen’s Speech of May 2015 outlined the Government’s intention to deliver an Extremism Bill. The aims of this legislation will be to:

- Strengthen government and law enforcement powers to stop extremists promoting views and behaviour that undermine British values;
- Protect the public from the serious harm extremists intend to cause to individuals, communities and the values we live by; and
- Address the gap in government and law enforcement’s powers to deal with extremism that falls below the thresholds in counter-terrorism legislation.

The Extremism Bill will tackle all forms of extremism, not just those bound by the current Prevent Strategy, including Islamic extremists, the far right and environmental extremism.

In July 2015, the Prime Minister, David Cameron, made a speech on extremism, calling this the “struggle of our generation.” In his speech, Cameron announced that a new five year Counter-Extremism Strategy will be developed. Its four pillars include:

- Confronting the ideology;
- Tackling the violent and non-violent;
- Empowering the Muslim community; and
- Building a more cohesive society.

⁵ DCLG and NPIA, *Cohesion Guidance*, 2009, p.3.

⁶ Section 26, Counter Terrorism and Security Act

The Prime Minister revealed that Louise Casey, who heads the government's troubled families unit, will carry out a review of how to boost opportunity and integration in ethnic minority communities, saying:

She [Louise Casey] will look at issues like how we can ensure people learn English, how we boost employment outcomes, especially for women, and how state agencies can work with these communities to properly promote integration and opportunity whilst learning lessons from past mistakes – when funding was simply handed over to self-appointed 'community leaders' who sometimes used it in a divisive way.

Brent is one of 43 Home Office "Prevent Priority Areas" of particular national concern for fermenting extremism and radicalisation. As part of the Prevent programme, Brent receives funding from the Home Office to tackle radicalisation through a range of supportive projects and interventions.

The Prevent and Channel programmes have been seen by some communities, in Brent as elsewhere, as a means of demonising Islam and for spying on youths. The concerns raised by communities must be heard and it is precisely this perceived one-sided approach, which undermines cohesion and divides communities. Indeed, the Government has acknowledged that 'Prevent depends on a successful integration strategy, which establishes a stronger sense of common ground and shared values, which enables participation and the empowerment of all communities and which also provides social mobility.'⁷

Brent will seek to minimise the risk of extremism by recognising that the drivers for extremist behaviour lie in the marginalisation of voices from the public square and that a positive approach, celebrating diversity while improving our diverse communities' ability to recognise the signs of extremism and early radicalisation will foster resilience and reduce the risk of extremist behaviour. We will also recognise the geo-political drivers of extremist behaviours and create safe spaces for dialogue and debate, whilst challenging hate speech and those who seek to divide our communities.

Domestic Abuse and Harmful Practices

Brent has the 10th highest levels of domestic abuse in London and crime reports are rising year-on-year.

Violence against women and girls, including Female Genital Mutilation (FGM), Honour-Based Violence (HBV) and forced marriages are a key priority for the Safer Brent Partnership. Domestic abuse reports have increased in Brent by 9.3% last year alone and across London by 16.9%.

Because of our diverse population, Brent's women and girls are more at-risk than many other areas. Illegal harmful practices include:

- Female Genital Mutilation;
- Honour based violence; and

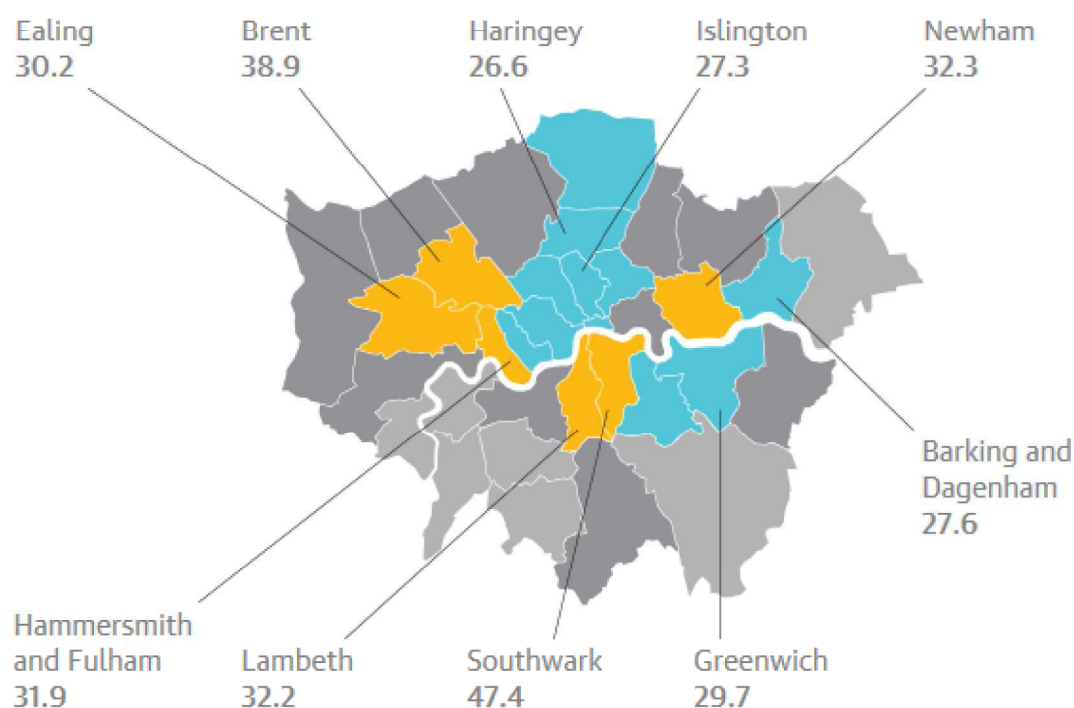
⁷ The Home Office, *CONTEST: The United Kingdom's Strategy for Countering Terrorism*, 2011, p 10.

- Forced marriage.

Nationally, there have been 4,000 cases of FGM and over 11,000 cases of HBV over the past five years. In Brent a member-led task group was established to understand the extent of harmful practices in the borough. Indeed, at the time of the task group's research, it found '...there is a worrying lack of knowledge and understanding in Brent about the harmful practices, the impact they have and the legislation relating to them.'⁸ In Schools, a short survey of school governors revealed that although 64% of respondents were aware of all three offences, only 21% said that they were covered as part of existing safeguarding training.

Research by City University and Equality Now showed that London, as a region, has the highest prevalence of FGM in the UK and that Brent has the second highest levels in London. Figure 2, below, highlights estimates of FGM cases per 1,000 women.

Figure 2: Prevalence of FGM in London



Source: City University London, Equality Now

The scrutiny task group also found that at least 5,000 girls are either at risk or have already undergone FGM.⁹

In 2013, the national Forced Marriage Unit advised 1,302 cases related to forced marriage, with nearly a quarter being reported in London alone.¹⁰ The countries of origin of those

⁸ *Tackling Violence Against Women and Girls in Brent: An Overview and Scrutiny Task Group Report*, March 2014, pg.2

⁹ LB Brent Overview and Scrutiny Task Group Report: Tackling Violence against Women and Girls in Brent, March 2014, cited in Brent JSNA 2014.

¹⁰ Forced Marriage Unit, 2013 statistics

involved varied, with the highest percentage of cases from Pakistani (42.7%), Indian (10.9%) and Bangladeshi (9.8%) backgrounds, and a smaller number from Afghanistan (2.7%) and Somalia (2.5%). Brent has large south Asian populations (predominantly Pakistani, Indian and Bangladeshi), with potential young girls at risk. In 2012/13, 30 cases of forced marriage were identified in Brent by social services, the Asian Women's Resource Centre and Brent Metropolitan Police.¹¹

Services are now in place to increase safeguarding measures and raise awareness but engagement in schools and communities where practices such as these are commonplace is the key to making a difference.

Child Sexual Exploitation

Analysis has highlighted Child Sexual Exploitation (CSE) as a high-risk issue. Currently the CSP does not have sufficient information to fully understand the threat, risk and what actions need to be undertaken in response. There are close links across the Gang and Violence against Women and Girls agendas and it is vital that community safety partners are aware of risks and able to access referral pathways when a vulnerable young person comes to notice. 20.3% of all sexual offences in Brent have a victim under 18, and 13.1% have a victim under the age of 16. A vulnerability-centred approach is likely to highlight issues of CSE. We will work with the Local Children's Safeguarding Board to develop pathways to identify and refer victims of CSE, take appropriate action in managing offenders (through MAPPA or other processes) and work through our VAWG sub-strategy to raise awareness of sexual violence and change cultural acceptance, in particular through our Ending Gang and Youth Violence strategy.

The Association of Chief Police Officers (ACPO) defines CSE as:

"CSE is sexual exploitation of children and young people under 18 involving exploitive situations, context and relationships where the young person receives something (for example food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing and/or others performing on them sexual activities.

CSE can occur through the use of technology without the child's immediate recognition, for example being persuaded to post images on the internet/mobile phones without immediate payment or gain. Violence, coercion and intimidation are common. Involvement in exploitative relationships is characterised by the child's or young persons limited availability of choice, as a result of their social, economic or emotional vulnerability.

A common feature of CSE is that the child or young person does not recognise the coercive nature of the relationship and does not see themselves as a victim of exploitation."

In all cases, those exploiting the child or young person have power over them by virtue of their age, gender, intellect, strength and/or economic factors.

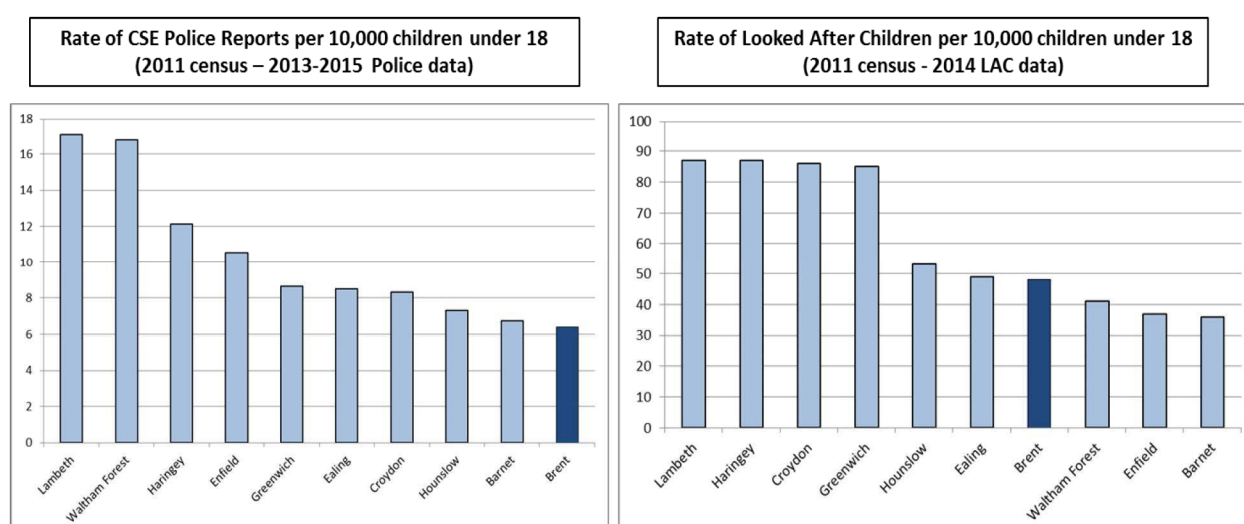
¹¹ LB Brent Overview and Scrutiny Task Group Report: Tackling Violence against Women and Girls in Brent, March 2014, cited in Brent JSNA 2014.

CSE is a hidden crime; young people often trust their abuser and do not understand that they are being abused. They may depend on their abuser or be too scared to tell anyone what's happening.

The true extent of CSE is not known. CSE is not a separate category of abuse in child protection procedures and this means that data is often missing or incomplete, concealed in other crime categories or is unreported. In law, there is no specific crime of CSE, offenders are often convicted for associated offences such as sexual activity with a child. Therefore it is not possible to obtain figures from police statistics of sexual exploitation offences.

Research suggests a close relationship between CSE and being a Looked After Child. The charts below show the prevalence of CSE reports in Brent compared to other boroughs, and compares with rates of Looked After Children in similar areas. This suggests that there is an under-reporting of CSE in Brent:

Figure 3: Rate of CSE Police Reports and Rate of LAC per 10,000 Children



Gangs and CSE

London gangs have been known to be travelling outside of London to sell drugs and open new drug markets for some time. Colloquially, the operation of drug supply routes outside of metropolitan areas by groups based in such heavily urbanised locations is referred to as the running of “county lines”. Such activities involve gang members from London travelling to smaller towns and other areas of the country in order to sell drugs, usually by establishing local connections, a drugs phone line, and control of the local drug markets. The drugs supplied are usually class A, which, by weight transported to the affected location from the metropolitan base, reflects a higher return on investment made.

Increasingly it seems that children are being used by gangs in this process to sell, look after and/or carry drugs. Needless to say, the use of children in this process is hidden and not recorded in the same way as other, more traditional crime types. Operation Holdcroft, the National Crime Agency (NCA) operation looking at this issue, has identified Brent as the sixth largest exporter of its gang problem. The NCA have made clear the links between County Lines and CSE, and there is nothing to suggest that Brent is any different to other London boroughs in this respect.

Gangs

The Home Office has identified Brent as one of 30 local authorities in England and Wales with a significant national-level gang issue. Brent has over 400 individuals named on the London Gangs Matrix and a further thousand or so are known locally to be involved or linked to gang activity.

The Safer Brent Partnership defines a ‘gang’ as:

A relatively durable, predominantly street-based group of young people who:

- (1) See themselves (and are seen by others) as a discernible group, and*
- (2) Engage in a range of criminal activity and violence.*

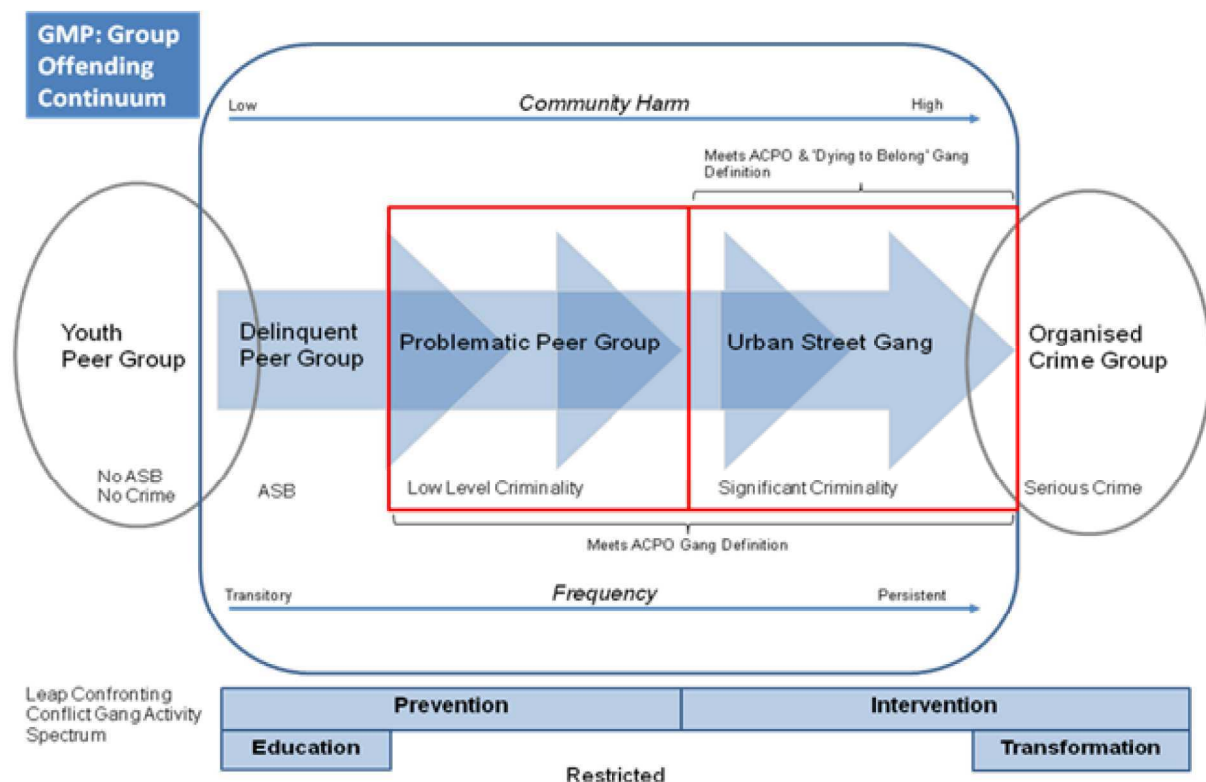
They may also have any or all of the following features:

- (3) Identify with or lay claim over territory*
- (4) Have some form of identifying structural (or labelling) feature*
- (5) Are in conflict with other, similar, gangs.*

Gang membership in Brent is not entirely a youth issue, although the youngest individual known to be linked to gangs in Brent was eight years old, and many of the street-level dealers are in their teens. The average age of a Brent gang member on the London Gangs Matrix is 27 years old and the oldest member known to authorities is 61.

Gangs move through a “continuum of harm” from harmless youth peer group into organised crime group, as can be seen in Figure 4 below.

Figure 4: Greater Manchester Police: Group Offending Continuum



Brent's gangs are responsible for the supply and distribution of drugs into (and out of) the borough; violent crime between and within gangs; and disproportionate levels of violence against women and girls. Brent's open drugs markets are controlled by gangs, who in turn are supplied with narcotics by national-level organised crime groups. In recent years a more muscular partnership response to this activity in Brent has seen Brent gangs extend operations into other parts of the country down so-called "County Lines". These involve gang members identifying vulnerable individuals and taking over their premises to sell drugs from. This phenomenon is increasingly common across London and the National Crime Agency has identified that gangs often use Looked-After Children and those who are regularly reported missing to sell the drugs in these locations, trafficking them across the country and using coercive measures including violence, blackmail and sexual exploitation to ensure compliance. Brent appears to have "County Lines" in Dorset, Hampshire and Sussex, although gang members have been identified as operating in 22 police force areas across the country.

There are significant similarities between the processes used to "groom" young and vulnerable people into gangs, sexual abuse, harmful practices and extremism.

The techniques used in grooming are common across the issues, and may include:

- Offering free drugs and alcohol;
- Buying gifts and unexplained money;
- Older individuals befriending younger girls/boys;
- Young person acts out in an inappropriate sexual way for their age, or with toys/objects;
- Inviting to children to parties often, which are mostly attended by men;
- Talk of a new, older friend;
- Becoming unusually secretive;
- Running away/ going missing;
- Online grooming - using usernames or comments that are flirtatious or have a sexual meaning; and/or pretending to be someone they are not, for example saying they are the same age online.

There is an element of cross-pollination between these issues, including, at times, individuals (in terms of both victims and offenders). This is captured in Figure 5 below.

Figure 5: Cross-pollination of safeguarding issues

	Domestic abuse and harmful practices	Gangs	Extremism and radicalisation	Child Sexual Exploitation
Domestic abuse and harmful practices		Research suggests that the risk of violence against women and girls is substantially higher where one or both	People involved with any radicalised person could be at greater risk of Honour BV and FM.	Young female victims of domestic abuse are at a greater risk of CSE due to their added vulnerabilities as a young controlled DA victim.

		parties are gang-associated. Gang members are more likely to perpetrate violence against women and girls, compared to a non-gang member. "County Lines" activity exploits the use of vulnerable women, relating to the vulnerability of victims of violence against women and girls.		Men can use sexual abuse through sexual exploitation to maintain control of their partner.
Gangs	Research suggests that the risk of violence against women and girls is substantially higher where one or both parties are gang-associated. Gang members are more likely to perpetrate violence against women and girls, compared to a non gang member. 'County Lines' activity exploits the use of vulnerable women and girls.		Radicalisation and gang membership have a good deal of common ground and some gang members have been known to become radicalised. The practices of "grooming" for gang membership are similar to those being used to radicalise	Gangs operate "County Lines" which can include CSE as a tool of coercion. County Lines involve exploitation and/or human trafficking of boys and girls.

Extremism and radicalisation	People involved with any radicalised person could be at greater risk of harmful practices such as Female Genital Mutilation or Honour based violence.	Radicalisation and gang membership have a good deal of common ground and some gang members have been known to become radicalised.		Radicalisation can target and prey upon the most vulnerable members of society, including young people being exploited.
Child Sexual Exploitation	Young female victims of domestic abuse are at a greater risk of CSE due to their added vulnerabilities as a young controlled DA victim. Perpetrators can use sexual abuse through sexual exploitation to maintain control of their partner.	Gangs operate "County Lines" which can include CSE as a tool of coercion. County Lines involve exploitation and/or human trafficking of boys and girls.	Radicalisation can target and prey upon the most vulnerable members of society, including young people being exploited.	

Extremist behaviour, in all its forms, requires a response - by professionals and by communities themselves – to ensure that there are appropriate referral pathways for those who are vulnerable to extremist behaviour.

DEVELOPING A COMMUNITY- LED APPROACH

It is recognised that the impact of the PREVENT strategy is significantly reduced if communities do not play a key role in the development of preventative and community based solutions to neighbourhood issues that could create the conditions and environment for extremists to find a home.

The purpose of the community-led approach is twofold:

- to enable the wider community to become aware of and resilient to issues and tensions that are currently happening; and
- to ensure that there is an appropriate community-level response to any potential incident.

Stronger Communities – ‘Big Questions’

It is proposed that Brent adopt a similar approach undertaken in Manchester. Last year, Manchester City Council worked with the Foundation for Peace to initiate a ‘Big Questions’ event to get communities together to speak about issues which were not being discussed. To follow up the conference, they held several further workshops on radicalisation across the city and involved young people. The workshops themselves formed the basis for a number of community-derived activities.

Brent could hold a similar series of events, with community leaders to lead discussions. This is important for two reasons: by invoking a community-led response, we help residents to understand the nature (and scale) of the issues and empower communities to tackle the issues in their own way. There is no issue of buy-in or the feeling that council owns the work – they own it from day one. The council only enables the discussions to happen.

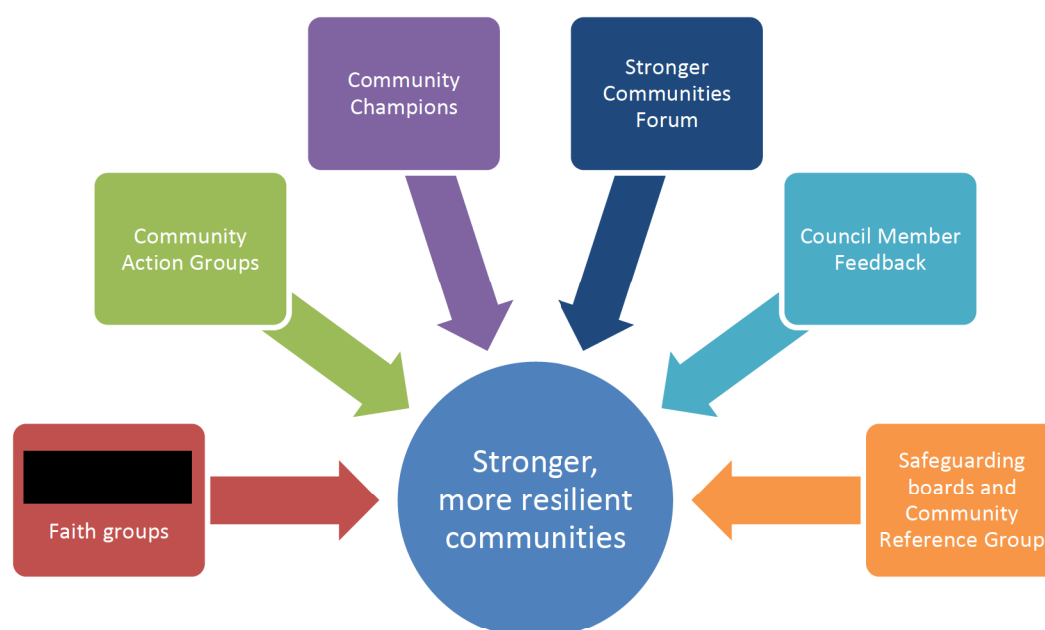
Engagement alongside the Stronger Communities events

Engagement with our community leaders, faith groups and residents will be intrinsic to developing this programme of work. [REDACTED] Faith groups and the newly formed Community Action Groups will provide the pathways to engagement on cohesion and resilience work. It is therefore, proposed that the [REDACTED] forums be reviewed and/or widened to include new members so that more faith leaders may be involved and improve action tasking and outcomes in the community.

Council members will also have a key role to play in gaining regular insight from residents and feeding back on council and partnership activities. Throughout the year of engagement, we will prioritise finding our ‘Community Champions’. The new Community Champions will form part of a small network of non-statutory partners who will help other partners to act as eyes and ears in the community relaying messages in both directions. The aim here is to ensure that tensions are spotted early on and that adequate responses may be developed with community leaders themselves, working alongside statutory services.

Figure 6 below shows how these, and other groups, will inform the work programme for building stronger, more resilient communities.

Figure 6: Engagement Activities for delivering the Stronger Communities Strategy



Governance

At the strategic level, this strategy must be owned and overseen by Brent's Local Strategic Partnership, Partners for Brent. The revised structure and terms of reference for the partnership provides the best platform for this type of joined-up approach. Ultimately, this means mainstreaming cohesion where possible. At the delivery level, this strategy will sit under the Safer Brent Partnership to oversee delivery and report on progress to Partners for Brent, as illustrated below.

Figure 7: Governance structure for the Stronger Communities Strategy



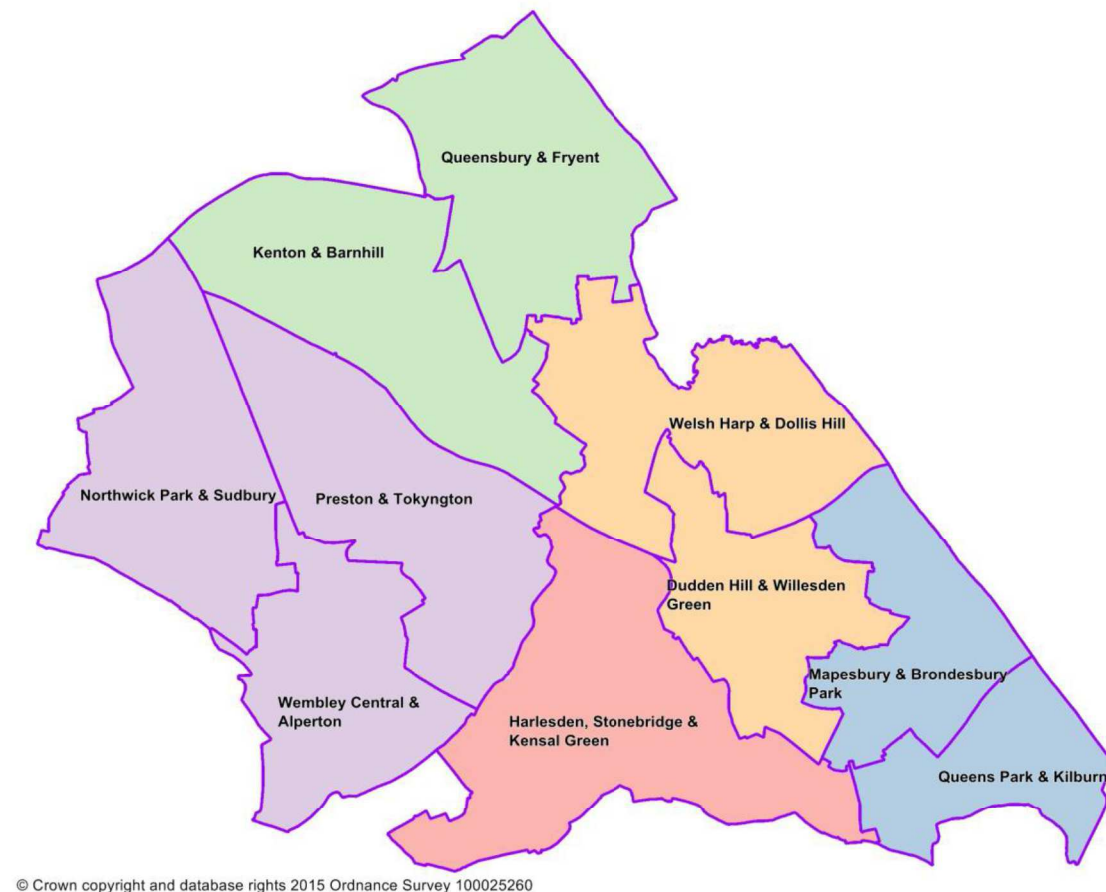
Ultimately, the real work of this will be derived and delivered by and for communities. The Community Action Groups, here, will have the flexibility to determine priorities and projects of interest to them.

Community Action Groups

Community Action Groups will be empowered to take on the learning from the workshops and deliver further workshops or network with others within their localities to produce locally

derived ideas to tackle these issues. Importantly, what is done in Queens Park and Kilburn will not be the same in Queensbury and Fryent. Figure 8, below, shows both the five existing Brent Connects clusters as well as the ten newly developed Community Action Groups.

Figure 8: Brent Community Action Group boundaries



STRATEGIC OBJECTIVES AND OUTCOMES

The table below highlights the strategic objectives and outcomes to be delivered over the life of this plan. A yearly Action Plan will also be developed from the year-long consultation process.

Our vision is to make Brent:

A great place to live and work, where people feel that they have real opportunities to change their lives for the better, where they feel that they and their children are safe and cared for and achieve well, and where they receive excellent services when they need them. A place where business and enterprise can prosper and where local people can find employment; a place with plentiful access to arts, leisure and cultural activities; a place where people from different backgrounds feel at ease with one another; a place where the principles of fairness, equality, good citizenship and respect for people and place are valued.

Strategic Objectives	Outcomes
Objective 1: Promote common ground	• People and communities share a sense of belonging and a common identity • There are positive relationships within and between communities • People and communities are strong in their own identities and respectful others • Inter-generational projects support understanding among young and older people
Objective 2: Encourage participation in civic life	• People and communities play their part • More residents will be active citizens, involved in volunteering and engaged with and participating in civic life
Objective 3: Tackle intolerance and challenge extremism and other harmful practices	• People and communities are resilient to threats and conflict • Individuals, parents and partners (statutory and community groups) are trained and confident enough to identify and challenge extremism • A community spirit is engendered that does not allow extremism in any form • Awareness is improved on all harmful practices and referral pathways for help are improved • Safeguarding referral pathways will be improved
Objective 4: Promote our vision and understanding of cohesion	• Greater organisational intelligence to drive our priorities and interventions • Improved data and intelligence to build up a profile of cohesion in the borough (as well as data sharing protocols) • Improved contacts and networks with communities and partners in Brent (e.g. housing associations, community groups, etc.), increasing our ability to foster good relations • Community Champions are visible in the community

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Equalities Impact Assessment

Stronger Communities Strategy

Department

Chief Operating Officer's Department

Person Responsible

James Curtis

Created

11 November, 2015

Last Review

N/A

Status

Not-submitted

Next Review

TBC

Main Analysis

Introduction

Put simply, community cohesion is about strong networks of support for people from diverse backgrounds to live, work and study alongside one another. In some ways it is about recognising and respecting our differences where everyone feels secure to express themselves freely and to be treated with respect in return. In others, it is about fostering a sense of belonging and community spirit.

The overarching aim of this strategy is to work with partners and residents to make Brent stronger, more resilient and cohesive. Brent is a highly diverse borough with high levels of risk of:

- General crime, ASB and Hate Crime
- Extremism and radicalisation;
- Gangs and CSE; and
- DV and Harmful Practices.

It is hoped that by providing a safe space for public debate, community leaders and residents will take more ownership of these issues so that community derived solutions may be developed.

The strategy has four main objectives, these are:

1. Promote common ground;
2. Encourage participation in civic life;
3. Tackle intolerance and challenge extremism and other harmful practices; and
4. Promote our vision and understanding of cohesion.

The strategy will have a number of positive equalities outcomes for residents with any or multiple characteristics protected by the Equality Act 2010 each of which will be examined in turn below:

Age – impact: positive

Based on the Residents' Attitude Survey 2014, the group most likely to disagree with the statement that Brent is a place where 'people from different backgrounds get on well together' was the 55-64 age cohort. As such, enhanced levels of cohesion in the borough would work towards helping this age cohort become more integrated in the community.

The group most likely to disagree with the statement were residents who had lived in the borough for more than 16 years and were primarily concentrated in the 55-64 age group. However, it is the same for this age group nationally which may suggest that dissatisfaction at this age is a life stage or national phenomenon rather than something unique to Brent.

As of April 2015, a total of 785 residents aged from 18-24 were in receipt of Job Seekers Allowance (JSA). This is 2.7% of the boroughs population which is in-line with the London average and is slightly below the national average of 2.8%. The number of young people aged between 16 and 18 who are not in education, employment or training (NEET) in 2011 was 15.5% meaning Brent ranks eighth out of 32 London boroughs.

Young people are by far the demographic group most at-risk of falling victim to radical and extremist ideologies. As such, greater community cohesion in Brent would likely have a positive outcome for this age cohort and protected characteristic.

Race – impact: positive

According to Brent's Resident's Attitude survey Asian residents are the most likely to agree with the statement that Brent is a place where 'people from different backgrounds get on well together' whilst the 'other' cohort is the least likely at 78%. For white residents the figure is 85% whilst it is the lowest for mixed and Black residents at 83%.

Although the Resident's Attitude survey shows that cohesion is already high in the borough, successful implementation of the strategy would have a positive outcome for this protected characteristic.

Disability – impact: positive

According to Brent's resident's attitude survey, slightly more residents with a disability (85%) agree with the statement that "people from different backgrounds get on well together" compared with a figure of 84% for able-bodied residents. The resident's attitude survey therefore reveals that perceptions of community cohesion are high for this protected group. However, achieving the four objectives set out in the strategy would have a positive equalities outcome for this protected characteristic.

Sex – impact: positive

The resident's attitude survey reveals that 85% of men and 83% of women agree with the statement that "Brent is a place where residents from different backgrounds get on well together." However, Brent faces a number of equalities challenges that disproportionately impact upon women such as having the 10th highest level of domestic abuse in London and the second highest rate of Female Genital Mutilation in the country. As such, achieving the

four strategic objectives would ensure a positive equalities outcome for this protected characteristic.

Gender re-assignment and variance – impact: positive

Whilst Brent-only figures are unavailable it is estimated that approximately one per cent of the British population will experience gender variance at some point in their lives (3,100 people in Brent) and approximately 0.02% of the UK population will undergo gender re-assignment (60 people in Brent). Achieving the four strategic objectives set out above would ensure that the strategy is fully inclusive of all transgender and non-binary/gender fluid residents.

Pregnancy and Maternity – impact: neutral

In 2013, there were a total of 7,022 conceptions in Brent according to the Office for National Statistics. Furthermore, in 2014 Brent had a teenage pregnancy rate of 16.0% (under 18) of all pregnancies. Achieving the four strategic objectives would ensure that the strategy is fully inclusive residents of residents of all demographic groups including expecting and recent mothers who may be more vulnerable. However, there does not seem to any issues directly linking the strategy with this protected group.

Sexuality – impact: positive

According to research conducted by Brent's Business Intelligence team based on figures from the Lesbian, Gay, Bisexual, Transgender and Questioning (LGBTQ) charity Stonewall, an estimated 5-7% of Brent's population is LGBTQ this being somewhere in the range of 15,600 to 21,800 people. Achieving the four strategic objectives would achieve have positive equalities outcomes for LGBTQ residents in the borough.

Religion or Belief – impact: positive

According to research conducted by Brent's Business Intelligence team; the main faith groups in the borough are Hindu (17%), Muslim (12%), Judaism (3%) and Buddhist (1%). Achieving the four strategic objectives would ensure that the strategy is fully inclusive of residents of all religious and faith backgrounds. Furthermore, inter-faith dialogue is a key outcome of this strategy.

Marriage or Civil Partnership – impact: positive

Achieving the four strategic objectives set out in the strategy would ensure that residents of all demographic groups can access the service including those of all marital and civil partnership status.

Additional Questions

Summary of research and/or engagement activities

The development of the Stronger Communities Strategy drew on a range of in-house and external sources both qualitative and quantative. Examples of internal sources include Brent's public health Joint Strategic Needs Assessment and the scrutiny report on ending violence against women and girls.

External sources include statistics from the Government's Forced Marriage Unit and the Department for Communities and Local Government Cohesion Guide. It also drew on statistics from the Office for National Statistics and NOMIS.

Could any of the impacts of the Stronger Communities Strategy be unlawful under the Equality Act 2010?

No

What actions will we take to enhance the positive potential impacts that have been identified?

Each event will be quality assured through evaluations. These will help us to understand what events and activities have been most thought-provoking and useful to residents.

What actions will be taken to remove any potential negative impacts that have been identified?

If there are any significant issues raised throughout the programme of events, we will take stock and manage the risk accordingly.

Please explain how any remaining negative impacts can be justified?

N/A

 Brent	Cabinet 14 December 2015 Report from the Director of Public Health
Wards affected: ALL	
London Sexual Health Transformation Project	

1.0 Summary

- 1.1 This report provides an update on the collaboration between London boroughs on Genitourinary Medicine (GUM) services and sets out the main findings of the market engagement developed by the pan London Sexual Health Transformation Project. It also sets out the next steps of the project consisting of a collaborative procurement plan for GUM services and Contraception and Sexual Health Service (CaSH) Services.

2.0 Recommendations

- 2.1 Approves the Council's participation in a pan-London procurement for a web-based system to include a 'front-end' portal, joined up partner notification and home/self-sampling.
- 2.2 Approves the Council's participation in the North West London: outer region, sub-regional procurement, which consists of a collaboration with Harrow and Ealing Councils (with Harrow Council acting as the Lead Authority) for the procurement of an integrated sexual health service of Genitourinary Medicine (GUM), Contraception and Sexual Health Service (CaSH) Services, Chlamydia Screening and where appropriate the inclusion of primary care sexual health services.
- 2.3 Approves an exemption from the usual tendering requirements of Contract Standing Orders 84 (a) to permit the use of Harrow Council's Contract

Standing Orders, as the Lead Authority, on the North West London outer-region sub regional collaborative procurement of the services referred to in recommendation 2.2 above and as more particularly detailed in paragraphs 3.4.12 - 3.4.16.

- 2.4 Delegate authority to award contracts, proposed under recommendations 2.1 and 2.2 above, to the Director of Public Health following consultation with the Chief Financial Officer and the Chief Legal Officer.
- 2.5 Delegate authority to the Director of Public Health in consultation with the Chief Financial Officer and Chief Legal Officer to approve the Council's participation in pan-London agreements on cross charging and lead commissioning.
- 2.7 Notes the progress made in developing options for the future commissioning and procurement of GUM services and the named inclusion of Brent Council onto the Prior Indicative Notice (PIN) and in the Official Journal of European Union (OJEU).

3.0 Detail

- 3.1 Commissioning responsibilities for HIV, sexual and reproductive health have undergone major changes since April 2013, and are now shared between NHS England, Local Authorities and Clinical Commissioning Groups (CCGs).
- 3.2 The current sexual health services commissioned by local authorities are based on historic supply-led models.
- 3.3 Local Authorities (LAs) are facing unprecedented challenges in providing improved quality of service provision whilst at the same time dealing with increased demand and a backdrop of reduced funding. Members will be aware that LAs must save 6.2% on the public health grant within this financial year, and it is likely that there will be further on-going reductions within the Comprehensive Spending Review announcement at the end of November.
- 3.4 Members should note that Genitourinary Medicine Services (GUM) and Contraception and Sexual Health services (CaSH) are statutory services. GUM services are open access which means that residents are entitled to visit sexual health facilities in any part of the country, without the need for a referral from a GP or other health professional, as often as they wish and without needing to be symptomatic at an average tariff cost of £159.60 for First Attendance ("FA") and £98.40 ("FU") for Follow Up. This open access requirement puts the Council under financial uncertainty as the level of activity is unpredictable.
- 3.5 It is important for members to take into consideration the interdependency between the London councils participating in this collaboration and that any

recommendations that are not approved may impact other Councils and affect the deliverables of the wider collaborative project.

- 3.6 It should be noted that if delegated authority to award contracts is not granted to any participating borough then the contract start date may be delayed due to the length of time required to mobilise and implement a new service model and the lead in time for Cabinet reports to seek the necessary approvals.
- 3.7 Members should also note the interdependency between the commissioning decisions of Central London boroughs (where many Brent residents attend services) and the delivery models of Central London GUM providers and the sub-regional procurement. The ability to deliver the desired outcomes for Brent from the sub-regional procurement is dependent on the procurement strategy in Central London as well as the appropriate changes in Central London provider behaviour and capacity.
- 3.8 Furthermore consideration should be taken that whilst the majority of Local Authorities (“LAs”) are operating on LA services contract with a 6 month termination notice period, some LAs are operating on NHS terms and conditions that require 12 month termination notice period. Any contract extension will trigger an additional requirement to serve contract termination notice potentially at the same time of the contract extension.
- 3.9 In January 2014, Cabinet approved the following recommendation:
- *Delegates authority to the Director of Public Health, in consultation with the Director of Legal & Procurement and Chief Finance Officer, to participate in the WLA negotiation of 2014/15 Genito-Urinary Medicine (“GUM”) contracts and to award direct contract(s) to existing GUM health providers, on behalf of Brent Council, and to develop arrangements to support the collaborative management of these contracts*
- 3.9.1 GUM services are open access with activity based contracts. This means Brent residents may access services anywhere without referral and the Council is liable for the cost of this activity. Many Brent residents do access services at our local provider (London North West Healthcare Trust), but others use clinics elsewhere, notably in Central London. Through collaborative negotiation, Councils including Brent have been able to negotiate acceptable tariff prices, standard service specifications and Key Performance Indicators (KPIs). For Brent this equated to £253,000 (6% of contract value) of avoided cost in 2014/15.
- 3.9.2 Recognizing the advantage of this collaboration, Cabinet approved the following:
- *In September 2014 Delegated authority to the Director of Public Health, in consultation with the Director of Legal & Procurement and Chief Finance Officer, to participate in negotiation of 2015/16 Genito-Urinary Medicine contracts and;*

-
- In December 2014 *Delegated authority to the Director of Public Health, in consultation with the Director of Legal & Procurement and the Chief Finance Officer, to participate in the negotiation and direct award of 2016/17 GUM contracts.*

- 3.10 The London Sexual Health Services Transformation Project has undertaken a needs assessment, analysis of the patient flow data, interviews with commissioning and public health leads in each Council involved, a review of the legal and policy environment and some exploration of the possible alternatives to the traditional service models. From this work, it is clear that there is a strong case for change

Options Considered

- 3.11 Officers have reviewed 3 main options for commissioning the sexual health services.

Option 1: Do nothing. Current system remains unchanged. (See section 3.32 - Current Situation)

Option 2: Develop a networked system of services either on a 22 (now 28) borough wide and/or sub-regional basis. **This is the preferred option.**

Option 3: LAs to focus on development of a local service model that includes Level 3¹ services reducing dependence on Central London services.

- 3.12 **Option 2 – Develop a networked system of services either on a 22 (now 28) borough wide and sub-regional basis** (preferred option) - An integral component of this networked system will be a Pan-London Sexual Health on-line portal. The ‘front door’ into services will be through a web-based single platform; providing patients with information about sexual health, on-line triage, signposting to the most appropriate service for their needs and the ability to order self-sampling tests. A single database will be developed with the highest levels of confidentiality and security, enabling greater understanding of patient flows, and with a focus on prevention and specialist services for those most in need. This web based platform is expected to commence by January 2017.

- 3.13 The Pan-London Online Portal will incorporate the following elements (see figure 1 below for graphic representation):
- Triage and Information (“Front of house”);
 - Self-Testing / Self Sampling;
 - Partner Notification; and
 - Signposting / Patient Direction and where possible Appointments (Booking system) (dependent on ability to interface with existing clinic systems).

^{1 1} See Appendix A for definition of Levels

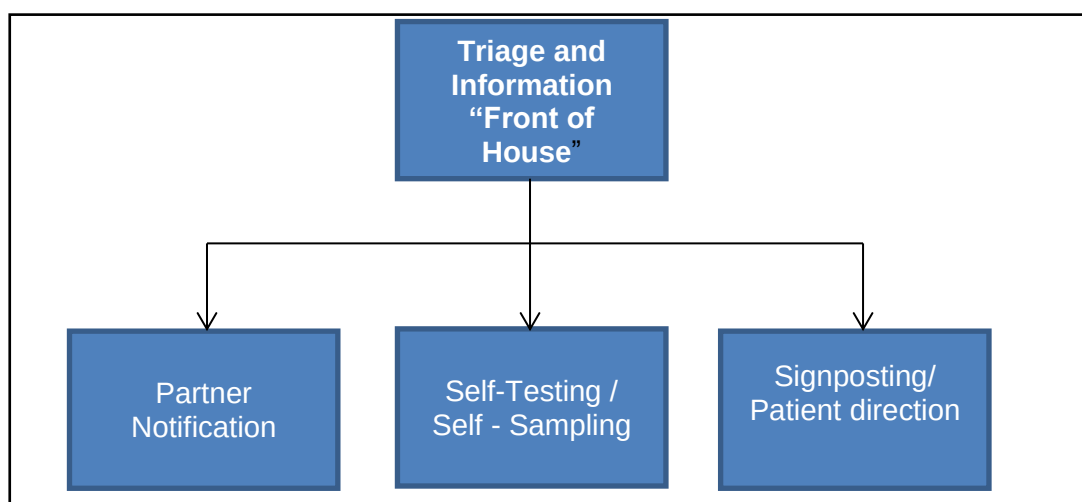


Figure 1: Scope of Pan-London Online Procurement Project

- 3.14 There is an expectation that all major clinics will offer patients the opportunity to triage and self-sample on site. In addition all services will be required to ensure that results are available electronically to patients within 72 hours. Patients who are diagnosed with an STI will be offered an appointment within 48 working hours, or will be fast tracked if they present to a walk in service. Improved systems for identifying and notifying contacts of patients with an STI will ensure that resources are targeted at the highest need groups.
- 3.15 Alternatives to clinic-based services should be part of the future service model; new technologies including online services continue to inform and expand options for sexual health service delivery.
- 3.16 Centralisation of partner notification data along with the use of a single patient identifier system / technology to ascertain attendance at clinic of those notified of infection would support the reduction of rates of re-infection and repeat attendance.
- 3.17 The primary aim of this system will be to ensure that high volume, low risk and predominantly asymptomatic activity is controlled and managed where appropriate outside of higher cost clinic environments. By shifting testing of asymptomatic patients away from costly clinical environments through this model it is estimated that considerable savings will be released. The evidence review and discussions with providers suggests that anything from 15% to 30% of activity could be redirected to lower cost service options in a staged manner. The results of the waiting room survey undertaken as part of LSHTP indicate that up to 50% of attendees at clinics currently do not have symptoms.
- 3.18 Locally, the vision is to develop and coordinate an integrated system of sexual health provision linked to a network of pan London and regional services. A lead provider model is proposed to coordinate and manage all elements of the

system including clinical, primary care, and the third sector. The whole system will be designed to ensure that evidence based practice drives change and resources are focused on groups with the highest risk. It is important that the new system is flexible and responsive to changes in demography and local need.

- 3.19 It is important for members to take into consideration the interdependencies between the central procurement of the Pan-London online portal, the sub-regional procurement and the commissioning outcomes. A delay in delivering or implementing the results of the procurement of the Pan-London online portal, or in the providers successfully implementing the service, is likely to adversely effect the results achieved by the sub-regional procurement.
- 3.20 **Option 3: To focus on the development of a local sexual health service model that includes Level 3 services, reducing dependence on Central London services.** This localised service model would be developed on the basis that local residents could only access sexual health services within their respective boroughs. Similar to the option 2, the local vision would be to develop and coordinate an integrated system of sexual health services. However, the difference is that in this option, local services would be independent of the Pan-London on-line portal and the wider network of services provided across London.
- 3.21 As an open access service, there is an established arrangement across the Country for cross-charging for GUM. Due to the confidential and sensitive nature of this service, many residents may choose to access GUM services outside their borough of residence; for convenience they may opt for services closer to work or where they socialise.

Brent context

- 3.22 Fifty eight (58%) of attendances in 2014/15 at Brent GUM clinics are by Brent residents (the remaining 42% are non residents of Brent). This includes visits by Brent residents to Northwick Park Hospital, accounting for 14.8% of patients residing in Brent. A high proportion of GUM visits by Brent residents are also made to services outside of the borough. Most notably, 20.7% of the attendances are made to St Mary's hospital; and 6.1% to Royal Free Hospital. Brent residents also attend Central London with 8.8% of attendances at Deane Street in Soho, and 5.9% at Mortimer Market in Bloomsbury.
- 3.23 A local GUM service is provided by London North West Healthcare Trust at Central Middlesex Hospital, Northwick Park Hospital and Ealing Hospital. In 2014/15, there were 39,306 new attendances by Brent residents at GUM clinics. There were 9,066 follow-up attendances.
- 3.24 Contraception is widely available and free of charge from: general practices, Contraceptive and sexual Health services (CaSH), young person's clinics, NHS walk-in centres (emergency contraception only), some GUM clinics (emergency contraception and male condoms) and some pharmacists under a

Patient Group Direction (emergency contraception). In 2014 -15, there were 17,900 attendances by Brent residents at CASH clinics.

- 3.26 For option 3 to be successful, more local residents would need to be attracted to the local service. Although we intend to encourage more residents to access sexual health services locally, we will need to accept that some residents will continue to use out of borough provision for convenience. There is evidence to show that some of the central London clinics are more accessible and appropriate for the needs of high risk groups (particularly for men who have sex with men) and it may not be cost-effective to replicate this provision locally, particularly if residents continue to prefer to access these services in a central location.

Background

- 3.27 The pan London Sexual Health Transformation Project aims to deliver a new collaborative commissioning model for GUM services across the capital. The key outcomes are to improve patient experience, improve sexual health outcomes and provide successful cost-effective delivery of excellent services across the Capital. The aim is to commission the services so that the system is operating under new contracts by April 2017.
- 3.28 The pan London Sexual Health Transformation project was initiated in June 2014. The project evolved from work that had been undertaken by the West London Alliance (WLA) and Tri-borough councils in 13/14 to agree prices, terms and conditions for GUM services with the major NHS providers in North West London. In 14/15 the work expanded to include Camden, Islington and Haringey. The 12 councils working together were successful in negotiating acceptable tariff prices for GUM and in implementing standard service specifications and common Key Performance Indicators (KPIs). By taking this joint approach to discussions with the providers the participating councils achieved a cost avoidance of £2.6m (9.1%) in 13/14, and £2.5m (6.5%) in 14/15.
- 3.29 The 12 councils agreed to jointly review the need for and provision of GUM services and, recognising the interdependencies across borough boundaries, invited all other councils in London to be involved. The final group of councils who engaged in this review and contributed to project costs are: Barnet, Brent, Camden, City of London, Ealing, Enfield, Hackney, Hammersmith and Fulham, Haringey, Harrow, Islington, Kensington and Chelsea, Lambeth, Lewisham, Merton, Newham, Redbridge, Southwark, Tower Hamlets, Waltham Forest, Wandsworth and Westminster. London Boroughs spent approximately £101.7m on GUM services in 13/14. The 22 councils involved in this project account for 83% of this spend, and clinics operating in the areas covered by those 20 councils were responsible for delivering approximately 79.1% of all the GU activity for London in 2013/14. There are now 28 councils involved namely Hounslow, Richmond, Havering, Bromley, Bexley and Kingston have now joined the LSHTP.

3.30 The focus of the LSTP work has been on GUM services which are 'payment per unit of activity' rather than Contraception and Sexual Health (CaSH) services which operate under block contracts.

3.31 Councils are responsible for providing 'open access' services for the diagnosis and treatment of Sexually Transmitted Infections (STIs), and for contraception. The STI treatment services are provided on an outpatient basis. Councils are not responsible for contraception that falls within the remit of the General Medical Services ("GMS") contract, or for terminations of pregnancy. They (Local Authorities) are responsible for the prevention and diagnosis of HIV (except where HIV testing is clinically indicated in CCG or NHSE commissioned services), but are not responsible for the treatment and care of HIV patients.

Current Situation

3.32 London has the highest rates of Sexually Transmitted Infections (STIs) in England. Rates vary significantly throughout London but even the London boroughs with the lowest rates of STIs are close to or exceed the England average. Men who have sex with men (MSM) and Black Caribbean communities have significantly higher rates of STIs than other groups.

3.33 Access to good quality GUM services is highly variable across London. Due to the nature of 'open access' GUM services, significant numbers of residents from every London borough are accessing services in central London. A cross-charging arrangement requires local authorities to pick up the costs when local residents access GUM services elsewhere.

3.34 Costs of the services to commissioners have been managed to date by collaborative negotiations to maintain the prices at the tariff levels applied in 2012/13. In addition, the LSHTP collaborating councils have achieved further containment of cost pressures by:

- Ceasing the payment of the 2.5% CQUIN that applied in the NHS
- Negotiating efficiencies of up to 5% of tariff price
- Agreeing marginal rates for activity above agreed thresholds.

3.35 However, the process involved in achieving the above has been very intensive and has absorbed a significant amount of commissioners' time; thus reducing the time available for wider commissioning activities such as contract and performance management, and longer term service planning.

3.3 Why a change is needed

3.3.1 London context

To assess the current state of GUM services in London, the project team has undertaken the following tasks: GUM needs assessment; an analysis of GUM patient flow data; interviews with commissioning and public health leads in each council involved; a review of the legal and policy environment, and some exploration of the possible alternatives to the traditional service models.

3.3.2 From this work, the project team developed case for change which is based on 5 elements:

- London has the highest rates of Sexually Transmitted Infections (STIs) in England. Rates vary significantly throughout London but even the London boroughs with the lowest rates of STIs are close to or exceed the England average. Men who have sex with men (MSM) and Black Caribbean communities have significantly higher rates of STI's than other groups.
- Access to services is highly variable across London and significant numbers of residents from every London borough are accessing services in central London.
- There is a significant imbalance in the commissioner/provider relationship. Service development has typically been provider-led. With several services in the London area, no single council has sufficient leverage to deliver significant system-level change.
- The systems for clinical governance need improvement. Patient flows and the lack of a 'helicopter view' of what is taking place within individual services make it difficult for councils to have sufficient assurance over quality and safety.
- Growth in demand for these services and costs of healthcare are likely to significantly outpace growth in the Public Health Grant. In addition, the open access nature of the services means that it is difficult to control or predict demand. Participating councils have identified the need to develop models that will allow them to meet increasing need with decreasing resources and reduced funds. It is estimated that a cost saving of at least 10% to 25% is required to ensure the services are sustainable.

3.3.3 The case for change leads to 2 key conclusions:

1. Significant change is required to the traditional models of service delivery.
2. Collaboration on a wide scale across councils is needed to deliver the level of change required and to commission these services more effectively to ensure robust quality and financial monitoring.

3.3.4 Brent Context

In Brent as in many places, the sexual health and contraceptive services have been commissioned and delivered as separate services. Sexual ill health and need for contraceptive services are related issues, both from the client's perspective and the borough's services. Separate services result in much duplication, financial inefficiencies, as well as inconvenient patient experience. Sexual ill health is not distributed equally in Brent, and there are higher disease burdens on young adults, teenagers, black and minority ethnic groups, and Men who have sex with Men. There are also unequal distribution of teenage conceptions and abortions.

3.3.5 An integrated sexual health service model aims to improve sexual health by facilitating easy access to services through a combined service. This ensures that clients are offered the most appropriate intervention, if treatment is

required then offered at the most appropriate place, and if a service visit is needed, one with the most appropriate skill mix.

- 3.3.6 There is evidence elsewhere that clients accessing GUM services are often not on contraception and clients attending contraceptive services are not having their needs for GUM services addressed. An integrated model will help to address this
- 3.3.7 Improved pathways will occur as all clients will be appropriately referred to specialist and outreach GUM and CASH services as well as related services such as drugs and alcohol. Improved pathways can also occur due to the presence of IT system that supports an integrated service.
- 3.3.8 Appropriate health promotion and screening services which are not currently coordinated can be delivered based on patient need rather than historic models of provision.
- 3.3.9 Duplication of clinics can be avoided and availability of services increased for example contraceptive services both offering specialist LARC clinics at the same time.
- 3.3.10 The improved staff mix with an integrated service and dually trained staff can improve the resilience of the system and avoid clinic closures as well as modern pathways for staff development. It will also improve and rationalise patient flows in services.
- 3.3.11 It reduces duplication of services, allows for extended opening hours, and allows for confidential, high quality client focussed service delivery while addressing the sexual health inequalities.
- 3.3.12 The commissioning and provision of an integrated service model is supported by professional guidance from FSRH, BASHH, BHIVA, MEDFASH, RCOG and NICE². It is also supported by Department of Health and Public Health England.

3.4 Procurement Approach

- 3.4.1 The next phase of the project is for the collaborating boroughs to proceed to the re-procurement of these services, with a view to have new contracts starting in April 2017.
- 3.4.2 Following the procurement outcome, and in recognition of the boroughs' interdependencies and the existence of similar interdependencies with all major GUM providers, coupled with a long term strategic commissioning point of view, the collaborating councils will consider the development of a single commissioning unit either hosted by a LA or commissioned from a specialist

² See Appendix A for Definitions, Glossary of Terms

commissioning organisation. This service will provide oversight of the system to ensure it works and delivers optimally.

3.4.3 **Pan-London Online Procurement Project**

The scope of the Pan-London Online Procurement Project incorporates the following elements (as set out above)

- Triage and Information (“Front of house”);
- Self-Testing / Self-Sampling;
- Partner Notification; and
- Signposting / Patient Direction and where possible Appointments (Booking system) (dependent on ability to interface with existing clinic systems).

3.4.4 It is envisaged that each element (excluding appointments, which will form part of the provision of Triage and Information) will constitute a separate lot to be procured concurrently. This assumption is predicated on prior engagement with online testing providers, which supports the belief that capability in self-testing does not confer equivalent aptitude in design and build of the Triage and Information module (or ability to select the optimum sources of provision via a lead/sub-contract mechanism).

3.4.5 In particular, there are only a few examples of joined up partner notification systems and none of the current providers of home sampling services have proven competence in this area. It is therefore proposed that providers will be awarded lots as determined by the procurement process and evaluation model, with the collective integration of service components (irrespective of individual provider award) a condition of participation. The procurement process itself is perceived to require and/or benefit from an element of dialogue/negotiation, and will follow a competitive dialogue or competitive procedure with negotiation route.

3.4.6 Prior engagement with providers proved that delivering clinically effective and cost effective partner notification are key challenges to sexual health service providers. The use of technology has meant individuals can access their results in ‘real time’ and pass information on to partners via instant messaging, immediately ascertaining whether a partner’s testing and treatment is problematic.

3.4.7 The costs of the web based service will be met from baseline clinic budgets. There are no expected savings attributable to this service, but it will support the delivery of savings as it will enable clinics to undertake partner notification (PN) activities more efficiently and effectively.

3.4.8 The joined up PN should allow current services to release further efficiencies. In discussions, providers have indicated that the current system for partner notification is a major consumer of staff time. By having a shared database/system for partner notification, the staff time that is used to validate patients’ access and treatment will be significantly reduced. The full impact of

this will be dependent on the system of PN commissioned. An estimate of what may be required in terms of central management and delivery of joined up PN has been undertaken and this comes to £627k per annum for London. We consider that such a system would offer good value representing between 0.6% and 1.2% of the total contract value.

- 3.4.9 It is therefore proposed to carry out a concurrent Pan-London Online Procurement and award contracts for a minimum term of 5 years (in alignment with the GUM procurement). This will ensure that providers can focus on the clinical aspects of the service requirement necessary to deliver transformed services.
- 3.4.10 Officers are seeking the relevant recommendation to enable the Council to participate in the proposed Pan-London web-based 'front end' procurement within this report.
- 3.4.11 The proposed initial contract term of the Pan-London Online Procurement is envisaged to slightly precede the integrated Sexual Health Service procurement i.e. the North-West London outer regional proposed tender. The aim however is for the outcome to be available for the main stage of Sexual Health procurement (i.e. the negotiation stage of the Competitive Procedure with Negotiation (CPN)) estimated to take place around April – June 2016). The actual time that the 'front end portal' will go live in each borough is likely to vary and it should be noted that the self-testing element will only be switched on as each borough determines it's readiness (i.e. has procured local services). Subject to Para. 3.4.9 above, an estimate of the Pan-London Online contract(s) term will be in the region of 6 years, estimating for the 'front end' to commence October 2016 to 31 March 2022; with an option to extend for up to a maximum of 4 further years (up to March 2026), subject to performance and funding availability. This is realigned with the proposed Sexual Health procurement contract term stated in paragraph 4.10.

Indicative SH On-Line Procurement Timescales:

Market Engagement, Procurement Process Preparation	December 2015 – January 2016
Procurement Process Contract Award	January - September 2016
Mobilisation & Staged Contract Start	October 2016 onwards – April 2017

Sub regional procurement

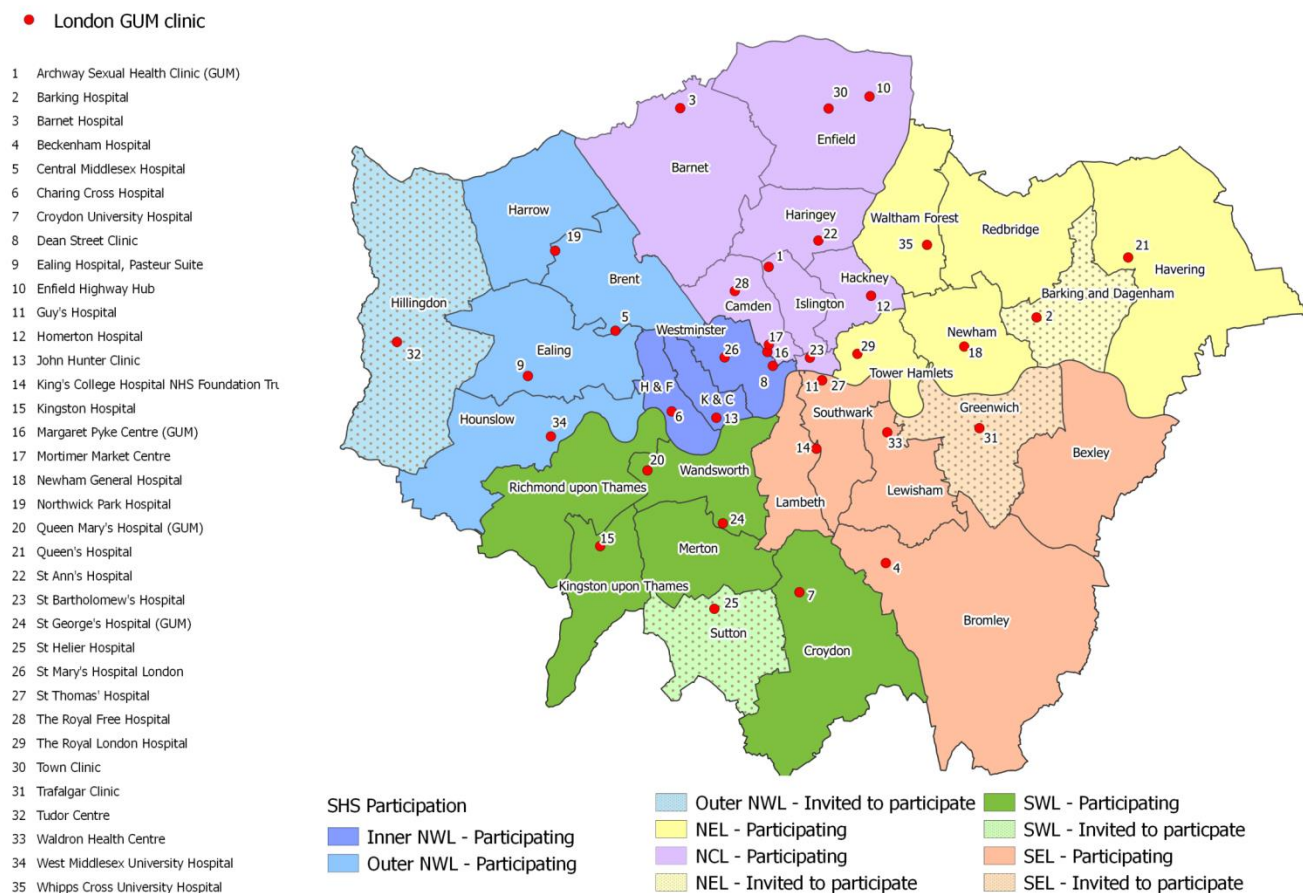
- 3.4.12 It is recommended that GUM and CaSH are procured on a geographical 'lots' basis across London. The primary reason for this is that it was identified through the market engagement exercise that no one bidder has the capability or capacity to be able to provide all sexual health services across London. The proposal is to divide the London region into sub regions for the procurement of GUM and CaSH services.

- 3.4.13 Another reason is the considerable work undertaken in mapping patients' current movements around the system. While all boroughs will have residents who attend at almost every London service, the majority of people attend services either in their borough of residence or in boroughs immediately adjacent. See paragraph 3.22 – 3.26 for patient flow data for Brent.
- 3.4.14 Furthermore, as stated in paragraph 3.8 consideration should be taken to the termination notice period and the effect of any contract extension.
- 3.4.15 This intelligence has informed the regional proposals detailed below. It is proposed that Harrow Council will lead the procurement for the North West London (outer region).

The sub regions proposed are:

North West London – NWL split into two sub regions NWL inner and NWL outer	
NWL outer Brent, Harrow, Ealing, NWL inner H&F, K&C, Westminster.	Hounslow, participating on the online procurement only. Hillingdon invited to participate
North Central London - NCL	
Barnet, Camden, Enfield, Haringey, Islington, Hackney and City of London. Camden and Islington	
North East London – NEL	
Redbridge, Newham, Tower Hamlets, Waltham Forest and Havering participating on the online procurement only. B&D, invited to participate.	
South West London - SWL	
Merton, Richmond and Wandsworth. Kingston and Croydon participating on the online procurement only. Sutton, invited to participate. Hounslow could opt to work in this sub region.	
South East London – SEL	
Lambeth, Southwark, Lewisham, Bromley and Bexley. Greenwich, invited to participate.	

London GUM Clinics & Local Authorities participation in the Sexual Health Services review 2015



3.4.16 Officers are seeking the relevant recommendation for the Council to participate in the North West London (outer region) procurement for an integrated sexual health service.

4.0 Procurement Timetable

4.1 It is intended that the sub-regional procurement will be undertaken using the Competitive Procedure with Negotiation (CPN) (under the Public Contract Regulations 2015). Most procurements are undertaken using the open or restricted (*invitation to tender*) routes. Under these routes the procuring organisation sets out what services are required in the form of a detailed specification and seeks submissions from bidders, with a successful bidder appointed on the basis of price, quality and other appropriate considerations.

4.2 However, the CPN process allows the organisation to work with interested parties to design/establish sufficient precision the specification. This approach is more flexible and allows for more tailored and innovative specifications and solutions to be developed. Given the wider transformational change and phasing, this enables greater flexibility and potentially greater benefits, both

financial and non-financial, in terms of a greater, integrated and improved access service to residents. It should be noted that the grounds for using CPN are harmonised with the grounds permitting use of the competitive dialogue procedure.

- 4.3 There are several advantages to this. The opening up of the development/finalising of the specification with potential bidders will allow bidders to draw on their experience and knowledge to ensure that a bespoke solution is created for London. Many bidders will have experience of delivering such services elsewhere and will be well placed to work with clinical commissioners to design a high quality service model.
- 4.4 At this stage it is not possible to articulate the detailed configuration of the new services, as the CPN process itself will help in the design of this. However, the following considerations are pertinent:
- Patients with complex needs/high risk groups may need to receive their treatment within a clinic setting. In developing the final specifications clinical specialists will be engaged to ensure the proposed model is clinically safe and appropriate.
 - The negotiation phase will assist in clarifying the percentage of current activity that will be diverted out of a clinical setting, and in particular diagnostics out of acute settings.
 - The service may be provided by someone other than the current provider. As a result of market sounding that has been undertaken; the project team has determined that nearly all the existing NHS Trusts have expressed an interest. In addition, a number of private and not for profit organisations have expressed an interest in providing some or all of the required services.
 - Most of the complex services will be provided within a clinic setting, possibly complemented by community settings. We will work with the bidders to identify economies of scale for delivery. That is, some elements of the services may need to be delivered in one location, whereas others could be delivered at several locations within each sub region, or even by alternative service means like on-line testing and/or primary care providers, (pharmacies and GPs, especially when the service is high volume and less complex/risk – asymptomatic).
- 4.5 The project will deliver a new model of clinical service delivery. The aims of the new model are to ensure that:
- i. Good quality services are accessible to all London residents and visitors;
 - ii. Level 3 GUM services are designed in a way that ensures they operate as part of a wider sexual health system that can meet future needs and provide excellent value for money. This will include measurably improved performance on key PH outcomes, in particular prevention and early diagnosis of HIV, prevention and reductions in the incidence of STIs, and unwanted teenage pregnancy.

- iii. London councils are commissioning effectively, including seeking cost effective benefits from lower transaction and operating costs for boroughs;
- iv. London councils have excellent oversight of service quality; and
- v. Service costs are reduced and optimum quality services can be maintained in light of significant pressures on budgets.

4.6 The Sexual Health indicative procurement project timetable is as follows:

Competitive Procedure with Negotiation	PLANNED START DATE	PLANNED FINISH DATE
Issue Prior Indicative Notice(PIN) as a call for competition	22-Jan-16	22-Feb-16
Send Invitation to confirm interest to economic operators	23-Feb-16	04-Apr-16
allow 30 days	24-Feb-16	04-Apr-16
closing date of receipt of confirmation of interest	04-Apr-16	04-Apr-16
Despatch of invitation to submit initial tender	05-Apr-16	05-May-16
Time for return by mutual agreement or min 10 days if not agreed	05-Apr-16	05-May-16
Initial tender deadline	05-May-16	05-May-16
Evaluate initial tender submissions	06-May-16	31-May-16
Despatch of invitation to negotiate tender	01-Jun-16	03-Jun-16
negotiation phase 3 weeks	06-Jun-16	24-Jun-16
Issue Call for Final Tenders (CFT)	27-Jun-16	27-Jun-16
No minimum period common deadline to be set for all tenderers	28-Jun-16	18-Jul-16
FT deadline	18-Jul-16	18-Jul-16
FT Tender evaluation	19-Jul-16	02-Sep-16
FT Tender moderation evaluation if required	05-Sep-16	09-Sep-16
Draft Award recommendation report	12-Sep-16	16-Sep-16
DPH Briefing & Officer Clearance	19-Sep-16	23-Sep-16
Portfolio Holder, CLO and CFO consultation	26-Sep-16	30-Sep-16
Draft Award Notification Letters	26-Sep-16	30-Sep-16
Notification & Standstill Period	03-Oct-16	14-Oct-16
Successful Supplier Notified	17-Oct-16	21-Oct-16
Contract Award	24-Oct-16	28-Oct-16
Contract Transition Period (allowing for possible TUPE)	31-Oct-16	31-Mar-17
Contract Handover	01-Mar-17	31-Mar-17
Contract Start	01-Apr-17	01-Apr-17

Current Contract Values

- 4.7 As GUM and primary care activity are funded on an activity basis, the projected spend for 2015/16 is based on the previous year's spend.
- 4.8 The current system of contracting for services where tariffs are renegotiated annually, and frequently not agreed until well into the financial year, is time consuming and does not allow for proper financial planning on the part of

either commissioners or providers. In this current year, most Trusts have not yet reached agreement with the commissioners until autumn 2015. The proposal is to award contracts for a minimum term of 5 years which will ensure that the current annual cycle of tariff negotiation is avoided and that providers can invest in any systems or premises necessary to deliver transformed services.

- 4.9 The existing contract for GUM will expire on 31st March 2016 and officers have obtained Cabinet approval to award a further 1 year contract for 16/17 which, shall expire on 31st March 2017. The CaSH Services contract was previously procured and the initial contract term will expire on 31st March 2017 as the view was taken to realign with the collaborative procurement. The proposed North West (Outer region) Procurement will include both services. Members should note that Brent has the ability to extend its existing CaSH contractual arrangement until March 2019.
- 4.10 The proposed initial contract term of the Sexual Health Service procurement will be 5 years, commencing 1 April 2017 to 31 March 2022; with an option to extend for up to a maximum of 4 further years (up to March 2026), subject to performance and funding availability.
- 4.11 Based on current spend, the LSHTP estimated aggregate value across participating London Authorities of the proposed GUM contract for 5 years, is in the region of (£498.5 million) plus 4 years (£404.7 million.) = £903.2 million. All the above figures are subject to funding.
- 4.12 The above estimates are based on:
- calendar year 2014 total attendance (first and follow activity) taken from GUMCAD2 reporting system
 - The tariff agreed by commissioners for 13-14 tariff which was £133 for a first appointment and £82 for a follow up appointment and NHS Market Forces factor (MFF). The calculations do not include any deflators or application of marginal rates as these varied per Trust. The calculations do include projected change in the population of each London borough.
 - The estimates include GUM activity only, they do not include block contracts for Contraception and Sexual Health (CaSH)
- 4.13 For Brent, based on current spend, the estimated aggregate value of the proposed GUM contract for 5 years is in the region of (£23.1 million) plus 4 years (£18.8 million.) = £41.9 million. All the above figures are subject to funding.
- 4.14 The above estimates are based on the same principles as set out in 4.12
- 4.15 The current annual CaSH contract value for Brent is £900,000.
- 4.16 The current annual Primary Care value for Brent is:

- Chlamydia Screening Payments 14/15 to GPs £24,232
- IUCD Payments 14/15 to GPs £50,898
- EHC Payments to Pharmacies £5,226

4.17 The current annual Chlamydia Screening contract value for Brent is £252,000.

4.18 It should be noted that the above estimates are based on current spend on separate contracts and are therefore only indicative. The actual contract value will be defined following the procurement, and providers are already informed that LSHTP seeks to reduce capacity within a clinic setting, and integrate services with the view to improve the service offer to residents.

4.19 Officers have considered a range of options to get the best price and quality for residents. Overall, The Council wants to maintain quality but with the current budget pressures the council need to get the best possible price. To achieve this, the recommendation is:

- 50% quality and 50% price/commercial considerations.

The project team is in the process of developing the sub criteria and evaluation methodology.

4.20 **Brent Sexual Health Service Performance**

A brief snap shot of the local epidemiology indicates key priority areas and groups:

- There is a relationship between STIs and deprivation in Brent; the NW10 postcode has the highest volume of STIs in Brent and these tend to be concentrated in the areas of highest deprivation.
- In 2011, 70% of the borough's diagnosed STIs were in the first and second most deprived of the Lower Super Output Areas (LSOA's)
- In 2014, the rate of new STIs diagnosed in Brent was significantly higher than the England average. Rates of Syphilis and Gonorrhoea are lower than the London average but significantly above the England average
- Young people between 15 and 24 years old experience the highest rates of STIs. In Brent, 45% of diagnoses of acute STIs were in 15 to 24 years old young adults (figures reported in LB Brent Sexual Health Needs Assessment and Service Review, 2013).
- The number and proportion of acute STIs diagnosed in GUM clinics by ethnic group is shown in the table below.

Ethnic group	Number	%
White	1,331	34.5
Black or Black British	1,785	46.2
Asian or Asian British	339	8.8
Mixed	183	4.7
Other Ethnic groups	156	4
Not specified	69	1.8

Source: LB Brent Sexual Health Needs Assessment and Service Review, 2013

- Between 2011 and 2013, 42.7% of adults were presenting with HIV at a late stage of infection. This was similar to the England average, which was 45%.
- Certain groups such as men who have sex with men (MSM) are at an increased risk of poor sexual health outcomes. The uptake of HIV testing amongst MSM measured in GUM clinics in Brent was 95.6% in 2014. This was slightly higher than the England average (94.5%) and London average (95%). However, there was a slight decrease in uptake in all the above areas between 2013 and 2014.
- The under 18 conception rate in Brent has fallen in recent years. In 2013, approximately 18 females conceived for every 1,000 females aged 15 to 17 years. This was lower than both the England and London average rates.
- In Brent, 12 girls aged under 18 years had an abortion for every 1,000 females within this age group in 2013. This was similar to the England rate which was 11.7 per 1,000 women aged under 18 years. The London average rate was slightly higher at 14.
- GP prescription rates for long acting reversible contraceptives in Brent were significantly lower than the England average in 2013. In Brent the rate was 16.6 per 1,000 of the resident female population aged 15 to 44 years compared to 52.7 in England.

4.21 Detailed performance measures and monitoring arrangements will be defined later, once the collaborative commissioning arrangements are in place.

4.3 Environmental Implications

The collaborative procurement will seek to minimise its environmental impact by implementing energy and carbon reduction via its procurement process. Through the evaluation exercise, as part of the procurement and contract monitoring, providers will be required to pay due regard for the environmental impact during service delivery. They will need to implement measures to mitigate the environmental impact.

4.4 Risk Management Implications

- 4.4.1 The key risk to achievement of outcomes within timescales is the complexity of partnership working. Some changes or waivers to individual council's policies or procedures may be required due to the nature of arrangements where significant numbers of different organisations are involved. For some inner London services, up to 8 councils will need to be involved to effectively commission the services.
- 4.4.2 It is important to note that service transformation and behaviour change may require clinic relocation, and alternative suitable clinical premises located at "hotspots", which may not be feasible within the procurement timescales. In addition, the premises need to meet all legal and planning regulations in order to deliver core services. An example where delay may occur and affect the procurement timetable may be the need of a D1 planning status for the treatment services. Whilst the provider(s) develop their own property strategy to locate within the regions, we will work with the outgoing and incoming providers to ensure that services aren't disrupted.
- 4.4.3 Due to the nature of the service, possible re-location of the new service may meet local opposition. LAs will need to work with residents, stakeholders, the local press and politicians to ensure the establishment of the new service is managed effectively. There is a project communication strategy addressing key messages and key audiences, ensuring consistency of communication.
- 4.4.4 It is important that councils work closely together, any LA doing different things in their area or not delivering their part within the collaborative project will negatively impact on each other and the collaboration project.
- 4.4.5 On the basis of a collaboration across 22 councils (now 28) London boroughs, it is estimated that a pan-London procurement would be for services of a value between £0.5 billion for an initial 5 year contract, and £1billion for the 9 year contract, which included 4 years (2+2) extension. Whilst sexual health services fall under the 'light touch' regime in the Public Contract Regulations 2015, the anticipated value of the procurement sum is considerably in excess of the threshold of €750k (approximately £625k). Given also the attention that this procurement will be given, it is recommended that the full OJEU process be adopted to ensure that proper processes are followed throughout each stage of the procurement.
- 4.4.6 There is no established practice of consultation on the design of sexual health services provision. Commissioners have carried out provider and service user engagement via surveys, questionnaires, focus groups, stakeholder events and one to one sessions. On individual local level, each borough needs to assure itself that they have satisfied their consultation duties in this regard. There are specific statutory duties in s. 221 of the Local Government and Public Involvement in Health Act 2007, to ensure that members of the public are involved in decisions regarding (inter alia) commissioning of health

services, which may involve public consultation, but need not do so (and usually doesn't).

- 4.4.7 In any collaborative procurement, it is essential that clear and effective interborough arrangements are put in place, not only in connection with the procurement process, but also in relation to the subsequent operation of the contract. An interim collaborative governance structure with representatives from all participant LAs has been agreed pending Cabinet approval. Officers will need to establish more detailed governance arrangements once authorised by Cabinets to progress with the collaboration. Officers will need to ensure appropriate legal, financial and other relevant advice is obtained in establishing suitable governance and professional project resources. Governance arrangements will ensure there is clear accountability and liability between the councils, and appropriate binding inter authority agreements. Professional services arrangements will ensure that there is consistency of approach, legal, procurement, financial and communications advice and appropriate programme and project management. This will be particularly important for carrying out a compliant CPN procedure, whilst ensuring that any risk of challenge is mitigated.

5.0 Legal Implications

- 5.1 Local authorities have a duty under The Health and Social Care Act 2012 ("the Act") to take appropriate action to improve the health of the local community. In general terms, the Act confers on local authorities the function of improving public health, and gives local authorities considerable scope to determine what actions it will take in pursuit of that general function.
- 5.2 The procurement exercise for the pan-London collaborative Sexual Health Transformation ('front – end' web portal) will be subject to the Public Contract Regulations 2015 (the "Regulations"). Ordinarily, such procurement would need to comply with Brent's own Contract Standing Orders ("CSOs"); however Officers have indicated that a Lead Authority will be identified from the partner authorities to undertake the full procurement process on behalf of the participating London boroughs. Therefore, Officers have been advised to seek Member's approval to grant an exemption from Brent's CSOs to the identified lead authority so as to enable the effective procurement of the web-based portal to be procured within the projected timescales. It is not clear presently what the contractual structure of the pan-London collaborative procurement will take, therefore it will be imperative for Officers to seek advice from Legal Services as the procurement develops. Should Members be minded to grant an exemption from CSOs for this proposed procurement then the Lead Authority will need to ensure that it sets out the pre-tender considerations (i.e. evaluation criteria and award criteria) and adheres to its obligations, as Contracting Authority under the Regulations.
- 5.3 As referred to in Para. 4.4.5 the procurement of a GUM, CaSH and Primary Care service falls under the 'light touch regime' under the Regulations;

however due to the potential value of the services exceeding the EU threshold a full OJEU tender exercise must be undertaken. Officers have indicated that the London Borough of Harrow will act as the Lead Authority for the North West London (Outer region) collaborative procurement exercise and will procure the service on behalf of Brent and Ealing. As such, Officers are seeking Member approval to grant an exemption from CSOs to enable the London Borough of Harrow to effectively procure the proposed integrated sexual health services on behalf of the partner boroughs. Brent Officers will work with Harrow to ensure the council's requirements are adequately covered in relation to any pre-tender considerations. It is proposed to use one of the new processes (introduced by the Regulations) Competitive Procedure with Negotiation throughout the tendering exercise, which will ensure good quality services are procured at a competitive price. However, officers must ensure that a specification stating the council's service requirements is advertised which, sets out which parts of those requirements are minimum requirements that all prospective tenderers are required to meet. In addition, by using this process, the contracting authority leading the procurement must specify the contract award criteria and provided sufficiently precise information to enable prospective tenderers to identify the nature and scope of the procurement so as to enable them to decide on whether or not to request to participate in the tender exercise.

- 5.4 Moreover, officers are further seeking Member approval to grant delegated authority to the Director of Public Health in consultation with legal and finance to enter into cross-charging arrangements, review the collaborative tender process and award subsequent contracts for both the pan-London web-based portal and the sub-regional integrated sexual health services. Members are empowered in the Constitution to grant such delegations and Officers have set out the reasons behind requesting such delegations within the body of this report.

6.0 Financial Implications

- 6.1 In economic terms alone, sexual health and reproductive services take up around one third of the current public health budget.
- 6.2 Brent's initial grant allocation for 2016/17 totals £22.530m and includes the annual allocation for health visiting. The public health grant will stay ringfenced in 2016/17 and 2017/18, and there has been a move to consult on fully funding the councils public health spending from retained business rate receipts. In 2015-2016 an in year cut of £200m nationally has been agreed. This equates to £1.3m for Brent.
- 6.3 On the 25th Nov 2015 the Chancellor has announced additional savings against the public health grant in the autumn 2015 spending review. There will be a national average real terms saving of 3.9% each year to 2020/21. This translates into a further cash reduction of 9.6% in addition to the £200 million of national savings that were announced earlier this year. From the baseline

of £3,461m (which includes 0-5 commissioning and takes account of the £200m savings) the savings will be phased in at 2.2% in 16/17, 2.5% in 17/18, 2.6% in each of the two following years, and flat cash in 20/21.

6.4 Across London, Councils currently spend approx. £115m per annum on GUM services, excluding contraception, and this is predicted to increase to £124.5m by 2022 if LAs do not take action to redesign the system now. The financial prediction is estimated on the basis of projected population growth (which varies from Council to Council) however, this is likely to be a conservative estimate as changes in behaviour is also driving demand.

6.5 Whilst the ring-fence is maintained, any efficiencies achieved on public health expenditure (including that delivered through procurement programmes) will deliver capacity in the grant. This grant capacity then enables mitigation of demand led service growth in areas such as sexual health, with any residual capacity being available to grant fund expenditure appropriately incurred across the council, delivering the wider determinants of health.

Efficiencies

6.7 This procurement, which is part of a wider sexual health transformation project, is expected to deliver savings. The following areas are ways in which the efficiencies are expected to be achieved:

- Single web based front door to services i.e. online triage which will enable self-sampling,
- Single partner notification (PN) system
- Redirection of asymptomatic patients
- Consolidation of numbers of Level 3 GUM clinics
- Economies of scale
- Use of an integrated tariff

6.8 It is difficult at this stage to quantify the level of further GUM savings which may be delivered through an integrated service, however, these are expected to be in the region of 10-25% with the potential to increase over time as the system is embedded and behavioural changes are achieved. Further potential savings from the wider transformation project will be included in future budget proposals as these become more robust, following the progress around the wider procurement exercise.

6.9 Subject to the procurement process, the newly procured contracts are expected to start from April 2017.

6.10 The award of any contracts will result in contractual obligations with the provider for services which are funded by external grant, and which cannot be guaranteed in the longer term, taking in consideration that these are mandatory services.

-
- 6.11 Further updates around the procurement process, including the potential level of savings that are likely to be delivered, will be provided to Cabinet following procurement, via a report containing project update.

7.0 Diversity implications

- 7.1 The Council must comply with the Equality Act 2010 and the Public Sector Equality Duty in the provision of Public Health services and adhere to the NHS Constitution when making decisions affecting the delivery of public health in its area. The needs assessment has highlighted that some groups with protected characteristics, such as young people aged 16-25, men who have sex with men, and Black African/Caribbean/British groups, suffer a higher burden of rate of Sexually Transmitted Infections. When procuring the service we therefore must fully consider the needs of affected groups, minimise any potential negative impact and optimise positive outcomes for these groups.
- 7.2 It is intended that the proposed procurement will deliver better value for money whilst achieving improved access, better outcomes for services users and the whole community. The service specification will incorporate relevant Equality and Diversity requirements and monitoring arrangements to ensure that the intended outcomes are achieved.

A full Equalities Impact Assessment has been carried out and is included in **Appendix 4**.

8.0 Staffing/Accommodation Implications

- 8.1 The Public Health services are currently provided by a number of external contractors, and there are no implications for Council staff or Council accommodation arising from this procurement.
- 8.2 On a re-tender of any of the services referred to in this report, where an incumbent provider is not successfully awarded a new contract, the Transfer of Employment (Protection of Employment) Regulations 2006, ("TUPE") is likely to apply. This is to enable the transfer of employees (who spend all or most of their working time on the activities taken over by the new provider) from the current to the new provider.

9.0 Public Services (Social Value) Act 2012

- 9.1 Since 31st January 2013 the council, (in common with all public authorities subject to the EU Regulations), has been under a duty pursuant to the Public Services (Social Value) Act 2012 to consider how the services being procured might improve the economic, social and environmental well-being of its area; and how, in conducting the procurement process, the Council might act with a view to securing that improvement, and whether the council should undertake

consultation. This duty applies to the procurement of the proposed contract as the light touch regime over the threshold for application of the EU Regulations are subject to the requirements of the Public Services (Social Value) Act 2012.

- 9.2 The services being procured have as their primary aim the improvement of the social and economic wellbeing of some of the most disadvantaged groups in Brent. Users are regularly consulted to ensure the services meet their needs, and the views of users will be taken into account in procuring services.
- 9.3 There is a limited market (for some services a very limited market) for the delivery of these services; however, officers will endeavour to describe the scope of services in such a way as to further meet the requirements of the Act during the procurement process.
- 9.4 All contractors will be required to pay London Living Wage for all Public Health services contracts.

Background Papers

- Award of Contracts for Public Health Services. Cabinet 15th December 2014.
- Update on Public Health Service Contracts. Cabinet 15th September 2014.
- Authority to Tender Public Health Contracts. Executive 13th January 2014.

Contact Officers

Melanie Smith
Director of Public Health
020 8937 6227
Melanie.smith@brent.gov.uk

Appendices

Appendix A	Project definitions for elements of STI management at Levels 1, 2 and 3
Appendix B	Summary of commissioning responsibility
Appendix C	Glossary of Terms
Appendix D	Equalities Impact Assessment

Appendix A - Project definitions for elements of STI management at Levels 1, 2 and 3

The following lists comprise elements of STI management that are appropriate at various levels of service provision. They are drawn from the three Levels (1, 2 and 3) defined in the National strategy for sexual health and HIV, published by the DH in 2001, and have been updated by this project to take account of modern service provision in 2009. They look specifically at STIs and related conditions and do not include elements of contraceptive and reproductive healthcare that may also be provided at these levels.

The elements of care listed below are not to be considered as minimum requirements, but rather as maximum specifications, for each service level. Care pathways should be in place for onward referral if the clinical condition is beyond the scope or competence of the original service. To ensure optimum care for service users, it is recommended that there should be formal links between services providing STI management at Levels 1 or 2 and those at Level 3 as set out in Standard 7.

Level 1

Sexual history-taking and risk assessment

including assessment of need for emergency contraception and HIV post-exposure prophylaxis following sexual exposure (PEPSE)

Signposting to appropriate sexual health services

Chlamydia screening

Opportunistic screening for genital chlamydia in asymptomatic males and females under the age of 25

Asymptomatic STI screening and treatment of asymptomatic infections (except treatment for syphilis) in men (excluding MSM)* and women

Partner notification of STIs or onward referral for partner notification

HIV testing

including appropriate pre-test discussion and giving results

Point of care HIV testing

Rapid result HIV testing using a validated test (with confirmation of positive results or referral for confirmation)

Screening and vaccination for hepatitis B

Appropriate screening and vaccination for hepatitis B in at-risk groups

Sexual health promotion

Provision of verbal and written sexual health promotion information

Condom distribution

Provision of condoms for safer sex

Psychosexual problems

Assessment and referral for psychosexual problems

Level 2

Incorporates Level 1 plus:

**STI testing and treatment of symptomatic but uncomplicated infections in men (except MSM)*
and women excluding:**

- men with dysuria and/or genital discharge**
- symptoms at extra-genital sites, eg rectal or pharyngeal
- pregnant women
- genital ulceration other than uncomplicated genital herpes

Level 3

Incorporates Levels 1 and 2 plus:

STI testing and treatment of MSM*

STI testing and treatment of men with dysuria and genital discharge**

Testing and treatment of STIs at extra-genital sites

STIs with complications, with or without symptoms

STIs in pregnant women

Recurrent conditions

Recurrent or recalcitrant STIs and related conditions

Management of syphilis and blood borne viruses

including the management of syphilis at all stages of infection

Tropical STIs

Specialist HIV treatment and care

Provision and follow up of HIV post exposure prophylaxis (PEP)***

both sexual and occupational

Appendix B – Summary of commissioning responsibility

Local authorities' commission

Comprehensive sexual health services. These include:

- 1. Contraception (including the costs of LARC devices and prescription or supply of other methods including condoms) and advice on preventing unintended pregnancy, in specialist services and those commissioned from primary care (GP and community pharmacy) under local public health contracts (such as arrangements formerly covered by LESs and NESs)*
- 2. Sexually transmitted infection (STI) testing and treatment in specialist services and those commissioned from primary care under local public health contracts, chlamydia screening as part of the National Chlamydia Screening Programme (NCSP), HIV testing including population screening in primary care and general medical settings, partner notification for STIs and HIV*
- 3. Sexual health aspects of psychosexual counselling*
- 4. Any sexual health specialist services, including young people's sexual health services, outreach, HIV prevention and sexual health promotion, service publicity, services in schools, colleges and pharmacies*

Social care services (for which funding sits outside the Public Health ringfenced grant and responsibility did not change as a result of the Health and Social Care Act 2012), including:

- 1. HIV social care*
- 2. Wider support for teenage parents*

Clinical commissioning groups commission

- 1. Abortion services, including STI and HIV testing and contraception provided as part of the abortion pathway (except abortion for fetal anomaly by specialist fetal medicine services – see "NHS England commissions")*
- 2. Female sterilisation*
- 3. Vasectomy (male sterilisation)*
- 4. Non-sexual health elements of psychosexual health services*
- 5. Contraception primarily for gynaecological (non-contraceptive) purposes*

-
6. *HIV testing when clinically indicated in CCG-commissioned services (including A&E and other hospital departments)*

NHS England commissions

1. *Contraceptive services provided as an “additional service” under the GP contract*
2. *HIV treatment and care services for adults and children, and cost of all antiretroviral treatment*
3. *Testing and treatment for STIs (including HIV testing) in general practice when clinically indicated or requested by individual patients, where provided as part of “essential services” under the GP contract (ie not part of public health commissioned services, but relating to the individual’s care)*
4. *HIV testing when clinically indicated in other NHS England-commissioned services*
5. *All sexual health elements of healthcare in secure and detained settings*
6. *Sexual assault referral centres*
7. *Cervical screening in a range of settings*
8. *HPV immunisation programme*
9. *Specialist fetal medicine services, including late surgical termination of pregnancy for fetal anomaly between 13 and 24 gestational weeks*
10. *NHS Infectious Diseases in Pregnancy Screening Programme including antenatal screening for HIV, syphilis, hepatitis B*

Reference:

Public Health England, Making it Work, September 2014

Appendix C - Glossary of Terms

A&E	Accident & Emergency
BASHH	British Association for Sexual Health and HIV
BHIVA	British HIV Association
CaSH	Contraception and Sexual Health Service
CCG	Clinical Commissioning Group
DH	Department of Health
FA	First Attendance
FU	Follow Up
FSRH	Faculty of Sexual and Reproductive Healthcare
GUM	Genitourinary Medicine
HIV	Human Immunodeficiency Virus
LA	Local Authority
LARC	Long Acting Reversible Contraception
LSHTP	London Sexual Health Transformation Project
MEDFASH	Medical Foundation for HIV & Sexual Health
MSM	Men who have Sex with Men
NCSP	National Chlamydia Screening Programme
NICE	National Institute for Health and Care Excellence
OJEU	Official Journal of European Union
PEP	Post Exposure Prophylaxis
PEPSE	Post Exposure Prophylaxis following Sexual Exposure
PH	Public Health
PHE	Public Health England
PIN	Prior Information Notice
RCOG	Royal College of Obstetricians and Gynaecologists
SH	Sexual Health
STI	Sexually Transmitted Infection

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London Sexual Health Transformation Project

1. What are the objectives and expected outcomes of your proposal? Why is it needed? Make sure you highlight any proposed changes.

The proposal is to develop a networked system of Sexual Health services on both a Pan London and sub-regional basis.

An integral component of this networked system will be a Pan London Sexual Health On-Line portal. The 'Front Door' into services will be through a web-based single platform; providing patients with information about sexual health, on-line triage, signposting to the most appropriate service for their needs and the ability to order self-sampling tests. A single database will be developed with the highest levels of confidentiality and security, enabling greater understanding of the patient flows with a focus on prevention and specialist services for those most in need

The Pan-London Online Portal will incorporate the following elements:

- Triage and Information ("Front of House");
- Self-Testing/Self Sampling;
- Partner Notification; and
- Signposting/ Patient Direction and where possible Appointments (Booking system) (dependent on ability to interface with existing clinic systems).

In Brent, there is an expectation that clinical provision will offer patients (particularly those from vulnerable and high risk groups) the opportunity to triage and self-sample on site, in addition all services will be required to ensure that results are available electronically to patients within 72 hours. Patients who are diagnosed with a Sexually Transmitted Infection (STI) will be offered an appointment within 48 working hours or will be fast tracked if they present to a walk in service. Improved systems for notifying contacts of patients (known as partner notification) with an STI will ensure that resources are targeted at the highest need groups.

Centralisation of partner notification data along with the use of a single patient identifier system/technology to ascertain attendance at clinic of those notified of infection would support the programmes objectives of reducing the rates of re-infection and repeat attendance.

The primary aim of this system will be to ensure that high volume, low risk and predominantly asymptomatic activity is controlled and managed where appropriate outside of higher cost clinic environments. By shifting testing of asymptomatic patients away from costly clinical environments through this model, it is estimated that considerable savings will be released.

Locally, the vision is to develop and coordinate an integrated system of sexual health provision linked to a network of pan London and regional services. A lead provider model will be developed to coordinate and manage all elements of the system including clinical services and, where appropriate, primary care and third sector services. The whole system will be designed to ensure that evidence based practice drives changes, and resources will be focused on groups with the highest risk. It is important that the new system is flexible and responsive to changes in demography and local need.

Brent Council has overall responsibility for the commissioning of sexual health services in Brent, as part of the interagency agreement Harrow and Barnet Joint Public Health Services

(HBJPHS) will lead on the sub regional procurement for Outer North West London (which includes Brent). At the time of writing the precise arrangements for the contract management, monitoring of performance and financial governance are in the process of being formally agreed.

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

The proposals relate to a commissioned service and as such will not affect Brent staff directly.

The proposals will affect Brent residents using sexual health services

The following service providers who are commissioned by Brent Council Public Health to provide sexual health services to the residents of Brent will be directly affected:

- London North West Healthcare NHS Trust
- Central North West London NHS Foundation Trust
- Terrence Higgins Trust
- GP Practices and Community Pharmacies
- Other services across London as part of the London Sexual Health Transformation Project.

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

The proposal potentially impacts on the protected characteristics in relation to the following groups;

- Gender reassignment
- Race
- Sexual orientation
- Age
- Marriage and Civil Partnership
- Disability
- Pregnancy and maternity
- sex

3.2 Could the proposal have a disproportionate impact on some equality groups?

Yes the following groups may be disproportionately affected because of their greater sexual health needs;

- young people age 16-25;
- men who have sex with men
- Black Africans, Black Caribbean and Black British ethnic groups.

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

The proposal would not remove services used by vulnerable groups of people. It would however change the way in which services are delivered. The change in service delivery should have some positive impacts as it would improve service flexibility. As outlined in question 1 above, these changes follow the recommendations of the London Sexual Health Services Transformation Project which has undertaken a needs assessment, analysis of the patient flow data, interviews with commissioning and public health leads in each Council involved, a review of the legal and policy environment and some exploration of the possible alternatives to the traditional service models. From this work, it is clear that there is a strong case for change.

This change could also have some negative impacts on service users who are not computer literate or do not have ready access to the internet, as well as some patients who may find it difficult to access or to use self sampling kit without support. However, any negative impact would be mitigated by offering them accessible appointments to see a clinical specialist.

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

The proposal aims to ensure that high volume, low risk and predominantly asymptomatic activity is controlled and managed, where appropriate, outside of the higher cost clinic environments. By shifting the testing of asymptomatic patients away from clinical environments considerable savings could be made.

The evidence review and discussions with providers suggests that anything from 15% to 30% of activity could be redirected to lower cost service options in a staged manner. The results of the waiting room survey undertaken as part of the London Sexual Health Transformation Programme (LSHTP) indicated that up to 50% of attendees do not have symptoms. Brent Council like many local authorities is facing unprecedented challenges in having to provide an increasing demand for services set against a backdrop of reducing resources.

In 2015/16 Brent Council Public Health was required to find in year savings of at least 6.2% on the public health grant and it is likely that there will be further on-going reductions for allocations in future years when the findings of the Comprehensive Spending Review are formally announced.

A key issue to consider is that Genitourinary Medicine (GUM) services are open access with activity based contracts. This means that while many Brent residents access services through the local provider, London North West Healthcare NHS Trust many others may access services anywhere in London particularly Central London (and nationally) without referral. The Council is liable for the full cost of this activity, and without change the current approach will become unsustainable.

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

Yes – Evidence shows that there are specific groups and protected characteristics that have a higher risk of poor sexual health this includes young people age 16-25; men who have sex with men and Black Africans, Black Caribbean and Black British ethnic groups.

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

Yes – “ensure that our commitment to equality and diversity is integrated into procurement and commissioning processes”.

4. Recommend this EA for full analysis

Yes

London Sexual Health Transformation Project

This EQIA will be kept under review during the procurement process

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

The following evidence highlights the need to ensure that future service provision actively promotes take up of services by all groups in which the following issues will need to be addressed;

- Brent has a significant prevalence of sexually transmitted diseases (STIs) in the population - with 1,634 acute STI diagnoses recorded in 2014, representing a 16% increase on 2013.
- The rates for gonorrhea, genital warts, genital herpes and syphilis rank Brent among those authorities in England with the highest rates. In Brent, the gonorrhea diagnosis rate (151.6 per 100,000) is high compared to England as a whole (52.9 per 100,000).
- Brent is ranked 20th highest (out of 326 local authorities in England) for gonorrhea diagnoses rates, which is a marker for high levels of high risk sexual activity.

What evidence / data have you reviewed to assess the potential impact of your proposals? Include the actual data, statistics reviewed in the section below. This can include census data, borough profile, profile of service users, workforce profiles, results from consultations and the involvement tracker, customer satisfaction surveys, focus groups, research interviews, staff surveys; complaints etc. Where possible include data on the nine Protected Characteristics.

(Where you have gaps (data is not available/being collated), you may need to include this as an action to address in your Improvement Action Plan at Stage

5.1 Age (including carers of young/older people) - Positive

Evidence from the Joint Strategic Needs Assessment in Brent reflects the national picture, where STIs disproportionately affect women aged 16 to 19 and men aged 25 to 34.

The proportion of women prescribed emergency hormonal contraception is greater in those under 25, suggesting a continued need to target young women. In Brent 55% of all emergency contraception was prescribed to women younger than 25

In 2012-13, the Brent community contraception service saw 9,436 attendances, of these, 95% were amongst women; 39% were in the 25 to 34 age group, 25% in the 35 to 44 age group and 19% were aged between 18 and 24 years.

5.2 Disability - Positive

There is a lack of data on the sexual health and reproductive health needs of the people with Disability in Brent. However, it is anticipated that the proposed service will have a positive impact on the needs of this group by ensuring that services are fully accessible. This will be measured as a key element of the evaluation process against submitted bids in the procurement process.

5.3 Gender Identity and Expression - Positive

There is a lack of data on the sexual health and reproductive health needs of the people with gender reassignment in Brent. However, it is anticipated that the proposed service will have a positive impact on the in addressing gender identity and expression. This will be measured as a key element of the evaluation process against submitted bids in the procurement process.

5.4 Marriage and Civil Partnership - Positive

There is a lack of specific data on the sexual health and reproductive health needs of individuals in marriage or civil partnership, in Brent. The new service provider will be required to ensure improved access to high risk and vulnerable groups and this will be measured as a key element of the evaluation process against submitted bids in the procurement process.

5.5 Pregnancy and Maternity - Positive

There is a lack of specific data on the sexual health needs of women during pregnancy and maternity time in Brent. In general, the numbers of teenage pregnancies in Brent have been declining in the recent years and Brent has currently one of the lowest rates in London.

5.6 Race - Positive

Individuals from Black African, Black Caribbean and Black British ethnic groups remain key targets and a priority is to ensure service provision is able to address the sexual health needs of these groups in particular developing a focus on targeting interventions for Black Africans.

Based on the proportion of acute sexually transmitted infections (STIs) by ethnicity, the highest proportion of acute STIs in 2012 were seen among individuals from Black Africans and this group is disproportionately affected by acute STIs.

5.7 Religion or Belief - Positive

At present, there is a lack of data on the sexual health and reproductive health needs of people from different religions and beliefs. It is anticipated that the proposed new service will have positive impact on the needs of this group and this will be measured as a key element of the evaluation process against submitted bids in the procurement process.

5.8 Sex - Positive

The rates of acute STIs in 2012 were higher among young males compared to young females. Similarly, the rates of reinfection with an STI were also higher among men.

In 2012, 23% of women and 28% of men presenting with an acute STI at a GUM clinic during the four year period from 2009 to 2012 became re-infected with an acute STI within twelve months.

Nationally, during the same period of time, an estimated 51% of women and 49% of men presenting with an acute STI at a GUM clinic became re-infected with an acute STI within twelve months. The new service provider will be required to ensure improved access to high

risk and vulnerable groups and this will be measured as a key element of the evaluation process against submitted bids in the procurement process.

5.9 Sexual Orientation - Positive

Men who have sex with men (MSM) are one of the key priority groups in Brent as there is a disproportionate prevalence of STI diagnoses amongst this group.

In the period 1st April 2014 to 31st of March 2015, there were 2,434 STI's diagnosed as a result of Brent patients attending any clinic nationally. Of these, 501 diagnoses were amongst MSM, this equates to 21% of STI diagnoses that year.

In Brent 21% of the HIV diagnoses in 2014-15 were seen in the MSM population. The proposed sexual service model would have a positive impact on the needs of MSM and this will be measured as a key element of the evaluation process against submitted bids in the procurement process.

5.10 Others Socio Economic Deprivation - Positive

Socio-economic deprivation (SED) is a known determinant of poor health outcomes and data from the GUM clinics show a strong correlation between rates of acute STIs and the index of multiple deprivation across England. The relationship between STIs and SED is probably influenced by a range of factors such as the provision of and access to health services, education, health awareness, health care seeking behavior and sexual behavior.

There is considerable geographic variation in the distribution of sexually transmitted infections (STIs) in Brent. Geographically, the NW10 postcode has the highest volume of STIs in Brent and these are also concentrated in areas of higher deprivation. In 2011, 70% of the borough's diagnosed STIs were in the first and second most deprived wards in Brent.

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

- **What did you find out from consultation or data analysis?**
- **Were the participants in any engagement initiatives representative of the people who will be affected by your proposal?**
- **How did your findings and the wider evidence base inform the proposal?**

To assess the current state of acute sexual health services (GUM - Genitourinary Medicine) in London, the London Sexual Health Transformation Project (LSHTP) Team undertook a needs assessment between April and May 2015.

An analysis of patient flow data took into account the protected characteristics of Brent residents in relation to sexual orientation, sex, age and ethnicity.

Interviews were also undertaken with commissioning and public health leads in each participating council. Initial consultation with prospective providers was undertaken to assess the market's ability and capacity to respond to the forthcoming procurement. A waiting room survey was also undertaken as part of LSHTP; in headline terms the survey represented a good cross-section of participants.

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

None of the impacts identified would be considered unlawful under the Equality Act 2010.

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

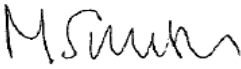
The key area to addressing the positive impacts identified will be through the design and development of the service specification to ensure that it addresses and promotes good sexual health for all Brent residents particular the key priority groups identified and this will be measured as a key element of the evaluation process against submitted bids in the procurement process.

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

The only potential negative impact identified is around people not being able to use/access internet based services and therefore not being able to self sample, this will be addressed by having the option of a clinic visit.

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

There are no remaining negative impacts.

Organisation Sign off	
Council Officer: Public Health	
Council Officer signature :	
Date :	18.11.15

 Brent	Cabinet 14 December 2015 Report from Chief Operating Officer
Wards: All	
CCTV Strategy	

1. Summary

- 1.1. This report summarises the Brent CCTV strategy 2015-18 and highlights the key elements within.
- 1.2. The strategy seeks to reduce the resource drain of an ageing camera stock by reducing the numbers of fixed cameras on a hard-wired network and replacing with a stock of mobile deployable 4G cameras which can be allocated in support of problem solving initiatives.
- 1.3. This move should help support the council in meeting its requirements under the Surveillance Commissioner's CCTV Code of Practice, which all public sector operators must have due regard to.
- 1.4. Additionally we will explore, over the period of the strategy, the opportunity to share CCTV with another borough, understanding the capital costs associated with this and developing a business case should this be a preferred option moving forward.

2. Recommendations

- 2.1. To agree the adoption of the strategy.

3. Detail

- 3.1. This strategy outlines the future plans for Brent's CCTV service for the period 2015-2018. The main features of this strategy are to:

- Supporting community safety priorities and working in partnership to reduce crime and anti-social behaviour
 - Increase the number of operational mobile 4G CCTV cameras whilst removing redundant cameras from the network, hence increasing the efficiency of the network
 - Ensure compliance with the Surveillance Commissioner's code of practice
 - Explore opportunities for sharing CCTV with another borough to reduce costs, with a view to preparing the groundwork for this in 2016/17 for decision and implementation in 2017/18.
- 3.2. The London Borough of Brent operates 182 active CCTV cameras from its control room in the Brent Civic Centre. These cameras are used primarily for community safety, but are also used for the purposes of traffic and parking enforcement, housing estate monitoring, and environmental/fly tipping monitoring, amongst others. Brent also shares video feeds with external stakeholders such as Transport for London, the Metropolitan Police, and the borough of Camden to assist with their respective operations. During events at Wembley Stadium, Brent CCTV control room plays a key part in controlling access and egress for people and traffic.
- 3.3. There are eight key objectives for the strategy:
- We will reduce the number of fixed CCTV cameras, removing those that cannot justify their contribution to community safety
 - We will increase the number of mobile deployable CCTV cameras, with a clear, transparent system in place for their deployment to areas of need.
 - There will be no reduction in the total number of cameras available
 - We will seek to gain efficiencies and advantages through better tendering and procurement arrangements, including the replacement of the oldest CCTV cameras
 - We will develop opportunities to provide a monitoring service for the CCTV cameras of other organisations, including housing providers
 - We will ensure compliance with the Surveillance Commissioner's CCTV Code of Practice
 - We will explore opportunities for recruiting and training volunteer CCTV operators to complement existing staff
 - We will explore the opportunities for sharing the CCTV service with another borough. By the end of 2016/17 we will have a clear business case including any capital costs required for this transformation.
- 3.4. In addition to the Community Safety CCTV cameras managed through the Control Room, the council also has a stock of vehicle-mounted CCTV cameras used for Waste Enforcement monitoring and a stock of Traffic Enforcement cameras managed by Serco.

- 3.5. A recent Scrutiny Review has greatly influenced the CCTV Strategy, in particular around communication with residents and key stakeholders, transparency, the involvement of residents' groups and income generation.

4. Financial Implications

- 4.1. This project is cost neutral to the council as only the savings to be realised from the decommissioning of the 30 CCTV cameras (c. £24,000) will be invested in the new CCTV mobile technology. Also the maintenance of the new CCTV cameras can be accommodated in the existing maintenance contract and will not impact the 2015-16 Community Safety budget. On Staffing, the planned recruitment and training of volunteer CCTV operators will be done in house at no extra cost.

5. Legal Implications

- 5.1. CCTV systems are subject to legislation that aims to protect the public's privacy from undue monitoring and surveillance. This includes the Data Protection Act (1998), the Regulation of Investigatory Powers Act (2000) and the Protection of Freedoms Act (2012). It is important for organizations operating CCTV to be compliant with the provisions of these laws to protect themselves from legal action and to uphold the privacy of the residents and businesses that they monitor. To this end, there are three major publications of best practices to guide regulatory compliance:

5.1.1. The Home Office **Surveillance Camera Code of Practice** (June 2013) provides guidance on the appropriate use of CCTV per the requirements of the Protection of Freedoms Act (2012). This legislation stipulates that local authorities must have regard to the code in the when operating their CCTV systems.

5.1.2. **In the picture: A data protection code of practice for surveillance cameras and personal information** is published by the Information Commissioner's Office (October 2014) pursuant to the Data Protection Act (1998) and updated to reflect later regulatory developments. This code is consistent with the Home Office code, but has a more significant focus on the protection of personal data. It also has a broader scope than the Home Office code: it must be adhered to by both private and public sector CCTV systems.

5.1.3. **British Standard 7958:2009** (CCTV Management and Operation Code of Practice) is a voluntary standard published by the British Standards Institute—a non-governmental body. It provides guidance based on the

provisions of the Data Protection Act (1998), Human Rights Act (1998), and Freedom of Information Act (2000).

6. Diversity Implications

- 6.1. CCTV cameras are situated in the crime hotspot areas of Brent. Those most likely to be victims of crime in Brent are younger (15-24) and from BME communities.
- 6.2. Older people are less likely than younger people to feel safe outside after dark and are also over-represented in the % of people who report that their life is greatly affected by fear of crime. Reducing monitoring could have a negative impact on fear of crime and public confidence. Older people may experience difficulty in accessing services and information, and may therefore not be aware of CCTV provision– which could improve confidence.

7. Contact Officers

Chris Williams

Head of Community Safety & Emergency Planning, 020 8937 3301

LORRAINE LANGHAM

Chief Operating Officer

London Borough of Brent CCTV Strategy

October 2015

1 Executive Summary

1.1. This strategy outlines the future plans for Brent's CCTV service for the period 2015-2018. The main features of this strategy are to:

- Support community safety priorities and working in partnership to reduce crime and anti-social behaviour
- Increase the number of operational mobile 4G CCTV cameras whilst removing redundant cameras from the network, hence increasing the efficiency of the network
- Ensure compliance with the Surveillance Commissioner's code of practice
- Explore opportunities for sharing CCTV with another borough to reduce costs.

This strategy only covers the Brent Community Safety CCTV network, which includes cameras used for crime reduction and detection, waste enforcement and moving traffic offences. Systems within council buildings and those run by other organisations are not included within the scope of this strategy.

2 Introduction

- 2.1 The London Borough of Brent operates 182 active CCTV cameras from its control room in the Brent Civic Centre. These cameras are used primarily for community safety, but are also used for the purposes of traffic and parking enforcement, housing estate monitoring, and environmental/fly tipping monitoring, amongst others. Brent also shares video feeds with external stakeholders such as Transport for London, the Metropolitan Police, and the borough of Camden to assist with their respective operations. During events at Wembley Stadium, Brent CCTV control room plays a key part in controlling access and egress for people and traffic.
- 2.2 The control room employs seven full-time control room officers and one control room manager and is overseen by Brent's Community Safety and Public Protection service unit.
- 2.3 The London Borough of Brent has an overarching Community Safety Strategy which clearly defines the issues that partner agencies (including the Council, Metropolitan Police, London Fire Brigade, National Probation Service, Community Rehabilitation Company and Clinical Commissioning Group) have agreed to prioritise to enable partners to deliver services consistently. The Community Safety Strategy Vision is:

Making Brent a safe place to live, work and visit

- 2.4 Underpinning this vision are six priorities:
- Anti-Social Behaviour
 - Tackling Gang Violence
 - Violence against Women and Girls
 - Reducing Reoffending
 - Child Sexual Exploitation
 - Tackling Radicalisation
- 2.5 These aims will be supported by the CCTV Strategy through continuing to work with our Community Safety partners in the Safer Brent Partnership to maintain enforcement activity and improve the feelings of safety of those living, working and visiting the Borough.

3 Vision

- 3.1 To enhance community safety, assist in developing the economic well being of the London Borough of Brent and encourage greater use of the town centres, estates and car parks.

4 Aims and Objectives

4.1 To achieve this Vision the key aims of the London Borough of Brent CCTV Strategy are:

- Deter offenders from committing crime and disorder, including environmental crime.
- Identify offenders and support criminal justice proceedings to help bring offenders to justice.
- Ensure that all fixed and mobile CCTV is being used cost effectively and to its full advantage by reviewing, monitoring and continuing to investigate new and developing technology solutions, including but not limited to vehicle mounted cameras, wireless deployable cameras and Automatic Number Plate Recognition (ANPR) cameras.
- Increase the public perception of safety.
- Assist in traffic management
- Support responses to the management of emergencies
- Assist in town centre and event management

5 Context for the strategy

- 5.1 Brent last produced a CCTV strategy in 2007 and a technical review in 2013. It outlined the position of the system at the time, aims and objectives, and, in particular, proposals for the system expansion. Since then, the funding environment for CCTV has changed and focus has shifted from expansion to efficiency. The operating budget for CCTV is tightening while operating costs—notably transmission and maintenance costs—are rapidly increasing. To complicate matters, new legislation governing the use of CCTV for parking enforcement could drastically reduce the income generated by the service.

6 Key Objectives

- 6.1 We will reduce the number of fixed CCTV cameras, removing those that cannot justify their contribution to community safety
- 6.2 We will increase the number of mobile deployable CCTV cameras, with a clear, transparent system in place for their deployment to areas of need.
- 6.3 There will be no reduction in the total number of cameras available
- 6.4 We will seek to gain efficiencies and advantages through better tendering and procurement arrangements, including the replacement of the oldest CCTV cameras
- 6.5 We will develop opportunities to provide a monitoring service for the CCTV cameras of other organisations, including housing providers
- 6.6 We will never use dummy or fake cameras as part of our network.
- 6.6 We will ensure compliance with the Surveillance Commissioner's CCTV Code of Practice
- 6.7 We will explore opportunities for recruiting and training volunteer CCTV operators to complement existing staff
- 6.8 We will explore the opportunities for sharing the CCTV service with another borough.

7 CCTV History and Background

- 7.1 Brent's CCTV service began in 1996 with the installation of four cameras along Wembley High Road to support crowd management and the prevention of disorder associated with the UEFA 1996 European Football Championship. Subsequent expansion through the later part of the 1990s followed within Wembley and also in Harlesden and Neasden and within the South Kilburn Estate.
- 7.2 In 2001 funding was secured from the Home Office for the capital costs of a scheme to cover parts of Kilburn High Road and further parts of the South Kilburn Estate.
- 7.3 With the opening of the new Wembley Stadium a further 30 cameras were installed to facilitate traffic and crowd management. From 2007-08 for four years the Council made available capital funding of £135k per annum for further expansion covering Willesden, Kingsbury and Church End. In 2009 the Council decided to use CCTV for enforcement of Moving Traffic Offences and the network of cameras was further expanded to allow for enforcement at these sites.
- 7.4 Technological advancements allow the Metropolitan Police to view images directly from the police control centres at Hendon, Bow, Lambeth and New Scotland Yard. From Brent's control room, images can be sent directly to these locations, or locally to the police Integrated Borough Operations office at Wembley speeding up response times to incidents.
- 7.5 The VIIDO (Visual Images, Identifications and Detections Office) unit of the Metropolitan Police, specialising in use of video footage, have access to Brent's digital recording system to enhance greater police use of recorded evidence
- 7.6 There are at present 182 fixed cameras in the Brent network.
- 7.7 Brent's cameras are in the correct locations to match demands from crime. Those that are not will be decommissioned.

8 Legal Context

- 8.1 Under section 17 of The Crime and Disorder Act 1998 the Council has a duty to exercise its various functions with regard to the likely effect on, and the need to do all it reasonably can, to prevent crime and disorder in its area.
- 8.2 Where this can be justified on planning grounds, the Council can require the provision of CCTV cameras by way of a condition or under a section 106 agreement, when granting planning permission for a new development.
- 8.3 Provision of CCTV for the purposes of traffic management and crowd safety would fall within the Council's powers under section 111 of the Local Government Act 1972 to do anything which is calculated to facilitate or is incidental to the discharge of any of its functions (with reference to its function of securing safe use of the public highway).
- 8.4 Any procurement of new CCTV cameras and associated maintenance services must be undertaken in compliance with the Council's Contract Standing Orders and the Public Procurement Regulations 2006 (the EU Regulations).

Article 8 in Schedule 1 to the Human Rights Act states that "everyone has the right to respect for his private and family life, his home and his correspondence". The use of CCTV could potentially constitute interference with a person's "private life". However, paragraph 2 of Article 8 permits such interference where this is in accordance with the law and is necessary in a democratic society in the interests of (inter alia) public safety, the prevention of crime and disorder or the protection of the rights and freedoms of others. Provision of CCTV under the powers referred to 4 above is clearly "in accordance with the law". The purposes for which CCTV is used as referred to in the Strategy are considered to fall within paragraph 2 of Article 8 but the Council would need to ensure that any future use can be justified as an interference with Article 8 rights.

- 8.5 CCTV has also been the subject of national debate following the introduction of the Protection of Freedom Act 2012 which set out a number of recommendations in relation to CCTV, including the appointment of a CCTV Regulator and publication of a Surveillance Camera Code of Practice. There have also been changes to existing legislation such as the Regulation of Investigatory Powers Act 2000 and Deregulation Act 2015 which have changed the way CCTV is used by local authorities.
- 8.6 Brent already has robust deployment and review processes in place to ensure that CCTV is used to the best effect for the community. However, CCTV alone is not a complete solution to any problem and is only one of the many measures used by the Community Safety Partnership to address issues being experienced by communities. The Council remains committed to ensuring that the limited CCTV resources available are used where appropriate to the best effect for the borough's residents and visitors.
- 8.7 When introducing the new Surveillance Camera Code of Practice to the House of Lords Minister for Criminal Information, Lord Taylor of Holbeach, said: 'The government favours the use of CCTV and automatic number plate recognition systems as a crime fighting and public protection tool. It supports the use of overt surveillance in a public place when it is in pursuit of a legitimate aim; necessary to

meet a pressing need; and proportionate, effective, and compliant with any relevant legal obligations. Like the public, the government expects that where CCTV is deployed it is as effective as it can be in meeting its stated purpose and has appropriate privacy safeguards.'

8.8 The Protection of Freedoms Act 2012 set out a number of recommendations in relation to CCTV, and the subsequent Surveillance Camera Code of Practice was published in June 2013. The Surveillance Camera Code of Practice is intended to increase understanding of existing legal obligations in relation to the overt use of surveillance camera systems in public places, promote good practice and provide a single source of bespoke guidance, encouraging system operators to adopt the 12 guiding principles:

- Use of a camera system must be for a specified purpose and necessary to meet an identified pressing need.
- The use of a camera system must take into account its effect on the privacy of individuals, with regular reviews
- There must be transparency, including a published contact point for access to information and complaints.
- There must be clear responsibility and accountability for all system activities.
- Clear rules, policies and procedures must be in place.
- No more than the required images or information should be stored.
- Access to retained images and information should be restricted with clearly defined rules on who can gain access and for what purpose.
- Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards.
- Images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.
- There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published.
- Camera systems should be used in the most effective way to support public safety and law enforcement to evidential standard.
- Any reference databases should be accurate and kept up to date.

8.9 The Surveillance Camera Code of Practice is also reflective of the existing Data Protection Act 1998 "Data Protection Principles" already adhered to by the London Borough of Brent CCTV System. These specify that personal data must be:

- Processed fairly and lawfully.
- Obtained for specified and lawful purposes.
- Adequate, relevant and not excessive.
- Accurate and up to date.
- Not kept any longer than necessary.
- Processed in accordance with the "data subject's" (the individual's) rights.
- Securely kept.

- Not transferred to any other country without adequate protection in situ
- 8.10 The London Borough of Brent CCTV service already has in place robust processes to ensure compliance with the relevant requirements set out in the Regulation of Investigatory Powers Act 2000 and Human Rights Act 1998. These are regularly inspected by the Office of the Surveillance Commissioner.

9 Deployment of Fixed CCTV cameras in Brent

- 9.1 A large proportion of the council's CCTV provision was installed between 10 and 20 years ago, with the majority being installed as a result of Home Office funding. Whilst there is no longer a defined funding stream for CCTV, in the last five years additional cameras have been funded from various sources, including Transport for London and Regeneration projects. The cost of installing a single CCTV camera is usually £20,000 plus an additional £2,500 per annum in maintenance, electricity and transmission costs. The CCTV Service does not have an established budget to increase the current CCTV provision. Indeed, a more pressing need is to replace ageing cameras with modern stock; each camera has a recommended lifespan of around 15 years. The majority of Brent's cameras are analogue with expensive and cumbersome transmission costs; a move towards replacing these with modern digital, HD cameras will be undertaken through the re-commissioning of Brent's transmission circuit rentals.

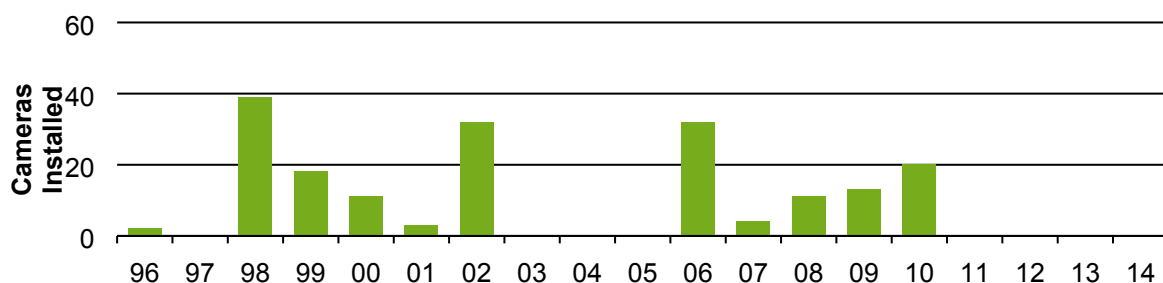


Figure 1: Brent CCTV- Year of camera installation

- 9.2 The most pressing requirement is ensuring the oldest cameras – which are often in the busiest locations – are adequately maintained or replaced. We are negotiating a renewal of our CCTV transmission contract which will include the replacement of 60 of our oldest, most-utilised cameras.

Requests for new deployments of CCTV cameras

- 9.3 The CCTV Service is regularly approached by partner agencies, internal council departments and Members to consider installing CCTV at new locations. Currently there is no budget available for the installation of new cameras and this is unlikely to change. The investment in mobile deployable technology will give the flexibility to provide cameras at locations suffering from particular crime and disorder issues as part of a problem-oriented approach. More details can be seen in Section 10.

10 Deployable Mobile Cameras - Towards a more flexible CCTV service

- 10.1 With some cameras approaching their 20th year of operation, and others offering limited value either through poor placement, image quality or lack of proximity to crime hotspots, there is an opportunity to reduce the number of fixed cameras and replace these with mobile, deployable cameras, able to be moved into hotspot locations as part of a response to a crime or disorder trend. Modern 4G technology allows for high-resolution imagery and close operator control of mobile cameras. Without the requirement of underground cabling installation is relatively straightforward and costs are reduced.
- 10.2 A mobile 4G CCTV camera can be purchased for around £8,000 each as opposed to a fixed camera's £25,000 cost. While each location move has a cost of around £400, mobile cameras are unlikely to be moved more than four times a year; meanwhile the transmission costs of a fixed camera is likely to be around £400 a year per camera. Therefore there are both strong economic and tactical arguments in favour of a move to reduce the number of fixed cameras and increase the number of mobile deployable cameras. We do not anticipate reducing the total number of cameras operating in Brent, but instead will have a more flexible model of camera deployment.
- 10.3 Given the expense and inflexibility of fixed CCTV cameras, recently Brent has invested in seven deployable mobile cameras which can be installed at locations experiencing particular levels of crime and ASB. These cameras use 4G mobile technology to send the signal back to the control room.
- 10.4 Deployments are agreed through applications to the Local Joint Action Group (LJAG). This is a monthly partnership problem solving meeting which seeks to tackle location-based crime and disorder issues. Requests for CCTV have to be backed up with solid evidence demonstrating the scale of the issue and how CCTV will help resolve this, and be approved by the LJAG chair. All requests must include evidence of public consultation with those who are likely to be surveilled; this could include residents whose homes are in the viewing area of the camera or businesses operating in that zone. Requests are then passed to the Mobile CCTV Committee who examine all bids and prioritise requests against current deployments. If the request is approved, the bidder should work with local residents and resident's groups to decide the exact location of the camera.
- 10.5 A further 10 deployable cameras are likely to be added to the deployment roster by December 2015, taking the total available to 21. This will greatly increase the ability of the partnership to respond to incidents, and replace the thirty fixed cameras due for decommissioning.
- 10.6 When deployments are agreed, the new locations will be publicised on the Brent's website and will be communicated to key stakeholders, including local councillors in affected wards, police teams and residents groups where appropriate. These groups will also be informed when cameras are removed.

11 Identifying opportunities for decommissioning cameras

11.1 The Surveillance Commissioner has made clear in point 1 of the CCTV Code of Practice that:

“Use of a camera system must be for a specified purpose and necessary to meet an identified pressing need.”

11.2 With this in mind, and to help identify possible efficiencies through the decommissioning of unnecessary cameras (each camera has a cost per annum in transmission and maintenance costs; this differs depending on camera type and transmission method, with cameras on Brent’s private network being substantially cheaper), an analysis of incidents recorded by each camera between March and September 2015 took place.

11.3 This revealed 30 cameras that had either: recorded zero incidents in the period and are therefore prime candidates for decommissioning; had been installed for a purpose which was no longer relevant; had views which were no longer operational; or could be transferred to another organisation. These are:

Camera no.	Ward	Location	Transmission and maintenance costs
3	Harlesden	High Street Harlesden Opposite Crownhill Road	£732
72	Tokyington	River Brent	£540
91	Welsh Harp	Bridge PTZ	£956
92	Welsh Harp	Pedestrian bridge Gt Central Way	£956
93	Welsh Harp	Pedestrian bridge Gt Central Way	£956
99	Stonebridge	Bodium Way	£1208
100	Park Royal	Twyford Abbey Road	£1208
102	Brondesbury Park	Kilburn High Road/Christchurch Avenue	£750
103	Brondesbury Park	Kilburn High Road/Christchurch Avenue	£750
120	Kilburn	Cambridge/Princess Road	£534
131	Kilburn	Stuart Road	£534
133	Dollis Hill	Comber Close	£725

134	Dollis Hill	Comber Close 2 Play area (Bourne Close)	£725
135	Dollis Hill	Ainsworth Close	£725
161	Stonebridge	Drury Way	£560
174	Tokyngham	Argenta Way	£1062
212	Wembley Central	Brent House roof	£560
213	Wembley Central	Olympic Way*	£560
214	Wembley Central	Olympic Way*	£560
215	Wembley Central	Olympic Way*	£560
216	Wembley Central	Olympic Way*	£560
217	Harlesden	Acton Lane/Winchelsea Road	£1049
218	Harlesden	Minet Avenue	£1431
225	Stonebridge	Rainsford Road	£2504
235	Preston	Bridge Road	£560
243	Tokyngham	Wembley Hill Road/Royal Route	£560
249	Kensal Green	o/s 158 High Street	£540
251	Stonebridge	Rainsford Road	£540
252	Harlesden	Buckingham Road	£540
257	Harlesden	Craven Park	£540

*will be transferred to Wembley Park

- 11.4 Decommissioning these cameras will save £23,985 per annum in transmission and maintenance costs, with minimal impact on public safety, as well as providing a large supply of spare parts to keep other cameras running while reducing maintenance costs.
- 11.5 There are a further 41 cameras with fewer than five incidents recorded in that time period (for comparison, the busiest five cameras have 517 incidents between them). These will be examined as part of the second tranche of decommissioning.
- 11.6 Decommissioning of the initial 30 cameras will take place once consultation has taken place with relevant parties. Although a camera may not have a community safety role, there may be specific circumstances which prevent its decommissioning of which we are currently unaware.
- 11.7 We will seek to decommission all cameras which do not have a justifiable presence, while maintaining our camera provision through the deployment of mobile 4G cameras.

12 Improving CCTV efficiency

- 12.1 A 2014 review of Brent's CCTV found potential efficiencies to support the long-term sustainability of the CCTV service. These include:

Decommission or re-locate redundant cameras

- 12.2 As per the commentary above, all cameras that do not have a justifiable existence will be taken out of service.

Negotiate a discounted transmission contract extension and conduct a detailed study of future options

- 12.3 The current transmission contract is being renewed and will include a provision for the replacement of Brent's oldest cameras – see below.

Renegotiate maintenance contract and reduce preventative maintenance visits

- 12.4 The existing maintenance contract expires in September 2015 and renewal will place lesser emphasis on preventative maintenance.

- 12.5 It is proposed that we seek to roll the contracts for maintenance and transmission into a single contract from 2017. This should produce further savings through economies of scale.

Replace existing 3G cameras with new 4G rapid re-deployable cameras

- 12.6 Eleven 4G cameras have been purchased and will replace the existing 3G cameras; a further eight cameras will be in service by the end of 2015. These deployable cameras are much-used and support an operational response to ongoing location-based issues.

Align Operator Shifts to Demand

- 12.7 The CCTV control room is staffed by six control room officers, one senior control room officer, and one control room manager. Shifts have been arranged so that the maximum capacity occurs at periods of the highest demand.

- 12.8 This leaves the control room unstaffed for four hours each day except Friday morning (six hours) and Sunday morning (two hours). Although not ideal this was a direct result of a consultation with the Police as part of a previous cost cutting exercise.

- 12.9 At some points during the day, shifts are poorly matched to reported activity levels. In particular, the two-hour period between the end of the cover shift and the start of the night shift leaves a single control room officer during one of the busiest times of day. Conversely, two shifts overlap during low-activity periods in the early afternoon. As a result of this analysis, shift patterns have been changed to increase

staffing levels at peak times. However this would also be an opportunity for volunteer operators (see below) to complement staffing.

- 12.10 Control room officers also reported difficulties meeting police demand during the early morning hours on weekends. Some nightclubs close well into the morning, after which police typically begin responding to incidences of anti-social behaviour and criminal activity. This occasionally causes control room officers to have to work past the scheduled 6 a.m. end of the night shift.
- 12.11 Increasing the capacity through the recruitment and training of volunteer CCTV operators (see below) at these peak times will be explored through the period of the strategy.

Formalise and redesign processes

- 12.12 Suggestions made to operator processes have been undertaken and are currently being trialled.
- 12.13 We will develop a standardised operating model and improved internal documentation to provide a more consistent and efficient delivery of services.
- 12.14 The layout of the control room has been identified as being unsuitable for operations. Given the forthcoming move of parking CCTV to unmanned operations, it is proposed to reconfigure the rooms in this area (control room, BECC, digital post room, parking CCTV office) in order to create a more efficient control room. The BECC currently occupies a significant area and could be sacrificed for a stronger control room, with BECC duties being given to a standard meeting room, as happens in many other local authorities.

Upgrade to Digital HD Cameras

- 12.15 Retendering of the transmission contract in 2016 will seek to incorporate the provision of 66 new digital HD cameras to replace the oldest stock. By including the provision of cameras in the contract for transmission services at each renewal, the entire camera stock can be upgraded and replaced over a six-year period.

Estate Monitoring

- 12.16 A Housing Provider has signed the first estate monitoring contract and further work to identify opportunities is being undertaken. Income from estate monitoring will be offset against capital expenditure.

Improving Communications

- 12.17 We will endeavour to update the CCTV pages on the Brent website to ensure residents are aware of our CCTV network and our strategy, and the processes by which deployments are made. Linking the decision making process around CCTV deployment to Community Action Groups will allow for greater transparency and more citizen-led utilisation of CCTV.

Involving Active Citizens

- 12.18 There is great public interest in CCTV in Brent, with demand for CCTV as a response to crime issues high from members of the public and explorations of citizen-run CCTV systems being undertaken by citizen groups. While this is legally challenging to be included within Brent's network, we will seek to build on the enthusiasm for CCTV by instigating an element of volunteer support, whereby residents can undergo training in order to become volunteer CCTV operators, providing additional capacity for paid staff at peak times.

Future Options

- 12.19 Throughout the duration of this strategy we will explore the opportunity to share the CCTV service with another borough or another provider. The London Boroughs of Enfield and Harrow have an agreement to use a single control room at Edmonton and this is an option we will explore in the longer term. Similarly Ealing are likely to construct purpose-built accommodation for their CCTV and out-of-hours service and this may also provide an opportunity for Brent to share services.
- 12.20 Bringing services together in this fashion requires a capital investment which is not available at the present time, but a clear agreement of the possibilities open to us would enable a bid for capital expenditure to be made. Sharing services would create efficiencies and provide an opportunity for significant savings, as well as potentially freeing up space within the Civic Centre.

13 Vehicle-mounted CCTV

- 13.1 The Public Realm Service also deploys CCTV to counter fly-tipping and other environmental crimes. The service deploys four CCTV cars to undertake patrols and static surveillance of fly-tip hotspots. These cars are marked so offer the additional advantage of creating a visible deterrent at these sites and as they move around the borough.
- 13.2 The service also uses covert (hidden camera) and overt (Brent Control Room) CCTV surveillance operations to support their work to identify and prosecute those guilty of fly-tipping.

14 CCTV enforcement – parking

- 14.1 CCTV was used to enforce parking, bus lane and moving traffic restrictions in Brent, and supplemented the traditional method of enforcement by CEOs. Footage captured by fixed cameras was used to issue PCNs in locations where CEOs had previously found it difficult to enforce. Camera enforcement signs were displayed in these areas to alert motorists to active CCTV, and encourage compliance with local restrictions.
- 14.2 Compared to 2013/14, the issuance of PCNs for bus lane contraventions doubled in 2014/15; and moving traffic contraventions increased by 14%. This in part reflects the overcoming initial teething issues caused by moving to a new enforcement suite in Brent Civic Centre in July 2013; and the introduction of efficient unattended camera systems. Unattended camera systems ensure that enforcement is concentrated on a specific restriction for the duration of the camera's operational hours. This means that the Council are now able to apply a zero tolerance enforcement regime to bring about compliance with bus lane and moving traffic requirements.
- 14.3 CCTV PCN issuance for parking contraventions remained broadly unchanged from the previous year.
- 14.4 The Council continues to use CCTV enforcement for a number of purposes. New operational guidance introduced by central Government in April 2015 has restricted the use of CCTV for enforcing parking (as opposed to moving traffic) offences. These changes mean that in most circumstances a parking PCN may only be issued by fixing it to the offending vehicle or handing it to the person who appears to be in charge of the vehicle.
- 14.5 Since CCTV parking enforcement relies on serving the PCN by post, it may no longer be used except in specified circumstances. These are:
- 14.6 if the CEO has been prevented (for example by force, threats of force, obstruction or violence) from serving the PCN;
- 14.7 if the CEO had started to issue the PCN but did not have enough time to finish or serve it before the vehicle was driven away, and the CEO would otherwise have to write off or cancel the PCN;
- 14.8 Where the contravention has been detected on the basis of evidence from an "approved device".
- 14.9 An "approved device" is a camera and associated recording equipment which has been approved by the Secretary of State for Transport. PCNs for parking contraventions may not be served by post on the basis of evidence from an approved device other than when vehicles are parked on:
- a bus lane;
 - a bus stop clearway or bus stand clearway;
 - a Keep Clear zig-zag area outside schools; or
 - a red route.

- 14.10 Certain contraventions (such as double parking, footway parking and parking in areas where stopping is prohibited) are difficult to enforce by CEOs on foot because the driver often remains close to the car and can move the vehicle if a CEO is seen approaching. Because CCTV may no longer be used to enforce against these contraventions, the Council has increased the level of on-street enforcement by redeploying some CEOs who were previously used to issue camera-based PCNs.

CCTV enforcement - moving traffic contraventions

- 14.11 In order to support the Council's policy of encouraging sustainable form of transport, the Parking service provides stringent enforcement of bus lanes in order to secure faster journey times for bus users.
- 14.12 In addition, the Council has adopted powers available under the the Traffic Management Act 2004 to undertake civil enforcement of a number of moving traffic offences. Yellow Box Junctions, prohibited turns, and no-entry signs are all examples of moving traffic violations actively enforced by the service. Such restrictions are in place to ease congestion on the borough's roads, and improve road safety.
- 14.13 CCTV enforcement is co-ordinated from an enforcement suite in Brent Civic Centre.

Mobile CCTV

- 14.14 The Council has retained the use of mobile CCTV for school Keep Clear markings. During the rest of the day the vehicles are used for enforcement at bus stops and for intelligence gathering.

Growth in unattended cameras

- 14.15 The installation of 10 unattended cameras is a workstream within the One Council Parking programme. £975k worth of savings are expected for 2015/16.
- 14.16 Thirteen cameras have been ordered. Ten of these have been provided through the One Council Parking programme; the other three have been funded from Section 106 agreements at specific locations. Works to progress installation of all 13 cameras are being managed as a single project. Details of the installation progress of these cameras – and their purposes – can be found below.

Location:			Power	Camera Install		Signage	Go Live		
Location:	Junction With:	Contravention:	Power install complete?	Camera install complete?	Camera config complete?	Signage Ok?	2 weeks monitoring complete?	Camera live	Go Live date
High Road, Wembley	Lancelot Road	Banned right turn from High Road, Wembley into Lancelot Road	Yes	Yes	No	Yes	Yes	No	
Chamberlayne Road	Bolton Gardens	Banned right turn from Bolton Gardens into Chamberlayne Road	Yes	Yes	No	Yes	Yes	No	
High Street	Wendover Road	Banned Right turn from High Street into Wendover Road	Yes	Yes	Yes	No	Yes	No	
Glacier Way		Mandatory left turn onto Glacier Way	Yes	Yes	Yes	Yes	Yes	Yes	20/07/2015
CHALKHILL ROAD	into Blackbird Hill.	Compulsory Left-turn	Yes	Yes	No	Yes	No	No	
Un-named link road	linking Birse Cres. & Neasden Lane underpass	No Entry except buses	Yes	Yes	Yes	Yes	Yes	Yes	13/08/2015
CHURCH ROAD	High Road, Willesden and Neasden Lane.	Buses and Cycles Only	Yes	Yes	Yes	Yes	No	No	24/08/2015
St Johns Road (Wembley)	into High Street, Wembley (the A404)	Banned Right Turn	No	No	No	Yes	No	No	
Kings Drive	Forty Lane	Banned right turn	Yes	Yes	No	Yes	Yes	No	
Abbey Road	Twyford Abbey Road	Bus Gate	No	No	No	Yes	No	No	

15 Adherence to CCTV Codes and Standards

- 15.1 CCTV systems are subject to legislation that aims to protect the public's privacy from undue monitoring and surveillance. This includes the Data Protection Act (1998), the Regulation of Investigatory Powers Act (2000) and the Protection of Freedoms Act (2012). It is important for organizations operating CCTV to be compliant with the provisions of these laws to protect themselves from legal action and to uphold the privacy of the residents and businesses that they monitor. To this end, there are three major publications of best practices to guide regulatory compliance:
- 15.2 The Home Office **Surveillance Camera Code of Practice** (June 2013) provides guidance on the appropriate use of CCTV per the requirements of the Protection of Freedoms Act (2012). This legislation stipulates that local authorities must have regard to the code in the when operating their CCTV systems.
- 15.3 **In the picture: A data protection code of practice for surveillance cameras and personal information** is published by the Information Commissioner's Office (October 2014) pursuant to the Data Protection Act (1998) and updated to reflect later regulatory developments. This code is consistent with the Home Office code, but has a more significant focus on the protection of personal data. It also has a broader scope than the Home Office code: it must be adhered to by both private and public sector CCTV systems.
- 15.4 **British Standard 7958:2009** (CCTV Management and Operation Code of Practice) is a voluntary standard published by the British Standards Institute—a non-governmental body. It provides guidance based on the provisions of the Data Protection Act (1998), Human Rights Act (1998), and Freedom of Information Act (2000).

The Surveillance Camera Code of Practice

- 15.5 This document provides 12 guiding principles against which CCTV authorities should align their operations. These principles emphasise that all CCTV systems must operate towards a "legitimate aim" due to a demonstrable "pressing need". Furthermore, each CCTV operation must be governed by clear rules and regulations that aim to limit privacy impacts while also providing for clear responsibility and accountability for the system. Finally, there is emphasis on the need for regular review of CCTV systems in order to ensure continued compliance with the principles.
- 15.6 Brent's CCTV operations require the actions below to take place to ensure compliance with this code:
- 15.7 Principles 2 and 10 outline the need for annual reviews (including camera-by-camera privacy impact assessments) as well as audit mechanisms to ensure that legal requirements are met. Privacy impact assessments have been undertaken and we are working with the Surveillance Commissioner as he develops a standardised audit.
- 15.8 Principle 3 highlights the importance of transparency for a CCTV system and specifically speaks to the need for a formal complaints process and availability of

system information. The CCTV pages on the Brent website have been rewritten and will be further developed.

- 15.9 Principle 5 covers the area of clear and precise procedural rules to govern the management and operation of the system. A new procedural manual has been written and is in use by operators.

In the Picture

- 15.10 This code is complementary to the Home Office code and is based on the principles of the Data Protection Act (1998). Generally speaking, these principles focus on maintaining the privacy of individuals through the effective management of surveillance systems. Since the ICO code is complementary to the Home Office code, major areas of deficiencies are similar. Other major components for review include:
- The sharing of information with external stakeholders (e.g. MPS, traffic enforcement) requires explicit arrangements regarding the responsibility of each agency with regards to data privacy and security;
 - The siting of surveillance cameras such that the amount of space that is not relevant to the purpose of the system is minimised (this can be accomplished through the viewshed analysis described above).
 - The security of wireless data transmission (e.g. microwave and 3G) against unwanted interception; and
 - The adequacy of obvious signage that:
 - notifies the public that they are under CCTV surveillance; and
 - provides contact information for the control room.

Action Plan

OBJECTIVE	KEY ACTIVITY	PROGRESS MILESTONES	DEADLINE	SUCCESS CRITERIA
We will reduce the number of fixed CCTV cameras, removing those that cannot justify their contribution to community safety	Analyse camera usage of all 183 fixed cameras Prepare list of decommissioning Organise decommissioning and bagging of redundant cameras	Produce "league table" of camera usefulness Agree decommissioning process Inform relevant stakeholders of decommissioning Agree process for physically decommissioning and bagging camera, including contracting provider	April 2016	All cameras deemed to be not contributing to community safety decommissioned
We will increase the number of mobile deployable CCTV cameras, with a clear, transparent system in place for their deployment to areas of need.	Procure 10x 4G mobile cameras Agree deployment prioritisation process	Procurement of additional cameras Cameras deployed in hotspot areas Evaluation criteria agreed and in place	December 2015	New cameras bought and operating in evidence-based hotspot areas
We will seek to gain efficiencies and advantages through better tendering and procurement arrangements, including the replacement of the oldest CCTV cameras	Procure new CCTV maintenance contract Procure new CCTV transmission contract to include replacement of the oldest cameras	New maintenance contract agreed October 2015 New transmission contract agreed April 2016	October 2015 April 2016	Contracts signed
We will develop opportunities to provide a monitoring service for the CCTV cameras of other organisations, including housing providers	Agree contracts for the monitoring of external providers' cameras	Standard offer prepared for housing providers	March 2016	Minimum of two housing providers contracting Brent CR to monitor
We will ensure compliance with the Surveillance Commissioner's CCTV Code of Practice	Develop programme of work to ensure compliance	Action plan established for delivery with oversight group pulled together	April 2016	Adherence to code by April 2016
We will explore opportunities for recruiting and training volunteer CCTV	Agree recruitment and training programme through the volunteering	Process for recruitment and training agreed	October 2016	First volunteer operators staffing shifts by October 2016

operators to complement existing staff	hub			

Financial Implication

This project is cost neutral to the council as only the savings to be realised from the decommissioning of the 30 CCTV cameras (forecast to be £15-20k) will be invested in the new CCTV mobile technology. Also the maintenance of the new CCTV cameras can be accommodated in the existing maintenance contract and will not impact the 2015-16 Community Safety budget. On Staffing, the planned recruitment and training of volunteer CCTV operator will be done in house at no extra cost.

London Borough of Brent

**Closed Circuit Television
Operators Procedural
Manual**

Preface

This Procedural Manual, in conjunction with the Code of Practice, is intended as far as reasonably practicable, to safeguard the integrity of any CCTV System, whilst ensuring the right to privacy is not breached.

Whilst the content of this document is thought to be accurate at the time of publication, differences and alterations to laws of evidence and procedural matters will inevitably arise. The content of this document is not intended to form a contract. This is a 'Restricted' document; each copy will be numbered and recorded on issue.

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References

Section 1

Introduction and Administration

I Introduction

A Closed Circuit Television System is a range of equipment and procedures designed to collect and process information. Regardless of the complexity or simplicity of the System, its effectiveness will depend entirely upon the management of that information.

This Procedural Manual should not be read in isolation and is intended to compliment the Code of Practice. It is intended as a reference document by offering procedural guidance and instructions on all aspects of the operation of the System; it is based upon the contents of the Code of Practice.

II Ownership

(See Section 1 (I) of the CCTV Code of Practice)-April 2012

III Administration

a. Maintenance

The maintenance of the system in its entirety is the sole responsibility of the appointed maintenance contractor. Section 8 to this manual includes details of action to be taken in the event of service/repairs being required. A log of all requests for service/repairs and subsequent results will be maintained (Appendix F).

b. Time and Date Accuracy

Trained staff on a monthly basis will check the time & date of all equipment and a record of subsequent results will be maintained (Appendix D). The systems time clock is run digitally from the server room in located B15. This is connected to the Rugby clock.

IV Communications

Various forms of direct communications are provided within the CCTV Control Room including (*radio, telephone, fax, & e-mail*).

Police Airwave Radio: CCTV monitoring room exclusive call sign –‘Pyramid’ or Brent CCTV’

Retail Radio- Not on Line,

KRAC;-Kilburn High Road administered by CBAC from Camden Council

Wembley High Road administered by Wembley Central police SNT

E-mail Address: mps.cctv@Brent.gov.uk or enquiries.cctv@brent.gov.uk

Section 2

Human Resources

*(See **Section 6** of the CCTV Code of Practice) –April 2012*

Section 3

Control and Operation of Cameras

I Guiding Principles

*(See **Section 7 (I)** of the CCTV Code of Practice –(April 2012)*

II Primary Control

*(See **Section 7 (II)** of the CCTV Code of Practice —(April 2012)*

III Operation of the System by the Police

- a. In the event of authority being granted to the police to assume control of the CCTV System in accordance with Section 7 of the CCTV Code of Practice, the Control Room will continue to be staffed, and equipment operated by, only those personnel who are authorised and trained to do so.
- b. If extreme circumstances are applied in accordance with Section 7 of the CCTV Code of Practice whereby the police take total control of the system, the following will apply:
 - i. The System Manager will be fully briefed and, if possible, will attend the Control Room at the relevant time;
 - ii. The written approval for police control will be retained within the Control Room;
 - iii. A detailed entry will be made in the incident log, which will include:
 - ◆ Full details of all personnel involved;
 - ◆ The names and positions of those granting the application.
 - ◆ All relevant times.
- c. On re-occupation of the room, all systems should be checked to ensure they are in proper working order. An appropriate entry should be made in the Control Room incident log noting relevant times,, status of recording in operation, etc.
- d. Consideration shall be given to the requirements of the Regulation of Investigatory Powers Act, 2000, before control of the system is handed over.

Section 4

Access to and Security of the Control Room (*and / or*) Associated Equipment

I Authorised Access

(See Section 8 (I) of the CCTV Code of Practice April 2012)

II Public Access

Public access to the Control Room or will be prohibited except for lawful, proper and sufficient reasons. Visits will not take place as a matter of routine and no visit will comprise more than (*six*) people. Visits will only take place with the approval of the System Manager and with the prior knowledge of the authorised CCTV operator/s on duty at the time. Visitors will always be accompanied by the manager or designated representative, who is not a CCTV operator. Although a visit will only take place in the presence of an authorised operator, they will not be expected to take responsibility for such visits but will record the visit as follows:

- ◆ Time, date and duration of visit
- ◆ Authorised person accompanying the visitor/s
- ◆ Names and status of visitors
- ◆ Purpose of visit
- ◆ Any occurrence, which leads to comment during the course of the visit, will also be the subject of record.

III Authorised Visits

Visits by authorised inspectors and auditors do not fall into the scope of this section and may take place at any time unaccompanied and without prior warning. No more than (*two*) inspectors or auditors will visit at any one time. Inspectors or Auditors will not influence the operation of any part of the system during their visit. The visit will be suspended in the event of it being operationally inconvenient. Any such visit should be recorded in the same way as that described above and every visitor, regardless of status, will be required to sign a declaration of confidentiality. Visits can comprise of only 1 monitor as set out in the Code of Practice.

IV Maintenance Visits

Maintenance visits should, wherever practicable, only be carried out in the presence of an authorised operator or the System Manager.

V Declaration of Confidentiality

(See Section 8 (IV) of the CCTV Code of Practice—(April 2012)

VI Security

(See Section 8 (V) of the CCTV Code of Practice- —(April 2012)

VII Incident Logs

Control Room incident logs will be maintained within the CCTV Control Room by the personnel authorised to operate the equipment. These will indicate all occurrences within the room including all visitors, telephone calls, audits, checks and maintenance visits etc. Prime means on Brent's mapping system (GIS log).

VIII Emergency Procedures

- a. If the need arises to evacuate the CCTV monitoring room by virtue of either a security alert or fire alarm; all monitoring station staff will act in accordance with local instructions. CCTV Control Room staff will act in accordance with the guidelines listed at Section 9.
- b. If possible, but without risking the safety of any member of staff, the room should be secured on leaving. Any operations or procedures under way at the time of evacuation should be abandoned.
- c. On returning to the room all systems should be checked to ensure they are in proper working order. An appropriate entry should be made in the incident log noting relevant times and check that the NVR is functioning.

Section 5

Management of Recorded Material

I Release of Recorded Material

- a. Those individuals with a statutory responsibility to investigate alleged criminal offences may release details of recorded information to the media only in an effort to identify alleged offenders or potential witnesses. The criteria laid down in Appendix C of the Code of Practice will always be followed. Under those circumstances full details of all information which is released, to whom, when and how published must be recorded and made available to the prosecuting authority and the defence.
- b. If material is to be shown to potential witnesses, which includes Police Officers, for the purpose of obtaining identification evidence, it must be shown on an individual basis in accordance with the Police and Criminal Evidence Act, Code of Practice D 2.21a. (Appendix B).
- c. Any request to record specific premises or persons received from a police officer shall be considered under the requirements of the Regulation of Investigatory Powers Act, 2000. All such requests shall be referred to the System Manager.
- d. Requests will from time to time be received from the media for recorded material of a particular occurrence, (usually in respect of criminal proceedings). The criteria laid down in Appendix C of the Code of Practice will be followed meticulously at all times. In addition, if consideration is being given to releasing material to the media, the following should also be taken into account
 - i. Any relevant court proceedings must have been concluded for a minimum of 28 days.
 - ii. There must be no appeal lodged or pending and no associated proceedings pending.
 - iii. Consideration must be given to screening the identity of third parties and innocent parties.
 - iv. The release of the information must be in the public interest having passed the 'disclosure in the public interest test' referred to in the Code of Practice, Appendix C.

- v. Copyright of all recorded material rests with Brent Council.

II CDs/DVDS - Provision & Quality

Every CD/DVD used in conjunction with Brent Council's CCTV System has the potential of containing material, which has to be admitted in evidence at some point during its life span. It is therefore essential to maintain, and be in a position to prove, an effective audit trail.

- a. Each time a recording is removed from the system, as a DVD/CD the operator should examine the recording briefly to ensure quality.
- b. Only DVD/CDs provided are to be used in any of the CCTV Control Room equipment. Only those CDs provided by the Police are to be used in conjunction with the system. They will not be used for any other purpose, (such as making a copy of a 'foreign' tape containing material recorded elsewhere.
- c. The Council will provide sufficient CDs/DVD to ensure compliance with this CD/DVD handling policy. In the event of additional CD/DVD being required, contact will be made with the System Manager.

III CD/DVDs - Retention

- a. The retention period is controlled by the recording system and can from time to time vary however the period of retain should be no less than 30 days.
- b. The System Manager will be responsible for the destruction of CDs/DVDs at the end of their life

CDS/DVDs – Numbering

Each DVD/CD will numbered sequentially and a register detailing that information will kept with in the Control room for audit purposes

IV CD/DVD Register

Each CD/DVD will have an individual log sheet, kept in a loose leaf folder which will be retained securely by the CCTV operators, who will be responsible for its accuracy at all times. The sheets will be kept for 3 years after the CDs/ DVDs has been destroyed. (A specimen audit sheet is attached at Appendix F.)

Each CD /DVD created will have a unique reference number which will be stored within a register log kept in the Control Room in a secure cabinet.

V CD/DVD Storage

A secure cabinet, to which only authorised personnel have access, will be used exclusively for the storage of CD/DVD used in conjunction with this system. The cabinet will be located within the confines of the viewing suite of the Control Room. The CD/DVDs will not be generally accessible but arrangements will be made for access to the CD/DVDs in the event of an emergency.

VI Recording Policy

- a. Subject to the equipment functioning correctly, images from every camera will be recorded throughout every 24-hour period, in 12.5 frames per second onto a DVR recording system.

VII Evidential Procedures

- a. **ONCE A DVD/CD IS RECOGNISED AS BEING OF EVIDENTIAL VALUE IT MUST NOT BE REPLAYED UNLESS OF ABSOLUTE OPERATIONAL NECESSITY.** Even then the fact that it has been replayed, to whom and for what purpose, must be recorded by the individual responsible for the replay.
- b. Section 72(1) Police and Criminal Evidence Act, 1984 holds that a statement has the same meaning as in part 1 of the Civil Evidence Act, 1968. Section 10 of that Act holds that a 'statement' includes any representation of fact whether made in words or otherwise and specifically includes film, (including microfilm), negative, tape or other device by which visual images may be produced. An evidential *CD/DVD* must therefore be considered as a document within the terms of the Police and Criminal Evidence Act, 1984.

- c. In any court proceedings the evidence of witnesses (including the police, private investigators or other individuals with a statutory responsibility to carry out criminal investigations) must be prepared as if video evidence did not exist and therefore be complete and descriptive. The DVD/CD will be produced as evidence having been exhibited as with any other form of documentary exhibit. At the conclusion of the case the evidential DVD/CD must be resealed and returned to storage where it will be retained in accordance with retention policy, (see below). Under no circumstances will individuals retain evidential CD/DVDs.
- d. In the event of an alleged offender being formally interviewed in connection with an offence, which may have been recorded on DVD/CD, **A separate interview confronting him/her with evidence should take place only after the normal interview is complete.** (This practice rules out any inadmissibility concerning RECORDED evidence put to the defendant affecting the remainder of the interview).

VIII Criminal Procedures and Investigations Act, 1996

A résumé of the Criminal Procedures and Investigations Act, as far as it may be applicable to the gathering, recording and retention of evidence by way of CCTV systems, is attached as Appendix C. It is imperative that the provisions of that Act are strictly complied with by CCTV operators at all times.

IX Evidential DVD/CDs

- a. In the event of a police officer, or authorised representative of another statutory prosecuting authority, (the 'investigator') requiring *CD/DVDs* for evidential purposes the original *CD/DVDs*, will be removed from storage.
- (i) *If the original CD/DVD is to be handed over to the investigator, the following will apply:***
- a. The original (master) evidential *CD/DVD* will be sealed and exhibited. The person to whom the *CD/DVDs* is passed then accepts responsibility for maintaining its integrity, including a provable audit trail from the point of acceptance of the *CD/DVD* to its final return to the CCTV monitoring room. A working copy of the same event will also be produced and issued with the Master.
 - b. The *CD/DVDs* register will be endorsed accordingly.
 - c. The CCTV operator must complete a *CD/DVD* Release Statement, as attached at Appendix G.

- d. The person to whom the *CD/DVDs* was passed must complete a Witness Statement, as attached at Appendix D.
- e. The person to whom the *CD/DVDs* was passed becomes responsible for treating that *CD/DVDs* in the same way as any other documentary evidence.
- f. If the recorded evidence is required for the preparation of a Court file, (against an alternative form of finalisation such as formal caution, etc.), the 'investigator' should arrange for the master *CD/DVD* to be copied in accordance with local procedures.
- g. Before the *CD/DVDs* can be removed from the Control Room all the paper work must be photocopied. The original statement forms and the copy of the *CD/DVD* log must be sealed in a signed evidence bag with the *CD/DVD*.

(ii) If the master CD/DVDs is to be retained in the CCTV monitoring room, the following will apply:

- a. The original evidential *CD/DVDs* should be sealed in an evidence bag and stored securely. Both the *CD/DVDs* log and incident log should be annotated accordingly.
- b. If the recorded evidence is required for the preparation of a Court file, (against an alternative form of finalisation such as formal caution, etc.), the 'investigator' should make a request to the monitoring room for the master *CD/DVDs* to be copied.
- c. The manager of the CCTV Control Room will undertake to produce the master *CD/DVDs* in court if required.
- d. A secure evidence locker is provided in the server room and listed under date order. The system manager is responsible for weeding and deleting this as necessary.

X Preparation and Provision of Copies

In either (i) or (ii) above, the criteria laid down in Appendix C of the Code of Practice – April 2012 will apply, together with the following:

- a. One copy of **the relevant section only** will be made which will be known as the 'prosecution copy'. An identical copy, known as the 'defence copy' will be provided for **each defendant**. The original evidential *CD/DVDs* will be resealed and retained. The master *CD/DVD* should have already been 'exhibited', given a unique exhibit reference, (which usually reflects the initials of the originator and a sequential number). Any copies, which are made, must also be given a unique exhibit reference, which should identify the person making the copy. The seal of the master copy must never be broken unless directions to the contrary are given by a Court.
- b. The defence copy should be handed to a defence solicitor only upon instructions from the Crown Prosecutor, it will not be handed to individual defendants. In the event of a defendant representing him or herself, they will be given the opportunity to view the tape under supervision and advised that the police (*or prosecutor*) will take the responsibility of ensuring the production of the relevant tape/s in Court.
- c. Copies of *CD/DVDs* over and above those outlined above will not be made unless requested by the investigator in writing and in that event a charge may be levied at the current rates.

XI Retention Policy

- a. All *CD/DVDs* and written records, which may be relevant to an investigation, must be retained until a decision is taken whether to institute proceedings against a person for an offence.
- b. If a criminal investigation results in proceedings being initiated, all material, which may be relevant, must be retained at least until the accused is acquitted or convicted or the prosecutor decides not to proceed with the case.
- c. Where the accused is convicted, the original evidential *CD/DVDs* must be resealed and securely, together with relevant written records, at least until:
 - i. The convicted person is released from custody, or discharged from hospital, in cases where the court imposes a custodial sentence or a hospital order. (If the person is released or discharged within six months, all relevant material will be retained for six months from the date of conviction);
 - ii. Six months from the date of conviction, in all other cases, or

- iii. An appeal against conviction has been determined;
- d. The above periods are the minimum periods of retention. Alternative directions may be given to retain the material for longer periods by a member of the judiciary, the manager or owner of the system, or a senior police officer.
- e. Under no circumstances will individual investigators retain evidential CD/DVDs.

Observed Occurrence/Incidents – Action to be taken

I Live Observation

- a. In the event of an incident being observed by a CCTV operator, contact will be made with the relevant authority *e.g. police etc*, by whichever method is most appropriate to the circumstances, (e.g. radio or telephone).
- b. The (*police / security control room*) operators will respond by resourcing the incident in accordance with their own procedures and will grade the incident accordingly.
- c. Any occurrences which may be defined as a matter for (*e.g. town centre management or anti-graffiti team*) will also be recorded by way of a record on the mapping GIS system and an e-mail to the relevant individual for appropriate follow up action. Urgent matters should be transmitted by (*e.g. telephone or radio*) as appropriate.

II Record of Occurrences

The CCTV operators will maintain a record of all occurrences on the logging system non evidential or CCTV issues and GIS mapping system of all enquires and operator actioned calls or notifications. The information to be recorded should include anything of note, which may be useful for investigative and evidential purposes or future system assessment and evaluation.

III Disclosure of Evidence Rules

Due consideration must be taken of the obligations placed upon investigators by the Criminal Procedures and Investigations Act. It is good practice to assume that all recordings and all written records made in connection with the CCTV surveillance system will be material obtained '*in the course of a criminal investigation*' which may be relevant to the investigation and therefore will be disclosable to the defence in the event of a prosecution being undertaken. (An example of an incident log sheet may be found at (Appendix E).

Section 7

Fault Reporting Procedure

I CCTV System Equipment Fault

- a. The CCTV operators will be responsible for the reporting of faults which manifest themselves in any equipment housed within the CCTV Control Room or any of the associated equipment located elsewhere, including cameras and secondary monitoring and control equipment. A separate log containing all material relevant to the current maintenance regime e.g. maps, contract details etc will be maintained and secured within the Control Room. This is routinely done each early shift in the CCTV Control room and notified to the authorised maintenance contractor by phone with a unique reference or to Tyco Customer service by e-mail
- b. Having identified the fault as accurately as possible, and in relation to the equipment for which the system owner or supplier is responsible, the following action should be taken:

Complete the 'Record of Faults, Maintenance and Service' log on the electronic system located on the main console in the control room.

- i. Report the fault direct to the maintenance/installation contractors nominated fault-reporting line. (The nature of the fault will dictate whether an out of hours call is required). The operator reporting the fault will complete the relevant section of the fault reporting form. This is placed on white board for up to date details of faults and to prevent duplication.
- ii. On rectification of the fault, and when carrying out routine servicing, the engineer will endorse the relevant section of the form, (an evidential requirement). In the event of a subsequent visit being required all information must be included on the form.
- iii. The maintenance/installation contractors own form may be left by the attending engineer, whenever a service has been carried out and a CCTV operator may be asked to sign that form for and on behalf of the customer.
- iv. A photocopy of both forms will be forwarded to the System Manager who, after verification, will forward the form to the system owners.
- v. The original form will be filed in the CCTV Control Room.

- c. In the event of a fault occurring in any other equipment which is not the responsibility of the maintenance/installation contractors, (e.g. radio, telephone, lighting, etc.) the appropriate authority will be contacted by a CCTV operator, if necessary via the System Manager.
- d. Machine Room Faults criteria.

The owner of the equipment will attend to any faults within the Machine room under guarantee/ maintenance agreement.

Section 8

EMERGENCY PROCEDURES

- I** The Control Room will not be left unmanned, except in circumstances requiring evacuation of the building or when there is a risk of life. Before evacuation, Control Room staff should endeavour to place the cameras on the area of risk, record activities and inform the Hendon CCC room. This procedure is to be followed in any unforeseen event that the Control Room should be left unmanned.
- II** Ensuring that evacuation file is taken together with supplied Brent i-phone.

III Fire Alarms

In the event of the building Fire Alarm sounding the Control Room staff should advise the Metcall communication room at Hendon of the situation. Control of the system will be transferred to the police and the Control Room will be secured. If the fire alarm is a false alarm or an exercise staff should only return to the Control Room when advised it is safe to do so and resume control of the system.

IV Duress Alarms

In the event of a Duress Alarm being activated the Security Guard on duty shall attend, informing the Control Room staff if possible. If the Emergency so warrants it, the Control Room staff should inform the Metcall communication room at Hendon. The Control Room is not to be left unmanned, additional Control Room staff may be required to assist in the Emergency as backup by attending the scene or manning other security posts.

V Building Alarms

In the event of a Building Alarm being activated the Security Guard on duty shall attend, informing the Control Room staff and transferring the Emergency Phone to the Control Room. If the Emergency so warrants it, the Control Room staff should inform the Metcall communication room at Hendon. The Control Room is not to be left unmanned, additional Control Room staff may be required to assist in the Emergency as backup by attending the scene or manning other security posts.

VI Bomb Threats

If the Control Room is the recipient of a Bomb Threat, staff should endeavour to obtain as much information from the source of the call using the guidelines at Annex H. On completion of the call staff should immediately inform one of the following; Control Room supervisor or manager, Incident Officer or Duty Officer out of working hours. Staff should then advise the Metcall communication room at Hendon that they are evacuating the Control Room if there is a requirement to do so. If possible the area of threat should be monitored and a real time recording initiated.

Appendix A

Regulation of Investigatory Powers Act, 2000

The Regulation of Investigatory Powers Act, 2000 came into effect in October of that year and introduced a statutory framework for the use of surveillance, both overt and covert, by the Police and other agencies. Section 26 of this Act defines **directed** surveillance as:-

*Subject to subsection (6), surveillance is directed for the purposes of this Part if it is **cover** but **not intrusive** and is undertaken:-*

- a. for the purposes of a specific investigation or a specific operation;*
 - b. in such a manner as is likely to result in the obtaining of private information about a person (whether or not one specifically identified for the purposes of the investigation or operation);*
- and*
- c. otherwise than by way of an immediate response to events or circumstances the nature of which is such that it would not be reasonably practicable for an authorisation under this Part to be sought for the carrying out of the surveillance.*

CCTV being used intrusively will be authorised other than by this section of the Act. Appropriate guidelines already exist for intrusive surveillance.

The impact for staff in CCTV monitoring centres (and Police control rooms) is that there might be cause to monitor for some time a person or premises using the cameras. In most cases this will fall into sub-section (c) above, i.e. it will be an immediate response to events or circumstances. In this case the surveillance would not require authorisation under the Act unless it were to continue for some time. "Some time" is defined as hours rather than minutes.

In cases where a pre-planned event or operation wishes to make use of CCTV for such monitoring, an authority will almost certainly be required.

Slow time requests shall be authorised by a Superintendent or above.

If an Authority is required immediately, an Inspector may grant this. The forms in both cases must indicate the reason for the surveillance and should fall within one of the following categories:-

An Authorisation is necessary on grounds falling within this sub-section if it is necessary:-

- a. in the interests of national security;*
 - b. for the purpose of preventing or detecting crime or of preventing disorder;*
 - c. in the interests of the economic well-being of the United Kingdom;*
 - d. in the interests of public safety;*
 - e. for the purpose of protecting public health;*
 - f. for the purpose of assessing or collecting any tax, duty, levy or other imposition, contribution or charge payable to a government department;*
- or;*
- g. for any purpose (not falling within paragraphs (a) to (f) which is specified for the purposes of this sub-section by an order made by the Secretary of State.*

In cases where there is doubt as to whether an Authorisation is required or not it may be prudent to obtain the necessary authority verbally and then in writing by way of the forms. Any Authority given should be recorded appropriately for later reference. This should include the name of the authorising officer.

Forms should be available at each CCTV monitoring centre.

Some examples of the application of the Act are:-

1. Where a car known to belong to drug dealers is found in a car park late at night by a patrolling police officer, the officer might task CCTV to watch the vehicle of a period of time to note who goes to and from the vehicle. This would require **Inspector** Authorisation.
2. Where crime squad officers wish to have shop premises suspected of being used for dealing in stolen goods monitored from the outside over a period of days. This would require **Superintendent** Authorisation.
3. Where officers have come across a local drug dealer sitting in the town centre and wish to have a camera monitor them so as not to divulge the observation taking place. This would **not** normally require Authorisation.

Appendix B

Extracts from the Police and Criminal Evidence Act, 1984

Section 78(1) PACE states:

"In any proceedings the court may refuse to allow evidence on which the prosecution proposes to rely to be given if it appears to the court that, having regard to all the circumstances, including the circumstances in which evidence was obtained, the admission of the evidence would have such an adverse effect on the fairness of the proceedings that the court ought not to admit it".

Codes of Practice: April 1995

Code D 2.21A states:

"Nothing in this code inhibits an investigating officer from showing a video film or photograph of an incident to the public at large through the national or local media, or to police officers, for the purpose of **recognition** and tracing suspects.

However when such material is shown to a potential witness, (including police officers) for the purpose of obtaining **identification** evidence, it shall be shown on an individual basis to avoid any possibility of collusion, and the showing shall, as far as possible, follow the principles for video film identification or identification by photographs".

Code D 2.10 states:

"The identification officer may show a witness a video film of a suspect if the investigating officer considers, whether because of the refusal of the suspect to take part in an identification parade or group identification or other reasons, that this would, in the circumstances be the most satisfactory course of action".

Code 2.18 states:

"A witness must not be shown photographs, photo-fit, identikit or similar pictures if the suspect is known to the police and he is available to stand on an identification parade. If the identity of the suspect is not known, the showing of the pictures to a witness must be done in accordance with annex D".

Note: These extracts are for guidance only. To avoid the likelihood of a court considering the provisions of Section 78(1) PACE the full most recently published Codes of Practice must be referred to.

Appendix C

The Criminal Procedures and Investigations Act 1996

The Criminal Procedures and Investigations Act 1996 (CPI) came into effect on 1 April 1997 and introduced a statutory framework for the disclosure to defendants of material which the prosecution would not intend to use in the presentation of its own case, (known as unused material).

Previously there had been no statute governing the disclosure of unused material, only common law rulings. During the years leading up to the CPI it may have been argued that those 'common law' rules had become unwieldy and almost unworkable. It was recommended in 1993 that a new Act of Parliament supported by a Code of Practice was required to standardise the procedures and to address the need for a balance of the exchange of information between the defence and the prosecution agencies.

There had been 'rules of disclosure' for some time, in terms of the recording of evidence by way of video equipment, it is thought that the CPI may necessitate minimal alterations to previously existing practice. However the Act introduced some fundamental changes which have an impact upon how investigating officers gather and deal with potential evidence which, in turn, will almost certainly have an impact on CCTV operations - both in the public and the private sector.

The three key words are; **RECORD, RETAIN, REVEAL**, the first two of which may well be relevant to the way in which CCTV operatives deal with their evidence handling procedures.

RECORD

When and how should material be recorded?

"Information should be recorded at the time it is obtained or as soon as practicable after that. Material should be recorded in a durable or retrievable form".

RETAIN

What material should be retained?

*"All **material**, including information (which would include that recorded by way Hard Drive media) and objects, which is **obtained in the course of a criminal investigation** and which **may be relevant to the investigation**".*

What is the test for relevance?

*“Material **may be relevant to the investigation** if it appears to have some bearing on any offence under investigation or any person being investigated, or to the surrounding circumstances of the case **unless it is incapable of having any impact on the case**”.*

REVEAL

Responsibility for the revelation of material rests with the disclosure officer, who may also be the investigating officer, but should not normally be the responsibility of CCTV operators.

The test for disclosure

*“... any prosecution material which has not previously been disclosed to the accused and which in the prosecutors opinion **might undermine the case for the prosecution against the accused**”.*

DEFINITIONS

Whilst this Act specifically refers to criminal investigations being carried out by police officers, it also states that *‘**Persons other than police officers who are charged with the duty of conducting an investigation are to have regard to the relevant provisions of the code, and should take these into account in applying their own operating procedures**’.*

An investigator is defined under this Act as: *‘Any police officer involved in the conduct of a criminal investigation’.* The definition continues by stipulating that; *‘All investigators have a responsibility for carrying out the duties imposed on them under this code, **including in particular recording information, and retaining records of information and other material**’.*

Material may be *‘**relevant to the investigation** if it appears to an investigator that it has some bearing on any offence under investigation or any person being investigated, or on the surrounding circumstances of the case, unless it is incapable of having any impact on the case’.* (The high possibility of the relevance of material not being realised until the conclusion of a case must not be forgotten).

RESPONSIBILITIES

In conducting an investigation, the investigator should pursue all reasonable lines of enquiry, whether these point towards or away from the suspect. What is reasonable in each case will depend on the particular circumstances.

There is now an onus upon the investigator to ensure that **all** potential evidence is retained. If he/she believes that other persons are in possession of material which may

be relevant to the investigation, that other person must be contacted and invited to retain the material in case a request is received for disclosure.

In view of the statutory requirement to **record** information at the time it is obtained or as soon as practicable afterwards in a durable and retrievable form, CCTV operators are likely to find themselves being required to make more written records and to submit written statements more frequently than has been practised in the past. This is especially relevant when descriptions of people, vehicles and events are being recorded or monitored. Initial reports are now extremely important and should be carefully recorded - they are very likely to become discloseable. An investigation begins at the moment of instigation, even though the actual crime may not be reported for several days. If an 'area search' were to be generated by the circulation of a description resulting in the CCTV operator making a negative search of the area, the details of that search, including details of which streets, etc must be recorded.

DISCLOSURE PROCESS

The mechanics of the disclosure of unused material will rest with the disclosure officer, but there is a need for CCTV operators to have an awareness of the process:

Primary Prosecution Disclosure The disclosure officer must reveal any prosecution material which has not previously been disclosed to the accused and which, in the opinion of the prosecutor, might undermine the case for the prosecution against the accused.

Defence Disclosure The defence **must** provide a defence statement in all cases which are to be dealt with by the **Crown Court**, and **may** do so in cases which are to be dealt with at **Magistrates Court**.

Secondary Prosecution Disclosure Once a defence statement has been received, the secondary prosecution disclosure must take place as soon as reasonably practicable. At this stage the prosecution must disclose any prosecution material which has not previously been disclosed, and which might reasonably be expected to assist the defence of the accused as disclosed by the defence statement.

It will be recognised from this process that there are effectively two stages at which requests for a search of video recorded evidence may be made; at any point during the initial investigation up to the point of primary disclosure, and secondly immediately after the provision of a defence statement. It is not possible to foresee the length of an investigation, neither is it possible to dictate the length of time that a video recording should be kept pending the possibility of a requirement being made for further video searches subsequent to the provision of a defence statement. However, if a statutory requirement is placed upon the three stages referred to, it may be anticipated that the policy of retention contained within the CCTV Code of Practice will need to be reviewed.

Link to:- Surveillance Camera Code of Practice

A Data Protection code of Practice for surveillance cameras and personal information
(ICO' office)

Brent CCTV Code of Practice

Brent CCTV Strategy

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